

**BELIZE:**

**SUGAR INDUSTRY (LICENCE TO IMPORT/EXPORT SUGAR)  
REGULATIONS, 2023**

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**BELIZE:**

**STATUTORY INSTRUMENT**

**No. 62 of 2023**

*REGULATIONS made by the Sugar Industry Control Board, with the approval of the Minister responsible for Agriculture, in exercise of the powers conferred upon them by section 73 of the Sugar Industry Act, Chapter 283 of the Substantive Laws of Belize, Revised Edition 2020, and all other powers thereunto them enabling.*

*(Gazetted 16th May, 2023).*

**PART I**

*Preliminary*

1. These Regulations may be cited as the

Citation.

**SUGAR INDUSTRY (LICENCE TO IMPORT/  
EXPORT SUGAR) REGULATIONS, 2023.**

2. In these Regulations—

Interpretation.

“certified producer” means an association which has become certified by a certification body as producers who can sell certified sugar cane to a certified manufacturer;

“certified sugar” means sugar that earns a premium or any other benefits when sold;

“export” means taking out of Belize to a place outside of Belize;

“import” means bringing into Belize from a place outside of Belize;

“licence” means a licence granted by the Minister, or such person as may be appointed by him, to export or import sugar, ethanol or any other derivative of sugar cane;

“licensee” means the holder of a licence issued by the Minister, or such person as may be appointed by him, to import or export sugar, ethanol or any other derivative of sugar cane;

“Minister” means the Minister responsible for agriculture;

“Ministry” means the Ministry responsible for agriculture;

“operations” means importing sugar into or exporting sugar from Belize;

“premium” means an extra amount of money paid for a product in addition to the payment for the cost of the product; and

“shipment permit” means a permit granted by the Controller of Supplies which authorises a single transaction to import or export sugar, ethanol or any other derivative of sugar cane.

## PART II

### *Application Procedure for a Licence*

Application for licence.

3.–(1) Any person who desires to import into or export from Belize any sugar, ethanol or any other derivative of sugar cane shall apply for a valid licence for that purpose from the Minister or such person as may be appointed by him.

Schedule I.

(2) An application for a licence to import sugar made in accordance with sub-regulation (1) shall be in form 1 of Schedule I.

Schedule I.

(3) An application for a licence to export sugar made in accordance with sub-regulation (1) shall be in form 2 of Schedule I.

(4) Any person who contravenes this regulation commits an offence and the sugar in connection with which the offence was committed shall be liable to be forfeited and shall be disposed of in such manner as the Minister, or such person as may be appointed by him, may direct.

4.-(1) A licence granted by the Minister, or such person as may be appointed by him, shall be valid for one calendar year.

Validity period  
for licence.

(2) An application for a licence to import or export sugar or any other derivative of sugar cane shall be made on or before November 30th of every calendar year.

5.-(1) The Minister, or such person as may be appointed by him, shall grant the licence if he is satisfied that—

Requirements  
for granting a  
licence.

- (a) the applicant is authorised and equipped to conduct operations for which the licence is being sought;
- (b) the applicant has disclosed copies of import or export contracts which indicate the specific purpose for which the licence is being applied for and which specifies the period within which operations are to take place; and
- (c) the applicant is a fit and proper person.

(2) Where the applicant enters into a contract to sell certified sugar, the applicant shall also disclose, when making an application for a licence, a detailed report of—

- (a) the total amount of certified sugar or other derivatives of sugar cane contracted to be sold for each transaction of exporting sugar; and

(b) any premiums or benefits due to each certified producer according to the volume of production of sugar cane delivered by each certified producer.

(3) In determining whether an applicant is a fit and proper person, the Minister, or such person as may be appointed by him, may consider—

(a) the applicant's history of compliance with laws relating to the importation or exportation of sugar or any other derivative of sugar cane;

(b) that the applicant is in possession of a certificate of good standing from the Belize Companies and Corporate Affairs Registry; and

(c) any other relevant factors the Minister considers.

**Refusal to  
grant a licence.**

6.—(1) The Minister, or such person as may be appointed by him, may refuse to grant a licence if he is satisfied that—

(a) the applicant does not meet the requirements specified in regulation 5; or

(b) that the applicant is not a fit and proper person to hold a licence.

