

BELIZE:

TIME LIMIT FOR JUDICIAL DECISIONS ACT, 2021

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No. 5 of 2021

I assent,

(STUART LESLIE)
Ag. Governor-General

May 6th, 2021

AN ACT to specify a time limit in accordance with sections 98 and 102 of the Belize Constitution within which decisions in civil and criminal cases in the Supreme Court and all Court of Appeal Cases shall be delivered; and to provide for matters connected therewith or incidental thereto.

(Gazetted 8th May, 2021).

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.

TIME LIMIT FOR JUDICIAL DECISIONS
ACT, 2021.

Interpretation.

2. In this Act—

“appeal case” means a case heard by the Court of Appeal;

“civil case” means a case heard in the civil division of the Supreme Court;

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“Commission” means the Judicial and Legal Services Commission established under section 110E of the Belize Constitution;

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“Council” means the Belize Advisory Council established under section 54 of the Belize Constitution; and

“criminal case” means a case heard in the criminal division of the Supreme Court.

Application of Act.

3. This Act applies to Judges of the Court of Appeal and the Supreme Court.

Cases to be tried expeditiously.

4. Every case shall be tried as expeditiously as possible in an endeavour to conclude the case within such time as the complexity and the relevant evidence necessitates.

Time limit for decisions in civil and criminal cases.

5.—(1) A Judge who presides at the trial of a civil or criminal case may give an oral decision at the conclusion of the hearing of the case and shall give a written decision and reasons for the decision as soon as possible after the conclusion of the hearing but not later than one hundred and eighty days from the date of conclusion of the hearing.

(2) Notwithstanding sub-section (1)—

(a) a Judge in a civil case shall not be required to give a written decision—

(i) if the parties to the civil case have reached a compromise; or

(ii) in interlocutory proceedings for which an oral decision is sufficient, unless, within seven days of the delivery of the oral decision, one of the parties requests a written decision and reasons for the decision, in which case the decision shall be given within thirty days from the date of conclusion of the hearing; and

(b) a Judge in a criminal case shall not be required to give a written decision in matters that do not require a written decision.

6. Where the Court of Appeal or the Supreme Court hears an appeal, the Court may give an oral decision at the conclusion of the hearing of the appeal and the Court shall give a written decision and reasons for the decision at the conclusion of the hearing of the appeal or as soon as possible after the conclusion but not later than one hundred and eighty days from the date of conclusion of the hearing of the appeal.

Time limit for decisions in appeal cases.

7.-(1) Where the Court of Appeal hears an application the Court of Appeal shall give a written decision and reasons for the decision at the conclusion of the hearing of the application not later than thirty days from the date of hearing the application.

Time limit for applications.

(2) Notwithstanding sub-section (1), the Court of Appeal shall not be required to give written reasons where-

(a) an oral decision is sufficient, unless within seven days of the delivery of the oral decision, one of the parties reasonably requests a written decision and reasons for the decision in which case, the decision shall be given within thirty days from the date of conclusion of the hearing; or

- (b) orders are given with the consent of all the parties or on applications if the Court or single Judge considers that reasons are not required unless one of the parties reasonably requests written reasons for the decision, in which case such reasons shall be given within thirty days from the date of conclusion of the hearing.

Persistently failing to write or give decisions.
CAP. 4.

8. In accordance with sections 98(3) and 102(2) of the Belize Constitution a Judge may be removed from office for, among other reasons stated in sections 98(3) and 102(2) of the Belize Constitution, persistently failing to give written decisions and reasons for decisions within the time specified in this Act.

Failure to write or give decisions.

9. Where a Judge fails to give a decision and reasons for the decision within the time specified in sections 5, 6 or 7 or the extended time granted under section 10, no later than 30 days after the time specified in sections 5, 6 or 7, the Commission shall notify the Belize Advisory Council that the Judge has failed to comply with the given time limit.

Extension of time in special cases.

10.—(1) If a Judge cannot comply with the time limit in sections 5, 6 or 7, then the Judge may apply to the Commission for an extension of time.

- (2) A Judge shall apply for an extension of time—
- (a) in writing;
 - (b) not less than seven days before expiration of the specified time limit;
 - (c) providing reasons and evidence of any supporting circumstances why the Judge cannot meet the time limit; and
 - (d) proposing the duration of extension sought.

(3) The Commission may grant an extension of time where—

- (a) the case is shown to be a complex one;
- (b) the Judge claims to be ill and the illness is supported by a medical certificate;
- (c) the Judge has been delayed by reason of additional official assignments;
- (d) no serious injustice occurs from the grant of the extension of time; or
- (e) any other acceptable reason.

(4) Where the Commission is satisfied that a Judge is entitled to an extension of time to write a decision, the Commission shall, by notice in writing, grant an extension of time that is reasonable in the circumstances of the case.

(5) Where the Commission is not satisfied that the Judge ought to be granted an extension, the Commission shall direct the Judge to give the decision within thirty days beginning from the date of receipt of the refusal to grant an extension of time or from the date of expiration of the specified time limit, whichever date is later.

11. As soon as practicable, but not later than 31st March of the succeeding year, where a Judge has not, in the preceding year, complied with the time limit in sections 5, 6 or 7 or the extended time granted under section 10, the Judge shall, through the Registrar of the Court, inform the Chairperson of the Commission of the case in which the provision was not complied with.

Judge to
inform
Chairperson
of non-
compliance.

12. As soon as practicable, but not later than 31st March of the succeeding year, each Judge shall submit an annual

Judge's report.

report to the Registrar of the Court and Chairperson of the Commission identifying each case where the Judge has failed to comply with the provisions of this Act.

Regulations.

13. The Commission may make regulations for carrying out the provisions of this Act into effect, and without limiting the generality of this provision, providing—

- (a) for a Judge to write a report to the Commission with respect to the status of each case assigned to the Judge for each year;
- (b) for the time within which the Judge shall write the report; and;
- (c) the contents of the Judge's report.

Transitional provision.

14. Where a Judge has concluded the hearing of an application or a civil case or an appeal but has not given the decision before the coming into operation of this Act, the Judge shall be deemed to have concluded the hearing of the case or appeal on the date of the coming into operation of this Act and shall accordingly give the decision in compliance with this Act.

Commencement.

15. This Act shall come into force on a day to be appointed by the Attorney General by Order published in the *Gazette*.