



## **BELIZE**

### **BELIZE CONSTITUTION ACT CHAPTER 4**

#### **REVISED EDITION 2020**

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

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**CHAPTER 4**

**BELIZE ADVISORY COUNCIL (PROCEDURE) RULES**

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**CHAPTER 4**

**BELIZE ADVISORY COUNCIL (PROCEDURE) RULES**

3 of 1997.  
CAP. 4.  
R.E. 2020.

*[18th January, 1997]*

**PART I**

*Preliminary*

**1.** These Rules may be cited as the

Short title.

**BELIZE ADVISORY COUNCIL (PROCEDURE)  
RULES.**

**2.** In these Rules, unless the context otherwise requires—

Interpretation.

“appellant” means a person who has appealed or who intends to appeal to the Council pursuant to Part II of these Rules;

“appellant” means a person who has applied or who intends to apply to the Council, or whose case has been referred to the Council, for the exercise of the prerogative of mercy pursuant to Parts III and IV of these Rules;

“capital case” means a case where the applicant has been sentenced to death;

“Constitution” means the Belize Constitution;

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“Council” means the Belize Advisory Council established under section 54 of the Constitution;

“Department” means Department of Government;

“Head of Department” includes Permanent Secretary;

“non-capital case” means a case where the applicant has been sentenced to any punishment other than death;

“public officer” has the meaning assigned to it in section 131 of the Constitution;

“Secretary” means Secretary to the Council.

## PART II

### *Appeals by Public Officers*

Notice of Appeal.

**3.**—(1) Any person desiring to appeal to the Council against a decision referred to in section III of the Constitution shall, within one month after the communication of the decision to him, lodge with the Secretary a written notice of appeal and serve a copy thereof on the Solicitor General as well as on the Head of the Department to which the appellant belongs or belonged.

(2) The Council may on special cause being shown extend the time within which an appeal may be lodged for the purpose of sub-rule (1) above.

Grounds of appeal and submissions in support.

**4.**—(1) The appellant shall, either along with his notice of appeal or within fourteen days thereafter, furnish to the Secretary his grounds of appeal and written submissions in support thereof.

(2) If the appellant wishes to rely on any case law or other authorities, a copy thereof shall be included in his written submissions.

Comments of Solicitor General and Head of Department.

**5.**—(1) The Secretary shall within seven days of the receipt of the material referred to in rule 4 above, send a copy thereof to the

Solicitor General as well as to the Head of the Department to which the appellant belongs or belonged.

(2) The Solicitor General and the Head of Department concerned shall within one month of the receipt of the material aforesaid furnish the Secretary with their views and comments on the merits of the appeal.

**6.**—(1) The Secretary shall within ten days of the receipt of the last of the comments referred to in rule 5(2) above send a copy thereof to the appellant for further comments, if any.

Reply by the appellant.

(2) The appellant may within fourteen days of the receipt of the comments referred to in sub-rule (1) above send to the Secretary any counter arguments or submissions which he wishes the Council to take into account.

**7.** The Secretary shall, as soon as may be after the expiry of the period limited by rule 6, include the appeal in the agenda of the next meeting of the Council.

Setting down of appeal.

**8.**—(1) The Council shall consider and determine every appeal on the basis of written submissions made by both parties but may call for additional information or evidence if it deems necessary.

Consideration of appeal.

(2) It shall not be incumbent on the Council to grant the appellant or the other party an oral hearing.

(3) Any matters of law or procedure arising during the hearing of an appeal shall be determined by the Chairman who may consult any legally qualified member of the Council in that behalf.

(4) The Council may from time to time adjourn the hearing of an appeal without unduly delaying the final determination of the appeal.

Notification of  
decision to  
parties.

**9.** The Secretary shall within fourteen days after the final determination of an appeal by the Council convey the decision in writing to the appellant as well as to the Solicitor General and the Head of the relevant Department.

Costs.

**10.** The Council shall not award costs of appeal to the successful party or to any other person.

### PART III

#### *Prerogative of Mercy - Capital Cases*

Procedure in  
Capital Cases.

**11.**—(1) In all capital cases, the Council shall proceed to hear a matter only after it has received from the Attorney General the documents and other material referred to in section 53 of the Constitution.

(2) If, before or during the hearing of a capital case, the Council is informed that the applicant has lodged an appeal with the Caribbean Court of Justice, the Council shall stay its proceedings until the final decision of the Caribbean Court of Justice is known.

(3) If the applicant does not within sixty days after the dismissal of his appeal by the Belize Court of Appeal, lodge an appeal with the Caribbean Court of Justice, the Council may proceed to consider his case with a view to advising the Governor-General whether to exercise the prerogative of mercy in his case.

(4) The applicant or any other person acting on his behalf shall have no right to obtain a copy of the material supplied to the Council by the Attorney General pursuant to section 53 of the Constitution.

(5) The applicant or any other person acting on his behalf may if they so desire make any written or oral submissions to

the Attorney General within sixty days after the dismissal of his appeal by the Belize Court of Appeal.

(6) The Council shall consider every capital case on the basis of the material submitted to it by the Attorney General pursuant to section 53 of the Constitution, but may in its discretion call for additional information and material if it considers necessary.

**12.** The Council shall with due expedition give its advice to the Governor-General together with a statement of the reasons on which the advice is based.

Advice to Governor-General.

**13.** The Secretary shall with the Governor-General's consent promptly convey the decision of the Governor-General to the applicant as well as to the Director of Public Prosecutions, the Solicitor General and the Superintendent of Prisons.

Notification of Decision.

#### PART IV

##### *Prerogative of Mercy-Non-Capital Cases*

**14.**-(1) Every person in a non-capital case who desires the Governor-General in special or exceptional circumstances to consider the exercise of the prerogative of mercy in his favour shall submit a written application to the Secretary specifying—

Procedure in non-capital cases.

- (a) the offence(s) of which he was convicted;
- (b) the sentence awarded and the name of the sentencing court;
- (c) the date of conviction and sentence;
- (d) the special or exceptional circumstances which the applicant wishes the Council to take into consideration; and

(e) any other information or material relevant to the case.

(2) Where the applicant is in prison the Superintendent of Prisons shall, on being requested to do so, render all reasonable assistance in the preparation and submission of the application.

Comments of  
Director of  
Public  
Prosecutions,  
etc.

**15.**—(1) On receipt of the application referred to in rule 14, the Secretary shall promptly invite the comments thereon of the Director of Public Prosecutions, the Superintendent of Prisons, the Probation Officer, and such other person as the Council may consider necessary.

(2) Every person requested to furnish comments pursuant to sub-rule (1) above shall do so promptly but no later than one month thereafter.

Consideration of  
the Application.

**16.**—(1) As soon as the Secretary has received all the information and comments referred to in rule 15, he shall include the matter in the agenda of the next meeting of the Council.

(2) The Council shall consider the matter with due expedition and render its advice to the Governor-General on whether or not the prerogative of mercy should be exercised.

(3) No person shall have a right to obtain a copy of the comments and other material furnished to the Council pursuant to rule 15.

(4) The Council shall not be obliged to grant an oral hearing to the applicant or to any other person acting on his behalf.

Notification of  
decision.

**17.** The Secretary shall with the Governor-General's consent promptly convey the decision of the Governor-General to the applicant, the Director of Public Prosecutions and the Superintendent of Prisons.

PART V

*Miscellaneous*

- 18.** All proceedings of the Council shall be held in camera unless otherwise directed by the Chairman. Proceedings in Camera.
- 19.** Any advice given by the Council to the Governor-General in relation to the prerogative of mercy shall be given in strict confidence. Advice to Governor-General in confidence.
- 20.** These Rules shall come into force on 1st February, 1997. Commencement.
- MADE** by the Belize Advisory Council this 6th day of December, 1996.

**(EDWIN L. FLOWERS, S.C.)**

*Chairman*

*Belize Advisory Council*

**CHAPTER 4****BELIZE CONSTITUTION (HOUSE OF  
REPRESENTATIVES) STANDING ORDERS****ARRANGEMENT OF STANDING ORDERS**

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**CHAPTER 4**

**BELIZE CONSTITUTION (HOUSE OF  
REPRESENTATIVES) STANDING ORDERS**  
*(Section 70)*

61 of 1966.  
115 of 1998.  
8 of 2000.  
76 of 2000.  
110 of 2001.  
CAP. 4.  
R.E. 2020.  
1 of 2005.

*[15th October, 1966]*

Short title.

**1.** These Standing Orders may be cited as the

**HOUSE OF REPRESENTATIVES STANDING  
ORDERS.**

Oath of  
Allegiance.

**2.**—(1) When the House of Representatives first meets after a general election, the Clerk of the House, immediately following the election of a Speaker and Deputy Speaker, shall administer the oath or affirmation of allegiance, first to the Speaker and Deputy Speaker and then to the other Members of the House.

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(2) At any other time, except in a case to which section 71(2) of the Belize Constitution, applies, the oath or affirmation shall be administered to the Member by the Clerk of the House immediately after Prayers.

(3) The oath or affirmation shall be in the form set out in Schedule 3 to the Belize Constitution.

Election of  
Speaker.

**3.**—(1) At the first meeting of the House after a general election and before the House proceeds to the despatch of any other business, or whenever it is necessary for the House to elect a Speaker by reason of a vacancy in the office occurring otherwise, the Clerk shall call upon the House to elect a Speaker.

(2) A Member, having first ascertained that the Member, or other person to be proposed, is willing to serve if elected, may, rising in his place and addressing the Clerk, propose any other

Member (not being a Minister), or any other person who is not a Member of either chamber of the Legislature, to the House as Speaker of the House; and if that proposal be seconded, the Clerk, if no other such Member or person be proposed for the office, shall declare the Member or the person so proposed and seconded to be Speaker of the House.

(3) If another such Member or person, willing to serve if elected, be proposed and seconded, the Clerk shall propose the question that the Member who was first proposed should be the Speaker. If that proposal be agreed to, the Member or other person so chosen shall be Speaker, but if the proposal be negatived, the Clerk shall propose a like question in respect of any other such Member or person, who has been proposed and seconded, until the question is carried in favour of one of the Members, or other persons, so proposed.

**4.**—(1) At the first meeting of the House of Representatives after a general election and before the House proceeds to the despatch of any other business except the election of Speaker, so soon as the Speaker has been elected the House shall proceed to the election of one of its Members, not being a Minister, to be Deputy Speaker of the House.

Election of Deputy Speaker.

(2) If the office of Deputy Speaker falls vacant at any time before the next dissolution of the Legislature, the House shall, as soon as convenient, elect another Member not being a Minister to that office.

(3) The election of the Deputy Speaker shall be conducted in a similar manner to the election of the Speaker, save that the Speaker shall preside.

**5.**—(1) The Speaker, or in his absence the Deputy Speaker, shall preside at the sittings of the House, and except as provided in paragraph (4) of Standing Order No. 65 (Committee of Supply), shall act as Chairman of Committees of the whole House.

Presiding in the House and in Committee.

(2) When the Speaker and Deputy Speaker are both absent, the Clerk shall call upon the House to elect, from amongst the Members present who are not Ministers, one to preside over that sitting of the House, and the election shall take place forthwith in the manner provided by these Standing Orders for the election of the Speaker.

(3) The Speaker or in his absence the Deputy Speaker may at any time ask any Member present, not being a Minister, to take the chair temporarily without formal communication to the House or to the Committee.

(4) Save as may be otherwise provided in these Standing Orders, the Deputy Speaker, or other Member presiding shall have all the authority and power of the Speaker when presiding or otherwise performing the functions of the Speaker.

(5) Whenever the unavoidable absence of the Speaker from any day's sitting is announced by the Clerk at the Table, the Deputy Speaker shall take the Chair and shall be invested with all the powers of the Speaker until the Speaker resumes.

The Mace.

**6.**—(1) The symbol of the dignity and authority of the House, entrusted by it to the Speaker, shall be the Mace.

(2) The Mace shall lie upon the Table during all sittings of the House, but when the House is in Committee the Mace shall be removed from the Table and placed under it.

Duties of the Clerk.

**7.**—(1) The Clerk of the House shall keep the Minutes of Proceedings of the House and of Committees of the whole House, and shall circulate copies thereof to the Members as early as practicable and, if possible, on the day following each sitting of the House.

(2) Minutes shall record the names of Members attending and all decisions of the House and shall be signed by the Speaker.

(3) In the case of divisions of the House or of a Committee of the whole House, the Minutes shall include the numbers voting for and against the question, the names of Members so voting, and the names (and the number) of Members who declined to vote on the question.

(4) The Clerk shall prepare from day to day and keep on the Table of the House and in the Clerk's office, an Order Book showing all business appointed for any future day, and any Notices of Questions or Motions which have been set down for a future day whether for a day named or not. The Order Book shall be open to the inspection of Members at all reasonable hours.

(5) The Clerk shall cause to be printed and circulated to every Member in respect of each sitting of the House an Order Paper setting out the business to be transacted at that sitting.

(6) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the House, which shall be open to inspection by Members of the House and other persons under such arrangements as may be sanctioned by the Speaker.

(7) It shall be the responsibility of the Clerk to provide every Select Committee of the House with a clerk and, if so required by the Committee, with a shorthand writer.

(8) At the end of each Session, the Clerk shall cause to be prepared and placed in the records of the House a bound volume containing the Minutes of Proceedings of that Session marked with all such corrections as the Speaker may have directed to be made therein.

(9) Where a Proclamation of the Governor-General under section 83 of the Belize Constitution, is published in the *Gazette*, the Clerk shall send to each Member of the House a copy of the Proclamation.

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(10) The Clerk shall be responsible under the Speaker for the administration of the office and the control and discipline of the officers of the House subordinate to him.

Duties of the  
Serjeant at Arms.

**8.**—(1) It shall be the duty of the Serjeant at Arms to attend the Speaker, with the Mace, on entering and leaving the House and on such other occasions as may be ordered by the House or the Speaker.

(2) The Serjeant at Arms shall, during the sittings of the House and Committees of the whole House, maintain order under the direction of the Speaker or Chairman and execute the orders of the House and all processes issued by authority of the House or the Speaker and directed to him.

(3) The Police Orderlies on duty in the House shall be under the direction of the Serjeant at Arms.

Language.

**9.**—(1) The proceedings and debates of the House shall be in the English language.

(2) Every petition shall be in the English language.

Quorum.

**10.**—(1) A quorum of the House, and of a Committee of the whole House, shall consist of seven Members (excluding the person presiding).

(2) If any Member draws the attention of the Speaker in the House, or of the Chairman in Committee of the whole House, to the fact that a quorum is not present, the Speaker or Chairman, as the case may be, shall direct Members within the precincts of the Chamber to be summoned.

(3) When the order to summon Members has been given in the House, the Speaker shall, after the expiration of ten minutes, count the House. If a quorum is not then present he shall adjourn the House without question put.

(4) When the order to summon Members has been given in Committee of the whole House, the Chairman shall, after the expiration of ten minutes, count the Committee. If he ascertains that a quorum is not present he shall leave the Chair, the House shall resume and the Speaker shall count the House. If a quorum is then present the House shall again resolve itself into Committee; but if a quorum is not present, the Speaker shall adjourn the House without question put.

(5) If, from the number of Members taking part in a division, including those Members who declined to vote, it appears that a quorum is not present, the division shall be invalid, and the business then under consideration shall stand over until the next sitting and the House or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Standing Order.

**11.**—(1) Subject to paragraph (2) of this Standing Order the House shall meet on Fridays, and every adjournment of the House shall be to the next Friday unless the House upon a Motion moved by a Minister or a member of the Constitution and Foreign Affairs, Privileges, Standing Orders, House and Regulations Committee otherwise decides. Notice of such a Motion shall not be required, and the question thereon shall be put without amendment or debate,

Days of Meeting.  
115 of 1998.

provided that in every year there shall be three periods of six weeks each, the first commencing from the Saturday preceding Holy Week, the second from the first day of August and the third from the seventeenth day of December, during which the House shall not meet except in pursuance of a summons issued under paragraph (2) of this Standing Order.

(2) If at any time when the House stands adjourned pursuant to its own order it is represented to the Speaker by a Minister or by a resolution of the Constitution and Foreign Affairs, Privileges, Standing Orders, House and Regulations Committee that there is urgent necessity for the House to meet upon a day

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earlier than the day to which the House stands adjourned, the Speaker may, if he is satisfied that such urgent necessity exists, direct the Clerk to summon a meeting of the House for such time on such day, whether Friday or otherwise, as the Speaker may determine.

(3) Every direction under paragraph (2) of this Standing Order shall be in writing and shall be signed by the Speaker and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at such meeting.

(4) Forthwith upon receipt of any direction under paragraph (3) of this Standing Order, the Clerk shall inform every Member, as expeditiously as possible and personally if practicable, of the day and hour appointed by the Speaker for the holding of the special meeting of the House and of the business to be transacted at such meeting.

(5) Except by leave of the House, no business other than the business specified in the directive under paragraph (2) of this Standing Order shall be transacted at any special meeting of the House under the said paragraph.

Hours of Sitting.

**12.**—(1) Except as provided in these Standing Orders, every sitting of the House shall begin at 10.00 o'clock in the forenoon and, subject to the provisions of this Standing Order, shall end not later than 6.00 o'clock in the afternoon.

(2) The Speaker may at any time suspend the sitting for a period stated by him, and shall in any event suspend the sitting at 12 noon and order it to be resumed at 2.00 o'clock.

(3) The Speaker shall at 5.50 p.m. interrupt the business under discussion and its resumption shall be appointed for such day as the Minister in charge of arranging the business of the House shall direct, and if the House is in Committee at that time the Chairman shall leave the Chair forthwith and report to the House and the Committee who shall be directed to sit again on

such day as the Minister shall appoint. If a division is in progress at 5.50 o'clock, the proceedings shall not be interrupted until the result of the division has been declared. Any other business, if unopposed, shall then be disposed of, and at its conclusion, or at 6.00 o'clock notwithstanding that there may be business then still under discussion, the Speaker shall adjourn the House without question put, and the business not disposed of shall stand over till the next sitting.

(4) If the Speaker or Chairman is of the opinion that the proceedings on which the House or Committee is engaged at 5.50 p.m. could be concluded by a short extension of time, he may defer interrupting the business until not later than 6.05 p.m. in which case the Speaker shall not adjourn the House without question put until such time after 6.00 o'clock as is equivalent to the period of deferment of the interruption.

(5) If any business, when called during the time of unopposed business, is opposed, it shall be appointed for such a day as the Minister in charge of arranging the business of the House shall direct. Any business which, when called during the time of unopposed business, is objected to by a Member, or upon which, when the question is put, a division is sought, shall be treated as opposed business.

(6) If all the business appointed at a sitting is concluded before 6.00 o'clock, the Speaker shall call upon a Minister or a member of the Constitution and Foreign Affairs, Privileges, Standing Orders, House and Regulations Committee to move "That this House do now adjourn." If that question has not been agreed to at 6.00 o'clock the Speaker shall at that hour adjourn the House without question put.

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(7) On the interruption of business the Closure may be moved; and if it is so moved, or if proceedings under Standing Order No. 41 (Closure of Debate) are then in progress, the Speaker or the Chairman shall not leave the Chair until the question consequent thereon, and on any further Motion as

provided for in Standing Order No. 41 (Closure of Debate) have been decided, even though the divisions on such questions continue beyond 6.00 o'clock but in the latter event, immediately the last of such questions has been decided or, if in Committee, as soon as the Chairman's report has been received, the Speaker shall adjourn the House without question put.

(8) A Minister may, without notice, either at the time appointed in Standing Order No. 15 (Order of Business) or on the interruption of business, move "That the proceedings on any specified business may be entered upon and proceeded with at this day's sitting at any hour though opposed," and any such Motion shall be decided without amendment or debate. The business so specified shall not be interrupted at 5.50 o'clock or, if already interrupted, shall be resumed, and may be entered upon at any hour though opposed. Upon the conclusion after 6.00 o'clock of all business so specified the Speaker shall adjourn the House without question put.

(9) The House may from time to time by resolution alter, either generally or in respect of a particular sitting, the hours set forth in this Standing Order.

Adjournment of  
the House.

**13.**—(1) A Minister or a member of the Constitution and Foreign Affairs, Privileges, Standing Orders, House and Regulations Committee may move "That this House do now adjourn" at any time after the conclusion of Questions at any sitting, but any other Member may only move such a Motion under Standing Order No. 14 (Adjournment-Definite Matter of Urgent Public Importance).

(2) Upon any Motion "That this House do now adjourn" moved under the preceding paragraph or paragraph (6) of Standing Order No. 12 (Hours of Sitting), any matter of public concern may be raised by any Member and a Minister may reply. Thereafter, if time permits, any other Member may similarly raise another matter subject to the same conditions. A debate on such a Motion shall not be interrupted at 5.50 o'clock,

but shall cease at 6.00 o'clock, or, with the leave of the Speaker, at 6.15 o'clock.

**14.**—(1) Any Member other than a Minister may at the time appointed under Standing Order No. 15 (Order of Business) rise in his place and ask leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

Adjournment-  
Definite Matter  
of Urgent Public  
Importance.

(2) A member who wishes so to ask leave to move the adjournment of the House shall, before the commencement of the sitting, hand to the Speaker a written notification of the matter which he wishes to discuss. The Speaker shall refuse to allow the claim unless he is satisfied that the matter is definite, urgent and of public importance and may properly be raised on a Motion for the adjournment of the House.

(3) If the Speaker is so satisfied, and either—

- (a) leave of the House is given; or
- (b) if it is not given, at least seven Members by rising indicate that they support the request,

the Motion shall stand over until 2.00 o'clock on the same day and at that hour any proceeding on which the House is engaged shall be postponed until the Motion for the adjournment is disposed of, or until 3.00 o'clock, whichever is the earlier. At 3.00 o'clock the Motion for the adjournment, if not previously disposed of, shall lapse and the proceedings which have been postponed shall be resumed and dealt with in accordance with the next paragraph of this Standing Order.

(4) At 3.00 o'clock or upon the earlier conclusion of the debate upon the Motion for the adjournment, the business which was postponed at 2.00 o'clock shall be resumed and any proceedings thereon, and upon any business standing on the Order Paper for that day's sitting, shall not be interrupted until

the lapse of a period of time after 5.50 o'clock equal to the duration of the proceedings upon the adjournment Motion under this Standing Order, and that period shall be added to the hours of 6.00 and 6.05 wherever they occur in Standing Order No. 12 (Hours of Sitting).

Order of  
Business.

**15.** Unless the House otherwise directs, the business of each sitting day shall be transacted in the following order—

- (a) Prayers;
- (b) Oath of Allegiance of a new Member;
- (c) Announcements by the Speaker;
- (d) Bills brought from the Senate;
- (e) Petitions;
- (f) Papers;
- (g) Presentation of Reports from Select Committees;
- (h) Questions to Ministers;
- (i) Requests for leave to move the adjournment of the House on definite matters of urgent public importance;
- (j) Statements by Ministers;
- (k) Personal explanations;
- (l) Introduction of Bills;
- (m) Motions relating to the business or sittings of the House and moved by a Minister; and

(n) Public Business.

**16.**—(1) Every Petition intended to be presented to the House must conclude with a prayer setting forth the general object of the Petition.

Petitions

(2) A Petition shall not be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the rules in regard to Petitions.

(3) The Member presenting a Petition may state concisely the purport of the Petition.

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Member when presenting a Petition move for it to be read or printed, or referred to a Select Committee. Any such Motion shall be decided forthwith without amendment or debate. The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 83 (Private Bills).

(5) The House will not receive any Petition—

(a) which is not addressed to the House or which is not properly and respectfully worded; or

(b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures.

**17.**—(1) Every Paper shall be presented by a Minister and its presentation shall be recorded in the Minutes of Proceedings.

Papers

(2) A Minister presenting a Paper may make a short explanatory statement of its contents.

(3) All Papers presented to the House shall be ordered to lie upon the Table without question put and any Motion for the printing thereof as a House Paper shall be determined without amendment or debate.

(4) All Instruments made under the authority of any law, if required to be laid before the House, shall be laid on the Table of the House as soon as may be after being made.

Nature of Questions.

**18.** Questions may be put to a Minister relating to any matter, subject or Department in respect of which the Minister is charged with responsibility.

Notice of Questions.

**19.**—(1) A question shall not be asked without notice, unless it is of an urgent character or relates to the business of the day, and unless the Member has obtained the leave of the Speaker to ask it.

(2) Notice of a question may be handed by a Member to the Clerk when the House is sitting or may be sent to or left at the office of the Clerk at any time during the hours prescribed for the purpose. Every such notice must be signed by the Member giving it.

(3) A Member who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the Member being a day not earlier than five clear days after notice of the question was given. A question not so marked may be put down for the next sitting day of the House and the answer when received shall be circulated with the Minutes of Proceedings.

Contents of Questions

**20.**—(1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the Speaker shall be the sole judge—

(a) the proper object of a question is to obtain information on a question of fact within the

official cognisance of the Minister to whom it is addressed, or to ask for official action;

- (b) a question shall not include the names of persons, or any statements of fact, unless they be necessary to render the question intelligible;
- (c) if a question contains a statement of fact, the Member asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication;
- (d) no Member shall address the House upon any question, and a question shall not be made the pretext for debate;
- (e) not more than one subject shall be referred to in any one question, and a question shall not be of excessive length;
- (f) a question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases;
- (g) a question shall not be asked—
  - (i) which raises an issue already decided in the House, or which has been answered fully during the current Session, or to which an answer has been refused;
  - (ii) seeking information about matters which are in their nature secret;

- (iii) regarding proceedings in a Committee which have not been placed before the House by a report from the Committee;
- (iv) which deals with matters referred to a Commission of Enquiry or within the jurisdiction of the Chairman of a Select Committee;
- (v) as to the character or conduct of any person except in his official or public capacity;
- (vi) about any matter then pending before any Court of justice, or which reflects on the decision of a Court of justice;
- (vii) reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 38 (Contents of Speeches);
- (viii) asking whether statements in the Press, or of private individuals, or unofficial bodies are accurate;
- (ix) the answer to which can be found by reference to available official publications;
- (x) referring discourteously to or seeking information about, the internal affairs of any Territory within the Commonwealth or of a friendly Foreign Country;

- (xi) dealing with the action of a Minister for which he is not responsible to the Legislature;
  - (xii) seeking, for purposes of argument, information on matters of past history; or
  - (xiii) raising questions of policy too large to be dealt with in the limits of an answer to a question;
- (h) a question shall not solicit the expression of an opinion, on the solution of an abstract legal question, or of a hypothetical proposition.

(2) If the Speaker is of the opinion that any question of which a member has given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning, he may direct—

- (a) that the Member concerned be informed that the question is out of order; or
- (b) that the question be entered in the Order Book with such alterations as he may direct.

**21.**—(1) At the time appointed for the oral asking and answering of questions under Standing Order No. 15 (Order of Business), the Speaker shall call in turn upon each Member in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such other order as the Speaker may on any particular occasion determine. Each Member so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.

Manner of Asking and Answering Questions.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of the Speaker, be put for the purpose of elucidating the answer given orally, but the Speaker may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order No. 20 (Contents of Questions), and may in that case direct that such question be not reported in the Official Report.

(3) When all the questions for which an oral answer is required have been called, the Speaker, if time permits, shall call again any question which has not been asked by reason of the absence of the Member in whose name it stands; in which case another Member may, if deputed by the absent Member, on his behalf either ask the question or request its postponement. The Speaker shall also call again any question which has not been answered by reason of the absence of the Minister to whom it is addressed.

(4) A Minister may decline to answer a question, if the publication of the answer would in his opinion be contrary to the public interest.

(5) Not more than three questions requiring an oral answer shall appear on the Order Paper in the name of the same Member for the same day, and any question in excess of this number shall not be called by the Speaker but shall be answered as provided in paragraph (7) of this Order, save that no postponement shall be allowed.

(6) No question shall be asked after 11.00 o'clock in the forenoon, except any question which the Speaker has allowed to be asked without notice under paragraph (1) of Standing Order No. 19 (Notice of Questions).

(7) Questions which have not received an oral answer by 11.00 o'clock in the forenoon shall be answered in writing by the Minister to whom the question was addressed, and copies of

the answer shall be sent immediately after that hour to the Clerk of the House, who shall send a copy to the Member in whose name the question stood upon the Order Paper and shall cause the answer to be circulated with the Minutes of Proceedings, unless at any time before 11.00 o'clock in the forenoon a Member having a question on the Order Paper but whose name has not yet been called by the Speaker signifies to the Clerk at the Table his desire to postpone the question to a later sitting or to withdraw it.

**22.** With the leave of the Speaker and by the indulgence of the House, a Member may make a personal explanation of not more than ten minutes duration at the time appointed under Standing Order No. 15 (Order of Business) although there is no question before the House; but no controversial matter may be brought forward nor may debate arise upon the explanation.

Personal Explanations.

**23.**—(1) Public Business shall consist of Motions and Public Bills.

Arrangement of Public Business.

(2) Subject to the provision of these Standing Orders, Government Business shall have precedence on every day.

(3) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers and shall be set down in such order as the Government think fit.

(4) Private Members' business shall be set down on the Order Paper for a particular day in the order in which it was entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from the previous day.

**24.** Except on the recommendation or with the consent of the Governor-General, to be signified by a Minister and recorded in the Minutes of Proceedings, the House shall not—

Public Money.

- (a) proceed with any Bill (including any amendment to a Bill) which in the opinion of the Speaker, makes provision for–
  - (i) imposing or increasing or reducing or abolishing any tax,
  - (ii) imposing or increasing any charge on the revenue or other funds of the country or for altering any such charge otherwise than by reducing it,
  - (iii) compounding or remitting any debt due to the country;
- (b) proceed upon any Motion (including any amendment to a Motion) the effect of which, in the opinion of the Speaker, would be to make provision for any of the purposes aforesaid; or
- (c) receive any Petition which, in the opinion of the Speaker, requests that provision be made for any of the purposes aforesaid.

Notice of  
Motions or  
Amendments.

**25.–**(1) Where under any Standing Order notice of Motion or of an amendment is required, such notice shall be given in writing signed by the Member and addressed to the Clerk of the House.

Such notice shall be handed to the Clerk, or sent to, or left at, the Clerk's office during the hours prescribed for the purpose.

(2) If the Speaker is of opinion that any notice of Motion which has been received by the Clerk infringes the provisions of any Standing Order or is in any other way out of order, he may direct–

- (a) that the Member concerned be informed that the notice of Motion is out of order; or
- (b) that the notice of Motion be entered in the Order Book with such alterations as he may direct.

(3) Not more than three notices of Motion in the name of the same Member may be entered on the Order Paper of any sitting. The provisions of this paragraph shall not apply to a Member who is a Minister.

(4) Copies of Motions and amendments sent to the Clerk shall be circulated by him to Members, whether or not they be matters of which notice is required, and, in the case of amendments to Bills, shall be arranged, so far as may be, in the order in which they will be proposed.

**26.**—(1) Except with the consent of the Speaker, notice of a Government Motion shall not be placed upon the Order Paper of any sitting earlier than the day following the day on which the notice was given to the Clerk of the House.

Period of Notice.

(2) Except as provided in paragraph (6) of Standing Order No. 81 (Reports from Select Committees), notice of a private Member's Motion shall not be entered in the Order Book, or placed upon the Order Paper, for a day earlier than four clear days from the day on which the notice was given to the Clerk.

**27.** Unless the Standing Orders otherwise provide, notice shall be given of any Motion which it is proposed to make, with the exception of the following—

Exemption from Notice.

- (a) a Motion for the amendment of any Motion;
- (b) a Motion for the adjournment of the House or of a debate;

- (c) a Motion for the election of a temporary presiding officer under paragraph (2) of Standing Order No. 5 (Presiding in the House and in Committee);
- (d) a Motion for the suspension of Standing Orders put with the leave of the Speaker;
- (e) a Motion for the withdrawal of strangers;
- (f) a Motion that the House resolve itself into Committee;
- (g) a Motion made in Committee of the whole House, other than the Committee of Supply;
- (h) a Motion for the suspension of a Member;
- (i) a Motion that a petition be read, printed or referred to a Select Committee;
- (j) a Motion for the printing of a paper under paragraph (3) of Standing Order No. 17 (Papers);
- (k) a Motion relating to a matter of privilege;
- (l) a Motion arising out of any item of business made immediately after that item is disposed of and before the next item is entered upon;
- (m) a Motion to recommit a Bill under paragraph (1) of Standing Order No. 57 (Recommittal of Bills reported from Committee of the whole House);

- (n) a Motion in respect of which notice has been dispensed with under Standing Order No. 28 (Dispensing with Notice);
- (o) a Motion for the withdrawal of a Bill under Standing Order No. 62 (Withdrawal of Bills);
- (p) a Motion that the Report of a Select Committee be referred to a Committee of the whole House, or a Motion that such Report be printed as a House Paper.

**28.** Notice shall not be dispensed with in the case of a Motion or in respect of any proceedings for which notice is required, except with the consent of the Speaker and the assent of not less than three-fourths of the Members present at the time.

Dispensing with Notice.

**29.**—(1) A Motion directly concerning the privileges of the House shall take precedence of all other public business.

Privilege Motions.

(2) A Member who wishes to raise a matter which he believes to affect the privileges of the House shall do so as soon as possible after the matter comes to his attention. Such Member shall inform the Speaker of his wish, stating the facts to which he wishes to draw attention, at least one hour before the commencement of the sitting at which he wishes to raise the matter.

(3) When a Member is called by the Speaker to raise a matter of privilege he shall briefly state the facts to which he wishes to draw the attention of the House and the grounds on which he believes that those facts affect the privileges of the House.

(4) The Speaker shall then state whether, in his opinion, the matter may or may not affect the privileges of the House,

provided that if he deems it necessary he may defer his decision until the next sitting of the House.

(5) If the opinion of the Speaker is that the matter raised may affect the privileges of the House a Member may without notice move a Motion based on that matter of privilege and the Motion shall be debated forthwith.

(6) If during a sitting of the House a matter suddenly arises which appears to involve the privileges of the House and which calls for the immediate intervention of the House, the proceedings may be interrupted, save during the course of a division, by a Motion based on such matter.

(7) No member moving a Motion under this Standing Order may speak for more than fifteen minutes.

Moving of  
Motions.

**30.**—(1) On a Motion made and when necessary seconded, the Speaker shall propose the question to the House, and after debate (if any), shall then put the question for the decision of the House.

(2) If a Motion embodies two or more separate propositions, the propositions may be proposed by the Speaker as separate questions.

(3) If a Member desires to vary the terms of a Motion standing in his name, he may do so by giving an amended notice of Motion, provided that such amendment does not, in the opinion of the Speaker, materially alter any principle embodied in the original Motion or the scope thereof. Such amended notice of Motion shall run from the time at which the original notice of Motion was given.

Seconding of  
Motions and  
Amendments.

**31.**—(1) In the House the question upon a Motion or amendment shall not be proposed by the Speaker unless such Motion or amendment has been seconded,

provided that Government business shall not require seconding.

(2) In Committee a seconder shall not be required.

**32.**—(1) If a Member other than a Minister does not, when called, move a Motion or amendment which stands in his name such Motion or amendment shall be removed from the Order Paper unless deferred by leave of the House or moved by another Member duly authorised by that Member; but Government business may be moved by any Minister.

Motions not Moved or Seconded.

(2) No question shall be proposed upon a Motion or amendment, which under these Standing Orders is required to be seconded, if it is not so seconded.

**33.**—(1) A Motion may be withdrawn, at the request of the mover, after it has been moved, by leave of the House or Committee, before the question is fully put thereon, provided there is no dissentient voice.

Withdrawal of Motions.

(2) A Motion so withdrawn may not be moved again during the same Session.

(3) If an amendment has been proposed to a Motion, the original Motion cannot be withdrawn until the amendment has been disposed of.

**34.**—(1) When any Motion is under consideration in the House or in a Committee thereof, an amendment may be proposed to the Motion if it is relevant thereto.

Amendments to Motions - How Moved and Put.

(2) An amendment may be proposed to any such amendment if it is relevant thereto.

(3) An amendment to a Motion may be moved and seconded at any time after the question upon the Motion has been proposed by the Speaker or Chairman, and before it has been put by the Speaker or Chairman at the conclusion of the debate upon the Motion. When all amendments have been disposed of the

Speaker shall then put the question on the original Motion or the Motion as amended as the case may require.

(4)

- (a) On every amendment the question to be proposed shall be “That this amendment be made”.
- (b) When two or more amendments are proposed to be moved to the same Motion, the Speaker shall call upon the movers in the order in which their amendments relate to the text of the Motion, or in case of doubt in such order as he shall decide.

(5)

- (a) Any amendment to an amendment which a Member wishes to propose may be moved and seconded at any time after the question upon the original amendment has been proposed, and before it has been put at the conclusion of the debate on the original amendment.
- (b) An amendment to an amendment shall be disposed of in the same way as an amendment to a Motion, the question to be proposed being “That this amendment to the amendment be made”.
- (c) When every such amendment to an amendment has been disposed of, the Speaker shall put the question on the original amendment or on the original amendment as amended as the case may require.

(6) Any amendment, whether in the House or in Committee of the whole House, shall be put into writing by the mover and delivered to the Clerk before the question is proposed thereon.

(7) When the question upon an amendment to a Motion has been proposed by the Speaker or Chairman an earlier part of the Motion may not be amended unless the amendment under discussion is withdrawn.

(8) Any amendment may, by leave of the House, be withdrawn at the request of the mover before the question is fully put thereon, provided that there is no dissentient voice.

(9) An amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive Motion after notice.

**35.**—(1) A Member desiring to speak shall rise in his place and if called upon shall address his observations to the Speaker or Chairman. No Member shall speak unless called by the Speaker or Chairman.

Time and  
Manner of  
Speaking.

(2) If two or more Members rise at the same time, the Speaker or Chairman shall call upon the Member who first catches his eye.

(3) Subject to paragraph (5) of this Standing Order, no Member shall speak more than once on any question except—

- (a) when the House is in Committee; or
- (b) in explanation as prescribed in paragraph (4) of this Standing Order; or
- (c) to a point of order, as provided in Standing Order No 37 (Interruptions);

- (d) in the case of the mover of a substantive Motion, or the member in charge of a Bill in reply,

provided that any Member may, without prejudice to his right to speak at a later period of the debate, second a Motion or amendment by rising in his place and stating merely that it is his intention to second the Motion or amendment.

(4) A Member who has spoken on a question may again be heard to offer explanations of some material part of his speech which he alleges has been misquoted or misrepresented, but he shall not introduce new matter.

(5) A Member who has spoken may speak again when a new question has been proposed by the Speaker or Chairman, such as a proposed amendment or a Motion for the adjournment of the debate.

(6) Except with the leave of the Speaker, a Member shall not read his speech; but he may read extracts from written or printed papers or books in support of his argument and may refresh his memory by reference to notes.

(7) No Member may speak on any question after it has been put to the vote by the Speaker or Chairman.

Right of Reply.

**36.**—(1) The mover of a Motion may reply after all the other Members present have had an opportunity of addressing the House and before the question is put, and after such reply no other Member may speak, except as provided in paragraph (2) of this Order.

(2) A Minister may conclude a debate on any Motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government or an Officer thereof.

**37.** A Member shall not interrupt another Member except—

Interruptions.

- (a) by rising to a point of order, whereupon the Member speaking shall resume his seat and the Member interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the Speaker or Chairman for decision; or
- (b) to elucidate some matter raised by that Member in the course of his speech, provided that the Member speaking is willing to give way and resumes his seat and that the Member wishing to interrupt is called by the Chair; or
- (c) by rising to claim closure under Standing Order No. 41 (Closure of Debate).

**38.**—(1) Subject to the provisions of these Standing Orders, debate upon any Motion, Bill or amendment shall be relevant to such Motion, Bill or amendment and a Member shall confine his observations to the subjects under discussion.

Contents of Speeches.

(2) Reference shall not be made to any matter on which a judicial decision is pending in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.

(3) It shall be out of order to attempt to revive in any debate a matter or reconsider any specific question (other than a matter or question relating to a Bill which has been recommitted or returned with any amendment by the other Chamber) upon which the House has come to a conclusion during the current Session, except upon a substantive Motion for rescission which Motion shall not be brought sooner than six months after the date on which the House reached its decision.

(4) It shall be out of order to use offensive or insulting language about Members of either Chamber of the Legislature.

(5) No Member shall impute improper motives to any other Member of either Chamber.

(6) A Member shall not refer to another Member by name, but by the name of the electoral area for which he has been elected.

(7) Her Majesty's name or the Governor-General's name shall not be used to influence the House.

(8) The conduct of Her Majesty and Members of the Royal Family, the Governor-General, the Speaker, the President of the Senate, Members of the National Assembly, judges and other persons engaged in the administration of justice shall not be raised except upon a substantive Motion moved for the purpose; and in any amendment, question to a Minister, or debate on a Motion dealing with any other subject any reference to the conduct of any such person as aforesaid shall be out of order.

Scope of Debate.

**39.**—(1) When an amendment proposes to leave out words and to add or insert other words in their place, debate upon the question “That this amendment be made” may relate to both the words proposed to be left out and those proposed to be added or inserted.

(2) On an amendment proposing only to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.

(3) Where during the course of a debate a Motion is made (a) for the adjournment of the debate or of the House, or (b) in Committee that the Chairman do report progress or do leave the Chair, unless it appears to the Chair that that Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question on the Motion for the adjournment as aforesaid shall be put forthwith without amendment or debate; and a Member who has moved or seconded such a Motion shall not be entitled to move or second any similar Motion during the

same debate; but this paragraph shall not be construed as restricting the customary right of the Minister in charge of arranging the business of the House to move the adjournment of the House on the conclusion of the business of the day.

**40.**—(1) It shall be out of order to anticipate a Bill by discussion upon a Motion dealing with the subject matter of that Bill.

Anticipation.

(2) It shall be out of order to anticipate a Bill or a notice of Motion by discussion upon an amendment, or a Motion for the adjournment of the House.

(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the House within a reasonable time.

**41.**—(1) After a question has been proposed any Member may at any time during the course of debate rise in his place and claim to move “That the question be now put” and unless it appears to the Chair that that Motion is an abuse of the rules of the House or an infringement of the rights of the minority, the question “That the question be now put” shall be put forthwith. No debate on that Motion shall be allowed, and if the Motion is carried, the debate then before the House shall cease and the question before the House shall be put forthwith.

Closure of Debate.

(2) When the Motion “That the question be now put” has been carried, and the question consequent thereon has been decided, any Member may claim that any other question already proposed from the Chair be now put and if the assent of the Chair is given, every such question shall be put forthwith and decided without amendment or debate.

(3) A Motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than ten Members voted in the majority in support of the Motion.

Rules for  
Members not  
Speaking.

**42.** A Member present in the House during a debate—

- (a) shall enter or leave the House with decorum;
- (b) shall maintain silence while another Member is speaking, and shall not interrupt, except in accordance with these Standing Orders; and
- (c) shall otherwise conduct himself in a fit and proper manner.

Responsibility  
for Order in the  
House and in  
Committee.

**43.**—(1) The speaker in the House and the Chairman in Committee shall be responsible for the observance of the rules of order in the House and Committee respectively, and their decision upon any Point of order shall not be open to appeal and shall not be reviewed by the House except upon a substantive Motion made after notice.

(2) When the Speaker, or Chairman, rises during a debate any Member then speaking or wishing to speak shall immediately resume his seat, and the House, or the Committee shall be silent.

Order in the  
House and in  
Committee.

**44.**—(1) The Speaker or the Chairman, after having called the attention of the House or of the Committee, to the conduct of a Member who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Members in debate, may direct him to discontinue his speech and to resume his seat.

(2) Any Member may, after the Speaker or Chairman, as the case may be, has under paragraph (1) of this Standing Order once called the attention of the House or Committee to the conduct of a member who persists in irrelevance or tedious repetition of his own arguments or of the arguments used by other Members in the debate, move that the Member be no longer heard and such Motion shall be put forthwith without amendment or debate.

(3) The Speaker or the Chairman shall order any Member to withdraw immediately from the House during the remainder of the day's sitting and may direct such steps to be taken, as are required, to enforce such order—

- (a) where the conduct of such Member is grossly disorderly; or
- (b) where such Member has used objectionable, abusive, insulting or offensive words or language or unparliamentary expressions, and, on being called to order, has refused to withdraw such words or language or expressions, and has not offered an apology; for the use thereof to the satisfaction of the House.

(4) If an order under paragraph (2) of this Standing Order be not complied with at once, or if, on any occasion, the Speaker or the Chairman considers that his powers under that paragraph are inadequate, he may name such Member in pursuance of paragraph (5) or paragraph (6) of this Standing Order.

(5) If a Member shows disregard for the authority of the Chair, or abuses the rules of the House by persistently and wilfully obstructing the business of the House or otherwise, the Speaker shall direct the attention of the House thereto, mentioning by name the Member concerned. The Speaker shall then call upon a Minister to move “That Mr. ....be suspended from the service of the House”, and the Speaker shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.

