



BELIZE

**DIPLOMATIC PRIVILEGES AND
CONSULAR RELATIONS ACT
CHAPTER 23**

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
ARRANGEMENT OF SECTIONS	3
DIPLOMATIC PRIVILEGES AND CONSULAR RELATIONS ACT	5
Amendments in force as at 31st December, 2000.	



BELIZE

**DIPLOMATIC PRIVILEGES AND
CONSULAR RELATIONS ACT
CHAPTER 23**

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
ARRANGEMENT OF SECTIONS	3
DIPLOMATIC PRIVILEGES AND CONSULAR RELATIONS ACT	5
Amendments in force as at 31st December, 2000.	

CHAPTER 23

**DIPLOMATIC PRIVILEGES
AND CONSULAR CONVENTIONS**

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.

PART I

Diplomatic Privileges

3. Privileges, immunities and capacities of certain international organisations and their staffs.
4. Laws of country relating to privileges of sovereigns and others assimilated to the law of England.
5. Provisions as to orders.
6. Diplomatic immunities of representatives attending international conferences.
7. Reciprocal treatment.
8. Application to United Nations.

PART II

Consular Conventions

9. Definitions for Part II.
10. Power of consular officers in relation to property of deceased persons in Belize.
11. Supplementary provisions to section 10.
12. Property of deceased seamen.
13. Application of section 10.

SCHEDULE

CHAPTER 23

**DIPLOMATIC PRIVILEGES AND
CONSULAR CONVENTIONS**

Ch. 176,
R.L. 1958.
CAP. 17,
R. E. 1980-1990.
3 of 1966.
9 of 1972.
S. I. 17 of 1964.
Commencement.

[31st May, 1947-Part I]
[18th October, 1952-Part II]

1. This Act may be cited as the Diplomatic Privileges and Consular Conventions Act. Short title.
2. In this Act, unless the context otherwise requires- Interpretation.

“Minister” means the Minister responsible for Foreign Affairs.

PART I

Diplomatic Privileges

- 3.-(1) This section shall apply to any organisation declared by order of the Minister to be an organisation of which the Government of Belize and the government or governments of one or more foreign sovereign powers are members. Privileges, immunities and capacities of certain international organisations and their staffs.
- (2) The Minister may by order-
 - (a) provide that any organisation to which this section applies (herein-after referred to as “the organisation”) shall, to such extent as may be specified in the order, have the immunities and privileges set out in Part I of the Schedule, and shall also have the legal capacities of a body corporate; S. I. 17 of 1964.
S. I. 17 of 1964.
Schedule.

(b) confer upon-

(i) any persons who are representatives (whether of governments or not) on any organ of the organisation or are members of any committee of the organisation or of any organ thereof;

(ii) such number of officers of the organisation as are specified in the order, being the holders of such high offices in the organisation as are so specified;

(iii) such persons employed on missions on behalf of the organisation as are so specified,

Schedule. to such extent as may be specified in the order, the immunities and privileges set out in Part II of the Schedule;

Schedule. (c) confer upon such other classes of officers and servants of the organisation as are specified in the order, to such extent as is so specified, the immunities and privileges set out in Part III of the Schedule,

Schedule. and Part IV of the Schedule shall have effect for the purpose of extending to the staffs of such representatives and members as are mentioned in subparagraph (i) of paragraph (b) and to the families of officers of the organisation any immunities and privileges conferred on the representatives, members, or officers under that paragraph, except in so far as the operation of the said Part IV is excluded by the order conferring the immunities and privileges:

S.I. 17 of 1964. Provided that the order shall be so framed as to secure that there are not conferred on any person any immunities or privileges greater in extent than those which, at the time of the making of the order, are required to be conferred on that person in order to give effect to any international agreement in that behalf.

(3) Where immunities and privileges are conferred on any persons by an order made under subsection (2) the Minister- S. I. 17 of 1964.

(a) shall compile a list of the persons entitled to immunities and privileges conferred under paragraph (b) of that subsection, and may compile a list of the persons entitled to immunities and privileges conferred under paragraph (c) of that subsection;

(b) shall cause any list compiled under this subsection to be published in the *Gazette*; and

(c) whenever any person ceases or begins to be entitled to the immunities and privileges to which any such list relates, shall amend the list and cause a notice of the amendment, or, if he thinks fit, an amended list, to be published as mentioned in paragraph (b).

(4) Every list or notice published under subsection (3) shall state the date from which the list or amendment takes or took effect.

