

BELIZE:

BELIZEAN NATIONALITY (AMENDMENT)
ACT, 2018

ARRANGEMENT OF SECTIONS

1. Short title.
2. Insertion of new section 3A.
3. Amendment of section 10.
4. Insertion of new Part IVA.
5. Amendment of section 27.
6. Rerential amendments.
7. Transitional.
8. Commencement.



No. 9 of 2018

I assent,

(SIR COLVILLE N. YOUNG)

Governor-General

13th April, 2018.

AN ACT to amend the Belizean Nationality Act, Chapter 161 of the Substantive Laws of Belize, Revised Edition 2011; to provide, as a companion measure to amendments to the Immigration Act, Chapter 156, and the Passports Act, Chapter 164, for the bifurcation of functions related to nationality and immigration services; and to provide for matters connected therewith or incidental thereto.

(Gazetted 14th April, 2018)

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

1. This Act may be cited as the

Short title.

BELIZEAN NATIONALITY (AMENDMENT)
ACT, 2018,

CAP. 161.
2 of 2014.
11 of 2016.

and shall be read and construed as one with the Belizean Nationality Act, which, as amended, is hereinafter referred to as the principal Act.

Insertion of
new section
3A.

2. The principal Act is amended by inserting immediately after section 3 the following sections -

“Nationality
and Passports
Department,
establishment
and
functions.

3A.-(1) There is established under the Ministry responsible for nationality a department, for the purpose of carrying out the provisions of this Act and of any other enactment as may be provided, to be known as the Nationality and Passports Department.

(2) Subject to the provisions of this Act, the functions of the department include -

- (a) the acceptance and processing of applications for permanent residency;
- (b) the acceptance and processing of applications for nationality;
- (c) the acceptance and processing of applications for passports;
- (d) being the Secretariat for the Nationality Scrutinizing Committee.

Appointment
of Director.

3B. The Governor-General acting in accordance with the advice of the Prime Minister shall appoint a person as the Director of Nationality and Passports to head of the Nationality and Passports Department, who shall thereby be a public officer.”

Amendment
of section 10.

3. Section 10 (6) of the principal Act is amended by inserting immediately after the words “in accordance with” the

words “this Act, or at any time prior to the commencement of the Belize Nationality (Amendment) Act, 2018.”.

4. The principal Act is amended by inserting next after section 21 the following new Part -

Insertion of
new Part IVA.

“PART IVA

Permanent Residency

**Permanent
residency.**

21A. - (1) A person who, having attained the age of eighteen years and being of sound mind

-

a) has been legally residing in Belize for a continuous period of at least one year, having been issued a temporary permit to enter and stay in Belize for such period;

b) intends to continue to be ordinarily resident in Belize;

c) can satisfy the Director that by virtue of income or assets derived from his employment or some other legitimate source, he -

(i) has been able to financially sustain himself and any dependent during any period while he was residing in Belize;

(ii) will be able to sustain himself and any dependent in the future while residing in Belize; and

d) has not been convicted by a competent court in any country of a criminal offence for which he may have been liable to a

sentence of imprisonment of twelve months or more, and has not received a free pardon in respect of the offence,

may apply to the Director to be granted permanent residency in Belize.

(2) Notwithstanding any other provisions of this Act, a person who entered Belize as a minor, whether legally or illegally, and has been continuously residing in Belize for a period of at least ten years shall be eligible to apply for permanent residency.”.

**Amendment
of section 27.**

5. Section 27 (1) of the principal Act is amended by inserting in the appropriate alphabetical sequence, the following new definition -

“Director” means the person appointed as Director of Nationality and Passports.”

**Referential
amendments.**

6. A reference in any other law to the “Director of Immigration and Nationality Services” or “principal immigration officer” or to the “Department of Immigration and Nationality Services” exercising a function in relation to nationality (which for this purpose includes permanent residency) or passport services is, to the extent possible, to be read as a reference respectively to the person appointed to the post of Director of Nationality and Passports or to the Nationality and Passports Department established under this Act.

Transitional.

7. Notwithstanding that an application for permanent residency of Belize was submitted for processing prior to the date of commencement of this Act, it shall with effect from that date be dealt with pursuant to this Act.

Commencement.

8. This Act comes into force on a date appointed by the Minister by Order published in the *Gazette*.