

**BELIZE:**

**CRIMINAL CODE (AMENDMENT) ACT, 2013**

**ARRANGEMENT OF SECTIONS**

1. Short title.
  2. Insertion of section 54A.
  3. Insertion of section 165A.
  4. Insertion of section 170A.
  5. Insertion of section 172A.
  6. Amendment of section 284.
  7. Insertion of section 328A.
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No 27 of 2013

I assent,

(SIR COLVILLE N. YOUNG)  
*Governor-General*

2<sup>nd</sup> December, 2013.

**AN ACT to amend the Criminal Code, Chapter 101 of the Substantive Laws of Belize, Revised Edition 2000–2003; to make provision for the extension of the offences of extortion and corruption to the private sector; to create the offences of piracy, insider trading, hostage taking and illegal restraint, fraud and illicit trafficking in stolen goods; and to provide for matters connected therewith and incidental thereto.**

*(Gazetted 7<sup>th</sup> December, 2013).*

***BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:***

1. This Act may be cited as the

Short title.

**CRIMINAL CODE (AMENDMENT) ACT, 2013**



CAP. 101. and shall be read and construed as one with the Criminal Code, which, as amended, is hereinafter referred to as the principal Act.

Insertion of section 54A.

2. The principal Act is amended by inserting immediately after section 54 the following -

“Hostage taking

54A. (1) Every person who seizes, detains or threatens to kill or injure a person in order to compel that person or another person to do or abstain from doing any act as an explicit or implicit condition for the release of that person commits the offence of hostage taking and is liable on conviction on indictment to imprisonment for a term that is not less than ten years but which may extend to imprisonment for life.

(2) Every person who attempts to commit an act of hostage taking or aids and abets anyone in the commission of hostage taking commits an offence and is liable on conviction on indictment to imprisonment for a term that is not less than ten years but which may extend to imprisonment for life.”.

Insertion of section 165A.

3. The principal Act is amended by inserting immediately after section 165 the following section -

“Offence of fraud.

165A. A person who -

(a) makes any representation as to fact or law, whether express or implied, which is untrue or misleading;



(b) fails to disclose any information which he is under a legal duty to disclose; or

(c) occupies a position in which that person is expected to safeguard the financial interests of another person and that person abuses that position

and knowingly or recklessly, makes that representation, fails to disclose or abuses that position to make a gain for himself or another person or to cause loss to another person or to expose another person to a risk of loss commits the offence of fraud and is liable on conviction on indictment to a fine of one hundred thousand dollars or imprisonment for a term of ten years or both.”.

4. The principal Act is amended by inserting immediately after section 170 the following section -

Insertion of section 170A.

**“Insider trading.**

170A. (1) A person shall not, trade using inside information, or communicate inside information to others who will, or are likely to, trade in the inside information.

(2) Any person who trades or aids and abets trading using inside information commits the offence of insider trading and is liable on conviction on indictment to a fine of not more than three times the profit

gained or loss avoided as a result of the unlawful trade or communication or to imprisonment for a term of not less than two years and not exceeding ten years, or both.

(3) For the purposes of this section -

(a) "inside information" means information which -

- (i) relates to particular securities or to a particular issuer of securities and not to securities generally or to issuers of securities generally;
- (ii) is specific or precise;
- (iii) has not been made public; or
- (iv) if it were made public, would be likely to have a significant effect on the price of any securities; and

(b) "information is made public" if -

- (i) it is published in accordance with the rules of a securities exchange for the purpose of inform-



ing investors and their professional advisers;

- (ii) it is contained in records which by virtue of any enactment are open to inspection by the public;
- (iii) it can be readily acquired by those likely to deal in any securities -
  - (A) to which the information relates; or
  - (B) of an issuer to which the information relates; or
- (iv) it is derived from information which has lawfully been made public."

5. The principal Act is amended by inserting immediately after section 172 the following section -

Insertion of section 172A.

"Illicit trafficking in stolen and other goods

172A. A person who imports, exports or transfers ownership of any property or goods, whether such property or good is stolen or otherwise illegally obtained commits the offence of illicit trafficking and is liable on conviction on indictment to imprisonment for a term of fourteen years."



Amendment of  
section 284.

6. The principal Act is amended in section 284 –

- (a) by renumbering section 284 as section 284(1);
- (b) by deleting the word “two” and substituting therefor the word “three”; and
- (c) by inserting after section 284(1) as renumbered the following subsections -

“(2) Every person, other than a public officer or juror, who is guilty of corruption or of wilful oppression or of extortion, shall be liable to imprisonment for three years.

(3) A person, other than a public officer or juror, is guilty of -

- (a) corruption, in relation to his decision to do any act or omission, if he directly or indirectly agrees or offers to do that act or omits to do that act, to be influenced by the gift, promise or prospect of valuable consideration to be received by him or by any other person from any person whoever, which he knows that he is not lawfully authorized to demand;
- (b) wilful oppression, if he wilfully commits any excess or abuse of his authority to the injury of the public or any person;
- (c) extortion, where by virtue of his position, that person demands or obtains from any other person whether for himself or any other person, any money or valuable consideration which he knows that he is not lawfully authorized to demand or obtain.”.



7. The principal Act is amended by inserting immediately after section 328 the following section -

Insertion of  
section 328A.

“Piracy 328A. A person who commits

- (a) any illegal acts of violence or detention or any act of depredation committed for private ends, and directed-
  - (i) on the high seas, against another ship or aircraft, or against persons or property onboard that ship or aircraft;
  - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of Belize; or
  - (iii) against a ship, aircraft, persons or property within the territorial waters of Belize;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of facilitating an act described in paragraph (a) or (b)

is guilty of the offence of piracy and is liable on conviction on indictment to imprisonment for life.”.

