



BELIZE

COMMISSIONS OF INQUIRY ACT CHAPTER 127

REVISED EDITION 2020

SHOWING THE SUBSIDIARY LAWS AS AT 31ST DECEMBER, 2020

This is a revised edition of the Subsidiary 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 the following laws—

	Page
1. COMMISSION OF INQUIRY (COMMUNITY DEVELOPMENT PROJECTS)	4
2. COMMISSION OF INQUIRY (INVESTIGATION OF EXPLOSION AT WAREHOUSE OF BELIZE SUGAR INDUSTRIES LIMITED)	7
3. COMMISSION OF INQUIRY (INVESTIGATION OF CIRCUMSTANCES SURROUNDING THE ARREST AND DEPORTATION OF GUATEMALAN NATIONAL LUIS ARTHURO AREVALO)	10

4. COMMISSION OF INQUIRY (CRIMES COMMISSION)	14
5. COMMISSION OF INQUIRY (INVESTIGATION OF CIRCUMSTANCES SURROUNDING THE DEATH OF SHELDON FLOWERS)	17
6. COMMISSION OF INQUIRY (INVESTIGATION OF POLITICAL CORRUPTION AND MISMANAGEMENT)	20
7. COMMISSION OF INQUIRY (INVESTIGATION OF ALLEGED IRREGULARITIES IN THE BELIZE ECONOMIC CITIZENSHIP PROGRAMME)	24
8. COMMISSION OF INQUIRY (INVESTIGATION OF CIRCUMSTANCES SURROUNDING THE DEATH OF GUATEMALAN NATIONAL MATEO RAMIREZ)	27
9. COMMISSION OF INQUIRY (INVESTIGATION OF ALLEGATIONS THAT PATIENTS AT THE KARL HEUSNER MEMORIAL HOSPITAL WERE TRANSFUSED WITH HIV BLOOD)	30
10. COMMISSION OF INQUIRY (INVESTIGATION INTO THE TOWER HILL BRIDGE TRANSPORT DEMONSTRATION)	33
11. COMMISSION OF INQUIRY (INVESTIGATION INTO SHOOTING INCIDENT WHICH ALLEGEDLY LED TO THE DEATH OF THREE GUATEMALAN NATIONALS)	36
12. COMMISSION OF INQUIRY (INVESTIGATION OF ALLEGED IMPROPRIETIES AND IRREGULARITIES IN THE DEPARTMENT OF IMMIGRATION AND NATIONALITY)	39
13. COMMISSION OF INQUIRY (INVESTIGATION INTO CIRCUMSTANCES SURROUNDING THE DEATH OF TWO PERSONS AT OTOXHA VILLAGE, TOLEDO DISTRICT)	42
14. COMMISSION OF INQUIRY (INVESTIGATION OF THE OPERATIONS OF DFC – LOANS AND SECURITIZATION PORTFOLIOS)	45
15. COMMISSION OF INQUIRY (CONTINUATION OF INQUIRY UPON DEATH OF A COMMISSIONER)	48

CHAPTER 127

Ch. 70.
R.E. 1980-1990.
107 of 1989.
121 of 1989.
CAP. 127.
R.E. 2020.

**COMMISSION OF INQUIRY (COMMUNITY
DEVELOPMENT PROJECTS)**

(Section 2)

[12th October, 1989.]

121 of 1989.

**TO: ROY COOTE, ESQUIRE
STANLEY ERMEAV, ESQUIRE
GEORGE SWIFT, ESQUIRE
REV. LLOYD LOPEZ**

WHEREAS a sum of \$6,600,000.00 was allocated by the Government of Belize for the fiscal year 1989 - 90 for “Community Development Projects” to be carried out in the various Constituencies in the country;

AND WHEREAS a Preliminary Audit has revealed that the Accounting Officers and Warrant Holders abdicated their responsibilities in the administration of these funds as set out in the Control of Public Expenditure Handbook, whether through fear, favour, superior orders or otherwise;

AND WHEREAS the Projects undertaken were, to a large extent, executed under the direct supervision of the Area Representatives and their Political Officers;

AND WHEREAS the works were carried out, to a large extent, by verbal contracts and verbal orders between the Area Representatives, Political Officers and private individuals;

AND WHEREAS the Preliminary Audit indicates irregularities, mismanagement and non-compliance with government regulations;

AND WHEREAS it seems desirable to the Prime Minister that a Commission of Inquiry shall issue as hereinafter mentioned;

NOW KNOW YE that by virtue of the powers and authority in me vested by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, I by this Commission appoint you the said **ROY COOTE, STANLEY ERMEAV, GEORGE SWIFT** and **REV. LLOYD LOPEZ** to be Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred and I do authorise you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the financial and administrative management of the said Community Development Projects funded by Government since 1st April 1989, with specific reference to the following matters, to wit—

121 of 1989

- (a) to determine whether any improprieties and irregularities were committed and, if so, the persons responsible therefor;
- (b) to determine whether the government regulations respecting the control of public expenditure were duly complied with by all concerned;
- (c) to determine whether the funds and/or materials intended for the said Projects were in any manner misappropriated and, if so, the persons responsible therefor;
- (d) to determine whether the Government has received value for the money expended;

- (e) to determine whether persons employed as Contractors/Supervisors possessed the necessary knowledge and skills to properly execute the works;
- (f) to determine whether the quality of workmanship displayed on the various projects was up to the required standards.

121 of 1989.

I DIRECT THAT you the said **ROY COOTE** shall be the Chairman of the said Commission to hold the Inquiry aforesaid, and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your Inquiry with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT all public officers and other persons to whom you may apply for assistance or information for the purposes of your inquiries and investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION OF
EXPLOSION AT WAREHOUSE OF BELIZE SUGAR
INDUSTRIES LIMITED)**

Ch.70.
R.E. 1980-1990.
133 of 1990.
CAP. 127.
R.E. 2020.

(Section 2)

[26th November, 1990.]