(2) The Minister, or such person as may be appointed by him, shall not grant a licence for the importation of sugar or any other derivative of sugar cane if the product is adequately supplied by a local producer.

(3) Notwithstanding sub-regulation (2), the Minister, or such person as may be appointed by him, may grant a licence for the importation of sugar or any other derivative of sugar cane if the product being applied for is not adequately supplied by a local producer to meet the demands of local consumption.

(4) Where the Minister, or such person as may be appointed by him, refuses to grant a licence, he shall notify the applicant, in writing, of the reasons for the refusal within ten working days of receipt of the application.

7.-(1) The Minister, or such person as may be appointed by him, may, by notice in writing to the licensee, suspend or revoke a licence if he is satisfied that-

Suspension or revocation of licence.

- (a) the licensee has not complied with or is not complying with the terms and conditions set out in the provisions of these Regulations;
- (b) the licensee is not operating for the purposes for which the licence was granted; or
- (c) the licensee has ceased to operate.

(2) A notice issued under this regulation shall specify-

- (a) the reasons for the suspension or revocation;
- (b) the date on which the revocation or suspension takes effect; and
- (c) in the case of suspension, the date on which, or the event in relation to which, the suspension may cease to have effect.

(3) A person whose licence has been suspended or revoked in accordance with this regulation shall immediately surrender his licence to the Ministry, or to the relevant person appointed by the Minister, and in any event, not later than seven days from the date of receipt of the notice, whether or not the revocation or suspension is the subject of any appeal.

8.-(1) For the purposes of these Regulations, there shall be established an appeals tribunal which shall consist of-

Right to appeal denial, suspension or revocation of licence.

- (a) the Director General of Foreign Trade;

- (b) the Labour Commissioner; and
- (c) the Chief Magistrate.

(2) The Chief Magistrate shall be the chairperson of the appeals tribunal.

(3) A person whose application for a licence has been denied in accordance with regulation 6 or whose licence has been suspended or revoked in accordance with regulation 7 may, in writing, appeal this decision to the appeals tribunal.

(4) The appeals tribunal may prescribe rules for the procedure for hearing appeals made pursuant to sub-regulation (3).

Licence.  
Schedule II.

9.-(1) The licence issued for the importation of sugar or any other derivative of sugar cane shall be in form 1 of Schedule II.

Schedule II.

(2) The licence issued for the exportation of sugar or any other derivative of sugar cane shall be in form 2 of Schedule II.

### PART III

#### *Licence Terms and Conditions*

Period in  
which licensee  
shall become  
operational.

10.-(1) Where the Minister, or such person as may be appointed by him, grants a licence to import or export sugar or any other derivative of sugar cane, a licensee shall commence operations within four months of the date of the issuance of the licence.

(2) The licensee shall inform the Ministry, or the relevant authority appointed by the Minister, in writing of when it commences such operations.



(3) A licensee who does not commence operations within the period specified in sub-regulation (1), shall request in writing to the Minister, or such person as may be appointed by him, an extension for up to two additional months prior to the expiration of the four-month period.

11. Where a licence is granted, the licensee shall apply and obtain, in addition to the licence, a shipment permit in accordance with regulation 20, for every importation or exportation shipment of sugar or any other derivative of sugar cane the licensee engages in within the one calendar year validity period of the licence.

Requirement for a licence and a shipment permit.

12. A licence granted by the Minister, or such person as may be appointed by him, in accordance with these Regulations is non-transferable.

Licence to be non-transferable.

13.-(1) A licensee who intends to cease import or export operations shall inform the Minister in writing and specify the date on which such operations shall cease.

Ceasing operations under a licence.

(2) A licence to import or export sugar or any other derivative of sugar cane shall become void on the date the import or export operations ceases notwithstanding the validity period specified in regulation 4.

14.-(1) Where there is a change in the ownership of a company, any licence held by the company prior to the change of ownership shall become void immediately upon the change.

Change of ownership of a company.

(2) The company, under its new ownership, shall apply for the issue of a licence in accordance with regulation 3 and for a shipment permit in accordance with regulation 20 prior to commencing any import or export operations.

