



**BELIZE**

**JUSTICES OF THE PEACE ACT  
CHAPTER 119:01**

**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.



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CHAPTER 119:01

JUSTICE OF THE PEACE

32 of 2005.

[27th August, 2005]

1. This Act may be cited as the Justices of the Peace Act.

Short title.

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

Interpretation.

“advantage” includes any office, whether in the Association or not, or dignity, and any forbearance to demand any money or money’s worth or valuable thing, and includes any aid, vote, consent, or influence, or pretended aid, vote, consent, or influence, or any promise or procurement of, or agreement or endeavour to procure or the holding out of any expectation of, any gift, loan, fee or reward;

“Association” means the Association of Justices of the Peace and Commissioners of the Supreme Court referred to in section 14 of this Act;

“Clerk of Court” means a Clerk of Court for the Magistrates Court:

“Judges’ Rules” means the Judges’ Rules applicable in Belize;

“Magisterial district” or “district” means a magisterial district established under the Judicial Districts (Definition of Boundaries) Order made under the Inferior Courts Act, Cap. 94;

“Public Officer” means the holder of any public office and includes any person appointed to act in any such office.

3.-(1) The Attorney General shall appoint a Justice of the Peace in accordance with this section,

Appointment of Justices of the Peace.

(2) A person may be appointed as a Justice of the Peace under this section where the person,

- (a) has a clean police record; and
- (b) is worthy of appointment to the office of Justice of the Peace based on the person's character and civic contributions to his community; and
- (c) has been recommended by the Association as a fit and proper person to be appointed as a Justice of the Peace;
- (d) applies to be a Justice of the Peace and satisfies the Attorney General that he is a fit and proper person to be appointed as a Justice of the Peace; or
- (e) has been recommended for appointment as a Justice of the Peace or a Senior Justice of the Peace by a Village Council pursuant to section 21 (2)(b) of the Village Councils Act, Cap. 88.

(3) The Attorney General may, after consultation with the Association or in his own discretion, appoint a Justice of the Peace to be a Senior Justice of the Peace where the Justice of the Peace, in addition to possessing the relevant qualifications set out in subsection (2) of this section,

- (a) has performed the functions of a Justice of the Peace for not less than ten years and during that time, has complied with all of the requirements of sections 5 and 6 of this Act; and
- (b) has knowledge of the requirement of section 17 of the Marriage Act providing for the performance of a marriage by a Senior Justice of the Peace; and
- (c) is a fit and proper person to be appointed as a Senior Justice of the Peace.

(4) The Attorney General may revoke the appointment of a Justice of the Peace or a Senior Justice of the Peace by a Warrant of Removal where the person,

- (a) has been convicted of an offence punishable by two or more years imprisonment;
- (b) has engaged in acts of misconduct and the Attorney General, after giving the person an opportunity to exculpate himself in writing, is satisfied that the person is no longer a fit and proper person to be a Justice of the Peace or a Senior Justice of the Peace; or
- (c) has been expelled or suspended from the Association, or where the Association has recommended the revocation of the appointment, and the Attorney General, after giving the person the opportunity to exculpate himself in writing, is satisfied that the person is no longer a fit and proper person to be a Justice of the Peace or a Senior Justice of the Peace.

(5) The Commission of Appointment, the Oath of Allegiance and Office and the Warrant of Removal in relation to Justices of the Peace are set out in the First, Second and Third Schedules respectively.

(6) The Commission of Appointment of a Senior Justice of the Peace is set out in the First Schedule.

(7) An appointment or removal made under this section shall be published in the *Gazette*.

(8) Every Chief Executive Officer of a Ministry and Clerk of Court and every Ambassador, Consul General, Honorary Consul or other principal representative of Belize in a foreign country shall be an *ex-officio* Justice of the Peace and, subject to the provisions of this Act, shall possess all the powers, privileges, rights and jurisdiction of a Justice of the Peace.

Jurisdiction and  
functions.

4.—(1) Every Justice of the Peace and Senior Justice of the Peace shall have and exercise all such powers, privileges, rights and jurisdiction throughout Belize as are conferred upon him under this Act or any other written law.

(2) A Justice of the Peace and a Senior Justice of the Peace shall have and exercise concurrent jurisdiction with Magistrates with respect to the following,

- (a) the issuing of summonses and warrants of arrest and search warrants and other process of Court;
- (b) the granting of bail and the fixing of the amount thereof;
- (c) the taking of recognisances;
- (d) the remanding of defendants in custody;
- (e) the binding over of parties and witnesses;
- (f) witnessing the execution of deeds and other documents;
- (g) administering oaths and affirmations in cases allowed by law;
- (h) the issuing of warrants of apprehension and commitment for safe custody of persons charged with summary conviction or indictable offences;
- (i) the remand of persons charged with offences, whether punishable on summary conviction or on indictment;
- (j) the receiving of complaints in respect of summary conviction or indictable offences;
- (k) the preservation of the peace, the suppression of riots and affrays and the dispersion of all disorderly, unlawful or tumultuous assemblages;

- (l) calling in aid the assistance of any person, for the purpose of exercising the powers specified in this subsection, and requiring such person to faithfully obey his lawful commands.

