

BELIZE:

BELIZE TERRITORIAL DISPUTE REFERENDUM ACT, 2019
ARRANGEMENT OF SECTIONS

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No. 6 of 2019

I assent,

(SIR COLVILLE N. YOUNG)

Governor-General

16th April, 2019

AN ACT to provide for a referendum to determine whether any legal claim of Guatemala against Belize, relating to land and insular territories and to any maritime areas pertaining to these territories, should be submitted to the International Court of Justice for final settlement and for the International Court of Justice to determine finally the boundaries of the respective territories and areas of Belize and Guatemala; and to provide for matters connected therewith or incidental thereto.

(Gazetted 16th April. 2019).

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 and
construction.

**BELIZE TERRITORIAL DISPUTE REFERENDUM
ACT, 2019.**

Interpretation.

2. In this Act—

“International Court of Justice” means the principal judicial organ of the United Nations established by the Charter of the United Nations on June 26, 1945;

“referendum” means the referendum described in section 3;

“Protocol to the Special Agreement” means the Protocol to the Special Agreement between Belize and Guatemala, signed on May 25, 2015 and authorized for ratification by the Senate on December 15, 2016;

“Special Agreement” means the Special Agreement between Belize and Guatemala to submit Guatemala’s territorial, insular and maritime claim to the International Court of Justice, signed by Belize on December 8, 2008 and authorized for ratification by the Senate on December 15, 2016;

“Statute of the Court” means the Statute of the International Court of Justice which constitutes and regulates that Court.

Referendum
to initiate
territorial
dispute.

3. A referendum shall be held to enable electors to vote on whether the Government of Belize should, in accordance with the Special Agreement and the Protocol to the Special Agreement, request the International Court of Justice to determine in accordance with applicable rules of international law as specified in Article 38(1) of the Statute of the Court any and all legal claims of Guatemala against Belize to land and insular territories and to any maritime areas pertaining to these territories, to declare the rights therein of both Parties, and to determine the boundaries between their respective territories and areas.

Procedure
to initiate
referendum.

4.-(1) For the purposes of conducting a referendum under section 3, the Prime Minister shall, in writing, request that the Governor-General issue a Writ of Referendum in accordance with section 5.

- (2) A request issued pursuant to sub-section (1) shall-
- (a) appoint the date for the holding of the referendum;
 - (b) state that the reason for the referendum is to submit to electors the question “Do you agree that any legal claim of Guatemala against Belize relating to land and insular territories and to any maritime areas pertaining to these territories should be submitted to the International Court of Justice for final settlement and that it determine finally the boundaries of the respective territories and areas of the Parties?”; and
 - (c) be signed by the Prime Minister.

5.-(1) The Governor-General shall, within five days of receiving a request under section 4, issue a Writ of Referendum to the returning officers of the electoral divisions of Belize.

**Writ of
Referendum.**

(2) A Writ of Referendum issued in accordance with sub-section (1) shall be in a form similar to the Writ of Elections in the Fifth Schedule to the Representation of the People Act, with such modifications and adaptations as may be necessary to effectually conduct the referendum.

CAP. 9.

(3) The Writ of Referendum shall be forwarded to the Chief Elections Officer for transmission to the respective returning officers.

(4) The day stated in the Writ of Referendum for the holding of the referendum shall not be less than ten days after the issue of the Writ of Referendum.

(5) The Writ of Referendum shall specify that the referendum shall be held throughout the entire country of Belize.

Persons
qualified to
vote.

6. The persons qualified to vote in a referendum held under this Act shall be all those duly registered electors who, at the date of the holding of the referendum are qualified to vote as electors for the election of members of the House of Representatives in an election conducted under the Representation of the People Act.

CAP. 9.

Appointment
of returning
officers.

7.-(1) The Elections and Boundaries Commission shall appoint returning officers for each electoral division in the country of Belize.

(2) Subject to the directions of the Chief Elections Officer, it shall be the duty of the returning officer within his electoral division to do all things as may be necessary for effectually conducting the referendum and the counting of the votes cast.

(3) The returning officer shall not declare the results of the ballot in his electoral division, but shall certify to the Chief Elections Officer—

(a) the total number of ballot papers counted;

(b) the number of votes cast for and against the proposition in his electoral division or area;

and the Chief Elections Officer shall issue a certificate stating the results of the referendum in the entire country.

Validity of
referendum.

8. A referendum under this Act shall be decided by a simple majority of the votes cast.

<p>9. The referendum shall be conducted in accordance with all other provisions of the Representation of the People Act and Regulations made under that Act, with such modifications and adaptations as may be necessary to effectually conduct the referendum.</p>	<p>Application of the Representation of the People Act and Regulations. CAP. 9.</p>
<p>10. The Governor-General may, on the advice of the Minister responsible for elections, make Regulations—</p> <p>(a) as to the form of a ballot paper for the purpose of a referendum under this Act;</p> <p>(b) subject to this Act, for the modification of the Representation of the People Act, and Regulations made thereunder, including any omissions from, additions to and amendments to, the said Act, for the purpose of this Act; and</p> <p>(c) for any other matter appearing to be necessary or expedient for the purposes of this Act.</p>	<p>Regulations.</p> <p>CAP. 9.</p>
<p>11. All expenses incurred in carrying this Act into effect shall be defrayed out of moneys provided by the National Assembly.</p>	<p>Expenses.</p>
<p>12. If there is inconsistency between the provisions of this Act and the provisions of any other law, the provisions of this Act shall prevail.</p>	<p>Conflict of laws.</p>