15. The licensee is required to display a copy of the licence in a conspicuous manner at the licensee's principal place of business.

Display of licence.

Collection and distribution of proceeds, premiums and other benefits.

**16.**—(1) Where the licensee enters into a contract to purchase or process certified sugar cane from a certified producer and to sell certified sugar or any derivative or by-product of sugar cane that earns a premium or any other benefits for the certified producer, the licensee shall—

- (a) collect all proceeds, premiums or other benefits from the total volume of certified sugar or any derivative or by-product sold to buyers; and
- (b) distribute any premiums or other benefits on a quarterly basis to certified producers to which premiums are due based on the respective volume of sugar cane delivered to the licensee by each certified producer.

(2) The licensee may deduct any respective or applicable bank charges of the premium or other financial benefits from the amount being remitted to the respective certified producers.

(3) Failure to pay the respective premium or benefit in accordance with this regulation shall result in an immediate revocation of a licence.

Licensee to obtain other permits from relevant authorities.

**17.** The licensee shall obtain permits and agreements from all relevant authorities, persons or entities for the use of their facilities and shall comply with all conditions and covenants stipulated by such authorities, persons or entities as agreed upon by all parties.

Inspection of premises.

**18.**—(1) The Minister or any other person he may authorise, and the Chairperson or a representative of the Sugar Industry Control Board shall have the right to visit and inspect the licensee's premises of manufacturing and import or export operations at any time during normal working hours for the purposes of ensuring compliance with the provisions of the Act or these Regulations.

(2) The Minister or any other person he may authorise, and the Chairperson or a representative of the Sugar Industry Control Board shall give notice in writing to the licensee of the intention to visit and inspect the licensee's premises forty-eight hours prior to the visit.

**19.**-(1) Any person who imports or exports sugar or any other derivative of sugar cane shall at all times keep records showing particulars of acquisition, purchase or sale, and import or export of such sugar so as to enable any person authorised by the Minister to readily trace the importation or exportation of such sugar.

Record to be kept.

(2) Failure to keep records under sub-regulation (1) shall be an offence under these Regulations.

#### PART IV

##### *Shipment Permit Requirement*

**20.**-(1) A licensee shall apply to the Controller of Supplies for a shipment permit for every shipment transaction of importing into or exporting from Belize any sugar, ethanol or any other derivative of sugar cane.

Shipment permit.

(2) An application made in accordance with sub-regulation (1) for a shipment permit to import sugar shall be submitted to the Controller of Supplies in form 1 of Schedule III.

Schedule III.

(3) An application made in accordance with sub-regulation (1) for a shipment permit to export sugar shall be submitted to the Controller of Supplies in form 2 of Schedule III.

Schedule III.

(4) A shipment permit shall be valid only for the specific import or export transaction specified in the permit.

(5) A person or licensee who imports or exports sugar without first obtaining a shipment permit commits an offence.

Requirements for granting a Shipment Permit.

**21.**—(1) The Controller of Supplies shall grant a shipment permit if he is satisfied that—

- (a) the applicant is in possession of a valid licence granted in accordance with regulation 3; and
- (b) the applicant has disclosed all import or export contracts and reports required under regulation 5.

(2) The Controller of Supplies shall not grant a shipment permit for the importation of sugar or any other derivative of sugar cane if the product is adequately supplied by a local producer.

(3) Notwithstanding sub-regulation (2), the Controller of Supplies may grant a shipment permit for the importation of sugar or any other derivative of sugar cane if the product being applied for is not adequately supplied by a local producer to meet the demands of local consumption.

## PART V

### *Miscellaneous*

Disclosure.

**22.** Where sugar is being exported, the licensee shall disclose to the Sugar Industry Control Board and to the association or producer from which it receives sugar cane for processing into sugar for exportation, all copies of contracts between the licensee and its buyers for any product for which the licence and shipment permit is granted.

Request for additional information.

**23.**—(1) Where an application is made for a licence, the Minister, or such person as may be appointed by him, may request from another governmental body or department any

additional information necessary to consider the granting of a licence.

