

BELIZE:

JUDGES SALARIES AND PENSIONS BILL, 2025

ARRANGEMENT OF CLAUSES

PART I

Preliminary

1. Short title.
2. Interpretation.
3. Application.

PART II

Salaries

4. Salaries of Judges.

PART III

Pensions

5. Contributions.
6. Entitlement to pension.
7. Rate of pension.
8. Minimum and maximum pensions.
9. Computation of pensions.
10. Vesting.
11. Resumption of service.
12. Gratuity on death of Judge.

Judges Salaries and Pensions

13. Gratuity and reduced pension.
14. Widow of a Judge.
15. Pension not assignable or attachable.
16. Pension chargeable on Consolidated Revenue Fund.

PART IV

Miscellaneous

17. Regulations.
18. Commencement.

BELIZE:

BILL

for

AN ACT to provide for the salaries, pensions and other conditions of service of Judges of the High Court of Judicature and the Court of Appeal.

(Gazetted2025).

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:

PART I

Preliminary

1. This Act may be cited as the Short title.

JUDGES SALARIES AND PENSIONS ACT, 2025.

2.-(1) In this Act— Interpretation.

“accrued benefits” means benefits earned in respect of service up to a particular point in time;

“Commission” means the Judicial and Legal Services Commission established by the Belize Constitution; CAP. 4.

“Court of Appeal” means the Court of Appeal established by the Belize Constitution; CAP. 4.

“High Court” means the High Court established by the Belize Constitution; CAP. 4.

“Judge” means a Judge of the High Court or the Court of Appeal and includes the Chief Justice and the President of the Court of Appeal;

“Minister” means the Minister responsible for finance;

Judges Salaries and Pensions

“pensionable emoluments” means the salary paid to a Judge in respect of his substantive office; and

CAP. 30. “pensionable service” means service which is pensionable under the Pensions Act.

(2) Where a Judge has pensionable service, his period of service as a Judge is, for the purposes of the Pensions Act, deemed to be other public service within the meaning of that Act.

Application. **3.**—(1) This Act shall apply to a person who—

(a) is a Judge at the commencement of this Act; or

(b) becomes a Judge after the commencement of this Act,

and who, in either case, elects by written Notice to the Governor-General to be subject to this Act.

(2) Notwithstanding sub-section (1), this Act shall not apply to a Judge who is itinerant and employed on contract.

PART II

Salaries

Salaries of Judges.

4.—(1) There shall be paid to every Judge the salaries and allowances prescribed by regulations made under this Act.

(2) Upon the commencement of this Act and the promulgation of Regulations made under subsection (1), every existing contract of service of a Judge, other than an itinerant Judge, shall be deemed terminated and shall cease to have effect.

PART III

Pensions

Contributions.

5.—(1) A Judge to whom this Act applies shall pay into the Consolidated Revenue Fund contributions at the rate prescribed by regulations made under this Act.

(2) The contributions required under sub-section (1) shall be paid by payroll deduction.

Judges Salaries and Pensions

(3) A judge appointed prior to the commencement of this Act with less than five years of service as of the date of commencement of this Act and a judge appointed after the commencement of this Act shall pay contributions only for service from the date of commencement or date of appointment, as the case may be.

(4) A judge appointed prior to the commencement of this Act with more than five years of service as of the date of commencement of this Act shall, in addition to current contributions, pay contributions for each year of service prior to the commencement of this Act,

Provided that the judge shall not be required to make contributions for the first six years of service from the date of appointment.

(5) Any contributions required under sub-section (4) shall be—

(a) deducted from any gratuity payable to such person as a lump sum payment or by instalments, as determined by the Minister; and

(b) calculated at the rate prescribed.

6.—(1) A Judge to whom this Act applies becomes entitled to a pension under this Act if that person—

Entitlement to pension.

(a) retires from that office on or after the day on which that person attains the age of 65 or any later age, not exceeding 75; and

(b) has, at the time of retirement, completed, in the aggregate at least five years of service in that office.

(2) For the purposes of sub-section (1)(b), the aggregate of years of service—

(a) in this case of a judge referred to under section 5(3), shall include only the period of service from the commencement of this Act or appointment, as the case may be; and

(b) in the case of a judge referred to under section 5(4), shall include any period service prior to, and after, the commencement of this Act.

(3) A Judge to whom this Act applies who, in accordance with the Belize Constitution, is removed from office for inability, arising from infirmity of mind or body, to perform the functions of that office is deemed to have retired from that office.

Judges Salaries and Pensions

(4) A Judge to whom this Act applies who, in accordance with the Constitution, is removed from office for any cause other than inability, arising from infirmity of mind or body, to perform the functions of the office may be granted such pension not exceeding one-half of the pension to which that Judge would have been entitled had that Judge retired from such office, as the Governor-General may decide.

Rate of pension.

7. The annual rate of pension payable to a person who retires from an office to which this Act applies shall be prescribed by regulations made under this Act.

Minimum and maximum pensions.

8.—(1) Subject to this section, a Judge to whom this Act applies who retires from office shall be paid a pension of not less than forty-four and a half per cent and not more than eighty-five per cent of the annual pensionable emoluments drawn by that Judge at the date of retirement.

(2) Where a Judge has pensionable service, the amount of pension granted under this Act shall not, when added to the amount of any pension or pensions drawn by that Judge in respect of that pensionable service, exceed eighty-five per cent of the annual pensionable emoluments drawn by that Judge at the date of retirement.

