



BELIZE

**ALIENS LANDHOLDING ACT
CHAPTER 179**

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-	Page
ARRANGEMENT OF SECTIONS	3
ALIENS LANDHOLDING ACT	4
Amendments in force as at 31st December, 2000.	



BELIZE

**ALIENS LANDHOLDING ACT
CHAPTER 179**

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-	Page
ARRANGEMENT OF SECTIONS	3
ALIENS LANDHOLDING ACT	4
Amendments in force as at 31st December, 2000.	

CHAPTER 179

ALIENS LANDHOLDING

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Company under alien control.
4. Prohibition against alien holding land.
5. Title to land in alien void.
6. Alien licensed to hold land.
7. Appeal from Minister's notice.
8. Prohibition of transferring shares in licensed alien company.
9. Prohibition against holding land or shares for alien.
10. Declaration of area to regulate alien landholding.
11. Power to enforce forfeiture.

CHAPTER 179**ALIENS LANDHOLDING**

CAP. 144,
R.E. 1980-1990.
31 of 1973.

[31st December, 1973]

Short title.

1. This Act may be cited as the Aliens Landholding Act.

Interpretation.

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

“alien” means a person or a company other than-

- (a) a Belizean citizen or a citizen of a Commonwealth country; or
- (b) a person domiciled in Belize and who has been so domiciled for an uninterrupted period of over three years; or
- (c) a company incorporated in Belize and deemed not to be under alien control in accordance with section 3;

“designated area” means an area of land declared to be a designated area by the Minister under section 10;

“licence” means a licence issued under section 6;

“Minister” means the Minister from time to time responsible for Lands.

Company under alien control.

3. For the purposes of this Act, a company shall be deemed to be under alien control if-

- (a) one-half or more of its directors or shareholders are aliens;
or
- (b) one-half or more of the votes exercisable at any meeting of the company are held by or for and on behalf of an alien; or
- (c) one-half or more of the issued share capital is held by or for and on behalf of an alien.

4. Subject to the provisions of this Act, no legal or equitable estate in land shall vest in an alien after the commencement of this Act:

Prohibition
against alien
holding land.

Provided that-

- (a) land may be acquired and title thereto may vest in an alien if licensed under the provisions of section 6;
- (b) land may be acquired and title thereto may vest in an alien if the same is situate within the boundaries of a city or town and the total area held by any alien does not in the aggregate exceed one-half acre or if the same is situate outside the boundaries of a city or town and the total area held by any alien does not in the aggregate exceed ten acres;
- (c) nothing contained in this Act shall affect the title to an estate in land vested in an alien at the commencement of this Act;
- (d) nothing contained in this Act shall affect the right of an alien devisee under a will to receive the proceeds of sale from land the subject of a devise.

Title to land in alien void.

5. Any deed, conveyance, certificate of title, fiat, vesting assent or other assurance of land whatsoever purporting to convey, transfer, vest or evidence title to a legal or equitable estate in land to or in an alien contrary to the provisions of this Act shall for that purpose be void and of no effect.

Alien licensed to hold land.

6.-(1) Notwithstanding the provisions of section 4, the Minister may in his discretion grant to an alien a licence to acquire and to hold an estate in land, subject to such terms and conditions in the licence specified as he may think fit for the development of the said land.

(2) Every licence issued under the provisions of this section shall be recorded in the General Registry as a deed.

(3) The Minister may from time to time alter, amend or extend the provisions of any licence granted hereunder and any alteration, amendment or extension shall be recorded in the General Registry as a deed.

(4) Breach of any term or condition in a licence issued under the provisions of this section shall render the licence voidable.

(5) The Minister may, by notice in writing, give to a licensee three months to comply with any term or condition of a licence which has been breached, and if the licensee fails to comply within the time specified the Minister may, by notice in writing to the licensee, declare the licence void.

(6) The Minister may record as a deed at the General Registry a cancellation of a licence that has become void and the land in respect of which the licence has been issued and all buildings, fixtures and appurtenances thereon shall forthwith be forfeited to the Crown.

(7) The Minister may from time to time by Order published in the *Gazette*, make regulations-

(a) setting out the terms and conditions which shall apply to

licences granted under this section;

- (b) determining the duration of licences granted hereunder;
- (c) setting out the procedure by which applications for licences may be made and prescribing the form of licence, deed of cancellation, notice and other documents for use under the provisions of this section or regulations made thereunder;
- (d) allowing the Minister to administer interrogatories and to obtain discovery of documents from any applicant or licensee for the enforcement of this Act; or
- (e) for the proper and due implementation of the provisions of this section.

