



BELIZE

**WAR MATERIAL ACT
CHAPTER 146**

**REVISED EDITION 2011
SHOWING THE SUBSTANTIVE LAWS AS AT 31ST
DECEMBER, 2011**

This is a revised edition of the Substantive Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2011.

CHAPTER 146

WAR MATERIAL

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CHAPTER 146

WAR MATERIAL

[13th December, 1913]

Ch. 175,
R.L., 1958.
CAP. 269,
R.E. 1980-1990.
40 of 1963.

PART I

Preliminary

1. This Act may be cited as the War Material Act.

Short title.

2. In this Part of this Act, the unless the contents otherwise require,

Interpretation.

“war material” includes anything, except foodstuffs, of which the carrying coastwise in Belize or exportation can be prohibited by proclamation under the provisions of Part II;

“Minister” means the Minister responsible for Defence.

PART II

Importation of War Material

3. The Minister may, from time to time by Order published in the *Gazette*, prohibit absolutely the sale within Belize, and the importation, either by land, or sea, or both, into Belize of any war material for such time as may be specified in the Order, or allow the sale or importation of any war material only on the conditions stated in the Order.

Power to prohibit the sale and importation of war material.
40 of 1963.

4. Every person who contravenes the provisions of any Order made under this Part shall be guilty of a misdemeanour punishable on summary conviction or on indictment.

Penalty for breach of prohibition.

Provided that the punishment on summary conviction shall not exceed six months imprisonment.

Power to order war material to be seized and detained.

5.-(1) Whenever it appears to the Minister that reasonable suspicion exists that any war material is intended or likely to be carried coastwise in Belize, exported or sold in contravention of any proclamation or Order, as the case may be, made under the provisions of any Part of this Act, it shall be lawful for the Minister to order that that war material shall be seized by police officers and detained.

(2) For the purpose of executing any such order, any necessary force may be used, and buildings may be broken, entered and searched, both by day and night.

Period for which war material may be detained.
40 of 1963.

6. War material seized under this Part shall be detained until the Minister otherwise orders, but shall only be detained after the expiration or revocation of the proclamation or order in respect of which its seizure was ordered if and so long as some other, or subsequent, or later proclamation or order, in respect of which its seizure could have been ordered, is in force.

Provision for storage.

7. War material seized under this Act shall be stored at the risk of the owner in such manner and in such place as the Minister shall from time to time direct:

Provided that the owner, his agents and servants shall be given such facilities for cleaning and preserving the same as the circumstances of the case permit.

Minister may permit exportation to country of origin.

8. The Minister may, if he thinks fit, permit any war material of which the sale, carrying coastwise, or exportation is for the time being prohibited, including war material seized under the provisions of this Act, to be exported from Belize to the country in which it was manufactured or from which it was imported into Belize, and may, in any such case, if he thinks fit, order the whole or any part of the duty paid in respect of such war material on its importation into Belize to be repaid out of the Consolidated Revenue Fund to the owner thereof.

PART III

Prohibition of Export of War Material

9.—(1) The Governor-General may from time to time by proclamation prohibit for such time as to him appears necessary or proper, the export from Belize by land or sea or the carrying coastwise in Belize of all arms, ammunition and gunpowder, military and naval stores, and any other articles which he may judge capable of being converted into or made useful in increasing the quantity of military, naval or air stores, provisions or any sort of victual which may be used as food by man, except under a licence issued by the Governor-General and in conformity with such regulations and instructions as are contained in the proclamation.

Power to prohibit export of war material.

(2) The Governor-General may by proclamation prohibit the export of all arms, ammunition, or military, naval or air stores, and any articles which he may judge capable of being converted into or made useful in increasing the quantity of arms, ammunition or military, naval or air stores, to any country or place therein named, whenever the Governor-General may judge such prohibition to be expedient in order to prevent such arms, ammunition, military, naval or air stores being used against Belize's subjects or forces, or against any forces engaged or which may be engaged in military or naval or air operations in co-operation with Belize's military forces.

Power to prohibit exportation of arms, etc., likely to be used against the country of Belize.

10.—(1) It shall be lawful for any officer of the customs, excise officer or other person authorised in writing by the Comptroller of Customs, to go on board any vessel trading to and from Belize, or between any ports or in anywise departing or about to depart from any port, harbour, road, bay, creek, haven or caye contiguous thereto, or from any part thereof, and examine and see that such vessel does not carry such goods or articles specified in section 9 of this Act which are prohibited by a proclamation made under this Part to be exported or carried coastwise.

Power of searching-vessel.

(2) All persons are hereby required to assist the officers mentioned in subsection (1) of this section in making such examination.

(3) The master or any other person belonging to such vessel who resists any person mentioned in subsection (1) of this section in the making of any such examination shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months.

Penalty for exporting contrary to proclamation.

11.—(1) The master of any vessel on which any goods or articles, the exportation or carriage coastwise of which is authorised to be prohibited as aforesaid, are placed for the purpose of exportation or carriage coastwise contrary to the provisions of any proclamation made under this Part, shall be liable to imprisonment for a term not exceeding twelve months, and also to a fine not exceeding two thousand dollars, and all such goods or articles shall be forfeited.

(2) If the fine is paid it shall be applied first in payment of all expenses attending the prosecution of the master, and the residue shall be appropriated one-half to the Consolidated Revenue Fund and one-half to the informer.

Power to stop and detain vessel.

12. It shall be lawful for the several officers mentioned in section 10, and also for any officers commanding vessels of the Belize Defence Force Maritime Wing, to stop and detain any vessel having on board any goods or articles, the exportation or carriage coastwise of which is hereby authorised to be prohibited, with the intent to be exported or carried coastwise contrary to the provisions of any proclamation made under this Part, and to seize all such goods and articles, and proceed to the forfeiture thereof.

Penalty on seller and persons conveying.

13. If any goods or articles, the exportation or carriage coastwise of which is prohibited by a proclamation made under this Part, are conveyed by land, sea or air, the person so conveying such goods and also the seller thereof and his agents shall severally on summary conviction be liable to imprisonment for a term not exceeding six months, or to a fine not exceeding two thousand dollars, and the goods or articles conveyed contrary to the provisions of any proclamation made under this Part and any regulations and instructions therein shall be forfeited and dealt with in all respects as if they were goods or articles found on board a vessel as provided in section 11 of this Act .

14. All fines, forfeitures and penalties imposed by this Part may be recovered in proceedings instituted under the Summary Jurisdiction (Offences) Act, Cap. 98 and Summary Jurisdiction (Procedure) Act, Cap. 99.

Recovery of fines, forfeitures and penalties.

15. All proceedings under section 13 of this Act, for the purpose of obtaining the summary conviction of any person as mentioned therein, may be brought in the summary jurisdiction court of the judicial district in which the offence was committed, in the name of the chief officer or non-commissioned officer of police in such district at the time when such proceedings are brought.

Proceedings - how brought.

16. Any proclamation to be issued under and by virtue of this Part shall be published in the *Gazette*, and any regulations and instructions which shall be declared in such proclamation as mentioned in section 9 of this Act, shall in all respects have the same force and effect as if they were contained in and formed part of this Part.

Publication of proclamations.

17. No action or other proceeding shall be commenced or taken against the State or any other person in respect of any act or matter lawfully done or performed under the provisions of this Part.

Barring of remedies.