(6) If the offence has been committed in a Committee of the whole House, the Chairman shall forthwith suspend the proceedings of the Committee and, as soon as the House has resumed, shall report the circumstances to the House,

whereupon the procedure provided for in the preceding paragraph shall be followed.

(7) If a Member is suspended under any provisions of this Standing Order, his suspension shall continue until it is terminated by resolution of the House or, if no such resolution is come to, until the end of the Session.

(8) Not more than one Member shall be named at the same time, unless several Members present together have jointly disregarded the authority of the Chair.

(9) A Member who is ordered to withdraw under the provisions of paragraph (3) of this Standing Order, or who is suspended under the provisions of paragraphs (4) to (6) of this Standing Order, shall forthwith leave the House and its precincts. A Member who is suspended shall not be entitled to attend any sitting of the House, or enter the House or its precincts, until the termination of his suspension.

(10) If any Member, who is ordered to withdraw or who is suspended under this Standing Order, refuses at any time to obey the direction of the Speaker to withdraw from the House and its precincts, the Speaker shall call the attention of the House to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Member named by him as having so refused to obey his direction shall thereupon, without further question put, be suspended from the service of the House during the remainder of the Session.

(11) If resort to force is necessary, the Speaker may suspend the sitting during the removal of the Member and invoke the assistance of any police officer in ejecting the offending Member and such officer shall, for the purposes of this Order, be deemed to be an Officer of the House.

(12) In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the

House without question put, or suspend the sitting for a time to be named by him.

(13) *Repealed.*

115 of 1998.

(14) Nothing in this Order shall be taken to deprive the House of the power of proceedings against any Member according to any resolution of the House.

**45.**—(1) Save as otherwise provided in section 73 of the Belize Constitution, or in these Standing Orders, all questions proposed for decision in the House or in any Committee shall be determined by a majority of the votes of those present and voting.

Decision of Questions.  
CAP. 4.

(2) Where the Speaker is not an Elected Member of the House, he shall have neither an original vote nor a casting vote, and if upon any question before the House the votes are equally divided the Motion shall be declared lost.

(3) The Speaker, if an Elected Member of the House, or any other Member presiding in the absence of the Speaker, shall have an original vote, but not a casting vote.

**46.**—(1) At the conclusion of a debate upon any question the Speaker or Chairman shall put that question for the decision of the House, and shall collect the voices of Ayes and of the Noes, after which no further debate may take place upon that question.

Collection of Voices.

(2) The result shall be declared by the Speaker or Chairman stating “I think the Ayes have it” or “I think the Noes have it” as the case may be, but any Member may challenge the opinion of the Chair by claiming a division.

**47.**—(1) In a division the Clerk shall call each Member’s name separately and such Member shall indicate how he desires to vote. The Clerk shall thereupon record the vote accordingly.

Divisions.

(2) Every Member present, unless he expressly says that he declines to vote, shall record his vote either for the Ayes or the Noes.

(3) The Clerk shall announce the number of Members who have voted for, and of those who voted against, the proposal, and the number of Members who declined to vote. Subject to the provisions of paragraph (4) of this Standing Order and of paragraph (5) of Standing Order No. 10 (Quorum), the Speaker or other Member presiding, or the Chairman in Committee of the whole House, shall then declare the result of the division.

(4) The Clerk shall enter on the Minutes of Proceedings the record of each Member's vote, and shall add a statement of the number and the names of all the members present who declined to vote.

(5) If a Member states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered provided that such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the Speaker, or Chairman, at his sole discretion, shall either direct the Clerk to alter that Member's vote or direct that a fresh division be held.

Introduction and  
First Reading of  
Bills.

**48.**—(1) Subject to the provisions of Standing Order No. 24 (Public Money), any Member of the House may move for leave to introduce a Bill of which he has given notice.

(2) Subject to the provisions of Standing Order No. 24 (Public Money), a Bill may be presented to the House on behalf of the Government after notice without an order of the House for its introduction.

(3) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the day following the day on which it was received by the Clerk of the House.

(4) A Bill, whether presented in pursuance of an order of the House after leave given or without such order, shall be handed to the Clerk by the Member who gave notice of the Bill. The Clerk shall read aloud the title of the Bill, which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed.

(5) Copies of the Bill, as printed, shall be made available to every Member.

(6) When a Bill has been read a first time, it shall stand committed to a Standing Committee.

(7) The Standing Committee to whom a Bill has been referred shall report to the House whether or not they recommend that such a Bill ought to be read a second time or with such amendments as they may recommend; and they shall have power to state their reasons for recommending that a Bill ought not to be read a second time. If a Standing Committee does not report to the House within 30 days, the House may in its discretion proceed to read a Bill a second time.

(8) When a Bill has been brought from the Senate and in the case of a Private Bill a Member of the House has signified to the Clerk of the House his willingness to take charge of the Bill, that Bill shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed, and shall stand committed to a Standing Committee.

**49.**—(1) Subject to the provisions of this Standing Order, the Member in charge of the Bill may, at the conclusion of the proceedings on any stage of the Bill, either name a day to be appointed for the next stage of the Bill or move that the next stage be taken forthwith.

Appointment of  
Days for Stages  
of Bills.

(2) An interval of not less than ten days must elapse between the first and second reading of a Bill, unless the House, on

motion made and question put, agree to proceed with the Bill at an earlier date or forthwith.

(3) Subject to paragraph (2) of this Order, no Bill shall be read a second time until it has been printed and circulated to Members and published in the *Gazette*.

Form of Bills.

**50.**—(1) The Clerk shall be responsible for preparing each Bill for the printer from the draft handed in to him by the Member in Charge of the Bill, and shall satisfy himself—

- (a) that the Bill is divided into successive clauses numbered consecutively;
- (b) that the Bill has in the margin a short summary of each clause; and
- (c) that the provisions of the Bill do not appear to go beyond its title.

(2) A Bill may be accompanied by a short explanatory statement of its contents.

Second Reading of Bills.

**51.**—(1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.

(2) To the question “That the Bill be now read a second time” an amendment may be proposed, without notice, to leave out the word “now” and add at the end of the question “upon this day six months”, or an amendment may be moved to leave out all the words after the word “that” in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the general merits and principles of the Bill and may not deal with its details.

Committal of Bills.

**52.**—(1) When a Bill has been read a second time it shall stand committed to a Committee of the whole House, unless the House, on Motion made, commits it to a Select Committee.

Such Motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate and may, though opposed, be decided after 5.50 p.m. The said Motion may be proposed by any Member.

(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the House.

**53.**—(1) Any Committee to which a Bill is committed after it has been read a second time shall not discuss the general merits and principles of the Bill but only its details.

Functions of Committees on Bills.

(2) Any such Committee shall have power to make such amendments therein as they shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill, but if any such amendments are not within the title of the Bill, they shall amend the title accordingly, and shall report the same specially to the House.

**54.**—(1) On the order being read for a Committee of the whole House on a Bill, the Speaker shall leave the Chair without question put.

Procedure in Committee of the Whole House on a Bill.

(2) The Chairman in Committee of the whole House shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question “That the clause (or the clause as amended) stand part of the Bill” and, when all Members who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

(3) Any proposed amendments of which notice has not been given shall be handed to the Chairman in writing.

(4) The following provisions shall apply to amendments relating to Bills—

- (a) an amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates;
- (b) an amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee;
- (c) an amendment must not be such as to make the clause which it proposes to amend, unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the first amendment is moved so as to make the series of amendments intelligible as a whole;
- (e) in order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments;
- (f) the Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved;
- (g) the Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of this Standing Order.

(5) The provisions of paragraphs (4) and (5) of Standing Order No. 34 (Amendments to Motions - How Moved and Put) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word “Clause” for the word “Motion” or the word “Question”, and of the word “Chairman” for the word “Speaker” and the word “Committee” for the word “House” throughout.

(6) A Clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(7) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill,

provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(8) On the title of any new clause being read by the Clerk the clause shall be deemed to have been read a first time. The question shall then be proposed “That the clause be read a second time”; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “That the clause (or the clause as amended) be added to the Bill”.

(9) Schedules shall be disposed of in the same way as clauses, and any proposed new schedules shall be considered after the schedules to the Bill have been disposed of and shall be treated in the same manner as a new clause.

(10) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put “That the preamble to the Bill be approved”. No amendment to the preamble shall

be considered which is not made necessary by a previous amendment to the Bill.

(11) If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula.

(12) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question “That the Bill (or the Bill as amended) be reported to the House” which question shall be decided without amendment or debate.

(13) If any Member, before the conclusion of proceedings on a Bill, moves to report progress and such Motion is carried, or if the proceedings in a Committee of the whole House have not been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee and the Member in charge of the Bill shall report progress to the House and ask leave to sit again, and name a day for the resumption of the proceedings.

(14) A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Member in charge of the Bill may, subject to the discretion of the Chairman, move a Motion “That the Committee do not proceed further with the Bill”. If the Motion is carried, the Committee shall then report the Bill to the House as so far amended or without amendment as the case may be, and make a special report explaining its proceedings on the Bill, and the special report and the Bill shall be ordered to lie upon the Table without question put.

Procedure in  
Select  
Committee on a  
Bill.

**55.** A Select Committee on a Bill shall be subject to Standing Orders No. 79 (Procedure in Select Committees) and Nos. 45 (Decision of Questions), 46 (Collection of Voices) and 47 (Divisions) but, before reporting the Bill to the House, it shall

go through the Bill as provided in Standing Order No. 54 (Procedure in Committee of the whole House on a Bill).

**56.**—(1) So soon as a Committee of the whole House has agreed that a Bill be reported, the Chairman shall leave the Chair of the Committee and the House shall resume, and the Member in charge of the Bill shall report it to the House.

Procedure on Reporting of Bills from Committee of the Whole House.

(2) When a Bill has been reported from a Committee of the whole House, it shall be ordered to be read a third time.

**57.**—(1) If any Member desires to delete or amend any provisions contained in a Bill as reported from a Committee of the whole House or to introduce any new provision therein, he may, at any time before a Member rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule. No notice of such Motion shall be required, the question shall be put without amendment or debate and, if the Motion is agreed to, the Bill shall stand so recommitted. The House may then, upon Motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later day.

Recommittal of Bills reported from Committee of the Whole House.

(2) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 54 (Procedure in Committee of the whole House on a Bill).

(3) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.

(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question “That the Bill (or the Bill as amended on recommittal) be reported to the House “which

question shall be decided without amendment or debate. So soon as the Bill has been reported, the Member in charge of the Bill may either name a future day for the third reading of the Bill or move that it be read a third time forthwith.

Procedure on Bills reported from Select Committee.

**58.**—(1) When a Bill has been reported from a Select Committee, the House may proceed to consider the Bill as reported from the Select Committee upon a Motion “That the report of the Select Committee on the .....Bill be adopted”, moved under paragraph (6) of Standing Order No. 81 (Reports from Select Committees). If no amendment is proposed to such Motion, the question on the Motion shall be decided forthwith without debate.

(2) If that Motion is agreed to without amendment, the House may proceed to the third reading of the Bill as reported from the Select Committee.

(3) Upon a Motion to adopt the report of the Select Committee on a Bill, any Member may propose an amendment to add, at the end of the Motion, the words “subject to the recommittal of the Bill (either wholly or in respect only of some particular part or parts of the Bill or of some proposed new clause or new schedule) to a Committee of the whole House”, and if that Motion is agreed to with such an amendment, the Bill shall stand so recommitted and the House may then resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the whole House upon a Bill recommitted under the provisions of this standing Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 57 (Recommittal of Bills reported from Committee of the whole House), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.

**59.**—(1) On the third reading of a Bill no amendments may be proposed to the question “that the Bill be now read a third time and passed” and the question shall be put without debate.

Third Reading of Bills.

(2) Corrections of errors or oversights may be made by the Speaker before the question for the third reading of the Bill is put from the Chair.

(3) When a Bill which originated in the House has been read the third time, a printed copy of it, signed by the Clerk of the House and endorsed by the Speaker, shall be sent to the Senate, together with a message informing the Senate that the Bill has been passed by the House and desiring the concurrence of the Senate.

(4) When a Bill which originated in the Senate has been read a third time and passed by the House without amendment, the Clerk of the House of Representatives shall retain the Bill and a message shall be sent to the Senate “That the House of Representatives has agreed to the..... Bill without amendment” and a printed copy shall be submitted to the Governor-General for his Assent.

(5) When a Bill which originated in the Senate has been read a third time and passed by the House with amendment or amendments, the Clerk of the House shall cause the said amendment or amendments made to the Bill by the House to be entered in the original copy of the Bill received from the Senate which copy, signed by the Clerk and endorsed by the Speaker, shall then be returned to the Senate, with a message desiring the concurrence of the Senate in the amendment or amendments made by the House of Representatives.

(6) When the Senate has returned to the House—

(a) a Bill to which paragraph (3) of this Standing Order applies with a message that the Bill has

been read the third time and passed without amendment; or

- (b) a Bill to which paragraph (5) of this Standing Order applies with a message that the Senate has agreed to the amendments made thereto by the House,

the Clerk shall submit a printed copy to the Governor-General for his Assent.

Procedure on  
Senate  
Amendments.

**60.**—(1) When a Bill is returned from the Senate with amendments, the consideration of such amendments may, with the consent of the Speaker, be entered upon forthwith, or may be put down for such future day as the Member in charge of the Bill shall appoint.

(2) Upon a motion being made “That the Senate amendments to the Bill be now considered”, an amendment may be proposed to that question, to leave out the word “now”, and add at the end of the question “upon this day six months” or some other date.

(3) When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to, or agreed to with amendment, or disagreed to. Upon any such amendment being disagreed to, an amendment may be made to the Bill *in lieu* thereof, but no amendment may be proposed to a Senate amendment save an amendment strictly relevant thereto, nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a Senate amendment.

(4) When the House has concluded the consideration of the Senate amendments—

- (a) if such amendments have been agreed to, a message shall be sent to the Senate informing them “That the House of Representatives has

agreed to the amendments to the ..... Bill”, and a printed copy of the Bill as amended shall be +submitted to the Governor-General for his Assent;

- (b) if such amendments have been amended, the Bill as amended, endorsed by the Speaker, shall be returned to the Senate together with a message informing the Senate that the House has passed the Bill with amendments to which they desire the concurrence of the Senate;
- (c) if such amendments have been disagreed to, the Bill shall be returned to the Senate with a message informing the Senate “That the House of Representatives have disagreed to the Senate amendments to the.....Bill”.

(5) When the House has disagreed to a Senate amendment, if the Senate returns the Bill with a message that it insists upon the amendment the House may either–

- (a) agree to the said amendment, in which case the provisions of paragraph (4)(a) of this Standing Order shall apply; or
- (b) amend such amendments in which case the provisions of paragraph (4)(b) of this Standing Order shall apply; or
- (c) postpone the consideration of the Senate amendment for six months or any other period decided by the House; or
- (d) order the withdrawal of the Bill; or

CAP. 4. (e) subject to the Provisions of sections 78, 79 and 80 of the Belize Constitution, present the Bill as passed by the House of Representatives to the Governor-General for his Assent notwithstanding the disagreement of the Senate.

Custody of Bills and Assent thereto.

**61.**—(1) The Clerk of the House shall have custody of—

- (a) every Bill passed by the House and agreed to by the Senate;
- (b) every Bill passed by the Senate and agreed to by the House;

and shall, as soon as possible, present every such Bill to the Governor-General for his Assent.

CAP. 4.

(2) The Clerk, when directed by the Speaker, shall present to the Governor-General for his Assent any Bill passed by the House but not agreed to by the Senate, if under section 78 or 79 of the Belize Constitution, the Bill can be presented to the Governor-General for his Assent notwithstanding that the Senate has not consented to the Bill.

Withdrawal of Bills.

**62.** A Bill may be withdrawn by leave of the House or, as the case may be, of the Committee either—

- (a) before the commencement of Public Business; or
- (b) when any stage of the Bill is reached in the Order of Business, if before the Question is fully put, the mover so requests and there is no dissentient voice.

**63.** Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same Session for the second reading of any other Bill containing substantially the same provisions.

Bills containing substantially the same provisions.

**64.**—(1) Any Bill containing the estimated financial requirements for expenditure on all the services of the Government of this Country for the current or succeeding financial year shall be known as an Appropriation Bill.

Presentation and Second Reading of Appropriation Bill.

(2) Estimates containing the details of the said financial requirements shall be presented at the same time as any such Bill.

(3) Immediately after the presentation of an Appropriation Bill, the Minister presenting the same shall, notwithstanding the provisions of Standing Order No. 49 (Appointment of Days for Stages of Bills), be entitled to move the second reading of the Appropriation Bill. A seconder shall not be required.

(4) The motion for such second reading shall be the occasion for the Minister of Finance to make his annual financial statement or budget speech. After the Minister has made his Budget Speech, no other Member shall speak then on the motion and the Minister of Finance shall name the day upon which debate on the second reading shall be resumed.

(5) After the motion for the second reading of the Appropriation Bill has been resumed under paragraph (4) of this Standing Order, the debate shall be confined to the financial and economic state of the Country and the general principles of Government policy and administration as indicated by the Appropriation Bill and the Estimates.

(6) When the Appropriation Bill is read a second time, a Minister may move that the House resolve itself into a Committee of the whole House to be called the Committee of Supply to consider the Bill and the Estimates, and thereupon and

without question put, the House shall go into Committee, or may name a date for consideration of the Bill and the Estimates in Committee.

Committee of Supply.

**65.**—(1) There shall be a Committee of the whole House, to be called the Committee of Supply, the deliberations of which shall not take place in public.

(2) The Estimates shall, upon presentation to the House, stand referred to the Committee of Supply, and the Appropriation Bill, on being read a second time, shall stand committed to that Committee. The Committee shall also consider and report on all proposals for expenditure from public revenue or other funds which are not included in the Estimates, including proposals for supplementary or unforeseen expenditure, and any other matter which may be referred to it by resolution of the House.

(3) Save as provided in paragraph (5) of Standing Order No. 64 (Presentation and Second Reading of Appropriation Bill), not less than forty-eight hours' notice shall be given for the House to resolve itself into Committee of Supply, except in case of emergency signified to the House by a Minister.

(4) The Chairman of the Committee of Supply shall be the Minister of Finance.

Allotment of Time in Committee of Supply.

**66.**—(1) There may be allotted a maximum number of days to be determined by the Minister responsible for Finance after such consultation with Members as he may deem fit, for discussion of the Appropriation Bill with the Estimates in the Committee of Supply or for consideration of any vote on account.

(2) Upon any day allotted under paragraph (1) of this Standing Order, no dilatory motion shall be moved, except by a Minister, upon any proceedings upon the Appropriation Bill; and such proceedings shall not be interrupted or postponed under any Standing Order.

(3) The Speaker may name the hour upon any day allotted under paragraph (1) of this Standing Order at which proceedings upon any Head of Expenditure in the Schedules to the Appropriation Bill, or any Schedule of, or on the clauses of the Bill, shall be concluded. If in the case of any Head or Schedule or of the clauses the hour so named is reached before the business concerned is disposed of, the Chairman shall put forthwith any question necessary to dispose of that business,

provided that, if in the case of any Head or Schedule the proceedings thereon are concluded before the hour named, the next business may be entered upon forthwith.

**67.**—(1) On the consideration of the Appropriation Bill in the Committee of Supply the clauses of the Bill shall stand postponed until after consideration of the Schedule or Schedules.

Procedure in  
Committee of  
Supply.

(2) On consideration of the Schedules each Head of Expenditure shall be considered with the appropriate Estimate, and any reference in these Standing Orders to a sub-head or an item means a sub-head or an item in the Estimates for the Head then under discussion.

(3) On the consideration of a Schedule, the Chairman shall call the title of each Head of Expenditure in turn, and shall propose the question “That the sum of \$.....for Head..... stand part of the Schedule”, and unless an amendment is proposed under the provisions of the next succeeding Standing Order, a debate may take place on that question.

(4) When all the Heads in a Schedule have been disposed of, the Chairman shall put forthwith, without amendment or debate, the question “That the Schedule (as amended) stand part of the Bill.”

(5) When every Schedule has been disposed of, the Chairman shall call successively each clause of the Bill and shall forthwith propose the question “That the clause stand part of the Bill” and, unless a consequential amendment is moved, the question shall be disposed of without amendment or debate.

(6) No amendment may be moved to any clause except any amendment consequential on an alteration in the total sum appropriated by any Schedule. Any such consequential amendment shall be moved by a Minister only, and may be moved without notice, and the question thereon shall be put forthwith without amendment or debate. When the question on the last of any such amendments to a clause has been decided, the Chairman shall forthwith put the question “That the clause as amended stand part of the Bill” and that question shall then be decided without amendment or debate.

(7) When the question upon every clause of the Bill has been decided, the Chairman shall put the question to the Committee that the Bill (as amended) be reported to the House, which question shall be decided without amendment or debate. Upon such question being agreed to, the chairman shall leave the Chair and the House shall resume, and the Member in charge of the Bill shall report it to the House.

Amendments to  
Heads of  
Estimates in  
Committee of  
Supply.

**68.**—(1) No amendment shall be moved in the Committee of Supply under this Standing Order until one clear day after that on which notice of the amendment was given to the Clerk of the House.

(2) An amendment to any Head of Expenditure to increase the sum allotted thereto whether in respect of any item or sub-head or of the Head itself may only be moved by a Minister who shall signify to the Committee the recommendation or consent of the Governor-General to the increase in accordance with paragraph (4)(g) of Standing Order No. 54 (Procedure in Committee of the whole House on a Bill). Every such amendment shall take the form of a motion “That



(10) Debate on every amendment shall be confined to the item, sub-head or Head to which the amendment refers, and after an amendment to an item or sub-head has been disposed of, no amendment or debate on a previous item or sub-head of that Head shall be permitted.

(11) When all amendments standing on the Order Paper in respect of any particular Head of Expenditure have been disposed of, the Chairman shall again propose the question—

“That the sum of \$.....for Head..... stand part of the Schedule”, or shall propose the amended question “That the (increased) (reduced) sum of \$.....for Head.....stand part of the Schedule”, as the case may require. There shall be no debate on any such question.

Third Reading of  
Appropriation  
Bill.

**69.** So soon as the Appropriation Bill has been reported to the House, a Motion for the third reading shall be made by a Minister.

Supplementary  
Financial  
Provisions.

**70.**—(1) If a Minister presents a Paper setting out the details of any proposals for expenditure likely to be incurred in the course of the current financial year either in respect of a service or of several services for which no provision has been made in an Appropriation Act for that year or in respect of further financial provision beyond the total sum already sanctioned for a particular Head or for particular Heads, it shall stand referred to the Committee of Supply without question put and shall be appointed to be considered on a day to be named by the Minister presenting the Paper, subject to the provisions of paragraph (3) of Standing Order No. 65 (Committee of Supply).

(2) On the day named under paragraph (1) of this Order, the Committee of Supply shall stand as the first item of Public Business and the House shall resolve itself into the Committee without question put.

(3) When the House has resolved itself into a Committee of Supply to consider such a Paper, a Minister may move without notice (the recommendation or consent of the Governor-General being first signified) “That the Committee approves the proposal (or proposals) set out in Paper No. ....” to which Motion amendments may be moved to add words either leaving out or reducing an item or a sub-head of any particular proposal or if there be more than one proposal leaving out any particular proposal,

provided that when an amendment has been proposed to leave out or reduce any item or sub-head no amendment may be moved to an earlier item or sub-head and that when an amendment to leave out a proposal (or, where there is only one proposal, the question “That the Committee approves the proposal set out in Paper No. ....”) has been proposed, no amendment to an item or sub-head in that proposal may be moved.

(4) When the Motion “That the Committee approves the proposal (or proposals) set out in Paper No. ....”, or that Motion as amended, has been agreed to, the Chairman shall leave the Chair and the Member in charge shall report that the Committee has come to a Resolution and move “That this House doth agree with the Committee in the said Resolution” and the question thereon shall be put forthwith without amendment or debate.

(5) If the consideration of the proposal or proposals in a Paper has not been concluded by the hour at which the Chairman is directed under Standing Order No.12 (Hours of Sitting) to leave the Chair, the Member in charge shall, after reporting any Resolutions that may have been agreed to, report progress and ask leave to sit again and shall then name a day for the resumption of the Committee.

**71.**—(1) If from time to time, whether in the course of a particular financial year or after its close, a supplementary Appropriation

Supplementary  
Appropriation  
Bills.

Bill is presented appropriating only proposals which have been approved by the Committee of Supply and agreed to by the House under Standing Order No. 70 (Supplementary Financial Provisions), then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditure is required; and, when the question thereon has been agreed to, the Bill shall not be committed and the question “That the Bill be now read a third time” shall be put forthwith without amendment or debate.

(2) The proceedings on any such Bill shall not be interrupted under the provisions of Standing Order No. 12 (Hours of Sitting) and may be entered upon after 5.50 p.m. although opposed.

Standing  
Committees.  
115 of 1998.  
8 of 2000.

**72.**—(1) When the House first meets after any general election or as soon thereafter as may be convenient, the following Select Committees (in these Standing Orders referred to as Standing Committees) shall be appointed—

- (a) Finance and Economic Development;
- (b) Public Utilities, Transport and Communications Committee;
- (c) Health and Human Development Committee, including Rural Development and Culture;
- (d) Education, Sports and Housing Committee;
- (e) Constitution and Foreign Affairs, Privileges and Standing Orders, House and Regulations Committee;
- (f) Works Committee;
- (g) Public Service, Labour, Industry and Trade Committee;

- (h) Natural Resources and Environment Committee;
- (i) National Security and Immigration Committee;
- (j) Agriculture and Fisheries Committee;
- (k) Public Accounts Committee;
- (l) Tourism Archaeology and Broadcasting Committee;
- (m) Ombudsman Reports Committee.

and such other Standing Committees as may be necessary for the consideration of Bills or other business committed or referred to a Standing Committee.

(2) The quorum of a Standing Committee may be fixed by order of the House and unless so fixed shall when the number of members exceeds three be three.

(3) Members of the public shall be allowed sufficient opportunity to present their views at the meetings of all Standing Committees.

(4) The Bills and Reports committed to a Standing Committee shall be distributed among the Committees by the Speaker.

8 of 2000.

(5) In all Standing Committees Government Bills shall have precedence and shall be considered in whatever order Ministers may decide.

(6) All Standing Committees shall have leave to print and circulate among Members of the House the minutes of their proceedings and clauses of Bills as amended by them.

Constitution of  
Standing  
Committees.

115 of 1998.

**73.**—(1) Each of the said Standing Committees shall consist of not less than three and not more than nine members to be nominated by a Committee of Selection to consist of not less than six members to be chosen by the Speaker as soon as may be after the beginning of each Session,

provided that no Minister shall be appointed to a Standing Committee which deals with any subject or matter assigned to that Minister.

(2) The Committee of Selection, in nominating members of a Standing Committee, shall have regard to the composition of the House in order to ensure, so far as possible, that the balance of parties in the House is reflected in the Committee,

115 of 1998.

provided that each Standing Committee shall have at least two members who do not support the Government (unless there are no members, or insufficient members, of the House of Representatives who do not support the Government).

(3) The Committee of Selection shall also have power to add not more than five members to a Standing Committee in respect of any Bill referred to it, to serve on the Committee during the consideration of such Bill, and in adding such members shall have regard to their qualifications.

115 of 1998.

(4) Every member of a Standing Committee may appoint an alternative member of the House who may attend the meeting of the Committee in the event of the inability of such member to attend, and every alternate so appointed shall have the same power and authority (including but not limited to the right to vote) as enjoyed by the member by whom he was so appointed.

Powers and  
Duties of  
Standing  
Committees.  
115 of 1998.  
8 of 2000.

**74.**—(1) All proposed legislation, messages, petitions, reports, motions and other matters relating to the subjects hereinafter mentioned under the title of each Standing Committee shall be referred by the House to such Committee for examination,

consideration and report to the House, and the Committee shall, as far as practicable, make such report within sixty days—

1. Finance and Economic Development Committee—

- (a) Taxation and fiscal matters;
- (b) Banking, currency and insurance;
- (c) Customs, excise, imports and exports;
- (d) Exchange control;
- (e) Salaries, pensions and provident funds;
- (f) Public debt and public loans;
- (g) Economic development;
- (h) Any other subjects assigned under the Constitution to the Minister responsible for Finance or the Minister responsible for Budget Planning and Management and Economic Development in their capacity as such Ministers.

2. Public Utilities, Transport and Communications Committee—

- (a) Public Utilities;
- (b) Transport;
- (c) Communications;
- (d) Any other subjects assigned under the Constitution to the Minister responsible for

Public Utilities, Transport and Communications.

3. Health and Human Development Committee, including Rural Development and Culture—
  - (a) All subjects assigned under the Constitution to the Minister responsible for Health;
  - (b) All subjects assigned under the Constitution to the Ministers responsible for Human Development, Women, Youth, Rural Development and Culture.
4. Education, Sports and Housing Committee—
  - (a) All subjects assigned under the Constitution to the Minister responsible for Education and Sports;
  - (b) All subjects assigned under the Constitution to the Minister responsible for Housing in his capacity as such Minister.
5. Constitution and Foreign Affairs Privileges, Standing Orders, House and Regulations Committee—
  - (a) Constitution;
  - (b) Civil liabilities and administration of justice;
  - (c) Legal affairs;
  - (d) Relations of Belize with the Commonwealth countries and foreign countries;
  - (e) International conferences;

- (f) Foreign representation;
- (g) Subject to Standing Order No. 29 (5), all matters which appear to affect the powers or privileges of the House;
- (h) Standing Orders of the House and such other matters relating thereto as may be referred to the Committee by the House;
- (i) Order of Business of the House;
- (j) Recesses and adjournments of the House;
- (k) All matters relating to the remuneration and allowances and the comfort and convenience of Members of the House;
- (l) Employment of officers and other persons by the House;
- (m) All such orders, rules, regulations and by-laws which are required by any law to be laid before the House.

This Committee shall bring to the attention of the House any order, rule, regulation or by-law—

- (a) which involves the expenditure of public moneys or imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;

- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect although the law under which it was made does not in terms give the Minister such a power;
- (e) the publication or the laying before the House of which appears to have been unduly delayed; or
- (f) the purport or form of which appears to require elucidation.

6. Works Committee—

- (a) Public works;
- (b) All other matters assigned under the Constitution to the Minister responsible for Works.

7. Public Service, Labour, Industry and Trade Committee.

- (a) Public Service;
- (b) Labour matters;
- (c) Trade, Industry and Commerce;
- (d) Home affairs;
- (e) Local Government;
- (f) Any other subjects assigned under the Constitution to the Minister responsible for

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Industry and Commerce, Public Service and Labour.

8. Natural Resources and Environment Committee—

All matters assigned under the Constitution to the Minister responsible for Natural Resources and the Environment.

9. National Security and Immigration Committee—

All matters assigned under the Constitution to the Minister responsible for National Security and Immigration.

10. Agriculture and Fisheries Committee—

(a) All matters assigned under the Constitution to the Minister responsible for Agriculture and Fisheries;

(b) Cooperatives.

11. Public Accounts Committee—

The Public Accounts Committee shall have the duty of examining, considering and reporting on—

(a) the accounts showing the appropriation of the sums granted by the National Assembly to meet the public expenditure of the country;

(b) such other accounts as may be referred to the Committee by the House or under any Law; and

(c) the report of the Auditor General on any such accounts.

## 12. Tourism, Archaeology and Information Committee—

- (a) Archaeology;
- (b) Salvaging of Wrecks;
- (c) All matters related to Tourism;
- (d) Information and Broadcasting.

8 of 2000.

## 13. Ombudsman Reports Committee.

CAP. 5.

- (a) Reports by the Ombudsman made under the Ombudsman Act;
- (b) Any other matters incidental to or connected with (a) above.

76 of 2000.  
1 of 2005.

(2) Notwithstanding the provisions of paragraph (1) of this Order, the Standing Committees established in that paragraph shall have the power, in respect of all matters assigned to them, other than proposed legislation, to hold meetings on their own initiative without having the matter referred to them by the House, and for that purpose, a meeting shall be duly called if a requisition under the hand of the Chairman, or, if the Chairman is unable for any reason to do so, under the hands of any two members of the Committee, is sent to the other members of the Committee. Paragraph 2 of this Order shall apply to a meeting held pursuant to this paragraph.

(3) The Standing Committees set out in paragraph (1) this order shall also have the power to oversee the expenditure, administration and policy of government departments and their associated public bodies, falling within the subjects assigned to the respective Standing Committees, and in exercise of this power the Standing Committees may, subject to paragraph (3) below—

- (a) send for persons, papers and records and specialists advisers, where necessary, to elucidate matters of complexity within the Committee's terms of reference;
- (b) communicate to any other such Committee its evidence and any other documents relating to matters of common interest;
- (c) meet concurrently with any such Committee for the purposes of deliberating, taking evidence, or considering draft reports; and
- (d) sit notwithstanding any adjournment of the House, adjourn from place to place, and report from time to time.

(4) Where a Minister of Government is requested to attend the Committee he shall comply with such request unless prevented from doing so on good and reasonable grounds, in which case he shall arrange for his Permanent Secretary or other senior public officer to attend on his behalf.

(5) Unless the House otherwise orders, all Members nominated to a Committee appointed under this order shall continue to be members of that Committee for the remainder of the National Assembly.

**75.**—(1) Subject to the provisions of paragraph (2) of this Standing Order, each Standing Committee shall select its Chairman from among the members thereof. In the temporary absence of the Chairman the member next in rank in the order named in the election of the Committee, and so on, as often as the case shall happen, shall act as Chairman. In the case of a permanent vacancy in the Chairmanship of any such Committee, the Committee of Selection shall appoint another Chairman.

Chairmen of  
Standing  
Committees.

115 of 1998.

(2) The Chairman of the Public Accounts Committee shall be chosen from among the members who do not support the Government (except at times when there is no such member).

Special Select Committees.

**76.**—(1) A Select Committee other than a Standing Committee shall be known as a Special Select Committee. It shall be appointed by Order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by Order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.

(2) The quorum of a Special Select Committee shall be such as shall be specified in the Order of the House or, in the absence of such Order, by the Speaker.

Constitution and Chairmen of Select Committees.

**77.**—(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee,

115 of 1998.

provided that a Select Committees shall have at least two members who do not support the Government (unless there are no members or insufficient members of the House who do not support the Government).

(2) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the Speaker or the Committee of Selection in the case of a Standing Committee shall appoint another Member in his place.

(3) Except as is otherwise provided by these Standing Orders or by special direction of the House, a Select Committee shall elect a Chairman from among its Members.

115 of 1998.

(4) Every member of a Select Committee may appoint an alternative member of the House who may attend the meetings of the Committee in the event of inability of such member to

attend, and every alternate so appointed shall have the same power and authority (including but not limited to the right to vote) as enjoyed by the member by whom he was so appointed.

**78.**—(1) The House may for the purposes of any Select Committee appoint not more than six Members to sit with Members of the Senate as a joint Select Committee.

Joint Select Committees.

(2) The quorum of a joint Select Committee shall be such as the Committee may decide.

(3) Except as is otherwise provided by these Standing Orders or by special direction of the House, a joint Select Committee shall elect a Chairman from among its members.

(4) A joint Select Committee may be appointed at the request of either House with the approval of the other House.

**79.**—(1) Except as otherwise provided in Standing Orders Nos. 72 to 75 inclusive (Standing Committees), this Standing Order shall apply to all Select Committees.

Procedure in Select Committees.

(2) If the Chairman is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.

(3) Unless the House otherwise directs, every Select Committee shall have power to send for persons, papers and records.

115 of 1998.

(4) A Select Committee shall not have power to delegate any of its functions to its Chairman or any other member.

(5) Unless the House otherwise directs, three Members shall be the quorum. In ascertaining whether there is a quorum present, the Member in the Chair shall not be excluded.

(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the House and any extension or limitation thereof made by the House, and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.

(7) Where, by resolution of the House or under these Standing Orders, the Speaker or a Minister is Chairman of a Select Committee, the Speaker or the Minister shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases the first meeting of a Select Committee shall be summoned by the Speaker and the first business to be transacted thereat shall be the Election of a Chairman of the Committee; if at such meeting a Chairman is not elected, the Speaker shall appoint a Member of the Committee to be the Chairman.

(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine; provided that, if the Committee fail to do so, the Chairman shall, in consultation with the Clerk of the House, appoint such time and place.

(9) Subject to any order of the House or resolution of the Committee, the sitting of a Select Committee shall be held in private.

(10) Except by leave of the House no Select Committee may sit while the House is sitting, but a Select Committee may sit any time when the House is adjourned or the sitting of the House is suspended.

(11) When it is intended to examine any witnesses the Member requiring such witnesses shall deliver to the clerk of the Committee the name, residence and occupation of any witnesses he desires to examine and the Committee shall decide if and when to summon the witnesses.

(12) If the Committee desires to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of the House at least seven days before his evidence is required. The Clerk shall then, subject to the directions of the Speaker, summon every such witness on behalf of the House.

(13) The evidence of every witness shall be taken down *verbatim* and sent in proof to the witness. The witness shall be at liberty, within fourteen days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(14) The Committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.

(15)

(a) Any Member of a Select Committee may bring up a report for its consideration, and all such reports shall be entered in full upon the minutes of proceedings of the Committee. When all the reports have been brought up, the Chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the Chairman on any report shall be “That the Chairman’s (or Mr. ....’s) report be read a second time paragraph by paragraph”. When this question has been agreed to, it shall not be proposed on any further reports, but any portions thereof may be offered as amendments to the report under consideration, if they are relevant to it.

- (b) The Committee shall then proceed to go through the report paragraph by paragraph and paragraphs (1) to (7) of Standing Order No. 54 (Procedure in Committee of the whole House on a Bill) shall apply to such consideration as if the report were a Bill and the paragraphs thereof the clauses of the Bill.
- (c) Upon the conclusion of the consideration of the report paragraph by paragraph and when all proposed new paragraphs have been considered, the Chairman shall put the question that this report be the report of the Committee to the House.

Premature  
Publication of  
Evidence.

**80.**—(1) The proceedings of and the evidence taken before, any Select Committee, and any documents presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any other person before the Committee has presented its report to the House.

(2) Any Member who contravenes the provisions of paragraph (1) of this Standing Order shall be liable, as the House may determine, either—

- (a) to the censure of the House; or
- (b) to be dealt as if he had committed a breach of order contrary to paragraph (5) of Standing Order No. 44 (Order in the House and in Committee), in which case the provisions of paragraphs (5) to (14) inclusive of that Order shall apply; and in addition the Member may be prosecuted for an offence contrary to the

provisions of the Legislative Assembly (Powers and Privileges) Act 1962.\*

**81.**—(1) Every Select Committee shall, before the end of every Session, make a report to the House upon the matters referred to it; but where a Select Committee finds itself unable to conclude its investigation before the end of the Session, it may so report to the House.

Reports from  
Select  
Committees.

(2) A report of a Select Committee may contain the opinions and observations of the Committee, and may be accompanied by the minutes of evidence taken before the Committee.

(3) A Select Committee may make a special report relating to its powers, functions and proceedings on any matters that it thinks fit to bring to the notice of the House.

(4) The report of a Select Committee shall be presented to the House by the Chairman or other Member deputed by the Committee, and shall be ordered to be laid on the Table, and be printed, without question put.

(5) The minutes of proceedings of a Select Committee shall record—

- (a) the names of the Members present each day of the sitting of the Committee;
- (b) the names of the witnesses examined;
- (c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote.

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\* This Act was omitted from the Revised Edition of the Laws of Belize 1980-1990, from the Substantive Laws of Belize, Revised Edition 2000, and from the Substantive Laws of Belize, Revised Edition 2020.

(5) The minutes of the proceedings of a Select Committee shall be printed with the report of the Committee, unless the House otherwise direct, and the Clerk shall preserve the original thereof as part of the records of the House.

(6) The Report of a Select Committee may be taken into consideration by the House on a motion “That the Report of the Select Committee on .....be adopted”. Such a motion may be moved by any Member after one clear day’s notice.

Divisions in  
Select  
Committees.

**82.**–(1) Every division in a Select Committee shall be taken by the Clerk to the Committee asking each Member of the Committee separately how he desires to vote and recording the votes accordingly.

(2) In taking the division, the names of all Members of the Committee present shall be called in alphabetical order.

(3) When a division is claimed in a Select Committee every Member of the Committee present shall, unless he expressly states that he declines to vote, record his vote either for Ayes or Noes. The Clerk to the Committee shall enter in the Minutes of the proceedings the record of each Member’s vote and shall add a statement of the names of Members who declined to vote.

(4) As soon as the Clerk has collected the votes he shall state the number of Members voting for the Ayes and Noes respectively and the Chairman shall then declare the result of the division. The Chairman shall not have an original vote but in the event of an equality of votes he shall give a casting vote.

(5) If a Member of the Committee states that he voted in error or that his vote has been wrongly counted he may claim to have his vote altered, provided that such request is made as soon as the Clerk has announced the numbers and before the Chairman has declared the result of the division.

**83.**—(1) Every Bill, not being a Government measure, intended to affect or benefit some particular person, association or corporate body (in this Standing Order called a “Private Bill”) shall contain a clause saving the rights of Her Majesty the Queen, Her Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from, or under, them, and may be introduced into the House under the provisions of this Standing Order,

Private Bills.

provided that the provisions of paragraph (1) of this Order shall not apply to measures to incorporate churches, and from the commencement of this proviso, churches shall be incorporated as companies limited by guarantee under the Companies Act.

110 of 2000.

CAP. 250.

(2) Any Bill, not being a Government measure, which in the opinion of the Speaker appears to affect directly private rights or property may be introduced into the House as a Private Bill under the provisions of this Standing Order.

(3) A Private Bill shall be introduced by a Member, only—

- (a) on petition from the promoters stating the objects of and reasons for the Bill; and
- (b) after notice of the Bill has been given—
  - (i) by not less than three successive publications of the Bill in the *Gazette*; and
  - (ii) by three successive publications in a newspaper circulating in the Country of a notice containing a statement of the objects of and the reasons for the Bill.

(4) The Petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the House after it is so lodged, and thereupon the Speaker shall put the question that the promoters be allowed to proceed.

(5) Subject to paragraph (6) of this Standing Order, when leave to proceed has been granted, the promoters shall, within the next ensuing three months after such leave has been granted, lodge with the Clerk of the House—

- (a) two copies of the Bill;
- (b) a certificate under the hand of the Accountant General certifying that the sum of two hundred and fifty dollars (or such less sum as the Clerk may in writing approve), to meet the expenses of printing, has been deposited with the Accountant General;
- (c) a bond duly executed by two sufficient persons obliging them to pay on demand to the Clerk any excess over the deposited sum, required for such expenses.

(6) The Clerk shall cause the Bill lodged with him to be printed as early as possible, and, at the first ordinary sitting of the House after the printing is completed, the Speaker, if he is satisfied that the notices required by paragraph (3) of this Standing Order have been given, shall put the question that the Bill be read a first time, upon which no discussion shall be allowed. After the Bill is read a first time, it shall stand upon the Order Paper for the second reading at the next ordinary sitting of the House.

(7) Upon the day ordered for second reading, the Speaker shall, unless the House otherwise orders, put the question that the Bill be read a second time.

(8) After the Bill has been read a second time, it shall stand referred to a Special Select Committee to be chosen by the Speaker. The Speaker shall appoint the Chairman of the Committee.

(9)

(a) Every Special Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite; and thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the House accordingly, and thereupon no further proceedings shall be taken with reference to the Bill unless the House makes a special order to the contrary.

(b) If the Special Select Committee finds that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments shall describe their purport in a Special Report to the House. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope.

(10) No person, other than a Member of the House, shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble (if any), or to the

clauses of the said Bill, and praying that he may be heard by himself or his Counsel against the Bill.

(11) Subject to the provisions of this Standing Order, all petitions against a Bill, where such petitions contain a prayer that the petitioners be heard by themselves or Counsel, shall stand referred to the Special Select Committee, and the Committee shall hear all such opposers who appear to have a *locus standi*.

(12) When it is intended to examine any witnesses before the Special Select Committee, the provisions of paragraphs (11) and (12) of Standing Order 79 (Procedure in Select Committees) shall apply.

(13) The Special Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the House that it has examined the Bill, and (if the fact be so) made amendments thereto, and shall make to the House such recommendations, if any, as it thinks fit.

(14) After the report of the Special Select Committee has been presented to and adopted by the House in accordance with Standing Order No. 57 the Speaker shall put the question, without amendment or debate, that the Bill be read a third time.

