

BELIZE:

Belize Island Holdings Facility Development Act 2016

No. 1 of 2016

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No. 1 of 2016

I assent,

(SIR COLVILLE N. YOUNG)
Governor-General

10th February, 2016

AN ACT to provide for certain exemptions from taxes and duties proposed to be granted to the Developer by the Agreement; to provide for the effective implementation of the Facility; and to provide for matters connected therewith or incidental thereto.

(Gazetted 13th February, 2016).

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:-

1. This Act may be cited as the

Short title.

**BELIZE ISLAND HOLDINGS FACILITY
DEVELOPMENT ACT 2016.**

Interpretation.

2. In this Act, unless the context otherwise requires,

“Agreement” means the agreement dated 09 September 2014, between the Government of Belize and Belize Island Holdings Ltd.;

CAP. 275.

“BTB” means the Belize Tourism Board established under the Belize Tourism Board Act;

“cruise ship” means a sea vessel which can accommodate over 500 passengers on board for lodging and which is within Belize’s inland or territorial waters for less than twenty-four hours, but does not include a live aboard vessel;

CAP. 250.

“Developer” means Belize Island Holdings Ltd., a company formed under the Companies Act, with registered office situate at Suite 401, 4th. Floor, the Matalon, Coney Drive, Belize City, Belize;

“Development Plan” means the business plan outlining the Facility in detail, including physical development plans, focusing on a detailed description of the Facility, financial budgets and projections, and an implementation and operations plan;

“Facility” means the construction, development and infrastructure works of an offshore island cruise passenger docking facility and hub by the Developer on Harvest Caye and near Malacate in the Stann Creek District;

“Fee” means the Harvest Caye Passenger Fee;

“Harvest Caye” means the 75 acre island adjacent to the Big Creek Channel and located south-east of the Port of Big Creek as more particularly described in the Development Plan;

“Malacate” means the 20 acre parcel of land east of Mango Creek bounded by the Placencia lagoon as more particularly described in the Development Plan;

“Minister” means the Minister with responsibility for industry and investment;

“port facility” means the administrative and docking structures built on Harvest Caye and used exclusively for cruise ships;

“professional services” means the services provided by civil, electrical and mechanical engineers, contractors, labourers, and other skilled persons performing duties related to the construction aspect of the Facility.

3. Notwithstanding anything to the contrary contained in the

Exemption from taxes and duties.

CAP. 63. (a) General Sales Tax Act,

CAP. 48 (b) Customs and Excise Duties Act,

CAP. 49. (c) Customs Regulation Act,

and any regulations made under any of the said Acts, or any other law, rule, regulation, order or instrument whatsoever, the Developer shall be exempt from the taxes, duties or imposts under the said Acts.

4. The exemptions specified in section 3 above shall have effect for a period of five years from the date of the Agreement.

Period of exemption.

5. The exemptions from taxes and duties granted under this Act shall apply only to the following as they relate directly to the construction aspect of the Facility:

Extent of exemptions.

(a) capital machinery;

(b) equipment, including marine and terrestrial vehicles, and spare parts;

(c) building materials;

(d) fixtures and fittings;

(e) office equipment;

(f) professional services.

**Collection and
payment of
Fee.**

6. (1) During the term of the Agreement, BTB is hereby authorised to collect the prescribed Fee from all cruise ship passengers entering the port facility.

(2) The manner of payment and the ratio of the distribution of the Fee shall be as set out in regulations made under this Act.

**Exclusively of
port facility.**

7. During the term of the Agreement, the port facility shall be the exclusive cruise ship port for the Stann Creek and Toledo Districts.

Regulations.

8. The Minister shall make regulations as may be expedient for giving effect to the provisions of this Act and for prescribing anything that needs to be prescribed.