



BELIZE

**LABOUR ACT
CHAPTER 297**

REVISED EDITION 2003

SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary 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 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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This edition contains a consolidation of the following laws-

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CHAPTER 297

LABOUR (KEEPING OF RECORDS) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Information to be kept.

SCHEDULE

CHAPTER 297

LABOUR (KEEPING OF RECORDS) REGULATIONS

(Section 18)

85 of 1986.
Ch. 234.

[9th August, 1986.]

1. These Regulations may be cited as the

Short title.

LABOUR (KEEPING OF RECORDS) REGULATIONS.

2. The information required to be kept by every employer pursuant to section 16 (1) of the Labour Act, in respect of every worker employed by him shall contain the information and requirements prescribed in the Schedule hereto.

Information to
be kept.
CAP. 297.

SCHEDULE

- Name and address of each employee.
- Rate of pay.
- Hours and dates of work.
- Rate of overtime.
- Gross pay for each pay period.
- Signature of employee in respect of each pay period.

CHAPTER 297

LABOUR (ADVISORY BOARD) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
 2. Constitution of Board.
 3. Minister to consult organisations.
 4. Quorum.
 5. Tenure of office.
 6. Remuneration.
 7. Procedure.
-

CHAPTER 297**LABOUR (ADVISORY BOARD) REGULATIONS***(Section 25)*Ch. 139.
Ch. 234.
30 of 1960.

1. These Regulations may be cited as the Short title.

LABOUR (ADVISORY BOARD) REGULATIONS.

2. The Board shall consist of nine members appointed by the Minister of whom- Constitution of Board.

(a) three persons shall be representative of employers and shall themselves be employers engaged in a trade, industry or occupation in Belize;

(b) three persons shall be representative of employees and shall themselves be employees engaged in a trade, industry or occupation in Belize;

(c) three persons shall be independent members representing the public interest.

3. Before making any appointment under paragraph (a) or (b) of regulation 2 of these Regulations, the Minister shall consult any organisation appearing to him to represent employers or, as the case may be, employees concerned. Minister to consult organisations.

4. Five members of the Board shall form a quorum: Quorum.

Provided that at least one member thereof shall have been appointed under paragraph (a), one member under paragraph (b), and one member under paragraph (c), of regulation 2 of these Regulations.

- Tenure of office. 5. A member of the Board shall hold office at the pleasure of the Minister.
- Remuneration. 6. There may be paid to members of the Board such remuneration and such travelling and other allowances as the Minister may approve and all such allowances shall be paid out of the general revenue of Belize.
- Procedure.
CAP. 297. 7. Subject to the provisions of the Labour Act, and to any rules made under the provisions of section 25 thereof, the Board may regulate its meetings and procedure in such manner as it thinks fit.
-

CHAPTER 297

LABOUR (RECRUITING OF WORKERS) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Interpretation.
3. Application for licence.
4. Conditions of issue.
5. Form of licence.
6. Fees.
7. Form of bond.
8. Register.
9. Accounts.
10. Memorandum to be given to worker.
11. Transport.
12. Accommodation.
13. Medical examination.
14. Fitness.
15. Certificate.
16. Expenses.
17. Limitation on advances.
18. Attestation.

SCHEDULE

CHAPTER 297**LABOUR (RECRUITING OF WORKERS) REGULATIONS***(Section 78)*

Ch. 139.
Ch. 234.
70 of 1963.

Short title.

1. These Regulations may be cited as the

LABOUR (RECRUITING OF WORKERS) REGULATIONS.

Interpretation.

2. In these Regulations, unless the context otherwise requires-

CAP. 297.

“Act” means the Labour Act, and other expressions, in particular the terms defined in section 65 of the said Act, shall have the meanings assigned to them in the said Act.

Application for
licence.
Schedule.

3. An application for a licence shall be made in writing to the Commissioner in Form A of the Schedule hereto and shall be supported by a recommendation of character of the applicant signed, in the case of a resident of Belize by a justice of the peace or minister of religion and, in the case of a non-resident by a consular officer or other person who may be acceptable to the Commissioner for this purpose.

