BELIZE:

STATUTORY INSTRUMENT

NO. 131 OF 2026

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BELIZE:

STATUTORY INSTRUMENT

NO. 131 OF 2026

REGULATIONS made by the Governor-General in exercise of the powers conferred upon her by section 18(9) of the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2020, and all other powers thereunto him enabling.

(Gazetted 31st October, 2026).

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1. These Regulations may be cited as the **Citation.**

BELIZE CONSTITUTION (EMERGENCY POWERS) REGULATIONS, 2026.

2. For the purposes of these Regulations– **Interpretation.**

"emergency area" means the area declared to be under a public state of emergency under the Proclamation;

"Minister" means the Minister responsible for home affairs and enterprise; and

"Proclamation" means the Proclamation made by the Governor-General under section 18 of the Belize Constitution declaring that a state of public emergency exists in certain parts of Belize City and certain parts of the Belize District. **S.I. No. of 130 2026.**

Prohibition on loitering, public drinking, assembly.

3. No person shall, in any public place within the emergency area –

(a) loiter;

(b) drink; or

(c) assemble in groups of three or more.

Power to enter and search, etc.

4.–(1) Notwithstanding any rule of law to the contrary, a police officer may, in an emergency area, without a warrant and with or without assistance and with the use of justifiable force, if necessary–

(a) enter and search any premises; or

(b) stop and search any vessel, vehicle or individual, whether in a public place or not, if he honestly believes that any evidence of the commission of an offence against these Regulations or in the commission of an offence under the Crime Control and Criminal Justice Act is likely to be found on such premises, vessel, vehicle or individual and may seize any evidence so found.

(2) A police officer may seize anything found within a vehicle, vessel, on an individual or premises searched under sub-regulation (1) which that police officer honestly believes is being used or intended to be used for any illegal purpose or in any way prejudicial to public safety for the commission of an offence under the Crime Control and Criminal Justice Act.

Obligation of driver to stop motor vehicle.

5. The person driving or in control of any vehicle in motion on a road shall stop that vehicle on being required to do so by a police officer in uniform.

Power to stop, detain, search and seize.

6.–(1) A police officer may–

(a) stop, detain, and search any person and may seize anything found on such person which he honestly believes is or was being used or is intended to be used for any purpose, or in any way prejudicial to the public safety or public order; and

(b) take such steps and use such force as may appear to be reasonably necessary and justifiable to stop, detain and search any person under the provision of this Regulation. (2) Every person commits an offence who assaults, obstructs, hinders or resists or uses any threatening, abusive or calumnious language or aids or incites any other person to assault, obstruct, hinder or resist any police officer in the execution of his duty under this Regulation.

Power to stop and search for firearms.

7.–(1) Subject to the provisions of regulation 9, a police officer may stop and search any person whom he finds in any street or other public place within the emergency area and honestly believes to have any unlicensed firearm, ammunition or explosive in his possession or of having committed or being about to commit any other offence prejudicial to public safety or public order.

(2) A police officer acting under sub-regulation (1) may seize and detain any unlicensed firearm, ammunition, explosive or other article found in the person's possession, custody or control and in respect of which, or in connection with which he has an honest belief that an offence referred to in that sub-regulation has been or is about to be committed.

Forfeiture and disposal by court.

8. A firearm, ammunition, explosive or other article seized and detained by a police officer under regulation 7(2) and found by that police officer without apparent owner, may be retained for as long as is necessary for the purpose of any examination, investigations, inquiries or legal proceedings, and a magistrate may, upon application made in such proceedings, direct such firearm, ammunition or explosive to be forfeited or otherwise disposed of as the magistrate considers just.

Searching of female.

9. Where under these Regulations a female is searched, the search shall be made by another female.

Powers of questioning.

10. Every person, if so required by a police officer, shall stop and answer to the best of his ability and knowledge any questions which may be reasonably addressed to him by the police officer.

Powers of arrest.

11.–(1) Notwithstanding any rule of law to the contrary, a police officer may arrest, without a warrant, and detain, for the purposes of enquiries, any person within an emergency area, whose behaviour is of such a nature as to give that police officer an honest belief that that person has–

(a) acted or is acting in a manner prejudicial to public safety;

(b) has committed, is committing or is likely to commit an offence under the Crime Control and Criminal Justice Act.

(2) Notwithstanding sub-regulation (1), a police officer may arrest, without a warrant, and detain, for the purposes of enquiries any person located outside the emergency area that the police officer has evidence or intelligence indicating that such person frequents the emergency area or is connected with the emergency area or with a person within the emergency area and the behaviour of the person of interest is of such a nature as to give the police officer an honest belief that that person has–

(a) acted or is acting in a manner prejudicial to public safety;

(b) has committed, is committing or is likely to commit an offence under the Crime Control and Criminal Justice Act. (3) A person detained under these Regulations may be held for a period of up to thirty (30) days.

