



A Brief Summary of  
**THE BELIZE CONSTITUTION**

**VOLUME 1**



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A Brief Summary  
**The Belize Constitution**  
VOLUME 1

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PEOPLE'S CONSTITUTION COMMISSION  
AND ITS  
SECRETARIAT

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## PREFACE

In order to convince the world that Belize was worthy to be recognized as an independent State and take its rightful place on the world stage, we had to demonstrate to the global community that Belize possessed all the attributes of a Nation State.

The fact that Belize has a distinct population, united in its diversity, defined physical borders, a common history, a single government, and a shared national identity, qualified us to determine our own future, and therefore deserved to exercise sovereignty over all our territory.

Belize became an Independent State on September 21, 1981. The first priority of the Independent Belize was to consolidate its self-determination, independence, and territorial integrity.

To achieve this, we agreed to a social contract, known as the Constitution of Belize, which established the identity and characteristics of the State. The ideals, which are the soul of the nation, are articulated in the Preamble to our Constitution – the supremacy of God, the right to life, the protection of each person’s fundamental rights and freedoms, the rule of law, creation of the institutions of Government, and the separation of powers, among other provisions.

This Constitution, with few amendments, has served us well over the past forty-two years; but times, attitudes and values have evolved. In its wisdom, the Government of Belize has enacted legislation creating the People’s Constitution Commission, charged to conduct a comprehensive review of the Belize Constitution and prepare and submit to the Prime Minister, a final report of its findings of the review.

This exercise is being conducted by the People’s Constitution Commission representing various sectors of our society. It is an open and transparent process which involves all Belizeans living at home and abroad. Your views and opinions are important, and will be treated with respect and attention,

because at the end of this exercise, it will be you, the people, who will have the final say, by referendum, on the concepts and recommendations that emerge.

The Commission wishes the Belizean people to be informed about our Constitution, to know what is in it and how it affects every facet of our lives; to understand that the freedoms we enjoy also confer responsibilities on us. For those who love our country and want Belize to thrive and hold the moral high ground both at home and within the wider regions of planet Earth, the Constitution should be a living, evolving instrument that captures the basic principles of good governance, the rule of law, civility in social, political and economic interactions, and safeguards the rights of citizens and the integrity of the nation.

To renew your acquaintance with the Constitution and for those who require a clearer understanding of the constitutional provisions, the Commission publishes, and will widely circulate, this booklet, entitled A BRIEF SUMMARY OF THE BELIZE CONSTITUTION – VOLUME 1, and strongly urges you to use it as a tool toward a greater understanding and appreciation of the fundamental principles by which Belize is governed.

*[Ambassador Robert Leslie]*

## **A BRIEF SUMMARY OF THE BELIZE CONSTITUTION**

The Constitution of Belize came into effect on 21 September 1981. It is 163 pages with 154 Sections divided into 13 Parts or Chapters.

Our Constitution starts with a PREAMBLE, which details the principles, values, beliefs and objectives of the people of Belize regarding the type of Constitution they desire for their nation.

The 13 Chapters deals with the following topics:

1. The Nation of Belize and the Supreme nature of the Constitution
2. Our Fundamental Rights and Freedoms
3. Citizenship
4. Governor General
5. Executive Branch of Government
6. Legislative or Law-Making Branch
7. Judicial Branch with the Courts and their role
8. Public Services
9. The Finances
10. Miscellaneous matters like Code of Conduct and National Symbols
11. A few transitional issues
12. The effective date when our Constitution became Law
13. Government Control of Water, Electricity and Telecommunication

There are 4 schedules:

- The 1st defines our sovereign territory
- The 2nd concerns altering certain sections
- The 3rd is the Oath of Offices or Affirmation
- The 4th is revoking outdated laws.