(2) Where an application is made for a shipment permit, the Controller of Supplies may request from another governmental body or department any additional information necessary to consider the granting of a shipment permit.

## PART VI

### *Offense and Penalty*

**24.** Any person found acting in contravention of these Regulations shall be punishable on summary conviction by a fine not exceeding five thousand dollars, or by imprisonment not exceeding six months, or by both such fine and period of imprisonment, and in addition, by a fine of five hundred dollars for every day the offence continues.

Offense and penalty.

**25.** Any information and complaint in respect of any contravention of any of these Regulations may be laid by a person duly authorised by the Minister.

Laying of information and complaint.

## PART VII

### *Transition and Negative Resolution*

**26.** Any person engaged in the importation of sugar into Belize or the exportation of sugar from Belize before the commencement of these Regulations shall immediately upon commencement of these Regulations—

Transition.

- (a) apply to the Minister, or such person he may appoint, for a licence for that purpose in accordance with regulation 3; and
- (b) apply to the Controller of Supplies for a shipment permit for every importation or

exportation transaction in accordance with regulation 20.

Negative  
resolution.

**27.** These Regulations shall be subject to negative resolution.

SCHEDULE I  
[Regulation 3(2)(3)]

FORM 1

APPLICATION FOR LICENCE TO IMPORT

PLEASE PRINT CLEARLY

DATE:

TO:

1. Name of Applicant: \_\_\_\_\_

2. Registered Address: \_\_\_\_\_

3. Mailing Address: \_\_\_\_\_

4. Tax Identification Number: \_\_\_\_\_

5. Company Representative (Person responsible for all matters related with licensing)

(a) Name: \_\_\_\_\_

(b) Telephone: \_\_\_\_\_

(c) Email: \_\_\_\_\_

(d) Signature: \_\_\_\_\_

6. Product intended for import:

Sugar

Molasses

Ethanol

Other Derivative of Sugar Cane: (Specify)\_\_\_\_\_

7. Estimated frequency of importation: \_\_\_\_\_

8. Country of Origin: \_\_\_\_\_

9. Estimated quantity intended for import per year during licence period  
in Tonnes (by Product Category and Sub-Category):

\_\_\_\_\_  
\_\_\_\_\_

10. Quantity of item in stock for import at time of application (by product category and sub-category):-

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11. Ratio of item in stock to be imported during licence period as compared to item to be produced during licence period for import: \_\_\_\_\_

12. Provide details of import contracts for the period being applied for:

Details of Import Contracts (per Product Category and Sub-category):

<b>Contract Details (list the parties)</b>	<b>Product Category &amp; Sub-Category</b>	<b>Contracted Quantity to be Imported During Licence Period</b>	<b>Scheduled Import Period to Fulfill Contractual Obligation During Licence Period (i.e. the date of first import to date of final import)</b>	<b>Port of Entry</b>	<b>Country of Origin/Country of Manufacture</b>

13. Documents provided in support (attach copies to the application):

- Company Registry Certification
- Certificate of Good Standing from the Belize Companies and Corporate Affairs Registry
- GST Certificate
- SKU List (List of items with descriptions as presented on invoices, entries, or packing list)



- Import contracts
- Other (specify): \_\_\_\_\_

**Declaration:**

I/We, \_\_\_\_\_<sup>\*</sup>, \_\_\_\_\_<sup>†</sup> at \_\_\_\_\_<sup>‡</sup>  
do declare that I/we am/are authorized by the Applicant to verify and sign this declaration on the Applicant's behalf; and that, having reviewed this application, I/we am/are satisfied that the particulars and the statements made in this application are true and correct to the best of my/our knowledge and belief. On behalf of the Applicant, I/we hereby indicate that the Applicant understands that any incorrect or false information furnished or any information deliberately omitted from this application may result in this application being rejected.

Dated this            day of            , 20\_\_

\_\_\_\_\_  
Signature  
Print Name:

\_\_\_\_\_  
Signature  
Print Name:

Notes:

1. Quantities should be referred to:
  - (a) For sugar of any kind, in tonnes;
  - (b) For molasses, in tonnes;
  - (c) For ethanol, in gallons/litres; and
  - (d) For any other derivative, as required by the Ministry responsible for Agriculture.
2. An applicant may, no later than five (5) business days after submission of the application, withdraw or submit an amended version of the application.