**TO: LUKE ESPAT, ESQUIRE
DR. ERASMUS FRANKLIN, ESQUIRE
DR. VICTOR GONZALEZ, ESQUIRE
WENDEL PARHAM, ESQUIRE**

WHEREAS, an explosion occurred on the night of Friday, 16th November, 1990 at the warehouse belonging to the Belize Sugar Industries Limited located near Chan Pine Ridge Village, Orange Walk District, used for the storage of chemicals and other materials;

AND WHEREAS, as a result of the explosion and the accompanying fire, harmful gases and fumes emitted into the atmosphere posing a health hazard to the residents of the surrounding villages, leading to their emergency evacuation from their homes;

AND WHEREAS, several persons are known to have suffered from the ill-effects of gaseous substances emanating from the said warehouse, resulting in their hospitalization;

AND WHEREAS, it seems desirable to the Prime Minister that a Commission of Inquiry shall issue as hereinafter mentioned;

NOW KNOW YE that by virtue of the powers and authority in me vested by Section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, I do by

this Commission appoint you the said **LUKE ESPAT, DR. ERASMUS FRANKLIN, DR. VICTOR GONZALEZ** and **WENDEL PARHAM**, to be Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred and I do authorize you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the explosion and fire which occurred on the night of Friday, 16th November, 1990 at the warehouse belonging to the Belize Sugar Industries Limited located near Chan Pine Ridge Village, Orange Walk District, with specific reference to the following matters to wit—

- (a) to determine the cause of the said explosion and fire;
- (b) to determine whether there were adequate safety procedures for the storage of chemicals and other hazardous materials at the said warehouse;
- (c) to determine the long-term and short-term effect of the explosion and fire and the consequent emission of gases and fumes on the inhabitants of the area, as well as on the surrounding land (including crops) and the environment;
- (d) to determine the effects on fish, wildlife and other fauna and flora of the chemicals or other pollutants generally discharged into rivers and other waterways by the Sugar Cane Industry both in Orange Walk and Corozal Districts;
- (e) to determine the adequacy or otherwise of the hospital and fire services in the area of the explosion;

- (f) to make specific recommendations for the proper storage of chemicals and the control of pollutants in the Sugar Cane Industry, with particular reference to measures for preventing a recurrence of such incidents.

I DIRECT THAT you the said **LUKE ESPAT** shall be the Chairman of the said Commission to hold the Inquiry aforesaid, and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your Inquiry with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your inquiries and investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 22nd day of November, 1990.

(GEORGE PRICE) (HON.)

Prime Minister

Chapter 127

Ch. 70.
R.E. 1980-1990.
140 of 1990.
CAP. 127.
R.E. 2020.

COMMISSION OF INQUIRY (INVESTIGATION OF
CIRCUMSTANCES SURROUNDING THE ARREST
AND DEPORTATION OF GUATEMALAN NATIONAL
LUIS ARTHURO AREVALO)

(Section 2)

[1st December, 1990.]

**TO: HORACE YOUNG, ESQUIRE, Q.C.
 RODWELL WILLIAMS, ESQUIRE
 REV. LLOYD LOPEZ, J.P.**

WHEREAS, Complaints have been made by the Human Rights Commission of Belize, the Amnesty International and other human rights organisation against the arrest and deportation of a Guatemalan national, **LUIS ARTHURO AREVALO**, 50 years, by the Belize security forces towards the end of October, 1990;

AND WHEREAS, it is alleged that the said **LUIS ARTHURO AREVALO** was tortured by the security forces, while in their custody;

AND WHEREAS, the Belize Police Force can find no record of the arrest or deportation of any Guatemalan national bearing the name '**LUIS ARTHURO AREVALO**', but have confirmed that one '**RUAL ROBERTO AREVALO CRUZ**', 50 years' old, Guatemalan national, was arrested towards the end of October, 1990 in the Caves Branch area of Cayo District on the basis of a complaint made by his common law wife, and that he was later returned to Guatemala, his country of origin;

AND WHEREAS, the Police have denied all allegations of torture or mistreatment of the said Guatemalan national;

AND WHEREAS, it seems desirable to the Prime Minister that the complaints made by the human rights organisations should be fully and fairly investigated and that a Commission of Inquiry shall issue as hereinafter mentioned:

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, **I, GEORGE PRICE, PRIME MINISTER**, do by this Commission appoint you the said **HORACE YOUNG, RODWELL WILLIAMS** and **REV. LLOYD LOPEZ** to be Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred and I do authorise you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into reports of the arrest, deportation and the alleged torture of a Guatemalan national, aged about 50 years, bearing the name '**LUIS ARTHURO AREVALO**' or '**RAUL ROBERTO AREVALO CRUZ**' by the Belizean security forces in late October, 1990, with specific reference to the following matters, to wit—

- (a) to investigate the circumstances surrounding the arrest of a Guatemalan national, ages about 50 years, bearing the name '**LUIS ARTHURO AREVALO**' or '**RAUL ROBERTO AREVALO CRUZ**' in late October, 1990;
- (b) to determine whether the said Guatemalan national was tortured or otherwise ill-treated by the Belize security forces while in their custody;

- (c) to determine whether there was any violation of human rights and fundamental freedoms by the security forces in their dealings with the said Guatemalan national;
- (d) to investigate the circumstances leading to the deportation of the said Guatemalan national by the Belizean authorities;
- (e) to determine whether the Belizean authorities were in violation of any rule of national or international law in returning the said person to Guatemala;
- (f) to make recommendations regarding procedures for the treatment of persons in custody, having regard to the provisions of the Belize Constitution and other relevant laws, rules and regulations, and the international convention relating to human rights and fundamental freedoms.

I DIRECT THAT you the said **HORACE YOUNG** shall be the Chairman of the said Commission to hold the Inquiry aforesaid, and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your Inquiry with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your inquiries and investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 29th day of November, 1990.

(GEORGE PRICE) (HON.)

Prime Minister

CHAPTER 127

Ch. 70.
R.E. 1980-1990.
117 of 1991.
CAP. 127.
R.E. 2020.