(4) A person detained under this regulation shall be deemed to be in lawful custody and may be detained in any

prison, police station or lock-up or in any other place(s) authorized by the Minister by Order published in the *Gazette,* and a police officer may, during such detention take photographs, descriptions, measurements and fingerprints of any person so detained and any information so obtained may, after the release of such person, be preserved.

Application of section 19 of Belize Constitution.

12. The provisions of section 19 of the Belize Constitution shall apply to any person arrested and detained under these Regulations.

Powers in respect of persons who leave or abscond from the emergency area.

13.–(1) The powers exercisable under these Regulations during the emergency period in respect of a person who could have been arrested or detained in the emergency area but who has fled the emergency area, or in respect of a person who was arrested or detained in the emergency area but has absconded, shall be exercisable in respect of that person wherever in Belize that person is arrested or detained, as if the person were located in the emergency area at the time of arrest or detention.

(2) For the purposes of sub-regulation (1), the Minister may declare the person to be a person of special national security interest.

Closing of premises.

14.–(1) If it appears to a police officer that any premises are being used, have been used or are intended to be used for any purpose or in any manner prejudicial to the interest of public safety or public order, the police officer may, by written order of the Minister without any further formality except the requirements of posting under sub-regulation (2), require them to be closed and remain closed until further order or for such period as may be specified in the order.

(2) An order made under this regulation shall be published by posting a copy of the order on the premises affected by the order and after it is posted, the order shall remain in full force and effect until revoked or until the period specified in

the order has expired, notwithstanding that the copy of the order has been destroyed, obliterated or defaced.

(3) A certificate under the hand of a police officer to the effect that he is satisfied that a copy of the order has been duly posted in accordance with sub-regulation (2) shall be admitted in evidence as conclusive proof of the posting of the copy on those premises.

Bail and habeas corpus.

15.–(1) Notwithstanding any rule of law to the contrary, but subject to these Regulations, no bail shall be allowed in the case of any person–

(a) in respect of whom a Detention Order is in force;

(b) detained under the provisions of regulation 11; or

(c) charged with an offence, if it is shown to the satisfaction of the magistrate that it is reasonably apprehended that the person arrested is likely to engage or to incite persons to engage in the commission of breaches of the peace or of any other offence against the person or property or against these Regulations, or any orders, instructions or directions made thereunder.

(2) The writ of habeas corpus shall not lie in the case of any person denied bail by or under sub-regulation (1) and no jurisdiction to grant bail in the case of such denial shall be exercised by any Judge of the Supreme Court under any rule of law or other authority.

(3) Upon the cessation of these Regulations nothing in this regulation shall be treated as continuing to have effect, in consequence of the continuance of any prosecution for an offence hereunder or for any other reason.

Security forces to assist.

16.–(1) Notwithstanding any rule of law to the contrary, the Commander of the Belize Defence Force and the Captain of the Belize Coast Guard shall hold their forces in readiness to assist, and if called upon by the Commissioner of Police, shall co-operate with and assist the Commissioner of Police in the performance of his duties under these Regulations.

(2) A member of the Belize Defence Force and of the Belize Coast Guard referred to in sub-regulation (1) shall, for all the purposes of these Regulations, have the powers of a police officer and shall, where acting in accordance with any general or special instructions of the Commander of the Belize Defence Force or of the Captain of the Belize Coast Guard or of any superior officer thereof given in pursuance of sub-regulation (1), be deemed to be acting in performance of the duties imposed on a police officer by these Regulations or by any orders made thereunder.

(3) A request of the Commissioner of Police for assistance under sub-regulation (1) may be made generally or with reference to some particular occasion or for some specific purpose.

Confinement to place of residence, etc.

17. The Minister, if satisfied that it is necessary to do so in order to prevent a person from acting in a manner prejudicial to public safety or public order, may make an order requiring that person, subject to conditions as may be specified in the order, to stay in the house or place where that person resides principally or, where that person has no fixed place of abode, at a place specified by the Minister.

Detention Orders. CAP. 102.

18.–(1) The Minister, if satisfied that a person has been concerned in acts prejudicial to public safety or public order including an offence under the Crime Control and Criminal Justice Act, or in the preparation or instigation of such acts and that for any reasons thereof it is necessary to exercise control over that person, may make an order to be known as a Detention Order against any person directing that he be detained.