(5) The fact that any person is or was included or not included at any time among the persons entitled to the immunities and privileges in question may, if a list of those persons has been so published, be conclusively proved by producing the *Gazette* containing the list, or, as the case may be, the last list taking effect before that time, together with the *Gazettes* (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

4. Notwithstanding any provision to the contrary contained in the law applicable to this country, the law and custom relating to the immunities and privileges as to person, property or servants of sovereigns, diplomatic agents or the other members of the staff of a diplomatic mission of foreign powers or of any Commonwealth country or of the Republic of Ireland for the time being in force in England shall, in so far as the same is applicable *mutatis mutandis* have

Laws of country relating to privileges of sovereigns and others assimilated to the law of England. 3 of 1966.

effect and be enforced in this country.

Provisions as to orders.

S. I. 17 of 1964.

5.-(1) Every order made under section 2 (1) or (2) shall be laid as soon as may be before the National Assembly, and if, at the next meeting thereafter, the National Assembly by resolution request that the order be annulled, the Minister may annul the order and it shall thereupon cease to have effect, but without prejudice to the validity of anything done thereunder in the meantime or to the making of a new order.

(2) Any such order may be varied or revoked by a subsequent order made in like manner.

Diplomatic immunities of representatives attending international conferences.

S. I. 17 of 1964.

6.-(1) Where a conference is held in Belize and is attended by the representatives of one or more sovereign powers (including Commonwealth countries), and it appears to the Minister that doubts may arise as to the extent to which the representatives of such foreign powers and members of their official staffs are entitled to diplomatic immunities, he may-

- (a) compile a list of the persons aforesaid who are entitled to such immunities, and cause that list to be published in the *Gazette*, and
- (b) whenever it appears to the Minister that any person ceases or begins to be entitled to such immunities, amend the list and cause a notice of amendment or, if he thinks fit, an amended list, to be published as aforesaid,

and every representative of a foreign power who is for the time being included in the list shall, for the purpose of any enactment and rule of law or custom relating to the immunities of an envoy of a foreign power accredited to Belize, and of the retinue of such an envoy, be treated as if he were such an envoy, and such of the members of his official staff as are for the time being included in the list shall be treated for the purpose aforesaid as if they were his retinue.

(2) Every list or notice published under subsection (1) in relation to

any conference shall include a statement of the date from which the list or amendment takes or took effect.

(3) The fact that any person is or was included or not included at any time among the persons entitled to diplomatic immunities as representatives attending the conference or as members of the official staff of any such representative may, if a list of those persons has been so published, be conclusively proved by producing the *Gazette* containing the list or, as the case may be, the last list taking effect before that time, together with the *Gazettes* (if any) containing notices of the amendments taking effect before that time, and by showing that the name of that person is or was at that time included or not included in the said list.

7. Nothing in this Act shall be construed as precluding the Minister from declining to accord immunities or privileges to, or from withdrawing immunities or privileges from, nationals or representatives of any power on the ground that that power is failing to accord corresponding immunities or privileges to Belizean citizens or representatives.

Reciprocal
treatment.
S. I. 17 of 1964.

8. This Act shall in its application to the United Nations have effect subject to the following modifications—

Application to
United Nations.

(a) any reference to the governing body or any committee of the organisation shall be construed as referring to the General Assembly or any council or other organ of the United Nations;

(b) the powers conferred by section 2 (2) shall include power by order to confer on the judges and registrars of the International Court, and on suitors to that Court and their agents, counsel and advocates, such immunities, privileges and facilities as may be required to give effect to any resolution of or convention approved by the General Assembly of the United Nations.

S. I. 17 of 1964.

PART II

Consular Conventions

Definitions for
Part II.

9. In this Part-

“sending State” means the Government of any foreign state with which a Consular Convention has been concluded by the Government of Belize providing for matters for which provision is made in section 9;

“consular office” means any building or part of a building which is exclusively occupied for the purpose of the official business of a consular officer.

Power of
consular officers
in relation to
property of
deceased
persons in Belize.

10.-(1) Where any person who is a national of a State to which this section applies is named as executor in the will of a deceased person disposing of property in Belize, or is otherwise a person to whom a grant of representation to the estate in Belize of a deceased person may be made, then if the court is satisfied, on application of a consular officer of the said State, that the said national is not resident in Belize, and if no application for a grant of such representation is made by a person duly authorised by power of attorney to act for him in that behalf, the court shall make to that officer any such grant of representation to the estate of the deceased as would be made to him if he were so authorised as aforesaid.