Conditions of
issue.

4. A licence shall be subject to-
- (a) the general condition that no force or threat of force, coercion or misrepresentation of any kind shall be used in inducing a prospective worker to accept employment and that no payment in money or in kind or promises of such payment shall be made by the licensee to the worker as an inducement to accept employment; and
- (b) such special conditions as may be endorsed upon it.

-
5. The licence shall be in the Form B of the Schedule hereto. Form of licence. Schedule.
6. A fee of five dollars shall be paid for the licence and an additional fee of five dollars for any renewal thereof. Fees.
7. Before issue of a licence there shall be lodged with the Commissioner a bond in the Form C of the Schedule hereto duly executed to the satisfaction of the Commissioner in the name of the applicant in the sum of one thousand dollars and two sureties in the sum of five hundred dollars each conditioned for his proper conduct as a licensee and for his strict compliance with the requirements of the Act and of these Regulations: Form of bond. Schedule.
- Provided that in cases where the applicant is the prospective employer or an association of prospective employers, the Commissioner may in his discretion waive execution of such a bond but without prejudice to execution of a bond as employer conditioned for the payment of wages due to persons recruited as provided in section 70 of the Act.
8. A licensee shall keep and at all times have duly posted at his place of business a register showing the following particulars for each worker recruited: Register.
- (a) Name in full;
 - (b) Names and addresses of prospective employers;
 - (c) Date and place recruited;
 - (d) Age;
 - (e) Nationality;
 - (f) Home address;
 - (g) Next of kin;

- (h) Nature of employment to be given;
- (i) Wages offered;
- (j) Date and place of medical examination;
- (k) Advance (if any) granted; and
- (l) Date of arrival at place of employment.

Accounts. 9. A licensee shall keep a full and complete record of all disbursements made by him in connection with the recruitment of workers and of his receipts (if any) by way of remuneration for his services as a licensee. Such record shall be available for inspection at all reasonable times by a Labour Officer who may enter upon any buildings, premises or place for the purpose of examining such record.

Memorandum to be given to worker. Schedule. 10. A licensee shall supply each recruited worker with two copies of a memorandum in Form D of the Schedule hereto, duly attested by a Labour Officer; one copy shall be delivered by the worker to his employer and the other retained by the worker. A third copy shall be prepared by the licensee and lodged with the Labour Officer before whom the recruited worker is brought in accordance with section 75 of the Act:

Provided that *in lieu* of a memorandum in Form D the Commissioner may approve for any particular recruiter or employer some other document or combination of documents which serves the same purpose of identifying a worker and the terms and conditions of his employment freely accepted.

Transport. 11. (1) The vehicles, vessels or aircraft provided by the licensee for the transport of recruited workers and their families shall be in good condition and suitable for such transport.

- (2) All aircraft used for such transport shall be licensed in accordance with the Civil Aviation Act. CAP. 239.
- (3) The licensee shall satisfy the Minister that each recruited worker to be transported is insured against accident or death during transportation. The amount of such insurance shall not be less than three thousand dollars.
12. Recruited workers travelling to the place of employment shall be provided by the employer or the licensee with suitable and sufficient accommodation to the satisfaction of the Minister of Labour, supplies of food and drinking water for use on the journey and, where circumstances require it, the necessary facilities for cooking. Accommodation.
13. A licensee shall cause a worker recruited by him for employment outside Belize to be examined at the expense of the recruiter or the employer by a registered medical practitioner who shall certify as to the fitness of the recruited worker to undertake the journey to the place of employment and the work which he will be required to perform. Medical examination.
14. No worker shall be recruited for employment outside Belize unless he shall have undergone such medical examination and have been certified as fit. Fitness.
15. The registered medical practitioner shall sign a certificate substantially in Form E of the Schedule hereto in respect of each recruited worker examined by him and in his opinion fit to undertake the journey to the place of employment and the work which the recruited worker will be required to undertake. Such certificate shall be delivered to the Labour Officer before whom the recruited worker is brought in accordance with section 75 of the Act. Certificate. Schedule.
16. The cost of the medical examination and any other expenses incidental thereto shall be paid by the recruiter or the employer. Expenses.

