



BELIZE

**CRIME CONTROL AND CRIMINAL JUSTICE ACT
CHAPTER 102**

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 102

**CRIMINAL JUSTICE
(COMMUNITY SERVICE ORDERS) REGULATIONS**

ARRANGEMENT OF REGULATIONS

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4. Functions of relevant officer.
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7. Duty of offender to comply with directions of relevant officer.
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CHAPTER 102

11 of 1994.

CRIMINAL JUSTICE
(COMMUNITY SERVICE ORDERS) REGULATIONS
(Section 21)

[26th February, 1994.]

Short title.

1. These Regulations may be cited as the

CRIMINAL JUSTICE
(COMMUNITY SERVICE ORDERS) REGULATIONS.

Interpretation.

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

CAP. 102.

“the Act” means the Crime Control and Criminal Justice Act;

“court” means the court by which an order is made;

“offender” means a person in respect of whom an order is in force;

“order” means a community service order made under Part VIII of the Act;

“relevant officer” means a person appointed by the court under regulation 3 of these Regulations.

Appointment of relevant officer.

3. (1) The court by which an order is made shall, in accordance with section 21 (8) of the Act, appoint a relevant officer for the purpose of the order, who may be a probation officer, a social welfare officer, or a Justice of the Peace for the judicial district concerned, or any person who, in the opinion of the court, is a proper person to undertake supervision and direction of the offender.

(2) Where the relevant officer appointed by the court under

subregulation (1) above is transferred from the district, or is for any reason whatsoever unable to perform the functions assigned to him by the court, the Clerk of Court of the Judicial District concerned shall immediately so notify the court which had made the order, and the court shall forthwith appoint a substitute relevant officer for the purposes of the order.

4. (1) The functions of a relevant officer shall be to:-

Functions of
relevant officer.

- (a) identify personally with the offender and facilitate arrangements for the offender to complete the terms of the order;
- (b) liaise with the person or organization where the work will be carried out to ensure that the working arrangements and tasks assigned are suitable to the offender and are within his capability;
- (c) monitor attendance of the offender at work and maintain a record of his attendance and work;
- (d) report to the court when the offender is in breach of the order;
- (e) assist the court in determining how to deal with the offender by way of providing information regarding an offender's demeanour and circumstances in respect of the work performed under the order and any other relevant information as to whether the order should be continued, revised or revoked;
- (f) report at the conclusion of an offender's period, or at such earlier periods as may be necessary, on the satisfactory performance of the work under the order;

- (g) perform any other functions or tasks which may reasonably be required for the efficient and successful administration of the Act and these Regulations.

(2) In carrying out his functions under the Act and these Regulations, a relevant officer shall at all times work under the close supervision of the court and shall at all times have direct control over the offender in respect of whom he has been assigned responsibility.

Work to be performed under the order.

5. (1) Where a court makes an order, the relevant officer shall assign any suitable work of the following categories to be performed by the offender:-

- (a) environmental improvement work;
- (b) city, town or village cleaning;
- (c) public recreation area tidying;
- (d) decorating houses for under-privileged families;
- (e) constructing playgrounds;
- (f) working in hospitals and other places for sick persons;
- (g) assisting elderly or disabled persons;
- (h) any other work which may be identified by any,
 - (i) private sector charity, or
 - (ii) government department, or

- (iii) non-governmental organization, or
- (iv) city council, town council or village council;
- (i) any other work which in the opinion of the relevant officer is suitable to be performed by the offender under an order.

(2) Before assigning any work to be performed by an offender, the relevant officer shall take into account any special circumstances or disabilities (if any) relating to the offender and the particular needs of the locality where the work is to be performed.

6. The time spent by an offender in travelling in connection with the performance of work under an order shall not be reckoned as time worked under the order.

Time spent in travelling not to be reckoned as working time.

7. (1) While performing work under an order, an offender shall be required to comply with any reasonable directions of his relevant officer as to the manner in which the work is to be performed and with any rules reasonably imposed by the relevant officer in the place of work having regard to the circumstances of that work-place, the interests of health or safety, or the interests and well being of other persons present.

Duty of offender to comply with directions of relevant officer.

(2) Where an offender -

- (a) fails to comply with any such direction or rule as is mentioned in subregulation (1) of this regulation;
- (b) in any way fails satisfactorily to perform the work he has been instructed to do;
- (c) behaves in a disorderly or disruptive manner or in a manner likely to give offence to members of the

public or any person for whose benefit the work is being performed; or

- (d) reports for work later than the appointed time, he may (without prejudice to any proceedings for failure to comply with the requirements of the order under section 23 of the Act) be required to cease work that day and may, in addition, be required to leave the place of work forthwith; and where he is so required to cease work, the relevant officer may direct that some or all of any period of work for that day shall not be reckoned as time worked under the order.

Prevention of work due to weather conditions.

8. (1) Where weather conditions prevent the performance of work, it shall be open to the relevant officer to require the offender to remain in the expectation of its being possible to begin or resume work, as appropriate, or he may make arrangements for the offender to perform work at some other place or, where it is not practicable to make such arrangements, he shall relieve the offender for the remainder of that day.

- (2) Any time during which weather conditions prevent the performance of work may not be reckoned as time worked under an order except where the offender remains at the place of work either in the charge of the relevant officer or because he is required by him so to remain.

Reports on the offender.

9. (1) The relevant officer shall, at the conclusion of the offender's period or at such earlier times as he may think fit or as the court may direct, make a report on an offender to the court in respect of the work which the offender has been instructed to perform under the order.

- (2) A report made on an offender under subregulation (1) of this regulation shall include a record of the time worked by him during the period in question, the total time worked under the order, and the number of hours (if

any) which remain to be worked.

(3) A copy of each report on an offender made to the court under subregulation (1) of this regulation shall be given to the offender by the relevant officer.

10. These regulations shall come into force with effect from 1st March, 1994. Commencement.

MADE by the Attorney General this 17th day of February, 1994.

(DEAN O. BARROW)
Attorney General