BELIZE

STAMP DUTIES ACT
CHAPTER 64

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
BELIZE

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This edition contains a consolidation of the following laws:

1. STAMP DUTIES REGULATIONS 4 - 12
2. STAMP DUTIES (EXEMPTION OF PERSONS) (BELIZE RED CROSS) ORDER 13 - 14
3. STAMP DUTIES (B.E.L.) (EXEMPTION) ORDER 15 - 16
4. STAMP DUTIES (EXEMPTION) SOCIAL INVESTMENT FUND) ORDER 17 - 18
<table>
<thead>
<tr>
<th></th>
<th>Stamp Duties (Exemption)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>(Development Finance Corporation) Order</td>
<td>19 - 20</td>
</tr>
<tr>
<td>6</td>
<td>(Development Finance Corporation) Order</td>
<td>21 - 22</td>
</tr>
<tr>
<td>7</td>
<td>Mortgage Securitisation Order</td>
<td>23 - 24</td>
</tr>
<tr>
<td>8</td>
<td>Programme for Belize (Waiver of Stamp Duties) Order</td>
<td>25 - 27</td>
</tr>
<tr>
<td>9</td>
<td>Stamp Duties (Waiver) (Government Bonds) Order</td>
<td>28 - 29</td>
</tr>
</tbody>
</table>
CHAPTER 64

STAMP DUTIES REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Offices.
3. Impressed stamps.
4. Stamping after execution.
5. Assessment under section 27.
6. Penalties.
7. Requisition.
8. Initialling.
10. Record of requisition.
11. Delivery of documents.
12. Retention of documents.
13. Post.

15. Sub-Accountants powers and duties.


SCHEDULE
CHAPTER 64

STAMP DUTIES REGULATIONS

(Section 3)

1. These Regulations may be cited as the STAMP DUTIES REGULATIONS.

2. The head office of the Commissioners shall be at the General Registry, Belize City. The office of each Sub-Accountant in the Out Districts shall be a branch office.

3. The stamp duties on the following instruments shall be denoted by impressed stamps-

   Agreements under seal .................. Section 38
   Appointments of agents or attorneys under seal ........ Section 39
   Articles of apprenticeship under seal .......... Section 41
   Articles of clerkship .................. Section 42
   Bond, when the duty is $2.50 .................. Section 45
   Certificates of registration .................. Section 48
   Conveyances not chargeable with ad valorem duty when under seal ................................ Section 51
   Deeds not chargeable with ad valorem duty .......... Section 53
   Leases, under seal .................. Section 57
   Mortgages (including any transfer, assignment, reconveyance, release, discharge or surrender of any mortgage) ............................. Section 59
   Partnership agreement, under seal ........ Section 61
   Conveyance on sale ........................ Section 64
   Share warrants ................................ Section 65
   Instruments relating to trusts mentioned in ........ Section 67
4. In addition to those instruments which under the Stamp Duties Act, are permitted to be stamped after execution without payment of a penalty the following instruments may be stamped after execution without payment of a penalty if brought to the Commissioner’s office and stamped with an impressed stamp within fourteen days after execution:

- Agreements chargeable under ad valorem Section 38
- Appointments of agents or attorneys Section 39
- Certificate of registration Section 48
- Licences to bleed chicle Section 49
- Conveyances not chargeable ad valorem Section 51
- Deeds not chargeable ad valorem Section 53
- Duplicates or counterparts if original duly stamped. (In this case the 14 days to run from last day on which original could have been stamped without payment of a penalty) Section 54
- Leases and tenancy agreements not chargeable ad valorem Section 57
- Licences to cut mahogany, cedar or logwood Section 58
- Partnership agreements Section 61
- Agreements for sale not chargeable ad valorem Section 64

5. Instruments on which an assessment of duty is required under section 28 of the Stamp Duties Act must be sent either to the General Registry, Belize City, or to the Sub-Accountant's Office in the Out Districts, accompanied in either case by a written request for an assessment signed by one of the parties to the instrument or his agent and giving an address to which communications may be sent.

The form of request given in the Schedule hereto will be accepted as sufficient.
A receipt for the instrument must be obtained.

(2) When the assessment has been made the instrument will, unless otherwise requested, be returned by messenger or post to the address given in the written request for the assessment, but the Commissioners undertake no responsibility for the safe transit of the instrument.

If requested, the instrument will be retained at the Attorney General’s Chambers or the Sub-Accountant’s Office (as the case may be) until called for.

(3) A Sub-Accountant on receiving an instrument for assessment will at once endorse on the instrument the date on which it was received. The Sub-Accountant will then send the instrument direct to the Attorney General.