Limitation on
advances.

17. A licensee may advance to a worker who is recruited by him for employment outside Belize a sum not exceeding six days wages for the purpose of meeting his petty expenses on the journey to the place of employment. Such an advance shall be made only in the presence and with the approval of the Labour Officer before whom the recruited worker is brought in accordance with the provisions of section 75 of the Act and who shall be satisfied that the terms of repayment are fair and reasonable. An advance made to such recruited worker otherwise than in accordance with this regulation may not be recovered by deduction from any wages, subsistence or other remuneration payable to the worker in connection with the employment for which he is recruited.

Attestation.
Schedule.

18. The Labour Officer before whom any recruited worker is brought shall satisfy himself that the requirements of the Act and these Regulations have been complied with and shall thereupon complete the endorsement on Form D of the Schedule hereto and return two copies to the recruited worker.

SCHEDULE

FORM A
[Regulation 3]

LABOUR ACT

*Application for a Licence to Recruit Workers under
section 68 of the Act.*

Date 2

Sir,

Application is hereby made for a licence under section 68 of the Labour Act:

Name (in full)

Address

(Permanent Postal Address)

.....

Occupation

Period for which licence is
required

From 2

To 2

Areas in which applicant
proposes to recruit workers

.....

.....

FORM A (cont.)

Prospective employer(s) and nature of work for which workers are to be recruited.

.....
.....

A recommendation of character signed by

..... Justice of the Peace, Minister of

Religion, Consular Officer.

(delete or complete as required), of

.....is attached hereto.

Yours faithfully,

.....

(applicant)

FORM B
[Regulation 5]

LABOUR ACT

*Licence as a Recruiter of Workers issued
under section 68 of the Act*

Licence is hereby granted to
of to recruit workers
in
areas subject to the general conditions in regulation 4 of the Labour (Recruiting
of Workers) Regulations, and such special conditions as may be endorsed below.

This licence is not transferable and unless renewed for a further period expires
on the 2

Date 2

LABOUR COMMISSIONER,
BELIZE

RENEWALS

Renewed for a further period of
expiring on the 2

LABOUR COMMISSIONER

SPECIAL CONDITIONS

FORM C
[Regulation 7]

LABOUR ACT

Bond of Licensee

BELIZE:

KNOW ALL MEN BY THESE PRESENTS that we
of and
of and
of are jointly and severally bound to the
Government of Belize the said
in the sum of one thousand dollars and the said
and the said in the sum of two hundred and fifty
dollars each to be paid to the said Government of Belize.

SEALED with our seals this day of 2 .

CONDITION

WHEREAS the said has
applied for a licence to recruit workers under the Labour Act, and is required
by the said Act and Regulations thereunder to furnish security for the due
observance and fulfilment of any conditions subject to which the licence may
be issued and of the provisions of the said Act and any Regulations made
thereunder:-

FORM C (cont.)

NOW THE ABOVE WRITTEN BOND is conditioned to be void if the said.....
.....
shall well and faithfully observe and fulfil every of his duties as licensee under
the said Act and Regulations.

SIGNED SEALED AND DELIVERED
by the above named:

.....
.....
.....
in the presence of:

FORM D
[Regulation 10]

LABOUR ACT

Workmen's Memorandum of Information

1. Name in full
 2. Age
 3. Nationality
 4. Home Address.....
 5. Date and place of recruitment.....
 6. Name and address of prospective employer
 7. Nature of work for which recruited
 8. Wages and other consideration
 9. Amount advanced and terms of repayment
-

FORM D (cont.)

10. Description of transport to place of employment

.....

11. Name and address of person to be notified in an emergency

.....

12. Other particulars

.....
Signature of licensed recruiter

.....
Signature of recruited worker

I hereby certify that the above named
has been brought before me and I have satisfied myself that all requirements of
the Labour Act, have been observed in respect of this recruitment.