(3) For the purposes of this section, where a person receives a pension in respect of the same period of pensionable service or service as a Judge, the amount of such pension is deemed to be four-thirds of its actual amount.

Computation of pensions.

9.—(1) For the purpose of computing the amount of pension of a Judge to whom this Act applies—

(a) in this case of a judge referred to under section 5(3), only the period of service from the commencement of this Act or appointment, as the case may be, shall be taken into account; and

(b) in the case of a judge referred to under section 5(4), the period of service before and after the commencement of this Act shall be taken into account.

Vesting.

10. The vesting period of accrued benefits in each person to whom this Act apply shall be as follows—

(a) 50% after 5 years; and

(b) an additional 10% per year, for ever year after 5 years.

Resumption of service.

11. Where a person who has commenced to be paid a pension under this Act resumes service in an office to which this Act applies—

Judges Salaries and Pensions

- (a) the resumption of service shall not affect that person's entitlement to payment of the pension for any period before the resumption;
- (b) that person shall not be entitled to payment of the pension for any period during the resumed service; and
- (c) at the end of the period of resumed service, that person's entitlement to a pension or other benefit under this Act and the rate or amount of any such pension or benefit, shall be determined as if no pension under this Act had previously commenced to be paid to that person.

12. Where a Judge dies, there shall be granted to the legal personal representative of the Judge, a gratuity of an amount equal to the total of the gratuities which would have been payable to that Judge in respect of the pensionable service of that Judge, if any, if that Judge had retired at the date of his death.

Gratuity on death of Judge.

13.—(1) A Judge to whom a pension is payable under this Act may exercise the option to be paid gratuity and reduced pension in lieu of a pension.

Gratuity and reduced pension.

(2) A Judge who exercises the option provided in this section, shall be paid in lieu of such pension, a pension at the rate prescribed by regulations made under this Act, together with a gratuity of the amount prescribed by regulations under this Act.

(3) The option referred to in sub-section (1) shall be—

- (a) exercisable, and if it has been exercised, may be revoked, not later than the day immediately preceding the date of such person's retirement or with the permission of the Governor-General, if it appears equitable to do so, at any time between that date and the actual date of the first payment of any pension under this Act;
- (b) exercised or revoked by notice in writing addressed to the Governor-General; and
- (c) deemed to have been exercised or revoked on the date on which such notice is received.

(4) Subject to sub-section (3), if such Judge has exercised the option referred to in sub-section (1), the decision of that Judge shall be irrevocable so far as concerns any pension paid to that Judge under this Act.

(5) If a Judge who has not exercised the option dies after retirement but before a pension has been paid under this Act, there shall be granted to the legal personal representative of that Judge, a gratuity and a reduced

Judges Salaries and Pensions

pension as provided for in sub-section (1) as if such Judge, before death, had exercised the option, provided that such pension shall not be paid in respect of any period later than the date of the death of such Judge and shall not exceed in the aggregate the total amount due and payable to that Judge on the said date.

(6) The date of the exercise of the option by such person shall be deemed to be the date of the receipt of his written notification addressed to the Chairperson of the Commission.

Widow of Judge.

14.—(1) Where a Judge dies while entitled to a pension in respect of service as a Judge, and that Judge leaves a surviving spouse, the surviving spouse shall be paid a pension at the annual rate prescribed by regulations made under this Act.

(2) Where a person dies while holding the office of a Judge and leaves a surviving spouse, the surviving spouse shall be paid—

(a) a gratuity of the amount prescribed by regulations under this Act;

(b) a pension at the annual rate prescribed by regulations under this Act.

(3) A surviving spouse shall not be entitled to receive and shall not be paid a pension under this section in respect of any period after that person remarries.

(4) Where a person dies while holding the office of a Judge, and that person does not leave a surviving spouse, a gratuity of the amount prescribed by regulations made under this Act, payable to that person at the date of death, shall be paid to the legal personal representatives on account of the deceased person's estate.

(5) Nothing in this Act shall affect the rights of a widow of any Judge, including the Chief Justice under the Widows' and Children's Pensions Act or any other law.

Pension not assignable or attachable.

15. No pension, gratuity or other allowance granted under this Act shall be assignable or transferable, or liable to be attached, sequestered or levied upon, for or in respect of any debt or claim whatsoever other than a debt due to the State.

Pension chargeable on Consolidated Revenue Fund.

16. The pension and other benefits payable under this Act shall be charged and paid out of the Consolidated Revenue Fund.

PART IV
Miscellaneous

Judges Salaries and Pensions

17.—(1) The Governor-General, acting on the advice of the Commission and with the concurrence of the Minister, may make Regulations generally for the carrying out of the provisions of this Act, and, without prejudice to the generality of the foregoing, may make Regulations—

Regulations.

- (a) relating to the conditions of service of, and the salaries and allowances payable to, a Judge;
- (b) the rate of contributions payable by Judges and the Government of Belize;
- (c) the rate of pension payable to a Judge;
- (d) the rate of pension and gratuity for the surviving spouse of a Judge; and
- (e) for any other matter to be prescribed.

(2) Whenever the Governor-General is satisfied that it is equitable that any Regulation made under sub-section (1) should have retrospective effect in order to confer a benefit upon or remove a disability attaching to any person, that regulation may be given retrospective effect for that purpose.

Commencement.

18. This Act shall come into force on a day to be appointed by the Minister, by Order published in the *Gazette*.