



BELIZE

**PUBLIC AUTHORITIES PROTECTION ACT
CHAPTER 31**

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CHAPTER 31

PUBLIC AUTHORITIES PROTECTION

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CHAPTER 31

PUBLIC AUTHORITIES PROTECTION

Ch. 229,
R. L 1958.
CAP. 24,
R. E. 1980-1990.

[17th November, 1884]

Short title. **1.** This Act may be cited as the Public Authorities Protection Act.

Interpretation. **2.** In this Act, “public authority” includes every person filling any public position in Belize, as well as police officers, whether temporarily or permanently employed, and whether there is or is not attached thereto any salary or remuneration.

Notice of action. **3.**—(1) No writ shall be sued out against, nor a copy of any process be served upon any public authority for anything done in the exercise of his office, until one month after notice in writing has been delivered to him, or left at his usual place of abode by the party who intends to sue out such writ or process, or by his attorney or agent, in which notice shall be clearly and explicitly contain the cause of the action, the name and place of abode of the person who is to bring the action, and the name and place of abode of the attorney or agent.

(2) No evidence of any cause of action shall be produced except of such as is contained in such notice, and no verdict shall be given for the plaintiff unless he proves on the trial that such notice was given, and in default of such proof the defendant shall receive in such action a verdict and costs.

Security for costs. **4.** The plaintiff in any such action shall at any time, by order of a judge in chambers, be required to give security for costs in such an amount as to the judge appears reasonable.

Plea of general issue. **5.** In every such action the defendant may plead the general issue and give all special matter in evidence at any trial to be had thereupon, and if the plaintiff becomes non-suited or discontinues the action, or if upon

a verdict or an application to strike out the plaintiff's statement of claim on the ground that it discloses no reasonable cause of action judgment is given against the plaintiff, the defendant shall receive costs and have such remedies for them as a defendant has in other cases where costs are given by law.

6. Where a public authority, acting *bona fide* in the execution of his duty, commits any act which may then be, or subsequently prove to be illegal, and a verdict is obtained against him, the judge or court, before whom the cause is tried, may certify, if such judge or court thinks fit, that there was reasonable and probable cause to warrant the public authority in having acted or assumed to act in the manner he did, and in that case the verdict shall be reduced to ten cents, and the plaintiff shall not receive any damages or costs.

Judge certifies probable cause.

7. A public authority may, within one month after such notice as mentioned in section 3 (1) of this Act, tender amends to the party complaining or his agent, and plead such tender in bar to any action, together with other pleas, and if the court or jury finds the amends sufficient, it or they shall give a verdict for the defendant, and in such case, or in case the plaintiff becomes non-suited or discontinues his action, or judgment is given for the defendant on the ground that the plaintiff's statement of claim discloses no reasonable cause of action, then the defendant shall be entitled to the like costs as he would have been entitled to in case he had pleaded the general issue only,

Tender of amends.

Provided that such defendant may by leave of the court, at any time before issue joined, pay money into court as in other actions.

8. The provisions of this Act shall extend and apply to any actions to be brought for anything done by a person acting *bona fide* in pursuance of any Act, or law, or in the execution of any duty imposed by law.

Provisions extended.