Penalties.

6. The payment of a penalty shall be denoted on the instrument by impressed stamps.

 Procedure for having Documents Stamped with Impressed Stamps at Belize

Requisition.

7. Every person requiring documents to be impressed shall, during office hours, make on the form specified as Form B in the Schedule hereto a written requisition in that behalf at the General Registry.

Initialling.

8. Every requisition shall bear the initials of the Registrar General or the Clerk to the Registrar General, who shall also sign and issue the receipt attached thereto in proof of payment of the stamp duty payable.

Stamps.

9. The impressed stamps required by each requisition shall be impressed under the direction or superintendence of a Stamp Commissioner.

Record of requisition.

10. Every requisition for impressed stamps shall be recorded by the Clerk to the Registrar General or officer acting for him in a book kept by him for the
purpose and in testimony thereof he shall place his initials beneath the word “entered” on such requisition.

11. All documents so impressed shall be delivered to the owners thereof at such time as the Commissioners shall appoint and it shall be the duty of the Clerk to the Registrar General to obtain a receipt for the document from the person to whom it is returned at the foot of each requisition in testimony that the documents have been duly stamped according to the requisition and delivered.

12. Any document submitted by requisition for the stamp duty to be impressed thereon may, at the discretion of a Stamp Commissioner, be retained at the General Registry for a period not exceeding two days from the day it was first received at the General Registry.

13. No requisition requiring a document to be impressed with stamp duty shall be made through the post.

14. The Registrar General or officer acting for him, shall prepare and sign a voucher on Form 2 (F.I. 1920) for the aggregate amount received, at least once a week or as often as maybe necessary as shown by the requisition and record book which shall be balanced off and totalled at the time, and shall pay over to the Treasurer the money received.

Business at Branch Offices

15. (1) Sub-Accountants are authorized to stamp instruments by means of impressed stamps in the form of adhesive stamps affixed to the instrument by or under the authority of the Sub-Accountant and cancelled by the Sub-Accountant by a perforating machine. They are also authorized to collect penalties.

(2) Sub-Accountants cannot be required to sell adhesive stamps for the above purpose. Persons presenting instruments to be stamped must themselves procure the necessary adhesive stamps.
(3) A Sub-Accountant who is unable to determine the proper stamp to be affixed on an instrument should suggest to the party presenting the instrument that it be sent to Belize City for assessment under section 27 of the Act. If the party consents, the procedure laid down in regulation 5 of these Regulations should be observed.

If the party will not consent to an assessment, the Sub-Accountant should refuse to stamp the instrument and return it to the party with the intimation that he should procure it to be stamped at the head office at Belize City.

16. Each Sub-Accountant will keep a record of the nature of each instrument stamped by him and of the amount of the duty charged on each instrument and will as soon as practicable after the end of every March, June, September and December, send to the head office his record during the preceding three months.

17. Sub-Accountants will accept instruments for assessment subject to the conditions mentioned in regulation 5 of these Regulation.
THE SCHEDULE

Form of Request for an Assessment under section 28

A.

I, (name in full of party producing the instrument) hereby request the Commissioners of Stamps to assess the stamp duties chargeable on (describe instrument by date and names and descriptions of parties or other sufficient description so that it can be identified) which is now produced by me.

My address for communications is (write full address).

I request that when the assessment has been made, the instrument may be returned to me by messenger or post to the before-mentioned address for communications. (Strike out the last sentence if it is desired that the instrument should be retained until called for.)

(Signature of person producing the instrument and date.)

B.

Form of request for the stamping of a document

<table>
<thead>
<tr>
<th>General Registry, Belize City.</th>
<th>General Registry, Belize City.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stamp Duty Requisition</td>
<td>Stamp Duty</td>
</tr>
<tr>
<td>No. ................ Date ..........</td>
<td>No. ................ Date ..........</td>
</tr>
</tbody>
</table>

I (We) hereby apply to have the following documents impressed with Stamp duty. Recieved the following documents to be impressed with Stamp duty to the value of
Nature of documents. $  
(Full particulars to be given.)

Particulars as to impress required according to stamp duty payable. and in cash the sum of ............ dollars and ...............cents.

Signature of applicant .................

Amount $ Received. Entered.

Received the above-mentioned document with stamp duty impressed according to this requisition.

Registrar General.
CHAPTER 64

STAMP DUTIES (EXEMPTION OF PERSONS)
(BELIZE RED CROSS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Exemption.
3. Permits.
CHAPTER 64

STAMP DUTIES (EXEMPTION OF PERSONS)
(BELIZE RED CROSS) ORDER
(Section 74 (4))

[1st February, 1986]

1. This Order may be cited as the

STAMP DUTIES (EXEMPTION OF PERSONS)
(BELIZE RED CROSS) ORDER.