## PREAMBLE TO THE BELIZE CONSTITUTION

### WHEREAS the people of Belize –

- a) *affirm* that the Nation of Belize shall be founded upon principles which acknowledge the supremacy of God, faith in human rights and fundamental freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;
- b) *respect* the principles of social justice and therefore believe that the operation of the economic system must result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity, that equal protection should be given to children regardless of their social status, and that a just system should be ensured to provide for education and health on the basis of equality;
- c) *believe* that the will of the people shall form the basis of government in a democratic society in which the government is freely elected by universal adult suffrage and in which all persons may, to the extent of their capacity, play some part in the institutions of national life and thus develop and maintain due respect for lawfully constituted authority;
- d) *recognise* that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and upon the rule of law;
- e) *require* policies of state which protect and safeguard the unity, freedom, sovereignty and territorial integrity of Belize; which

eliminate economic and social privilege and disparity among the citizens of Belize whether by race, ethnicity, colour, creed, disability or sex; which ensures gender equality; which protect the rights of the individual to life, liberty, basic education, basic health, the right to vote in elections, the right to work and the pursuit of happiness; which protect the identity, dignity and social and cultural values of Belizeans, including Belize's indigenous peoples; which preserve the right of the individual to the ownership of private property and the right to operate private businesses; which prohibit the exploitation of man by man or by the state; which ensure a just system of social security and welfare; which protect the environment; which promote international peace, security and co-operation among nations, the establishment of a just and equitable international economic and social order in the world with respect for international law and treaty obligations in the dealings among nations;

- f) *desire* that their society shall reflect and enjoy the above mentioned principles, beliefs and needs and that their Constitution should therefore enshrine and make provisions for ensuring the achievement of the same in Belize;

## CHAPTER I – OUR NATION AND OUR SUPREME LAW

- Section 1 Belize is a sovereign democratic nation and the land and sea that comprise Belize is detailed in the 1st Schedule.
- Section 2 Establish the Constitution as the SUPREME LAW and makes any law or portions of any law VOID if they are Inconsistent with the Constitution.

### ***Food for Thought:***



***Do you think a new proposed Constitution should state that the Legislative, Executive, and Judicial branches of government and all their officials are subservient to the Constitution?***



## CHAPTER 2 – PROTECTION OF OUR FUNDAMENTAL RIGHTS AND FREEDOMS

### [Sections 3 – 22]

These sections detail the protection given to the Fundamental Rights and Freedoms of all Belizeans.

Section 3 makes it clear what the other sections put in more details:-

*“Whereas every person in Belize is **entitled** to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his **race, place of origin, political opinions, colour, creed and sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely-***”

- (a) life, liberty, security of the person and the protection of the law;*
- (b) freedom of conscience, of expression and of assembly and association;*
- (c) protection for his family life, his personal privacy, the privacy of his home and other property and recognition of his human dignity and;*
- (d) protection from arbitrary deprivation of property.*

Sections 4 to 22 then goes into details on each of our rights and freedom which includes:

1. The Right to Life
2. The Right to Liberty
3. We are entitled to the Protection of the Law
4. We cannot be subjected to Inhuman Treatment, Slavery or Forced Labour

5. We are entitled to Freedom of Movement
6. Freedom of Conscience
7. Freedom of Expression
8. Freedom of Religion
9. Freedom to Assemble and Associate including the right to join trade unions and political party
10. Our Right to our Privacy, Home and our Family Life
11. Our Right to Work
12. We are Protected against Discrimination
13. We are Protected against Unlawful Searches and Entry
14. We are Protected against Unlawful Deprivation of our Property

There is also protection of our rights during situations of Public Emergencies: flood, fire, hurricane, outbreak of infectious disease, earthquakes or war.

Below contains examples of the many important details concerning our fundamental rights and freedoms:-

### Section 5 (3)

“Any persons who is arrested and detained –

*(b) upon **reasonable suspicion** of his having committed, or being about to commit a criminal offence under any law,*

*and who is not released, **shall be brought before a court without undue delay and in any case not later than forty-eight hours after such arrest or detention.**”*

### Section 5 (6)

*“Any person who is unlawfully arrested and detained by any other person shall be entitled to **compensation** therefore from that other person or from any other person or authority on whose behalf that other person was acting:”*

### Section 6 (1) states

*“All persons are **equal** before the law and are **entitled** without any discrimination to the equal protection of the law.”*