(15) As soon as practicable after any Private Bill is passed, rejected, dropped or abandoned, the Clerk of the House shall make out an account showing, according to the scale prescribed or approved by the Minister, the expenses of printing, and shall transmit the same, signed by him, to the Accountant General who thereupon shall, if the amount of the account is less than two hundred and fifty dollars, transfer such amount from the deposited sum of two hundred and fifty dollars to the general revenue of this Country, and pay the balance to the depositors, their executors or administrators.

(16) If the account for the expenses of printing exceeds two hundred and fifty dollars the Accountant General shall transfer the whole of the deposited sum to the credit of the general revenue of this Country, and the Attorney General shall, in the event of the promoters failing to pay the Accountant General the balance after being requested so to do, take proceedings to enforce payment of such balance.

**84.**—(1) Any Member who is prevented from attending a meeting of the House shall acquaint the Clerk as early as possible of his inability to attend.

Absence of Members.

(2) If, without the leave of the Speaker obtained in writing before the end of the last of the sittings referred to in this paragraph, any Member is absent from the House for more than six consecutive sittings occurring during the same Session, and within a period of no longer than three calendar months, such Member shall vacate his seat in the House under section 59 (2) of the Belize Constitution.

CAP. 4.

**85.** No Member of the House shall appear before the House or any Committee thereof as Counsel or Attorney-at-Law for any party or in any capacity for which he is to receive a fee or reward.

Employment of Members in Professional Capacity.

**86.**—(1) An Official Report of the proceedings, and of all speeches made, in the House shall be prepared under the supervision of the Clerk, acting under such instructions as the Speaker from time to time may give.

Report of Debates.

(2) The report shall be published in such form as the Speaker may direct, and a copy thereof shall be sent to each Member as soon as practicable.

**87.**—(1) Strangers may be present in the Chamber of the House in the places set apart for them, under such rules as the Speaker may make from time to time for that purpose.

Strangers.

(2) If, at any sitting of the House, any Member shall move that strangers withdraw, the Speaker shall forthwith put the question “That strangers do withdraw” without permitting any debate or amendment.

(3) The Speaker may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.

(4) Strangers must preserve silence and must conduct themselves in a fit and proper manner during a sitting.

(5) Strangers must withdraw from the Chamber and its precincts when called upon by the Speaker to do so.

Press.

**88.**—(1) The Speaker may grant a general permission to the representative of any journal or newspaper or other medium of public information to attend the sittings of the House under such rules as he may make from time to time for that purpose.

(2) If such rules are contravened, such permission may be revoked.

Amendment of  
Standing Orders.

**89.**—(1) Unless the Speaker shall otherwise direct, not less than eight days’ notice of a motion to amend the Standing Orders shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The motion shall be set down for the earliest convenient sitting after the expiration of the notice.

(3) When the Motion is reached, the mover shall move the Motion, and after it has, if necessary, been seconded, the Motion shall be referred forthwith, without any question being put thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such Motion until the Committee has reported thereon.

**90.**—(1) Any one or more of these Standing Orders may, after notice or with the leave of the Speaker, be suspended on a Motion made by a Member at any sitting and agreed to by not less than three-fourths of the Members then present.

Suspension of Standing Orders.

(2) A Motion under this Standing Order shall be decided without amendment or debate.

**91.**—(1) The Speaker shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

General Authority of the Speaker.

(2) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the Speaker, and shall not be open to challenge.

(3) The Speaker shall be responsible for the management and general administration of the Chamber.

**92.** Where agreement has been reached by leave of the Speaker between the Leader of the House and the Leader of the Opposition with regard to the transaction of any of the business of the House for any sitting or period, such agreement shall be announced in the House by the Speaker and the Speaker shall, the provisions of these Standing Orders notwithstanding, conduct such business in accordance with the terms of the said agreement.

Agreement between both sides of the House.

**93.** In these Standing Orders “Clerk of the House” and “Clerk” mean the person appointed under section 67 of the Belize Constitution, and includes the person deputed to act for him.

Interpretation.

**CHAPTER 4****BELIZE CONSTITUTION (SENATE) STANDING  
ORDERS****ARRANGEMENT OF PARAGRAPHS**

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**CHAPTER 4**

**BELIZE CONSTITUTION (SENATE) STANDING  
ORDERS  
(Section 70)**

34 of 1967.  
19 of 2002.  
CAP. 4.  
R.E. 2020.

*[15th July, 1967]*

**1.** These Standing Orders may be cited as the

Short title.

**SENATE STANDING ORDERS.**

**2.**—(1) When the Senate first meets after a general election, the Clerk of the Senate shall, immediately following the election of a President and Vice-President, administer the oath or affirmation of allegiance, first to the President and Vice-President and then to the other Senators.

Oath of  
Allegiance.

(2) At any other time, except in a case to which section 71(3) of the Belize Constitution applies, the oath or affirmation shall be administered immediately after the Prayers.

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(3) The oath or affirmation shall be in the form set out in Schedule 3 to the Belize Constitution.

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**3.**—(1) At the first meeting of the Senate after a general election and before the Senate proceeds to the despatch of any other business, or whenever it is necessary for the Senate to elect a President by reason of a vacancy in the office occurring otherwise, the Clerk shall call upon the Senate to elect a President.

Election of  
President.

(2) A Senator, having first ascertained that the Senator, or other person to be proposed, is willing to serve if elected, may, rising in his place and addressing the Clerk, propose any other Senator (not being a Minister), or any other person who is not a Member of either Chamber of the Legislature, to the Senate as

President of the Senate; and if that proposal be seconded, the Clerk, if no other such Senator or person be proposed for the office, shall declare the Senator or the person so proposed and seconded to be President of the Senate.

(3) If another such Senator or person, willing to serve if elected, be proposed and seconded, the Clerk shall propose the question that the Senator who was first proposed should be the President. If that proposal be agreed to, the Senator or other person so chosen shall be President, but if the proposal be negatived, the Clerk shall propose a like question in respect of any other such Senator or person, who has been proposed and seconded, until the question is carried in favour of one of the Senators, or other persons, so proposed.

Election of Vice-President.

**4.**—(1) At the first meeting of the Senate after a general election and before the Senate proceeds to the despatch of any other business, except the election of President, so soon as the President has been elected the Senate shall proceed to the election of one of its Senators, not being a Minister, to be Vice-President of the Senate.

(2) If the office of Vice-President falls vacant at any time before the next dissolution of the Legislature, the Senate shall, as soon as convenient, elect another Senator not being a Minister to that office.

(3) The election of the Vice-President shall be conducted in a similar manner to the election of the President, save that the President shall preside.

Presiding in the Senate and in Committee.

**5.**—(1) The President, or in his absence the Vice-President, or in their absence a Senator (not being a Minister) elected by the Senate for the sitting, shall preside at the sittings of the Senate and shall act as Chairman of Committee of the whole Senate.

(2) Save as otherwise provided in these Standing Orders, the Vice-President, or other Senator presiding, shall have all the

authority and power of the President when presiding or otherwise performing the functions of the President.

(3) The President or in his absence the Vice-President may, without any formal communication to the Senate or to the Committee, as the case may be, ask any Senator present (not being a Minister) to take the Chair temporarily.

(4) Whenever the unavoidable absence of the President from any day's sitting is announced by the Clerk at the Table, the Vice-President shall take the Chair and shall be invested with all the powers of the President until the President resumes.

**6.**—(1) The Clerk of the Senate shall keep the Minutes of Proceedings of the Senate and of Committees of the whole Senate, and shall circulate copies thereof to the Senators as early as practicable and, if possible, on the day following each sitting of the Senate.

Duties of the Clerk of the Senate.

(2) The Minutes shall record the names of Senators attending, all decisions of the Senate, and details of every division held, and shall be signed by the President.

(3) In the case of divisions of the Senate or of a Committee of the whole Senate, the Minutes shall include the numbers voting for and against the question, the names of Senators so voting, and the names (and the number) of Senators who declined to vote on the question.

(4) The Clerk shall prepare from day to day, and keep on the Table of the Senate and in the Clerk's office, an Order Book showing all business appointed for any future day, and any Notices of Questions or Motions which have been set down for a future day whether for a day named or not. The Order Book shall be open to the inspection of Senators at all reasonable hours.

(5) The Clerk shall cause to be printed and circulated to every Senator in respect of each sitting of the Senate an Order Paper setting out the business to be transacted at that sitting.

(6) The Clerk shall be responsible for the custody of the votes, records, Bills and other documents laid before the Senate, which shall be open to inspection by Senators and other persons under such arrangements as may be sanctioned by the President.

(7) It shall be the responsibility of the Clerk to provide every Select Committee of the Senate with a clerk and, if so required by the Committee, with a shorthand writer.

(8) At the end of each Session, the Clerk shall cause to be prepared and placed in the records of the Senate a bound volume containing the Minutes of Proceedings of that Session, marked with all such corrections as the President may have directed to be made therein.

CAP. 4.

(9) Where a Proclamation of the Governor-General under section 83 of the Belize Constitution, is published in the *Gazette*, the Clerk shall send to each Senator a copy of the Proclamation.

(10) The Clerk shall be responsible, under the President for the administration of the office and the control and discipline of the officers of the Senate subordinate to him.

Language.

**7.**—(1) The proceedings and debates of the Senate shall be in the English language.

(2) Every petition shall be in the English language.

Quorum.

**8.**—(1) A quorum of the Senate and of a Committee of the whole Senate shall consist of three Senators (excluding the Senator in the Chair).

(2) If any Senator draws the attention of the President or of the Chairman in Committee of the whole Senate to the fact that

a quorum is not present, the President or Chairman, as the case may be, shall direct Senators within the precincts of the Chamber to be summoned.

(3) When the order to summon Senators has been given in the Senate, the President shall, after the expiration of ten minutes, count the Senate. If a quorum is not then present he shall adjourn the Senate without question put.

(4) When the order to summon Senators has been given in Committee of the whole Senate, the Chairman shall, after the expiration of ten minutes, count the Committee. If he ascertains that a quorum is not then present, he shall leave the Chair, the Senate shall resume and the President shall count the Senate. If a quorum is then present the Senate shall again resolve itself into Committee; but if a quorum is not present, the President shall adjourn the Senate without question put.

(5) If, from the number of Senators taking part in a division, including those Senators who declined to vote, it appears that a quorum is not present, the division shall be invalid, and the business then under consideration shall stand over until the next sitting, and the Senate or Committee shall be counted in accordance with paragraph (3) or paragraph (4) of this Standing Order.

**9.**—(1) Subject to paragraph (2) of this Standing Order the Senate shall meet on Tuesdays, and every adjournment of the Senate shall be to the next Tuesday unless the Senate upon a Motion moved by a Senator otherwise decides. Notice of such a Motion shall not be required, and the question thereon shall be put without amendment or debate,

Days of Meeting.

provided, that in every year there shall be three periods of six weeks each, the first commencing from the Saturday preceding Holy Week, the second from the first day of August, and the third from the seventeenth day of December, during which the

Senate shall not meet except in pursuance of a summons issued under paragraph (3) of this Standing Order.

(2) If at any time when the Senate stands adjourned pursuant to its own order it is represented to the President by a Minister or the Senator responsible for Government Business that there is urgent necessity for the Senate to meet upon a day earlier than the day to which the Senate stands adjourned, the President may, if he is satisfied that such urgent necessity exists, direct the Clerk to summon a meeting of the Senate for such time on such day, whether Tuesday or otherwise, as the President may determine.

(3) Every direction under paragraph (2) of this Standing Order shall be in writing and shall be signed by the President and shall bear the date upon which it is given to the Clerk and shall specify the business to be transacted at such meeting.

(4) Forthwith upon receipt of any direction under paragraph (3) of this Standing Order, the Clerk shall inform every member, as expeditiously as possible and personally if practicable, of the day and hour appointed by the President for the holding of the special meeting of the Senate and of the business to be transacted at such meeting.

(5) Except by leave of the Senate, no business otherwise than the business specified in the directive under paragraph (2) of this Standing Order shall be transacted at any special meeting of the Senate under the said paragraph.

Hours of Sitting.

**10.**—(1) Except as provided in these Standing Orders, every sitting of the Senate shall begin at 10.30 o' clock in the forenoon and, subject to the provisions of this Standing Order, shall end not later than 4.30 p.m.

(2) The President may at any time suspend the sitting for a period stated by him, and shall in any event suspend the sitting at 12.00 noon and order it to be resumed at 2.00 p.m.

(3) The President shall at 4.20 p.m. interrupt the business under discussion and its resumption shall be appointed for such day as the Minister in charge of arranging the business of the Senate shall direct, and if the Senate is in Committee at that time the Chairman shall leave the Chair forthwith and report to the Senate and the Committee shall be directed to sit again on such day as the said Minister shall appoint. If a division is in progress at 4.20 p.m., the proceedings shall not be interrupted until the result of the division has been declared. Any other business, if unopposed, shall then be disposed of, and at its conclusion, or at 4.30 p.m., notwithstanding that there may be business then still under discussion, the President shall adjourn the Senate without question put, and the business not disposed of shall stand over till the next sitting.

(4) If the President or Chairman is of the opinion that the proceedings on which the Senate or Committee is engaged at 4.20 p.m. could be concluded by a short extension of time, he may defer interrupting the business until not later than 4.35 p.m. in which case the President shall not adjourn the Senate without question put until such time after 4.30 o'clock as is equivalent to the period of deferment of the interruption.

(5) If any business, when called during the time of unopposed business, is opposed, it shall be appointed for such a day as the Minister or the Senator in charge of arranging the business of the Senate shall direct. Any business which, when called during the time of unopposed business, is objected to by a Senator, or upon which, when the question is put, a division is sought, shall be treated as opposed business.

(6) If all the business appointed at a sitting is concluded before 4.30 p.m., the President shall call upon a Minister or the Senator responsible for Government Business to move "That the Senate do now adjourn". If that question has not been agreed to at 4.30 p.m. the President shall at that hour adjourn the Senate without question put.

(7) On the interruption of business the Closure may be moved; and if it is so moved, or if proceedings under Standing Order No. 39 (Closure of Debate) are then in progress, the President or the Chairman shall not leave the Chair until the question consequent thereon, and on any further Motion as provided for in Standing Order No.39 (Closure of Debate) have been decided, even though the divisions on such questions continue beyond 4.30 p.m., but in the latter event, immediately the last of such questions has been decided or, if in Committee, as soon as the Chairman's report has been received, the President shall adjourn the Senate without question put.

(8) A Minister or the Senator responsible for Government Business may, without notice, either at the time appointed in Standing Order No. 13 (Order of Business) or on the interruption of business, move "That the proceedings on any specified business may be entered upon and proceeded with at this day's sitting at any hour though opposed", and any such Motion shall be decided without amendment or debate. The business so specified shall not be interrupted at 4.20 p.m., or, if already interrupted, shall be resumed, and may be entered upon at any hour though opposed. Upon the conclusion after 4.30 p.m. of all business so specified the President shall adjourn the Senate without question put.

(9) The Senate may from time to time by resolution alter, either generally or in respect of a particular sitting, the hours set forth in this Standing Order.

Adjournment of  
the Senate.

**11.**—(1) A Minister or in the absence of a Minister the Senator in charge of Government Business may move "That this Senate do now adjourn" at any time after the conclusion of Questions at any sitting, but any other Senator may only move such a Motion under Standing Order No. 12 (Adjournment - Definite Matter of Urgent Public Importance).

(2) Upon any Motion "That the Senate do now adjourn" moved by a Minister or the Senator responsible for Government

Business under the preceding paragraph or paragraph (6) of Standing Order No. 10 (Hours of Sitting), any matter for which the Cabinet is responsible may be raised by any Senator who has obtained the right to do so on that day, and the Minister responsible for the matter raised or, in his absence, any other Senator to whom such responsibility has been delegated by the Minister, shall reply. Thereafter, if time permits, any other Senator who has obtained the right may similarly raise another matter subject to the same conditions. A debate on such a Motion shall not be interrupted at 4.20 p.m., but shall cease at 4.30 p.m. or, with leave of the President, at 4.45 p.m.

(3). Any Senator who wishes to raise a matter under the provisions of paragraph (2) of this Standing Order at a particular sitting shall give notice of the matter in writing to the Clerk for transmission to the President not less than two days before the sitting concerned, and the Clerk shall also transmit a copy of the notice to the appropriate Minister and the Senator responsible for Government business. Subject to the giving of such notice, the right to raise a matter shall be allotted for each sitting through such arrangements as the President may make.

**12.**—(1) No Senator other than a Minister may move the adjournment of the Senate except in accordance with the following paragraphs of this Standing Order.

Adjournment -  
Definite Matter  
of Urgent Public  
Importance.

(2) A Senator who wishes to ask leave to move the adjournment of the Senate for the purpose of discussing a definite matter of urgent public importance shall, before the commencement of the sitting, hand to the President a written notification of the matter which he wishes to discuss. The President shall refuse to allow the claim unless he is satisfied—

- (a) that the matter is definite;
- (b) that the matter is urgent;
- (c) that the matter is of public importance; and

- (d) that the matter may properly be raised on a Motion for the adjournment of the Senate.

(3) If the President is so satisfied and either—

- (a) leave of the Senate is given; or
- (b) if it is not given, at least two Senators by rising indicate that they support the request,

the Motion shall stand over until such hour on the same day as the President may appoint, and at that hour any proceeding on which the Senate is engaged shall be postponed until the Motion for the adjournment is disposed of, or until such Motion has continued for the period of one hour, whichever is earlier. When the debate on the Motion for the adjournment has continued for a period of one hour, the Motion for the adjournment shall lapse and the proceedings which were postponed shall be resumed and dealt with in accordance with the relevant Standing Orders. The Senate's ordinary hours of sitting shall be extended by a period of time equivalent to the period of time spent in respect of the debate on the Motion for the adjournment of the Senate for the purpose of discussing a definite matter of urgent public importance.

(4) Not more than one Motion for the adjournment of the Senate under this Standing Order may be allowed at one sitting.

Order of  
Business.

**13.** Unless the Senate otherwise directs, the business of each sitting day shall be transacted in the following order—

- (1) Prayers;
- (2) Oath of Allegiance of a new Senator;
- (3) Announcements by the President;

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- (4) Bills brought from the House of Representatives;
  - (5) Petitions;
  - (6) Papers;
  - (7) Presentation of Reports from Select Committees;
  - (8) Questions to Ministers;
  - (9) Requests for leave to move the adjournment of the Senate on definite matters of urgent public importance;
  - (10) Statements by Ministers;
  - (11) Personal Explanations;
  - (12) Introduction of Bills;
  - (13) Motions relating to the Business or Sittings of the Senate and moved by a Minister or the Senator in charge of Government Business; and
  - (14) Public Business.

**14.**—(1) Every Petition intended to be presented to the Senate must conclude with a prayer setting forth the general object of the Petition.

Petitions.

(2) A Petition shall not be presented to the Senate unless it shall have been endorsed by the Clerk as being in accordance with the rules in regard to Petitions.

(3) The Senator presenting a Petition may state concisely the purpose of the Petition.

(4) All Petitions shall be ordered to lie upon the Table without question put unless a Senator when presenting a Petition moves for it to be read or printed, or referred to a Select Committee. Any such motion shall be decided forthwith without amendment or debate. The provisions of this paragraph shall not apply to a Petition from the promoters of a Private Bill under Standing Order 76 (Private Bills).

(5) The Senate shall not receive any Petition—

- (a) which is not addressed to the Senate or which is not properly and respectfully worded; or
- (b) which has not at least one signature on the sheet on which the prayer of the Petition appears and which has not at least the prayer at the head of each subsequent sheet of signatures; or
- (c) which, in the opinion of the President requests that provision be made for imposing or increasing or reducing or abolishing any tax, for imposing or increasing any charge on the revenues or other funds of Belize or for altering any such charge otherwise than by reducing it, or for compounding or remitting any debt due to Belize unless on the recommendation or with the consent of the Governor-General, signified by a Minister or the Senator responsible for Government Business.

Papers.

**15.**—(1) Every Paper shall be presented by a Minister or the Senator in charge of Government Business and its presentation shall be recorded in the Minutes of Proceedings.

(2) A Minister or the Senator in charge of Government Business presenting a Paper may make a short explanatory statement of its contents.

(3) All Papers presented to the Senate shall be ordered to lie upon the Table without question put, and any Motion for the printing thereof as a Senate Paper shall be determined without amendment or debate.

(4) All Instruments made under the authority of any law, if required to be laid before the Senate, shall be laid on the Table of the Senate as soon as may be after being made.

**16.** Questions may be put to a Minister relating to any matter, subject or Department in respect of which the Minister is charged with responsibility.

Nature of Questions.

**17.**—(1) A question shall not be asked without notice, unless it is of an urgent character or relates to the business of the day, and unless the Member has obtained the leave of the President to ask it.

Notice of Questions.

(2) Notice of a question may be handed by a Senator to the Clerk when the Senate is sitting, or may be sent to or left at the office of the Clerk at any time during the hours prescribed for the purpose. Every such notice must be signed by the Senator giving it.

(3) A Senator who desires an oral answer to a question shall mark his notice with an asterisk and such a question shall be put down for a day to be named by the Senator being a day not earlier than five clear days after notice of the question has been given. A question not so marked may be put down for the next sitting day of the Senate and the answer, when received, shall be circulated with the Minutes of Proceedings.

Contents of  
Questions.

**18.**—(1) The right to ask a question shall be subject to the following general rules, as to the interpretation of which the President shall be the sole judge—

- (a) the proper object of a question is to obtain information on a question of fact within the official cognisance of the Minister to whom it is addressed, or to ask for official action;
- (b) a question shall not include the names of persons, or any statements of fact, unless they be necessary to render the question intelligible;
- (c) if a question contains a statement of fact, the Senator asking it shall make himself responsible for the accuracy of the statement, and no question shall be based upon a newspaper report or upon an unofficial publication;
- (d) no Senator shall address the Senate upon any question, and a question shall not be made the pretext for a debate;
- (e) not more than one subject shall be referred to in any one question, and a question shall not be of excessive length;
- (f) a question shall not contain arguments, inferences, opinions, imputations, epithets, ironical expressions or hypothetical cases;
- (g) a question shall not be asked—
  - (i) which raises an issue already decided in the Senate, or which has been answered

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- fully during the current Session, or to which an answer has been refused;
- (ii) seeking information about matters which are in their nature secret;
  - (iii) regarding proceedings in a Committee which have not been placed before the Senate by a report from the Committee;
  - (iv) which deals with matters referred to a Committee of Enquiry or within the jurisdiction of the Chairman of a Select Committee;
  - (v) as to the character or conduct of any person except in his official or public capacity;
  - (vi) about any matter then pending before any Court of justice, or which reflects on the decision of a Court of justice;
  - (vii) reflecting on the character or conduct of any person whose conduct can only be challenged on a substantive motion under Standing Order 36 (Contents of Speeches);
  - (viii) asking whether statements in the Press, or of private individuals, or unofficial bodies are accurate;
  - (ix) the answer to which can be found by reference to available official publications;

- (x) referring discourteously to, or seeking information about, the internal affairs of any Territory within the Commonwealth or of a friendly Foreign Country;
  - (xi) dealing with the action of a Minister for which he is not responsible to the Legislature;
  - (xii) seeking, for purposes of argument, information on matters of past history; or
  - (xiii) raising questions of policy too large to be dealt with in the limits of an answer to a question;
- (h) a question shall not solicit the expression of an opinion, on the solution of an abstract legal question, or of a hypothetical proposition.

(2) If the President is of the opinion that any question of which a Senator has given notice to the Clerk infringes the provisions of any Standing Order or is in any way an abuse of the right of questioning, he may direct—

- (a) that the Senator concerned be informed that the question is out of order; or
- (b) that the question be entered in the Order Book with such alterations as he may direct.

Manner of Asking and Answering Questions.

**19.**—(1) At the time appointed for the oral asking and answering of questions under Standing Order No. 13 (Order of Business), the President shall call in turn upon each Senator in whose name a question stands upon the Order Paper, in the order in which the questions are printed, or in any such other order as the President may on any particular occasion determine. Each

Senator so called shall rise in his place and ask the question by reference to its number on the Order Paper, and the Minister questioned shall give his reply.

(2) After the answer to a question has been given, supplementary questions may, at the discretion of the President, be put for the purpose of elucidating the answer given orally, but the President may refuse any such question which in his opinion introduces matters not relative to the original question, or which infringes any of the provisions of Standing Order No. 18 (Contents of Questions), and may in that case direct that such question be not reported in the Official Report.

(3) When all the questions for which an oral answer is required have been called, the President, if time permits, shall call again any question which has not been asked by reason of the absence of the Senator in whose name it stands; in which case another Senator may, if deputed by the absent Senator, on his behalf either ask the question or request its postponement. The President shall also call again any question which has not been answered by reason of the absence of the Minister to whom it is addressed.

(4) A Minister may decline to answer a question, if the publication of the answer would in his opinion be contrary to the public interest.

(5) Not more than three questions requiring an oral answer shall appear on the Order Paper in the name of the same Senator for the same day, and any question in excess of this number shall not be called by the President but shall be answered as provided in paragraph (7) of this Standing Order, save that no postponement shall be allowed.

(6) No question shall be asked later than forty-five minutes after the opening of the sitting, except any question which the President has allowed to be asked without notice under paragraph (1) of Standing Order No. 17 (Notice of Questions).

(7) In any case where, forty-five minutes after the opening of the sitting of the Senate, a question has not received an oral answer, it shall be answered in writing by the Minister to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the Senate, who shall send a copy to the Senator in whose name the question stood upon the Order Paper and shall cause the answer to be circulated with the Minutes of Proceedings, unless, at any time earlier than forty-five minutes after the opening of the sitting, a Senator having a question on the Order Paper but whose name has not yet been called by the President, signifies to the Clerk at the Table his desire to postpone the question to a subsequent sitting of the Senate or to withdraw it.

Personal  
Explanations.

**20.** With the leave of the President and by the indulgence of the Senate, a Senator may make a personal explanation of not more than ten minutes duration at the time appointed under Standing Order No. 13 (Order of Business) although there is no question before the Senate; but no controversial matter may be brought forward nor any debate arise upon the explanation.

Arrangement of  
Public Business.

**21.**—(1) Public Business shall consist of Motions and Public Bills.

(2) Subject to the provisions of these Standing Orders, Government Business shall have precedence on every day.

(3) Government Business shall consist of Motions proposed to be made and Bills sponsored by Ministers and shall be set down in such order as the Government think fit.

(4) Private Senators' business shall be set down on the Order Paper for a particular day in the order in which it was entered in the Order Book for that day, and business so entered shall take precedence over any business postponed from a previous day.

**22.** Except on the recommendation or with the consent of the Governor-General, to be signified by a Minister and recorded in the Minutes of Proceedings, the Senate shall not—

Public Money.

- (a) proceed with any Bill (including any amendment to a Bill) which, in the opinion of the President, makes provision for—
  - (i) imposing or increasing or reducing or abolishing any tax;
  - (ii) imposing or increasing any charge on the revenue or other funds of the country or for altering any such charge otherwise than by reducing it;
  - (iii) compounding or remitting any debt due to the country;
- (b) proceed upon any Motion (including any amendment to a Motion) the effect of which, in the opinion of the President, would be to make provision for any of the purposes aforesaid; or
- (c) receive any Petition which, in the opinion of the President requests that provision be made for any of the purposes aforesaid.

**23.**—(1) Where under any Standing Order notice of Motion or of an amendment is required, such notice shall be given in writing signed by the Senator and addressed to the Clerk of the Senate; such notice shall be handed to the Clerk, or sent to, or left at, the Clerk's office during the hours prescribed for the purpose.

Notice of  
Motions or  
Amendments.

(2) If the President is of opinion that any notice of Motion which has been received by the Clerk infringes the provision of

any Standing Order or is in any other way out of order, he may direct—

- (a) that the Senator concerned be informed that the notice of Motion is out of order; or
- (b) that the notice of Motion be entered in the Order Book with such alterations as he may direct.

(3) Not more than three Notices of Motion in the name of the same Senator may be entered on the Order Paper of any sitting. The provisions of this paragraph shall not apply to a Senator who is a Minister.

(4) Copies of Motions and amendments sent to the Clerk shall be circulated by him to Senators, whether or not they be matters of which notice is required, and, in the case of amendments to Bills, shall be arranged, so far as may be, in the order in which they will be proposed.

Period of Notice.

**24.**—(1) Except with the consent of the President, notice of a Government Motion shall not be placed upon the Order Paper of any sitting earlier than the day following the day on which the notice was given to the Clerk.

(2) Except as provided in Standing Order No. 75 (Reports from Select Committees), a notice of a private Senator's Motion shall not be entered in the Order Book, or placed upon the Order Paper, for a day earlier than four clear days from the day on which the notice was given to the Clerk.

Exemption from Notice.

**25.** Unless the Standing Orders otherwise provide, notice shall be given of any Motion which it is proposed to make, with the exception of the following—

- (a) a Motion for the amendment of any Motion;

- (b) a Motion for the adjournment of the Senate or of a debate;
- (c) a Motion for the election of a temporary presiding officer under paragraph (1) of Standing Order No. 5 (Presiding in the Senate and in Committee);
- (d) a Motion for the suspension of Standing Orders put with the leave of the President;
- (e) a Motion for the withdrawal of strangers;
- (f) a Motion that the Senate resolve itself into Committee;
- (g) a Motion made in Committee of the whole Senate;
- (h) a Motion for the suspension of a Senator;
- (i) a Motion that a petition be read, printed or referred to a Select Committee;
- (j) a Motion for the printing of a paper under paragraph (3) of Standing Order No. 15 (Papers);
- (k) a Motion relating to a matter of privilege;
- (l) a Motion arising out of any item of business made immediately after that item is disposed and before the next item is entered upon;
- (m) a Motion to recommit a Bill under paragraph (1) of Standing Order No.57 (Recommittal of Bills reported from Committee of the whole Senate);

- (n) a Motion in respect of which notice has been dispensed with under Standing Order No. 26 (Dispensing with Notice);
- (o) a Motion for the withdrawal of a Bill under Standing Order No. 61 (Withdrawal of Bills);
- (p) a Motion that the Report of a Select Committee be referred to a Committee of the whole Senate, or a Motion that such Report be printed as a Senate Paper.

Dispensing with Notice.

**26.** Notice shall not be dispensed with in the case of a Motion or in respect of any proceedings for which notice is required, except with the consent of the President and the assent of the majority of Senators present at the time.

Privilege Motions.

**27.**—(1) A Motion directly concerning the privileges of the Senate shall take precedence of all other public business.

(2) A Senator who wishes to raise a matter which he believes to affect the privileges of the Senate shall do so as soon as possible after the matter comes to his attention. Such Member shall inform the President of his wish, stating the facts to which he wishes to draw attention, at least one hour before the commencement of the sitting at which he wishes to raise the matter.

(3) When a Senator is called by the President to raise a matter of privilege he shall briefly state the facts to which he wishes to draw the attention of the Senate and the grounds on which he believes that those facts affect the privileges of the Senate.

(4) The President shall then state whether, in his opinion, the matter may or may not affect the privileges of the Senate,

provided that if he deems it necessary he may defer his decision until the next sitting of the Senate.

(5) If the opinion of the President is that the matter raised may affect the privileges of the Senate a Member may without notice move a Motion based on that matter of privilege and the Motion shall be debated forthwith.

(6) If during a sitting of the Senate a matter suddenly arises which appears to involve the privileges of the Senate and which calls for the immediate intervention of the Senate, the proceedings may be interrupted, save during the progress of a division, by a Motion based on such matter.

(7) No Senator moving a Motion under this Standing Order may speak for more than fifteen minutes.

**28.**—(1) On a motion made and when necessary seconded, the President shall propose the question to the Senate, and after debate (if any), shall then put the question for the decision of the Senate.

Moving of Motions.

(2) If a Motion embodies two or more separate propositions, the propositions may be proposed by the President as separate questions.

(3) If a Senator desires to vary the terms of a Motion standing in his name, he may do so by giving an amended notice of Motion, provided that such amendment does not, in the opinion of the President, materially alter any principle embodied in the original Motion or the scope thereof. Such amended notice of Motion shall run from the time at which the original notice of Motion was given.

**29.**—(1) In the Senate the question upon a Motion or amendment shall not be proposed by the President unless such Motion or amendment has been seconded,

Seconding of Motions and Amendments.

provided that Government Business shall not require seconding.

(2) In Committee a seconder shall not be required.

Motions not  
Moved or  
Seconded.

**30.**—(1) If a Senator other than a Minister does not, when called, move a Motion or amendment which stands in his name such Motion or amendment shall be removed from the Order Paper unless deferred by leave of the Senate or moved by another Senator duly authorised by that Senator; but Government Business may be moved by any Minister.

(2) No question shall be proposed upon a Motion or amendment, which under these Standing Orders is required to be seconded, if it is not so seconded.

Withdrawal of  
Motions.

**31.**—(1) A Motion may be withdrawn, at the request of the mover, after it has been moved, by leave of the Senate or Committee, before the question is fully put thereon, provided there is no dissentient voice.

(2) A Motion so withdrawn may not be moved again during the same Session.

(3) If an amendment has been proposed to a Motion, the original Motion cannot be withdrawn until the amendment has been disposed of.

Amendments to  
Motions - How  
Moved and Put.

**32.**—(1) When any Motion is under consideration in the Senate or in a Committee thereof, an amendment may be proposed to the Motion if it is relevant thereto.

(2) An amendment may be proposed to any such amendment if it is relevant thereto.

(3) An amendment to a Motion may be moved and seconded at any time after the question upon the Motion has been proposed by the President or Chairman, and before it has been put by the President or Chairman at the conclusion of the debate upon the Motion. When all amendments have been disposed of

the President shall then put the question on the original Motion or the Motion as amended as the case may require.

(4)

- (a) On every amendment the question to be proposed shall be “That this amendment be made”.
- (b) When two or more amendments are proposed to be moved to the same Motion, the President shall call upon the movers in the order in which their amendments relate to the text of the Motion, or in case of doubt, in such order as he shall decide.

(5)

- (a) Any amendment to an amendment which a Senator wishes to propose may be moved and seconded at any time after the question upon the original amendment has been proposed, and before it has been put at the conclusion of the debate on the original amendment.
- (b) An amendment to an amendment shall be disposed of in the same way as an amendment to a Motion, the question to be proposed being “That this amendment to the amendment be made”.
- (c) When every such amendment to an amendment has been disposed of, the President shall, as the case may require, either put the question upon the original amendment or shall put the question on the original amendment as amended.

(6) Any amendment, whether in the Senate or in Committee of the whole Senate, shall be put into writing by the mover and delivered to the Clerk before the question is proposed thereon.

(7) When the question upon an amendment to a Motion has been proposed by the President or Chairman an earlier part of the Motion may not be amended unless the amendment under discussion is withdrawn.

(8) Any amendment may, by leave of the President, be withdrawn at the request of the mover before the question is fully put thereon, provided that there is no dissentient voice.

(9) An amendment shall not raise any question which, by these Standing Orders, can only be raised by a substantive Motion after notice.

Time and  
Manner of  
Speaking.

**33.**—(1) A Senator desiring to speak shall rise in his place and if called upon shall address his observations to the President or Chairman. No Senator shall speak unless called by the President or Chairman.

(2) If two or more Senators rise at the same time, the President or Chairman shall call upon the Senator who first catches his eye.

(3) Subject to paragraph (5) of this Standing Order, no Senator shall speak more than once on any question except—

- (a) when the Senate is in Committee; or
- (b) in explanation as prescribed in paragraph (4) of this Standing Order; or
- (c) to a point of order, as provided in Standing Order No.35 (Interruptions);

- (d) in the case of the mover of a substantive Motion or the Senator in charge of a Bill in reply,

provided that any Senator may, without prejudice to his right to speak at a later period of the debate, second a Motion or amendment by rising in his place and stating merely that it is his intention to second the Motion or amendment.

(4) A Senator who has spoken on a question may again be heard to offer explanations of some material part of his speech which he alleges has been misunderstood or misrepresented, but he shall not introduce new matter.

(5) A Senator who has spoken may speak again when a new question has been proposed by the President or Chairman, such as a proposed amendment or a Motion for the adjournment of the debate.

(6) Except with the leave of the President a Senator shall not read his speech; but he may read extracts from written or printed papers or books in support of his argument, and may refresh his memory by reference to notes.

(7) No Senator may speak on any question after it has been put to the vote by the President or Chairman.

**34.**—(1) The mover of a Motion may reply after all the other Senators present have had an opportunity of addressing the Senate and before the question is put, and after such reply no other Senator may speak, except as provided in paragraph (2) of this Order.

Right of Reply.

(2) A Minister may conclude a debate on any Motion which is critical of the Government, or reflects adversely on or is calculated to bring discredit upon the Government or an officer thereof.

35. A Senator shall not interrupt another Senator except—

Interruptions.

- (a) by rising to a point of order, whereupon the Senator speaking shall resume his seat and the Senator interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the President or Chairman for decision; or
- (b) to elucidate some matter raised by that Senator in the course of his speech, provided that the Senator speaking is willing to give way and resumes his seat and that the Senator wishing to interrupt is called by the Chair; or
- (c) by rising to claim closure under Standing Order No. 39 (Closure of Debate).

Contents of  
Speeches.

36.—(1) Subject to the provisions of these Standing Orders, debate upon any Motion, Bill or amendment shall be relevant to such Motion, Bill or amendment, and a Senator shall confine his observations to the subject under discussion.

(2) Reference shall not be made to any matter on which a judicial decision is pending, in such a way as might, in the opinion of the Chair, prejudice the interests of parties thereto.

(3) It shall be out of order to attempt to revive in any debate a matter or reconsider any specific question (other than a matter or question relating to a Bill which has been recommitted or returned with any amendment by the other Chamber) upon which the Senate has come to a conclusion during the current Session, except upon a substantive Motion for rescission which Motion shall not be brought sooner than six months after the date on which the Senate reached its decision.

(4) It shall be out of order to use offensive or insulting language about members of either Chamber.

(5) No Senator shall impute improper motives to any member of either Chamber.

(6) Ministers shall be referred to by the title of their appointment and other Senators by name.

(7) Her Majesty's name or the Governor-General's name shall not be used to influence the Senate.

(8) The conduct of Her Majesty, Members of the Royal Family, the Governor-General, Members of the Senate or the House of Representatives, or of judges or other persons engaged in the administration of justice shall not be raised except upon a substantive Motion moved for the purpose; and in any amendment, question to a Minister, or debate on a Motion dealing with any other subject any reference to the conduct of any such person as aforesaid shall be out of order.

**37.**—(1) When an amendment proposes to leave out words and to add or insert words in their place, debate upon the question “That this amendment be made” may relate to both the words proposed to be left out and those proposed to be added or inserted.

Scope of Debate.

(2) On an amendment proposing only to leave out words or to add or insert words, debate shall be confined to the omission, addition or insertion of such words respectively.

(3) Where during the course of a debate a Motion is made (a) for the adjournment of the debate or of the Senate, or (b) in Committee that the Chairman do report progress or do leave the Chair, unless it appears to the Chair that that Motion is an abuse of the rules of the Senate or an infringement of the rights of the minority, the question on the motion for the adjournment as aforesaid shall be put forthwith without amendment or debate; and a Senator who has moved or seconded such a Motion shall not be entitled to move or second any similar Motion during the same debate; but this paragraph shall not be construed as

restricting the customary right of the Minister in charge of arranging the business of the Senate to move the adjournment of the Senate on the conclusion of the business of the day.

Anticipation.

**38.**—(1) It shall be out of order to anticipate a Bill by discussion upon a Motion dealing with the subject matter of that Bill.

(2) It shall be out of order to anticipate a Bill or a notice of Motion by discussion upon an amendment, or a Motion for the adjournment of the Senate.

(3) In determining whether discussion is out of order on the grounds of anticipation, regard shall be had by the Chair to the probability of the matter anticipated being brought before the Senate within a reasonable time.

Closure of Debate.

**39.**—(1) After a question has been proposed any Senator may at any time during the course of debate rise in his place and claim to move “That the question be now put” and unless it appears to the Chair that that Motion is an abuse of the rules of the Senate or an infringement of the rights of the minority, the question “That the question be now put” shall be put forthwith. No debate on the motion shall be allowed, and if the Motion is carried, the debate then before the Senate shall cease and the question before the Senate shall be put forthwith.

(2) When the Motion “That the question be now put” has been carried, and the question consequent thereon has been decided, any Senator may claim that any other question already proposed from the Chair be now put and if the assent of the Chair is given every such question shall be put forthwith and decided without amendment or debate.

(3) A Motion under this Standing Order shall not be decided in the affirmative if it appears on a division that less than three Senators voted in the majority in support of the Motion.

**40.** A Senator present in the Senate during a debate—

Rules for  
Members not  
Speaking.

- (a) shall enter or leave the Senate with decorum;
- (b) shall maintain silence while another Senator is speaking, and shall not interrupt, except in accordance with these Standing Orders; and
- (c) shall otherwise conduct himself in a fit and proper manner.

**41.**—(1) The mover of an original motion shall be limited in the duration of his speech in presenting his Motion to seventy-five minutes.

Time Limit of  
Speeches.

(2) Subject to the preceding paragraph of this Standing Order, a Senator shall not be entitled to address the Senate or a Committee of the whole Senate for more than forty-five minutes on any subject,

provided that the Senate or the Committee may by Motion made and carried without amendment or debate, extend once only the time limited by this Standing Order for such period not exceeding thirty minutes as may be agreed to by the Senate.

(3) The ruling of the President, or the Chairman, as the case may be, as to the time taken by any Senator, shall be final.

**42.** The President in the Senate and the Chairman in Committee shall be responsible for the observance of the rules of order in the Senate and Committee respectively, and their decision upon any point of order shall not be open to appeal and shall not be reviewed by the Senate except upon a substantive Motion made after notice.

Responsibility  
for order in the  
Senate and in  
Committee.

**43.** When the President, or Chairman, rises during a debate any Senator then speaking or wishing to speak shall immediately

President to be  
heard in Silence.

resume his seat, and the Senate, or the Committee, shall be silent.

Order in the Senate and in Committee.

**44.**—(1) The President or the Chairman, after having called the attention of the Senate, or of the Committee, to the conduct of a Senator who persists in irrelevance, or tedious repetition either of his own arguments or of the arguments used by other Senators in debate, may direct him to discontinue his speech and to resume his seat.

(2) Any Senator may, after the President or Chairman, as the case may be, has under paragraph (1) of this Standing Order once called the attention of the Senate or Committee to the conduct of a Senator who persists in irrelevance or tedious repetition of his own arguments or of the arguments used by other Senators in the debate, move that the Senator be no longer heard and such Motion shall be put forthwith without amendment or debate.

(3) The President or the Chairman shall order any Senator to withdraw immediately from the Senate during the remainder of the day's sitting and may direct such steps to be taken, as are required, to enforce such order—

- (a) where the conduct of such Senator is grossly disorderly; or
- (b) where such Senator has used objectionable, abusive, insulting or offensive words or language or unparliamentary expressions, and, on being called to order, has refused to withdraw such words or language or expressions, and has not offered an apology for the use thereof to the satisfaction of the Senate.

(4) If an order under paragraph (3) of this Standing Order be not complied with at once, or if, on any occasion, the President

or the Chairman considers that his powers under that paragraph are inadequate, he may name such Senator in pursuance of paragraph (5) or paragraph (6) of this Standing

(5) If a Senator disregards the authority of the Chair, or abuses the rules of the Senate by persistently and wilfully obstructing the business of the Senate or otherwise, the President shall direct the attention of the Senate thereto, mentioning by name the Senator concerned. The President shall then call upon a Minister, and if no Minister be present any other Senator to move “That Mr..... be suspended from the service of the Senate”, and the President shall forthwith put the question, no seconder being required and no amendment, adjournment or debate being allowed.

(6) If the offence specified in paragraph (5) of this Standing Order has been committed in a Committee of the whole Senate, the Chairman shall forthwith suspend the proceedings of the Committee and, as soon as the Senate has resumed, shall report the circumstances to the Senate, whereupon the procedure provided for in the preceding paragraph shall be followed.

(7) If a Senator is suspended under any provisions of this Standing Order, his suspension shall continue until it is terminated by resolution of the Senate or if no such resolution is come to, until the end of the session.

(8) Not more than one Senator shall be named at the same time, unless several Senators present together have jointly disregarded the authority of the Chair.

(9) A Senator who is ordered to withdraw under the provisions of paragraph (3) of this Standing Order, or who is suspended under the provisions of paragraphs (5) to (7) of this Order, shall forthwith leave the Senate and its precincts. A Senator who is suspended shall not be entitled to attend any sitting of the Senate, or enter the Senate or its precincts, until the termination of his suspension.

(10) If any Senator, who has been ordered to withdraw or who has been suspended under this Standing Order, refuses at any time to obey the direction of the President to withdraw from the Senate and its precincts, the President shall call the attention of the Senate to the fact that recourse to force is necessary in order to compel obedience to his direction, and the Senator named by him as having so refused to obey his direction shall thereupon without further question be suspended from the service of the Senate during the remainder of the Session.