COMMISSION OF INQUIRY (CRIMES COMMISSION)*(Section 2)**[31st August 1991.]*

**TO: GLENN D. GODFREY, ESQUIRE
MICHAEL YOUNG, ESQUIRE
K B. SMITH, ESQUIRE
BELLIZARIO CARBALLO, ESQUIRE
DARRELL CARTER, ESQUIRE
CHARLES HYDE, ESQUIRE
MISS SYLVIA FLORES
BERNARD BEVANS, ESQUIRE
MRS. YOLANDA MURRAY**

WHEREAS, the Government of Belize is committed to a continuing process of reducing and controlling the incidence of crime in the society;

AND WHEREAS, a scientific determination of the underlying causes of the contemporary problems of crime can assist the law enforcement agencies in adopting appropriate crime prevention measures;

AND WHEREAS, the Government appreciates that willing cooperation of the general public is necessary for the eradication of crime;

AND WHEREAS, the Prime Minister considers that it shall be for the public welfare to issue a Commission as hereinafter set forth;

NOW KNOW YE that by virtue of the powers and authority in me vested by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, I do by this Commission appoint you the said **HON. GLENN D.**

GODFREY, MICHAEL YOUNG, K B. SMITH, BELLIZARIO CARBALLO, DARRELL CARTER, CHARLES HYDE, SYLVIA FLORES, BERNARD BEVANS, and YOLANDA MURRAY, to be Commissioners for the purposes hereinafter mentioned with all the powers by the said Act conferred and I do authorise you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the incidence of crime in the Belizean society, with special reference to the following matters, to wit—

- (a) to determine the nature and extent of crime in Belize;
- (b) to determine the underlying causes of the contemporary problems of crime;
- (c) to determine the adequacy or otherwise of the law enforcement agencies to combat crime;
- (d) to determine the adequacy or otherwise of the existing laws to effectively deal with crime;
- (e) to hear and inquire into any matter relating to the above;
- (f) to make recommendations for controlling the incidence of crime with a view to making Belize a crime-free society.

I DIRECT that you the said **HON. GLENN D. GODFREY** shall be the Chairman of the said Commission to hold the Inquiry aforesaid, and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may

appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiry with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belize City This 28th Day of August, 1991.

(GEORGE PRICE) (HON.)

Prime Minister

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION OF
CIRCUMSTANCES SURROUNDING THE DEATH OF
SHELDON FLOWERS)**

Ch. 70.
R.E. 1980-1990.
135 of 1991.
CAP. 127.
R.E. 2020.

(Section 2)

[4th November, 1991.]

TO: GEORGE BAWA SINGH, ESQUIRE

WHEREAS, a public controversy has arisen in regard to the circumstances surrounding the death of **SHELDON FLOWERS**, 21 years, which was caused in the early hours of Sunday, 20th October, 1991, in the offices of the Belize Brewing Company, King Street, Belize City;

AND WHEREAS, it seems to me desirable that in order to allay public concern about the death of **SHELDON FLOWERS**, an impartial and independent inquiry should be instituted into the incident and that a Commission of Inquiry shall issue as hereinafter mentioned—

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, **I, GEORGE PRICE, PRIME MINISTER**, do by this Commission appoint you the said **GEORGE BAWA SINGH**, Esquire, to be the sole Commissioner for the purpose hereinafter mentioned with all the powers by the said Act conferred and I do authorise you the said **GEORGE BAWA SINGH**, Esquire, in the manner in the said Act provided to make a full, faithful and impartial inquiry into the circumstances surrounding the death of the said **SHELDON FLOWERS** (“the deceased”), which was caused in the early hours of Sunday, 20th October, 1991, at the offices of the

Belize Brewing Company, King Street, Belize City, with specific reference to the following matters, to wit—

- (a) to investigate the circumstances in which the deceased happened to be in the offices of the Belize Brewing Company at the time of the aforesaid incident;
- (b) to determine the sequence of events inside the said building surrounding the death of the deceased;
- (c) to determine whether the Police properly conducted and handled the investigation aforesaid;
- (d) to hear and inquire into any matter relating to the above.

I DIRECT that you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, do hold your meetings at such place or places and at such time or times as you may appoint and that you do make a report to me as soon as may be practicable of the result of your inquiry with your findings, comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 4th day of November, 1991.

(GEORGE PRICE) (HON.)

Prime Minister

CHAPTER 127

Ch.70.
R.E. 1980-1990
101 of 1993.
CAP. 127.
R.E. 2020

**COMMISSION OF INQUIRY (INVESTIGATION OF
POLITICAL CORRUPTION AND MISMANAGEMENT)**

(Section 2)

[9th October, 1993.]

**TO: ADALBERT TUCKER, ESQUIRE
DENYS BARROW, ESQUIRE
BERNARD MAHLER, ESQUIRE**

WHEREAS, allegations of political corruption and mismanagement under the previous administration have led to public demands for a full-scale investigation by an independent tribunal;

AND WHEREAS, a special investigation team consisting of public officials was instituted to investigate and ascertain the extent of the information to support such allegations;

AND WHEREAS, based on the information gathered, the investigation moved into its second phase with the appointment of an Independent Task Force to advise Government on how best to proceed as the information gathering continues;

AND WHEREAS, I have been advised by the Chairman of the Independent Task Force that the investigation can best proceed through a Commission of Inquiry; it, therefore, seems to me desirable to appoint a Commission of Inquiry to enquire into the said allegations and to make recommendations to eliminate corruption in public life and to enhance integrity, accountability and performance in the management of public affairs;

NOW KNOW YE that by virtue of the powers and authority in me vested by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, 1980, **I, MANUEL ESQUIVEL, PRIME MINISTER** of Belize, do by this Commission appoint you the said **ADALBERT TUCKER, ESQUIRE, DENYS BARROW, ESQUIRE** and **BERNARD MAHLER, ESQUIRE**, to be Commissioners for the purposes hereinafter mentioned with all the powers by the said Act conferred and I DO authorize you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the said allegations with specific reference to the following matters, to wit—

- (a) allegations of wide-spread corruption, mismanagement and misappropriation of public funds under the previous administration;
- (b) whether any criminal offence has been committed by any person and if so, to make recommendations for appropriate action;
- (c) systems, procedures, and processes in various ministries, departments and other areas indicated by the investigation;
- (d) any other matter relating to the above.