### Section 9 (1)

*“Except with its own consent, a person **shall not** be subjected to the search of his person or his property or the entry by others on his premises.”*

### Section 11 (1)

*“Except with his own consent, a person **shall not** be hindered in the enjoyment of his freedom of conscience, including his freedom of thought and religion, freedom to change his religion or belief and freedom, either alone or in community with others, and both in public and in private to manifest and propagate his religion and belief in worship, teaching, practice and observance,”*

### Section 12 (1)

*“Except with his own consent, a person **shall not** be hindered in the enjoyment of his Freedom of Expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence.”*

Section 16 (1)

*“Subject to the provisions of subsections (4), (5) and (7) of this section, **no law shall** make any provision that is **Discriminatory** Either of Itself or in its effect.”*

*“(3) in this section, the expression **“discriminator”** means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by **sex, race, place of origin, political opinions, colour or creed** whereby persons of one such discrimination are subjected to disabilities or restrictions to which persons of another such description are not made subject or are accorded privileges or advantages which are not accorded to persons of another such description.”*

Not only does our Constitution provide detailed Protections for all our Fundamental Rights and Freedoms but it provides specific **remedy** for us to seek **justice** against those who may wish to violate and do violate our Rights and Freedoms.

Section 20:

*“If any person alleges that any of the provisions of sections 3 to 19 inclusive of this Constitution **has been, is being or is likely to be contravened** in relation to him (or, in the case of a person who is detained, if any other person alleges such a contravention in relation to the detained person), then, without prejudice to any other action with respect to the same matter which is lawfully available, that person (or that other person) may apply to the supreme Court for **redress.**”*

Because no RIGHT or FREEDOM is **absolute** there are some restrictions which our Constitution allows on our rights so that our rights and freedom does not breach the right and freedom of other citizens and the public at large.

Our Constitution, however, makes it clear that any such restrictions must be by a duly enacted law and any such law must have reasonable provisions relating solely to defence matters, public safety, public order, public morality and public health.

***Food for Thought:***



*Should a new Constitution provide additional Rights to Belizeans in such areas as the right to own a residential property; the right to education; the right to adequate health care?*

## CHAPTER 3 – CITIZENSHIP

### [Sections 23 – 29]

Every person born in Belize is a citizen of our country.

Every person born outside of Belize is a citizen of Belize **if** his mother or father is a citizen of Belize.

Any person who is married to a Belizean can become a citizen of Belize.

Any person who has lived in Belize continuously for a period of **five (5) years** is eligible to be a citizen.

No person can be a citizen if he or she shows any allegiance to or is a citizen of a country which does not recognize the independence, sovereignty, or territorial integrity of Belize. However, the Minister responsible for nationality has a discretion to grant citizenship under certain situations.

Belizeans who are also citizens of any other country, such as the United States of America, are allowed to have **dual citizenship** if the other country allows for it.

***Food for Thought:***

*Should citizenship of Belize be available to any person who has lived in Belize continuously for five (5) years or should the period be longer?*

## CHAPTER 4 – THE GOVERNOR GENERAL

[Sections 30 – 35]

### Section 30:

*“There shall be a Governor General of Belize who shall be a citizen of Belize appointed by His Majesty and shall hold office during His Majesty’s pleasure and who shall be His Majesty’s representative in Belize.”*

### Section 34:

*“In the exercise of his functions the Governor General shall act in accordance with the advice of the Cabinet or a Minister acting under the general authority of the Cabinet, except in cases where he is required by this Constitution or any other law to act in accordance with the advice of, or after consultation with, any person or authority other than the Cabinet or in his own deliberate judgement.”*

Provision is made for a Deputy Governor General to be appointed by the Governor General on the advice of the Prime Minister if the Governor General is ill or is absent from her duties or absent from the country.

The title and functions (mostly ceremonial) of the Governor General are part of the legacy of Belize being a colony of the British Government. Many former colonies like Trinidad & Tobago, Guyana and Barbados have replaced the term Governor General with a President with Jamaica planning to follow.