(11) If resort to force is necessary, the President may suspend the sitting during the removal of the Senator and invoke the assistance of any police officer in ejecting the offending Senator and such officer shall, for the purpose of this Order, be deemed to be an officer of the Senate.

(12) A Senator, who is directed to withdraw or who is suspended under this Standing Order, shall not be entitled to attend the sitting from which he was directed to withdraw or in a case of suspension to attend any sitting or enter the precincts of the Senate until the termination of his suspension.

(13) In the case of grave disorder arising in the Senate, the President may, if he thinks it necessary to do so, adjourn the Senate without question put, or suspend the sitting for a time to be named by him.

(14) Any remuneration to which a Senator is entitled as a Senator shall cease for the period of his suspension.

(15) Nothing in this Standing Order shall be taken to deprive the Senate of the power of proceeding against any Senator according to any resolution of the Senate.

Decision of  
Questions.  
CAP. 4.

**45.**—(1) Save as otherwise provided in section 73 of the Belize Constitution Act, or in these Standing Orders all questions proposed for decision in the Senate or in Committee shall be

determined by a majority of the votes of those present and voting.

(2) Where the President is not a Senator, he shall have neither an original vote nor a casting vote, and if upon any question before the Senate the votes are equally divided, the Motion shall be declared lost.

(3) The President, if a Senator, or any other Senator presiding in the absence of the President, shall have an original vote but not a casting vote.

**46.**—(1) At the conclusion of a debate upon any question the President or Chairman shall put that question for the decision of the Senate, and shall collect the voices of the Ayes and of the Noes, after which no further debate may take place upon that question.

Collection of  
Voices.

(2) The result shall be declared by the President or Chairman stating “I think the Ayes have it” or “I think the Noes have it” as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division.

**47.**—(1) In a division the Clerk shall call each Senator’s name separately and such Senator shall indicate how he desires to vote. The Clerk shall thereupon record the vote accordingly.

Division.

(2) Every Senator present, unless he expressly says that he declines to vote, shall record his vote either for the Ayes or the Noes.

(3) The Clerk shall announce the number of Senators who have voted for, and of those who voted against, the proposal, and the number of Members who declined to vote. Subject to the provisions of paragraph (2) of Standing Order No. 45 (Decision of Questions), the President or other Senator presiding, or the Chairman in Committee of the whole Senate

shall then, subject to paragraph (5) of Standing Order No. 8 (Quorum), declare the result of the division.

(4) The Clerk shall enter in the Minutes of Proceedings the record of each Senator's vote, and shall add a statement of the number and the names of all the Senators present who declined to vote.

(5) If a Senator states that he voted in error or that his vote has been counted wrongly, he may claim to have his vote altered provided that such claim is made as soon as the Clerk has announced the numbers and before the Chair has declared the result of the division. Upon such claim being made the President, or Chairman, at his sole discretion, shall either direct the Clerk to alter that Senator's vote or direct that a fresh division be held.

Procedure on  
Bills -  
Introduction and  
First Reading of  
Bills.

**48.**—(1) Subject to the provisions of paragraph (4) of this Standing Order any Senator may move for leave to introduce a Bill of which he has given notice.

(2) Subject to the provisions of paragraph (4) of this Standing Order, a Bill may be presented to the Senate on behalf of the Government after notice without an order of the Senate for its introduction.

(3) A notice of the presentation of a Bill on behalf of the Government may be entered on the Order Paper for the day following the day on which it was received by the Clerk of the Senate.

(4) A Bill, whether presented in pursuance of an order of the Senate after leave given or without such order, shall be handed to the Clerk by the Senator who gave notice of the Bill. The Clerk shall read aloud the title of the Bill, which, without question put, shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed and published in the *Gazette*.

(5) Copies of the Bill, as printed and published in the *Gazette*, shall be made available to every Senator.

(6) When a Bill has been brought from the House of Representatives and a Senator has signified to the Clerk of the Senate his willingness to take charge of the Bill, that Bill shall be recorded in the Minutes of Proceedings as having been read a first time and ordered to be printed and circulated, and shall be put down for second reading on a day to be named by the Senator in charge of the Bill.

**49.**—(1) Subject to the provisions of this Standing Order, the Senator in charge of a Bill may, at the conclusion of the proceedings on any stage of the Bill, either name a day to be appointed for the next stage of the Bill or move that the next stage be taken forthwith.

Appointment of Days for Stages of Bill.

(2) An interval of not less than five days must elapse between the first and second reading of a Bill, unless the Senate, on motion made and question put, agree to proceed with the Bill at an earlier date or forthwith.

(3) Subject to paragraph (2) of this Order, no Bill shall be read a second time until it has been printed and circulated to Senators.

**50.**—(1) The Clerk shall be responsible for preparing each Bill for the printer from the draft handed in to him by the Senator in charge of the Bill, and shall satisfy himself—

Form of Bills.

- (a) that the Bill is divided into successive clauses numbered consecutively;
- (b) that the Bill has in the margin a short summary of each clause;
- (c) that the provisions of the Bill do not appear to go beyond its title.

(2) A Bill may be accompanied by a short explanatory statement of its contents.

Second Reading  
of Bills.

**51.**—(1) On the second reading of a Bill a debate may arise covering the general merits and principles of the Bill.

(2) To the question “That the Bill be now read a second time” an amendment may be proposed to leave out the word “now” and add at the end of the question “upon this day six months”, or an amendment may be moved to leave out all the words after the word “that” in order to add words stating the object and motive on which the opposition to the Bill is based, but such words must be strictly relevant to the general merits and principles of the Bill and may not deal with its details.

Committal of  
Bill.

**52.**—(1) When a Bill has been read a second time it shall stand committed to a Committee of the whole Senate, unless the Senate on Motion made commits it to a Select Committee. Such Motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate and may, though opposed, be decided after 4.20 p.m. The said Motion may be proposed by any Senator.

(2) When a Bill has been committed to a Select Committee, no further proceedings shall be taken thereon until the Select Committee has presented its report to the Senate.

Functions of  
Committees on  
Bill.

**53.**—(1) Any Committee to which a Bill is committed shall not discuss the general merits and principles of the Bill but only its details.

(2) Any such Committee shall have power to make such amendments therein as the Committee shall think fit, provided that the amendments, including new clauses and new schedules, are relevant to the subject matter of the Bill, but if any such amendments are not within the title of the Bill, the Committee

shall amend the title accordingly, and shall report the same specially to the Senate.

**54.**—(1) On the order being read for a Committee of the whole Senate on a Bill, the President shall leave the Chair without question put.

Procedure in Committee of the whole Senate on a Bill.

(2) The Chairman in Committee of the whole Senate shall call the number of each clause in succession. If no amendment is proposed thereto, or when all proposed amendments have been disposed of, he shall propose the question “That the clause (or the clause as amended) stand part of the Bill” and, when all Senators who wish to speak thereon have spoken, he shall put that question to the Committee for its decision.

(3) Any proposed amendments of which notice has not been given shall be handed to the Chairman in writing.

(4) The following provisions shall apply to amendments relating to Bills—

- (a) an amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates;
- (b) an amendment must not be inconsistent with any clause already agreed to or with any previous decision of the Committee;
- (c) an amendment must not be such as to make the clause which it proposes to amend, unintelligible or ungrammatical;
- (d) if an amendment refers to, or is not intelligible without a subsequent amendment or schedule, notice of the subsequent amendment or schedule must be given before or when the

first amendment is moved so as to make the series of amendments intelligible as a whole;

- (e) in order to save time and repetition of arguments, the Chairman may allow a single discussion to cover a series of interdependent amendments;
- (f) the Chairman may refuse to allow an amendment to be moved which is, in his opinion, frivolous or meaningless;
- (g) the Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of this Standing Order.

(5) The provisions of paragraphs (4) and (5) of Standing Order No. 32 (Amendments to Motions - How Moved and Put) shall apply to the discussion of amendments to Bills, with the substitution, where appropriate, of the word “clause” for the word “Motion” or the word “Question”, and of the word “Chairman” for the word “President” and the word “Committee” for the word “Senate” throughout.

(6) A clause may be postponed, unless a decision has already been taken upon an amendment thereto. Postponed clauses shall be considered after the remaining clauses of the Bill have been considered and before new clauses are brought up.

(7) Any proposed new clause shall be considered after the clauses of the Bill have been disposed of and before consideration of any schedule to the Bill,

provided that a new clause proposed in substitution for a clause which has been disagreed to may be considered immediately after such disagreement.

(8) On the title of any new clause being read by the Clerk, the clause shall be deemed to have been read a first time. The question shall then be proposed “That the clause be read a second time”; if this is agreed to, amendments may then be proposed to the new clause. The final question to be proposed shall be “That the clause (or the clause as amended) be added to the Bill”.

(9) Schedules shall be disposed of in the same way as clauses, and any proposed new schedule shall be considered after the schedules to the Bill have been disposed of, and shall be treated in the same manner as a new clause.

(10) When every clause and schedule and proposed new clause or schedule has been dealt with, the preamble, if there is one, shall be considered and the question put “That the preamble to the Bill be approved”. No amendment to the preamble shall be considered which is not made necessary by a previous amendment to the Bill.

(11) If any amendment to the title of the Bill is made necessary by an amendment to the Bill, it shall be made at the conclusion of the proceedings detailed above, but no question shall be put that the title (as amended) stand part of the Bill; nor shall any question be put upon the enacting formula.

(12) At the conclusion of the proceedings in Committee on a Bill, the Chairman shall put the question “That the Bill (or the Bill as amended) be reported to the Senate”, which question shall be decided without amendment or debate.

(13) If any Senator, before the conclusion of proceedings on a Bill, moves to report progress and such Motion is carried, or if the proceedings in a Committee of the whole Senate have not

been finished at the moment of interruption, the Chairman shall leave the Chair of the Committee and the Senator in charge of the Bill shall report progress to the Senate and ask leave to sit again, and name a day for the resumption of the proceedings.

(14) A Committee having met to consider a Bill shall proceed with its consideration, except that during the proceedings on a Bill the Senator in charge of the Bill may, subject to the discretion of the Chairman, move a Motion “That the Committee do not proceed further with the Bill”. If the Motion is carried, the Committee shall then report the Bill to the Senate as so far amended or without amendment as the case may be, and make a special report explaining its proceedings on the Bill, and the special report and the Bill shall be ordered to lie upon the Table without question put.

Procedure in  
Select  
Committee on a  
Bill.

**55.** A Select Committee on a Bill shall be subject to Standing Orders No. 72 (Procedure in Select Committees) and Nos. 45 (Decision of Questions), 46 (Collection of Voices) and 47 (Divisions) but, before reporting the Bill to the Senate, it shall go through the Bill as provided in Standing Order No. 54 (Procedure in Committee of the whole Senate on a Bill).

Procedure on  
reporting of Bills  
from Committee  
of the whole  
Senate.

**56.**—(1) So soon as a Committee of the whole Senate has agreed that a Bill be reported the Chairman shall leave the Chair of the Committee and the Senate shall resume, and the Senator in charge of the Bill shall report it to the Senate.

(2) Subject to these Standing Orders, when a Bill has been reported from a Committee of the whole Senate, it shall be ordered to be read a third time.

Recommittal of  
Bills Reported  
from Committee  
of the whole  
Senate.

**57.**—(1) If any Senator desires to debate or amend any provision contained in a Bill as reported from a Committee of the whole Senate or to introduce any new provision therein, he may, at any time before a Senator rises to move the third reading of the Bill, move that the Bill be recommitted either wholly or in respect only of some particular part or parts of the Bill or some proposed

new clause or new schedule. No notice of such Motion shall be required, the question shall be put without amendment or debate and, if the Motion is agreed to, the Bill shall stand so recommitted. The Senate may then, upon Motion made, resolve itself into Committee to consider the business so recommitted either forthwith or upon a later date.

(2) When the whole Bill has been recommitted, the Committee shall go through the Bill as provided in Standing Order No. 54 (Procedure in Committee of the whole Senate on a Bill).

(3) When the Bill has been recommitted in respect only of some particular part or parts or of some proposed new clause or new schedule, the Committee shall consider only the matter so recommitted and any amendment which may be moved thereto.

(4) At the conclusion of the proceedings in Committee on a Bill recommitted under the provisions of this Standing Order, the Chairman shall put the question “That the Bill (or the Bill as amended on recommitment) be reported to the Senate”, which question shall be decided without amendment or debate. So soon as the Bill has been reported, the Senator in charge of the Bill may either name a future day for the third reading of the Bill or move that it be read a third time forthwith.

**58.**—(1) When a Bill has been reported from a Select Committee, the Senate may proceed to consider the Bill as reported from the Select Committee upon a Motion “That the report of the Select Committee on ..... Bill be adopted” moved under paragraph (7) of Standing Order No. 75 (Reports from Select Committees). If no amendment is proposed to such Motion, the question on the Motion shall be decided forthwith without debate.

Procedure on Bills Reported from Select Committee.

(2) If that Motion is agreed to without amendment, the Senate may proceed to the third reading of the Bill as reported from the Select Committee.

(3) Upon a Motion to adopt the report of the Select Committee on a Bill, any Senator may propose an amendment to add, at the end of the Motion, the words “subject to the recommittal of the Bill (either wholly or in respect only of some particular part or parts of the Bill or some proposed new clause or new schedule) to a Committee of the whole Senate”, and if that Motion is agreed to with such an amendment, the Bill shall stand so recommitted and immediately thereafter the Senate may then resolve itself into a Committee to consider the business so recommitted.

(4) A Committee of the Whole Senate upon a Bill recommitted under the provisions of this Standing Order shall proceed in accordance with paragraph (2) or paragraph (3) of Standing Order No. 57 (Recommittal of Bill reported from Committee of the whole Senate), and the conclusion of its proceedings and the remaining proceedings on the Bill shall be subject to paragraph (4) of that Order.

Third Reading.

**59.**—(1) On the third reading of a Bill no amendments may be proposed to the question “That the Bill be now read a third time and passed” and the question shall be put without debate.

(2) Corrections of errors or oversights may be made by the President before the question for the third reading of the Bill is put from the Chair.

(3) When a Bill originating in the Senate has been read a third time, a printed copy of it, signed by the Clerk and endorsed by the President, shall be forwarded by the Clerk of the Senate to the Clerk of the House of Representatives, together with a message informing the House that the Bill has been passed by the Senate and desiring the concurrence of the House of Representatives.

(4) When a Bill which originated in the House of Representatives has been read a third time and passed by the Senate without amendment, the Clerk of the Senate shall return

the Bill to the House of Representatives, together with a message “That the Senate has agreed to the ..... Bill without amendment”.

(5) When a Bill which originated in the House of Representatives has been read a Third Time and passed by the Senate with amendment or amendments, the Clerk of the Senate shall cause the said amendment or amendments made to the Bill by the Senate to be entered in the original copy of the Bill received from the House of Representatives which copy, signed by the Clerk endorsed by the President, shall then be returned to the House of Representatives, with a message desiring the concurrence of the House of Representatives, in the amendment or amendments made by the Senate.

60.-(1) When a Bill is returned from the House of Representatives with amendments, the consideration of such amendments may with the consent of the President be entered upon forthwith, or may be put down for each future day as the Senator in charge of the Bill shall appoint.

Procedure on House of Representatives Amendments.

(2) Upon a Motion being made “That the House of Representatives amendments to the .....Bill be now considered”, an amendment may be proposed to that question, to leave out the word “now” and add at the end of the question “upon this day six months” or some other date.

(3) When the Senate proceeds to the consideration of House of Representatives amendments, each amendment shall be read by the Clerk and may be agreed to, agreed to with amendment or disagreed to. Upon any such amendment being disagreed to an amendment may be made to the Bill *in lieu* thereof, but no amendment may be proposed to a House of Representatives amendment save an amendment strictly relevant thereto nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a House of Representatives amendment.

(4) When the Senate has concluded the consideration of the House of Representatives amendments—

- (a) if such amendments have been agreed to, the Bill shall be returned to the House of Representatives with a message informing the House “That the Senate has agreed to the amendments to the ..... Bill”;
- (b) if such amendments have been amended, the Bill as amended, endorsed by the President, shall be returned to the House of Representatives together with a message informing the House that the Senate has passed the Bill with amendments to which they desire the concurrence of the House;
- (c) if such amendments have been disagreed to, the Bill shall be returned to the House of Representatives with a message informing the House “That the Senate has disagreed to the House of Representatives amendments to the ..... Bill”.

(5) When the Senate has disagreed to a House of Representatives amendment, if the House of Representatives return the Bill with a message that it insists upon the amendment the Senate may either—

- (a) agree to the said amendment, in which case the provisions of paragraph (4)(a) of this Standing Order shall apply; or
- (b) amend such amendments in which case the provisions of paragraph (4)(b) of this Standing Order shall apply; or

- (c) postpone the consideration of the House of Representatives amendment for six months; or
- (d) order the withdrawal of the Bill.

Withdrawal of Bills.

**61.** A Bill may be withdrawn by leave of the Senate (or, as the case may be, of the Committee) either—

- (a) before the commencement of Public Business; or
- (b) when any stage of the Bill is reached in the Order of Business, if before the question is fully put, the mover so requests and there is no dissentient voice.

**62.** Once the second reading of any Bill has been agreed to or negatived, no question shall be proposed during the same Session for the second reading of any other Bill containing substantially the same provisions.

Bills containing substantially the same provisions.

**63.** When a Money Bill, as defined in section 80 of the Belize Constitution, has been read a second time, it shall stand committed to a Committee of the whole Senate unless on Motion made, of which no notice shall be required, the Senate decides that the Bill shall not be so committed, whereupon the President shall forthwith put the question that the Bill be now read a third time and that question shall be decided without amendment or debate.

Money Bills.  
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**64.**—(1) There shall be the following Sessional Select Committees—

Sessional Select Committees.

- (a) The Standing Orders Committee;
- (b) The House Committee;
- (c) The Committee of Privileges;

(d) The Regulations Committee;

19 of 2002.

(e) Constitution and Foreign Affairs Committee.

(2) Members of the Sessional Select Committees shall be appointed by the President as soon as may be after the beginning of each Session.

Standing Orders  
Committee.

**65.**—(1) The Standing Orders Committee shall have the duty of considering from time to time and reporting on all such matters relating to Standing Orders as may be referred to it by the Senate.

(2) The President shall be a Member, and the Chairman, of the Standing Orders Committee.

(3) The Standing Orders Committee shall consist of four Members inclusive of the Chairman.

House  
Committee.

**66.**—(1) The House Committee shall consider, and advise the President upon—

(a) all matters relating to the remuneration and allowances, and the comfort and convenience of Senators;

(b) the employment of officers and other persons by the Senate.

(2) The President shall be a Member, and the Chairman, of the House Committee.

(3) The House Committee shall consist of four Members inclusive of the Chairman.

(4) The said Committee shall from time to time report its minutes of proceedings to the Senate.

**67.**—(1) There shall be referred to the Committee of Privileges any matter which appears to affect the powers or privileges of the Senate, and it shall be the duty of the Committee to consider any matter so referred and to report thereon to the Senate.

Committee of Privileges.

(2) The President shall be a Member, and the Chairman, of the Committee of Privileges.

(3) The Committee of Privileges shall consist of four members inclusive of the Chairman.

**68.**—(1) The Regulations Committee shall have the duty of considering all such regulations (as defined by the Interpretation Act for the time being in force) as under the authority of any law are to be laid before the Senate, and to bring to the special attention of the Senate, any regulation or draft—

Regulations Committee.  
CAP.1.

- (a) which involves the expenditure of public moneys or imposes or fixes fees for licences or for services;
- (b) which cannot be challenged in the Courts on the ground that it is *ultra vires*, or is only temporarily so challengeable;
- (c) the making of which appears to constitute an unusual or unexpected use of the powers conferred by the law under which it was made;
- (d) which purports to have retroactive effect although the law under which it was made does not in terms give the Minister such a power;
- (e) the publication or the laying before the Senate of which, appears to have been unduly delayed;

- (f) in respect of which there has been unjustifiable delay in notifying the President that the instrument had come into operation before it was laid before the Senate; or
- (g) the purport or form of which appears to require elucidation.

(2) The Regulations Committee shall not consider or report on the merits or policy of any regulations.

(3) The Regulations Committee shall consist of four Members inclusive of the Chairman.

Constitution and Foreign Affairs Committee, 19 of 2002.

**68:01.** The Constitution and Foreign Affairs Committee shall be a Committee of the Whole Senate and shall have the duty of considering any of the following constitutional and foreign affairs measures, namely—

CAP. 4.

- (a) any Bill to alter any provision of Part II of the Constitution in accordance with subsection (5A) of section 69 of the Belize Constitution;
- (b) whether the Senate should authorise the ratification of any treaty by the Government of Belize, including any treaty for the final settlement of the territorial dispute between Belize and the Republic of Guatemala;
- (c) whether there should be established in Belize any new military base of operations for any foreign military forces after the 2nd January, 2002;
- (d) whether the Senate should approve the appointment of any person as an Ambassador, High Commissioner, the Chief Justice, a Justice of the Supreme Court, a Justice of the

Court of Appeal, the Contractor General or the Ombudsman.

(2) The Constitution and Foreign Affairs Committee shall consist of all the members of the Senate, and the President of the Senate shall be the Chairman of the Committee.

(3) The powers and functions of the Constitution and Foreign Affairs Committee under this Order shall be exercised through a Resolution supported by a simple majority of all the Senators.

**69.**—(1) A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by order of the Senate which shall specify the terms of reference of the Committee and shall consist of such and so many Senators as may be directed by order of the Senate and, in the absence of such direction, shall consist of such Senators as may be chosen by the President.

Special Select Committees.

(2) The quorum of a Special Select Committee shall be such as shall be specified in the order of the Senate or, in the absence of such Order, by the President.

**70.**—(1) Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the Senate is reflected in the Committee.

Constitution and Chairman of Select Committee.

(2) Where a Member of a Select Committee dies or for any other reason his seat becomes vacant, then, subject to the preceding paragraph, the President shall appoint another Senator in his place.

(3) Except as is otherwise provided by these Standing Orders or by special direction of the Senate, a Select Committee shall elect a Chairman from among its Members.

**71.**—(1) The Senate may for the purposes of any Select Committee appoint not more than six Members to sit with

Joint Select Committees.

Members of the House of Representatives as a joint Select Committee.

(2) The quorum of a joint Select Committee shall be such as the Committee may decide.

(3) Except as is otherwise provided by these Standing Orders or by special direction of the Senate, a joint Select Committee shall elect its Chairman from among its Members.

(4) A joint Select Committee may be appointed at the request of either House with the approval of the other House.

Procedure in  
Select  
Committees.

**72.**—(1) Except as otherwise provided in Standing Orders No. 64 to No.68 inclusive (Sessional Select Committees), this Standing Order shall apply to all Select Committees.

(2) If the Chairman is unable to be present at any meeting, the Committee shall elect another Chairman whose tenure of office shall be for the day of his election.

(3) Unless the Senate otherwise directs the Standing Orders Committee and the House Committee shall not have, but every other Select Committee shall have, power to send for persons, papers and records.

(4) A Select Committee shall not have power to delegate any of its functions to its Chairman, or any other Senator.

(5) Unless the Senate otherwise directs, three Senators shall be the quorum. In ascertaining whether there is a quorum present, the Senator in the Chair shall not be excluded.

(6) The deliberations of a Select Committee shall be confined to the matter referred to it by the Senate and any extension or limitation thereof made by the Senate, and, in the case of a Select Committee on a Bill, to the Bill committed to it and relative amendments.

(7) Where, by resolution of the Senate or under these Standing Orders, the President or a Minister is Chairman of a Select Committee, the President or the Minister shall appoint the time and place for the holding of the first meeting of the Committee. In all other cases, the first meeting of a Select Committee shall be summoned by the President and the first business to be transacted thereat shall be the Election of a Chairman of the Committee; if at such meeting a Chairman is not elected, the President shall appoint a Member of the Committee to be the Chairman.

(8) Subsequent meetings shall be held at such time and place as the Select Committee may determine,

provided that, if the Committee fail to do so, the Chairman shall, in consultation with the Clerk of the Senate, appoint such time and place.

(9) Subject to any order of the Senate or resolution of the Committee, the sittings of a Select Committee shall be held in private.

(10) Except by leave of the Senate no Select Committee may sit while the Senate is sitting, but a Select Committee may sit at any time when the Senate is adjourned or the sitting of the Senate is suspended.

(11) When it is intended to examine any witnesses, the Senator requiring such witnesses shall deliver to the Clerk of the Committee the name, residence and occupation of any witnesses he desires to examine.

(12) If the Committee desires to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witnesses to the Clerk of the Senate at least seven days before his evidence is required. The Clerk shall then, subject to the directions of the President, summon every such witness on behalf of the Senate.

(13) The evidence of every witness shall be taken down *verbatim* and sent in proof to the witness. The witness shall be at liberty, within fourteen days from that on which the Clerk sent out the proof, to suggest corrections due to inaccurate reporting, and the evidence shall be printed with such of the corrections as may be approved by the Chairman.

(14) The Committee may at its discretion refuse to hear any irrelevant evidence or any recalcitrant witness.

(15)

(a) Any Member of a Select Committee may bring up a report for its consideration, and all such reports shall be entered in full upon the minutes of proceedings of the Committee. When all the reports have been brought up, the Chairman shall propose the reports in order until one is accepted as a basis for discussion, beginning with his own report and proceeding with the remainder in the order in which they were brought up. The question to be proposed by the Chairman on any report shall be "That the Chairman's (or Mr.....'s) report be read a second time paragraph by paragraph". When this question has been agreed to, it shall not be proposed on any further reports, but any portions thereof may be offered as amendments to the report under consideration, if they are relevant to it.

(b) The Committee shall then proceed to go through the report paragraph by paragraph and paragraphs (1) to (7) of Standing Order No. 54 (Procedure in Committee of the whole Senate on a Bill) shall apply to such consideration as if the report were a Bill and the paragraphs thereof the clauses of the Bill.

Upon the conclusion of the consideration of the report paragraph by paragraph and when all proposed new paragraphs have been considered, the Chairman shall put the question that this report be the report of the Committee to the Senate.

**73.**—(1) Every division in a Select Committee shall be taken by the Clerk to the Committee asking each Member of the Committee separately how he desires to vote and recording the votes accordingly.

Divisions in  
Select  
Committee.

(2) In taking the division, the names of all Members of the Committee present shall be called in alphabetical order.

(3) When a division is claimed in a Select Committee every member of the Committee present shall, unless he expressly states that he declines to vote, record his vote either for Ayes or Noes. The Clerk to the Committee shall enter in the Minutes of the proceedings the record of each Member's vote and shall add a statement of the names of Members who declined to vote.

(4) As soon as the Clerk has collected the votes he shall state the number of Members voting for the Ayes and Noes respectively and the Chairman shall then declare the result of the division. The Chairman shall not have an original vote but in the event of an equality of votes he shall give a casting vote.

(5) If a Member of the Committee states that he voted in error or that his vote has been wrongly counted he may claim to have his vote altered, provided that such request is made as soon as the Clerk has announced the numbers and before the Chairman has declared the result of the division.

**74.** The proceedings of, and the evidence taken before, any Select Committee and any documents presented to and decisions of, such a Committee shall not be published by any Member thereof or by any other person, before the Committee has presented its report to the Senate.

Premature  
Publication of  
Evidence.

Reports from  
Select  
Committees.

**75.**—(1) Every Select Committee shall, before the end of the Session in which it was appointed, make a report to the Senate upon the matters referred to it; but where a Select Committee finds itself unable to conclude its investigations before the end of the Session, it may so report to the Senate.

(2) A report of a Select Committee may contain the opinions and observations of the Committee, and may be accompanied by the minutes of evidence taken before the Committee.

(3) A Select Committee may make a special report relating to its powers, functions and proceedings on any matters that it thinks fit to bring to the notice of the Senate.

(4)

(a) The Chairman of a Select Committee shall prep area draft report and submit it for the consideration of the Committee; but alternative drafts may be submitted for consideration by any other Member at the request of the Chairman.

(b) The report finally to be adopted shall be such as is agreed to, with amendments (if any), by all the Members of the Select Committee or, failing unanimous agreement, then such as is agreed to by a majority of the Members.

(c) Any Member dissenting from the report of a majority of the Committee may put in a concise written statement of his reasons for such dissent, and such statement shall be appended to the report; or, if he so desires, he may submit a minority report.

(5) The report of a Select Committee including any minority report shall be presented to the Senate by the Chairman or other

Member deputed by the Committee, and shall be ordered to be laid on the Table, and be printed without question put.

(6) The minutes of proceedings of a Select Committee shall record—

- (a) the names of the Members present each day of the sitting of the Committee;
- (b) the names of the witnesses examined;
- (c) in the event of a division taking place, the question proposed, the names of the proposer and the respective votes thereon of the Members present and the names of the Members (if any) who declined to vote.

(7) The report of a Select Committee may be taken into consideration by the Senate on a Motion “That the Report of the Select Committee on ..... be adopted”. Such a Motion may be moved by any Senator after one clear day’s notice.

**76.**—(1) Every Bill, not being a Government measure, intended to affect or benefit some particular person, association or corporate body (in this Standing Order called a “Private Bill”) shall contain a clause saving the rights of Her Majesty the Queen, Her Heirs and Successors, all bodies politic and corporate, and all others except such as are mentioned in the Bill and those claiming by, from or under them; and may be introduced into the Senate under the provisions of this Standing Order.

Private Bills.

(2) Any Bill, not being a Government measure, which in the opinion of the President appears to affect directly private rights or property may be introduced into the Senate as a Private Bill under the provisions of this Standing Order.

(3) A Private Bill shall be introduced by a Senator only—

- (a) on petition from the promoters stating the objects of and reasons for the Bill; and
- (b) after notice of the Bill has been given—
  - (i) by not less than three successive publications of the Bill in the *Gazette*; and
  - (ii) by three publications in a newspaper circulating in the Country of a notice containing a statement of the objects of and the reasons for the Bill.

(4) The petition shall be presented by being lodged with the Clerk, and shall be read at the first ordinary sitting of the Senate after it is so lodged, and thereupon the President shall put the question that the promoters be allowed to proceed.

(5) Subject to paragraph (6) of this Standing Order, when leave to proceed has been granted, the promoters shall, within the next ensuing three months after such leave has been granted, lodge with the Clerk of the Senate—

- (a) two copies of the Bill;
- (b) a certificate under the hand of the Accountant General certifying that the sum of two hundred and fifty dollars, or such less sum as the Accountant General may in writing approve, to meet the expenses of printing, has been deposited with the Accountant General;
- (c) a bond duly executed by two sufficient persons obliging them to pay on demand to the Clerk

any excess over the deposited sum, required for such expenses.

(6) The Clerk shall cause the Bill lodged with him to be printed as early as possible, and, at the first ordinary sitting of the Senate after the printing is completed, the President, if he is satisfied that the notices required by paragraph (3) of this Standing Order have been given, shall put the question that the Bill be read a first time upon which no discussion shall be allowed. After the Bill is read a first time, it shall stand upon the Order Paper for the second reading at the next ordinary sitting of the Senate.

(7) Upon the day ordered for second reading, the President shall, unless the Senate otherwise orders, put the question that the Bill be read a second time.

(8) After the Bill has been read a second time, it shall stand referred to a Special Select Committee to be chosen by the President. The President shall appoint the Chairman of the Committee.

(9)

(a) Every Special Select Committee on such a Bill shall require proof of the facts and other allegations set forth in the Bill as showing that it is expedient that the Bill should be passed, and may take such oral or other evidence as it may think requisite; and thereafter, if the Select Committee finds that the said facts and allegations are not proved, it shall report to the Senate accordingly, and thereupon no further proceedings shall be taken with reference to the Bill unless the Senate makes a special order to the contrary.

- (b) If the Special Select Committee finds that the said facts and allegations have been proved, the Committee shall consider the several clauses of the Bill and may strike out clauses, add new clauses, and make any other amendments which it shall deem necessary, and in respect of such new clauses and other amendments, shall describe their purport in a Special Report to the Senate. No new clauses or amendments shall be allowed in such a Bill which are foreign to the objects of and reasons for the Bill or which are beyond its scope.

(10) No person, other than a Senator shall be heard in opposition to any Private Bill, unless he has previously lodged a petition with the Clerk showing the nature of his objections to the Bill, and stating whether his objections extend to the whole or some part of the preamble (if any), or to the clauses of the said Bill, and praying that he may be heard by himself or his Counsel against the Bill.

(11) Subject to the provisions of this Standing Order, all petitions against a Bill, where such petitions contain a prayer that the petitioners be heard by themselves or Counsel, shall stand referred to the Select Committee, and the Committee shall hear all such opposers who appear to have a *locus standi*.

(12) When it is intended to examine any witness before the Special Select Committee, the provisions of paragraphs 11 and 12 of Standing Order 72 (Procedure in Select Committees) shall apply.

(13) The Special Select Committee shall examine the Bill and make such amendments thereto as it thinks proper, and shall report to the Senate that it has examined the Bill, and (if the fact be so) made amendments thereto, and shall make to the Senate such recommendations, if any, as it thinks fit.

(14) After the report of the Special Select Committee has been presented to and adopted by the Senate in accordance with Standing Order No. 58 (Procedure on Bills Reported from Select Committee), the President shall put the question, without amendment or debate, that the Bill be read a third time.

(15) As soon as practicable after any Private Bill is passed, rejected, dropped or abandoned, the Clerk of the Senate shall make out an account showing, according to the scale prescribed or approved by the Minister, the expenses of printing, and shall transmit the same, signed by him, to the Accountant General who thereupon shall, if the amount of the account is less than two hundred and fifty dollars, transfer such amount from the deposited sum of two hundred and fifty dollars to the general revenue of this Country, and pay the balance to the depositors, their executors or administrators.

(16) If the account for the expenses of printing exceeds two hundred and fifty dollars, the Accountant General shall transfer the whole of the deposited sum to the credit of the general revenue of this Country, and the Attorney General shall, in the event of the promoters failing to pay the Accountant General the balance, take proceedings to enforce payment of such balance.

**77.**—(1) Any Senator who is prevented from attending a meeting of the Senate shall acquaint the Clerk as early as possible of his inability to attend.

Miscellaneous-  
Absence of  
Members.

(2) If, without the leave of the President obtained in writing before the end of the last of the sittings referred to in this paragraph, any Senator is absent from the Senate for more than ten consecutive sittings occurring during the same session, such Senator shall vacate his seat in the Senate under subsection (2)(a) of section 64 of the Belize Constitution Act.

CAP. 4

**78.** No Senator shall appear before the Senate or any Committee thereof as Counsel or Attorney-at-Law for any party or in any capacity for which he is to receive a fee or reward.

Employment of  
Members in  
Professional  
Capacity.

Report of  
Debates.

**79.**—(1) An official report of the proceedings, and of all speeches made, in the Senate shall be prepared under the supervision of the Clerk of the Senate, acting under such instructions as the President may from time to time give.

(2) The report shall be published in such form as the President may direct, and a copy thereof shall be sent to each Senator as soon as practicable.

Strangers.

**80.**—(1) Strangers may be present in the Chamber of the Senate in the places set apart for them, under such rules as the President may make from time to time for that purpose.

(2) If, at any sitting of the Senate, any Senator shall move that strangers withdraw, the President shall forthwith put the question “That strangers do withdraw” without permitting any debate or amendment.

(3) The President may, whenever he thinks fit, order the withdrawal of strangers from any part of the Chamber and its precincts, and may order the doors of the Chamber to be closed.

(4) Strangers must preserve silence, and must conduct themselves in a fit and proper manner during a sitting.

(5) Strangers must withdraw from the Chamber and its precincts when called upon by the President to do so.

Press.

**81.**—(1) The President may grant a general permission to the representatives of any journal or newspaper or other medium of public information to attend the sittings of the Senate, under such rules as he may make from time to time for that purpose.

(2) If such rules are contravened, such permission may be revoked.

Amendment of  
Standing Orders.

**82.**—(1) Unless the President shall otherwise direct, not less than twelve days’ notice of a Motion to amend the Standing Orders

shall be given, and the notice shall be accompanied by a draft of the proposed amendments.

(2) The Motion shall be set down for the earliest convenient sitting after the expiration of the notice.

(3) When the Motion is reached, the mover shall move the Motion, and after it has, if necessary, been seconded, the Motion shall be referred forthwith, without any question being put thereon, to the Standing Orders Committee, and no further proceedings shall be taken on any such Motion until the Committee has reported thereon.

**83.**—(1) Any one or more of these Standing Orders may, after notice or with the leave of the President, be suspended on a Motion made by a Senator at any sitting.

Suspension of Standing Orders.

(2) A Motion under this Standing Order shall be decided without amendment or debate.

**84.**—(1) The President shall have power to regulate the conduct of business in all matters not provided for in these Standing Orders.

General Authority of the President.

(2) The decision in all cases for which these Standing Orders do not provide, shall lie within the discretion of the President, and shall not be open to challenge.

(3) The President shall be responsible for the management and general administration of the Chamber.

**85.** During any period where the President is absent on account of illness or is for any other reason unable to perform the functions of his office, these functions shall be assumed and performed by the Vice-President, until such time as the President resumes his office.

Absence of the President.

Interpretation.

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**86.** In these Standing Orders “Clerk of the Senate” or “Clerk of the House of Representatives” means the person appointed under section 67 of the Belize Constitution Act, and includes the person deputed to act for him.

**CHAPTER 4**

**BELIZE CONSTITUTION (GOVERNMENT OPEN  
VOTE WORKERS) REGULATIONS**

**ARRANGEMENT OF REGULATIONS**

1. Short title.
2. Interpretation.
3. Classification of workers.
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5. Medical examination.
6. Wages.
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**CHAPTER 4**

**BELIZE CONSTITUTION (GOVERNMENT OPEN  
VOTE WORKERS) REGULATIONS**

145 of 1992.  
41 of 1997.  
Act 40 of 2001.  
CAP. 4.  
R.E. 2020.  
113 of 2005.

*[28th November 1992]*

1. These Regulations may be cited as the

Short title.

**BELIZE CONSTITUTION (GOVERNMENT OPEN  
VOTE WORKERS) REGULATIONS.**

2. In these Regulations, unless the context otherwise requires—

Interpretation.

“Head of Department” means—

- (i) an officer authorized by Treasury warrant to incur expenditure under the Estimates on the employment of any Government Workers; and
- (ii) any senior officer or foreman to whom a Head of Department as defined in (i) above may from time to time have delegated all or any of the powers under these Regulations.

“Open vote worker” means an employee of any Government Department whose post is not provided for under any Personal Emoluments item of any Head of Expenditure in the Estimates;

“worker” means an open vote worker as defined above.

3.—(1) Workers shall be divided into two categories—

Classification of workers.

## Category A–

- (i) Workers engaged for any permanent “round the year service”, or
- (ii) workers who have service for 5 years or more and whose employment is not intended to be permanent round the year service, including workers whose employment is intended to be for a particular project only.

## Category B–

Workers with less than five years’ service whose employment is not intended to be permanent “round the year service”, including workers whose employment is intended to be for a particular project only.

(2) For the purpose of Category A (ii) above, where the service is not continuous, it shall be the aggregate of all interrupted periods of service between which there is a break of not more than three months’ duration unless such break followed voluntary termination of his services by the worker himself, dismissal under regulation 25 or other default attributable to the worker himself.

(3) Heads of Departments shall keep in the form of Appendix I, service records of workers clearly showing their dates of engagement and re-engagement, periods of service and rates of wages.

Appendix I

Engagement of workers.

4.–(1) A Head of Department shall engage all workers through the employment exchange of the Labour Department where such a service exists.

(2) No fee, gratuity or other form of reward shall be either asked for or received from a worker as a condition of his being offered employment.

(3) A Head of Department engaging workers shall make the terms of employment clear to each of them by a notification in the form of Appendix II by explaining the following points—

Appendix II.

- (i) the nature of the work and the method of payment, i.e. whether by time rates, task rate or piece rates;
- (ii) the rate of wages and of overtime;
- (iii) the approximate duration of the employment;
- (iv) the place of work;
- (v) the normal working hours per week;
- (vi) the first two weeks of employment shall be deemed to be probationary employment and may be terminated at will by either party without notice;
- (vii) the period of notice as provided under regulation 24;
- (viii) the worker's classification; and
- (ix) that these Regulations will apply to the employment.

**5.**—(1) Category A workers shall be required to take a medical examination which shall include a drug test.

Medical examination.

(2) Category B workers may at the discretion of the Head of Department be required to take a medical examination.

(3) If the nature of the employment is likely to mean continuous absence for more than a month in areas beyond the ready services of a medical practitioner, a worker shall be examined free of charge by a Government Medical Officer. The examining Medical Officer shall send to the Head of Department a certificate in duplicate in the form set out in Appendix III.

Appendix III.

Wages.

**6.**—(1) All categories of workers shall normally be paid at daily rates at such pay periods as the Head of Department may determine.

(2) Payment for incomplete hours of work shall be made at the following rates—

15 minutes or less	-	15 minutes pay
16 - 30 minutes	-	30 minutes pay
31 - 60 minutes	-	60 minutes pay

(3) Piece work and task work will be used whenever possible. Rates for tasks and piece rates should be set, as far as possible, so that employment on these conditions would enable an average worker to earn half as much again as the time rate for the job. Task and piece rates may only be altered after consultation with the appropriate Union Representative where one has been elected in accordance with regulation 26.

Payment of wages.

(4) Wages will normally be paid weekly, but in some circumstances where a worker is required to camp away from his station or in remote areas it may be paid fortnightly or monthly at the discretion of the Head of Department.

(5) Advances of wages may be made to a worker at the discretion of the Head of Department concerned. An advance may not exceed six weeks' wages on any one occasion and the total of advances outstanding to a worker at any one time may not exceed six weeks' wages. An advance shall not be granted as a matter of course but only after careful inquiry to make certain that it will be used by the worker for one of the following purposes—

Advances of wages.

- (a) to buy articles for use at work;
- (b) to meet expenditure for replacement of property lost or irreparably damaged due to fire, hurricane, flood, earthquake, or other act of God;
- (c) to meet medical expenses for himself or a member of his immediate family but only on presentation of the necessary medical certificate; or
- (d) to meet funeral expenses for a member of his immediate family.

(6) An exceptional advance of wages may be made at the discretion of the Head of Department concerned to a worker who has served for not less than one year to enable either the worker, himself or a member of his immediate family—

- (a) to purchase necessary household items such as refrigerator, stove and furniture, bathroom fixtures;
- (b) to obtain medical treatment within or outside Belize which is specifically recommended by a registered medical practitioner in Belize. Such an advance shall be limited as follows

41 of 1997.

and must have the prior approval of the Ministry of Finance—

1 to 5 years' service - 8 weeks' wages

5 to 10 years' service - 12 weeks' wages

over 10 years' service - 16 weeks' wages.

41 of 1997.

(6:01) An exceptional advance of wages shall carry a nominal service charge of five percent (or such other percentage as may be determined in circulars issued by the Ministry of Finance) recoverable at the time of the issue of the advance.

(7) All advances must be repaid by reasonable instalments according to the probable duration of employment and as directed by the Head of Department. The instalments to be deducted from wages should normally be not less than one quarter nor more than one-third of the wages of the worker due for any wage period. Unless the Ministry of Finance approves for any particular case a longer period for repayment, an advance must be repaid in full within the following limits—

AMOUNT OF ADVANCE	LIMITATION
8 weeks' wages or less	32 weeks
Over 8 weeks' up to 12 weeks' wages	48 weeks
Over 12 weeks' up to 16 weeks' wages	64 weeks

(8) New workers recently employed will only be entitled to an advance of no more than two weeks' wages to assist them in purchasing tools.

Wages  
deductions.

(9) The following deductions only may be made from the wages of a worker—

- (a) sums paid out by the Department in respect of the pay period for any family allotment authorized by the worker;
- (b) the value of any food supplied by any restaurant or any service for the supply of cooked food operated by the Department for workers, if the worker has previously granted authority in writing for such deduction;
- (c) the reasonable cost of replacing or repairing any accommodation or tools or equipment supplied to any worker for his work which is lost or damaged by him through his wilful intent, carelessness or neglect;
- (d) repayment of any advance made by the Government;
- (e) the amount of any contribution to a provident fund, sickness benefit fund, credit union, or trade union if such deduction has been previously authorised in writing by the worker (subject to regulation 27);
- (f) deductions for lateness on the following basis—

15 mins. late or less	-	15 mins. Pay
16 mins. to 30 mins. Late	-	30 mins. Pay
31 - 60 mins. late	-	1hr's pay';

(These deductions shall not prejudice the right of a Head of Department to discharge any worker for persistent lateness, provided that the worker has first been warned verbally and

on a second occasion in writing by a senior officer);

- (g) other deductions as may be required by-law such as income tax and social security.

