

BELIZE:

BELIZE CONSTITUTION (TWELFTH AMENDMENT) BILL, 2022

ARRANGEMENT OF CLAUSES

1. Short title.
2. Substitution of term
3. Repeal and replacement of section 94.
4. Amendment of section 95.
5. Amendment of section 100.
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BELIZE:

BILL

for

AN ACT to amend the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2020, to establish the Senior Courts of Belize; and to provide for matters connected therewith or incidental thereto.

(Gazetted2022).

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:

Short title.

1. This Act may be cited as the

CAP. 4. 14 of 1985. 26 of 1988. 42 of 1999. 2 of 2001. 39 of 2001. 23 of
2005. 13 of 2008. 4 of 2010. 11 of 2011. 6 of 2021.

BELIZE CONSTITUTION (TWELFTH AMENDMENT) ACT, 2022,

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

Substitution of term.

2. The principal Act is amended by deleting the term “ Supreme Court” wherever it appears and substituting the term “High Court”.

Repeal and replacement of section 94.

3. Section 94 of the principal Act is repealed and replaced with the following—

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“Establishment of Senior Courts.

94.—(1) There shall be for Belize the Senior Courts which shall be senior courts of record.

(2) The Senior Courts shall consist of the Court of Appeal and the High Court of Justice.

(3) The Chief Justice shall be the head of the Senior Courts and head of the judiciary.”.

Amendment of section 95.

4. Section 95 of the principal Act is amended by repealing sub-section (2) and replacing it with the following—

“(2) The Justices of the High Court shall be the Chief Justice, two Senior High Court Justices and such number of other justices as may from time to time be prescribed by the National Assembly,

Provided that the office of a justice shall not be abolished while there is a substantive holder thereof.”.

Amendment of section 100.

5. Section 100 of the principal Act is amended—

(a) by repealing sub-section (2) and substituting the following—

“(2) The Justices of the Court of Appeal shall be—

(a) the Chief Justice, by virtue of his office as head of the Senior Courts and head of the Judiciary;

(b) a President; and

(c) such number of other Justices as may be prescribed by the National Assembly,

Provided that the office of Justice of Appeal shall not be abolished while there is a substantive holder of that office.”;

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- (b) in sub-section (4), by deleting the word “President” and inserting the words “Chief Justice”; and
- (c) by inserting the following new sub-section immediately after subsection (4)–
 - “(5) The President shall be responsible for such administrative functions of the Court of Appeal as assigned in writing by the Chief Justice.”.

Amendment of section 110F.

6. Section 110F(2) of the principal Act is amended by repealing sub-section (2) and replacing it with the following–

“(2) In this section, “judicial and legal services” means service as Registrar General, Deputy Registrar General, Chief Registrar and Deputy Registrar of the Court of Appeal, Master of the High Court, Registrar and Deputy Registrar of the High Court, Chief Magistrate, Magistrate, Legal Draftsman, Law Revision Counsel, Parliamentary Counsel, Senior Crown Counsel, Crown Counsel, Registrar and Deputy Registrar of Intellectual Property, Assistant Registrar, Companies and Corporate Affairs Registry, and such other posts requiring a legal qualification as the Governor-General, acting in accordance with the advice of the Prime Minister, may from time to time by Order published in the Gazette, prescribe.”.

Amendment of section 131.

7. Section 131(1) of the principal Act is amended by–

- (a) by inserting the following term and definition in the proper alphabetical order–
 - ““High Court” means the High Court of Justice established by this Constitution”; and
- (b) by deleting the definition of “Supreme Court”.

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