I DIRECT that you the said **ADALBERT TUCKER, Esquire**, shall be the Chairman of the said Commission to hold the inquiry aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries

with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

AND that in addition to the aforesaid inquiry, you do

- (a) identify, prioritise, launch and coordinate investigations necessary at various levels in Belize and abroad and the efforts of the Special Investigation team appointed by Government;
- (b) make specific recommendations on strategies, structures, mechanisms and other safeguards that are required to eliminate corruption, and enhance integrity, accountability and performance in the management of public affairs;
- (c) make recommendations for legislative and other action, including orientation and training of officials and other persons in public life that will be required to secure compliance with the recommended changes.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 7th day of October, 1993.

(MANUEL ESQUIVEL) (HON.)

Prime Minister

CHAPTER 127

Ch.70.
R.E. 1980-1990.
20 of 1998.
CAP. 127.
R.E. 2020.

**COMMISSION OF INQUIRY (INVESTIGATION OF
ALLEGED IRREGULARITIES IN THE BELIZE
ECONOMIC CITIZENSHIP PROGRAMME)**

(Section 2)

[28th March, 1998.]

**TO: HARRY LUI, ESQUIRE
WILLIAM TILLET, ESQUIRE.**

WHEREAS, the Report of the Auditor General on the Belize Economic Citizenship Programme for the period 1989-1993 was presented to the House of Representatives on the 12th September, 1997;

AND WHEREAS, the House referred the said Report to the Public Accounts Committee for examination, consideration and report;

AND WHEREAS, the Public Accounts Committee having found several irregularities in the handling of large sums of money and the blatant disregard of Government rules and regulations in the conduct of the Economic Citizenship Programme during the period under review, recommended to the House that the Prime Minister be requested to appoint without delay a Commission of Inquiry to hold a public inquiry into the said allegations in order that the public interest be better served;

AND WHEREAS, the House at its meeting held on the 23rd January, 1998 accepted the said recommendation of the Public Accounts Committee;

AND WHEREAS, it seems to me desirable to appoint a Commission of Inquiry to enquire into the said allegations

and to make recommendations in all matters connected therewith;

NOW KNOW YE that by virtue of the powers and authority in me vested by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, Revised Edition 1980-90, **I, MANUEL ESQUIVEL, PRIME MINISTER** of Belize, do by this Commission appoint you the said **HARRY LUI, ESQUIRE** and **WILLIAM TILLET, ESQUIRE**, to be the Commissioners for the purposes aforesaid with all the powers by the said Act conferred and I DO authorise you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the said allegations with specific reference to the following matters, to with—

- (a) to examine the allegations of irregularities and gross mismanagement of the Economic Citizenship Programme during the period 1989-1993, and the flagrant disregard of rules and regulations resulting in a loss of \$7,535,833.38 to the Government of Belize, as pointed out in the Auditor General's Report;
- (b) to determine whether the fees payable for Economic Citizenship were properly waived by the Minister responsible for Immigration & Nationality;
- (c) to identify the person or persons responsible for the said loss and to determine whether any criminal or other offence has been committed, or any rule of the Code of Conduct has been breached, by any of them.
- (d) to make recommendations on any of the matters related to the above.

I DIRECT that you the said **HARRY LUI, ESQUIRE**, shall be the Chairman of the said Commission to hold the inquiry aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY DIRECT that the Inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 23rd day of March, 1998.

(MANUEL ESQUIVEL) (HON.)

Prime Minister

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION OF
CIRCUMSTANCES SURROUNDING THE DEATH OF
GUATEMALAN NATIONAL MATEO RAMIREZ)**

Ch.70.
R.E. 1980-1990.
77 of 1999.
CAP. 127.
R.E. 2020.

(Section 2)

[8th July, 1999.]

**TO: HERBERT LORD, ESQUIRE
INEZ SANCHEZ, ESQUIRE
MRS. MARIA GAMERO.**

WHEREAS, a shooting incident occurred on the 12th June, 1999 in the border village of Arenal, Cayo District, involving certain members of the Belize Security Forces, which resulted in the death of **MATEO RAMIREZ**, a Guatemalan National;

AND WHEREAS, there are conflicting versions of the incident given by the witnesses leading to public controversy as to the true facts;

AND WHEREAS after consultation with the National Security Council of Belize, it seems to me desirable that an impartial and independent inquiry be instituted into the said incident and that a Commission of Inquiry shall issue as hereinafter mentioned;

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, Revised Edition 1980-1990, **I, SAID MUSA, PRIME MINISTER**, do by this Commission appoint you the said **HERBERT LORD, ESQUIRE, INEZ SANCHEZ, ESQUIRE** and **MRS. MARIA GAMERO**, to be the Commissioners for the purposes hereinafter mentioned with all the powers by the said

Act conferred and **I DO** authorise you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the circumstances surrounding the death of the said **MATEO RAMIREZ**, with specific reference to the following matters, to wit—

- (a) to investigate the circumstances surrounding the death of the said Mateo Ramirez on the 12th June, 1999, near the border village of Arenal, Cayo District;
- (b) to determine whether any excessive or unjustifiable force was used by the Belize Security Forces;
- (c) to hear and inquire into any other matter relating to the above.

I HEREBY DIRECT that you the said **HERBERT LORD, ESQUIRE**, shall be the Chairman of the said Commission to hold the inquiry aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY FURTHER DIRECT that the inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for

assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 1st day of July, 1999.

