

BELIZE:

**CRIMINAL RECORDS (REHABILITATION OF OFFENDERS)
(AMENDMENT) BILL, 2024**

ARRANGEMENT OF CLAUSES

1. Short title.
2. Repeal and replacement of section 30.

BILL

For

AN ACT to amend the Criminal Records (Rehabilitation of Offenders) Act, Act No. 11 of 2024; to repeal and replace provisions relating to automatic expungement; to allow for the automatic expungement of any conviction for a first offence for possession of cannabis or cannabis resin and a first offence for any COVID-19 related offence; and to provide for matters connected therewith or incidental thereto.

(Gazetted, 2024)

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.

**CRIMINAL RECORDS (REHABILITATION OF OFFENDERS)
(AMENDMENT) ACT, 2024,**

Act No. 11 of 2024.

and shall be read and construed as one with the Criminal Records (Rehabilitation of Offenders) Act, which is hereinafter referred to as the principal Act.

Repeal and replacement of section 30.

2. Section 30 of the principal Act is repealed and replaced with the following—

“Automatic expungement for certain first-time offences.

30.—(1) Subject to sub-section (2), a person who has no other criminal record shall be entitled to apply for the automatic expungement, from the records, of any of the following convictions, whether or not the rehabilitation period with respect to the conviction has expired—

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(a) a first offence for possession of cannabis or cannabis resin under section 7 of the Misuse of Drugs Act, where the sentence imposed on conviction of the offence is a fine not exceeding one thousand dollars or such other amount as the Minister may by Order prescribe; and

(b) a first offence for any COVID-19 related offence.

(2) On receiving an application for expungement of any conviction referred to in sub-section (1), the Board shall, unless it is satisfied that the conviction was not for an offence falling within sub-section (1), issue a direction that the conviction be expunged from the records and such direction shall be treated as one made in accordance with section 24.

(3) The Minister may make Regulations prescribing the procedure and any other details necessary for automatic expungement under this section.

(4) Any Regulations made under sub-section (3) shall be subject to affirmative resolution.

(5) Where the conviction of a person is expunged in accordance with sub-section (2), and that person commits a second offence, that person shall not be entitled to apply for automatic expungement under this section.

(6) Where a person does not qualify for automatic expungement in accordance with sub-section (5), that person may apply for expungement in accordance with section 20.

(7) For the purposes of this section—

“COVID-19” means the disease caused by the virus SARS-CoV2 which is an infectious disease which emerged during 2019 and was declared a global pandemic by the World Health Organisation on 11th March 2020; and

“COVID-19 related offence” means any offence which was created under any law in relation to COVID-19, whether or not any such law has been repealed.

(8) Sub-sections (1)(b) and (7) shall cease to have effect upon the expungement, from the records, of the convictions of all first-time offenders in relation to any COVID-19 related offence.”.