

BELIZE:

LAND UTILIZATION (AMENDMENT) ACT, 2021

ARRANGEMENT OF SECTIONS

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No. 7 of 2021

I assent,

(STUART LESLIE)
Ag. Governor-General

May 6th, 2021

AN ACT to amend the Land Utilization Act, Chapter 188 of the Substantive Laws of Belize, Revised Edition 2011; to strengthen the membership of the Land Subdivision and Utilization Authority; to empower the Authority to issue guidelines and to obtain expertise necessary to enhance performance of its functions; to increase the penalty for breach of regulations made by the Minister; 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.

LAND UTILIZATION (AMENDMENT) ACT, 2021,

CAP. 188.
43 of 2017.

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

Amendment of
section 2.

2. Section 2 of the principal Act is amended by inserting in the proper alphabetical sequence, the following definition—

““Authority” means the Land Subdivision and Utilization Authority;”.

Amendment of
section 6.

3. The principal Act is amended in section 6 as follows:—

(a) by deleting the full stop at the end of paragraph (g) and substituting a semi-colon; and

(b) by inserting after paragraph (g), the following as new paragraph (h)—

“(h) any other particulars required by the Authority.”

Repeal and
replacement of
section 9.

4. The principal Act is amended by repealing section 9 and substituting the following—

Land
Subdivision
and Utilization
Authority.

9.—(1) There shall be a Land Subdivision and Utilization Authority which shall be comprised of—

(a) the Commissioner of Lands and Surveys or his representative;

(b) the Chief Engineer or his representative;

(c) the Chief Forest Officer or his representative;

(d) the Chief Agricultural Officer or his representative;

- CAP. 145.
- (e) the Chief Environmental Officer or his representative;
 - (f) the National Coordinator appointed under the Disaster Preparedness and Response Act;
 - (g) the Principal Planner, who shall be the Secretary to the Authority; and
 - (h) two other persons appointed by the Minister.

(2) The Chairperson shall be the Commissioner of Lands and Surveys.

(3) The quorum shall consist of five persons.”.

5. The principal Act is amended by inserting after section 9 the following as section 9A and section 9B—

Insertion of new sections 9A and 9B.

“Tenure of office.

9A.—(1) A member of the Authority appointed under section 9(1)(h) shall—

- (a) hold office for a term not exceeding two years, as specified in the instrument appointing such member; and
- (b) be eligible for reappointment.

(2) A member of the Authority appointed under section 9(1)(h) may, at any time, resign his office by instrument in writing addressed to the Minister, and from the date of receipt by the Minister of such instrument, such member shall cease to be a member of the Authority.

(3) The Minister may, at any time, for good and sufficient cause revoke the appointment of a member of the Authority appointed under section 9(1)(h) if he deems it necessary to do so.

Other powers
of Authority.

9B. The Authority may from time to time—

- (a) engage experts or other persons having technical or special knowledge necessary for the purpose of assisting the Authority to carry out its functions under the Act;
- (b) develop and issue guidelines for the implementation of the Act and surveyors and other persons required to comply with the Act shall follow such guidelines.”.

Amendment of
section 17.

6. The principal Act is amended in section 17(2) by deleting the term “five hundred” and substituting the term “twenty-five thousand”.

Amendment of
section 18.

7. The principal Act is amended in section 18(b) by deleting the term “wife” and substituting the term “spouse”.

Amendment of
section 19.

8. The principal Act is amended in section 19(2) by deleting the term “five hundred” and substituting the term “twenty-five thousand”.

Replacement
of references
to Land
Subdivision
and Utilization
Authority.

9. The principal Act is amended by deleting the term “Land Subdivision and Utilization Authority” wherever it occurs and substituting therefor the term “Authority”.

Savings.

10.-(1) Upon the commencement of this Act, every application made to the Authority and wholly or partly

heard by the Authority is to be continued and dealt with in all respects as if this Act had not come into force.

(2) An approval granted as a result of an application determined under sub-section (1) is to be granted on the same terms and conditions that would have applied if this Act had not come into force.

(3) Every application made to the Authority as constituted under the repealed enactment that has not been wholly or partly heard by the Authority when this Act comes into force is to be taken to be an application made under the Authority as constituted at the commencement of this Act and this Act is to apply accordingly.