



No. 1 of 2008

I assent,

(SIR COLVILLE N. YOUNG)
Governor-General

30th July, 2008

AN ACT to amend the Referendum Act, Chapter 10 of the Laws of Belize, Revised Edition 2000-2003, to enable the general public to call for a referendum on any issue of public importance; and to provide for matters connected therewith or incidental thereto.

(Gazetted 2nd August, 2008.)

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:-

1. This Act may be cited as the

Short title.

REFERENDUM (AMENDMENT) ACT, 2008.

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

Repeal and
replacement
of section 2.

2. Section 2 of the principal Act is hereby repealed and replaced by the following: -

"Circumstances
in which a
referendum
shall be held.

2. (1) Subject to the provisions of this Act, a referendum shall be held in any of the following circumstances:-

- (a) where the National Assembly passes a resolution declaring that a certain issue or matter is of sufficient national importance that it should be submitted to the electors for their views through a referendum; or
 - (b) where a petition is presented to the Governor-General signed by at least ten percent of the registered electors in Belize whose names appear in the approved voters' list existing at the time of presentation of the petition (or, if the referendum is to be held in any specific district or area of Belize, twenty-five percent of the registered electors in that district or area) praying that in their opinion a certain issue or matter is of sufficient public importance that it should be submitted to the electors for their views through a referendum; or
 - (c) where any law provides for the holding of a referendum on any specific issue or matter; or
 - (d) on any proposed settlement with the Republic of Guatemala for resolving the Belize/Guatemala border dispute.
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(2) Every petition presented to the Governor-General pursuant to subsection (1) (b) above shall contain the full name of the elector (in block letters), his date of birth, the place of his residence, the electoral division in which he is registered, and such other information as the Governor-General may, by regulations made under this Act, prescribe.

(3) Where a petition is presented to the Governor-General under the foregoing provisions of this section, the Governor-General shall forthwith refer the petition to the Chief Elections Officer for verification of the signatures of the petitioners, and for certification that at least ten percent of the registered electors in the entire country, (or if the referendum is to be held in any specific district or area of Belize, twenty-five percent of the registered electors in that district or area) have in fact appended their signatures to the petition.

(4) On receipt of the petition from the Governor-General, the Chief Elections Officer shall proceed with due expedition to verify the signatures on the petition and return the petition to the Governor-General as soon as practicable but no later than two months from the date of receipt of the petition, with a certificate as to whether or not the petition has been duly signed by the requisite number of electors as specified in subsection (3) above.

(5) Any person who forges a signature on the petition aforesaid, or who signs the petition more than once, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment."

Amendment
of section 3.

3. Section 3 of the principal Act is hereby amended by repealing subsection (1) thereof and replacing it by the following:-

“Writ of
referendum.

(1) The Governor-General shall, within thirty days —

(a) of the passing of the resolution by the National Assembly pursuant to section 2 (1) (a) above; or

(b) of the receipt of the certificate from the Chief Elections Officer pursuant to section 2 (4) above, verifying that the petition has been duly signed by the requisite number of electors as specified in section 2 (3);

(c) of a request made to that effect by the Prime Minister in respect of the circumstances set out in section 2 (1) (c) or (d) above,

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Fifth
Schedule.

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 may be 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.”

Addition of
section 5A.

4. The principal Act is hereby amended by the addition of the following new section immediately after section 5:-

“Validity of
referendum.

5A. (1) Notwithstanding anything contained in this Act or any other law, no referendum shall be valid unless at least

sixtypercent of the registered electors in the entire country, or in the particular district or area where the referendum is to be held, as the case may be, have cast their votes.

- (2) Subject to subsection (1) above, the issue or matter submitted to a referendum shall be decided by a simple majority of the total votes cast."

5. Section 7 of the principal Act is hereby amended by adding the following as new paragraph (b) immediately after paragraph (a) and by renumbering the existing paragraphs (b) and (c) as paragraphs (c) and (d), respectively:

Amendment
of section 7.

- "(b) as to the form and contents of a petition to be presented to the Governor-General pursuant to section 2 (1) (b) above."