(3) A Justice of the Peace and a Senior Justice of the Peace shall also perform the following functions,

- (a) the authentication of written statements made by an accused or suspected person and, before authenticating such statements, ensuring the voluntariness thereof in accordance with the laws of Belize;
- (b) the witnessing of identification parades in order to ensure that such parades are conducted in accordance with the Judge's Rules; and
- (c) the performance of such other functions as are required by the Judge's Rules or under any written law.

(4) Any Justice of the Peace or Senior Justice of the Peace in whose presence any summary conviction or indictable offence or a breach of the peace is committed may either himself apprehend the offender or orally order any other person to do so, and the person so ordered may follow the offender if he flees, and carry into effect and execute the order, whether in or out of the view of the Justice of the Peace or Senior Justice of the Peace by whom the order was given.

**5.**—(1) A Justice of the Peace and a Senior Justice of the Peace shall adhere to the Code of Ethics set out in the Fourth Schedule.

Code of Ethics.

(2) The Attorney General may, on the recommendations of the Association, by Regulations prescribe the penalties for a breach of any provision of the Code of Ethics.

**6.** Every Justice of the Peace and Senior Justice of the Peace shall be required to keep proper records in an annual record book of the

Justice of the Peace to keep records.

performance of all his duties and functions under this Act and, in particular, with respect to,

- (a) the granting of bail and the issuing of warrants;
- (b) the witnessing of immigration and passport-related documents as set out in the Seventh Schedule.

Police and Magistrates Courts to keep bail and warrant records.

**7.**—(1) The Commissioner of Police and the Chief Magistrate shall cause to be kept at each district police station, and Magistrates Court, respectively, a record setting out the particulars with respect to the granting of bail by Justices of the Peace and Senior Justices of the Peace in the form set out in Part A of the Fifth Schedule.

(2) The Commissioner of Police shall cause to be kept at each district police station a record setting out the particulars with respect to all warrants issued by Justices of the Peace or Senior Justices of the Peace in the form set out in Part B of the Fifth Schedule.

Register.

**8.**—(1) The Clerk of Court in every district shall keep a register (hereinafter referred to as “the Register”), in the form set out in the Sixth Schedule, of all Justices of the Peace and Senior Justices of the Peace appointed under this Act.

(2) The Attorney General shall cause a copy of every Commission appointing a Justice of the Peace or a Senior Justice of the Peace, or a Warrant removing him from office, to be sent to the Clerk of Court in the district in respect of which the Justice of the Peace holds his warrant, and the Clerk of Court shall make the relevant entry in the Register.

(3) The Solicitor General shall notify the Clerk of Court and the Association of the resignation or death of a Justice of the Peace or a Senior Justice of the Peace appointed under this Act, and the Clerk of Court shall make the relevant entry in the Register.

(4) A Justice of the Peace or a Senior Justice of the Peace may resign his office by giving written notice to the Solicitor General through the Association.

- 9.** There shall be, as far as practicable, displayed in a prominent and conspicuous place at every Magistrate's Court, district police station, post office and immigration office situated within a district, a notice that the name and address of the Justice of the Peace and Senior Justice of the Peace including the telephone number and e-mail, where practicable, is available for that district.
- 10.** The office of Justice of the Peace and Senior Justice of the Peace is not an office of emolument.
- 11.** A Justice of the Peace or Senior Justice of the Peace who, directly or indirectly, asks for, demands, solicits, receives or agrees to receive for himself or for any other person, upon any pretence whatever, any fee, reward, gift, loan, gratuity, recompense or advantage whatsoever, for any act which he is required to perform in the execution of his duties for which no fee is prescribed, is liable on summary conviction to a fine of not more than five hundred dollars or to imprisonment for a period of not more than six months.
- 12.** Any Justice of the Peace or Senior Justice of the Peace who commits a breach of any provision of this Act for which no penalty is prescribed is liable on summary conviction to a fine of not more than five hundred dollars.
- 13.** The Attorney General may, after consultation with the Association, make Regulations, generally, for giving effect to this Act.
- 14.**—(1) It shall be lawful for Justices of the Peace and Commissioners of the Supreme Court to form a private association to be called the National Association of Justices of the Peace and to elect officers to serve as executive officers of that Association after every two years.
- (2) The National Association of Justices of the Peace and Commissioners of the Supreme Court which was in existence prior to the commencement of this Act shall be the Association referred to in subsection (1) of this section.

