

BELIZE:

**BELIZE TRADE AND INVESTMENT DEVELOPMENT
SERVICE (AMENDMENT) ACT, 2017**

ARRANGEMENT OF SECTIONS

1. Short title.
2. General amendment of principal Act.
3. Amendment of section 2.
4. Amendment of section 5.
5. Amendment of section 7.
6. Amendment of section 10.
7. Amendment of section 16.
8. Amendment of section 17.
9. Amendment of section 26.



No. 50 of 2017

I assent,

(SIR COLVILLE N. YOUNG)

Governor-General

3rd November, 2017.

AN ACT to amend the Belize Trade and Investment Development Service Act, Chapter 282 of the Substantive Laws of Belize, Revised Edition 2011, to alter the composition of the Board; to provide for a new method of appointment of staff; and to provide for matters connected therewith or incidental thereto.

(Gazetted 4th November, 2017).

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.

**BELIZE TRADE AND INVESTMENT
DEVELOPMENT SERVICE (AMENDMENT)
ACT, 2017,**

CAP. 282

and shall be read and construed as one with the Belize Trade and Investment Development Service Act, which is hereinafter referred to as the principal Act.

Amendment of principal Act.

2. The principal Act is amended by deleting the words “Executive Chairperson”, “Deputy Chairperson” and “Director of Administration” wherever occurring and replacing them with the words “Chairman”, “Deputy Chairman” and “Executive Director” respectively.

General amendment of section 2.

3. Section 2 of the principal Act is amended,

(a) by renumbering the section as subsection (1), and in the definition of,

(i) “Chairman”, deleting the word “Chairperson” and substituting the word “Chairman”;

(ii) “Executive Director”, deleting the words “section 16 (a) of” occurring therein;

(b) by inserting in subsection (1) next after the definition of “Government” the following “micro, small and medium sized enterprise” has the meaning specified in subsection (2);

(c) by inserting next after subsection (1) the following as subsections (2), (3), (4) and (5),

“(2) A reference in this Act to a micro, small or medium-sized enterprise is a reference to an enterprise that has the following characteristics, as applicable,

(a) for a micro enterprise, the enterprise's capital investment is less than \$50,000.00, and the enterprise consists of,

- (i) four or less employees working on a full-time basis; or
 - (ii) annual sales of less than \$100,000.00;
- (b) for a small enterprise, the enterprise
 - (i) consists of,
 - (A) more than four but less than twenty-one employees working on a full-time basis; or
 - (B) not more than 372 square metres of manufacturing space; and
 - (ii) has
 - (A) annual sales of less than \$500,000.00; or
 - (B) capital investment of less than \$150,000.00;
- (c) for a medium enterprise, the enterprise
 - (i) consists of -
 - (A) twenty or more but less than fifty-two employees working on a full-time basis; or
 - (B) not more than 372 square metres of manufacturing space; and

(ii) has -

(A) an annual sales of less than \$1,500,000.00; or

(B) capital investment of less than \$500,000.00.

(3) For the purpose of paragraphs (b)(i)(B) and (c)(i)(B) of subsection (2), the determination of manufacturing space shall not take account of office space and storage space.

(4) Paragraphs (b)(i)(B) and (c)(i)(B) of subsection (2) apply only where the enterprise is engaged in manufacturing or industrial activities.

(5) The Minister may, by Order published in the Gazette, subject to negative resolution, alter any of the characteristics of enterprises specified in subsection (2).”

Amendment of section 5.

4. Section 5 of the principal Act is amended by deleting paragraph (1) thereof and replacing it with the following:

“(1) the overseeing of the promotion, development, administration and implementation of micro, small and medium-sized enterprises (MSME)”.

Amendment of section 7.

5. Section 7 of the principal Act is amended by repealing subsections (1) and (2) and replacing them with the following:

“(1) The Board shall comprise the following:

- (a)** the Chief Executive Officer of the Ministry responsible for investment, who shall be the Chairman;
- (b)** three public sector representatives from among any of the following sectors:

 - (i)** tourism,
 - (ii)** agriculture,
 - (iii)** education,
 - (iv)** energy,
 - (v)** investment,
 - (vi)** trade or commerce,
 - (vii)** natural resources or the environment;
- (c)** one recognised private sector organisation representative;
- (d)** three private sector representatives from among any of the following sectors:

 - (i)** manufacturing,
 - (ii)** agro processing,
 - (iii)** tourism,
 - (iv)** small businesses,

- (v) financial and professional services such as banking, finance, or offshore,
- (vi) trade or commerce,
- (vii) any other relevant economic sector;
- (e) an attorney-at-law;
- (f) the Executive Director who shall have no right of vote.

(2) The members of the Board under subsection (1) (c), (d) and (e) above shall be appointed for a period of two years and may be eligible for reappointment.”

Amendment of section 10.

6. Section 10 of the principal Act is hereby amended in subsection (4) thereof by deleting “under section 7(1) (e), (f), (g), and (h)” occurring therein and replacing it with “under section 7(1)(c) and (d)”.

Amendment of section 16.

7. Section 16 of the principal Act is repealed and replaced with the following:

“Appointment of staff.

16. (1) The Executive Director shall employ such persons as officers and employees of the BELTRAIDE as may be necessary for the proper performance of the functions of the BELTRAIDE.

(2) The employment, including the terms and conditions, discipline, and dismissal of members of the staff of the BELTRAIDE shall be in accordance with the policies and guidelines established by the BELTRAIDE for this purpose and all such

employment shall be subject to the approval of the Board.”

8. Section 17 of the principal Act is repealed and replaced with the following:

Amendment of section 17.

“Duties of Executive Director.

17. (1) The Executive Director shall subject to the general policy directions of the Board, be responsible for the management and administration of the BELTRAIDE including the employment of the staff of the BELTRAIDE pursuant to section 16 of this Act.

(2) The Executive Director shall have authority to sign jointly with any other director duly authorised by the Board for that purpose, any reports, balance sheets and other financial statements.”

9. Section 26 of the principal Act is amended in subsection (2) thereof by the addition of the following after paragraph (b):

Amendment of section 26.

“(c) the promotion, development, administration and implementation of micro, small and medium-sized enterprises.”