

IN THE SUPREME COURT OF BELIZE, A.D. 2004

ACTION NO. 224

	(DANIEL HABET	
	(RODOLFO PERERA	
	(JENNEL'S TRUCKING	
	(COMPANY LIMITED	Applicants
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BETWEEN	(AND	
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	(THE ATTORNEY GENERAL	Respondent

BEFORE the Honourable Abdulai Conteh, Chief Justice.

Mr. Dean Barrow S.C. for Applicants.

Mr. Elson Kaseke, Solicitor General, for Respondent.

Application by Belize Petroleum Haulers Association to intervene as interested party – Ms. Lois Young Barrow S.C. of counsel.

RULING

In light of the issues raised in the Applicants' challenge to the validity of Act No. 28 of 2003 which itself constituted the Belize Petroleum Haulers Association as a body corporate and the fact that the Department of Transport, in issuing licences to haul petroleum products, will have regard to membership of and recommendation by the Association which are matters which may have far-reaching implications and effect on a person desirous to have a hauler's licence; and mindful of the provisions of Order 17, rule 12 of the Rules of the Supreme Court on joinder of parties, I think that in the interest of justice, and for a more effectual determination of the issues in this case, it is meet and proper that the Association be allowed to intervene.

I bear in mind as well that as a private or quasi-private entity, an application for constitutional redress does not ordinarily or readily lie against such a body. However, the meat and substance of the Applicants' case may raise matters which cannot be fairly and properly adjudicated without the Belize Petroleum Haulers Association on whose membership and recommendation so much may depend for the purpose of a hauler's licence.

Accordingly, I allow the Belize Petroleum Haulers Association's application to join.

A. O. CONTEH
Chief Justice

DATED: 7th June, 2004.