Display of notices of the names and address of Justice of the Peace.

Non-emolument office.

Summary Offence.

Breach of provisions of the Act.

Regulations

Chapters of Associations of Justices of the Peace.

(3) The Association may form district chapters of the Association.

(4) The Association may make internal rules providing for,

(a) annual membership fees;

(b) officers of the executive of the Association and of district chapters of the Association.

Repeal of sections  
16 to 21 of the In-  
ferior Courts Act.

**15.** Sections 16 to 21 of the Inferior Courts Act, Cap. 94 are hereby repealed.

FIRST SCHEDULE



BELIZE

JUSTICE OF THE PEACE ACT  
COMMISSION

*[Section 3 (5)]*

TO:

By virtue of the powers vested in me under section 3 (2) of the Justices of the Peace Act and all other powers there unto me enabling, I do by this my Commission under my hand and seal appoint you the said

to be a

JUSTICE OF THE PEACE

with all the powers, rights, privileges and jurisdiction to the said Office belonging or appertaining.

GIVEN under my hand and seal at .....this day  
of..... in the year of Our Lord .....thousand.....

\_\_\_\_\_  
ATTORNEY GENERAL




**BELIZE**  
**Senior Justice of the Peace**

*The Hon. Attorney General hereby expresses the Commendation and Appreciation of the Government and People of Belize to*

\_\_\_\_\_

*who is hereby appointed to be*  
**SENIOR JUSTICE OF THE PEACE**  
*for distinguished services rendered to the people and The Nation in the cause of Justice and who hereinafter is designated to be the*

HONOURABLE \_\_\_\_\_

*Subscribed this \_\_\_\_\_ Day of \_\_\_\_\_.*

\_\_\_\_\_  
*Attorney General*

SECOND SCHEDULE



BELIZE  
JUSTICE OF THE PEACE ACT  
OATH OF ALLEGIANCE AND OFFICE  
*[Section 3 (5)]*

I,  
do swear that I will bear true faith and allegiance to Belize, and will uphold  
the Constitution and the law, and that I will conscientiously, impartially  
and to the best of my ability discharge my duties as a JUSTICE OF THE  
PEACE and do right to all manner of people without fear or favour,  
affection or ill-will.  
So help me, God.

NAME:  
OCCUPATION:  
ADDRESS:

SWORN at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_,  
before me.

\_\_\_\_\_  
SOLICITOR GENERAL

THIRD SCHEDULE



BELIZE  
JUSTICE OF THE PEACE ACT  
WARRANT OF REMOVAL  
*[Section 3 (5)]*

IN THE MATTER OF THE JUSTICES OF THE PEACE ACT

TO.....of.....  
.....

WHEREAS, you the said .....were appointed  
a Justice of the Peace/Senior Justice of the Peace on the..... day  
of ..... ,20.....

AND WHEREAS, it is provided by section 3(3) of the Justices of the  
Peace Act that the Attorney General may, by Warrant under his hand,  
remove from office any person named in the Warrant.

NOW, THEREFORE, I..... Attorney  
General, do by this Warrant under my hand, revoke your appointment  
as a Justice of the Peace/Senior Justice of the Peace and all powers,  
privileges, rights and jurisdiction thereby enabling.

GIVEN under my hand this..... day of....., 20.....

\_\_\_\_\_  
[ATTORNEY GENERAL]

## FOURTH SCHEDULE



## BELIZE

JUSTICE OF THE PEACE ACT  
CODE OF ETHICS*[Section 5 (1)]*

1. A Justice of the Peace should always remember that,
  - (a) the Oath (Affirmation) which he took on his appointment as a Justice of the Peace is not a mere form but a solemn undertaking to be strictly observed and dutifully followed;
  - (b) his appointment is not simply an honour bestowed to him, but an undertaking of a civic duty for which it is an honour to be selected; and
  - (c) the office of a Justice of the Peace is not an office of emolument, but is an office in which the holder voluntarily undertakes to perform a civic duty free of charge in the administration of justice and in his service to the community.
2. A Justice of the Peace shall exemplify high standards of integrity and honesty while performing the duties of a Justice of the Peace.
3. A Justice of the Peace shall refrain from any conduct which is detrimental to the office of Justice of the Peace or which may tend to discredit the office or bring it into disrepute.