\_\_\_\_\_  
<sup>\*</sup> Name(s) of authorized signatory/signatories

<sup>†</sup> Occupation/Position(s) of authorized signatory/signatories at Applicant entity

<sup>‡</sup> Name of Applicant entity

For Official Use:

Date:

Application received by:

Post:

Signature:

Approved

Licence is valid from the day of , 20 , to the day of 20 .

Denied (states reasons):

FORM 2

APPLICATION FOR LICENCE TO EXPORT

PLEASE PRINT CLEARLY

DATE:

TO:

1. Name of Applicant: \_\_\_\_\_

2. Registered Address: \_\_\_\_\_

3. Mailing Address: \_\_\_\_\_

4. Tax Identification Number: \_\_\_\_\_

5. Company Representative (Person responsible for all matters related with licensing)

(a) Name: \_\_\_\_\_

(b) Telephone: \_\_\_\_\_

(c) Email: \_\_\_\_\_

(d) Signature: \_\_\_\_\_

6. Product intended for export:

Sugar

Molasses

Ethanol

Other Derivative of Sugar Cane: (Specify)\_\_\_\_\_

7. Estimated frequency of exportation: \_\_\_\_\_

8. Country of exportation : \_\_\_\_\_

9. Estimated quantity intended for export per year during licence period in Tonnes (by Product Category and Sub-Category):

\_\_\_\_\_  
\_\_\_\_\_

10. Quantity of item in stock for export at time of application (by product category and sub-category):-

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11. Ratio of item in stock to be exported during licence period as compared to item to be produced during licence period for export: \_\_\_\_\_

12. Provide details of export contracts for the period being applied for:

Details of export Contracts (per Product Category and Sub-Category):

<b>Contract Details (list the parties)</b>	<b>Product Category &amp; Sub-Category</b>	<b>Contracted Quantity to be Exported During Licence Period</b>	<b>Scheduled Export Period to Fulfill Contractual Obligation During Licence Period (i.e. the date of first Export to date of final Export)</b>	<b>Port of Exit</b>	<b>Destination Country and Port</b>

13. Documents provided in support (attach copies to the application):

- Company Registry Certification
- Certificate of Good Standing from the Belize Companies and Corporate Affairs Registry
- GST Certificate
- SKU List (List of items with descriptions as presented on invoices, entries, or packing list)

- export contracts
- Projection of volume to be exported by category.
- Valid manufacturer's licence (if applicable)
- Other (specify): \_\_\_\_\_

**Declaration:**

I/We, \_\_\_\_\_ §, \_\_\_\_\_ \*\* at  
 \_\_\_\_\_ †† do declare that I/we am/are authorized by the  
 Applicant to verify and sign this declaration on the Applicant's behalf; and  
 that, having reviewed this application, I/we am/are satisfied that the  
 particulars and the statements made in this application are true and correct  
 to the best of my/our knowledge and belief. On behalf of the Applicant,  
 I/we hereby indicate that the Applicant understands that any incorrect or  
 false information furnished, or any information deliberately omitted from  
 this application may result in this application being rejected.

Dated this            day of            , 20\_\_

\_\_\_\_\_  
 Signature  
 Print Name:

\_\_\_\_\_  
 Signature  
 Print Name:

Notes:

1. Quantities should be referred to:
  - (a) For sugar of any kind, in tonnes;
  - (b) For molasses, in tonnes;
  - (c) For ethanol, in gallons/litres; and
  - (d) For any other derivative, as required by the Ministry responsible for Agriculture.
2. If the exporter is a manufacturer of the item for which a licence to export is being sought through this application, a copy of a valid manufacturer's licence should accompany this application.
3. An applicant may, no later than five (5) business days after submission of the application, withdraw or submit an amended version of the application.

§ Name(s) of authorized signatory/signatories

\*\* Occupation/Position(s) of authorized signatory/signatories at Applicant entity

†† Name of Applicant entity

For Official Use:

Date:

Application received by:

Post:

Signature:

Approved

Licence is valid from the    day of    , 20    , to the    day of    20    .