2. It is hereby ordered that the Belize Red Cross shall be exempted from the payment of stamp duty on Foreign Exchange Permits under section 74(4) of the Act.

3. The Foreign Exchange Permits mentioned in Order 2 shall be Permits issued to allow the purchase of foreign currency, to be forwarded to the International Red Cross in Geneva, Switzerland, with monies collected as donations by the Belize Red Cross.
CHAPTER 64

STAMP DUTIES (B.E.L) (EXEMPTION) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Exemption from Stamp Duty-Belize Electricity Limited.
3. Extent of exemption.
CHAPTER 64

STAMP DUTIES (B.E.L) (EXEMPTION) ORDER
(Section 74 (4))

[30th March, 1996]

1. This Order may be cited as the

STAMP DUTIES (B.E.L) (EXEMPTION) ORDER.

2. It is hereby ordered that the Belize Electricity Limited, a public utility company incorporated under the Companies Act, Chapter 206 of the laws of Belize, shall be exempt from the payment of stamp duty on Foreign Exchange Permits to the extent specified in paragraph 3 below.

3. The Foreign Exchange Permits mentioned in paragraph 2 above shall be permits issued to allow the purchase of foreign currency -

(a) to be paid to the Belize Electric Company Limited (BECOL) in respect of electrical energy supplied to the Belize Electricity Limited under the Power Purchase Agreement dated April 19, 1991;

(b) required under the Second Power Development Project financed by the Caribbean Development Bank, European Investment Bank, Belize Electricity Limited and BANCOMEXT.

MADE by the Minister of Finance this 25th day of March, 1996.

(MANUEL ESQUIVEL)
Minister of Finance
CHAPTER 64

STAMP DUTIES (EXEMPTION) (SOCIAL INVESTMENT FUND) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Exemption from Stamp Duty-Social Investment Fund.
3. Extent of exemption.
1. This Order may be cited as the

**STAMP DUTIES (EXEMPTION) (SOCIAL INVESTMENT FUND) ORDER.**

2. It is hereby ordered that the Social Investment Fund, a statutory body incorporated under the Social Investment Fund Act shall be exempt from the payment of stamp duty on Foreign Exchange Permits to the extent specified in paragraph 3 below.

3. The Foreign Exchange Permits mentioned in paragraph 2 above shall be permits issued to allow the purchase of foreign currency for foreign purchases and travel necessary for the operations of the Social Investment Fund and certified as such by the Ministry of Economic Development.

**MADE** by the Minister of Finance this 15th day of April, 1997.

**(MANUEL ESQUIVEL)**

*Minister of Finance*
CHAPTER 64

STAMP DUTIES (EXEMPTION)
(DEVELOPMENT FINANCE CORPORATION) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Exemption from stamp duty-DFC
3. Extent of exemption.
CHAPTER 64

STAMP DUTIES (EXEMPTION)
(DEVELOPMENT FINANCE CORPORATION) ORDER
(Section 74)

[28th August, 1999.]

1. This Order may be cited as the

STAMP DUTIES (EXEMPTION)
(DEVELOPMENT FINANCE CORPORATION)
ORDER.

2. It is hereby ordered that the Development Finance Corporation (DFC), a statutory corporation incorporated under the Development Finance Corporation Act, shall be exempt from the payment of stamp duty on foreign exchange permits to the extent specified in paragraph 3 below.

3. The foreign exchange permits referred to in paragraph 2 above shall be permits issued to allow the purchase of foreign currency for remitting the proceeds of mortgages to the Royal Merchant Bank and Finance Company Limited of Trinidad and Tobago under the terms of the Assignment of Mortgages Agreement dated 21st April, 1999.

MADE by the Minister of Budget Planning and Management this 20th day of August, 1999.

(RALPH FONSECA)
Minister of Budget Planning and Management
CHAPTER 64

STAMP DUTIES (EXEMPTION) DEVELOPMENT FINANCE CORPORATION ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.

2. Exemption from Stamp Duty- DFC.

3. Extent of exemption.
CHAPTER 64

STAMP DUTIES (EXEMPTION) DEVELOPMENT FINANCE CORPORATION ORDER

(Section 74)

[29th April, 2000.]

1. This order may be cited as the

STAMP DUTIES (EXEMPTION) (DEVELOPMENT FINANCE CORPORATION) ORDER

2. It is hereby ordered that the Development Finance Corporation (DFC), a statutory corporation established under the Development Finance Corporation Act, shall be exempt from the payment of stamp duty on foreign exchange permits to the extent specified in paragraph 3 below.

