



BELIZE

**RIOTS COMPENSATION ACT
CHAPTER 338**

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CHAPTER 338**RIOTS COMPENSATION****ARRANGEMENT OF SECTIONS**

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CHAPTER 338

RIOTS COMPENSATION

[3rd July, 1895]

Ch. 172,
R. L., 1958.
CAP. 265,
R. E. 1980-1990.
40 of 1963.

Short title.

1. This Act may be cited as the Riots Compensation Act.

Interpretation.

2. In this Act, unless the context otherwise requires,

“house”, “shop”, or “building” includes any premises appurtenant to the same;

“riotous assembly” means an assembly of rioters or of persons assembled or together with a purpose of committing a riot as defined by section 241 of the Criminal Code, Cap. 101.

Compensation to persons for damage by riot.

3.-(1) Where a house, shop or building has been damaged or destroyed, or any property therein has been damaged, stolen or destroyed by any persons riotously assembled together, such compensation as mentioned in section 4 of this Act, shall be paid to any person who has sustained loss by reason of such damage, stealing or destruction.

(2) In fixing the amount of such compensation, regard shall be had to the conduct of the person sustaining the loss, whether with respect to the precautions taken by him or his being a party or accessory to such riotous assembly, or any provocation offered to the persons assembled, or otherwise before or during such riotous assembly.

(3) Where any person having sustained such loss has received, by way of insurance or otherwise, any sum to recoup him, in whole or in part, for such loss, the compensation otherwise payable to him under this Act shall, if exceeding such sum, be reduced by the amount thereof, and in any other case shall not be paid to him, and the payer of such sum shall be entitled to compensation under this Act in respect of the sum paid in like manner as if he had sustained the loss.

(4) Any policy of insurance given by such payer shall continue in force as if he had made no such payment, and where such person was recouped as mentioned in subsection (3) of this section otherwise than by payment of a sum, this enactment shall apply as if the value of such recoupment were a sum paid.

(5) The compensation fixed or awarded under this Act in the manner hereinafter provided shall not include compensation for loss of profit or interest.

4. All claims for compensation under this Act shall be made to the Minister, and, upon such claim being made, the Minister shall inquire into the truth thereof, and shall, if satisfied, fix such compensation as appears just.

Mode of awarding compensation.
40 of 1963.

5.-(1)The Minister may from time to time make regulations respecting the time, manner and conditions within, in and under which claims for compensation under this Act are to be made, and all claims not made in accordance with such regulations may be excluded.

Regulations to be framed.

(2) Such regulations may provide for,

- (a) the particulars to be stated in any claim;
- (b) the verification of any claim and of any facts incidental thereto, by statutory declarations, production of books, vouchers and documents, entry of premises and otherwise; and
- (c) the Minister obtaining information and assistance for determining the claims.

(3) All such regulations shall be published in the *Gazette*.

6.-(1) Where a claim for compensation has been made in accordance with the regulations, and the claimant is aggrieved by the refusal or failure of the Minister to fix compensation upon such claim, or by the amount of compensation fixed, he may bring an action against the State

Action may be brought on award or refusal of compensation.

in accordance with the provisions of the Crown Proceedings Act, Cap. 167, to recover compensation in respect of all or any of the matters mentioned in such claim and to an amount not exceeding that mentioned therein.

(2) If in any action the claimant fails to recover any compensation, or recovers an amount not exceeding that fixed by the Minister, judgment for the costs of the proceedings shall be given against him.

7. Where any compensation under this Act has been fixed by the Minister or recovered in an action against the State, the amount so fixed or recovered, together with all taxed costs, shall, on the prescribed conditions being complied with, be paid in the prescribed manner.

8. This Act shall apply,

- (a) in the case of the plundering, damage or destruction of any dyewood, timber or other personal property in any place or yard or of any ship or boat stranded or in distress on or near the shore of any sea or tidal waters, or of any part of the cargo or apparel of such ship or boat, by persons riotously assembled together, whether on shore or afloat; and
- (b) in the case of the damage or destruction, by persons riotously assembled together, of any machinery, whether fixed or movable, prepared for or employed in any manufacture, or agriculture, or any branch thereof, or of any erection or fixture about or belonging to such machinery, or of any steam engine or other engine for sinking, draining or working any mine or quarry, or of any staith or erection used in conducting the business of any mine or quarry, or of any bridge, waggon way or trunk for conveying minerals or other product from any mine or quarry, in like manner as if such plundering, damage or destruction were a damage, stealing or destruction in respect of which compensation is payable under the foregoing provisions of this Act.

40 of 1963.

Payment of compensation and expenses.

Destruction of dyewood, timber, ship, machinery, steam engine, etc.

9.—(1) Where a church or chapel has been damaged or destroyed, or any property therein has been damaged, stolen or destroyed, the churchwardens or chapel wardens, if any, or, if there are none, the persons having the management of the church or chapel, or the persons in whom the legal estate in the same is vested, shall be deemed to be the persons who have sustained loss from such damage, stealing or destruction.

Destruction of any church, chapel, school or public building, etc.

(2) Where a school, hospital, public institution or public building has been damaged or destroyed, or any property therein has been damaged, stolen or destroyed, the persons having the control of such school, hospital, institution or building, or the persons in whom the legal estate in the same is vested, shall be deemed to be the persons who have sustained loss from such damage, stealing or destruction.

(3) All claims for compensation may be made by any one or more of such persons in relation both to the building and to the property therein, and payment to any such claimant shall discharge the liability of the Minister to pay compensation, but shall be without prejudice to the right of any person to recover the compensation from such payee.

10. All sums payable in respect of compensation under this Act shall be paid from funds voted for the purpose by the National Assembly.

Payments; how made.