Denied (states reasons):

SCHEDULE II  
[Regulation 9(1)(2)]

FORM 1

LICENCE TO IMPORT SUGAR

Belize.

No. of Licence ( )

By virtue of the authority vested in me, \_\_\_\_\_,  
the Minister responsible for Agriculture, under the Sugar Industry Act to issue  
licences for the importation of Sugar into Belize,  
\_\_\_\_\_ is hereby granted a licence to import  
sugar, ethanol or other derivative of sugar cane by way of  
located at \_\_\_\_\_, Belize.

This licence dated the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ is  
hereby granted for the term of one calendar year, from 1<sup>st</sup> January 20 \_\_\_\_\_ to  
31<sup>st</sup> December 20 \_\_\_\_\_, and is subject to the terms and conditions set out in  
the Sugar Industry (Licence to Import/Export) Regulations and the Sugar  
Industry Act.

\_\_\_\_\_  
Minister Responsible for Agriculture

## FORM 2

## LICENCE TO EXPORT SUGAR

Belize.

No. of Licence (                      )

By virtue of the authority vested in me, \_\_\_\_\_,  
the Minister responsible for Agriculture, under the Sugar Industry Act to issue  
licences for the exportation of Sugar from Belize,  
\_\_\_\_\_ is hereby granted a licence to export  
sugar, ethanol or other derivative of sugar cane by way of  
located at \_\_\_\_\_, Belize.

This licence dated the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_ is  
hereby granted for the term of one calendar year, from 1<sup>st</sup> January 20\_\_\_\_ to  
31<sup>st</sup> December 20\_\_\_\_, and is subject to the terms and conditions set out in  
the Sugar Industry (Licence to Import/Export) Regulations and the Sugar  
Industry Act.

\_\_\_\_\_  
Minister Responsible for Agriculture



SCHEDULE III  
[Regulation 20(2)(3)]

FORM 1

Shipment Permit No. \_\_\_\_\_

**IMPORT SHIPMENT PERMIT**

Name of Importer: \_\_\_\_\_

Address of Importer: \_\_\_\_\_

Country of Origin: \_\_\_\_\_

Mode of Transportation: \_\_\_\_\_

Port of Entry: \_\_\_\_\_

Value of Goods in BZE. \$: \_\_\_\_\_

- Freight on Board (FOB)
- Cost Insurance and Freight (CIF)

\_\_\_\_\_  
Signature of Importer

PERMISSION IS HEREBY GRANTED FOR THE IMPORTATION OF  
\_\_\_\_\_ TO \_\_\_\_\_

On the following conditions:

Description of Goods	Quantity	Estimated Value	Mode of Transport

This shipment permit is valid for \_\_\_\_\_ days from the date of approval.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 .

\_\_\_\_\_  
Controller of Supplies

## FORM 2

Shipment Permit No. \_\_\_\_\_

**EXPORT SHIPMENT PERMIT**

Name of Exporter: \_\_\_\_\_

Address of Exporter: \_\_\_\_\_

Destination country: \_\_\_\_\_

Mode of Transportation: \_\_\_\_\_

Port of Exit: \_\_\_\_\_

Value of Goods in BZE. \$: \_\_\_\_\_

 FOB CIF\_\_\_\_\_  
Signature of ExporterPERMISSION IS HEREBY GRANTED FOR THE EXPORTATION OF  
FROM \_\_\_\_\_

On the following conditions:

Description of Goods	Quantity	Estimated Value	Mode of Transport

This shipment permit is valid for \_\_\_\_\_ days from the date of approval.

This \_\_\_\_\_ day of \_\_\_\_\_, 20 .

\_\_\_\_\_  
Controller of Supplies

**MADE** by the Sugar Industry Control Board this 12th day of May, 2023.

Porfino Marcos Osorio

(NAME)

(CHAIRPERSON)

**APPROVED** by the Minister responsible for the Sugar Industry this 13th day of May, 2023.

A handwritten signature in black ink, appearing to be 'J. Mai', enclosed within a large, loopy circular flourish.

**JOSE ABELARDO MAI**

**Agriculture, Food Security and Enterprise**

*(Minister responsible for Sugar Industry)*