Date 2

Signed
Labour Officer

FORM E
[Regulation 15]

LABOUR ACT

Certificate of Medical Practitioner

I hereby certify that I have examined
..... who has informed me that he is a recruited worker and
proposes to enter into employment with
at as a
and in my opinion he is fit/unfit* to undertake the journey to the place of
employment and the work which he has informed me he will be required to
perform.

Remarks
.....

Signature

Date 2

*Delete as necessary.

CHAPTER 297

LABOUR (EMPLOYMENT OFFICES) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.

2. Establishment of employment offices.

SCHEDULE

CHAPTER 297

LABOUR (EMPLOYMENT OFFICES) ORDER

(Section 78)

Ch. 139.
Ch. 234.
49 of 1969.
50 of 1969.
51 of 1969.

1. This Order may be cited as the

Short title.

LABOUR (EMPLOYMENT OFFICES) ORDER.

2. Employment offices for the Districts specified in the first column of the Schedule hereto shall be established at the places respectively specified in the second column thereof

Establishment of
employment
offices.

SCHEDULE

Belize District	The Labour Department at the corner of Eve Street and Gabourel Lane in the City of Belize.	
Corozal District	Administration Building, Corozal Town.	
Orange Walk District	St. Peter's Lane, Orange Walk Town.	50 of 1969.
Stann Creek District	Administration Building, Dangriga.	
Toledo District	Front Street, Punta Gorda.	49 of 1969.
Western District	Corner of Eve and Church Streets, San Ignacio Town.	51 of 1969.

CHAPTER 297

LABOUR (REGISTRATION OF EMPLOYERS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.

2. Employers to register.

SCHEDULE

CHAPTER 297

LABOUR (REGISTRATION OF EMPLOYERS) ORDER

(Section 84)

Ch. 139.

Ch. 234.

1. This Order may be cited as the

Short title.

LABOUR (REGISTRATION OF EMPLOYERS) ORDER.

2. It is hereby ordered that-

Employers to register.

(a) all employers in the Belize District shall register as such with the Labour Commissioner;

(b) all employers in the Districts specified in the Schedule hereto who are engaged in commercial and industrial undertakings as defined in section 2 of the Act, including those employers engaged in agricultural operations who employ not less than four persons shall register as such with the Labour Commissioner.

CAP. 297.

SCHEDULE

Corozal District
Stann Creek District

CHAPTER 297

**LABOUR (AGRICULTURE, CHICLE AND TIMBER)
(ADVANCES) ORDER**

ARRANGEMENT OF PARAGRAPHS

1. Short title.
 2. Application.
 3. Limitation of advances.
-

CHAPTER 297**LABOUR (AGRICULTURE, CHICLE AND TIMBER)**
(ADVANCES) ORDER
*(Section 102)*Ch. 139.
Ch. 234.

1. This Order may be cited as the

Short title.

LABOUR (AGRICULTURE, CHICLE AND TIMBER)
(ADVANCES) ORDER.

2. This Order shall apply to employers and workers engaged in agriculture, the production of chicle and in the timber industry.

Application.

3. Where a contract is entered into between an employer and a worker for any period exceeding three months the employer may make an advance on account of unearned wages or may supply foodstuffs, clothing, tools or implements to the worker, subject to the following conditions-

Limitation of
advances.

- (a) the advance shall not exceed the amount of one month's wages, or where the contract is for the performance of a specified task or service remunerated by results, one-tenth of the estimated total earnings of the worker under the contract, subject in the latter case to a maximum of fifty dollars;
- (b) the supply on credit of any goods to the worker shall not exceed in value one-tenth of the estimated total earnings of the worker under the contract or a sum of fifty dollars whichever is less.

CHAPTER 297**LABOUR (ANNUAL HOLIDAY) (SPECIFIED DATE) ORDER****ARRANGEMENT OF PARAGRAPHS**

1. Short title.
 2. Application.
 3. Specified date.
-

CHAPTER 297

LABOUR (ANNUAL HOLIDAY) (SPECIFIED DATE) ORDER

(Section 127)

Ch. 139.
Ch 234.