Wages on discharge.

(10) A worker discharged during the pay period shall be paid not later than the next working day after such discharge, the balance of wages due to him.

Hours of work.

7.—(1) Subject to the provisions of regulation (2) below, no worker shall be obliged to work more than five days in any week or for more than nine hours of actual work in any day or forty-five hours of actual work in any week.

(2) The provisions of regulation (1) above shall not apply to—

- (a) workers employed in the rearing and/or tending of animals and poultry, in cases where a higher or specific scale of wages is paid;
- (b) workers who are employed on piece work and are not continuously supervised, or on task work;
- (c) workers engaged in meeting natural disasters such as forest fire or hurricane emergency,

provided that over time rates are paid for hours of actual work in excess of the hours of work prescribed in subregulation (1) of this regulation.

(3) The hours of work of workers referred to paragraph (2)(a) above shall be so arranged that workers have two days each week free. If they are required to work on a free day, overtime shall be paid in accordance with regulation 8 (1)

(4) During each morning and afternoon of work a ten-minute break shall be allowed at such times as the Head of Department in his discretion may consider fit.

**8.**—(1) Work done during hours exceeding those specified in regulation 7 shall be paid for at half as much again as ordinary rates (time and a half).

Overtime.

(2) All work done on Christmas Day, Good Friday and Easter Monday shall be paid for at double rates, in addition to any payment to which the worker may be entitled under regulation 9,

provided that workers who are employed on piece work and are not continuously supervised, or on task work, shall in addition to any payment under regulation 9 be paid at double the ordinary piece rate or task rate for work done on Christmas Day, Good Friday and Easter Monday only where such work has been specifically required by the Department to be done on any of these days and only for the amount of work so required.

(3) All work done on Saturdays, Sundays or the holidays set out in regulation 9 other than Christmas Day, Good Friday and Easter Monday shall be paid for half as much again as ordinary rates in addition to any payment to which the worker may be entitled under regulation 9,

provided that workers who are employed on piece work and who are not continuously supervised, or on task work, shall in addition to any payment under regulation 9 be paid at half as much again as the ordinary piece rate or task rate for work done on Saturdays, Sundays or holidays (other than Christmas Day, Good Friday and Easter Monday) only when such work has been specifically required by the Department to be done on any of these days and only for the amount of work so required.

**9.**—(1) Subject to these Regulations, public holidays for workers shall be as set out in Appendix IV

Holidays.  
Appendix IV.

(2) Only essential work will normally be performed on public holidays.

(3) No deduction shall be made from the wages of workers paid by the month or by the week from time not worked on these holidays.

(4) Each worker paid by the day or by the hour, or by piece rates, or by task rates, shall be paid holiday pay for each of these holidays equal to the wages for a normal working day, provided that he has been employed on the day immediately preceding the holiday and was at work on the day following the holiday or, where he has been laid off within a week before, if he is re-employed within 6 days after the holiday.

(5) In a week in which a public holiday falls the workers referred to at (3) in regulation 7 shall be given their day off on the public holiday. All workers (including watchmen) who are required to work on a public holiday shall be paid overtime as provided in regulation 8 in addition to any payment provided by this regulation.

Stoppage of work.

**10.**—(1) No deduction shall be made from the wages of any worker paid by the month or by the week for time lost through rain or through work not being available for reasons beyond the control of the worker, provided that he has reported for work at the beginning of the work period in question, and is available at the work site throughout the period, and further provided that the work site is accessible.

(2) Any worker paid by the day or by the hour shall be allowed the full-time wage for his work for time lost through rain or through work not being available for reasons beyond the control of the worker, provided that he has reported for work at the beginning of the site throughout the period and further provided that the worksite is accessible.

(3) If workers are prevented by reason of continuous and heavy rain from reaching the work site at the beginning of the work period, the head of section concerned after consultation with the Union Representative, shall set a time when it would be reasonable to expect the workers to be able to reach the work site, and a period of fifteen minutes grace thereafter shall be allowed for workers to report to work.

**11.**—(1) Allowances for wet work and dirty work may be made as follows—

Wet work, dirty work and heights work.

- (a) the hours of work or the size of the task may, in consultation with the appropriate Union Representative if one has been elected, be reduced in proportion to the unpleasantness of the work without deduction from a normal day's pay; but,
- (b) if to ensure early completion of the work full hours are necessary, a special rate of wages may be paid after consultation with the appropriate Union Representative if one has been elected.

(2) An allowance in addition to normal hourly rates shall be paid for all work performed at a height of 25 feet or more above ground level in consultation with the appropriate Union Representative if one has been elected.

**12.** Workers employed away from their homes, except those who are obliged to shift continuously from one site to another, shall be given adequate accommodation which include—

Accommodation.

- (a) sufficient and hygienic house accommodation;
- (b) a sufficient supply of wholesome water; and

- (c) sufficient and proper sanitary arrangements, for every worker who resides at the place of employment. Such house accommodation, water supply and sanitary arrangements shall conform to such requirements and standards of health and hygiene as may be prescribed.

Rates, subsistence allowance, other allowances. Appendix V.

**13.**—(1) The rates, subsistence allowance and other allowances shall be those set out in Appendix V as may be revised from time to time and issued by the Ministry of Finance.

(2) As long as accommodation is not provided, workers who are moved away from their normal homes shall be paid a lodging allowance of \$7.00 a day in Belize City or District town and \$5.00 a day in all other places, provided that payment of a lodging allowance shall cease under expire of a worker's eligibility to be paid subsistence allowance under subregulation (1) of this regulation.

(3) For the purpose of this regulation, an Agricultural Station or a Forestry Station shall be deemed to be the home of a worker employed there or therefrom.

(4) If a worker is moved from his normal home under circumstances which make him eligible to receive subsistence and/or lodging allowances under the provisions of this regulation, a Head of Department may, if he considers it essential, make advances to the worker not exceeding in total outstanding at any time the amount of the subsistence and lodging which he estimates will become payable in respect of the current pay period. Any amounts so advanced shall be recovered from subsistence and lodging allowances actually payable but any excess which cannot be recovered in this way shall be treated as if it had been an advance of wages granted under regulation 6(5) and recovered from wages due to the worker accordingly.

**14.** Medical supplies, first aid dressings and appliances and, where possible, trained staff shall be provided and maintained. No charge whatever shall be made for any first-aid dressings or medicines supplied to a worker.

Medical supplies.

**15.**—(1) Officers in charge of camps shall take such measures for the prevention of malaria and infectious diseases including routine administration of preventive drugs, as the Medical Officer of Health may from time to time prescribe.

Infectious diseases.

(2) Officers in charge of camps shall at once report to the nearest Medical Officer any outbreak or any suspected outbreak of any contagious or infectious disease.

**16.**—(1) If a worker falls ill during his employment he shall receive free medical treatment, in hospital if necessary, otherwise as an outpatient. If he is in Category A or had worked for Government for at least 30 consecutive working days during the twelve months preceding his illness, and the illness is not due to the worker's own default or misconduct, he may be granted sick leave on full pay for not more than 28 days in any one calendar year,

Illness.

provided that in cases meriting special consideration and where a period of treatment longer than 28 days is required, application may be made to the Ministry of Finance for additional paid sick leave. The granting of sick leave shall normally be conditional on the production of a medical certificate, but this condition may be waived for an absence of not more than one day provided not more than six days of paid leave shall be allowed without a medical certificate in any one year.

(2) Any illness which is certified by a registered medical practitioner to be directly attributable to and brought about solely through the nature of the work e.g., the water itch experienced by men working in streams clearing channels, shall be regarded as if it were an occupational disease under the provisions of the Workmen Compensation Act and the workmen afforded compensation benefits in accordance with regulation 17, unless the worker qualifies for such benefits under the Social Security Scheme.

CAP. 303.

(3) If a worker is given notice of the termination of his service and becomes ill before such termination, he shall continue to be eligible for the benefits of the provisions of subregulation (1) of this regulation. The service shall be deemed to be terminated at the expiry of the period of notice or at the expiry of the full pay sick leave granted, whichever date is later.

(4) The service of any worker suffering from sustained illness may be terminated by the giving of notice after the expiry of full pay sick leave for which he is eligible under the provisions of subregulation (1) of this regulation.

Injuries.

**17.**—(1) Where a worker does not qualify under the Social Security Scheme for injury benefits, the provisions of the Workmen’s Compensation Act, shall be applied to all workers in case of personal injury by accident arising out of and in the course of the employment or of scheduled occupational diseases contracted during the employment, provided that—

CAP. 303.

- (a) paragraph (a) of subsection (3) of section 3 of the Workmen’s Compensation Act, which states that an employer shall not be liable under this Act for such compensation if the injury does not incapacitate the workman whether totally or partially for a period of more than three days’, shall not apply;

(b) during the first 28 days of any period of total or partial temporary incapacity the injured worker may be granted either periodic payments in accordance with the Workmen's Compensation Act, or full pay as if he were on sick leave under regulation 16, whichever is the greater, so that in either case—

CAP. 303.

(i) his eligibility for sick leave under regulation 16 is not affected;

(ii) after the expiration of 28 days he is eligible for further benefits only under the Workmen's Compensation Act or Social Security Act;

CAP. 303.  
CAP. 44.

(iii) for the purpose of calculating any balance of a lump sum payable in respect of death or permanent incapacity he shall be deemed to have received only the amount of periodic payments to which he is entitled under the respective Act

(2) If the injury requires treatment in a hospital, the worker shall be removed to hospital at once, where he will be given free treatment either as an inpatient or outpatient

(3) Heads of Department are responsible, under the Workmen's Compensation Act and Social Security Act for ensuring that all accidents at work are reported forthwith in the proper form to the Labour Department and the Social Security Board respectively.

CAP. 303.  
CAP. 44.

(4) Workers who receive any serious injury while in the employment of Government shall, provided they are capable of performing the work in question, be given preferential treatment when workers are laid off or engaged.

Leave.

**18.**—(1) Category A workers shall be eligible for leave at the following rates—

- (a) Those with 5 years' service or more in Category A – 16 working days leave on full pay for every twelve consecutive months of employment.
- (b) Those with less than 5 years' service in Category A – 14 working days leave on full pay for every 12 months of employment:

Provided that where on termination of any Category A employment there is outstanding a period of less than one year's service in respect of which leave has not been taken in full, a worker shall be granted leave on full pay calculated as follows—

Leave due = outstanding period annual entitlement (in days) of service in days X (i.e., 16 or 14 days 365 as the case may be.

#### NOTES

- (A) Any resulting fraction of a day's leave is to be disregarded.
- (B) Any leave actually taken in respect of the period is to be deducted.
- (C) For the purpose of this regulation, "period of service" means the calendar period and includes Sundays (or other rest days), public holidays and all periods of leave except leave without pay.

## EXAMPLE

A *Category A (a)* worker who has taken all leave due to him for periods up to the 31st December last and a further 4 days in the current year, resigns from Government employment with effect from the 18th August. Leave on full pay due to him for the current year is therefore—

$$\frac{229 \times 16}{365} = 10 \frac{14}{365}$$

Entitlement for the current year is therefore 10 days (fraction disregarded) and deducting the 4 days leave already taken there would be a balance of 6 days leave still due

## (2) Category B

- (a) A Category B worker shall be eligible for two working weeks annual holiday on full pay, or wages *in lieu* thereof, in respect of every period of twelve consecutive months during which he has rendered services for the same Department for an aggregate of at least two hundred and fifty days in the case of a worker employed on a weekly, fortnightly, monthly or yearly basis or at least one hundred and fifty days in the case of a worker employed on any other basis.
- (b) A Category B worker who has rendered services for the same Department over a total period of more than two months in respect of any periods of twelve consecutive months or less and does not qualify, owing to termination of his employment or otherwise, for annual holiday under the preceding subsection (a) shall be granted proportionate holiday pay calculated as follows—

$$\text{Holiday Pay} = \frac{\text{Total remuneration}}{26}$$

## NOTES

- (A) Any days of holiday on full pay, or wages *in lieu*, already granted in respect of the relevant period must be taken into consideration in deciding the amount of holiday pay due.
- (B) In no case may the amount of holiday pay for twelve consecutive months or less exceed two weeks' pay at the average daily rate even though the worker may have rendered services for more than 250 or 150 days, as the case may be, or served in more than one Department.
- (C) For the purpose of this regulation—

“full pay” means the normal basic wage for one day and in the case of workers employed on a weekly, fortnightly, monthly or annual basis is to be calculated by dividing the normal wage for the period by six, twelve, twenty-six or three hundred and twelve, as the case may be;

“total remuneration” means all the basic wages payable to a worker in respect of the relevant period but does not include overtime payments.

(3) Leave is normally due after a worker has been employed for 12 consecutive months. A Head of Department may, however, grant leave to a worker who has been employed for a lesser period and shall so arrange that no worker shall work for a longer period than 18 consecutive months without being granted leave.

(4) The Head of Department shall determine the date on which a worker’s leave shall commence and shall give the worker not less than 14 days’ notice of such a date.

(5) If a worker becomes ill while on leave granted by his Head of Department, other than leave on termination of his employment, he may be treated as on sick leave for any period he is certified by a registered medical practitioner to be unfit for work and granted a corresponding number of extra days’ leave either to follow the period of leave originally approved or at some other time as the Head of Department may decide.

**19.**—(1) A Head of Department who engages workers shall provide free transportation for such workers and, in cases where suitable family accommodation is available, for their families also, from the place of engagement to the site of the work and on return after completion of the whole project.

Transportation.  
On engagement  
and return home.

(2) Wherever practicable, a Head of Department shall provide weekend leave and free transport, for workers on long-term projects in remote areas and all projects in accessible places and at base camps and depots but this regulation shall not apply unless the worker can be returned to his work site by the normal time of his commencement of work.

On weekend  
leave.

**20.**—(1) As far as possible, transfers must be planned in such a way as not to disrupt officers with children attending school during the current school year.

Transfers.

(2) Transfers shall be for the benefit of the Public Service, as well as the workers and shall not be used as a punitive measure.

(3) Transfers shall not be arbitrary. Wherever practicable, a list of the posts and the names of workers who are likely to be transferred shall be drawn up and made known to such workers and they should be given adequate notice and allowed time to make proper arrangements for their families, especially where children in schools may be affected.

Employment of children, women and young persons.

CAP. 297.

**21.**—(1) A Head of Department may not under any circumstances employ a child under the age of 14.

(2) The provisions of Part XIII of the Labour Act shall be applied to the employment of women and young persons (i.e. over 14 but under 18 years of age). The main provisions are—

- (a) women and young persons may not be employed in an industrial undertaking at night between the hours of 10 p.m. and 6 a.m. except—
  - (i) in an emergency which must be reported to the Labour Commissioner immediately;
  - (ii) women may be employed at night in responsible positions of managerial or technical character or in health and welfare services;
- (b) there are restrictions on the employment of young persons on vessels engaged in maritime navigation;
- (c) prohibitions and restrictions may be relaxed under certain circumstances for the purpose of apprenticeship and vocational training.

(3) Where women or young persons are employed, they shall be given work which is not physically harmful to them and paid wages on the basis of “equal pay for equal work”, i.e., they shall be paid at the same rate which would be paid to an adult male if they can perform the amount of work of the same quality. Their employment shall not be resorted to simply to reduce labour costs.

**22.** Aliens, that is, persons who are not Belizean nationals, shall not be employed unless they possess some special skill or qualification not available in Belize. Their employment shall receive the prior consent of the Minister of Labour. Their employment shall be limited to the time necessary to train local workers to the necessary standard of skill or qualifications in the particular trade of work.

Employment of aliens.

This restriction shall not apply to those aliens who have lived in Belize for at least five years and have families in Belize dependent on them for support, provided that the prior consent of the Minister of Labour has been obtained.

**23.** Gang captains, foremen, and other officers in charge of workers shall not participate nor have any interest either directly or indirectly in any cookshop or other arrangement whereby food, tobacco, cigarettes, liquor, or any other articles are sold to workers under their charge,

Sale of goods.

provided that senior officers may obtain specific goods for and at the request of workers but shall not make a profit or charge commission thereon.

**24.**—(1) Notice of termination of a contract of service for an indefinite time given either by the Head of Department or the worker, shall be of the following respective durations, if the worker has been in the employment of the Department continuously—

Termination of services.

- (a) for more than two weeks but not more than six months - three days;
- (b) for more than six months but not more than one year - one week;
- (c) for more than one year but not more than two years - two weeks;

(d) for more than two years - four weeks.

(2) Notice shall take effect on the day following that in which it is given, provided that in the case of weekly or monthly rated workers, the period of notice shall commence on the first day of the pay period next following that during which it is given.

(3) If a worker under an oral contract of service for an indefinite time fails to give notice as in accordance with the provisions of this regulation, he shall be liable to pay the Government a sum equal to half the wages that would be payable in respect of the period of notice, provided that the Head of Department may in his own discretion and under special circumstances waive this obligation on the part of the worker. If the Head of Department fails to give the said notice, he shall be liable to pay to such worker a sum equal to the wages that would be payable in respect of the period of notice.

(4) In the event of termination of employment on the grounds of redundancy, a worker who has served a minimum of five years shall be entitled to one week's wages for each year of service as severance pay.

Dismissal.

**25.**—(1) The Head of Department may dismiss the worker and the worker may abandon service of the Department without giving notice and without any liability to make payment as provided in regulation 24 if there is good and sufficient cause for dismissal or abandonment of service.

(2) Good and sufficient cause for dismissal without notice shall include dismissal—

(a) when a worker is guilty of misconduct, whether in the course of his duties or not, inconsistent with the fulfilment of the expressed or implied conditions of his contract of service;

- (b) for wilful disobedience to lawful orders given by a Head of Department;
- (c) for lack of skill which the worker expressly or by implication warrants himself to possess;
- (d) for habitual or substantial neglect of his duties;
- (e) for absence from work without permission of the Head of Department or without other reasonable excuse.

(3) A worker dismissed for any of the abovementioned reasons is entitled to payment of wages due up to the time of his dismissal; the worker may in the first instance appeal to the Permanent Secretary of the Ministry in which he was working, and then if necessary, to the Labour Commissioner against dismissal for any of those reasons.

In any such appeal the decision of the Labour Commissioner shall be final and the Head of Department shall comply with the ruling of the Labour Commissioner. In every appeal under this regulation, the Labour Commissioner shall give reasons for his decision.

(4) A worker alleged to have committed a criminal offence of such nature that it may interfere with the safe and proper conduct of the work may be suspended from duty provided that the alleged offence is reported to the Police. Payment of wages may cease or be reduced during such suspension at the discretion of the Head of Department, provided that the worker shall have the right to be heard with a Legal or Union Representative if he so wishes. The worker may be dismissed without notice with effect from the date of suspension, only in the event of his being convicted of the offence. If he is not convicted of the offence he shall be paid full wages for the period of suspension without prejudice to the right of the Head

of Department to give due notice of termination of his services at any time.

(5) Where a worker is guilty of an act or omission which could warrant dismissal under subregulation (1) and (2) above, a Head of Department may in his own discretion, as an alternative to dismissal, suspend such worker as a disciplinary measure without any liability to pay wages during the period of suspension which shall not in any case exceed 14 working days. Suspension under the regulation shall not constitute a break in service for the purpose of regulation 29.

Representation  
of workers.

**26.**—(1) Representation by workers about their wages or conditions of employment, either direct or through their Union, shall be given prompt and courteous attention and receive careful consideration provided they are forwarded in a proper manner.

(2) Heads of Department shall report promptly to their Ministry who will inform the Minister of Labour of the circumstances of any wage claim made by or on behalf of any workers or of any disputes which may lead to a stoppage of work.

(3) In any work place where a substantial proportion of the workers are members of a Trade Union, they shall be permitted to elect one of their members as a Union Representative to represent them in matters connected with their Union or with their working conditions. The name of the Union Representative so elected shall be notified in writing by the Trade Union to the Head of Department.

(4) A Union Representative who has elected and whose name has been so notified shall be allowed reasonable time off from work to discuss with a foreman or other higher authority, grievances or any matters in dispute, and in connection therewith to visit all sections of the workplace. In cases of urgency he may also be allowed to communicate with the Head

Office or Branch Office of his Union, whichever shall be the nearer. But in all other respects, Union Representatives shall conform to the same working conditions as their fellow workers.

**27.** A Head of Department with the prior approval of the Accountant General shall cause the contributions of members of Trade Unions or Credit Unions to be deducted from wages due upon presentation by the Union concerned of the member's authority in writing to make such deduction.

Trade Union and Credit Union contributions.

**28.**—(1) Whenever a reduction in the number of workers employed becomes necessary, the selection of workers to be laid off shall, subject to regulation 17(4), accord as far as possible with the principle of “last in first out”- within the particular place or project of employment and within the appropriate trade category. (“Continuous service” as defined in regulation 3 shall be used for the purposes of this regulation).

Layoffs and re-engagement.

(2) Whenever the number of workers employed is to be increased, workers who have previously been employed shall as far as possible be selected, and their selection shall accord with the principle of ‘last out first in’ within the particular place or project of employment and within the appropriate trade category.

**29.**—(1) Subject to the Pensions Act and the Pensions Regulations, every open vote worker who has been in the public service under the Government of Belize for ten years or more may be granted on his retirement or resignation retirement benefits in accordance with the Pensions Act and the Pensions Regulations.

Retirement benefits. Act 40 of 2001. CAP. 30.

(2) Death in harness benefits shall be granted pursuant to the Pensions Act and the Pensions Regulations.

CAP. 30.

CAP. 30.

Maternity  
benefits.  
113 of 2005.

(3) Retirement benefits awarded under subregulation (1) and death in harness benefits awarded under subregulation (2) shall be computed using the same formula provided in the Pensions Act and the Pensions Regulations for other pensionable offices.

**30.**—(1) Subject to subregulations (2) and (2A) below, a female officer shall be entitled to a total of fourteen weeks' maternity leave which shall be on full pay. Maternity leave shall be taken as follows—

- (a) up to a maximum of seven weeks before the expected date of confinement on full pay;
- (b) the balance after the expected date of confinement on full pay;
- (c) two weeks before and seven weeks after the date of confinement shall be mandatory.

(2) A female worker who, during the twelve months immediately preceding her expected date of confinement was employed in the service of the Government of Belize for total of less than one hundred and fifty (150) days shall be granted maternity leave without pay. Such leave shall not be considered as 'service' for pensionable purposes.

(2A) All applications for maternity leave shall be submitted at least six weeks prior to the worker's expected date of confinement and shall be accompanied by medical certificate stating the expected date of confinement.

(3) Any payments made under subregulation (1) of this regulation shall be made to the worker in the normal pay periods applicable to her.

(4) A female worker who is entitled to the benefits set out in subregulation (1) of this regulation shall be entitled to free attendance by a Government Medical Officer and/ or a certified

Public Health Nurse during her pregnancy and confinement. The term “confinement” shall, for the purpose of this subregulation, include any illness which can be attributed to the confinement.

(5) No female worker shall be given notice of dismissal during, or to expire during, any period of absence from work in accordance with the provisions of subregulation (1) of this regulation or any further period of absence, not exceeding thirty days, due to illness certified by a qualified medical practitioner, to arise out of the worker’s pregnancy or confinement.

**31.**—(1) Workers employed in the typing, clerical and regulatory grades shall be entitled to annual increments, subject to satisfactory performance.

Annual increments.

(2) An assessment form as set out in Appendix V shall be used for assessing the performance of workers for the purpose of awarding annual increments.

Appendix V.

**32.** A worker with a minimum of ten years continuous service who resigns his employment and whose resignation is accepted, shall be eligible for a gratuity in accordance with regulation 29.

Resignation.

**33.** The Appendices to these Regulations may, from time to time, be amended by the Permanent Secretary, Establishment, with the approval of the Minister responsible for the Public Service.

Amendment of Appendices.

**34.**—(1) These Regulations shall come into force on the 1st day of December, 1992.

Commencement and repeal.

(2) With effect from the date of commencement of these regulations, the Government Workers Rules, 1964 shall stand repealed.

**MADE BY HER EXCELLENCY the GOVERNOR-  
GENERAL** this 13th day of November, 1992.

**(DR. DAME MINITA E. GORDON)**  
*Governor-General*





**APPENDIX II**

**GOVERNMENT WORKERS' REGULATIONS**

Reg. 4(3)

**TERMS OF ENGAGEMENT**

Department: \_\_\_\_\_

Date: \_\_\_\_\_

To: Mr./Mrs./Miss: \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

The following are basic particulars of employment as Government Worker which is hereby offered to you in the \_\_\_\_\_ Department—

Section \_\_\_\_\_ Place \_\_\_\_\_

Trade Classification \_\_\_\_\_ Grade \_\_\_\_\_ Category A/B

Nature of Work \_\_\_\_\_

Date of Commencement \_\_\_\_\_ Probable Duration \_\_\_\_\_

Wage of Rate \$ \_\_\_\_\_ cts per hour/day/week/month

Description of Task or Piece Unit \_\_\_\_\_

Normal Working Hours \_\_\_\_\_

(N.B. Overtime is normally paid at half as much again as ordinary time i.e. time and half).

The Government Workers Regulations 1992, as amended from time to time, will apply to this employment and contain the detailed terms and conditions thereof. You are particularly requested to note that in accordance with the said Government Workers Regulations, the first two weeks of the employment will be deemed to be probationary employment and may be terminated at will of either party without notice. Thereafter, notice of termination of employment for an indefinite period must be given in accordance with Reg. 24 of the Government Workers Regulations which lays down different periods of notice according to different periods of service.

If you decide to accept employment on the terms explained above, please sign and return the original copy of this offer, the duplicate copy is for your retention. Otherwise kindly return both copies unsigned.

I accept employment on the terms stated above—

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

\_\_\_\_\_ DATE \_\_\_\_\_

FOR HEAD OF DEPARTMENT

(This form is to be used for the initial engagement of a Government Worker. It may also be used with slight modifications to notify a promotion or other changes in which notice ought to be given to the worker concerned.)

(\* - Delete where not applicable)

**APPENDIX III**

**GOVERNMENT WORKERS' REGULATIONS**

Reg. (5)

**CONFIDENTIAL**

Form A

BELIZE

**MEDICAL EXAMINATION OF CANDIDATES FOR  
APPOINTMENT TO THE GOVERNMENT SERVICE (OPEN VOTE)**

1. Candidates for appointment to the Government Service (Open Vote) should complete this form and hand it to the Medical Officer when presenting themselves for examination.
2. The candidates will be held responsible for the accuracy of the statements in this form and any wilful withholding or suppressing of any information will incur the risk of losing the appointment.
3. The completed Form should be forwarded by the Medical Officer when he submits his report on the candidate on Form B attached.

Name of Candidate (in full) \_\_\_\_\_

Date of Birth \_\_\_\_\_

Married, Single, Widowed or Divorced \_\_\_\_\_

Countries of residence (with dates) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Have you been vaccinated? \_\_\_\_\_. If so, give the date \_\_\_\_\_ and result \_\_\_\_\_.

Have you, to your knowledge, suffered from any other disease or serious illness; especially Hernia, Pulmonary or Cardiac or Urinary Symptoms, Epilepsy or Mental Disease? If so, give details.

Are you temperate in your habits? \_\_\_\_\_

To your knowledge, are any members of your family, or near relatives, subject to consumption or to any disease of the Lungs, or to insanity or fits or have they been so subject.

If so, give details \_\_\_\_\_

Father \_\_\_\_\_ alive and aged \_\_\_\_\_ years/died at age \_\_\_\_\_

Mother \_\_\_\_\_ alive and aged \_\_\_\_\_ years/died at age \_\_\_\_\_

I certify that, to the best of my knowledge, the replies to the questions in this form are correct.

Signature \_\_\_\_\_

Date \_\_\_\_\_

(DELETE WORDS WHICH ARE NOT APPLICABLE)

**APPENDIX III (Cont'd)**

**GOVERNMENT WORKERS' REGULATIONS**

Reg. (5)

**CONFIDENTIAL**

Form B

BELIZE

**REPORT ON MEDICAL EXAMINATION OF CANDIDATE  
FOR APPOINTMENT TO THE GOVERNMENT SERVICE**

To be completed by the Medical Officer examining the candidate and to be forwarded to the Permanent Secretary, Ministry of the Public Service, through the Chief Medical Officer, with Form A attached, which should be completed and signed by the candidate.

I have examined \_\_\_\_\_  
with the following results—

1. General conditions \_\_\_\_\_

Height \_\_\_\_\_ Weight \_\_\_\_\_

External signs of diseases or injuries (including scalp, ear discharge, etc.)

2. Vision Right eyes \_\_\_\_\_ Left eyes \_\_\_\_\_

Colour Sense \_\_\_\_\_

3. Hearing \_\_\_\_\_

4. Teeth and Fauces \_\_\_\_\_

5. Pulse \_\_\_\_\_

6. Respiration \_\_\_\_\_

7. Lungs \_\_\_\_\_ 8. Heart \_\_\_\_\_
9. Blood Pressure \_\_\_\_\_
10. Liver \_\_\_\_\_ 11. Spleen \_\_\_\_\_
12. Groins \_\_\_\_\_ 13. Legs & Feet \_\_\_\_\_
14. Nervous System \_\_\_\_\_ 15. Skin \_\_\_\_\_
16. Mental Condition \_\_\_\_\_
17. Evidence of Alcoholism \_\_\_\_\_
18. Urine - S.G. \_\_\_\_\_ Sugar \_\_\_\_\_ Albumen \_\_\_\_\_
19. Is there any evidence of family sickness, such as Aphthisis, insanity, cancer etc. \_\_\_\_\_ ?
- If so give details \_\_\_\_\_
20. Vaccinated on \_\_\_\_\_
21. Report of X-Ray of Chest. (to be submitted separately, if necessary).  
Remarks—  
\_\_\_\_\_

### CERTIFICATE

I certify that I have examined \_\_\_\_\_ and find him/her physically and mentally fit/unfit for appointment to the Government Service as \_\_\_\_\_.

Signatur  
e \_\_\_\_\_

Date \_\_\_\_\_

**GOVERNMENT WORKERS' REGULATIONS****APPENDIX IV**

Reg. 9(1)

The Public Holidays prescribed by law are—

- |                             |                          |                |
|-----------------------------|--------------------------|----------------|
| 1. New Year's Day           | -----                    | 1st January    |
| George Price Day            | -----                    | 15th January*  |
| 2. Baron Bliss Day          | -----                    | 9th March      |
| 3. Good Friday              | } as they fall each year |                |
| 4. Holy Saturday            |                          |                |
| 5. Easter Monday            |                          |                |
| 6. Labour Day               | -----                    | 1st May        |
| 7. Commonwealth Day         | -----                    | 24th May       |
| Emancipation Day            | -----                    | 1st August*    |
| 8. National Day             | -----                    | 10th September |
| 9. Independence Day         | -----                    | 21st September |
| 11. Garifuna Settlement Day | -----                    | 19th November  |
| 12. Christmas Day           | -----                    | 25th December  |
| 13. Boxing Day              | -----                    | 26th December  |

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\* Inserted by S.I. 181 of 2020 (as amended by S. I. 65 of 2001 and 115 of 2021.)

NOTES:

1. If any of the public holidays falls on a Sunday, the following Monday shall be observed as a public and bank holiday.
2. If any of the public holidays falls on a Tuesday, Wednesday or Thursday, the provisions contained in the Holidays Act shall apply. CAP. 289.

**APPENDIX V****GOVERNMENT WORKERS' REGULATIONS**

## Reg. 13

**ALLOWANCES**(1) **SUBSISTENCE—**

Workers who move away from their normal homes shall, unless they are supplied with free rations, be paid during the period of their absence from home a subsistence allowance or where applicable a meal allowance as follows—

- (a) Where the period of absence exceeds five (5) hours but does not exceed seven (7) hours, a meal allowance of \$7.00 shall be paid. Provided that where a worker's absence does not exceed five hours but covers the lunch period and is not less than four (4) hours, a meal allowance of \$7.00 shall be payable.
- (b) Where the period of absence exceeds seven (7) hours but does not exceed nine (9) hours, a second meal allowance of \$7.00 shall be paid.
- (c) Where the period of absence exceeds nine (9) hours, a full day's subsistence allowance of \$19.00 shall be paid.

Where a worker is away from his station on duty for more than 24 hours, the payment of subsistence allowance or, as the case may be, meal allowance for the period of absence in excess of 24 hours shall be calculated on a proportionate basis as set out above.

If a worker is away for more than 24 hours, any proportion of a day after the first 24 hours shall be treated similarly up to a period of ninety (90) days.

If a worker is again transferred to another place of employment other than his normal home, he shall again receive subsistence at the rate stated herein for a further period not exceeding ninety (90) days. After a worker has been living continuously at a station away from his normal home for one year or more without an absence of thirty (30) days or more at any one time except due to sick leave and during which time he has established permanent residence, then that station shall be deemed to be his normal home.

(2) **LODGING—**

As long as accommodation is not provided, workers moved away from their normal homes shall be paid a lodging allowance of \$20.00 a day in Belize City or District towns and \$15.00 a day in all other places, provided that payment of a lodging allowance shall cease on the expiry of a worker's eligibility to be paid subsistence allowance under paragraph (1) of this Appendix.

For the purpose of this regulation, an Agricultural Station or a Forestry Station shall be deemed to be the home of a worker employed there or therefrom.

Nothing in this regulation shall apply to workers employed by the Forest Department or the Survey Department to whom the equivalent of subsistence and lodging allowances is given in some other form.

If a worker is moved from his normal home under circumstances which make him eligible to receive subsistence and/or lodging allowances under the provisions of this regulation, a Head of Department may, if he considers it essential, make advances to the worker not exceeding in total outstanding at any time the

---

amount of the subsistence and lodging which he estimates will become payable in respect of the current pay period. Any amounts so advanced shall be recovered from subsistence and lodging allowances actually payable, but any excess which cannot be recovered in this way shall be treated as if it had been an advance of wages granted under regulation 6 (5) and recovered from wages due to the worker accordingly

**APPENDIX VI**

**GOVERNMENT WORKERS' REGULATIONS**

Reg. 31(2)

**ASSESSMENT FORM**

NAME .....

STATUS .....

SALARY SCALE/WAGE RATE .....

PRESENT RATE OF SALARY/WAGE .....

INCREMENTAL DATE .....

AMOUNT OF INCREMENT DUE .....

DATE DUE .....

**PERFORMANCE**

- |  |   |   |   |   |   |
|--|---|---|---|---|---|
| 1. Performance in specific areas and assignments | a | b | c | d | e |
| 2. Punctuality                                   | a | b | c | d | e |
| 3. Attitude at job                               | a | b | c | d | e |
| 4. Attitude to other staff                       | a | b | c | d | e |

## RATINGS

- |                       |             |
|-----------------------|-------------|
| a. Outstanding        | c. Good     |
| b. Very Good          | d. Adequate |
| e. Not quite adequate |             |

I certify that the above named worker has discharged his/her duties with efficiency, diligence and fidelity, and to the best of my knowledge and belief is not indebted to the Government, and I recommend the increment as due.

I certify that the incremental increase shown herein is authorized and that the worker concerned has discharged his/her duties with efficiency, diligence and fidelity and to the best of my belief is not indebted to Government.

Date .....

\_\_\_\_\_  
Head of Department

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**CHAPTER 4**

**BELIZE CONSTITUTION (PUBLIC SERVICE)  
REGULATIONS**  
*(Section 106 (3))*

CAP. 4.  
R.E. 2020.  
59 of 2014.  
26 of 2015.

*[Gazetted 11th October, 2014]*

**PART 1**

*Preliminary*

**1.** These Regulations may be cited as the

Short title.

**BELIZE CONSTITUTION (PUBLIC SERVICE)  
REGULATIONS.**

**2.**—(1) In these Regulations—

Interpretation.

“Accounting Officer” means the public officer who is responsible for the control of the various votes of the estimates as listed in the financial estimates of revenue and expenditure;

26 of 2015.

“approved programme of study” means a programme of study approved by the Ministry as a programme of study required for positions within the public service such as the categories of training specified in regulation 183(1)(a) or (b);

“CARICOM national” means a national of a territory that is a member State of the Treaty establishing the Caribbean Community;

“Chief Executive Officer” means a person who is appointed under section 107 of the Belize Constitution charged with the

CAP. 4.

supervision of a department of government in accordance with section 48 of the Belize Constitution;

CAP. 4.

“Commission” means the Public Services Commission established under section 105 of the Belize Constitution;

“immediate family member” means a mother, father, spouse, children, brother or sister;

“in-depth assessment” means an assessment done for the purpose of appointment under regulation 19(2), regulation 20 or for the purpose of promotion under regulation 38(2)(c)(i);

“Medical Board” means the Board as established under regulation 13;

“Minister” means the Minister responsible for public service;

“Ministry” means the Ministry responsible for public service;

“posting” means a short-term transfer of not more than three months to fill a temporary human resource need in a ministry or department;

“station” means the judicial district where a public officer is assigned for the performance of the duties of his post;

“study leave” means leave which entails a period of absence granted to public officers to pursue an approved programme of study or attachments aimed at improving qualifications and skills that would aid in job efficiency and effectiveness;

“transfer” means the transfer or posting of a public officer from one ministry, department or station to another ministry, department or station;

“transfer on appointment” means the appointment of a public officer to a post at the same level of a different grade in the same ministry or department, or another ministry or department;

“transfer on promotion” means the transfer of a public officer to a post at a higher level of a different grade in the same ministry or department, or another ministry or department.

(2) For the purposes of these Regulations, a reference to an office in the public service shall not be construed as including references to the offices of Prime Minister or other Minister, Minister of State, Speaker or Deputy Speaker or member of the House of Representatives, President or Vice President of the Senate or Senator, members of the Belize Advisory Council, or members of the Commission established under the Belize Constitution, or the Clerk, Deputy Clerk or staff of the National Assembly.

CAP. 4.

3.–(1) Subject to subregulations (2) to (6), the provisions of these Regulations shall apply to all public officers.

Application.

(2) These Regulations shall not apply to–

- (a) the office of a Justice of Appeal;
- (b) a public officer appointed under section 107 of the Belize Constitution;
- (c) a public officer to whom the Government (Open Vote) Workers Regulations apply;
- (d) the Director of Public Prosecutions;
- (e) the Auditor General;
- (f) a Justice of the Supreme Court; or

CAP.4

CAP. 4.  
Sub. Leg.  
R.E. 2020.

- (g) any other category or class of officers to the extent that another enactment provides specifically for the regulation of that category or class of public officers where special Regulations are made in respect of that category or class of officers.

(3) A Chief Executive Officer shall apply these Regulations in the performance of his functions for which a decision relating to a public officer or any other human resource matter is to be made.

CAP. 4.

(4) Where a public officer who is appointed in accordance with section 106 of the Belize Constitution is acting in an office of another public officer appointed in accordance with section 107 of the Belize Constitution, the provisions of these Regulations shall apply only to the extent that it applies to a Chief Executive Officer for the duration of the period of acting if that public officer is acting for a period of at least fourteen consecutive days.

(5) Notwithstanding subregulation (4), where a penalty of dismissal is recommended against a public officer who is acting as a Chief Executive Officer, the disciplinary procedures set out in regulation 84 shall apply.

(6) Where a person who is not a public officer is temporarily employed under regulation 17 to hold a post on permanent establishment, the provisions of these Regulations shall not apply to that person.

PART 2

*Administration and Institutional*

4.—(1) The general functions of the Ministry are to administer and direct the public service and to sustain the integrity of the system by which the public service is governed.

Functions of the Ministry of the Public Service.

(2) The Ministry shall carry out its functions in such a manner as to—

- (a) promote effectiveness and efficiency;
- (b) balance the needs of the public service and personal development of public officers;
- (c) continuously improve the work culture; and
- (d) improve the standards of service and quality of service offered, within the public service.

(3) The Ministry, in the performance of its functions under subregulations (1) and (2) shall—

- (a) serve as secretariat to the Commission;
- (b) develop and maintain a system of classification of the positions in the public service and ensure that the system is observed;
- (c) determine eligibility criteria for appointment and promotion to posts in the horizontal and technical grades;
- (d) fix and keep under review, in collaboration with the Ministry responsible for Finance, the salaries and allowances payable to public officers;

- (e) review terms and conditions of service and make recommendations to the Minister in respect of those terms and conditions;
- (f) advise the Ministry responsible for Finance on the creation, re-grading and abolishment of posts;
- (g) formulate and maintain a quality assurance policy as well as other policies and strategies to ensure the administration of these Regulations;
- (h) formulate policies and procedures for career and human resource management and development through a consultative process with the recognised representatives of public officers, other persons or groups;
- (i) administer, promote, encourage and facilitate in-service and other training programmes;
- (j) promote efficient and courteous service to the public;
- (k) promote efficient use of human resources;
- (l) conduct management audits;
- (m) compile and disseminate human resource information and policy decisions;
- (n) maintain an integrated human resource management information system of personnel records to aid in planning and decision-making;

- (o) conduct human resource and training needs assessments, diagnose constraints and opportunities for development and advancement, establish areas of priorities based on the findings and take appropriate actions to satisfy those needs and priorities;
- (p) coordinate government scholarship programmes with the human resource needs of the public service in collaboration with the Ministry responsible for Education;
- (q) ensure the maintenance of a safe, healthful and productive working environment for public officers;
- (r) promote high levels of performance and productivity, set work standards, develop results-oriented job descriptions and techniques that contribute to high morale, motivation and job satisfaction amongst public officers in the framework and guidance of the ISO 9001:2008 quality management series; 26 of 2015.
- (s) review policy, legislation, administrative directives and collective bargaining agreements in respect of the public service to make recommendations to the Minister;
- (t) collaborate with the Ministry responsible for Finance to develop and administer policies in relation to the payment of allowances and rental of buildings;
- (u) monitor and assess performance of administrative officers and other administrative personnel;

- (v) collaborate with the Ministry responsible for Finance and Treasury Department to monitor and assess the performance of finance officers;
- (w) sign staff to ministries and departments on principle that immediate family members are not recruited or assigned to the same ministry or department unless such a situation cannot be avoided, and the Chief Executive Officer ensures that professional conduct is maintained;
- (x) assign staff to special duties;
- (y) establish mentorship programmes in the public service;
- (z) establish procedures for dealing with the recognized representatives or with public officers as required by the Belize Constitution, or any Regulations made thereunder, in respect of—
  - (i) the classification of posts;
  - (ii) grievances;
  - (iii) salaries and allowances; and
  - (iv) the terms and conditions of employment.

Chief Executive Officers or heads of department.

**5.—(1)** The responsibility of a Chief Executive Officer shall include the—

- (a) efficient utilization and training of staff;

- (b) maintenance of discipline;
- (c) promotion of sound industrial relations; and
- (d) proper use and care of public property.

(2) A Chief Executive Officer or head of department shall exercise authority fairly, rationally and consistent with sound human resource management practices.

(3) A head of department who is found to be negligent, abusive or vindictive shall be subject to disciplinary proceedings in accordance with regulation 83.

(4) The head of a department shall be accountable to the Chief Executive Officer for the actions of that department.

**6.** A Chief Executive Officer shall—

Internal communications.

- (a) establish procedures and provide the means to encourage and facilitate open communication within the department and across departments; and
- (b) take every opportunity to use modern information and communication technology consistent with government policy.

**7.** A Chief Executive Officer shall hold—

Staff meetings.

- (a) general staff meetings at least twice per year to communicate and review the strategic direction, major challenges and the goals and objectives of the Ministry and departments under his supervision; and
- (b) regular meetings with relevant staff to communicate new developments in the

department and review the department's performance against established goals and objectives.

Responsibilities  
of Chief  
Executive  
Officers.

**8.**—(1) A Chief Executive Officer, by example and other appropriate means, shall—

- (a) promote and comply with public service values and the code of conduct of public officers;
- (b) maintain the highest standards of integrity and ensure that public officers observe the code of conduct;
- (c) observe and promote public service employment policies and practices;
- (d) contribute to and foster leadership in the public service;
- (e) promote the efficiency and effectiveness of the department;
- (f) promote equal treatment of all public officers;
- (g) be knowledgeable of the operating environment and mandate; and
- (h) foster team spirit and cohesion.

(2) A Chief Executive Officer shall—

- (a) inquire into alleged breaches of the code of conduct and report findings and recommendations to the Ministry;

- 
- (b) facilitate continuous improvement in human resource management;
  - (c) co-ordinate or support training and career development opportunities;
  - (d) ensure that financial considerations are taken into account at all stages of formulating and executing policy decisions;
  - (e) ensure the delivery of quality service and in so doing collaborate with other heads of department and other stakeholders;
  - (f) ensure that work is well-defined and organized;
  - (g) provide effective leadership, giving clear and consistent direction;
  - (h) discuss performance expectations and assessment criteria with staff;
  - (i) provide to, and solicit regular feedback from staff and the public;
  - (j) perform the functions specified in the various Parts of these Regulations; and
  - (k) perform any other functions established by the Ministry.