3. The foreign exchange permits referred to in paragraph 2 above shall be permits issued to allow the purchase of foreign currency for remitting to General Electrical Capital Corporation of New York, EMB Group and Howtzer Housing Corporation of Florida, U.S.A., the payment for the purchase of 1500 prefabricated houses.

MADE by the Minister of Budget Management, Economic Development, Investment & Trade this 25th day of April, 2000.

(RALPH FONSECA)

Minister of Budget Management
CHAPTER 64

STAMP DUTIES (EXEMPTION) (MORTGAGE SECURITISATION) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.

2. Exemption from stamp duty.

3. Extent of exemption.
CHAPTER 64

STAMP DUTIES (EXEMPTION) (MORTGAGE SECURITISATION) ORDER
(Section 74)

[30th December, 2000.]

1. This Order may be cited as the

STAMP DUTIES (EXEMPTION) (MORTGAGE SECURITISATION) ORDER.

2. It is hereby ordered that the Development Finance Corporation (DFC), a statutory corporation established under the Development Finance Corporation Act and the Belize Social Security Board (BSSB), a statutory corporation established under the Social Security Act, shall be exempt from the payment of stamp duty on foreign exchange permits to the extent specified in paragraph 3 below.

3. The foreign exchange permits referred to in paragraph 2 above shall be permits issued to allow for the purchase of foreign currency by the DFC and the BSSB in connection with the mortgage securitization process.

MADE by the Minister of Budget Management, Investment and Trade this 15th day of December, 2000.

(RALPH FONSECA)

Minister of Budget Management, Investment and Trade

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CHAPTER 64

STAMP DUTIES (PROGRAMME FOR BELIZE) (WAIVER OF STAMP DUTIES) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.

2. Waiver of stamp duties.

3. Commencement.
CHAPTER 64

STAMP DUTIES (PROGRAMME FOR BELIZE)
(WAIVER OF STAMP DUTIES) ORDER

(Section 76)

[20th June, 1998.]

WHEREAS, section 76 (a) of the Stamp Duties Act provides that the Minister may, by Order published in the Gazette, waive the stamp duty chargeable on a transfer of land where such transfer is made to any trust or other organization which holds such land in trust for the People and Government of Belize;

AND WHEREAS, by Agreement dated 1st June, 1988, as amended, the Government of Belize and Programme For Belize agreed, inter alia, that Programme For Belize would hold land and properties in trust for the People and Government of Belize;

AND WHEREAS, acting in pursuance of the aforesaid Agreement, Programme For Belize duly acquired from New River Enterprises 20,630 acres of land situate in the Orange Walk District of Belize and more particularly described in an Agreement dated 17th October, 1997, made between Programme For Belize and New River Enterprises and recorded in the Registry of Deeds Book Volume 29 of 1997 at folios 1097-1128;

AND WHEREAS, on the 17th October, 1997, Programme For Belize duly executed a Trust Deed whereby it declared that it was holding the said 20,630 acres of land upon trust for the People and Government of Belize;

AND WHEREAS, an amount of $183,800 was chargeable as stamp duty under the Stamp Duties Act upon the transfer of the said land;

NOW THEREFORE, it is hereby provided as follows:
1. This Order may be cited as the

**STAMP DUTIES (PROGRAMME FOR BELIZE) (WAIVER OF STAMP DUTIES) ORDER.**

2. It is hereby ordered that the payment of the amount of $183,800.00 being stamp duty chargeable to the Programme For Belize for the transfer to it upon trust for the People and Government of Belize of 20,630 acres of land by New River Enterprises, shall be and is hereby waived.

3. This Order shall come into force upon signature.

**MADE** by the Minister of Finance this 18th day of June, 1998.

(MANUEL ESQUIVEL)

*Minister of Finance*
CHAPTER 64

STAMP DUTIES (WAIVER) (GOVERNMENT BONDS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Waiver of stamp duty.
3. Commencement.
CHAPTER 64

STAMP DUTIES (WAIVER) (GOVERNMENT BONDS) ORDER

(Section 76)

[25th June, 2003.]

1. This Order may be cited as the

STAMP DUTIES (WAIVER) (GOVERNMENT BONDS) ORDER.

2. The stamp duty payable on the transfer of the US$20.00 million Fixed Rate Bonds due 2013, to be issued by the Government of Belize through the Citibank (Trinidad and Tobago) Limited, shall be and is hereby waived.

3. This Order shall come into force on signature.

MADE by the Minister of Finance, this 24th day of June, 2003.

(RALPH H. FONSECA)

Minister of Finance

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