(8) Where the conditions of a licence have been fulfilled to the satisfaction of the Minister, the Minister shall grant the licensee a certificate declaring that the licence shall no longer be voidable and the same shall be recorded in the General Registry as a deed.

7.-(1) Any person aggrieved by the Minister's notice given under the provisions of section 6 (5) may, within fourteen days of receipt thereof, appeal to the Supreme Court for a review of the Minister's decision.

Appeal from
Minister's
notice.

(2) The court shall, within the period of three months provided in section 6 (5), review all the facts and arguments relating to the breach complained of in the Minister's notice, and may declare the Minister's notice void if no breach has occurred, or if a breach has occurred may impose a fine upon the licensee not exceeding ten thousand dollars, or declare the land in respect of which the licence had been issued and all buildings, fixtures and appurtenances thereon forfeited to the Crown. The court may also make recommendations to the Minister in cases where only a fine has been imposed for the implementation of the licensee's obligations under the licence.

(3) The Chief Justice may, with the approval of the Minister, make rules for the commencement, hearing and disposal of such appeals.

Prohibition of transferring shares in licensed alien company.

8.-(1) Where a licence has been granted under section 6 to an alien that is a company it shall be an offence for any of the shares or stock in the same to be issued or transferred to another alien without the permission of the Minister expressed in writing.

(2) It shall be an offence for any of the shares or stock in any company in which title to land vests to be issued or transferred to an alien so that the company is deemed to be under alien control in accordance with the provisions of section 3 without the permission of the Minister expressed in writing.

(3) It shall be an offence for any of the shares or stocks in an alien company in which title to land vests to be issued or transferred to an alien who is not already holding shares or stocks in the same company without the permission of the Minister expressed in writing.

(4) Every director, manager or officer of the company who knowingly and wilfully authorises or permits the issue or transfer of shares or stock contrary to the provisions of this section shall be liable upon conviction on indictment to a fine not exceeding five thousand dollars and the shares or stock the subject of the offence shall forthwith be forfeited to the Crown.

Prohibition against holding land or shares for alien.

9.-(1) It shall be an offence for any person or corporation as trustee, agent or otherwise, to hold title to the legal estate in land to which the equitable estate or any portion thereof is vested in an alien contrary to the provisions of this Act, or to hold the title to shares or stock as trustee, agent or otherwise for and on behalf of an alien without disclosure of the same in a company in which title to legal or equitable estate in land is vested, except a personal representative during and in the course of administration or a receiver during and in the course of bankruptcy.

(2) Any person convicted on indictment of an offence under this section shall be liable to a fine not exceeding five thousand dollars, and the land and all buildings, fixtures and appurtenances thereon or the shares or stock the subject of the offence shall forthwith be forfeited to the Crown.

10.-(1) Notwithstanding anything to the contrary contained in this Act, the Minister may by Order published in the *Gazette*, declare any area in Belize to be a designated area for the purposes of this Act and may by the said Order set out terms and conditions under which aliens may, if at all, hold land within the area designated.

Declaration of area to regulate alien land-holding.

(2) A breach by an alien of any of the terms and conditions set out in the Order shall be an offence and shall be punishable on indictment with a fine of five thousand dollars, and the land and all buildings, fixtures and appurtenances thereon the subject of the offence shall forthwith be forfeited to the Crown.

11.-(1) Where land has been forfeited under the provisions of this Act the Registrar General, notwithstanding anything to the contrary contained in the General Registry Act and any rules made thereunder, shall-

Power to enforce forfeiture.
CAP. 327.

- (a) in the case of unregistered land, receive and record as a deed a memorandum purporting to be signed by the Minister in the case of land forfeited under section 6 or by a judge of the Supreme Court in the case of land forfeited under section 7 or 9 or 10 signifying the forfeiture of the same without further proof and the same shall be evidence of title in the Crown to the land therein described in fee simple absolute;
- (b) in the case of registered land, receive a memorandum signed by the Minister in the case of land forfeited under section 6 or by a judge of the Supreme Court in the case of land forfeited under section 7 or 9 or 10 as authority to cancel the registered proprietor's certificate of title and to issue a Transfer Certificate of Title in respect of the land in the memorandum described in

favour of the Crown as registered proprietor of the same in fee simple absolute.

(2) Where shares or stock in a company have been forfeited under the provisions of this Act it shall be lawful for the Crown to be registered as proprietor of the same upon presentation of a memorandum purporting to be signed by a judge of the Supreme Court signifying the forfeiture aforesaid.