## PART 3

*Medical Examination and Medical Board*

Medical  
examination on  
appointment.

9.—(1) Prior to an appointment, a public officer shall take the medical examination that is carried out by a medical officer of the Ministry responsible for Health.

(2) For the purpose of maintaining a workplace in the public service that is free from substance abuse, which includes the possession, use or sale of controlled drugs or the unlawful use or misuse of alcohol or prescription drugs, the medical examination under subregulation (1) may, subject to subregulation (4), include a test for use of any substance classified as controlled drugs in the Misuse of Drugs Act.

CAP. 103.

(3) Where medical examination indicates that the health of a public officer may adversely affect the public office, the public officer's performance, or his medical fitness to perform duties, he shall not be eligible for appointment.

(4) For the purpose of subregulation (2), where the medical examination includes a drug test, the Ministry shall, on employment, notify the person—

- (a) of its intention to test for use of controlled drugs prior to appointment;
- (b) of the specific type of drug testing that will be carried out;
- (c) that the offer of appointment is conditional upon completion of a drug test with a negative result in the use of controlled drug; and
- (d) that the same testing programme is implemented for all public officers.

(5) For the purpose of this regulation and regulation 10, the Chief Executive Officer shall request the Director of Health Services to appoint a medical officer to conduct the medical examination.

**10.**—(1) A public officer may be subject to a medical examination which includes a drug test by a medical officer of the Ministry responsible for Health in order to ascertain whether he is physically or mentally fit to perform the duties of his post.

Medical examination of public officers.

(2) The public officer may, at his own expense, have another medical practitioner present at a medical examination for consultative purposes and that medical practitioner shall neither be a member of the Medical Board nor have any say in the findings.

(3) The Ministry responsible for Health shall submit the medical officer's report of the medical examination under subregulation (1) to the Ministry or Commission, as the case may be, as soon as possible.

(4) Upon examination and consideration of the report, the Ministry or the Commission, as the case may be, shall inform the public officer as soon as practicable of its decision.

**11.**—(1) A person recruited for employment from outside of Belize shall be required to submit to a medical examination, which shall include a test for the use of controlled drugs, performed by a licensed medical practitioner in the country where he is residing, before taking up his employment in Belize.

Recruitment from overseas.

(2) The agency representing the Government shall arrange for a licensed medical practitioner to perform the medical examination, and submit a report of the medical examination to that agency for submission to the Ministry.

(3) The Ministry shall coordinate with the Ministry responsible for Foreign Affairs to assist in identifying and communicating with the agency representing the Government.

Public officer to submit for medical examination.

**12.**—(1) A public officer who is required to undergo a medical examination shall submit himself to be examined at such time and place as directed by the Chief Executive Officer or head of department.

(2) Where a public officer refuses to undergo medical examination as required under this Part, the public officer shall be liable to disciplinary procedures in accordance with regulation 83.

Medical Board.

**13.**—(1) Where a request is made under subregulation (3)(a) and the Director of Health Services has determined, he may from time to time appoint a Medical Board for the purpose of conducting medical examinations of public officers as required under these Regulations.

(2) The Medical Board shall be comprised of not less than three medical officers appointed by the Director of Health Services from among the medical officers of the Ministry responsible for Health having technical or special knowledge necessary for the purpose of conducting the medical examinations.

(3) For the purpose of subregulation (1)—

- (a) the Chief Executive Officer of the Ministry shall request the Director of Health Services to appoint a Medical Board to examine the public officer;
- (b) the Medical Board shall examine the public officer and submit a report of findings as soon as practicable to the Director of Health Services;

- (c) the Director of Health Services shall, under confidential cover, submit the report pursuant to paragraph (b), with comments if necessary, to the Chief Executive Officer of the Ministry.

PART 4

*Appointment*

**14.**—(1) Only suitably qualified Belizeans or CARICOM nationals shall be eligible for permanent appointment to the public service.

Nationality requirements.

(2) If extensive recruitment activities do not yield a suitably qualified Belizean or CARICOM national, then other persons may be considered for employment on a contractual basis.

**15.**—(1) The Ministry, upon employment of any person, shall administer an oath of confidentiality.

Oath of confidentiality.

(2) The oath of confidentiality shall be in the form set out in Schedule 1.

Schedule 1.

**16.** Whenever a vacancy occurs, the ministry where the vacancy occurs shall report to the Chief Executive Officer of the Ministry, the existence of a vacancy and state his recommendations for filling that vacancy in accordance with Ministry's selection and recruitment manual.

Procedure for filling vacancies.

**17.**—(1) The Ministry responsible for Finance, on the recommendation of the Ministry, may approve the temporary employment of a person for a specific period of time against a permanent post to which a public officer is appointed.

Temporary relieving public officers.

(2) A temporary employment under subregulation (1) shall—

(a) occur during a period of absence of the public officer who holds the permanent post; and

CAP. 4  
Sub. Leg.  
R.E. 2020.

(b) be governed by the Government (Open Vote) Workers Regulations.

Qualifications  
for appointment.

**18.** The educational or professional qualifications and other requirements for appointment to permanent posts in the public service shall be determined by the Chief Executive Officer of the Ministry, after consultation with the appropriate ministry.

Factors for  
Considerations  
for appointment.

**19.**—(1) In the performance of its functions relating to appointment of a public officer, the Commission in making determinations for appointment shall consider—

(a) the public officer's medical fitness to perform duties;

(b) the public officer's educational qualifications;

(c) any special course of training undertaken;

(d) any letters of commendation in respect of special work done;

(e) the public officer's capabilities with respect to the duties of the vacant post;

(f) any specific recommendation of the Chief Executive Officer;

(g) previous employment;

(h) the police certificate of conduct or vetting report in essential services or special circumstances; and

- (i) any additional information which the Commission may require.

(2) The Chief Executive Officer shall submit to the Commission in respect of each public officer to be considered for appointment—

- (a) the certified copies of certificate of educational qualifications;
- (b) police certificate of conduct or vetting report in essential services or special circumstances;
- (c) a certified copy of social security card issued under the Social Security Act;
- (d) letters of recommendation;
- (e) copy of medical report;
- (f) job description and requirements; and
- (g) report from the Interpol check on non-national, if applicable.

CAP. 44.

**20.**—(1) Where a person is employed on a temporary basis against a vacant post, subject to subregulation (2) he shall be appointed within six months of employment if his performance is satisfactory.

Appointment, etc., of temporary public officers.

(2) For the purpose of subregulation (1), the head of department shall conduct an in-depth assessment of the public officer's performance at the end of the first three months and that assessment shall be considered in the determination of appointment to a vacant post.

(3) Where an in-depth assessment shows that the service of a public officer employed on a temporary basis is unsatisfactory,

the Commission may terminate the employment of that public officer.

Tenure of office of public officers.  
CAP. 30.  
CAP. 4.

**21.** A public officer may hold office for an indeterminate period in accordance with the provisions of the Pensions Act, the Belize Constitution and these Regulations.

Probationary service.

**22.**—(1) Upon appointment to the public service, a public officer shall be required to serve a probationary period of one year.

(2) During the probationary service period under subregulation (1), the head of department shall ensure that the public officer—

- (a) is given an opportunity to learn the work and be evaluated for suitability;
- (b) is afforded facilities to gain work experience;
- (c) is subjected to continual, effective and considerate supervision;
- (d) so far as the exigencies of the service permit, is assigned to duty where observation and supervision is possible;
- (e) is informed in writing of any tendencies identified which renders confirmation of appointment doubtful;
- (f) is offered assistance to correct the tendencies identified under paragraph (e); and
- (g) is informed of disciplinary proceedings under Part 10, which is also applicable during the probationary service.

(3) The Chief Executive Officer, as soon as possible, after the first six months of probationary service, shall submit the mid-year performance appraisal report to the Ministry.

(4) The Chief Executive Officer, as soon as possible, after the second six months of probationary service, shall submit the end-of-year performance appraisal report to the Ministry.

**23.** Whenever a public officer is on leave of absence pending relinquishment of his post, another public officer may be appointed to that post and that other public officer shall be deemed to be the sole holder of that post.

Appointment to post not yet relinquished.

**24.**—(1) The Commission shall not allow a public officer who is appointed to act in a vacant post, to act for more than one year if that public officer meets the criteria under regulation 38 for promotion to that vacant post.

Acting Appointment.

(2) The Commission may appoint a public officer to act in a post that is not vacant and for which he is qualified, for a specified period.

(3) Where more than one public officer is eligible for appointment to act in a post, such public officers may be rotated to act during the period of acting.

**25.** Where, on the basis of the end-of-year performance appraisal report, the public officer's performance is—

Confirmation or termination of appointment.

(a) satisfactory, the Commission shall confirm his appointment with effect from the date of appointment; or

(b) unsatisfactory, the Commission shall terminate his appointment.

Determination of seniority.

**26.**—(1) The public officer in the post with a higher salary scale shall be senior to a public officer in a post with a lower salary scale.

(2) Where public officers are on the same salary scale, seniority shall be determined by the date of appointment to a particular grade.

(3) For the purpose of subregulation (2), a public officer shall be considered to be of equal seniority as other public officers appointed to the same grade within six months of the date of appointment.

Consent to transfer on appointment.

**27.** A public officer shall not be subject to transfer on appointment without his written consent.

Disqualification from employment.

**28.**—(1) The following persons shall not be eligible for re-employment in the public service—

- (a) a person who has retired on medical grounds;
- (b) a person who has been dismissed; or
- (c) a person who is receiving a pension pursuant to the Pensions Act.

CAP.30.

(2) Notwithstanding subregulation (1)(c), where the Ministry is satisfied that—

- (a) a chronic shortage of human resource of a technical or professional field exists; and
- (b) no public officer currently serving would be denied an opportunity for advancement to a higher post,

(3) a person who is receiving a pension under the Pensions Act may be considered for re-employment on a contract basis.

CAP. 30.

PART 5

*Orientation*

**29.**—(1) A Chief Executive Officer or head of department, as the case may be, shall conduct orientation for new public officers during the public officers' first week of employment.

New public officers.

(2) An orientation under subregulation (1) includes—

- (a) an overview of the public service;
- (b) an overview of the Ministry, its departments, its structure, values, strategic direction, goals and objectives;
- (c) an introduction to staff and management team;
- (d) a description of benefits and services available to public officers;
- (e) a detailed job description, performance agreement and how the job description and performance agreement fit into the overall plan for the ministry;
- (f) an introduction to procedural and operational desk manuals;
- (g) a general statement of expectations;
- (h) information on logistical issues;

- (i) a set of regulations and codes applicable to the post;
- (j) information on any recognised representative body;
- (k) an overview of the disaster preparedness and management plan;
- (l) an overview of election management duties; and
- (m) an opportunity for questions.

Public officer's  
information and  
record of service.

**30.**—(1) A Chief Executive Officer or head of department, as the case may be, shall in relation to each public officer, maintain where applicable, a certified, copy of the following document or information—

- (a) current address and contact information;
- (b) name and contact information for next-of-kin;
- (c) social security card;
- (d) birth certificate;
- (e) copy of proof of citizenship;
- (f) marriage certificate;
- (g) divorce decree;
- (h) marital status and beneficiary form;
- (i) oath of confidentiality required by regulation 15; and

(j) record of service.

(2) The Chief Executive Officer or a head of department, as the case may be, shall forward the information received pursuant to subregulation (1) to the Ministry.

(3) The record of service pursuant to subregulation (1) shall be maintained in personal files which may readily be forwarded to another ministry or department on the transfer of the public officer.

**31.** A public officer shall declare any changes to his marital status or beneficiary to the Chief Executive Officer of the ministry in which he is serving to facilitate the processing of any benefits provided for under these Regulations.

Update of marital status and beneficiary.

**32.**—(1) Subject to subregulation (2), the Minister shall determine the minimum hours of attendance at work for the various grades of public officers.

Hours of duty, etc.

(2) Public officers are required to work a minimum of thirty-nine and one-half hours per week.

(3) A Chief Executive Officer or head of department may require any member of staff of his Department to work temporarily for longer hours than those determined whenever the public interest so requires but no permanent alteration of the determined hours of work of any grade of public officers may be effected unless the Minister so approves.

(4) Compensation for additional hours worked pursuant to subregulation (3) shall be—

(a) time off *in lieu* of overtime; or

(b) payment of overtime for which prior approval is given by the Ministry responsible for Finance.

(5) Notwithstanding subregulation (2), public officers of a department, which provides essential services or public officers who undertake field work may be required to—

- (a) work up to forty-five hours per week or up to nine hours in any one day; or
- (b) work on weekends or public and bank holidays where the nature of the work so demands.

(6) For the purpose of subregulation (4), “time off *in lieu*” means the granting of leave to a public officer in place of payment for overtime worked.

(7) Subregulation (4) shall not apply to heads of department.

(8) If the nature of the work demands that a public officer work on weekends instead, of weekdays or a combination of weekdays and weekends, but the hours of work do not exceed forty-five hours, that public officer shall not be entitled to compensation for overtime.

(9) The Minister may determine the posts for the various grades of public officers required to undertake field work or to whom subregulation (8) applies.

Attendance registers.

**33.**—(1) A public officer shall evidence his time of arrival at and departure from work by one of the following means—

- (a) attendance register;
- (b) mechanical or electronic applications; or
- (c) other methods approved by the Ministry.

(2) Notwithstanding subregulation (1), the Chief Executive Officer or head of department may exempt certain categories of

public officers from evidencing his time of arrival and departure from work.

(3) The Chief Executive Officer or head of department, as the case may be, shall bring to a public officer's notice any case of habitual unpunctuality or absenteeism during a specific month.

**34.**—(1) A public officer shall observe strict punctuality at the workplace.

Strict punctuality and attendance.

(2) The Chief Executive Officer or head of department may—

(a) deduct an amount from a public officer's salary in accordance with subregulation (3) for any period of late attendance without reasonable excuse; or

(b) address the matter of late attendance against that public officer in accordance with regulation 83.

(3) Deductions under subregulation 2(a) shall be calculated for every late period, the rate of pay proportionate to the salary the public officer would have received for that late period.

**35.**—(1) Public officers shall have access to their personal records in the presence of a senior public officer.

Access to personal records.

(2) Where a public officer desires to copy any correspondence from his personal records, that public officer shall first request from the Chief Executive Officer or head of department, approval to make copies.

**36.**—(1) Public officers shall be attired for work in a manner which demonstrates professionalism, decency and respect for colleagues, clients and members of the public.

Public officers to be properly attired.

(2) Chief Executive Officers or heads of department are responsible for the enforcement of any dress code which is developed by the Ministry for implementation.

Uniforms.

**37.** Where, in respect of any function discharged by a public officer, it is considered that uniforms are necessary for organizational reasons or for protective and identification purposes, the conditions applicable to the provision of such uniforms shall be determined from time to time by the respective Chief Executive Officer in consultation with the Ministry responsible for Finance.

## PART 6

### *Promotion*

Factors of consideration for promotion.

**38.**—(1) A public officer shall not be promoted to a post for which he is not qualified.

(2) The Commission, in considering the promotion of a public officer to fill a vacancy, shall base its decision, in descending order of importance, on the following—

- (a) in relation to academic qualifications—
  - (i) the educational qualifications and any special qualifications of that public officer; and
  - (ii) the result of special courses of training, which he may have undergone;
- (b) in relation to performance and merit—
  - (i) the grades and comments made in the performance appraisal report of that public officer; and

- (ii) any letters of commendation for special work done by that public officer;
- (c) in relation to integrity and professionalism—
  - (i) an in-depth assessment made by the Chief Executive Officer or head of department as the case may be; and
  - (ii) the public officer's capability to function efficiently in the post which he is seeking to fill;
- (d) in relation to experience and employment history—
  - (i) the employment history of that public officer; and
  - (ii) the general fitness of that public officer;
- (e) the level of seniority of the public officer compared to other public officers in the hierarchy; and
- (f) any other report or information which the Commission may require.

(3) A public officer in the clerical grade shall pass the clerical examinations prior to promotion.

**39.** A public officer shall not be subject to transfer on promotion without his written consent.

Consent to transfer on promotion.

## PART 7

*Code of Conduct*General  
Conduct.

**40.**—(1) A public officer shall not conduct himself in any manner that would bring the public service into disrepute.

(2) All public officers shall—

- (a) demonstrate the highest level of professional conduct and personal integrity in the performance of their duties and shall not wilfully refuse, or wilfully omit, to perform those duties;
- (b) treat other public officers, clients and members of the public with courtesy, respect, fairness and objectivity;
- (c) display a positive attitude and be pro-active in the exercise of their duties;
- (d) seek to understand and to volunteer information and service so as to satisfy the real needs of members of the public; and
- (e) render service in a timely, efficient and effective manner and shall not confer any special benefit or give preferential treatment to anyone on the basis of any special relationship.

Conflict of  
interest and other  
prohibited  
conduct.

**41.**—(1) A public officer shall not place himself in a position in which a conflict of interest may arise or a position which could compromise, or reasonably be said to compromise the job performance or office of that public officer.

(2) A public officer shall not—

- (a) engage in any private activity that would compromise the fair exercise of his duties;
- (b) use for private gain any information or material which comes to his knowledge by virtue of his position or placement;
- (c) exploit for private gain the status and privilege of his position or placement;
- (d) solicit or accept payment or any other consideration relating to the performance or neglect of his duties;
- (e) conduct private business on government premises; and
- (f) engage in transactions on behalf of the Government of Belize where an unfair advantage is given to family members or members of staff, or an organization in which family members or members of staff have a vested interest.

**42.**—(1) A public officer who is offered a bribe for the performance or neglect of his duties shall immediately inform his supervisor, in writing, and that supervisor shall notify the Chief Executive Officer or head of department.

Bribery.

(2) The Chief Executive Officer or head of department shall cause the matter to be reported to the police.

**43.** A public officer shall not incur personal indebtedness to the extent that it compromises his job performance or brings the public service into disrepute.

Personal indebtedness.

**44.** A public officer against whom bankruptcy proceedings have been taken under the Bankruptcy Act or who becomes insolvent

Bankruptcy.

CAP. 244.

or who has been declared a bankrupt shall within seven days of the declaration, report that fact to the Chief Executive Officer or head of department.

Acceptance of gifts.

**45.** A public officer may accept on behalf of the Government of Belize, gifts offered by—

- (a) a representative of a foreign government on the occasion of an official visit to that country; or
- (b) an organization where the gift represents the work or achievement of that organization.

Responsibility for actions.

**46.**—(1) Where a senior public officer is authorized to give instructions or compel obedience from a junior public officer, that senior public officer, *prima facie*, shall be responsible for any act or omission on the part of the junior public officer.

(2) Subject to subregulation (1) any disciplinary action for dereliction of duties shall be instituted against the senior public officer unless that senior public officer can show that the act or omission was not caused by his neglect or fault and that he took reasonable steps to prevent the act or omission.

Confidentiality.

**47.**—(1) By virtue of regulation 16 a public officer shall not, without the approval of the Chief Executive Officer or head of department—

- (a) make public or cause to be made public;
- (b) communicate or cause communication to the media or any other unauthorized persons; or
- (c) make private copies of,

any documents, papers or other information which may come to his knowledge or possession in his capacity as a public officer.

(2) Subregulation (1) shall not apply to an Order of Court, the Freedom of Information Act or any expressed provision to the contrary in any other law.

CAP. 13.

**48.**—(1) Any works produced by public officers for use of the public service, as part of the duties for which they are engaged shall—

Copyright and royalties.

- (a) be copyrighted to the Government; and
- (b) yield no financial benefit to the public officer, but the public officer may be allowed the royalties from the sale of any such work if the work is sold outside of the public service.

(2) The right of ownership is vested in public officers for any work created—

- (a) at their own initiative;
- (b) outside the scope of employment;
- (c) without the use of government resources; and
- (d) without the engagement of another public officer or other resources of the Government.

**49.** Public officers are required to—

Use of copyrighted works.

- (a) seek permission, where necessary; and
- (b) credit source with appropriate reference, for any works that is copyrighted.

**50.**—(1) A public officer shall not use works including computer software, which are subject to copyright and may require the

Royalties, etc.

payment of royalties to the author or to the authority in which the copyright is vested.

(2) The Chief Executive Officer or head of department may seek the advice of the Solicitor General where there is doubt as to whether copyright exists in a work or as to who is entitled to the royalties.

Use of  
technology.

**51.**—(1) A public officer shall not use the computer systems, software, equipment, networks, internet or email for any purpose other than for the conduct of government business.

(2) Public officers shall not—

- (a) view, download, possess or distribute pornographic images or material;
- (b) communicate images, materials or emails containing offensive language or inappropriate comments that are likely to injure the reputation of any person;
- (c) load or play any type of video game or gambling devices; or
- (d) hack into or try to defeat the security features of electronic networks.

Removal of  
property.

**52.**—(1) A public officer who, on demitting office—

- (a) makes private copies of any document that is in his possession;
- (b) destroys government property including electronic records; or

- (c) removes any government property whether by electronic means or otherwise, shall be prosecuted for offences under sections 139 to 146 or section 165 of the Criminal Code, as the case may be. CAP. 101.

(2) In such cases under subregulation (1), the matter shall be reported to the Director of Public Prosecutions for appropriate action.

**53.**—(1) Chief Executive Officers or heads of department shall ensure that procedures are in place to facilitate transparency and access to information consistent with government policy and the Freedom of Information Act. Access to information. CAP. 13.

(2) Chief Executive Officers or heads of department may designate a public officer as spokesperson to respond to public enquiries and requests for information.

**54.**—(1) A public officer shall not— Public officers and the media.

- (a) edit newspapers or take part in the management of newspapers; or
- (b) without the permission of the Chief Executive Officer or head of department, contribute to any newspaper in Belize or elsewhere on political issues;

(2) A public officer may contribute to any newspaper or social media on subjects of general interest. 26 of 2015.

(3) A public officer whether on duty or on leave, shall not allow himself to be interviewed on matters affecting the defence or military resources of Belize.

(4) A public officer shall secure prior clearance from the Chief Executive Officer or head of department to make statements to the press regarding public policy.

(5) A public officer shall not respond to questions of public policy in a manner that could reasonably be construed as criticism of government and which may call into question his ability to impartially implement, administer or advise on government policy.

(6) Where a public officer is called upon to respond to the media or participate in interviews on public policy, he shall provide only factual information for explanation and clarification.

Conduct,  
decorum, etc., at  
the workplace.

**55.**—(1) A public officer shall conduct himself—

- (a) so as to maintain an atmosphere of efficiency and purposefulness; and
- (b) with decorum so as to avoid disturbing others.

(2) A public officer shall not, at the workplace—

- (a) conduct private business or business of an entrepreneurial nature;
- (b) entertain family members and other visitors for any prolonged period;
- (c) conduct himself in a manner that would threaten security or safety of other public officers or members of the public;
- (d) possess an illegal firearm or ammunition;
- (e) use firearm or ammunition;

- (f) possess a licensed firearm or other weapon, without the prior approval of the Chief Executive Officer or head of department;
- (g) engage in loud conversation, sing or play radio above a barely audible level;
- (h) eat or drink in areas of the office which is accessible by the public;
- (i) smoke;
- (j) attach pictures, notice or similar item to office walls without the prior permission of the Chief Executive Officer or head of department, as the case may be;
- (k) use cell phones or other personal electronic devices—
  - (i) during the normal working hours; or
  - (ii) when interfacing with the public or other public officers; or
  - (iii) when participating in meetings or other functions in the course of duty, in any manner that would disrupt the efficient performance of his duties; or
- (l) use text messages as a substitute for direct communication.

**56.**—(1) A public officer shall not arrive under the influence of a controlled drug or use drugs at the workplace and may be required to submit to a drug test in accordance with regulation 10 where there is reasonable suspicion.

Abuse of drug.

(2) This regulation shall be administered in accordance with regulation 9(2).

Sexual harassment, etc.  
CAP. 107.

**57.**—(1) For the purpose of this regulation, sexual harassment has the meaning assigned in section 3 of the Protection Against Sexual Harassment Act.

(2) A public officer who alleges sexual harassment shall make the application in accordance with section 10 of the Protection Against Sexual Harassment Act.

CAP. 107.

(3) A public officer shall not—

- (a) undertake any action, or make a comment that demeans, belittles, embarrasses or personally humiliates another public officer;
- (b) threaten or intimidate another public officer;
- (c) engage in improper or offensive conduct; or
- (d) discriminate against another public officer in any manner that would cause harm to that public officer's job security or well-being.

(4) A public officer who engages in behaviour contrary to subregulation (3) is subject to the procedures specified in regulation 84.

Use of government vehicles.

**58.**—(1) A public officer shall not use government vehicles for private purposes or drive a government vehicle unless that public officer is an authorized driver.

26 of 2015.

(2) For the purpose of subregulation (1), an authorized driver is a public officer issued with an authority by the Ministry responsible for Vehicle Care.

**59.**—(1) The Finance and Audit (Reform) Act, the Financial Orders and Stores Orders, shall govern the conduct of public officers in relation to receipt, custody and disbursement of public funds and the custody of stores.

Conduct in financial matters.  
CAP. 15.

(2) Disciplinary action shall be instituted against a public officer in accordance with the Finance and Audit (Reform) Act, the Financial Orders and Stores Orders for conduct relating to misappropriation of public funds, forgery, or issuance of false documents;

CAP. 15.

**60.**—(1) A public officer shall not participate actively on behalf of any political party or candidate in any elections held under the—

Engagement in political activities.

(a) Representation of the People Act;

CAP. 9.

(b) Belize City Council Act;

CAP. 85.

(c) Belmopan City Council Act;

CAP. 86.

(d) Town Councils Act; or

CAP. 87.

(2) Without prejudice to the generality of subregulation (1), a public officer shall not—

(a) accept nomination for election as a candidate, or appointment to an office of a political party whether paid or unpaid;

(b) offer himself as candidate for election under any of the Acts specified in subregulation (1), unless he first resigns from the public service;

(c) make speeches or answer questions at public meetings in a manner which indicates support for, or antipathy towards, any political party or politician;

- (d) assist in the election campaign of political candidates;
- (e) write letters to the press which refer to political matters and indicate party bias;
- (f) distribute literature which advocates the pursuance of a particular party policy;
- (g) show favour to members of a particular party when dealing with the public or when dealing with any form of public business;
- (h) solicit funds for any candidate or any political party; or
- (i) engage in any activity of a party political nature.

Representation to members of the National Assembly prohibited.

**61.**—(1) A public officer shall not make representations to a member of the National Assembly with respect to the public officer's terms and conditions of service.

(2) A public officer may make representations regarding his terms and conditions of service -

- (a) personally; or
- (b) through a recognised representative registered or recognised under the Trade Unions and Employer's Organisations (Registration, Recognition and Status) Act,

CAP. 304.

to the Chief Executive Officer or head of department, as the case may be.

(3) Where the Chief Executive Officer or head of department, as the case may be, receives a representation under

subregulation (2), the Chief Executive Officer or head of department shall—

- (a) deal with the matter and respond to the representation within fourteen days from the date of receipt; or
- (b) where the matter cannot be dealt with, forward the representation to the appropriate authority within seven days from the date of receipt of the representation.

(4) Subject to subregulation (3)(a), the Chief Executive Officer or head of department, as the case may be, shall state his position with respect to the representations made and make recommendations to the appropriate authority.

(5) Where twenty-one days has elapsed from the date of receipt of the representation, the public officer who made the representation may forward a copy of the representation to the appropriate authority.

(6) For the purpose of this regulation, “appropriate authority” means the Ministry, Ministry responsible for Finance, the Commission, or the Governor-General, as the case may be.

**62.**—(1) Where legal proceedings are instituted against a public officer for any act or omission in the performance of his duties, such public officer shall be entitled to the cost of legal assistance if the Director of Public Prosecutions or the Solicitor General advises the Attorney General that it is a proper case for legal assistance and the Attorney General is of the opinion that it is in the public interest for such assistance to be given.

Legal proceedings against public officers.

(2) Where proceedings brought against a public officer are defended by Government, and the Solicitor General considers that it would be advisable to settle such proceedings, the Solicitor General shall recommend to the Financial Secretary

the amount which he considers should be made to settle such proceedings.

(3) Where, as a result of the act of a public officer, legal proceedings are successfully brought against the Government, and the Government considers it desirable to settle such proceedings out of court, disciplinary action or surcharge may, if the circumstances so warrant be instituted against such public officer

## PART 8

### *Performance Management System*

Objects.

**63.** The Ministry shall employ the Performance Management System to assist in achieving strategic goals and objectives through greater efficiency, professionalism and integrity, which shall—

- (a) optimize the utilization of human and other resources;
- (b) facilitate continuous improvement of efficiency and effectiveness of the public service; and
- (c) facilitate continuous improvement of the quality of programmes and services delivered to the public.

Authority for Performance Management System.

**64.**—(1) The responsibility for monitoring the overall operation of the Performance Management System is vested in the Ministry.

(2) Chief Executive Officers or heads of department shall—

- (a) implement the Performance Management System within their respective ministry or department; and
- (b) be guided by the manual for the Performance Management System.

**65.** The Performance Management System shall consist of an appraisal of public officers in the following areas—

Areas of assessment, etc.

- (a) general awareness of the overall context and environment within which the public service operates;
- (b) a general knowledge of the vision, mission, mandate, and values of the public service;
- (c) an in-depth knowledge of the specific goals and objectives of the ministry or department within which the public officer is required to function;
- (d) a thorough knowledge of the duties of the position which the public officer holds (job description, project description, terms of reference);
- (e) the agreement reached through dialogue and negotiation on specific performance expectations and performance assessment criteria, for the period under consideration;
- (f) the agreement on the timing of fixed periodic reviews and feedback sessions;
- (g) the commitment to regular on-going feedback; and

- (h) the commitment to pursue follow-up measures resulting from reviews and feedback sessions, in particular, training and development actions.

Requirements of first reporting officer.

**66.**—(1) In conducting an appraisal under the Performance Management System, a first reporting officer is required to—

- (a) be knowledgeable of the areas of assessment under regulation 65;
- (b) ensure that work is defined and organized to achieve strategic goals and objectives;
- (c) ensure that each public officer within the ministry or department has an up-to-date job description showing scope of responsibilities and specific duties;
- (d) provide effective leadership, give clear consistent direction, and provide necessary resources and relevant tools to get the job done;
- (e) provide or facilitate opportunities for training and development in order to enhance performance;
- (f) prepare and discuss with public officer the performance expectations and performance assessment criteria (performance agreement);
- (g) conduct assessment based on the performance agreement and prepare performance report; and
- (h) append his signature to the performance appraisal report.

(2) For the purpose of this regulation, the “first reporting officer” is the immediate supervisor of a public officer and who is responsible for completing the performance appraisal report of that public officer.

**67.**—(1) A second reporting officer is required to—

Requirements of second reporting officer.

- (a) ensure that an assessment is carried out impartially;
- (b) seek to resolve any disagreement which may result from the assessment process;
- (c) make recommendations where necessary;
- (d) append his signature to the performance appraisal report; and
- (e) ensure completion of performance assessment in a timely manner.

(2) For the purpose of this regulation, the “second reporting officer” is the Chief Executive Officer, head of department or other senior public officer who is responsible for verifying the assessment of the first reporting officer contained in the performance appraisal report of a public officer.

**68.** Public officers are required to—

Requirements of public officers.

- (a) improve their qualifications, knowledge and skills;
- (b) maintain awareness of the areas of assessment specified under regulation 65;
- (c) agree with their supervisor on performance expectations and performance assessment criteria;

- (d) discuss performance assessment with the first reporting officer;
- (e) know and understand consequences for consistent unsatisfactory performance;
- (f) subject to regulation 71(1) append their signatures to the performance appraisal report.

Requirements of administrative officer.

**69.** An administrative officer in the capacity of a human resource manager is required to—

- (a) be knowledgeable of the Performance Management System;
- (b) advise other public officers in the exercise of their responsibilities;
- (c) organize sessions of orientation pursuant to regulation 29;
- (d) maintain proper records and information management systems;
- (e) monitor and review the processes under the Performance Management System; and
- (f) receive complaints from public officers and provide guidance and counselling.

Performance appraisal report.

**70.** The Chief Executive Officer or head of department shall ensure that every public officer is assessed on a bi-annual basis and a performance appraisal report is duly completed and submitted to the Ministry within thirty days from the date of assessment.

Redress and recourse.

**71.**—(1) Where a public officer disagrees with the performance appraisal report, he may seek redress from the Chief Executive

Officer or the head of department prior to fulfilling the requirement under regulation 68(e) and (f).

(2) If no redress is obtained, the public officer may attach his comments to the performance appraisal report and sign said performance appraisal report.

(3) In every case where there is an unresolved disagreement, an investigation into the performance appraisal report shall be conducted by the Ministry.

**72.** In accordance with the approved policy, merit awards may be granted to any public officer whose service is outstanding as reported in the performance appraisal report.

Meritorious award.

PART 9

*Industrial Relations*

**73.**—(1) The Ministry shall be the authority to engage in collective bargaining or any other form of employer and employee relations.

Authority for industrial relations and protocol.

(2) The administration of the policies and procedures relating to employer and employee relations is vested in the Ministry.

**74.** The development of policies, procedures and good management practices that support and promote sound industrial relations is the joint responsibility of the Ministry and the recognised representatives.

Joint responsibility for good management practices.

**75.** Chief Executive Officers and heads of department shall—

Responsibilities of the employer.

- (a) recognize and respect the rights of the recognised representatives to represent their members and to advocate on their members' behalf;

- (b) respect the rights of public officers to belong to the recognised representative body and to take part in the activities of this body;
- (c) jointly with the recognised representative, maintain effective arrangements at all levels for consultation and communication and for settling grievances and disputes;
- (d) ensure that relations are maintained with public officers and their recognized representative for communication and consultation and for the settlement of grievances and disputes;
- (e) establish and maintain adequate procedures for communication and consultation with public officers and their recognized representative for the settlement of grievances and disputes;
- (f) ensure that the established policies and procedures are known, understood and implemented by all public officers of the management and supervisory team;
- (g) ensure that all supervisory staff—
  - (i) have clearly defined responsibilities in the organizational structure;
  - (ii) are in charge of manageable work groups;
  - (iii) understand their responsibilities;
  - (iv) have the necessary qualities and training; and

- (v) have exposure and knowledge of procedures in industrial relations;
- (h) ensure that supervisors are cognizant of management policies and how such management policies affect individual work groups;
- (i) maintain an effective link between management and members of their work groups;
- (j) implement policies and practices for social and educational improvement of public officers in addition to discharging obligations in respect of the terms and conditions of employment; and
- (k) keep in focus the public interest at all times.

**76. A public officer shall—**

- (a) know, understand and be familiar with the terms and conditions of his employment;
- (b) perform duties to the best of his abilities with due regard to the performance and behaviour expectations established by the Ministry;
- (c) ensure that health, safety or well-being of fellow public officers are not compromised by his actions and behaviour;
- (d) exercise his right to belong to a recognized representative body and to support it;

Responsibilities  
of public  
officers.

- (e) know, understand and abide by the established policies and procedures for dealing with grievances and disputes; and
- (f) keep in focus the public interest at all times.

Grievance  
procedures.

**77.**—(1) The Ministry, in consultation with public officers or public officers' recognized representatives, shall establish and disseminate written procedures to settle grievances.

(2) Every public officer has a right to seek redress for grievances relating to his employment.

Procedures for  
resolution of  
disputes.

**78.** The Ministry shall set procedures for resolution of disputes which shall—

- (a) be in writing;
- (b) specify the stages of redress;
- (c) state the stage at which an issue may first be raised;
- (d) set time limits for each stage of the process and provide for extension by agreement among the affected parties;
- (e) include a recourse to the ministry with responsibility for labour, conciliation or arbitration services; and
- (f) preclude a strike or lock-out until all stages of the procedure are exhausted without a resolution of the dispute.

Industrial action.

**79.** Disputes in the public service which may involve or give rise to industrial action shall be determined in accordance with any law, policies or procedures existing for such purpose.

**80.**—(1) Unless a contrary intention appears in the Settlement of Disputes in Essential Services Act or any other law, if an industrial dispute results in a strike, the salaries and wages of public officers on strike shall not be paid for any day or portion of a day during which those public officers are on strike.

Strike by public officers.  
CAP. 298.

(2) Public officers working in essential services under the Settlement of Disputes in Essential Services Act shall not proceed on strike unless the requirements under the Settlement of Disputes in Essential Services Act are fulfilled.

CAP. 298.

(3) Without prejudice to subregulation (1)—

- (a) if a public officer reports for work on any day of a strike but does not work for the day, he shall not receive pay in respect of that day;
- (b) if a public officer works only for a part of a day of a strike he shall not be paid for that period of the day during which his services were withheld,

(4) Any public officer who engages in a strike not arising out of, or not resulting from an industrial dispute, renders himself liable to disciplinary action, including dismissal.

(5) At the commencement of a strike, Chief Executive Officers or heads of department shall inform all public officers on leave of the existence of the strike and request them to report for duty immediately.

(6) A public officer who fails to report to work pursuant to subregulation (5) shall, in the absence of satisfactory explanation, be considered to be in support of the strike and shall not be eligible for pay from the date of the commencement of the strike until such time as he reports for duty and resume work, or until the strike is concluded, whichever occurs first.

(7) Subregulation (6) shall apply to all public officers on any type of leave except—

- (a) sick leave;
- (b) maternity leave;
- (c) leave on urgent private affairs;
- (d) special leave;
- (e) study leave;
- (f) leave outside Belize; and
- (g) duty leave.

(8) Where a public officer reports for duty but is precluded from work due to a circumstance beyond his control, the Chief Executive Officer or head of department shall make a distinction between this class of worker and the *bona fide* strikers and the Chief Executive Officer may institute an inquiry for the purpose of making such a distinction.

(9) The Chief Executive Officer or head of department may pay a public officer of the class specified in subregulation (8) if it is considered that the circumstances justify non-performance of duty during the period of strike.

## PART 10

### *Discipline of Public Officers*

Disciplinary  
procedure.

**81.**—(1) A public officer who, without reasonable excuse, does an act or omission which—

- (a) amounts to failure to perform in a proper manner any duty assigned to him including discourtesy to members of the public;
- (b) contravenes any provision of these Regulations governing the conduct of public officers; or
- (c) is prejudicial to the efficient conduct of the public service, or bring the public service into disrepute,

is liable to disciplinary proceedings for that misconduct in accordance with the provisions of this Part.

(2) Where an act of misconduct is alleged to have occurred and the Chief Executive Officer or head of department considers that disciplinary measures may be necessary, the Chief Executive Officer or head of department shall apply the procedure set out in subregulations (3) and (4).

(3) For the purpose of subregulation (2), the following procedure shall apply—

- (a) the Chief Executive Officer shall submit the case of alleged misconduct to the Commission; 26 of 2015.
- (b) the Commission shall examine the case and based on the result of the examination, issue a letter to show cause to the relevant public officer;
- (c) the person affected shall respond to the letter to show cause within two weeks from the date of receipt of the letter to show cause;

- (d) the Commission shall, on receipt of the response under paragraph (c) examine the response and determine whether a hearing is necessary;
  - (e) where the Commission determines that a hearing is necessary the Commission shall—
    - (i) set a date for hearing within seven days from the date of receipt of the response;
    - (ii) convene the hearing and determine the case; and
    - (iii) convey the decision to the public officer affected.
- (4) The procedure under subregulation (3) shall—
- (a) ensure the rights of all parties are protected;
  - (b) be consistent with the conditions of employment;
  - (c) begin with an investigation;
  - (d) ensure that the public officer affected receives notice and details of the case under consideration;
  - (e) guarantee all parties the right to be heard;
  - (f) guarantee all parties the right to representation;
  - (g) ensure unbiased decision-making;
  - (h) guarantee all parties the right to appeal; and

- (i) ensure that the process is completed within ninety days. 26 of 2015.

**82.**—(1) A minor misconduct is any of the following—

Misconduct defined.

- (a) failure, without good and sufficient cause carry out duties promptly and diligently;
- (b) failure, without good and sufficient cause, to carry out instructions given by the supervisor;
- (c) failure, without good and sufficient cause, report for duty at the allotted time and place or is absent without proper authorization;
- (d) negligence in the performance of duties;
- (e) feigning or exaggerating sickness or injury with a view to evading duty;
- (f) insubordination, rudeness, or use of improper language;
- (g) abuse, damage to, loss or removal of government property;
- (h) failure to report for drug test at the date and time specified by the Chief Executive Officer or head of department, as the case property
- (i) conduct by a head of department under regulation 5(3);
- (j) failure to comply with any policy, Act, other provision of a regulation or order governing employment;

- (k) any other breach of the code of conduct determined by the Commission to be of a minor consequence; or
- (l) any other conduct for which a public officer may be cautioned, referred for coaching, mentoring, or treatment under the Employee Assistance Programme pursuant to regulation 206.

(2) A major misconduct is any of the following–

- (a) use obscene, abusive, threatening or insulting language or behaviour towards another public officer or member of the public;
- (b) aids, abets or incites major misconduct by another public officer;
- (c) making false claims including false allegations of sexual harassment under regulation 57;
- (d) pilfering;
- (e) acceptance of bribe;
- (f) theft, extortion, or misappropriation;
- (g) Embezzlement;
- (h) fraud or dishonesty;
- (i) concealing loss or irregularity of government finance;
- (j) reporting for duty under the influence of finance;

- 
- (k) taking illegal drug, alcohol or abusing prescription drug during working hours;
  - (l) sexual harassment pursuant to regulation hours;
  - (m) sabotage;
  - (n) making false declarations in the course of duty or public service;
  - (o) physical assault of another public officer or member of the public while on duty;
  - (p) breach of confidentiality;
  - (q) any other conduct which amounts to a series of acts or omission, incompetence, misbehaviour; or low productivity established over a period of six months; or
  - (r) any of the following acts committed by a public officer as a second offence—
    - (i) unauthorized absences and failure to satisfactorily correct behaviour after such absences are brought to that public officer's attention;
    - (ii) any case of tardiness or unauthorized absence where such case is made more serious due to the attendant circumstances or the penalty made more severe in consideration of the seriousness of the misconduct;
    - (iii) any of the conduct specified in subregulation (1)(f), (g) or (h);

- (iv) breach of public service code of conduct which the Commission determines are of major consequence; or
- (v) failure to report to duty during a strike pursuant to regulation 80.

Procedure on  
minor  
misconduct.

**83.**—(1) A Chief Executive Officer or head of department shall issue an oral warning to a public officer for minor misconduct under regulation 82(1).

(2) If, after the oral warning a public officer's conduct does not improve, the Chief Executive Officer or head of department shall warn the public officer in writing and the public officer shall, in writing, acknowledge receipt of such warning.

(3) The Chief Executive Officer or head of department may copy the warning issued under subregulation (2) to the Ministry.

(4) Subject to subregulations (1) and (2), where a public officer fails to improve his conduct, the Chief Executive Officer may recommend disciplinary procedures as follows—

- (a) the public officer shall be notified in writing of the grounds upon which it is intended that he be disciplined, and he shall be given full opportunity to explicate himself;
- (b) where the public officer fails to respond to the notice under paragraph (a) or acts in such a manner as to obstruct the process, the Chief Executive Officer may report the matter to the Commission pursuant to regulation 81; and
- (c) The Chief Executive Officer shall, as soon as possible, forward to the Commission a report containing the following information—

- (i) the grounds for disciplinary action;
- (ii) the public officer's explanation; and
- (iii) such other reports and documentary evidence relevant to the case.

(5) Pursuant to subregulation (4)(c), the Commission may make a determination on the case in accordance with regulation 82 (1) and apply any of the following measures—

26 of 2015.

- (a) dismiss the case;
- (b) impose any of the following penalties—
  - (i) caution;
  - (ii) surcharge;
  - (iii) fine; or
  - (iv) suspension of increment; or
- (c) refer the public officer to the following programmes—
  - (i) coaching or mentorship programme; or
  - (ii) employee assistance programme under regulation 206.

**84.**—(1) Where a public officer commits an act of major misconduct, the Chief Executive Officer shall notify the public officer of the grounds for disciplinary action and request the public officer, to explicate himself, within ten days of the date of the request.

Procedure on major misconduct.

(2) Where the public officer fails to respond to the notice under subregulation (1) or acts in such a manner as to obstruct the process, the Chief Executive Officer shall report the matter to the Commission accordingly.

(3) The Chief Executive Officer shall, immediately, forward to the Commission a report containing the following information—

- (a) the grounds for disciplinary action;
- (b) the public officer's explanation; and
- (c) such other reports and documentary evidence relevant to the case.

(4) *Revoked by S.I. 26 of 2005.*

(5) Where the Commission is informed of an alleged act of major misconduct by a public officer and the Commission is of the opinion that it is in the public interest or the reputation of the public service so requires, in accordance with regulation 92, the Commission may suspend the public officer from duty with full pay for sixty days in the first instance and an additional thirty days thereafter if necessary.