(SAID W. MUSA) (HON.)
Prime Minister

CHAPTER 127

Ch. 70.
R.E. 1980-1990.
71 of 2001.
CAP. 127.
R.E. 2020.

**COMMISSION OF INQUIRY (INVESTIGATION OF
ALLEGATIONS THAT PATIENTS AT THE KARL
HEUSNER MEMORIAL HOSPITAL WERE
TRANSFUSED WITH HIV BLOOD)**

(Section 2)

[Gazetted 5th May, 2001.]

**TO: SIR GEORGE BROWN, KT, ESQUIRE
PAUL RODRIGUEZ, ESQUIRE
LEROY TAEGAR, MD, ESQUIRE**

WHEREAS it has come to my attention that during the period March 28th, 2001 and April 10th, 2001, three patients at the Karl Heusner Memorial Hospital may have been transfused with blood suspected to be contaminated with the human immune-deficiency (HIV) virus;

AND WHEREAS, following this incident, I was advised by the Minister for Health that a full, faithful and impartial inquiry into the circumstances surrounding and leading to the transfusion of blood that tested positive for the human immune-deficiency (HIV) virus to three patients at the Karl Heusner Memorial Hospital between the period March 28th, 2001 and April 10th, 2001 should be held without undue delay;

AND WHEREAS, based on the advice of the Minister for Health, it seems to me desirable to appoint a Commission of Inquiry into the circumstances of the transfusion of blood that tested positive for the human immuno-deficiency (HIV) virus to three patients at the Karl Heusner Memorial Hospital;

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 70 of the Laws of Belize, Revised Edition 1980 – 1990, **I, SAID MUSA, PRIME MINISTER**, do by this Commission, appoint you the said **SIR GEORGE BROWN, KT, ESQUIRE, PAUL RODRIGUEZ, ESQUIRE** and **LEROY TAEGAR, MD, ESQUIRE**, to be the Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred, and **I DO** authorize the said Commissioners in the manner in the said Act provided, to make a full, faithful and impartial inquiry into the circumstances surrounding and leading to the transfusion of blood that test positive for the human immune-deficiency (HIV) virus to three patients at the Karl Heusner Memorial Hospital during the period of March 28th 2001 and April 10th 2001, with specific reference to the following matters, to wit–

- (a) the circumstances surrounding and leading to the transfusion of blood that tested positive for the human immuno-deficiency (HIV) virus to three patients at the Karl Heusner Memorial Hospital during the period of March 28th, 2001 and April 10th, 2001;
- (b) where possible to determine whether and where any breakdown in the system occurred, and if there was any negligence involved;
- (c) make recommendations based on the results of the findings of the Commission aimed at preventing a recurrence of such an incident;
- (d) any other matter relating to the above.

I HEREBY DIRECT that you the said **SIR GEORGE BROWN, KT, ESQUIRE**, shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having made and subscribed an

oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY FURTHER DIRECT that the inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HERBY REQUIRE AND DIRECT all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered or furnished in that behalf.

MADE in Belmopan this 4th day of May, 2001.

(SAID MUSA) (HON.)
Prime Minister

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION INTO
THE TOWER HILL BRIDGE TRANSPORT
DEMONSTRATION)**

CAP. 127.
R.E. 2003.
109 of 2001.
CAP. 127.
R.E. 2020

(Section 2)

[4th August, 2001.]

**TO: JUSTICE CHRISTOPHER ARTHUR
BLACKMAN, ESQUIRE
SHERMAN ZUNIGA, ESQUIRE
THE REVEREND LAZARUS
AUGUSTINE, ESQUIRE**

WHEREAS it has come to my attention that on or around the 30th July 2001, members of the Belize Police Department supported by the Belize Defence Force, were deployed to the Tower Hill Bridge, Orange Walk District, to clear a roadblock in connection with a demonstration relating to the issuance of a Road Transport permit by the Transport Department;

AND WHEREAS it appears that the demonstration escalated into a protest involving an exchange between protesters and security personnel including the use of firearms;

AND WHEREAS, following this incident, I was advised by the Minister for National Security that a full, faithful and impartial inquiry into the circumstances surrounding and leading to the demonstration and subsequent exchanges between protesters and security personnel on Monday, July 30th 2001, at the Tower Hill Bridge, Orange Walk District, should be held without undue delay;

AND WHEREAS, based on the advice of the Minister for National Security, it seems to me desirable to appoint a

Commission of Inquiry into the circumstances of the demonstration and the subsequent exchanges between protesters and security personnel at the Tower Hill Bridge, Orange Walk District:

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Laws of Belize, Revised Edition 2000, **I, SAID MUSA, PRIME MINISTER**, do by this Commission, appoint you the said **JUSTICE CHRISTOPHER ARTHUR BLACKMAN, SHERMAN ZUNIGA, ESQUIRE**, and **THE REVEREND LAZARUS AUGUSTINE, ESQUIRE**, to be the Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred, and I do authorize the said Commissioners in the manner in the said Act provided, to make a full, faithful and impartial inquiry into the circumstances surrounding and leading to the demonstration and subsequent violent exchanges between protesters and security personnel at the Tower Hill Bridge, Orange Walk District, on Monday, July 30th 2001, with specific reference to the following matters, to wit—

- (a) the circumstances surrounding and leading to the demonstration relating to the issuance of a Road Transport permit by the Transport Department on Monday, July 30th 2001;
- (b) the circumstances surrounding and leading to the exchanges between protesters and security personnel on Monday, July 30th 2001;
- (c) where possible, to determine whether any breakdown in the system of administration of the issuance of road transport permits occurred;
- (d) whether, in all the circumstances, the use of force by security personnel was reasonable;

- (e) make recommendations based on the results of the findings of the Commission aimed at preventing a recurrence of such incidents;
- (f) any other matter relating to the above.

I HEREBY DIRECT that you the said **JUSTICE CHRISTOPHER ARTHUR BLACKMAN**, shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY FURTHER DIRECT that the inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered or furnished in that behalf.

MADE in Belmopan this 2nd day of August, 2001.

