

**BELIZE:**

**BELIZE CONSTITUTION (THIRTEENTH AMENDMENT) BILL,  
2025**

**ARRANGEMENT OF CLAUSES**

1. Short title.
2. Amendment of section 18.
3. Insertion of new sections 18A and 18B.
4. Insertion of new section 19A.
5. Amendment of section 94.
6. Insertion of new section 94A.
7. Amendment of section 131.
8. Insertion of new Schedule 5.
9. Consequential amendment.

**BELIZE:****BILL****for**

**AN ACT** to amend the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2020, to provide for declarations of special areas for public safety and public order for the purpose of preventing, detecting or controlling crime and the limiting of rights therein for a period of time; to provide for the establishment of a Gun and Gang Court; to validate certain Proclamations of State of Emergencies and Regulations and all acts and things done by the State thereunder; and to provide for matters connected therewith or incidental thereto.

*(Gazetted ....., 2025)*

**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:

**WHEREAS**, as a result of “*action that has been taken or is immediately threatened by persons or bodies of persons of such a nature and on so extensive a scale as to be likely to endanger the public safety or to deprive the community, or any substantial portion of the community, of supplies or services essential to life*”; successive Governments have invoked section 18(2) of the Constitution of Belize in the interest of public safety or public order, or for the purpose of preventing, detecting or controlling crime in the country, when justified and on reasonable grounds

**AND WHEREAS**, the High Court of Belize has in two recent claims - Claim No. 613 of 2023 and Claim No. 818 of 2023 - given divergent opinions on the *vires* of reliance on section 18(2) of the Constitution of Belize by the State in the interest of public safety or public order,

or for the purpose of preventing, detecting or controlling crime in the country;

**AND WHEREAS**, the decisions in Claim No. 613 of 2023 and Claim No. 818 of 2023 have created uncertainty with respect to the State’s responsibility to uphold the rule of law and the Government’s ability in the interest of public safety or public order, or for the purpose of preventing, detecting or controlling crime justifiably and on reasonable grounds, limit the rights of the citizens;

**AND WHEREAS**, this state of uncertainty in the law cannot persist uncorrected;

**NOW THEREFORE**,

1. This Act may be cited as the

**BELIZE CONSTITUTION (THIRTEENTH AMENDMENT) ACT,  
2025,**

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

Short title.

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.  
25 of 2022.

2. The principal Act is amended in section 18(3) by inserting after the words “is satisfied”, the words “on the advice of the National Security Council or the National Advisory Committee, as the case may be, on reasonable grounds”.

Amendment of  
section 18.

3. The principal Act is amended by inserting after section 18, the following new sections—

Insertion of new  
sections 18A and  
18B.

“Declaration of  
special area.

**18A.**—(1) In this section—

“Security Forces” means—

- (a) the Police Department;
- (b) the Belize Defence Force; and
- (c) the Coast Guard; and

“special area” means any area of Belize declared under sub-section (2), in which the provisions of this section have effect.

(2) The Governor General, on the advice of the National Security Council, may by Order published in the *Gazette*, declare any area in Belize as a special area in the interest of public safety or public order or for the purpose of preventing, detecting or controlling crime.

(3) An Order made by the Governor-General under this section shall not be effective unless it contains a declaration that the Governor General is satisfied on the advice of the National Security Council, on reasonable grounds, that the declaration of the area as a special area is necessary—

- (a) in the interest of public safety or public order in the specified area; or
- (b) for the purpose of preventing, detecting or controlling crime in that area.

(4) A declaration made under sub-section (2) may be made to apply to only such part of Belize as may be specified in the declaration, in which case, regulations made under sub-section (8) shall, except as otherwise expressly provided in such regulations, have effect only in the special area.

(5) An Order made by the Governor-General for the purposes of and in accordance with this section—

- (a) shall, unless previously revoked, remain in force for a period not exceeding one month;
- (b) may be extended from time to time by a resolution passed by the National Assembly for further periods, not exceeding in respect of each such extension a period of twelve months; and
- (c) may be revoked at any time by a resolution of the National Assembly.