4. A Justice of the Peace shall scrupulously preserve his independence in the discharge of his duties.
5. A Justice of the Peace shall, within the law, defend with due diligence and to the best of his ability the rights and interests of those who require his services.
6. A Justice of the Peace shall not render any service or advice involving,
  - (a) disloyalty to the State;
  - (b) disrespect for any Judicial Office;
  - (c) corruption of any person exercising public or private trust; or
  - (d) deception or betrayal of the public.
7. A Justice of the Peace shall not, at any time or under any circumstances whatsoever, make any false promises to any person seeking his assistance.
8. A Justice of the Peace shall not associate himself or purport to lend support to a person described as a “professional bailor”, that is, a person who acts as a surety for an accused person for a fee, reward, gratuity, recompense or advantage contrary to the laws of Belize.
9. A Justice of the Peace shall not solicit, engage or encourage the assistance of a person described as a “tout”, that is, a person who, for a fee, reward, gratuity, recompense or advantage, recommends an accused person, his family or surety to a Justice of the Peace for the granting of bail or who recommends a “professional bailor” to an accused person.
10. A Justice of the Peace shall not advertise his services through the media, by posters, or billboards. However, conventional name plates, personal letter-heads and call cards are permissible.
11. A Justice of the Peace shall not intentionally or wilfully disseminate false or misleading information in respect of a fellow Justice of the Peace.

- 12.** A Justice of the Peace shall at all times be courteous, co-operative and respectful to,
- (a) legal and judicial officers;
  - (b) police officers and other members of the Belize Defence Force;
  - (c) any member of the Public Service; and
  - (d) the community as a whole.
- 13.** A Justice of the Peace shall not visit police stations, the prisons and the courts for the purpose of soliciting others to use his services.
- 14.** A Justice of the Peace should respect the views and opinions of fellow Justices of the Peace and co-operate with his colleagues whenever his professional services are sought.
- 15.** A Justice of the Peace who wilfully uses any document so as to deceive any person or to pervert the course of justice is guilty of an offence.
- 16.** A Justice of the Peace, by his department, (that is, his demeanour, dress, conduct, and general behaviour in both his public and private life), will not only command the respect and admiration of his colleagues and the public, but will also exemplify by such deportment the honour and dignity of the office.
- 17.** A Justice of the Peace shall not engage in any activity which conflicts with or which is inconsistent or incompatible with his duties as a Justice of the Peace.
- 18.** A Justice of the Peace who is charged with a serious offence shall cease to function as a Justice of the Peace until the subject matter of the offence is determined.
- 19.** A Justice of the Peace who does not comply with the ethics set out in this Code is liable to have his appointment revoked.

## FIFTH SCHEDULE



## PART A

## BELIZE

JUSTICE OF THE PEACE ACT  
 BAIL RECORD  
*[Section 7 (1)]*

## PART A

TO BE KEPT AT POLICE STATIONS MAGISTRATES COURTS  
 AND BY JUSTICES OF THE PEACE

Date	Name of Justice of the Peace	Case No. (of any)	Names of Complainant and Defendant	Court in which matter is to be heard	Name(s) of Surety (ies)	Deed Number	Value of Property	Amount of bail fixed

PART B



JUSTICE OF THE PEACE ACT  
WARRANT RECORD

*[Section 7 (2)]*

TO BE KEPT AT POLICE STATIONS MAGISTRATES COURTS  
AND BY JUSTICES OF THE PEACE

Date	Name of Justice of the Peace	Type of Warrant	Name of Complainant	Name of Defendant	Name and Number of Police Officer	Particulars

## SIXTH SCHEDULE



**BELIZE  
JUSTICE OF THE PEACE  
REGISTER**

*[Section 8 (1)]*

Name and Address of Justice of the Peace	Date of Appointment	Magisterial District	Date of Removal/Resignation/Date

## SEVENTH SCHEDULE

BELIZE  
JUSTICE OF THE PEACE  
RECORD  
*[Section 6]*

1. Where a Justice of the Peace is required to keep proper records under section 7 of this Act he shall in each case record the following,

- (a) with respect to his duties and functions, other than the granting of bail, as prescribed by section 4 of this Act;
  - (i) the name of the Justice of the Peace;
  - (ii) the nature of the duty or function;
  - (iii) the names and addresses of the relevant parties;  
and
  - (iv) the date when and the place where the duty or function was performed;
  
- (b) with respect to the granting of bail,
  - (i) the name of the Justice of the Peace;
  - (ii) the names of the complainant and defendant;
  - (iii) the case number;
  - (iv) the court in which the matter will be heard;
  - (v) the amount of bail fixed;

- (vi) the name of the surety or sureties, if any;
- (vii) the deed number and the Schedule to the said deed where such deed is used as security;
- (viii) the estimated value of the property; and
- (ix) the date when and the place where bail was granted.

Fifth Schedule.

(c) with respect to the issuing of warrants,

- (i) the name of the Justice of the Peace;
- (ii) the names of the complainant and defendant;
- (iii) the name and number of the police officer;
- (iv) the type of warrant; and
- (v) particulars of the offence,

Fifth Schedule.

in the form set out in Part B of the Fifth Schedule.