(SAID MUSA) (HON.)
Prime Minister

CHAPTER 127

Ch. 127.
R.E. 2003.
17 of 2002.
CAP. 127.
R.E. 2020.

**COMMISSION OF INQUIRY (INVESTIGATION INTO
SHOOTING INCIDENT WHICH ALLEGEDLY LED TO
THE DEATH OF THREE GUATEMALAN
NATIONALS)**

(Section 2)

[9th February, 2002.]

**TO: HERBERT LORD, ESQUIRE
 PAUL RODRIGUEZ, ESQUIRE
 MRS. MARIA GAMERO**

WHEREAS, a shooting incident occurred on the 22nd day of November, 2001 in the Toledo District of Belize involving certain members of the Belize Security Forces which resulted in the deaths of three Guatemalan nationals, Jesus Ramirez Solano, Jesus Ramirez Icho and Virgilio Ramirez Icho;

AND WHEREAS, it is at present unclear as to what caused the shooting incident;

AND WHEREAS, after consultation with the National Security Council of Belize, it seems to me desirable that an impartial and independent inquiry be instituted into the said incident and that a Commission of Inquiry shall issue as hereinafter mentioned.

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Substantive Laws of Belize, Revised Edition 2000, **I, SAID MUSA, PRIME MINISTER**, do by this Commission, appoint you the said **HERBERT LORD, ESQUIRE, PAUL RODRIGUEZ, ESQUIRE and MRS. MARIA GAMERO**, to be the Commissioners for the

purposes hereinafter mentioned with all the powers by the said Act conferred and **I DO** authorize you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the circumstances surrounding the death of the said three Guatemalans, with specific reference to the following matters, to wit—

- (a) to investigate the circumstances surrounding the death of the said Jesus Ramirez Solano, Jesus Ramirez Icho and Virgilio Ramirez Icho;
- (b) to determine whether any excessive or unjustifiable force was used by the Belize Security Forces;
- (c) to hear and inquire into any other matter relating to the above.

I HEREBY DIRECT that you the said **HERBERT LORD, ESQUIRE** shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings with due urgency and expedition at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries, with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY FURTHER DIRECT that the inquiry shall, except when you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purposes of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 4th day of February, 2002.

(SAID W. MUSA) (HON.)

Prime Minister

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION OF
ALLEGED IMPROPRIETIES AND IRREGULARITIES
IN THE DEPARTMENT OF IMMIGRATION AND
NATIONALITY)**

CAP. 127.
R.E. 2003.
103 of 2002.
CAP. 127.
R.E. 2020.

(Section 2)

[Gazetted 7th September, 2002.]

**TO: PAUL RODRIGUEZ, Esq.,
BISHOP SYLVESTRE ROMERO
PALMA,
MARK C. HULSE, Esq.**

WHEREAS, there have been public allegations of improprieties and irregularities at the Department of Immigration and Nationality in respect of the processing of Belizean nationality and passport applicants;

AND WHEREAS, it seems to me desirable that in order to ensure the proper functioning of the Department of Immigration and Nationality and to restore public confidence in this Department it is vital to the national interest that an impartial and independent inquiry should be held into the said allegations and that a Commission of Inquiry shall issue as hereinafter mentioned;

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Substantive Laws of Belize, Revised Edition 2000, **I, SAID W. MUSA, PRIME MINISTER**, do by this Commission, appoint you the said **PAUL RODRIGUEZ, Esq., BISHOP SYLVESTRE ROMERO PALMA, and MARK HULSE, Esq.**, to be the Commissioners for the purpose hereinafter mentioned with all

the powers by the said Act conferred, and I do authorized the said Commissioners in the manner in the said Act provided, to make a full, faithful and impartial inquiry into the public allegations of irregularities at the Department of Immigration and Nationality, with specific reference to the following matters, to wit—

- (a) to determine whether any person was granted Belizean citizenship under the Economic Citizenship Program after the 15th January, 2002, the date when the Program was abolished;
- (b) to determine the number of persons who were granted Belizean citizenship during the period 15th January, 2002 to 31st July, 2002;
- (c) to determine whether any procedural irregularities were committed at the Department of Immigration and Nationality or elsewhere in respect of the processing and issuance of Belizean nationality and passport applications during the period 15th January, 2002 to 31st July, 2001, but not to assign criminal responsibility to any person;
- (d) to review the working of the Belizean Nationality Act and the Department of the Immigration and Nationality and to make recommendations with respect to amendment of the said Act and of the Immigration Act to address any areas of weakness or potential abuse;
- (e) to make recommendations for an overall improvement of the process for granting Belizean citizenship and for processing and granting all types of immigration permits

with a view to maintaining public confidence in the integrity of the system;

- (f) to conduct the inquiry in a manner which does not obstruct, interfere or hamper ongoing investigations into the matter.

I HEREBY DIRECT that you the said **PAUL RODRIGUEZ Esq.**, shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold you meetings at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY REQUIRE AND DIRECT all public officers and other persons to whom you may apply for assistance or information for the purpose of your inquiry or render all such assistance and furnish all such information as may be or furnished in that behalf.

MADE at Belmopan this, 30th day of August, 2002.

(SAID W. MUSA) (HON.)

Prime Minister

CHAPTER 127

CAP. 127.
R.E. 2003.
120 of 2002.
CAP. 127.
R.E. 2020.

**COMMISSION OF INQUIRY (INVESTIGATION INTO
CIRCUMSTANCES SURROUNDING THE DEATH OF
TWO PERSONS AT OTOXHA VILLAGE, TOLEDO
DISTRICT)**

(Section 2)

[Gazetted 19th October, 2002.]