***Food for Thought:***



*Should Belize change the term Governor General and have a Belizean President?*

*If you believe Belize should have a president, should the two main political parties nominate the new President, or should Belizeans elect their President?*

*If a President is selected, should this presentation continue to be purely ceremonial or should he/she have a substantive role in governing?*

## **CHAPTER 8 – THE PUBLIC SERVICE**

**[Sections 105 – 113]**

The nation of Belize has a large special team of employees. They are called Public Officers.

They are special because they are paid directly from taxpayers monies. They work in all Government departments and ministries. They are required to serve impartially, professionally and non-politically to the best of their training and abilities.

They are required to sign The Oath or Affirmation of Allegiance and Office.

In order to achieve such a lofty goal, the Constitution devotes a Chapter to the Public Service. It starts with the Public Services Commission.

Section 105 (1):

*“There shall be established for Belize a Public Services Commission which shall consist of a Chairman and five other members.”*

Section 105 (2):

*“The Chairman and other members of the Commission shall be appointed by the Governor- General acting on the advice of the Prime Minister given after consultation with the Leader of the Opposition.”*

Their appointment is for three (3) years.

No one can interfere in the functions of the Commission.

Section 105 (12):

*“The Commission shall, in the exercise of its functions under this Constitution, not be subject to the direction or control of ANY other person or authority.”*

Section 106 (1):

*“The power to appoint persons to **hold or act** in offices in the Public Service, other than offices in the judicial and legal services and the security services, including the **power to transfer** or to **confirm appointments** and subject to Section 111 of this Constitution, the **power to exercise disciplinary control** over persons, and the **power to remove** such persons from office, **shall vest** in the Public Services Commission established in accordance with Section 105 (1) of this Constitution.”*

There is a small number of senior public officers who are appointed by the Governor General on the advice of the Prime Minister under Section 107 of the Constitution. Such positions are Financial Secretary, Cabinet Secretary, Chief Executive Officers, Ambassadors, the Head of the Police, B.D.F., Belize National Coast Guard Service and the Prison.

For Police, Soldiers and Coast Guards there is a Security Services Commission and for the legal profession such as Crown Counsels, Law Revision Counsel, Magistrates, Judges and the Legal staff of the Courts



and the Registry, there is a Judicial and Legal Services Commission. Section 111- provides for a Belize Advisory Council which deals with Appeals from decisions of any of the these three (3) Commissions.

***Food for Thought:***



***Should the members of the Public Service Commission continue to be appointed in accordance with the advice of the Prime Minister in consultation with the Leader of the Opposition?***

***Should appointments to the Service Commissions be for a period that is longer than the term of the government [5 years]?***

**CODE OF CONDUCT**

**[SECTION 121]**

The Governor General, members of the House of Representatives and the Senate, members of the Three Services Commissions, the Elections and Boundaries Commission, Public Officers, officials of government agencies and officers of statutory corporations are all required to conduct themselves in such a way that they DO NOT:

- a) Place themselves in positions in which they have or could have a conflict of interest;
- b) Compromise the fair exercise of their public or official functions and duties;
- c) Use their office for private gain;
- d) Demean their office or position;
- e) Allow their integrity to be called into question;
- f) Endanger or diminish respect for, or confidence in, the integrity of the Government.

***Food for Thought:***



*Should there be a law that persons who violate any of the Codes of Conduct must be penalized with a monetary fine or imprisonment or both?*

**VOLUME 2**

***NOTE from the People's Constitution Commission:***

The Constitution also provides for Chapters on the Legislative, the Executive and the Judiciary which are the three co-equal branches of the government of our country.

There is also a chapter on the finances of the government.

These are sections on the Elections and Boundaries Commission and its memberships, as well as some important constitutional positions such as judges, the Director of Public Prosecutions and the Auditor General.

The People's Constitution Commission and its Secretariat will publish Volume 2 with a brief summary of these chapters and sections of our constitution.