(6) A resolution of the National Assembly extending or revoking any such resolution, shall not be passed unless it is

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supported by the votes of two thirds of the members of the House of Representatives present and voting.

(7) Any provision of this section that a declaration or resolution shall lapse or cease to be in force at any particular time is without prejudice to the making of a further such declaration or resolution whether before or after that time.

(8) During any period where there is the declaration of a special area, the following provisions shall have effect—

- (a) the Governor General may make such regulations as are necessary or expedient for securing public safety and public order or for the purpose of preventing, detecting or controlling crime in that area.
- (b) any such regulations may empower such authorities or persons as may be specified in the regulations to make orders and rules for any of the purposes for which such regulations are authorised by this sub-section to be made and may contain such incidental and supplementary provisions as are necessary or expedient for the purposes of the regulations;
- (c) any such regulations or any order or rule made in pursuance of such regulations may amend or suspend the operation of any law and shall have effect notwithstanding anything inconsistent therewith contained in any law;
- (d) in this subsection, “law”, does not include this Constitution or any provision thereof or any law that alters this Constitution or any provision thereof.

(9) Without prejudice to the generality of sub-section (8), such regulations may make provision for any of the following—

- (a) the custody or disposal of anything detained under sub-section (12);
- (b) the establishment and operation of cordons;
- (c) the establishment of auxiliary forces with like functions, powers and immunities as those of the Police Department and under the direction of the National Security Council; and
- (d) anything authorised or required under this section to be prescribed.

(10) Any regulations made under this section may contain such incidental or supplementary provisions as appear to the Governor General to be necessary or expedient for the purpose of the regulations.

(11) Regulations made under this section shall be subject to negative resolution.

(12) In a special area, any member of the Security Forces may, without warrant, and using such force, if any, as may be reasonably justified in the circumstances—

- (a) undertake a search of any premises, place, vehicle, person or thing upon reasonable suspicion of being thereon or therein any unlawful drug or any unlicensed or prohibited firearm or ammunition, or any unlawfully-obtained article or thing, or any person wanted in connection with a criminal investigation;
- (b) seize, take away and detain any vehicle or article which he reasonably suspects is intended to be used, or has been used, for or in connection with the commission of any offence or is or has been unlawfully obtained or possessed;
- (c) arrest any person upon reasonable suspicion of his having committed or of being about to commit an offence; and
- (d) temporarily establish a cordon around the special area or any part thereof for a period not exceeding eight hours in any period of twenty-four hours and restrict the freedom of movement of persons and vehicles into or out of any area so cordoned.

(13) No person who is a female shall be searched under sub-section (12)(a), except by another female.

(14) Where anything is detained in accordance with sub-section (12)(b), a receipt therefor shall be given to the person from whose custody it was taken, and any such article or thing shall be kept, by virtue of such detention, for so long only as may be necessary for the purposes of any examination, investigation, trial or enquiry.

(15) The powers conferred upon the Security Forces by this section shall be without prejudice to any other powers conferred upon such Forces by any other law.

(16) Where any member of the Security Forces purports to act in the exercise of authority conferred by or under this section that member of the Security Forces shall be presumed to be acting within such authority in the absence of proof to the contrary.

(17) Nothing contained in or done under the authority of any law, including any regulations made under sub-section (8), shall be held to be inconsistent with or in contravention of section 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, or 17 of this Constitution to the extent that the law in question makes, in relation to any period where there is the declaration of a special area, provision or authorises the doing during any such period of anything, that is reasonably justifiable in the circumstances of any situation arising or existing during the period for the purpose of dealing with that situation.

Validation of acts done under Proclamations declaring State of Emergencies and corresponding Regulations. Schedule 5.

**18B.** For removal and avoidance of doubt, it is hereby declared that—

- (a) the Proclamations and Regulations specified in Schedule 5 are deemed to be valid and effectual and lawfully done in accordance with section 18 of this Constitution;
- (b) all acts and things done under the Proclamations and Regulations specified in the Schedule 5 are deemed to be valid, and effectual and lawfully done in accordance with this Constitution; and
- (c) nothing in paragraph (a) shall prejudice the right of any person, as at the 26<sup>th</sup> day of May, 2025, with respect to any judgment or existing claim before a court of law against the State arising from any acts and things done under the Proclamations and Regulations specified in Schedule 5.”.