(6) The public officer may request to appear before the Commission with a union representative, an attorney-at law or any other person required for assistance at the hearing and the Commission shall approve such request.

(7) If any witnesses are called to give evidence, the public officer, his union representative, attorney-at-law or such other person shall be entitled to be present and to put questions to the witnesses.

(8) No documentary evidence shall be used against the public officer unless he has previously been supplied with a copy thereof or given access thereto.

(9) Subject to regulations 81 and 82(2) and subregulation (7) of this regulation, the Commission may— 26 of 2015.

- (a) dismiss the case;
- (b) impose a penalty under regulation 83(5)(b);
- (c) demote the public officer;
- (d) dismiss the public officer;
- (e) retire the public officer in the public interest;  
or
- (f) impose some other appropriate penalty as specified in regulation 85.

(10) A procedure under this regulation, where practicable, shall be concluded within ninety days from the date of notice under subregulation (1).

(11) Where it is alleged that a public officer has committed a major misconduct of sexual harassment, the procedures under these regulations shall not apply if the procedures specified under the Protection Against Sexual Harassment Act are instituted. CAP. 107.

**85.**—(1) Where the Commission sees fit, having regard to the seriousness of the misconduct, the Commission may impose one of the following penalties or a combination thereof instead of the penalties specified in regulation 83(5)(b) or regulation 84(9)— Other penalties.

- CAP. 15.
- (a) surcharge in accordance with Finance and Audit (Reform) Act;
  - (b) stoppage or loss of increment for a specified period;
  - (c) suspension without pay for a period not exceeding three months;
  - (d) withholding of a quantum benefit;
  - (e) Termination;
  - (f) retirement in the public interest; or
  - (g) Dismissal.

(2) A public officer may be retired in the public interest on recommendation made from the Chief Executive Officer to the Commission, or the Commission may make the consideration in its own right.

(3) A public officer may be dismissed—

- (a) if proven to be absent from duty for five consecutive days without permission from his supervisor or head of department, from the first day of absence; or
- (b) for repeated tardiness or unexcused absence and has failed to satisfactorily correct behaviour after offences have been brought to the public officer's attention.

Entitlement on dismissal.

**86.**—(1) A public officer whose appointment is confirmed may be dismissed at any time on the grounds of major misconduct.

(2) A public officer who is dismissed shall be entitled to payment of salary *in lieu* of all vacation leave accrued to him.

(3) A public officer who is dismissed shall not claim retirement benefits under the Pensions Act.

CAP. 30.

(4) Any pension benefits accruing to the public officer shall be dealt with in accordance with section 5(2) of the Pensions Act.

CAP. 30.

**87.** The Commission shall not be bound by the rules of evidence usually applicable to proceedings in a court but the Commission shall—

Standard of proof, evidence, etc.

- (a) Adhere to the principles of natural justice;
- (b) act independently, impartially and seriously;
- (c) conduct its proceedings in a timely manner; and
- (d) adjudicate matters before it in accordance with the principles of “on the balance of probabilities”.

**88.**—(1) If without good reason, the public officer against whom disciplinary proceedings have been instituted does not attend the hearing, the Commission may proceed and conclude the matter in his absence.

Procedure on non-attendance by public officer.

(2) Where good reason is given to the Commission on behalf of the public officer as to why he is unable to attend the hearing, the Commission may postpone the matter but not to the extent that timely and effective discipline prejudiced.

(3) For the purpose of subregulation (2), the fact that a public officer is in prison at the time of the hearing does not amount to good reason.

- Record of disciplinary proceedings and hearings. **89.** The Commission shall keep a record of disciplinary proceedings or hearings which shall contain statements of evidence, the findings of the Commission, together with reasons for the findings and the penalty imposed.
- Public officer to be informed of right of appeal. **90.** The Commission shall, as soon as possible, inform the public officer in writing of its findings, the penalty imposed, and his right to appeal the determination of the Commission to the Belize Advisory Council and of the time required for making such application.
- Effect of appeal. **91.**—(1) Where the public officer lodges an appeal with the Belize Advisory Council within the specified period, the penalty shall take effect pending the determination of the appeal by the Belize Advisory Council.
- (2) The post occupied by a public officer., who has filed appeal to the Belize Advisory Council against a decision of a Commission, shall not be substantively filled while the appeal is in progress.
- Procedure for suspension. **92.**—(1) The Chief Executive Officer shall, where the conditions specified in regulation 84(5) have occurred, submit to the Commission a preliminary report and request for immediate suspension of a public officer.
- 26 of 2015. (2) The Commission may, pursuant to regulation 84(5), issue a letter of suspension.
- 26 of 2015. (3) The Chief Executive Officer shall submit a final report to the Commission within one month of the date of suspension.
- (4) The Commission shall issue a show cause letter within two weeks of the date of receipt of the final report.
- (5) The public officer may, within two weeks of the date of receipt of the show cause letter under subregulation (4), respond

to the show cause letter as well as making the request pursuant to regulation 84(6).

(6) The Commission shall, set a hearing date and convene the hearing within two weeks of the expiration of the period given under subregulation (5), whether or not the public officer has provided a response to the show cause letter.

(7) The Commission may grant no more than one adjournment to each party in a disciplinary proceeding.

(8) The Commission shall convey its decision to the public officer within two weeks of the date of hearing.

(9) The effective date of suspension is the date specified in the notice.

(10) A public officer on suspension shall—

- (a) cease to report for duties immediately on receipt of the notice;
- (b) cease to receive all allowances except housing allowance approved to him prior to his suspension,
- (c) make himself available to the Commission until the conclusion of the matter; and
- (d) report to the Chief Executive Officer or head of department at ten days intervals until the conclusion of the case.

(11) A public officer who is under suspension shall not, without the written permission of the Commission, leave the country during the course of the suspension.

(12) Where a public officer is suspended and disciplinary proceedings are not instituted within ninety days of the date of suspension, the Commission shall set the suspension aside and the public officer shall be reinstated.

**93.** *Revoked by S.I. 26 of 2015.*

Public officer on  
criminal charge.

**94.**—(1) A public officer who is charged with a criminal offence shall immediately report the matter to the Chief Executive Officer or head of department.

(2) Pursuant to subregulation (1), the Chief Executive Officer or head of department shall request a report from the Police Department with respect to the charge and upon receipt, immediately submit such report to the Ministry, with a recommendation for or against the interdiction of the public officer, pursuant to regulation 95(1).

(3) Where it is alleged that a public officer has committed a criminal offence and that public officer fails to report the matter, the Chief Executive Officer or head of department shall request a report from the Police Department with respect to the allegation, and, upon receipt, immediately submit such report to the Ministry with a recommendation for or against the interdiction of the public officer, pursuant to regulation 95(1).

(4) A public officer who is on a criminal charge may be interdicted from the exercise of the powers and functions of his office in accordance with regulation 95.

Interdiction.

**95.**—(1) Where a public officer is alleged to have committed a criminal offence, and where legal proceedings are being taken against that public officer, if the public interest so requires, the Commission may interdict the public officer from the exercise of the functions of his office.

(2) A public officer who is under interdiction shall—

- (a) receive such portion of the salaries of his office not being less than one-half as the Commission shall approve;
- (b) cease to receive all allowances approved to him prior to his interdiction.

(3) A public officer who is under interdiction shall not, without the written permission of the Commission, leave the country during the period of interdiction.

(4) Where a public officer is convicted of a criminal charge, such charge being serious enough to warrant his dismissal from the service, the public officer shall not receive any salaries and allowances from the date of conviction.

(5) In making a determination under subregulation (4) in relation to the seriousness of the offence, the Commission shall have regard to—

- (a) whether the criminal offence was committed during working hours;
- (b) the nature of the criminal offence in relation to the duties of the public officer;
- (c) the effect of the criminal offence on the reputation of the public service;
- (d) whether the public officer convicted would create a serious risk to other public officers or the public; and

- (e) damage or loss of government property and where such damages or loss is proved to be the result of a public officer's negligence, such public officer shall be subject to a surcharge in accordance with the Finance and Audit (Reform) Act.

CAP. 15.

(6) If the public officer is not convicted of the criminal charge, the Commission may provide the public officer with an opportunity to explain himself and thereafter determine whether the public officer may be subject to disciplinary proceedings pursuant to regulation 83 or 84, as the case may be.

## PART 11

*Transfers, Posting and Residential Quarters*Transferability  
and purpose.

**96.**—(1) Subject to transfers pursuant to regulations 27 or 39, a public officer is subject to transfer.

(2) The Chief Executive Officer shall recommend transfer of public officers on the following principles—

- (a) career development of public officers, particularly those in the clerical, secretarial, administrative and finance grades; or
- (b) recommendation by heads of department, the rotation of public officers in technical grades, in the best interest of the department, the public officer and the delivery of quality professional service to the public.

(3) A transfer may be effected for the purpose of—

- (a) greater efficiency and effectiveness in the functioning of the public service;

- (b) enhancing service delivery;
- (c) career development; or
- (d) broadening of work experience.

(4) A transfer shall be determined on the basis of the human resource needs of a Ministry or department.

(5) Transfers are for the benefit of the public service, the department to which the public officer is transferred well as public officers, and shall not be used as a punitive measure.

(6) All public officers shall be transferred on a rotation basis to ensure equity and fairness.

**97.**—(1) A public officer may, in writing, request a transfer for personal reasons and the Commission may approve the transfer if the transfer coincides with the best interest of the Ministry or department.

Transfer initiated by a public officer.

(2) A public officer transferred in accordance with subregulation (1) shall not be eligible to receive the allowances under regulation 125.

26 of 2015.

**98.**—(1) The Ministry shall endeavour, as much as possible, to maintain the constancy of staff at the middle management level in ministries to foster the “Management Team” concept.

Principles governing transfers.

(2) For the purpose of subregulation (1)—

- (a) middle management includes public officers in the post of finance officer, administrative officer, senior secretary and secretary I;
- (b) “Management Team” is defined by a Ministry’s policy regarding decision making by its senior officers.

(3) Public officers in these grades may be transferred in the exigencies of the public service after consultation with respective Chief Executive Officer.

Notice of transfer.

**99.** Notice of intention to transfer shall be given by the Chief Executive Officer or head of department to a public officer and the Chief Executive Officer of the Ministry between the months of January to March of each year.

Effective months of transfer.

**100.**—(1) Transfers that would require a change in station by the public officer shall be effected during the months of July and August of each year to facilitate the smooth transfer of public officers with children attending school during a current school year.

(2) Where a need arises to effect the transfer of a public officer outside the period stated under subregulation (1), the Commission shall approve the transfer if such a request is made by the Chief Executive Officer as an exception and upon the Commission's satisfaction that sufficient justification for the transfer is made.

Tour of duty.

**101.**—(1) A transfer in the public service shall be for a tour of at least two years but not more than three years.

(2) Notwithstanding subregulation (1), any tour of less than two years shall be accepted only where the exigencies of the public service require.

(3) For the purpose of subregulation (2), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the public officer shall be entitled to benefits under regulation 121.

**102.** A public officer who requests and is approved a transfer under regulation 97 of these Regulations shall not be eligible for a transfer grant.

Non eligibility for transfer grant. 26 of 2015.

**103.**—(1) The authority for the approval of posting of public officers is vested in the Chief Executive Officer of the Ministry.

Posting due to exigencies of the service.

(2) A public officer may be posted from one station, ministry, or department to another as the exigencies of the public service require, for a period of not more than three months.

(3) For the purpose of subregulation (2), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the posting shall be approved.

(4) Notwithstanding subregulation (2), in exceptional cases, a posting may be subject to a further extension of up to three months but no additional extension shall be considered.

(5) A public officer who is posted away from his station shall be entitled to a commuting subsistence allowance under regulation 120.

**104.**—(1) A public officer who is provided with residential quarters may be permitted to occupy such quarters during his tenure in that station.

Occupation of residential quarters.

(2) A public officer, prior to retirement or termination of appointment, shall vacate official residential quarters within one month after the date of retirement or termination.

**105.** Where a public officer dies while occupying residential quarters, the public officer's family may be permitted by the Chief Executive Officer or head of department to continue occupying the quarters for a period not exceeding three months from the date of such death.

Death of public officer occupying residential quarters.

Quarters to be kept clean.

**106.**—(1) A public officer who occupies a residential quarter shall be required to keep such quarter and the surrounding area in a clean, tidy and sanitary condition at their own expense.

(2) Before vacating a residential quarter, a public officer shall ensure that the quarter is in a clean and sanitary condition.

No alteration of quarters.

**107.** A public officer who occupies a residential quarter shall not modify or make structural alterations or install electrical fittings or lighting equipment without the approval of the Financial Secretary.

In the event of damage, public officer to make good such damage.

**108.** Where a residential quarter, furniture, electrical appliance, fixture or ground is damaged, and such damage, in the opinion of the Chief Executive Officer or head of department, is due to carelessness or negligence on the part of the public officer, an account of the charges for making good such damages shall be rendered to the public officer by the head of department concerned and the amount of such account shall be paid by the public officer to the Government.

Yearly reports on quarters.

**109.** The Chief Engineer in the Ministry responsible for Works shall, as soon as possible, forward to the Financial Secretary yearly reports on the condition of all residential quarters.

## PART 12

### *Salaries and Allowances*

Salaries for public officers.

**110.**—(1) The salary scales attached to public offices shall be as approved by the Ministry responsible for Finance.

(2) Where the salary of any post is scalar, subject the provisions of these Regulations, it shall be normal for a public officer to be paid initially the minimum salary of the scale and for his salary to be increased by annual increments in

accordance with regulation 112 at the rate provided in the scale until he reaches the maximum salary.

(3) In special circumstances, appointments may be made at a salary higher than the minimum salary on the scale of the recruiting grade.

**111.**—(1) The incremental date shall be—

Incremental date.

- (a) the first day of the month if a public officer's date of appointment or promotion falls within the first to the fifteenth day of the month; or
- (b) the first day of the following month if a public officer's date of appointment or promotion falls after the fifteenth day of the month.

(2) Subject to any specific conditions of appointment, continuous services for a year on the part of a public officer in a post to which an annual scalar salary is attached shall, if satisfactorily performed, qualify such public officer for the grant of an increment to his salary.

**112.**—(1) The outcome of the performance appraisal report of a public officer shall be the determining factor for the granting or withholding of an increment to that public officer.

Grant of increments.

(2) Notwithstanding subregulation (1), a public officer who is absent from duty on sick leave for a period of not more than six months in an assessment year shall be entitled to the grant of an increment provided that the public officer's performance is satisfactory.

(3) A public officer, on return from study leave, and with the approval of the Chief Executive Officer of the Ministry, is entitled to the grant of an increment for each successful year of study.

(4) The effective date of the grant of increments is the date of resumption of duty after study leave.

(5) Subregulation (3) does not apply in cases where a public officer was on approved study leave without pay.

Salary payable on promotion.

**113.**—(1) A public officer, on promotion, shall receive the minimum salary of the post to which he is being promoted where the difference between his salary and the minimum of the higher post is not less than two increments on the higher scale.

(2) A public officer, on promotion, having served a minimum of six months towards his annual increment, shall be awarded a nominal increment on his former salary scale.

(3) A public officer, who is promoted immediately on his return from study leave, shall receive salary at the point nearest to his salary adjusted in accordance with regulation 112 (3), plus two increments on the higher scale.

(4) On promotion, a public officer's incremental date shall change in accordance with regulation 111.

Increment for qualifications. Schedule 2.

**114.** The grant of an increment for the various types of qualifications shall be in accordance with Schedule 2.

Retention of services of a public officer in former department.

**115.**—(1) Where a public officer is promoted or transferred on appointment to a post in another Ministry or department, arrangements shall be made for the public officer to assume his new post on the date of his promotion or appointment.

(2) Where exceptional circumstances necessitate that the public officer retains the post in the previous Ministry or department beyond the date of his promotion or date of transfer, he shall be regarded as holding his new post as from the date that the promotion or transfer on appointment was approved.

(3) In any case under subregulation (2), the approval of the Chief Executive Officer of the Ministry, to retain the public officer in his previous post, shall first be obtained.

**116.**—(1) Where the salary scale of a public officer’s post is revised, the public officer shall enter the revised salary scale at the salary which corresponds to the salary he had reached in the previous salary scale.

Salary conversion on revision of post.

(2) Where the salary of the public officer is not reflected on the revised salary scale, he shall enter the revised salary scale at a salary nearest his current salary provided that the public officer does not suffer any financial loss.

(3) The public officer’s incremental date shall not be affected by conversion under this regulation.

**117.**—(1) The payment of acting allowance shall be approved if a public officer is required to act for a period of more than fourteen consecutive days.

Acting allowance.

(2) The amount of acting allowance payable shall be the difference between the salary which the public officer is receiving in his substantive post and the minimum salary of the office in which he is acting.

(3) Where the salary of the public officer appointed to act is more than the minimum salary of the post in which he is acting, an acting allowance of not less than two increments on the higher scale shall be

**118.**—(1) A public officer may be granted a responsibility allowance of an amount not exceeding the acting allowance if he—

Responsibility allowance.

(a) is not eligible for an allowance under regulation 117; or

- (b) is required to undertake any duty over and above what is required of a public officer in his current post.

(2) This regulation does not apply to a public officer who is required to—

- (a) undertake clerical duties; or
- (b) undertake duties of a post at a lower level than the post he currently holds.

Subsistence and meal allowance.

**119.**—(1) Subsistence and meal allowance shall be payable in accordance with subregulation (2) upon making a claim for such an allowance on the form set out in Schedule 3.

26 of 2015.

(2) A Public officer shall be entitled to the following allowance—

- (a) where he is away from his station on duty, for a period of over five hours but under nine hours, a meal allowance equivalent to two-thirds of a full day's subsistence;
- (b) where he is away from the point of where he reports to duty, even though he may be within his station, for a period that covers the lunch period, a meal allowance of one third of a day's subsistence.

(3) Where a public officer is away from his station on duty for a period which exceeds nine hours but does not exceed twenty-four hours, a full day's subsistence allowance shall be paid.

(4) Where a public officer is required to perform duty in a tourism-oriented town or village, a higher rate of subsistence to be specified by the Financial Secretary, shall be paid.

(5) Where a public officer is away from his station on duty for more than twenty-four hours, the payment of subsistence allowance for the period of absence in excess of twenty-four hours shall be calculated on a *pro rata* basis.

(6) If full meals are provided during the course of duties, a claim for subsistence allowance shall not be allowed.

**120.**—(1) A public officer who, of necessity, is temporarily assigned or posted away from his station for more than thirty consecutive days, shall—

Allowances on temporary assignment or posting.  
26 of 2015.

(a) receive subsistence allowance as provided for in regulation 119 for the initial thirty-day period; and

(b) receive a commuted subsistence allowance for any period after the initial thirty-day period.

(2) The payment of a commuted subsistence allowance shall only be considered

(a) for temporary assignments or postings; or

(b) in any case of a period of three months, and in exceptional cases a period of six months.

(3) The quantum of the commuted subsistence allowance shall be as approved by the Ministry responsible for Finance.

**121.**—(1) On transfer, a public officer shall be eligible for the following grant and allowances at the rate approved by the Ministry responsible for Finance—

Transfer grant or allowance.

(a) transfer grant payable before assumption of duty at the station where the public officer is transferred to assist with the cost incurred when relocating from one station to another;

- (b) housing allowance payable for the duration of a tour of duty subject to subregulation (2);
- (c) hardship allowance for public officers transferred to Ambergris Caye, Hunting Caye, Placencia Village or Toledo District.

(2) Subregulation (1)(b), does not apply to a public officer who is serving if he—

- (a) is returning to a station where he was first employed;
- (b) owns a house in the station to which he is being transferred; or
- (c) is approved a commuting allowance pursuant to regulation 122.

Commuting allowance.

**122.**—(1) A public officer who is transferred but who does physically relocate to the station to which he is transferred shall be entitled to a commuting allowance at the rate approved by the Ministry responsible for Finance for a maximum period of three years.

(2) Public officers entitled to a commuting allowance pursuant to subregulation (1) shall not be eligible for a transfer grant.

Bush allowance. Schedule 4.

**123.** A public officer holding a post listed in Schedule 4, who engages in operations in the bush shall receive a bush allowance at the rate approved by the Ministry responsible for Finance.

Mileage allowance.

**124.** A public officer, who uses his private motor vehicle or motorcycle on approved travel outside his station, shall be entitled to mileage allowance at the rates approved by the Ministry responsible for Finance.

**125.** Where an office is relocated from one station to other station, a public officer shall be entitled to—

Relocation grant.

- (a) a relocation grant at the approved rate; and
- (b) a housing or commuting allowance for the maximum period of one year, subject to regulation 121 (2).

**126.**—(1) Where a public officer while on duty is required to sleep away from the place where he resides, on prior approval by the Chief Executive Officer responsible for the relevant Ministry, that public officer shall be entitled to a reimbursement of all hotel or lodging expenses occasioned thereby.

Reimbursement of expenses.

(2) The rate of reimbursement under subregulation (1) shall be the rates approved by the Ministry responsible for Finance.

(3) If a public officer uses public transportation for the purpose of travelling away from his station while on duty, he shall be entitled to a reimbursement of expenses incurred.

(4) Public officers attending overseas conferences or travelling on other duty abroad may be reimbursed, on production of receipts, for their reasonable hotel expenses in respect of room and necessary travelling expenses.

**127.**—(1) An allowance at the rate approved by the Ministry responsible for Finance shall be paid to public officers who use their personal motor vehicles, motorcycles or bicycles on a regular basis in discharging the duties of their offices.

Motor vehicle allowance.

(2) Subregulation (1) shall apply to public officers specified in Schedule 5.

Schedule 5.

**128.**—(1) Subsistence and other allowances which may be paid to public officers for travel on duty overseas shall be approved by the Ministry responsible for Finance and shall be in

Travel allowances for duty abroad.

accordance with rates approved by the Ministry responsible for Finance.

(2) A travel allowance, not exceeding the rate approved by the Ministry responsible for Finance, may be paid to a public officer for necessary travel and in transit expenses in connection with a required duty or study abroad.

Warm clothing allowance.

**129.**—(1) A warm clothing allowance, at the rate approved by the Ministry responsible for Finance, shall be payable public officer who is required to travel to cold or temperate climate countries, for the purpose of duty or study abroad.

(2) A warm clothing allowance shall not be payable to a public officer who has already received a warm clothing allowance within a period of less than two years after his return from a previous travel abroad.

## PART 13

### *Advances*

Application approval, etc.

**130.**—(1) A public officer may apply to the Financial Secretary for an advance and the Financial Secretary may approve an advance to cover any of the following expenses—

- (a) to purchase a means of transportation approved for the duties of the public officer's post;
- (b) funeral;
- (c) educational;
- (d) medical; or

- (e) any other expense or purpose approved by the Financial Secretary to be in the interest of the public service.

(2) Subject to regulation 132, the terms of repayment of an advance under subregulation (1) shall be determined by the Financial Secretary.

(3) The Financial Secretary may refuse to grant an advance where—

- (a) the amount of the advance required is greater than what the public officer can reasonably be expected to repay within the approved time;
- (b) a previous advance is not fully repaid;
- (c) the public officer has failed to meet the requirements of a previously approved advance; or
- (d) in the case of an application for motor vehicle advance, if an approval was given for a similar purchase within the last three years.

(4) Notwithstanding subregulation (3)(d), the Financial Secretary may approve a motor vehicle advance within three years of a previous application in exceptional circumstances such as the destruction of the motor vehicle by accident.

**131.**—(1) A public officer to whom an advance was approved shall repay the advance by monthly deductions from his salary unless otherwise, authorized in writing by the Financial Secretary.

Repayment of advances.

(2) The Chief Executive Officer or head of department of the Ministry or department, in which the public officer is serving at the time an advance is approved, shall ensure that proper records

of the advance are kept and that the repayment amount is deducted monthly.

(3) Where the public officer under subregulation (1) is transferred, the particulars of the advance including the outstanding balance and rate of repayment shall be sent to or department to which the public officer is being transferred, and the Chief Executive Officer or head of department of that ministry or department thereafter shall assume responsibility for ensuring deduction of the monthly amount.

Requirements for motor vehicle advances.

**132.**—(1) A public officer who receives an advance to purchase a motor vehicle is required to produce—

- (a) a receipt for the purchase of the motor vehicle; and
- (b) a bill of sale,

on demand by the Ministry responsible for Finance.

(2) A motor vehicle, on which any part of an advance remains outstanding, may not be sold or disposed of in any way without the prior written consent of the Financial Secretary.

Nominal service charge on advances.

**133.** Except for motor vehicle advances, all advances shall carry a nominal service charge, which is recoverable at the time of issue of the advance to be determined by the Financial Secretary.

## PART 14

### *Leave of Absence*

Authority for approval of leave.

**134.** The Chief Executive Officer in the Ministry is the authority responsible for the approval of vacation leave. Vacation leave entitlement.

**135.** Vacation leave shall be approved on full salary at the rate of—

Vacation leave entitlement.

- (a) thirty working days per annum to any public officer who holds a post on pay scale 9 or higher; or higher; or
- (b) twenty working days per annum to any public officer who holds a post on pay scale 8 or below.

**136.** The Chief Executive Officer shall no later than mid-January, prepare a report of vacation leave utilized by public officers during the previous year and submit same to the Ministry.

vacation leave report.

**137.** In considering whether to approve vacation leave to a public officer, the Chief Executive Officer or head of department shall be guided by the principle that—

Accumulation of leave to be discouraged.

- (a) public officers shall avail themselves of annual vacation leave due; and
- (b) the accumulation of vacation leave shall be discouraged.

**138.**—(1) Where necessary, public officers who earn—

Maximum accumulation of vacation leave.

- (a) thirty working days' vacation leave per year may accumulate a maximum leave of up to seventy days; and
- (b) twenty working days' vacation leave per year may accumulate a maximum leave of up to fifty days.

(2) Pursuant to subregulation (1), a public officer shall not accumulate vacation leave above the maximum accumulable leave entitlement.

(3) Where a public officer—

- (a) is about to reach the maximum accumulable leave entitlement pursuant to subregulation
- (b) has applied for leave for which he is eligible; and
- (c) was not granted such leave,

that public officer shall forward his request to the Chief Executive Officer of the Ministry and the Chief Executive Officer of the Ministry may, after consultation with the relevant Chief Executive Officer, approve the vacation leave.

Method of  
calculating  
vacation leave.

**139.**—(1) In calculating vacation leave under regulation 135, any broken period of a month is taken into account, for example, where a senior public officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows—

2 years 3 months = 27 months at 30 days per annum

$$(a) \frac{27}{1} \quad \times \quad \frac{30}{12} \quad = \quad 67.5$$

17 days at 30 days per annum

$$(b) \frac{17}{30} \quad \times \quad \frac{30}{12} \quad = \quad 1.4$$

$$(c) \quad 67.5 \quad + \quad 1.4 \quad = \quad 68.9$$

$$(d) \quad \text{TOTAL LEAVE DAYS DUE} = 69 \text{ days}$$

(2) Where a junior public officer has served for 2 years 3 months 17 days he shall be eligible to leave calculated as follows—

2 years 3 months = 27 months at 20 days per annum

$$(a) \frac{27}{1} \times \frac{20}{12} = 45$$

17 days at 20 days per annum

$$(b) \frac{17}{30} \times \frac{20}{12} = .94$$

$$(c) 45 + .94 = 45.94$$

$$(d) \text{ TOTAL LEAVE DAYS DUE} = 46 \text{ days}$$

(3) Public and bank holidays shall not be taken into account in the granting of vacation leave.

**140.**—(1) It is the responsibility of Chief Executive Officer or head of department to ensure that a leave roster, reflecting as far as possible the period of leave requested by the public officer, is prepared at the beginning of each year.

Application for leave and leave roster.

(2) Where possible, public officers shall ensure that leave applications are in conformity with the leave roster.

(3) Where a public officer applies for vacation leave, but does not give at least one month's notice, such application shall be considered only where it is in conformity with the roster, or where the Chief Executive Officer or head of department is satisfied that the leave is required on the grounds of urgent private affairs pursuant to regulation 145.

**141.**—(1) The granting of vacation leave to a public officer may be deferred if it is in the interest of the public service to do so.

Deferment of leave.

(2) For the purpose of subregulation (1), where the interest of the public service requires, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the interest of the public service.

(3) A public officer on leave may be required to return to duty before the expiration of the leave granted, if,

pursuant to subregulation (2), it is in the interest of the service to do so and the remaining leave shall be credited to the public officer's leave entitlement.

Leave spent  
outside Belize.

**142.** On application for vacation leave, a public officer shall indicate in writing to the Chief Executive Officer or head of department whether the leave will be spent abroad.

Mandatory leave.

**143.**—(1) It is mandatory that public officers take at least fifteen working days' vacation leave annually in the case of senior public officers and ten working days' vacation leave in the case of junior public officers.

(2) Where the end of the year is approaching and a public officer has not fulfilled his obligation to take mandatory leave in accordance with subregulation (1), the Chief Executive Officer or head of department shall direct the public officer to take mandatory leave.

Administrative  
leave.

**144.**—(1) A public officer may be required by the Chief Executive Officer or head of department to proceed on leave or to remain on vacation leave after the expiry of leave granted, for the purpose of investigating an allegation prior to making a determination on an appropriate course of action.

(2) Leave under subregulation (1) shall not—

(a) exceed five working days; or

(b) count against the officer's earned vacation leave entitlement,

and the public officer shall be provided with the reasons for the leave.

**145.**—(1) Public officers applying for leave on the grounds of urgent private affairs shall satisfy the person authorized to grant such leave that the leave is unavoidable.

Leave on urgent private affairs.

(2) For the purpose of subregulation (1), “urgent private affairs” relates to compassionate leave under regulation 172, other death in the family, illness in the family, and such other personal business of a nature which, in the opinion of the Chief Executive Officer or head of department, reasonably necessitates the public officer's absence from duty.

(3) Leave on urgent private affairs, if approved, shall be deducted from the public officer's leave entitlement.

**146.**—(1) Where a public officer is on leave and desires to extend the period of leave, that public officer shall apply for an extension of leave before the expiration of the period of leave to allow a reply to be received before the current period of leave expires.

Extension of leave.

(2) Leave under subregulation (1) shall only be approved in exceptional circumstances.

**147.** A Chief Executive Officer or head of department is expected to make every effort to arrange for the performance of a public officer's duties without extra cost to Government while that public officer is on leave for less than fourteen consecutive days.

Leave not to entail extra staff.

**148.** A public officer who is retiring from the public service shall proceed on all vacation leave to which he is entitled prior to the date of retirement.

Leave prior to compulsory retirement.

Payment *in lieu* of leave prior to retirement.

**149.** Notwithstanding regulation 148, a public officer who is retiring from the public service may, in exceptional circumstances, be paid salary *in lieu* of all, or part of vacation leave earned prior to the date of his retirement.

Leave prior to resignation.

**150.** A public officer who resigns from the public service shall proceed on all vacation leave earned prior to the effective date of resignation.

Payment *in lieu* of leave earned prior to dismissal.

**151.** A public officer who is dismissed from the public service or whose services are terminated on disciplinary grounds shall be paid salary *in lieu* of all vacation leave earned prior to the date of dismissal or termination.

Period during which leave is not earned.

**152.** A public officer shall not earn vacation leave while on—

- (a) study leave exceeding twelve weeks;
- (b) sick leave exceeding sixteen days;
- (c) suspension from duty;
- (d) secondment;
- (e) leave without pay;
- (f) vacation leave exceeding thirty working days;
- (g) maternity leave.

Sick leave.

**153.**—(1) A public officer may be granted sick leave, up to sixteen days with full pay in a year.

(2) Sick leave for more than one day on any occasion shall not be granted without a medical certificate.

(3) Not more than six days paid sick leave without a medical certificate shall be allowed in a year.

(4) Each Ministry shall submit a monthly return of all sick leave utilized by public officers to the Ministry, not later than the elapse of ten days of the following month.

(5) It is the responsibility of a public officer to lodge his medical certificate—

(a) at the nearest Social Security Board office within four days of the date of the medical certificate pursuant to the Social Security Act; and

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(b) at the Ministry or department where the public officer is stationed.

(6) Where a public officer fails to comply with subregulation (5) and the sick leave request is disqualified from claim in accordance with the Social Security Act—

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(a) that period of sick leave shall be deducted from the public officer's vacation leave entitlement; or

(b) if that public officer has exhausted his vacation leave entitlement, a deduction shall be made from the public officer's salary equivalent to the loss suffered in respect of Government.

**154.**—(1) A public officer who has exhausted sick leave provided for in regulation 153 (1) and requires further sick leave for protracted illness, shall qualify for extended sick leave in accordance with regulation 155.

Extended sick leave.

(2) Where the illness is not a protracted illness the public officer shall—

(a) utilize vacation leave; or

- (b) where the public officer has exhausted all vacation leave, the leave shall be treated as leave without pay.

(3) For the purpose of these Regulations, a protracted illness is—

- (a) an illness that is prolonged due to its nature; or
- (b) the complication of an illness such as one disease or the emergence of another that is the effect of the primary disease.

(4) Where a question arises as to whether or not a public officer's illness is protracted, the Chief Executive Officer of the Ministry may refer the case to the Director of Health Services for a determination of the matter.

Sick leave for protracted illness.

**155.**—(1) A request for sick leave in excess of sick leave provided for in regulation 153(1) shall be made to the Chief Executive Officer of the Ministry within five working days from the date the public officer first becomes aware of the illness.

(2) A request for sick leave for protracted illness under subregulation (1) shall be accompanied by medical evidence.

(3) The Chief Executive Officer of the Ministry may grant extended sick leave for protracted illness of up to one hundred and eighty days on full pay as follows—

- (a) up to ninety days on receipt of a prognosis of the public officer's eventual recovery and return to duty; and
- (b) if the illness of the public officer exceeds the ninety days as specified in paragraph (a), the public officer may be granted further extension of up to ninety days on receipt of a

further prognosis certified by the Director of Health Services.

**156.**—(1) Where the absence of a public officer on sick leave becomes recurrent, the Chief Executive Officer of the Ministry may refer the application to the Director of Health Services for advice.

Recurrent sick leave.

(2) Subject to subregulation (1), the Director of Health Services may advise that the public officer shall be examined by a medical practitioner, or a specialist, as the case may be.

**157.**—(1) Where a public officer has exhausted the extended sick leave pursuant to regulation 155(3), and continues to be absent on the basis of illness, the Chief Executive Officer of the Ministry may request the Director of Health Services to—

Sick leave on half pay.

- (a) advise on the nature of the public officer's illness; or
- (b) make a recommendation on whether or not a Medical Board may be established for the purpose of consideration of that public officer's fitness to continue in the public service.

(2) The Director of Health Services may refer the public officer to a Medical Board and based on substantial evidence from the Medical Board that full recovery and return to duty is probable, the public officer may be granted extension of sick leave of up to one hundred and eighty days on half pay.

(3) The Director of Health Services shall submit a copy of the report of the Medical Board to the Ministry within ten working days of the receipt of such report.

**158.**—(1) Where the illness of the public officer exceeds three hundred and sixty days sick leave, the Commission shall retire

Retirement on medical grounds.

the public officer from the public service on medical grounds based on the recommendation of the Medical Board.

(2) For the purpose of subregulation (1), the report of the Medical Board shall state clearly that the public officer is incapable by reason of an infirmity of mind or body of discharging the duties of his office efficiently and that such infirmity is likely to be permanent.

(3) Where the report of the Medical Board states that the public officer is capable of discharging the duties of his office efficiently upon recovery and that such infirmity is not likely to be permanent, sick leave without pay shall be granted.

(4) Where a public officer returns to work but is incapable of discharging his duties effectively, the Chief Executive Officer or head of department or the public officer may request a re-evaluation by the Medical Board of his fitness to continue in the public service.

Sick leave in case of illness of immediate family member.

**159.** A public officer may use sick leave under regulation 153 of up to five days in the case of illness of his immediate family member if that public officer produces the medical certificate in respect of the immediate family member.

Illness whilst outside of Belize.

**160.**—(1) Where a public officer falls ill or seeks medical attention outside of Belize, that public officer shall have his medical certificate certified by a registered medical practitioner in Belize.

(2) Where the registered medical practitioner under subregulation (1) disagrees with any matter reported on the medical certificate relating to prognosis, that registered medical practitioner may refer the matter to the Director of Health Services for advice.

Sick whilst on vacation leave.

**161.**—(1) Where a public officer falls ill while on vacation leave and he produces satisfactory medical evidence to the Chief

Executive Officer or head of department, he shall be credited with vacation leave equivalent to the number of days utilized as sick leave, due to illness.

**162.**—(1) A public officer who is a female is entitled to fourteen weeks maternity leave on full pay granted in accordance with subregulation (2).

Maternity leave.

(2) It is mandatory that a public officer under subregulation (1) utilize at least two weeks maternity leave before the expected date of delivery in accordance with subregulation (3).

(3) The maternity leave under subregulation (1) may be taken—

(a) seven weeks prior to expected date of delivery and seven weeks after the actual date of delivery; or

(b) not less than two weeks prior to the expected date of delivery and the remaining balance after the actual date of delivery.

**163.**—(1) A public officer who is pregnant, shall apply to the Chief Executive Officer of the Ministry for maternity leave at least ten weeks prior to the public officer’s expected date of delivery.

Maternity leave application.

(2) The public officer shall ensure that the application under subregulation (1) fulfils the requirements of the Social Security Act.

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(3) A public officer who fails to comply with subregulation (1) may be subject to disciplinary action in accordance with regulation 83.

**164.**—(1) A public officer may be granted vacation leave which is due to her at the expiration of her maternity leave.

Conditions of maternity leave.

(2) Sick leave shall not be granted as a substitute for maternity leave.

(3) Sick leave may be granted to run consecutive to maternity leave on the basis of a medical certificate.

Maternity leave without pay.

**165.**—(1) A public officer who has completed less than one hundred and fifty days public service and requires maternity leave shall be granted leave without pay.

(2) Leave under subregulation (1) shall not be considered as “service” for pension purposes.

Maternity leave on adoption of child.

**166.** Where a public officer who is a female is adopting a newborn child, that public officer, on production of documentary evidence of the adoption, may be granted seven weeks maternity leave commencing from the date of birth of the child.

Paternity leave.

**167.**—(1) A public officer who is a male shall be entitled to the grant of paternity leave of up to seven working days commencing at the date of birth of his child.

(2) The paternity leave pursuant to subregulation (1) shall—

- (a) be based on the presentation of evidence of birth of the public officer’s child; and
- (b) not be a charge against a public officer’s vacation leave.

Post-natal leave on death of mother.

**168.**—(1) Where the mother dies during child delivery, the father of the child shall be entitled to take post-natal leave of up to seven weeks on full pay.

(2) A leave under subregulation (1) shall not be a charge against that public officer’s vacation leave.

Special leave and appeals, etc.

**169.**—(1) The Chief Executive Officer may grant special leave of up to thirty days in any year, on full salary for the following purposes—

- (a) to enable public officers who belong to the volunteer element of the Belize Defence Force to attend annual training;
- (b) to enable public officers who are selected by the relevant authorities to represent Belize in national or international sporting, cultural and other events;
- (c) to enable public officers selected by recognized unions or associations to attend training courses, conferences and to represent its interest; or
- (d) to enable public officers to attend any other event which the Chief Executive Officer considers to be in the public interest.

(2) A public officer aggrieved by a decision of the Chief Executive Officer to deny special leave under subregulation (1) may appeal to the Chief Executive Officer of the Ministry.

(3) The Chief Executive Officer of the Ministry may grant special leave for a purpose other than the purposes under subregulation (1) to enable public officers to do such things which are considered to be in the public and national interests.

(4) Where the required special leave exceeds thirty days, the leave in addition to the special leave under subregulation (1) shall be treated—

- (a) as vacation leave, if the public officer is eligible therefor; or

(b) as leave without pay.

Authority for  
leave without  
pay.

**170.** Authority for the grant of leave without pay is vested in the Chief Executive Officer of the Ministry, and the following principles shall apply—

(a) up to six months leave without pay shall be granted but additional leave may only be granted in special circumstances, up to a maximum of twelve months; and

(b) leave without pay shall not be considered as “service” for pension purposes.

Duty leave.

**171.**—(1) The Chief Executive Officer may request duty leave on behalf of a public officer who is required to be out of the country on duty.

(2) A request under subregulation (1) shall be made to the Cabinet Secretary and copied to Ministry and the Ministry responsible for Finance.

Compassionate  
leave.

**172.**—(1) A Chief Executive Officer or head of department may grant compassionate leave, on application by a public officer, up to three working days at the time of death of an immediate family member.

(2) Leave under subregulation (1) shall not be charged against a public officer’s vacation leave.

Time-off for  
union business.

**173.**—(1) The Chief Executive Officer or a head of department, subject to the exigencies of the service, shall make every effort to grant public officers time-off with full pay to attend union meetings or to participate in other activities organized by the union.

(2) A public officer shall, in writing, request time-off and submit along with such request, any documentation to verify the

nature of the union meeting or other activity organized by the union.

PART 15

*Secondment*

**174.**—(1) The authority for the approval of secondment is vested in the Chief Executive Officer of the Ministry.

Authority for secondment, etc.

(2) For the purpose of this regulation, a secondment is the release of a public officer from the public service to an organization or project outside of the public service.

(3) A public officer shall apply for secondment at least one month before the date, which is intended for the secondment to come into effect.

(4) An application under subregulation (3) shall be accompanied by a job offer from the organization or project office to which the public officer is applying for secondment.

(5) A public officer may be seconded for a period of up to two years, unless there is exceptional circumstance for extension of secondment, up to a maximum of three years.

(6) The approval of secondment shall be contingent on the exigencies of the public service.

(7) For the purpose of subregulation (6), where the exigencies of the public service require, the Chief Executive Officer or head of department shall provide details of the circumstances impacting the exigencies of the public service to determine whether the secondment shall be approved.

(8) The public officer shall be governed by the rules and regulations of the organization or project to which the public officer is being seconded for the period of secondment.

(9) The public officer on secondment shall ensure that a report of his performance during his tenure on secondment shall be submitted by the receiving organization or project manager to the Chief Executive Officer of the Ministry at the end of the period of secondment.

(10) The period of service of a public officer while on secondment shall be considered as period for pension purposes under the Pensions Act.

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Salary on return  
from  
secondment.

**175.**—(1) At the expiration of a period of secondment, the public officer shall revert to the post which he held prior to secondment and the salary of the public officer shall be on the pay scale and salary range of his office, at the point which he would have reached if he had not been seconded.

(2) The authority to restore the public officer's salary is vested in the Chief Executive Officer.

Vacation leave  
prior to  
secondment.

**176.** A public officer who is granted secondment shall utilize all vacation leave earned, and settle all outstanding debts to government or make adequate arrangements to settle such debts prior to his departure on secondment.

## PART 16

### *Education, Training and Career Development*

Authority for  
grant of study  
leave.

**177.** The Chief Executive Officer of the Ministry may grant study leave to a public officer where the training is considered to be of benefit to the public service.

**178.** The Ministry, in consultation with the Ministry responsible for Education and any other stakeholder, is the authority to develop and administer training policies and standards.

Authority for training policy.

**179.** The Chief Executive Officer of the Ministry shall issue a circular annually inviting a Chief Executive Officer to submit the Ministry and department's training needs and indicate whether the training need is to be fulfilled at local or international training institutions during the following year.

Proposals for training.

**180.** Every Chief Executive Officer shall enable public officers to be provided equal opportunity and support to be trained and developed to enable them to perform efficiently and contribute to the achievement of the mission and goals of the Public Service

Equal opportunity for training, etc.

**181.** Where a Ministry or department receives an offer of training award from international organizations, that Ministry or department shall transmit that offer of training award to the Ministry for circulation within the public service.

Training awards.

**182.**—(1) A Chief Executive Officer is responsible—

Responsibilities relating to this Part.

- (a) to determine the training needs of the Ministry and departments for which supervision was placed in accordance with section 48 of the Belize Constitution and provides for the management and fulfilment of such training needs;
- (b) to encourage and support training and developing goals of public officers;
- (c) to facilitate the personal growth and career development of public officers; and

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- (d) to communicate the training needs determined under paragraph (a) to the Ministry and departments which he supervises.

(2) A public officer is responsible for—

- (a) his personal growth and development;
- (b) the enhancement of himself in his career; and
- (c) the improvement of his skills and qualifications, to achieve the ministry's goals and objectives.

Training  
categories.