(2) Where any person who is a national of a State to which this section applies-

(a) is entitled to any money or other property in Belize forming part of the estate of a deceased person, or to receive payment in Belize of any money becoming due on the death of a deceased person; or

(b) is among the persons to whom any money or other property of a deceased person may under any Act, whether passed before or

after the commencement of this Act, be paid or delivered without grant of probate or other proof of title, then if the said national is not resident in Belize a consular officer of that state shall have the like right and power to receive and give a valid discharge of any such money or property as if he were duly authorised by power of attorney to act for him in that behalf:

Provided that no person shall be authorised or required by this subsection to pay or deliver any money or property to a consular officer if it is within his knowledge that any other person in Belize has been expressly authorised to receive the money or property on behalf of the said national.

(3) Notwithstanding any rule of law or practice applicable to Belize providing that in the case of a minority or life interest administration, must be granted either to a trust corporation or to not less than two individuals, or that additional personal representatives must be appointed in the case of a minority or a life interest, administration of an estate may in any case be granted by virtue of this section to a consular officer alone.

(4) Notwithstanding section 14 of the Administration of Estates Act, sureties shall not be required to an administration bond given by a consular officer upon the grant of administration by virtue of this section. CAP. 197.

11. Notwithstanding any rule of law conferring immunity or privilege in respect of the official acts and documents of consular officers, a consular officer shall not be entitled to any immunity or privilege in respect of any act done by virtue of powers conferred upon him by or under section 9, or in respect of any document for the time being in his possession relating thereto. Supplementary provisions to section 10.

12.-(1) Notwithstanding section 173 of the Merchant Shipping Act 1894, where it appears to the proper officer having the charge of the money or property of a deceased seaman, that any person to whom any money or other property may be paid or delivered under section 176 (1) (b) of the Merchant Shipping Act 1894, is resident in a foreign state, he may pay or Property of deceased seamen. 1894, c. 60. 1894, c. 60.

deliver the money or property to a consular officer of that state, and section 176 shall have effect accordingly.

CAP. 237

(2) The powers of a consul general or other consular officer under the Wrecks and Salvage Act (which enables a consular officer in certain circumstances to act as the agent of the owner for the purposes of the custody and disposal of articles belonging to or forming part of a foreign ship wrecked on or near the coast of Belize) shall extend to the custody and disposal of the wrecked ship itself as well as to the custody and disposal of such articles as aforesaid.

Application of
section 10.
S. I. 17 of 1964.

13.-(1) The Minister may by order direct that section 9 shall apply to any foreign state specified in the order, being a state with which a Consular Convention, providing for matters for which provision is made by those sections, has been concluded by the Government of Belize.

(2) Every order made under this section shall be laid before the National Assembly.

SCHEDULE

[Section 3]

PART I

Immunities and privileges of the organisation

1. Immunity from suit and legal process.
2. The like inviolability of official archives and premises occupied as offices as is accorded in respect of the official archives and premises of an envoy of a foreign sovereign power accredited to Belize.
3. The like exemption or relief from taxes and rates, other than taxes on the importation of goods, as is accorded to a foreign sovereign power.
4. Exemption from taxes on the importation of goods directly imported by the organisation for its official use in Belize or for exportation, or on the importation of any publications of the organisation directly imported by it, such exemption to be subject to compliance with such conditions as the Minister may prescribe, for the protection of the revenue.
5. Exemption from prohibitions and restrictions on importation or exportation in the case of goods directly imported or exported by the organisation for its official use and in the case of any publications of the organisation directly imported or exported by it.
6. The right to avail itself, for telegraphic communications sent by it and containing only matter intended for publication by the press or for broadcasting (including communications addressed to or despatched from places outside Belize), of any reduced rates applicable for the corresponding service in the case of press telegrams.

PART II

Immunities and privileges of representatives, members of committees, high officers and persons on missions

1. The like immunity from suit and legal process as is accorded to an envoy of a foreign sovereign power accredited to Belize.
2. The like inviolability of residence as is accorded to an envoy.
3. The like exemption or relief from taxes as is accorded to such an envoy.

PART III

Immunities and privileges of other officers and servants

1. Immunity from suit and legal process in respect of things done or omitted to be done in the course of the performance of official duties.
2. Exemption from income tax in respect of emoluments received as an officer or servant of the organisation.

PART IV

Immunities and privileges of official staffs and of high officers' families

1. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as a representative on any organ of the organisation or a member of any committee of the organisation or of an organ thereof, his official staff accompanying him as such a representative or member shall also be entitled to those immunities and privileges to the same extent as the retinue of an envoy of a foreign sovereign power accredited to Belize is entitled to the immunities and privileges accorded to the envoy.

2. Where any person is entitled to any such immunities and privileges as are mentioned in Part II of this Schedule as an officer of the organisation, that person's wife or husband and children under the age of eighteen shall also be entitled to those immunities and privileges to the same extent as the wife or husband and children of an envoy of a foreign power accredited to Belize are entitled to the immunities and privileges accorded to the envoy.