

**BELIZE:**

**INDICTABLE PROCEDURE (AMENDMENT) ACT, 2017**

**ARRANGEMENT OF SECTIONS**

1. Short title.
2. Amendment of section 146.
3. Repeal and replacement of section 160.



No. 23 of 2017

I assent,  
(SIR COLVILLE N. YOUNG)

*Governor-General*

29th March, 2017

**AN ACT to amend the Indictable Procedure Act, Chapter 96 of the Substantive Laws of Belize, Revised Edition 2011, to make new provision in relation to prescribed minimum sentences of imprisonment, having regard to, among other things, companion amendments to the Criminal Code in relation to sentencing for persons under 18 who are convicted of murder; and to provide for matters connected therewith or incidental thereto.**

*(Gazetted 29th March, 2017.)*

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

1. This Act may be cited as the

Short title.

**INDICTABLE PROCEDURE (AMENDMENT)  
ACT, 2017,**

and shall be read and construed as one with the Indictable Procedure Act which, as amended, is hereinafter referred to as the principal Act.

**Amendment  
of section  
146.**

2. The principal Act is amended in section 146 by,

(a) deleting subsection (1) and substituting therefor the following:

“(1) Where any person is convicted of a crime punishable with death, the court shall thereupon pronounce sentence of death”, and

(b) deleting subsection (2).

**Repeal and  
replacement  
of section  
160.**

3. The principal Act is amended by repealing section 160 and substituting therefor the following,

**“Reduction  
of term of  
imprisonment.**

160 - (1) Where any person is convicted of a crime punishable by a mandatory minimum term of imprisonment under the Code or any other enactment, the court may, if it considers that the justice of the case so requires, having regard to special reasons which must be recorded in writing, exercise its discretion to sentence the person to a term of imprisonment, as the case may be, less than the mandatory minimum term prescribed for the crime for the Code or other enactment, as the case may be.

(2) Notwithstanding the provisions of this section, the court may not sentence an offender who is eighteen years of age or over, to less than the prescribed mandatory minimum term, where the crime he has been convicted of is,

(a) murder; or

(b) an offence under section 46 (rape), 47(1) (unlawful sexual intercourse with person under the age of fourteen years), 47A (rape of a child) or 62 (incest) of the Code.”.