**4.** The principal Act is amended by inserting after section 19, the following new section—

Insertion of new section 19A.

“Protection of persons detained under special area declaration order.

**19A.** When a person is detained by virtue of a law that authorises in a special area the taking of measures that are reasonably justifiable for the purpose of dealing with the

situation that exists in a special area, the provisions of section 19 shall apply *mutatis mutandis*.”.

Amendment of  
section 94.

**5.** The principal Act is amended in section 94(2) by inserting after the words “High Court of Justice”, the words “and such other High Court of Justice as may be established by law from time to time”.

Insertion of new  
section 94A.

**6.** The principal Act is amended by inserting after section 94, the following new section—

“Establishment  
of Gun & Gang  
Court.

**94A.**—(1) There shall be for Belize a Gun and Gang Court which shall have the powers and jurisdiction of the Magistrate Court and High Court to hear and determine criminal proceedings as may from time to time be prescribed by the National Assembly by a law made in that behalf.

(2) The Court shall be a court of record. and, when exercising the powers and jurisdiction of a High Court, shall be a superior court of record.”.

Amendment of  
section 131.

**7.** The principal Act is amended in section 131(1) by inserting the following new terms and their corresponding definitions in the proper alphabetical order—

CAP. 145.

““National Advisory Committee” means the National Disaster Preparedness and Response Advisory Committee established under section 6(1) of the Disaster Preparedness and Response Act;

Act No. 15 of  
2024.

“National Security Council” means the National Security Council established under section 3 of the National Security Council Act.”.

Insertion of new  
Schedule 5.

**8.** The principal Act is amended by inserting after Schedule 4, the following new Schedule—

“SCHEDULE 5  
[section 18B]

## PROCLAMATIONS AND REGULATIONS



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- |     |   |                                      |
|-----|---|--------------------------------------|
| 1.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 49 of 2018  |
| 2.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 34 of 2020  |
| 3.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 97 of 2020  |
| 4.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 89 of 2021  |
| 5.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 114 of 2022 |
| 6.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City  | Statutory Instrument No. 79 of 2023  |
| 7.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City and Certain Parts of the Cayo District                     | Statutory Instrument No. 58 of 2024  |
| 8.  | A Proclamation Declaring a State of Public Emergency in the Southside of Belize City and Certain Parts of the Cayo District                     | Statutory Instrument No. 93 of 2024  |
| 9.  | A Proclamation Declaring a State of Public Emergency in Certain Parts of Belize City and Certain Parts of the Belize District and Cayo District | Statutory Instrument No. 67 of 2025  |
| 10. | Belize Constitution (Emergency Powers) Regulations, 2018  | Statutory Instrument No. 50 of 2018  |

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|---|---------------------------------------|
| 11. Belize Constitution (Emergency Powers) Regulations, 2020. | Statutory Instrument No. 35 of 2020   |
| 12. Belize Constitution (Emergency Powers) Regulations, 2020. | Statutory Instrument No. 98 of 2020   |
| 13. Belize Constitution (Emergency Powers) Regulations, 2021  | Statutory Instrument No. 90 of 2021   |
| 14. Belize Constitution (Emergency Powers) Regulations, 2021  | Statutory Instrument No. 115 of 2022  |
| 15. Belize Constitution (Emergency Powers) Regulations, 2023  | Statutory Instrument No. 80 of 2023   |
| 16. Belize Constitution (Emergency Powers) Regulations, 2024  | Statutory Instrument No. 59 of 2024   |
| 17. Belize Constitution (Emergency Powers) Regulations, 2024  | Statutory Instrument No. 94 of 2024   |
| 18. Belize Constitution (Emergency Powers) Regulations, 2024  | Statutory Instrument No. 68 of 2025”. |

**9.** The Crime Control and Criminal Justice Act is amended by repealing sections 11, 12, 13, 14 and 15.

Consequential amendment.  
CAP. 102.