**183.**—(1) The following categories of training may be considered for grant of study leave—

- (a) category 1 relates to government mandated programme of study—
  - (i) initiated or mandated by the Government;
  - (ii) considered to be of national interest, such as government scholarships and awards to fill critical skill shortage, or courses to meet future strategic needs; and
  - (iii) approved as study leave with pay;
- (b) category 2 relates to career advancement programme of study—
  - (i) to improve the qualifications and skills for advancement within an existing career path;

- (ii) to improve the qualifications and skills for future career advancement and employability in areas not necessarily related to their existing career path but relevant to existing needs of the wider public service; and
- (iii) approved as study leave with pay; or
- (c) category 3 relates to personal development programme of study—
  - (i) for personal growth and development in areas not considered a government priority;
  - (ii) which is not based primarily on the needs of the public service; and
  - (iii) approved as study leave without pay

(2) A public officer may be granted study leave on full pay for a course of training that is—

- (a) approved by the Chief Executive Officer of the Ministry;
- (b) to be commenced on a full-time basis; and
- (c) scheduled for a period of not more than one year.

**184.**—(1) A public officer is eligible for study leave if he—

Eligibility for study leave.

- (a) is confirmed in his appointment; and
- (b) has served in the public service for a period of two years or more.

(2) A public officer shall not be considered for the grant of study leave for strictly online programmes.

(3) Notwithstanding subregulation (1)(b), a public officer is eligible for study leave to undertake a category 3 programme of study under regulation 183(1)(c) after he has served at least five years.

Conditions of study leave.

**185.**—(1) Where a public officer is approved study leave with pay for a course in excess of one year, the Government shall pay eighty percent of total salary payable to that public officer.

(2) A public officer shall utilize all vacation leave earned prior to departure on study leave.

(3) A public officer, prior to commencement of a programme of study, shall sign a bond with the Ministry to serve on completion of the programme of study.

(4) A public officer, while on study leave, shall devote his time to the fulfilment of the programme of study and sit any examination or write such paper or report as may be required by the institution of learning.

(5) Where the programme of study is of a blended nature, the Ministry may review the content of the programme to evaluate the option for part time study leave.

(6) For the purpose of subregulation (5), “blended nature” means that the programme of study is transmitted for interaction partly by online means and partly by face- to-face lectures.

Procedure to request study leave or financial assistance.

**186.**—(1) A public officer shall secure the support of the Chief Executive Officer or the head of department for his application for full-time study leave or financial assistance.

(2) An application under subregulation (1) shall be routed through the Chief Executive Officer to the Chief Executive Officer of the Ministry.

(3) A public officer may be eligible for financial assistance of up to \$1,500.00 from Government for an approved programme of study if the public officer obtains approval from the Ministry before he attempts such programme of study.

(4) The Chief Executive Officer or the head of department shall apply the requirements set out in Schedule 6 when considering an application under subregulation (1).

Schedule 6.

**187.**—(1) The amount of the bond required under Subregulation (3) shall vary depending on the duration of the programme of study in accordance with the following—

Bond.

Duration of Programme study—	Bonded period—
(a) Less than six months .....	nil
(b) Six months to less than one year .....	one year
(c) one year to less than two years .....	two years
(d) Two years to less than three years .....	Three years
(e) Three years to less than four years .....	Four years

(2) Subject to subregulation (1), the amount of a public officer’s bond shall be the estimated cost of the training,

including the salary and other commitments and allowances payable during the period of training.

(3) The total amount of expenditure shall be the extent of a public officer's indebtedness.

(4) The bond pursuant to subregulation (2) shall be secured.

(5) If a public officer fails to serve the bonded period, he shall pay to the Government the sum of money calculated in accordance with subregulation (3) and the policy relating to training bond.

(6) Notwithstanding subregulation (3), a public officer shall not be required to sign a bond where study leave without pay was granted.

Termination or suspension of programme of study.

**188.**—(1) Where a programme of study is terminated, suspended, or if the public officer abandons the programme of study for any reason whatsoever—

- (a) the public officer shall immediately resume duties; and
- (b) serve a period of bond adjusted to the period for which the public officer has pursued the programme of study in accordance with regulation 187(1).

(2) A public officer who terminates his programme of study without prior approval from the Chief Executive Officer of the Ministry, shall pay the Government a sum of money equal to the amount of salary he received prior to the termination of the programme of study and any other amount incurred by the Government in connection with the programme of study.

(3) A public officer shall obtain approval for any change in the programme of study, or the transfer of the public officer to

another institution of learning, from the Chief Executive Officer of the Ministry, prior to implementing that change or transfer.

**189.** A public officer, on successful completion of an approved programme of study, is required to fulfil his bond before study leave to pursue another programme of study may be approved.

Fulfilment of Bond prior to further study leave.

**190.**—(1) Extension of study leave may be granted if it is in the interest of the public service.

Extension of study leave.

(2) An application for extension of study leave shall be accompanied by—

- (a) evidence from the institution of learning of the need and reason for the extension; and
- (b) a letter of support from the Ministry at which the public officer is employed.

**191.**—(1) Study leave without pay—

Study Leave without pay.

- (a) may be approved to a public officer to pursue training at a level equivalent to a qualification already possessed by the public officer or higher;
- (b) shall be only granted for full-time study;
- (c) is subject to the exigencies of the public service; and
- (d) shall not be considered as "service" for pension purposes.

(2) Where a public officer on study leave without pay ceases full-time study without approval, the study leave shall be terminated immediately and that public officer shall resume duty forthwith.

Study leave  
without pay.

**192.**—(1) A public officer shall, within a reasonable time, notify the Chief Executive Officer or head of department of his intention to enroll in a programme of study at an institution in Belize.

(2) A public officer requiring time-off shall obtain approval of the Chief Executive Officer or head of department prior to registering for the course.

(3) A Chief Executive Officer or head of department may approve time off to a public officer who wishes to undertake an approved programme of study at an institution in Belize where the time-off required is not more than four hours per week.

(4) Where a public officer requires part-time study leave of more than four hours per week but not more than two days, that public officer shall, subject to the approval of the Chief Executive Officer of the Ministry, utilize his vacation leave.

(5) The Chief Executive Officer of the Ministry may grant part-time study leave where—

- (a) the programme of study is beneficial to the public service; and
- (b) the particular course is not available on evenings or weekends.

(6) Where a public officer requires leave of three days or more per week, the public officer shall apply for full-time study leave.

In-service  
training  
programmes.

**193.**—(1) The Chief Executive Officer of the Ministry shall, on an annual basis, notify each Ministry of all in-service training programmes to be conducted during the following year, and invite nominations of public officers for such training.

(2) The Chief Executive Officer of the Ministry may select public officers in the horizontal or technical grades, as appropriate, for training.

(3) For the purpose of subregulation (2) a public officer is considered to be—

- (a) in the horizontal grade if there is a career path through which that public officer may be promoted; or
- (b) in the technical grade if that public officer is functioning in a position where the duties are specific to that office or field.

**194.**—(1) A public officer on study leave shall ensure that a progress report from the institution of learning is submitted at the end of each semester to the Ministry to verify that the public officer is making good use of the study leave granted to him and is pursuing with success the programme of training for which study leave is approved.

Progress report from institution of learning.

(2) Where the Ministry does not receive the progress report, the Ministry may suspend the payment of salary approved on the grant of study leave to that public officer.

**195.**—(1) Pursuant to 185(1), a public officer on completion of the programme of study on full-time study leave shall be granted a resettlement period of ten working days with effect from the date of completion of the study leave.

Procedure of completion of programme of study.

(2) A public officer who fails to return to office immediately on completion of the programme of study or after the resettlement period may be subject to disciplinary action.

**196.**—(1) A public officer, within a reasonable time after successful completion of the programme of study, shall submit three copies of his dissertation, research paper, thesis, or other

Dissertation or other report, etc.

final report, as the case may be, to the Chief Executive Officer of the Ministry for dissemination to the Belize Archives and Records Service and the Belize National Library Service and Information System.

(2) The reasonable cost of the report under subregulation (1) shall be borne by the Ministry.

(3) Where a public officer fails to submit the report under subregulation (1), any increment due for higher qualification shall be withheld until that public officer makes the submission.

(4) A public officer who is the recipient of training pursuant to this Part may be requested to disseminate the knowledge and skills acquired to other public officers.

Suspension or termination of study leave.

**197.**—(1) The Chief Executive Officer of the Ministry, may suspend or terminate, as the case may be, study leave if—

- (a) the progress report of the public officer reveals unsatisfactory work or conduct;
- (b) the public officer, without reasonable excuse, fails to pass an examination within the time fixed by the institution of learning which he is attending;
- (c) the public officer engages in any activity which is detrimental to his progress in the programme of study;
- (d) the public officer becomes unfit to complete his programme of study due to illness;
- (e) the public officer fails to reply to correspondence or to keep the Ministry informed of his whereabouts;

- (f) the public officer is convicted of a criminal charge, in or outside Belize;
- (g) the public officer fails to comply with a condition of study leave under regulation 185; or
- (h) the public officer, who is a female, is pregnant.

(2) A suspension under subregulation (1)(h) shall occur only where maternity leave becomes due and the public officer shall be allowed to resume study leave after the period of maternity leave expires.

**198.** A public officer, who on his own initiative applies for and is approved study leave to pursue a self-funded course of study, shall not be considered *post facto*, for a refund or grant for any portion of the expenditure incurred for the training.

Self-funded training.

**199.**—(1) A public officer is eligible for a resettlement grant where that public officer—

Resettlement grant.

- (a) successfully completes a programme of study overseas, if the programme of study was of a duration of not less than two academic years, and the public officer resumes duty immediately after completion of training (or after approved vacation leave or resettlement period); or
- (b) on his initiative, successfully completes a programme of study within a period less than the scheduled duration of the programme of study if the programme of study is at least two years.

(2) A public officer who receives the resettlement grant but fails to serve in the public service for at least one year

commencing from the date that the resettlement grant was issued shall refund the full amount of the resettlement grant.

Horizontal and technical grades examinations.

**200.**—(1) A public officer is eligible to sit the horizontal or technical examination if that public officer is confirmed in his appointment and has been selected for training in accordance with regulation 193(2).

(2) A public officer in the horizontal or technical grade is required to sit and be successful in the relevant examinations for advancement in the respective grade.

## PART 17

### *Health, Safety and Welfare*

Authority for public officers at the workplace.

**201.**—(1) The Ministry responsible for Labour is the authority to establish policies and standards relating to health, safety and well-being of public officers at the work place as well as to set procedures to enhance productivity and improve public service.

(2) The policies, standards and procedures under subregulation (1) shall provide for the following—

- (a) a working environment which is safe, environmentally friendly and ensures the physical well-being of public officers;
- (b) where possible, a workplace that is accessible to persons who are physically challenged;
- (c) in collaboration with the National Fire Service, the requirement that public buildings are equipped with fire alarm systems, portable fire equipment and that they are maintained in a state of readiness;

**202.** Chief Executive Officers or heads of department shall—

Responsibility regarding health, safety, etc.

- (a) implement policies, procedures and standards established under regulation 201;
- (b) designate a senior public officer with responsibility for health and safety matters;
- (c) ensure that public officers are familiar with the emergency plan developed in accordance with regulation 210;

**203.**—(1) A public officer who is required to work under hazardous circumstances shall be provided with appropriate safety equipment and clothing.

Safety equipment and clothing.

(2) A public officer provided with safety equipment and clothing under subregulation (1) shall wear and use such equipment and clothing at all times whilst discharging duties of a hazardous nature.

(3) The safety equipment and clothing under this regulation is the property of the Government.

**204.** A public officer who is a field worker or office assistant shall be provided with inclement weather gear which shall be the property of the Government.

Inclement weather gear.

**205.** A public officer shall be subject to a surcharge for damage or loss of property under regulations 203 or 204 where such damage or loss of property is proved to be the result of that public officer's negligence.

Surcharge for damage or loss of property.

**206.**—(1) The Ministry shall institute an Employee Assistance Programme entailing a confidential framework to provide public officers with voluntary referral and counselling services on health and lifestyle issues which may have a negative impact on job performance including—

Employee Assistance Programme.

- (a) occupational health;
- (b) physical fitness;
- (c) sexually transmitted diseases;
- (d) domestic violence;
- (e) mental health;
- (f) stress management;
- (g) depression;
- (h) substance abuse;
- (i) violence in the workplace;
- (j) parenting skills;
- (k) life skills;
- (l) personal hygiene; and
- (m) personal financial management.

(2) A public officer shall receive prompt medical attention and treatment that is available at any government health institution without any cost to that public officer.

PART 18

*Disaster Preparedness and Management*

**207.** The provisions of this Part shall conform to the Disaster Preparedness and Response Act.

This Part to conform to Disaster Preparedness and Response Act. CAP. 145.

**206.**—(1) The Ministry responsible for National Emergency Management Organization shall consult and coordinate with the Chief Executive Officer of the Ministry in respect of the utilisation of public officers as well as the National Human Resource Management Committee for the purpose of assignment of public officers to perform duties, to prepare for, respond to and recover from the threat or impact of threats and hazards as required for disaster preparedness and response.

National Human Resource Management Committee.

(2) Pursuant to subregulation (1), the Chief Executive Officer of the Ministry shall—

- (a) maintain a database of trained public officers who may serve in a specific capacity for emergency management duties;
- (b) ensure that public officers are aware of their roles during an emergency;
- (c) provide public officers with the relevant gears and tools required to perform emergency duties; and
- (d) support public officers who are required to perform emergency duties outside of their station with request for advance for travel and subsistence allowances.

Mandatory  
emergency  
management  
duties.

**209.**—(1) Public officers are subject to perform the following in respect of emergency management duties—

- (a) manage as part of a team at emergency operating centres;
- (b) shelter management;
- (c) damage assessment and needs analysis;
- (d) search and rescue;
- (e) communications and warning issuance;
- (f) medical care and health;
- (g) foreign assistance;
- (h) human resources management;
- (i) mitigation;
- (j) access and infrastructure works;
- (k) assist residents in transportation and evacuation; and
- (l) any other duties assigned by the Ministry responsible for National Emergency Management Organisation.

(2) Public officers, other than those in the Volunteer Element of the Belize Defence Force, shall make themselves available to the Ministry responsible for National Emergency Management on announcement of an imminent threat or emergency event for the purpose of performing emergency management duties.

(3) Time-off *in lieu* may be granted to public officers who work in respect of emergency management duties in excess of the hours provided for in regulation 32.

(4) The Ministry shall determine, the time-off *in lieu* to be approved to public officers.

(5) A public officer appointed for emergency management duties shall conduct himself with decorum and maintain an atmosphere of efficiency and purposefulness.

(6) A public officer who fails to perform assigned emergency management duties commits a major misconduct.

**210.**—(1) A Chief Executive Officer or head of department shall ensure that an emergency plan, including simulations and training in general, is developed and circulated for implementation in the Ministry or departments under his control.

Emergency Plan.

(2) The Emergency Plan shall include measures—

- (a) to ensure continuity of public services prior to and, where possible, during and following the emergency event;
- (b) to ensure security of personnel, equipment and records prior to the emergency event;
- (c) to activate the Emergency Plan during and outside of normal working hours;
- (d) to ensure continuity of communication with staff during and following the emergency event; and
- (e) to ensure emergency attendance to injured public officers.

(3) The emergency plan under subregulation (1) shall be in the format as determined by the Ministry responsible for National Emergency Management and shall include threats and hazards such as—

- (a) tropical cyclones;
- (b) floods;
- (c) fires;
- (d) bomb threats;
- (e) civil disorders;
- (f) hurricanes; and
- (g) earthquakes.

(4) As a precaution against hurricanes, a Chief Executive Officer or head of department shall ensure that all public buildings under his charge are, as far as practicable, made hurricane resistant.

(5) For the purpose of subregulation (4), "hurricane resistant" means that all doors, windows and other openings can be readily closed and made secure on receipt of an emergency warning.

Functions during  
emergency.

**211.**—(1) A Chief Executive Officer shall designate a senior public officer to serve as the Emergency Coordinator for each department falling under his ministry.

(2) The Emergency Coordinator for the Ministry or department is responsible to the Chief Executive Officer or head of department for developing and implementing the Emergency Plan.

(3) Chief Executive Officers or heads of department shall

- (a) release public officers to perform disaster management duties in accordance with relevant committee's standard operating procedures;
- (b) ensure that time is allotted for all public officers to undergo training for emergency duties;
- (c) ensure that all public officers are conversant with the emergency plan and procedures for their ministry or departments;
- (d) ensure that public officers are aware of their assigned responsibilities; and
- (e) encourage all public officers to develop their family emergency plans.

PART 19

*Elections Management*

**212.**—(1) General, municipal or other elections that are managed by public officers shall be conducted respectively in accordance with the following Acts—

Management of electoral process.

- (a) Representation of the People Act; CAP. 9.
- (b) Belize City Council Act; CAP. 85.
- (c) Belmopan City Council Act; CAP. 86.
- (d) Town Council Act; CAP. 87
- (e) Village Councils Act; and CAP. 88

CAP. 10

(f) Referendum Act.

(2) A public officer may be appointed as—

- (a) a returning officer;
- (b) and election clerk;
- (c) a presiding officer;
- (d) a polling clerk; or
- (e) a counting clerk.

(3) A public officer who is appointed as a returning officer under subregulation (2)(a) shall submit a report of his duties to the Chief Elections Officer within one week of the elections.

Oath of office  
and conduct.**213.**—(1) A public officer appointed for duties shall—

- (a) take and subscribe to the oath of office Belize Constitution specified in section 15 of the Representation of the People Act.
- (b) maintain the secrecy of voting and counting;
- (c) conduct himself with decorum;
- (d) maintain an atmosphere of efficiency and purposefulness; and
- (e) familiarize himself with the Acts referred to in regulation 212(1) and regulations made under those Acts.

CAP. 4.  
CAP. 9.

(2) A public officers appointed for duties shall not—

- (a) show favour to any candidate or member of a political party; or
- (b) wear colours or slogans depicting any candidate or member of a political party.

**214.**—(1) Public officers shall participate in training to maintain electoral consistency through service, quality and ultimately fair and free elections.

Training of public officers for election duties.

(2) A training under subregulation (1) shall include training such as—

- (a) roles and functions of election officers;
- (b) nomination of candidates;
- (c) interfacing with the media and political parties;
- (d) management of polling stations;
- (e) ballot security;
- (f) counting process;
- (g) sealing and securing election materials; and
- (h) reporting.

**215.** Chief Executive Officers or heads of department shall ensure that time is allotted for public officers to—

Time allotted for training.

- (a) undergo training in election duties; and
- (b) perform election duties prior to, during and immediately following an election.

Time off *in lieu*.

**216.**—(1) Time-off *in lieu* may be granted to public officers who work election duties in excess of hours provided for in regulation 32 (2).

(2) The Ministry shall determine the time-off *in lieu* to be approved to public officers.

Disciplinary action for failure to perform duties.

**217.** A public officer who fails to perform assigned election duties commits a major misconduct.

## PART 20

### *Leaving The Public Service*

Modes of leaving the Public Service.

**218.** A public officer may leave the public service by any of the following modes—

- (a) on dismissal in consequence of disciplinary proceedings for major misconduct;
- (b) on retirement on reaching the normal retirement age of fifty-five years;
- (c) on premature retirement under the Pensions Act;
- (d) on retirement on medical grounds;
- (e) on compulsory retirement;
- (f) on the abolition of office;
- (g) on retirement in the public interest;
- (h) on the termination of appointment in accordance with regulation 25;

CAP.30.

- (i) on abandonment of post;
- (j) on resignation; or
- (k) on release in accordance with regulation 222.

**219.** A public officer who is absent from duty without permission for five consecutive working days or more shall be deemed to have abandoned his post. Abandonment of post.

**220.** A public officer may resign at any time during the course of his employment by giving at least one month's notice in writing to the Chief Executive Officer. Resignation.

**221.**—(1) The Chief Executive Officer of the Ministry may refuse to accept a request for resignation if the public officer— Refusal of resignation.

- (a) fails to give adequate notice of intention to resign;
- (b) has not completed the bonded period pursuant to regulation 187;
- (c) is the subject of pending disciplinary proceedings; or
- (d) is indebted to the Government.

(2) Where a public officer whose application for resignation is refused and that public officer leaves the public service, he may be subject to dismissal.

**222.**—(1) A public officer may, at any time, apply to the Commission for a release from the public service, stating in his application the purpose of the request. Release.

(2) Where a public officer applies for release from the public service, that public officer shall provide proof of offer of a position—

- (a) in a statutory body, from the person in charge of the Act which governs that statutory body provides for the release or transfer of persons between the public service and that statutory body; Or
- (b) in the Belize National Coast Guard Services, Belize Police Department, or the Belize Defence Force, from the Security Services Commission established under section 110C of the Belize Constitution.

(3) Where a public officer is released from the public service, that public officer shall—

- (a) utilize vacation leave due; and
- (b) pay any outstanding sum owing to the Government.

Obligations, etc.,  
on leaving public  
service.

**223.**—(1) A public officer on leaving the public service shall—

- (a) return all government property issued to him; and
- (b) honour, or make acceptable arrangement in writing to pay all outstanding debts to Government.

(2) Chief Executive Officers or heads of department are responsible for ensuring that steps are taken to recover outstanding debts owed to Government.

(3) A public officer on leaving the public service may utilize all vacation leave due.

(4) Notwithstanding subregulation (3) a public officer may request payment *in lieu* of vacation leave earned.

(5) Any outstanding balance owing to the Government after deductions from benefits due may be recovered -

(a) through written agreement with the Accountant General; or

(b) through legal action.

**224.** A public officer, on leaving the public service may obtain a certificate of service from the Chief Executive Officer of the Ministry.

Certificate of service.

## PART 21

### *Pensions, Gratuities and Other Termination Benefits*

**225.**—(1) The pensions, gratuities and other retirement benefits of public officers shall be determined in accordance with the Pensions Act.

Claims for pensions

CAP. 30.

(2) All claims to pensions, gratuities and other retirement benefits shall be submitted to the Treasury Department as soon as the public officer's retirement is approved.

(3) A claim under subregulation (2) shall be,

(a) in accordance with the Pensions Act;

CAP. 30.

(b) accompanied by the necessary supporting documents and certified correct by the public officer's head of department.

(4) The supporting document required under subregulation (3)(b) shall include any of the following—

- (a) birth certificates;
- (b) passport particulars;
- (c) statutory declaration in accordance with regulation 228;
- (d) the public officer's option to receive either a full pension or a reduced pension and gratuity; and
- (e) a statement of the public officer's indebtedness, if any, to Government.

Submission of pension documents.

**226.**—(1) The Chief Executive Officer or head of department shall prepare the pension form and submit it to the Treasury Department for computation without delay.

(2) The Ministry or department shall immediately inform the Treasury Department whether or not there is any change in the particulars submitted in the original application.

Computation of retirement benefits.

**227.** If there is any doubt on any point which is likely to affect the computation and award of a public officer's retiring benefits, the Chief Executive Officer of the Ministry shall be consulted as early as possible with a view to ensuring the accuracy of the particulars raising the doubt, prior to submission of a claim.

Statutory declaration for service.

**228.**—(1) A statutory declaration may be made where—

- (a) there is a discrepancy in the birth certificate;
- (b) the birth certificate is not available; or

- (c) it is not possible to locate the necessary records in relation to a public officer's service.

(2) Pursuant to subregulation (1)(c), the public officer shall secure statutory declarations from three reliable and responsible persons attesting to his service.

(3) The reliable and responsible persons under subregulation (2) shall—

- (a) be persons who know the career history of the public officer in the public service;
- (b) indicate his status as the declarant; and
- (c) state the source of his knowledge of the facts contained in the declaration.

**229.**—(1) The legal representative of a public officer who dies while in the public service shall be entitled to a gratuity in accordance with section 16 of the Pension's Act.

Gratuity.  
CAP. 30.

(3) the Chief Executive Officer or head of department shall, on receipt of the death certificate, prepare pension forms for death-in-harness gratuity.

**230.** In the event of the death of the public officer, the Ministry in which the public officer was employed at the time shall pay to his legal representative or beneficiary—

Payment of  
termination  
benefits, funeral  
grant, etc.

- (a) salary *in lieu* of vacation leave earned up to the date of his death;
- (b) a sum equivalent to the salary and all the allowances accrued at the date of death; and
- (c) a funeral grant of two thousand dollars.

Requirements for other pensionable service.

**231.** Where a public officer has continuous service under one or more public bodies, (e.g., government, primary school or a statutory board) and requests amalgamation of such services for pensionable purposes, a detailed statement of his service with each employing body shall be forwarded to the Chief Executive Officer of the Ministry, and the Chief Executive Officer of the Ministry may approve, or otherwise, the amalgamation of his service.

232. *Revoked by S.I. 26 of 2015.*

## PART 22

### *Other Matters*

Loss of private property.

**233.**—(1) A public officer may be compensated for loss or damage to private property sustained through fire, theft, riot, an act of God or otherwise, in the course of his employment where such property is brought to the workplace with the permission of the head of department for the purpose of facilitating the public officer's performance of his duties.

(2) In considering whether or not a public officer shall be compensated, the Financial Secretary shall satisfy himself as to whether there was negligence on the part of the public officer causing the loss or damage.

Management of stationery.

**234.** Every effort shall be made to minimize wastage in departments and wherever possible, departments shall reproduce forms and other materials for use.

Care of stationery.

**235.**—(1) All stationery shall be carefully put away and its use, which must be confined to the public service only, shall be closely supervised by the head of department.

(2) All stationeries shall be placed under the custody of an appropriate senior public officer who shall be responsible for its safekeeping and distribution to ensure economy in usage.

**236.** A Chief Executive Officer or head of department shall keep seals and stamps secure and shall not supply such seals and stamps to private persons.

Seal or stamp.

**237.** A public officer shall not be permitted to make use of any office stamp for franking letters, or to frank letters without the authority of the head of department, and are required to keep such a device under lock and key, except when in actual use.

Franking stamp.

**238.** A public officer shall be pleasant and courteous in answering the office telephone and shall state the name of the Ministry or department for which he is answering the telephone.

Answering of telephone calls.

**239.**—(1) Heads of department are responsible for seeing that due economy is exercised in the use of the telephone and in particular that it is not used by public officers for their private affairs.

Use of telephones.

(2) Where it is alleged that a public officer has abused the use of the telephone he shall be given an opportunity to exculpate himself.

(3) If the head of department is not satisfied with the explanation given, he may subject the public officer to a surcharge by the head of department.

**240.**—(1) All letters, minutes, reports and returns shall be dated, numbered (where appropriate) and signed in full, with the official designation of the Ministry or department, as the case may be.

Identification of correspondence.

(2) Plans and other attachments shall be signed and dated and bear a numerical reference to the documents (if any) which they accompany.

(3) All electronic correspondence of an official nature shall be treated in the same manner as other official documents (printed and filed).

Single subject communication.

**241.** Each communication shall be confined as far as possible to a single subject.

Correspondence between departments.

**242.** Memoranda between departments shall clearly indicate the official designation of its origin, the addressee, and the subject matter and all formal and informal commencements and conclusions included in ordinary letters should be dispensed with.

Circulars.

**243.**—(1) Circulars shall be initialled by the public officers of the department in which they are received and shall be kept bound together in a “Circular Book” which shall be indexed.

(2) Heads of department shall communicate instructions conveyed by circulars to all members of their staff.

Other instructions in Guard Book.

**244.**—(1) Heads of department shall keep together, in a “Guard Book” to be kept for that purpose, all rules and regulations other than circular instructions forwarded to them for record and guidance in connection with every branch of the public service under their control.

(2) All such rules and regulations should be properly indexed and all amendments thereto promptly noted from information published in the *Gazette* or otherwise communicated to them.

Public officers to acquaint with *Gazettes*, Acts, etc.

**245.**—(1) All *Gazettes*, Acts and other printed matter, which have been or may be issued from time to time to heads of department, shall be carefully bound.

(2) A public officer is expected to make himself acquainted with notices published in the *Gazettes*, Acts, and other documents and laws relating to his duties.

(3) The fact that special notification or instructions have not been received from the ministries shall not be accepted as an excuse for inattention to notices in the *Gazette*.

(4) Publication of any matter in the *Gazette* shall be sufficient notice to every department of the facts published therein.

**246.**—(1) *Gazette* matters of legal nature shall be submitted to the Attorney General’s Ministry for vetting before being forwarded for publication.

Vetting of legal matters.

(2) Notices and other matters for publication in the *Gazette* shall be delivered to the Government Printer no later than 4:00 p.m. on Wednesdays.

(3) Any material forwarded after that time shall be held over for publication in the following week’s issue of the *Gazette*, except in urgent or special cases, the publication of which will be left to the discretion of the Government Printer.

**247.** A Chief Executive Officer or head of department shall ensure that a “Precedent Book” is kept in each Department in which shall be entered, from time to time, all instructions given by the Commission, the Ministry, Chief Executive Officers or the head of department for the guidance of the public officers and the book shall be carefully indexed to facilitate reference to it.

Precedent Book.

**248.** The Public Service Regulations and the Services Commissions Regulations are revoked.

Revocation.  
S.I. No.  
159 of 2001.  
160 of 2001.  
114 of 2002.  
171 of 2004.  
112 of 2005.  
46 of 2009.  
47 of 2009.

SCHEDULE 1

[Regulation 15(2)]

FORM OF OATH OF CONFIDENTIALITY

I..... being appointed to serve in  
the..... do solemnly and sincerely swear/affirm that, except in the  
course of duty, will not directly or indirectly reveal to anyone either by word of  
mouth, writing or nay other means, information which may come to my notice in  
the course of my duties, unless specifically authorized to do so by the Chief  
Executive Officer/head of department.

So Help Me God

-----  
(Signature)

Sworn at ..... this ..... day of ..... before me

-----  
Chief Executive  
Officer/ Head of  
Department

## SCHEDULE 2

*[Regulation 114]*

## QUALIFICATIONS AND INCREMENTS DUE

**1. CERTIFICATE COURSES**

A public officer who has pursued an approved course of studies, in accordance with regulation 183(1)(a) or (b), the minimum of which is one academic year, and at the end of which a certificate is awarded on successful completion is eligible for the award of one additional increment.

**2. DIPLOMA COURSES**

A public officer who has pursued an approved course of studies, in accordance with regulation 183(1)(a) or (b), the minimum of which is two academic years, and at the end of which a diploma is awarded, on successful completion is eligible for the award of two additional increments.

**3. BACHELOR DEGREE**

- (i) A public officer who has pursued an approved course of studies in accordance with regulation 183, at the end of which a first degree is awarded on successful completion is eligible for the award of three additional increments.
- (ii) Paragraph (i) applies to those persons who acquire additional qualification but remain in their substantive post. Where the superior qualification is required for promotion, the public officer will be elevated to the higher scale and the matter of placement on the salary

scale will be dealt with in accordance with regulation 113.

- (iii) Paragraph (i) does not, however, apply to persons who graduate with a diploma, degree or certificate which they intend to use in order to gain admission to another course of studies in the same or a related field of study.

#### 4. MASTER DEGREE

- (i) A public officer who was approved study leave to pursue a Master's degree on successful completion is eligible for the award of two additional increments.
- (ii) A public officer who was approved study leave to pursue a First degree but who returns with a Master's degree on successful completion is eligible for the award of four additional increments.

#### 5. DOCTORATE DEGREE

- (i) Study leave to pursue a course of studies leading to a Ph.D. shall be considered only for studies in areas of critical national need and the needs of the wider public service and such need shall be determined by the respective Ministry.
- (ii) A public officer who has pursued an approved course of studies in accordance with regulation 183(1)(a) and (b), at the end of which a Ph. D. is awarded, on successful completion, is eligible for the award of two additional increments.

- (iii) No increments will be awarded for the acquisition of Ph.Ds other than in accordance with paragraph (ii).

## **6. EFFECTIVE DATE OF AWARD OF INCREMENTS**

All increments are awarded with effect from the date of expiration of study leave, and with the approval of the Chief Executive Officer of the Ministry.

## **7. QUALIFICATION NOT ELIGIBLE FOR AWARD OF INCREMENTS**

- (i) Where a public officer successfully completes a course of training for which a degree, diploma or certificate was awarded and for which the public officer received an additional increment and subsequently successfully completes an equivalent or lower level course, the public officer shall not be entitled to additional increments for such equivalent or lower qualification except in cases where the lower level qualification supplements the requirements for the job.
- (ii) Where a public officer obtains the required qualification for his current post after the fact, no additional increment shall be awarded.

**SCHEDULE 3***[Regulation 119(1)]***FORM OF CLAIM FOR SUBSISTENCE, MILEAGE AND MEAL ALLOWANCE**

<b>NAME:</b>	<b>MILES TRAVELLED:</b>
<b>POST:</b>	<b>TIME SPENT AWAY FROM STATION:</b>
<b>STATION:</b>	<b>MEANS OF CONVEYANCE USED (VEHICLE NO.):</b>
<b>DATE &amp; TIME OF LEAVING STATION:</b>	<b>NATURE OF OFFICIAL DUTIES PERFORMED:</b>
<b>PLACES VISITED (EN ROUTE):</b>	<b>NUMBER OF HOURS/DAYS:</b>
<b>IF ANY:</b>	<b>CLAIMED:</b>
<b>FINAL DESTINATION</b>	<b>RATE OF SUBSISTENCE/ MILEAGE/ MEAL ALLOWANCE:</b>
<b>DATE &amp; TIME OF RETURN TO STATION</b>	
<b>INCIDENTAL EXPENSES IF ANY:</b>	
<b>TOTAL AMOUNT CLAIMED: (SHOW MILEAGE, SUBSISTENCE AND MEAL ALLOWANCE AND OTHER EXPENSES SEPARATELY)</b>	
<b>DATE:</b>	
<b>SIGNATURE AND DESIGNATION OF CLAIMANT:</b>	
<b>APPROVED BY:</b>	
	<b>(SIGNATURE)                      (DESIGNATION)</b>

SCHEDULE 4

*[Regulation 123]*

POSITIONS FOR WHICH A BUSH ALLOWANCE IS PAYABLE

**Forestry**

1. Conservation Officers
2. Forest Officers
3. Forest Ranger
4. Forest Guard
5. Foresters

**Lands and Surveys**

1. Assistant Surveyors
2. Survey technicians

**Geology**

1. Geologist
2. Micropaleontologist
3. Geological Draughtsman
4. Mineral Surveyor

## SCHEDULE 5

*[Regulation 127(2)]*POSITIONS FOR WHICH A MOTOR VEHICLE MAINTENANCE ALLOWANCE  
IS PAYABLE**Judicial and Legal Staff**

1. Magistrate
2. Crown Counsel

**Ministry responsible for Education**

Manager, ITVET, Belize City

**Ministry responsible for Finance**

1. Bailiff
2. Income Tax Officer
3. General Sales Tax Officer

**Ministry responsible for Health**

1. Administrator, National Drug Abuse Control Council
2. Drug Educator, National Drug Abuse Control Council
3. Chest Physician
4. Inspector of Midwives
5. Senior Medical Technologist
6. Supervisor of Public Health Nurses
7. Dental Surgeon
8. Director of Laboratory Services
9. Environmental Assistant
10. Health Education Officer
11. Malaria Eradicator
12. Medical Officer
13. Medical Officer of Health
14. Medical Technologist I and II
15. Nurse Specialist (Grade II) (Anaesthetist)
16. Nurse Specialist (Grade II) (Family and Psychiatric)

17. Nursing Administrator (Matron III) at Community level (Punta Gorda, Dangriga, Corozal
18. Nursing Supervisor (Grade I) (Senior Public Health Nurse)
19. Nurse Specialist (Grade II) (Public Health Nurse)
20. Officer-in-charge of X-Ray in the Districts
21. Nursing Supervisor (Grade I)
22. Public Health Inspector
23. Nurse Specialist (Grade II) (Public Health Nurse)
24. Radiographer
25. Senior Public Health Inspector
26. Nursing Administrator (Senior Public Health Nurse)
27. Senior Radiographer
28. Supervisor of Public Health Nurse

**Ministry responsible for Human Development**

Supervisor, Belize Youth Development Centre

**Ministry responsible for Labour**

1. Senior Labour Officer
2. Labour Officer

**Ministry responsible for Consumer Protection**

Consumer Protection Officer

**Ministry responsible for National Security**

1. Chief Analyst
2. Deputy Chief Analyst

## SCHEDULE 6

*[Regulation 186(4)]***1. GUIDELINES FOR CONSIDERATION OF REQUEST FOR STUDY LEAVE****A. Relevance to needs**

- (i) The training requested must be relevant to the Department's development and the public officer's career intentions.
- (ii) Proposed programme of study should be designed to improve the technical, analytical, managerial and decision-making skills of individuals displaying potential for development by supplementations through on the job training.
- (iii) Public officers in the clerical, secretarial and horizontal grades shall be required to undergo the programme of studies and on the job training mandated by the Ministry.
- (iv) Consideration for study leave to pursue programme of study at the Baccalaureate and higher level for public officers in the clerical, secretarial and horizontal grades shall be considered after they have undergone programme of studies and on the job training mandated by the Ministry.

**B. Academic eligibility**

- (i) Nominees for a proposed programme of study must possess the requisite academic qualifications that will enable acceptance into tertiary level institutions.
- (ii) Public officers who may not possess the requisite academic qualifications must obtain acceptance into the institutions.

**C. Overall Performance**

In addition to requirements at regulation 184 nominees should have above average performance records, display positive job attitudes and proficiency in the use of language.

**D. Seniority**

Where more than one public officer in the same post fulfils all the requirements, the most senior public officer should be given priority. Any supersession must be justified.

E. Age

Public officers nominated for training should normally not be more than forty-five years old by the end of the proposed programme of study and be physically and mentally capable to undertake the course of studies.

2. REQUIREMENTS FOR CONSIDERATION OF REQUEST FOR FINANCIAL ASSISTANCE

- A. Officer must be pursuing an approved course of studies at the Bachelor or Master's degree level,
- B. Request must be submitted through the Chief Executive Officer,
- C. Request must be accompanied by:
  - (i) Copy of invoice from the educational institution,
  - (ii) Most recent grades from the educational institution,
  - (iii) Supporting correspondence from the Chief Executive Officer or the Head of Department, as the case may be.
- D. A public officer must be earning a grade Point Average of at least 2.5.

**MADE** this 1<sup>st</sup> day of October, 2014.

**SIR COLVILLE N. YOUNG**  
*Governor-General of Belize*

**CHAPTER 4****CHIEF OF STAFF (MINISTRY OF DEFENCE)  
(DESIGNATION) ORDER.****ARRANGEMENT OF ORDER**

1. Short title.
2. Designation of Chief of Staff as Section 107 Office.

**CHAPTER 4**

**CHIEF OF STAFF (MINISTRY OF DEFENCE)  
(DESIGNATION) ORDER**

5 of 1990.  
CAP. 4.  
R.E. 2020.

*(Section 107(1))*

*[3rd February, 1990]*

1. This Order may be cited as the

Short title.

**CHIEF OF STAFF (MINISTRY OF DEFENCE)  
(DESIGNATION) ORDER.**

2. In exercise of the powers vested in me by section 107(1) of the Belize Constitution and acting in accordance with the advice of the Prime Minister given after consultation with the Public Services Commission, I hereby designate the office of the Chief of Staff, Ministry of Defence, as an office to which Section 107 of Belize Constitution will apply.

Designation of  
Chief of Staff as  
Section 107  
Office.

**MADE** by the Governor-General this 15th day of January, 1990.

**(MINITA ELMIRA GORDON)**  
*Governor-General*

**CHAPTER 4****BELIZE CONSTITUTION (JUDICIAL AND LEGAL  
SERVICES) (LAW REVISION COMMISSIONER)  
ORDER****ARRANGEMENT OF ORDER**

1. Short title.
2. Law Revision Commissioner.

**CHAPTER 4**

**BELIZE CONSTITUTION (JUDICIAL AND LEGAL SERVICES) (LAW REVISION COMMISSIONER) ORDER**

CAP 4.  
R.E. 2020.  
94 of 2011.

*(Section 110F (2))*

*[Gazetted 8th October, 2011]*

1. This Order may be cited as the

Short title.

**BELIZE CONSTITUTION (JUDICIAL AND LEGAL SERVICES) (LAW REVISION COMMISSIONER) ORDER.**

2. In exercise of the powers vested in me by section 110F (2) of the Belize Constitution and all other powers thereunto me enabling, I hereby prescribe the office of Law Revision Commissioner as falling within the definition of “judicial and legal services” for the purpose of the said section.

Law Revision  
Commissioner.

**GIVEN** under my hand and the public Seal of Belize this 4th day of October, 2011.

**(COLVILLE N. YOUNG)**

*Governor-General*

**CHAPTER 4****BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(COMMENCEMENT) ORDER****ARRANGEMENT OF ORDER**

1. Short title.
2. Commencement of Act No. 13 of 2008.

**CHAPTER 4**

**BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(COMMENCEMENT) ORDER**

CAP. 4  
R.E. 2020.  
34 of 2010.

*[Gazetted 10th April, 2010]*

1. This Order may be cited as the

Short title.

**BELIZE CONSTITUTION (SIXTH AMENDMENT)  
ACT (COMMENCEMENT) ORDER.**

2. In exercise of the powers conferred upon me by section 23 of the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008), and all other powers thereunto me enabling, **I, DEAN O. BARROW**, Prime Minister, do hereby appoint the 12th day of April, 2010 as the day on which the said Act shall come into force save and except sections 5, 6, 7 and 9 of the said Act, which shall come into force on a day to be appointed subsequently by Order published in the *Gazette*.

**MADE** this 8th day of April, 2010.

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

**CHAPTER 4****BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(COMMENCEMENT) (NO.2) ORDER****ARRANGEMENT OF ORDER**

1. Short title.
2. Commencement of Act No. 13 of 2008 (Sections 5 and 6).

**CHAPTER 4**

**BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(COMMENCEMENT) (NO. 2) ORDER**

CAP. 4  
R.E. 2020.  
103 of 2010.

*[Gazetted 13th November, 2010]*

1. This Order may be cited as the

Short title.

**BELIZE CONSTITUTION (SIXTH AMENDMENT)  
ACT (COMMENCEMENT) (NO. 2) ORDER**

2. In exercise of the powers conferred upon me by section 23 of the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008), and all other powers thereunto me enabling, **I, DEAN O. BARROW**, Prime Minister, do hereby appoint the 1st day of December, 2010 as the day on which sections 5 and 6 of the said Act [relating to the term of office of members of the House of Representatives] shall come into force.

**MADE** this 11th day of November, 2010.

**(DEAN O. BARROW)**

*Prime Minister*

**CHAPTER 4****BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(SENATE COMPOSITION PROVISIONS)  
(COMMENCEMENT) ORDER****ARRANGEMENT OF ORDER**

1. Short title.
2. Commencement date of sections 7 and 9 of Act No. 13 of 2008.

**CHAPTER 4**

**BELIZE CONSTITUTION (SIXTH AMENDMENT) ACT  
(SENATE COMPOSITION PROVISIONS)  
(COMMENCEMENT) ORDER**

CAP.4  
R.E. 2020.  
67 of 2016.

*[Gazetted 20th October, 2016]*

1. This Order may be cited as the

Short title.

**BELIZE CONSTITUTION (SIXTH AMENDMENT)  
ACT (SENATE COMPOSITION PROVISIONS)  
(COMMENCEMENT) ORDER**

2. **I, DEAN O. BARROW**, Prime Minister, hereby appoint the 20th day of January, 2017, as the day on which sections 7 and 9 of the Belize Constitution (Sixth Amendment) Act, 2008, Act No. 13 of 2008, shall come into force; certain other provisions of the Act having already been brought into force by the Belize Constitution (Sixth Amendment) Act (Commencement) Order, 2010.

Commencement  
date of section 7  
and 9 of Act No.  
13 of 2008.

**MADE** by the Prime Minister this 20th day of October, 2016.

**(RT. HON. DEAN O. BARROW)**  
*Prime Minister and Minister of Finance,  
Public Service, Energy and Public Utilities*

**CHAPTER 4****BELIZE CONSTITUTION (SEVENTH AMENDMENT)  
ACT (COMMENCEMENT) ORDER****ARRANGEMENT OF ORDER**

1. Short title.
2. Commencement of Act No. 4 of 2010.

**CHAPTER 4**

**BELIZE CONSTITUTION (SEVENTH AMENDMENT)  
ACT (COMMENCEMENT) ORDER**

CAP. 4.  
R.E. 2020.  
41 of 2010.

*[Gazetted 1st May, 2010]*

1. This Order may be cited as the

Short title.

**BELIZE CONSTITUTION (SEVENTH  
AMENDMENT) ACT (COMMENCEMENT)  
ORDER**

2. In exercise of the powers conferred upon me by section 7 of the Belize Constitution (Seventh Amendment) Act (No. 4 of 2010), and all other powers thereunto me enabling, **I, DEAN O. BARROW**, Prime Minister, do hereby appoint the 1st day of June, 2010, as the day on which the said act shall come into force.

Commencement  
of Act No. 4 of  
2010.

**MADE** this 27th day of April, 2010.

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