



BELIZE

**REFERENDUM ACT
CHAPTER 10**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

| This edition contains a consolidation of the following laws- | Page |
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| Amendments in force as at 31st December, 2000. | |



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CHAPTER 10

REFERENDUM

ARRANGEMENT OF SECTIONS

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CHAPTER 10

REFERENDUM

2 of 1999

[6th March, 1999]

Commencement
[21. 9. 1999]
S. I. 31 of 1999.
Short title.

1. This Act may be cited as the Referendum Act.

2.-(1) Without prejudice to any law which provides for a referendum to be held on any specific issue, the National Assembly may by resolution passed in that behalf declare that a certain issue or matter is of sufficient national impor-

Referendum
on issues of
national
importance.

tance that it should be submitted to the electors for their approval through a referendum.

(2) Notwithstanding subsection (1) above, a referendum shall be held on the following issues:-

- CAP. 4.
- (a) any amendment to Part II of the Constitution which derogates from the fundamental rights and freedoms guaranteed therein; and
 - (b) any proposed settlement with Guatemala for resolving the Belize/Guatemala dispute.

Writ of
referendum.

3.-(1) Within thirty days of the passing of the resolution by the National Assembly pursuant to section 2 above (or where a law provides for the holding of a referendum on a specific issue, within thirty days of a request made to that effect by the Prime Minister), the Governor-General shall issue a Writ of Referendum in a form similar to the Writ of Election in the Fifth Schedule to the Representation of the People Act, with such modifications and adaptations as are necessary to satisfy the provisions of this Act, to the returning officers of the electoral divisions of Belize, or of the particular district or area thereof, as the case may be.

Fifth Schedule.
CAP. 9.

(2) The day named in the Writ for the holding of a referendum shall not be less than thirty days after the issue of the Writ.

(3) The Writ of Referendum shall specify whether the referendum shall be held in the whole of Belize or in any specific district or area of Belize.

(4) Upon receipt of such Writ, every returning officer to whom the Writ is addressed shall proceed to hold the referendum in accordance with this Act and the directions of the Elections and Boundaries Commission.

4. The persons qualified to vote in a referendum held under this Act shall, subject to subsection (3) of section 3 above, be as follows:- Persons qualified to vote.

(a) where the referendum is to be held in the whole of Belize, all those duly registered electors who, at the date of the holding of the referendum are qualified to vote as electors for the election of members of the House of Representatives in an election conducted under the Representation of the People Act; or CAP. 9.

(b) where the referendum is to be held only in an area of Belize defined in the Writ of Referendum, all those duly registered electors who are residents of the area so defined and who, at the date of the holding of the referendum, are qualified to vote as electors under the Representation of the People Act for the election to the House of Representatives of the area representative of the electoral division in which the area so defined is comprised. CAP. 9.

5.-(1) The Elections and Boundaries Commission shall appoint returning officers for each electoral division or area where the referendum is to be held. Appointment of returning officers.

(2) Subject to the directions of the Chief Elections Officer, it shall be the duty of the returning officer within his electoral division or area to do all things as maybe necessary for effectually conducting the referendum and the counting of the votes cast.

(3) The returning officer shall not declare the results of the ballot in his electoral division or area, but shall certify to the Chief Elections Officer:-

- (a) the total number of ballot papers counted;
- (b) the number of votes cast for and against the proposition in

his electoral division or area;

and the Chief Elections Officer shall issue a certificate stating the results of the referendum in the entire country or part thereof as the case may be.

Application of
Representation of
the People Act
and Regulations.
CAP. 9.

6.-(1) A referendum under this Act shall be conducted, so far as may be, in accordance with the provisions of the Representation of the People Act and Regulations made thereunder.

CAP. 9.

(2) Without prejudice to the generality of the foregoing, the following provisions of the Representation of the People Act and regulations made thereunder, as they apply to the election of members of the House of Representatives, shall apply, with the necessary modifications, to the referendum, that is to say, the provisions relating to the appointment of polling stations, presiding officers, clerks and other staff, the provision of elections material, the conduct of, and maintenance of order at, the poll, the security of ballot papers and ballot boxes, the counting of the votes, and all matters incidental to the foregoing provisions, including election offences.

Regulations.

7. The Governor-General may, on the advice of the Minister responsible for elections, make Regulations: -

CAP. 9.

- (a) as to the form of a ballot paper for the purpose of a referendum;
- (b) subject to this Act, for the modification of the Representation of the People Act and Regulations made thereunder (including any omissions from, additions to and amendments to, the said Act) for the purpose of this Act; and
- (c) for any other matter appearing to be necessary or expedient for the purposes of this Act.

8. All expenses incurred in carrying this Act into effect shall be defrayed out of moneys provided by the National Assembly. Expenses.

9. This Act shall come into force on such day as the Prime Minister may, by Order published in the *Gazette*, appoint. Commencement.
