

BELIZE:

CUSTOMS REGULATION (AMENDMENT) ACT, 2020

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 112.
3. Amendment of section 113.



No. 23 of 2020

I assent,

(SIR COLVILLE N. YOUNG)
Governor-General

25th August, 2020

AN ACT to amend the Customs Regulation Act, Chapter 49 of the Substantive Laws of Belize, Revised Edition 2011; to remove the imposition of a fine as a penalty for certain offences and replace it with mandatory imprisonment; and to provide for matters connected therewith or incidental thereto.

(Gazetted 29th August, 2020.)

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.

CUSTOMS REGULATION (AMENDMENT)
ACT, 2020,

CAP. 49.
23 of 2013.
6 of 2016.
21 of 2019.

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

Amendment of
section 112.

2. The principal Act is amended in section 112–

(a) in sub-section (1) (e) by deleting the words “, or any goods which have been illegally removed without the payment of duty from any warehouse or place of security in which they have been deposited”;

(b) by inserting immediately after paragraph (e), the following new paragraph–

“(ea) any goods which have been illegally removed without the payment of duty from any warehouse or place of security in which they have been deposited;”

(c) in sub-section (2) by deleting the words “knowingly or recklessly acquires” and substituting the words “is found in”;

(d) in sub-section (3) by deleting the chapeau and substituting the words “Subject to sub-section (3A), every person who commits an offence under this section–”; and

(e) by inserting after sub-section (3), the following new sub-section–

“(3A) A person who commits an offence under sub-section (1)(e) or (f) or sub-section (2)(b) or (c) is liable on summary conviction to–

(a) six months imprisonment in the first instance; or

(b) one year imprisonment for a second or subsequent offence.”.

3. The principal Act is amended in section 113 by –

Amendment of
section 113.

(a) deleting the full stop at the end of the proviso and substituting a comma; and

(b) inserting after the proviso, the following new proviso–

“Provided further that the Comptroller shall not make an out-of-court settlement *in lieu* of commencing or continuing proceedings in relation to an offence under section 112 (1) (e) or (f) or section 112 (2)(b) or (c) except in exceptional circumstances, and where such exceptional circumstances exist, the Comptroller shall act with the concurrence of the Minister responsible for Finance.”.