## ACKNOWLEDGEMENTS

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- Attorney-at-Law Richard “Dickie” Bradley for voluntarily drafting A Brief Summary of the Belize Constitution Volume 1 and freely offering guidance on the structure of the booklet.
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## THE AUTHOR



Richard “*Dickie*” Bradley is a highly accomplished individual with a diverse background in legal service, public service, and community service. With a wealth of experience and expertise, he has made significant contributions in various fields throughout his career.

In the realm of legal service, Mr. Bradley earned his LLB Hons. Upper Division from the University of the West Indies in 1989. He further enhanced his legal education by completing the C.L.E. program at Norman Manley Law School in 1991. Subsequently, in 1993, he was admitted to practice law. He began his legal career as an associate at the prestigious Glenn Godfrey Law Firm, where he honed his skills and gained invaluable experience.

Dickie Bradley’s dedication to justice and his commitment to upholding the rights of individuals led him to pursue a career as a magistrate, ensuring fair judgment and legal proceedings. He later took on the role of Attorney General, where he played a pivotal role in shaping and implementing legal policies and regulations.

In 1994, Mr. Bradley established his Law Firm, where he provides exceptional legal representation and guidance to clients. His expertise and professionalism have garnered him a strong reputation in the legal community.

Beyond his legal pursuits, Mr. Bradley has also made significant contributions in public service. He began his public service career as the youngest Head of a Government department, serving as the Assistant Post Master General. He later served as a Hospital Administrator and an Administrative Officer in the Ministry of Education, Sports, and Culture. His capabilities and dedication earned him positions as Permanent Secretary in several Government Ministries and the prestigious role of Leader of Government Business in the Senate.

Throughout his public service journey, Mr. Dickie Bradley has held crucial roles such as Attorney General and Minister of Government, where he has worked tirelessly to enact policies and legislation that promote the welfare and progress of the nation.

His remarkable achievements in the fields of legal service, public service, and community service reflect his unwavering dedication to promoting justice, advocating for human rights, and contributing to the betterment of society.

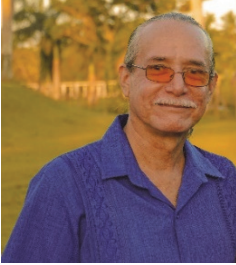
### FROM THE CHAIRMAN...



The People’s Constitution Commission (PCC) has a legal mandate to ... *“conduct a comprehensive review of the Belize Constitution”* among other statute instructions. This is a daunting exercise to undertake as Constitution making is a major event in the life of any country. And beyond daunting is the challenge of how to begin a constitutional review in a culture where 98% of the population has never seen nor read the Belize Constitution. Using that as a baseline area of concern, I approached Richard “Dickie” Bradley, Attorney at Law LLB, a voracious reader, and poet prophet himself, to assist the PCC to simplify the manuscript of the Belize Constitution. Using his signature black fountain pen with aquamarine water colour ink, Dickie worked into the wee-wee hours of his Sabbath dawn to handwrite ... *“A Brief Summary of the Belize Constitution – Volume 1”* that was transposed by the Secretariat unto the 22 pages now stapled between these covers and ends with the herald preview of the coming attraction of Volume 2. This booklet not only contains words that allows for an easier understanding of an otherwise complicated, conventional document that is the Belize Constitution but it also pricks the mind with thoughtful challenges that, if considered, can transform the mindset of a culture, a people, and a nation. Read this booklet, try to understand it; for with that understanding comes empowerment and the resilient aspirations of a

beautiful, God-fearing people who have a right to write their collective destinies for a better Belize on the pages of their constitution.

**Anthony “Tony” Chanona**  
**Chairman People’s Constitution Commission**



Mr. Bradley, while penning a brief explanation of certain sections of the Constitution of Belize in this Volume 1 of “A Brief Summary of the Constitution of Belize”, ably captures the essence of these chapters while at the same time raises some very important “food for thought” for all of us to consider when trying to understand our Constitution and its meaningful impact on our lives. A very important document for a better reach into the homes, workplaces and gathering places of Belizeans at home and abroad during this review and reform campaign mandate of the People’s Constitution Commission by the Government of Belize.

**Cesar Ross – Head of Secretariat**

## QR CODES



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