**TO: DR. ANGEL CAL, Esq.
 JUAN ACK, Esq.
 KENT HAYLOCK, Esq.**

WHEREAS, an incident occurred on the 27th day of September 2002 near the Village of Otoxha in the Toledo District involving certain members of the Belize Security Services, Public Officers and villagers of nearby communities, which resulted in the deaths of Alfredo Chen and Seriano Choc, and the wounding of certain other persons;

AND WHEREAS representatives have been made to me by certain sections of the community that it is in the national interest that an impartial and independent inquiry should be held into the circumstances surrounding the aforementioned incident to determine whether there was fairness in the application of the law;

AND WHEREAS it seems to me desirable that an impartial and independent inquiry should be held into the said incident and that a Commission of Inquiry shall issue as hereinafter mentioned.

NOW KNOW YE that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Laws of Belize, Revised Edition 2000, **I, SAID W. MUSA, PRIME MINISTER**, do

by this Commission, appoint you the said **DR. ANGEL CAL, Esq., JUAN ACK, Esq., and KENT HAYLOCK, Esq.** to be Commissioners for the purpose hereinafter mentioned with all the powers by the said Act conferred, and **I DO** authorize the said Commissioners in the manner in the said Act provided, to make a full, faithful and impartial inquiry into the circumstances surrounding the incident which occurred near the Village of Otoxha in the Toledo district on the 27th day of September 2002, resulting in the death of Alfredo Chen and Seriano Choc and the wounding of certain other persons, with specific reference to the following matters, to wit—

- (a) to investigate the circumstances surrounding the deaths of Alfredo Chen and Seriano Choc and the wounding of certain other persons;
- (b) to determine whether any excessive or unjustifiable force was used by the Belize Security Forces in the course of the encounter;
- (c) to hear and inquire into any other matter relating to the above;

I HEREBY DIRECT that you the said **DR. ANGEL CAL, Esq.** shall be the Chairman of the said Commission to hold the Inquiry as foresaid, and I also direct that each of you having made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary to the Cabinet, you do hold you meetings at such place and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and the reasons leading to the conclusion and recommendations at which you may arrive or report.

I DO HEREBY REQUIRE AND DIRECT all public officers and other persons to whom you may apply for assistance or information for the purpose of your investigation to render all such assistance and furnish all such information as may be rendered or furnished in that behalf.

SAVE AND EXCEPT THAT whenever you intend to apply for information or assistance from any member of the Police Department or any other person, for the purpose of your investigation, you shall be required to consult with the Director of Public Prosecutions in relation thereto, and if the Director of Public Prosecutions shall thereafter inform you in writing that the provision of any such information and/or assistance would be prejudicial either to any ongoing criminal investigation or trial (as the case may be) then no such information and/or assistance shall be required to be provided to you.

MADE in Belmopan this 11th day of October, 2002.

(SAID W. MUSA) (HON.)

Prime Minister

CHAPTER 127

**COMMISSION OF INQUIRY (INVESTIGATION OF
THE OPERATIONS OF DFC – LOANS AND
SECURITIZATION PORTFOLIOS)**

CAP. 127.
R.E. 2020.
24 of 2005.
CAP. 127.
R.E.2020.

[Gazetted 12th March, 2005.]

**To: DAVID PRICE, ESQUIRE
HERBERT LORD, ESQUIRE
MS. MERLENE BAILEY MARTINEZ**

WHEREAS, the purposes of the Development Finance Corporation (DFC) include the expansion and strengthening of the economy of Belize by supplying finance for the development of agriculture, forestry, industry, tourism, education, housing and other key sectors;

AND WHEREAS, certain public concerns have lately been expressed about the operations of the DFC with particular reference to its loans and securitization portfolios;

AND WHEREAS, it seems to me desirable that an impartial and independent inquiry be instituted into the affairs of the DFC and that a Commission of Inquiry shall issue as hereinafter mentioned;

NOW KNOW YE, that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Substantive Laws of Belize, Revised Edition 2000-2003, **I, SAID MUSA, PRIME MINISTER**, do by this Commission, appoint you the said **DAVID PRICE, ESQUIRE, HERBERT LORD, ESQUIRE and MS MERLENE BAILEY MERTINEZ**, to be the Commissioners for the purposes hereinafter mentioned with all the powers by the said Act conferred and **I DO** authorize you the said Commissioners in the manner in the said Act provided to make a full, faithful and impartial inquiry into the

operations of the DFC with specific reference to the following matters, to wit—

- (a) to investigate the DFC's loans portfolio in respect of the categories specified in section 4(1)(a) of the DFC Act for the period 1st January, 1999 to 31st December, 2004, including the procedure for the processing and approval of applications as well as the disbursement and performance of the said loans;
- (b) to evaluate the effectiveness of any mechanisms at the DFC for the monitoring of loan repayments and the recovery of delinquent loans;
- (c) to investigate the DFC's securitization program and the DFC's role in similar and related securitization programs;
- (d) to determine whether any wrong doing occurred in the operations of the DFC during the said period and if so, to identify the persons responsible, if possible;
- (e) to investigate financial position of the DFC during the said period.
- (f) to provide oversight and support for the projected Forensic Accounting Investigation (FAI) of the DFC;
- (g) To review the report of the Forensic Accounting Investigation, when complete, and make appropriate recommendation arising therefrom;

- (h) to review the DFC act with a view to making recommendations for its strengthening through legislative amendments or otherwise;
- (i) to hear and inquire into any other a matter related to the above.

I HEREBY DIRECT that you the said **DAVID PRICE, ESQUIRE** shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having, made and subscribed an oath or affirmation as required by law and having deposited the same with the Secretary of the Cabinet you do hold your meeting with due urgency and expedition at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report as soon as may be practicable of the result of your inquiries, with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I DO HEREBY FURTHER DIRECT that the inquiry shall, except where you deem it necessary or advisable to do otherwise, be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply for assistance or information for the purpose of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 9th day of March, 2005.

(SAID W. MUSA) (HON.)
Prime Minister

CHAPTER 127**COMMISSION OF INQUIRY (CONTINUATION OF
INQUIRY UPON DEATH OF A COMMISSIONER)**

(Gazetted 23rd December, 2006.)

CAP. 127.
R.E. 2020.
123 of 2006.