(2) A person detained under a Detention Order shall be deemed to be in lawful custody and shall be detained in such place as may be authorised by the Minister and in accordance with such instructions as shall be issued by the Minister.

(3) At any time after a Detention Order has been made against any person, the Minister may, by a further order, revoke or vary the detention or may direct that the duration of the Detention Order be suspended, subject to any of the following conditions as the Minister sees fit–

(a) imposing upon such person such restrictions as may be specified in respect of his–

(i) place of residence; and

(ii) association or communication with other persons;

(b) prohibiting such person from being outdoors between such hours as may be so specified;

(c) prohibiting or restricting the possession or use by such person of any articles so specified;

(d) requiring such person to notify of his movements in such manner, at such times and to such authority or person as may be so specified;

(e) prohibiting such person from proceeding beyond such distance from his place of residence as may be so specified.

(4) A person who fails to comply with a condition attached to or restriction imposed by, a direction given by the Minister under sub-regulation (3), whether or not the direction is revoked in consequence of the failure, commits an offence.

(5) For the avoidance of doubt, the powers exercisable under these Regulations shall be exercisable in respect of a person detained pursuant to these Regulations including while being transported to or from any place so detained.

(6) In selecting a place of detention for the purposes of these Regulations, the matters to which the Minister may have regard include–

(a) the physical accommodation for such detention available; and

(b) the likelihood of further prejudice to public safety or public order if the person is detained within the vicinity of an emergency area.

Curfew.

19. Every minor within an emergency area shall be and remain within his house or place of abode within the hours of eight o'clock at night until six o'clock of the following morning unless such minor is accompanied by an adult.

Offences.

20. Every person who contravenes the provisions of any of these Regulations or any order made or notice given thereunder or incites or attempts to incite any other person to contravene any of these Regulations or any order made or notice given hereunder commits an offence and is liable on summary conviction to imprisonment for one year.

Savings of other powers.

21. The powers conferred by these Regulations are in addition and not in derogation of any powers exercisable by any person to take such steps as may be necessary for securing the public safety and ensuring the implementation of these Regulations and nothing in these Regulations shall affect the liability of any person to trial and punishment for any offence otherwise than in accordance with these Regulations.

Establishment of Tribunal to review cases of detention.

22.–(1) For the purposes of section 19(1)(c) of the Belize Constitution, there is established a Tribunal for the review

of cases of detention under regulation 18, to be called the Emergency Powers Review Tribunal.

(2) The Tribunal shall consist of–

(a) one member appointed by the Chief Justice from among persons who are legal practitioners, who shall be the chairperson of the Tribunal; and

(b) two other members who shall be appointed by the Governor-General.

(3) Appointments of members of the Tribunal by the Governor-General shall be made in the Governor-General's own deliberate judgment.

(4) In the case of the temporary absence or inability to act of–

(a) the chairperson of the Tribunal, the Chief Justice may appoint another person from among legal practitioners to act as chairperson of the Tribunal; and

(b) any other member of the Tribunal, the Governor-General may appoint another person to act for that member.

(5) The appointment of any person as a member of the Tribunal shall be for such term and shall be subject to such conditions as may be determined by the Chief Justice or the Governor-General, as the case may be.

(6) A person appointed to the Tribunal shall be eligible for re-appointment.

(7) The Tribunal may regulate its own procedure.

(8) The Tribunal shall review the case of a person detained pursuant to regulation 18–

(a) within one month of that person being detained; and

(b) at intervals not exceeding three months, if there is the continued detention of that person beyond a period of one month.

(9) A person detained pursuant to regulation 18 shall–

(a) be afforded reasonable facilities for private communication and consultation with a legal practitioner of his choice, who shall be permitted to make representations to the Tribunal; and

(b) at the hearing of his case by the Tribunal, be permitted to appear in person or to be represented by a legal practitioner of his own choice.

(10) Hearings of the Tribunal shall be presided over by the chairperson.

(11) The chairperson shall–

(a) inform the person detained of the grounds on which the order for detention has been made against him; and

(b) furnish the person detained with such particulars as are in the opinion of the chairperson, sufficient to enable the person detained to present his case.

(12) On any review by the Tribunal of the case of a person detained pursuant to regulation 18, the Tribunal may make recommendations to the Minister concerning the

necessity or expediency of continuing the detention of that person.

(13) The Minister shall not be obliged to act in accordance with the recommendations of the Tribunal and may–

(a) direct that the order remain in force;

(b) vary the order; or

(c) revoke the order.

Duration of Regulations.

23. These Regulations shall have effect during the period of public emergency.

MADE by Her Excellency the Governor-General Froyla Tzalam this 31st day of October, 2026.



H.E. FROYLA TZALAM
Governor-General

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