



**BELIZE**

**REFERENDUM ACT**

**CHAPTER 10**

**REVISED EDITION 2011**

**SHOWING THE SUBSTANTIVE LAWS AS AT 31<sup>ST</sup>**

**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.

This edition contains a consolidation of amendments made to the Law by Act No. 1 of 2008.



**CHAPTER 10****REFERENDUM ACT****ARRANGEMENT OF SECTIONS**

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CHAPTER 10

REFERENDUM

2 of 1999.  
1 of 2008.  
S. I. 31 of 1999.

*[6th March, 1999]*

Short title.

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

Circumstances in  
which a referendum  
shall be held.  
1 of 2008.

**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 view through a referendum;
- (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;
- (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.

1 of 2008.

(2) Every petition presented to the Governor-General pursuant to subsection (1) (b) of this section 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 specified 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.

1 of 2008.

(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 not later than two months from the date of receipt of the petition, with certificate as to whether or not the petition had been duly signed by the requisite number of electors as specified in sub-section (3) of this section.

1 of 2008.

(5) Any person who forges a signature on the petition aforesaid, or who signs the petition more than once, is guilty of an offence and shall be liable to 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.

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

Writ of referendum.  
1 of 2008.

- (a) of the passing of the resolution by the National Assembly pursuant to section 2(1)(a) of this Act; or
- (b) of the receipt of the certificate from the Chief Elections Officer pursuant to section 2(4) of this Act, verifying that the petition has been duly signed by the requisite numbers of electors as specified in section 2(3) of this Act;

- (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) of this Act,

issue a Writ of Referendum in a form similar to the Writ of Elections in the Fifth Schedule to the Representation of the People Act, Cap. 9, 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 the particular district or area thereof, as the case may be.

(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.

Persons qualified to vote.

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

- (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, Cap. 9; or
- (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, Cap. 9 for the

election to the House of Representatives of the area representative of the electoral division in which the area so defined is comprised.

**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 may be 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.

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

Validity of refer-  
endum.  
1 of 2008.

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

Application of Representation of the People Act and Regulations.

**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.

(2) Without prejudice to the generality of the foregoing, the following provisions of the Representation of the People Act, Cap. 9 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,

- (a) as to the form of a ballot paper for the purpose of a referendum;
- (b) as to the form and contents of a petition to be presented to the Governor-General pursuant to section 2(1)(b) of this Act;
- (c) subject to this Act, for the modification of the Representation of the People Act, Cap. 9 and Regulations made thereunder (including any omissions from, additions to and amendments to, the said Act) for the purpose of this Act; and
- (d) for any other matter appearing to be necessary or expedient for the purposes of this Act.

1 of 2008.

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

Expenses.