**To: HERBERT LORD, ESQUIRE,
MS. MERLENE BAILEY MARTINEZ**

WHEREAS, by Statutory Instrument No. 24 of 2005, *Gazetted* on the 12th March, 2005, a Commission of Inquiry, consisting of the late Mr. David Price as Chairman, and Mr. Herbert Lord and Ms. Merlene Bailey Martinez as Commissioners, was appointed to conduct a full, faithful and impartial inquiry into the operations of the Development Finance Cooperation with particular reference to its loans and securitization portfolios;

AND WHEREAS, the late Mr. David Price unfortunately passed away on December 12th, 2006, when the inquiry was nearing completion and it would not be expedient to appoint another Commissioner in his place at this late stage;

AND WHEREAS, under section 47 of the Interpretation Act, Chapter 1 of the Laws of Belize, Revised Edition 2003, the powers and authority of a statutory commission are not affected by any vacancy in the membership thereof;

AND WHEREAS, it seems to me that it would be in the public interest that the said inquiry be completed without further delay;

NOW KNOW YE, that the virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Laws of Belize, Revised Edition 2003, and all other powers thereunto me enabling **I**,

SAID W. MUSA, PRIME MINISTER, do by this Commission appoint you the said **HERBERT LORD, ESQUIRE** and **MS. MERLENE BAILEY MARTINEZ** as Co-Chairmen of the Commission and direct that you continue the inquiry as Co-Chairmen with full powers and authority of the Commission and complete the inquiry with due dispatch and endeavour to submit a report to me on the outcome of your investigation within a period of one month of the date hereof.

And this shall be your warrant for so doing.

MADE at Belmopan, this 22nd day of December, 2006.

(SAID MUSA) (HON.)
Prime Minister

CHAPTER 127

CAP. 127.
R.E. 2020.
92 of 2009.

**COMMISSION OF INQUIRY (INVESTIGATION OF
IMPROPRIETIES AND IRREGULARITIES IN
PROCUREMENT OF PHARMACEUTICAL, MEDICAL
AND OTHER SUPPLIES AND EQUIPMENT AT
K.H.M.H)**

(Gazetted 27th July, 2009.)

**To: The HON. JUSTICE ADOLPH LUCAS
 MS. JULIA CASTILLO
 MR. ORVIN NICHOLAS**

WHEREAS, there have lately been certain public allegations of improprieties and wrongdoings at the Karl Heusner Memorial Hospital (hereinafter referred to as “the Hospital”) with particular reference to the procurement of pharmaceutical, medical and other supplies and equipment;

AND WHEREAS, it is the declared policy of the Government to ensure transparency and accountability in public expenditures and to fully investigate all complaints of improprieties and irregularities involving such expenditures and processes;

AND WHEREAS, in pursuance of the above objectives, it seems to me desirable that an impartial and independent inquiry be instituted into the said allegations and that a Commission of Inquiry shall issue as hereinafter provided:

NOW KNOW YE, that by virtue of the powers and authority vested in me by section 2 of the Commissions of Inquiry Act, Chapter 127 of the Laws of Belize, Revised Edition 2000-2003, **I, DEAN O. BARROW, PRIME MINISTER**, do by this Commission, appoint you the said **Hon. Justice Adolph Lucas, Ms. Julia Castillo, and Mr.**

Orvin Nicholas to be the Commissioners for the purposes hereinafter set out with all the powers by the said Act conferred and **I DO** authorise you the said Commissioners in the manner in the said Act provided, to conduct a full, faithful and impartial inquiry into the public allegations of improprieties and wrongdoing at the Hospital, with specific reference to the following matters, to wit—

- (a) to investigate the procedures and processes for the procurement of pharmaceutical, medical and other supplies and equipment at the Hospital during the period **1st January 2007 to 30th June 2009**;
- (b) to determine whether proper procedures, practices and applicable rules and regulations were duly observed in the procurement of such supplies and equipment and whether all purchases were made transparently;
- (c) to determine whether the procurement practices for goods and services at the Hospital were within the ambit of approved or established policy and were carried out without waste or abuse;
- (d) to review and comment on the independent audit report on the financial administration of the Hospital during the said period, when completed;
- (e) to determine whether any improprieties, irregularities or wrongdoings occurred in the procurement of such supplies, medications and equipment and whether there was any fraud, corruption, mismanagement, waste or abuse in the procurement of such supplies and equipment; and if so, to identify the person(s) responsible, if possible;

- (f) to identify the weaknesses in the procurement processes, if any, and to recommend corrective measures to ensure transparency and accountability at all levels;
- (g) to recommend any action that may be taken against any defaulters for transgression of the established rules, practices and procedures, or for commission of any other act of impropriety or wrongdoing;
- (h) to hear and determine any other matter relating to the above.

I HEREBY DIRECT that you the said **Hon Justice Adolph Lucas** shall be the Chairman of the said Commission to hold the inquiry as aforesaid and I also direct that each of you having made and subscribed an oath or affirmation before a Magistrate as required by law and having deposited the same with the Secretary to the Cabinet, you do hold your meetings with due urgency and expedition at such place or places and at such time or times as you the said Commissioners may appoint and that you the said Commissioners do make report(s) as soon as may be practicable of the result of your inquiries, with such comments and recommendations as you may think fit, furnishing me with a full statement of your proceedings and of the reasons leading to the conclusions and recommendations at which you may arrive or report.

I HEREBY FURTHER DIRECT that in the event you the said Commissioners are unable to present a unanimous report despite best endeavours, you may submit your separate reports with your own conclusions and recommendations.

I DO HEREBY FURTHER DIRECT that the inquiry shall be held in public.

AND I DO HEREBY REQUIRE AND DIRECT that all public officers and other persons to whom you may apply

for assistance or information for the purpose of your investigation to render all such assistance and furnish all such information as may be rendered and furnished in that behalf.

MADE at Belmopan this 27th of July 2009.

(DEAN O. BARROW) (HON.)
Prime Minister