1. This Order may be cited as the

Short title.

**LABOUR (ANNUAL HOLIDAY) (SPECIFIED DATE)
ORDER.**

2. This Order shall apply to any or all such persons included under the definition of the term “worker” in section 2 of the Labour Act, and shall apply to any personal or domestic servant.

Application.
CAP. 297.

3. It is hereby ordered in accordance with the provisions of section 127 (1) of the Labour Act, that the 1st August 1960, shall be deemed to be “the specified date”.

Specified date.
CAP. 297.

CHAPTER 297

LABOUR (MATERNITY PROTECTION) REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.

 2. Absence from work.
-

CHAPTER 297

LABOUR (MATERNITY PROTECTION) REGULATIONS

(Section 178)

Ch. 139.
Ch. 234.
34 of 1960.

1. These Regulations may be cited as the

Short title.

LABOUR (MATERNITY PROTECTION) REGULATIONS.

2. For the purposes of section 178 of the Labour Act, a woman may be deemed to be absent from work as a result of illness arising out of her pregnancy for a maximum period of 30 days.

Absence from
work.
CAP. 297.

CHAPTER 297

LABOUR ACT (APPLICATION TO DOMESTIC SERVANTS)
REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.

2. Application to domestic servants.

SCHEDULE

CHAPTER 297

LABOUR ACT (APPLICATION TO DOMESTIC SERVANTS)
REGULATIONS
(Section 182)

Ch. 139.
Ch. 234.
7 of 1965.

1. These Regulations may be cited as the

Short title.

LABOUR ACT (APPLICATION TO DOMESTIC SERVANTS)
REGULATIONS.

2. The sections of the Labour Act, set out in the first column of the Schedule hereto shall apply to domestic servants to the extent and subject to the modifications set out in the second column of the said Schedule.

Applications to
domestic
servants.
CAP. 297.

SCHEDULE

Sections

Extent of Application

Parts I & II: Preliminary:

The Labour Department

Sections 3 - 7

To be applied in full.

Parts III & IV: Labour Inspection:

Labour Advisory Board-

Sections 8 - 9

To be applied in full.

10-11.....

To be applied in full except that
no Labour Officer shall enter
a private dwelling house at a
time which the owner or
occupier indicates is incon-
venient to him.

<i>Sections</i>	<i>Extent of Application</i>
12-25	To be applied in full.
 <i>Parts V & VI: Contracts of Service</i>	
<i>Generally: Oral Contracts of Service</i>	
Sections 26 - 48	To be applied in full.
 <i>Part VII: Written Contracts of Service</i>	
Sections 49 - 52	To be applied in full.
54-63	To be applied in full.
 <i>Part IX: Employment Service-</i>	
Sections 79 - 92	To be applied in full.
 <i>Part X: Protection of Wages-</i>	
Section 95	To be applied in full.
Sections 96 - 114	To be applied in full.
 <i>Part XI: Hours of Work, Overtime and Holidays</i>	
Sections: 115, 116, 117, 118,	To be applied in full.
119, 121, 122, 123,	
124, 125, 126, 127,	
128, 129.	
 <i>Part XII: Labour Clauses in Public Contracts-</i>	
Sections 137 - 148	To be applied in full.
 <i>Part XIII: Safety, Health and Housing-</i>	
Sections 149 - 152	To be applied in full.
153-156	To be applied in full.

<i>Sections</i>	<i>Extent of Application</i>
<i>Part XIV: Forced Labour-</i> Sections 157 - 159	To be applied in full.
<i>Part XV: Employment of Women and Children-</i> Sections 160 - 176	To be applied in full.
<i>Part XVI: Maternity Protection-</i> Sections 177 - 181	These sections shall only apply to a domestic servant who has worked with the same employer for a period of not less than twelve consecutive months immediately preceding a permitted absence from work.
<i>Part XIX: Miscellaneous Provisions-</i> Sections 195 - 199	To be applied in full.
