

**BELIZE:**

**CHIEF OF DEFENCE STAFF ACT, 2020**

**ARRANGEMENT OF SECTIONS**

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No. 3 of 2020

I assent,

(SIR COLVILLE N. YOUNG)  
*Governor-General*

*10th January, 2020*

**AN ACT to provide for the appointment of a person to be the chief of defence staff who shall be responsible for the co-ordination of activities as between the Armed Forces and the Ministry of National Security; for the establishment of the Chief of Defence Staff; to provide for the functions of the Chief of Defence Staff; and to provide for matters connected therewith or incidental thereto.**

*(Gazetted 10th January, 2020.)*

***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.

**CHIEF OF DEFENCE STAFF ACT, 2020,**

Interpretation.

2. In this Act–

“armed forces” includes–

- (i) the Belize Defence Force; or
- (ii) the Coast Guard;

CAP. 135.

“Belize Defence Force” means the Force established under section 4 of the Defence Act; and

CAP. 131.01.

“Coast Guard” means the Coast Guard established under section 3 of the Belize Coast Guard Act.

Appointment  
of the Chief of  
Defence.

3.–(1) The Governor General, acting in accordance with the advice of the Prime Minister, shall appoint a person to be the Chief of Defence Staff.

(2) A person shall be eligible to be appointed as Chief of Defence Staff if–

- (a) that person has served in any of the armed forces and attained a rank not lower than Colonel or Lieutenant Commander, as the case may be; or
- (b) that person is currently serving in any of the armed forces at a rank not lower than Colonel or Lieutenant Commander, as the case may be.

(3) The Governor General acting on the advice of the Prime Minister may–

- (a) appoint a person over the age of 55 years to serve as the Chief of Defence Staff; or
- (b) permit a person who attains the age of 55 years to continue serving as the Chief of Defence Staff.

(4) The Chief of Defence Staff shall function under the direction, supervision and control of the minister responsible for defence.

(5) Where an officer serving as the Commander, Belize Defence Force, the Commandant, Belize Coast Guard as the case may be, is appointed as the Chief of Defence Staff, he shall, upon being so appointed, relinquish his position as the Commander, Belize Defence Force, the Commandant Belize Coast Guard, as the case may be, provided that notwithstanding anything to the contrary contained in the Defence Act, the Belize Coast Guard Act, the person so appointed as Chief of Defence Staff shall, for so long as he holds such position, continue to be a member of the services to which he belonged at the time of his appointment under subsection (1).

CAP. 135.  
CAP. 131:01.

(6) The Chief of Defence Staff shall, while so serving in the office of the Chief of Defence Staff, hold the rank of Major General in the case of an officer of the Belize Defence Force and Rear Admiral of the Upper Half in the case of an officer of the Coast Guard.

4.-(1) The functions of the Chief of Defence Staff shall be—

Functions  
of Chief of  
Defence Staff.

- (a) to assist in providing for the strategic direction of the armed forces;
- (b) to develop a doctrine for the joint employment of the armed forces;
- (c) to facilitate the preparation and review of strategic plans for the defence of the country;
- (d) to undertake assessments to determine the capabilities of the armed forces in comparison with those of their potential adversaries;
- (e) to prepare and review contingency plans relating to the armed forces for the protection of government and key personnel;
- (f) to advise on strengths and critical deficiencies and assess the effect of such strengths and deficiencies—

- (i) in meeting national security objectives; and
  - (ii) in ensuring conformity with policy;
- (g) to advise on the extent to which the programmes, recommendations and budget proposals of the armed forces for a fiscal year conform to the priorities established in relation to strategic plans;
  - (h) to tender advice on the extent to which the major programmes and policies of the armed forces relating to manpower and equipment conform to strategic plans;
  - (i) to assess military requirements as against the proposed defence procurement plans and to advise the Ministry accordingly;
  - (j) to facilitate the formulation of policies for the joint training of the armed forces;
  - (k) to facilitate the formulation of policies for peace-keeping operations by the armed forces ; and
  - (l) to do all such other things as are required or are necessary for the implementation of the above.

(2) In carrying out the functions under subsection (1), the Chief of Defence Staff shall—

- (a) consult with the Commander of the Belize Defence Force and the Commandant of the Coast Guard; and
- (b) take into consideration the range of military advice and opinions of the Commander of the Belize Defence Force and Commandant of Coast Guard.

Term of office.

5. The Chief of Defence Staff shall hold office for a period determined by the Prime Minister.

6.-(1) If the person appointed as Chief of Defence Staff served in any of the armed forces upon appointment, that person shall retire from the respective armed force after serving as Chief of Defence Staff.

**Retirement  
from armed  
forces.**

(2) The Chief of Defence Staff shall be entitled to all retirement benefits upon retirement under subsection (1), if the Chief of Defence Staff retires before attaining the age of 55 years.

7.-(1) The Chief of Defence Staff may resign at any time by giving two months written notice to the Governor General.

**Resignation.**

(2) Resignation by the Chief of Defence Staff shall take effect upon written acceptance of the resignation by the Governor General.

8. The Chief of Defence Staff may be removed at any time by the Governor General on the advice of the Prime Minister taking into consideration issues of national security, without assigning reasons therefore.

**Removal of  
Chief Defence  
Staff.**

9. In the event of death, retirement, resignation or disability or removal from office of the Chief of Defence Staff before the expiration of his term of office, the Governor General acting on advice of the Prime Minister shall, having regard to the provisions of this section, appoint another officer in his place.

**Power to fill  
vacancy.**

10.-(1) There shall be established an office of the Chief of Defence Staff which shall consist of such staff as the Chief of Defence Staff deems necessary.

**Office of  
the Chief of  
Defence Staff.**

(2) The staff shall be comprised of both armed forces personnel and civilian personnel.

(3) Civilian personnel may be employed from among persons presently in the public service, whether on permanent employment or employed on a contractual basis.

(4) Where armed forces personnel are deployed for service in the office of the Chief of Defence Staff, such

deployment shall be done by the Commander of the Belize Defence Force and the Commandant of the Coast Guard, as the case may be, in consultation with the Security Services Commission.

**Regulations.**

11. –(1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations in respect of the following–

- (a) joint doctrine, training and professional military education;
- (b) the programmes and courses that may be conducted in institutions established for the conduct of military education;
- (c) the establishment of databases and systems for collection, collation and storage of information relating to operations of the armed forces;
- (d) policies for peace-keeping operations;
- (e) guidelines for determining the terms and conditions applicable to personnel recruited on contractual basis to the office of the Chief of Defence Staff;
- (f) qualifications of experts whose services may be obtained for the office of the Chief of Defence Staff;
- (g) programmes and projects for human resources development within the office of the Chief of Defence Staff.

**Act to prevail  
over other  
written law.**

12. The provisions of this Act shall have effect notwithstanding anything contained in any other written law and in the event of any conflict or inconsistency between the provisions of this Act and such other written law, the provisions of this Act shall prevail.