



BELIZE

BELIZE LAND DEVELOPMENT AUTHORITY ACT CHAPTER 181

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-

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Amendments in force as at 31st December, 2000.



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BELIZE LAND DEVELOPMENT AUTHORITY

ARRANGEMENT OF SECTIONS

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CHAPTER 181**BELIZE LAND DEVELOPMENT AUTHORITY**

CAP. 146,
R.E. 1980-1990.
29 of 1980.
10 of 2000.

[20th December, 1980]

Short title. 1. This Act may be cited as the Belize Land Development Authority Act.

Establishment of the Authority. 2.-(1) There is hereby established an Authority to be called the Belize Land Development Authority which shall be a body corporate with perpetual succession and a common seal and shall have capacity to purchase, take, hold and dispose of land and other property of whatever kind, to enter into contracts, to sue and be sued in the said name and to do all things necessary for the purpose of this Act.

(2) The seal of the Authority shall be affixed to any instrument in the presence of the Chairman and shall be authenticated by the joint signature of one director of the Board and of the secretary.

A seal shall not be affixed except by the authority of a resolution of the Board.

(3) The seal of the Authority shall be kept in the custody of the secretary.

Objects. 3. The objects of the Authority shall be-

- (a) to acquire, develop and improve land, including the provision of infrastructure such as roads, bridges, drainage and irrigation, alone or in association with others;
- (b) to divide land in its possession and to grant leases or to sell parcels of such land for development, and in particular to

provide for the interests of small farmers;

- (c) to engage in the development of land and related projects alone or in association with others;
- (d) to promote, foster and encourage the development of land related projects;
- (e) to sell or export produce;
- (f) to trade and deal in agricultural chemicals and fertilizer, foodstuffs and other commodities required for its purpose;
- (g) to enforce the pattern, extent and restriction on land use to be applied in any given location;
- (h) where feasible and desirable, to provide processing plant and marketing facilities;
- (i) to own, hire and operate machinery for agricultural development;
- (j) to supply finance, alone or in association with others, for the development of land;
- (k) to advise, manage and superintend and to generally assist in the development of land;
- (l) to borrow money for the purpose of fulfilling its functions;
- (m) to employ personnel to further the interests and efficiency of the Authority;

- (n) to establish offices and depots as needed;
- (o) with the sanction of the Minister, to engage in any other activities not specified herein which are conducive to beneficial land development.

Powers.

4. For the purpose of fulfilling its functions and objects under this Act, the Board may-

- (a) provide finance in the form of loans;
- (b) guarantee loans from other sources;
- (c) borrow funds for the purposes of the business of the Authority from sources either in Belize or abroad and give security for any loans obtained;
- (d) furnish managerial, technical and administrative services;
- (e) acquire, hold, take or give on loans or hire, mortgage, pledge and sell or otherwise dispose of, any immovable or movable property;
- (f) open deposit accounts with any bank;
- (g) make appropriate provision for the welfare of employees of the Authority and of their dependents;
- (h) give any guarantee or indemnity to, and enter into any arrangements with, the Government, any local authority, or any body corporate or other person in order to obtain any rights, concessions and privileges that may seem to the Board to be conducive to any object of the Board; and

- (i) do all such other things as are incidental or conducive to the attainment of its purposes.

5.-(1) The Authority shall be administered by a Board consisting of the Chief Executive Officer of the Ministry responsible for Agriculture, the Financial Secretary, the National Disaster Coordinator appointed under the Disaster and Preparedness and Response Act and five other members appointed by the Minister responsible for Agriculture (hereinafter in this Act referred to as “the Minister”).

Constitution.

10 of 2000.
CAP. 145.

(2) The Chief Executive Officer of the Ministry responsible for Agriculture and the Financial Secretary may be represented by persons nominated by them whenever they are unable to be present in person.

(3) The Chairman shall be nominated from among the members by the Minister and in his absence the members present shall elect one of their members to preside at the meeting.

(4) The Minister may appoint another person to act as a member of the Board in place of a member who is temporarily absent or unable to act as such.

(5) A member of the Board shall hold office for such period not exceeding three years as may be prescribed by the Minister at the time of the appointment of the members but may be reappointed.

(6) A member who is not holding office of emoluments in the Public Service may resign his post by giving the Minister through the Chairman written notice of resignation.

(7) The names of the members appointed to the Board and every change and new appointment shall be published in the *Gazette*.

(8) The Board may act by any five of their number including at least one of the *ex officio* members and may so act notwithstanding any vacancy in the number of members constituting the Board, and shall have the power to regulate their procedure.

Duties.

6.-(1) The Board members shall administer, supervise and control the affairs and business of the Authority subject to an annual programme approved by the Minister as to the policy to be followed by the Authority in the exercise or performance of its functions.

(2) No payment out of the funds of the Authority shall be made unless it has been authorised by writing authenticated by the joint signature of the Chairman or one member authorised to act in that behalf and of the secretary, but the officers of the Authority who are specifically authorised by the Board may effect petty disbursements or immediate payments out of the funds they may be permitted by the Board to hold from time to time.

(3) The Board shall furnish the Minister with such returns, accounts and information as he may require with respect to the property, transaction, and activities of the Authority and shall afford him or his duly accredited representative all facilities for verification thereof.

Accounts.

7.-(1) The Board shall keep proper accounts of all its financial transactions, of assets and liabilities and a complete record of all other matters relating to its finances and shall prepare annually a statement of accounts in a manner satisfactory to the Minister and in conformity with sound commercial practice.

(2) The accounts of the Authority shall be audited annually by an auditor or auditors appointed by the Minister.

(3) The auditor of the Authority shall be supplied with a copy of the annual balance sheet of the Authority, and it shall be his duty to examine such balance sheet together with accounts and vouchers of the Authority and he shall be entitled to require from the members and the officers of the Authority such information and explanation as may be necessary for the performance of his duties.

(4) The auditor of the Authority may, if he so desires, make a continuous audit of the accounts of the Board.

(5) The auditor of the Authority shall make written report upon the annual balance sheet and accounts of the Board.

(6) Copies of the report of the auditor shall be transmitted by him to the Board and to the Minister.

(7) Notwithstanding anything in this section, the Minister may, in his discretion, at any time require the Auditor General to examine the report on the accounts as well as the accounts of the Authority, in which event the Board shall afford the Auditor General with all facilities for examinations as he may require.

(8) All the expenses incurred for the purpose of auditing shall be paid out of the funds of the Board.

8.-(1) The Board shall prepare an annual report of its activities as soon as may be after the close of each financial year. Annual Report.

(2) The annual report shall be submitted to the Minister not later than four months after the close of the Authority's financial year and shall be laid on the table of the National Assembly.

9.-(1) The Board shall appoint a secretary. Secretary.

(2) The secretary shall be the principal administrative officer responsible for management and control of the business of the Authority.

10.-(1) The Minister may, after consultation with the Board, make regulations generally providing rules governing the control of soil erosion, water conservation, planting, growing, cultivation, harvesting, preventing and curing of infestation and disease, and transportation of crops, and without prejudice to the generality of this provision, for- Regulations.

(a) prescribing the form of any licence, notice or any other document required to be prescribed;

- (b) disinfection, treatment of diseased crops and produce thereof;
- (c) destruction and disposal of seeds or plants not suitable for planting or likely to infect or adversely affect other seeds and plants because of infestation or disease;
- (d) prohibition, restriction of methods of cultivation, harvesting and transportation not in keeping with the best practices in that field;
- (e) the enforcement of soil and water conservation methods and cropping patterns;
- (f) provision of drying and storing areas;
- (g) measures to be taken to prevent the spread of plant diseases or pests, including the quarantine of infected or infested plant area;
- (h) disinfection and treatment services and payment of fees, if any, therefor;
- (i) generally carrying into effect any of the provisions of this Act.

(2) Any person who contravenes or fails to comply with any regulation made under this section is for each offence liable on summary conviction to imprisonment for a period not exceeding six months, or to any lesser penalty that may be annexed to the breach of any regulation and, in addition, there may be annexed to any such breach a provision for forfeiture to the Crown of any produce.

(3) All regulations made pursuant to this section shall be subject to negative resolution.