



# Consejo de Seguridad

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**Carta de fecha 27 de diciembre de 2001 dirigida al Presidente del Consejo de Seguridad por el Presidente del Comité del Consejo de Seguridad establecido en virtud de la resolución 1373 (2001) relativa a la lucha contra el terrorismo**

El Comité contra el Terrorismo ha recibido el informe adjunto, presentado por Belice de conformidad con el párrafo 6 de la resolución 1373 (2001) (véase el anexo).

Le agradecería que tuviera a bien hacer distribuir la presente carta y su anexo como documento del Consejo de Seguridad.

(Firmado) Jeremy Greenstock  
Presidente del Comité contra el Terrorismo



**Anexo**

[Original: inglés]

**Carta de fecha 21 de diciembre de 2001 dirigida al Presidente  
del Comité del Consejo de Seguridad establecido en virtud de  
la resolución 1373 (2001) relativa a la lucha contra el terrorismo  
por el Ministro Consejero de la Misión Permanente de Belice  
ante las Naciones Unidas**

Siguiendo instrucciones de mi Gobierno, tengo el honor de adjuntar un informe de Belice para el Comité contra el Terrorismo de conformidad con el párrafo 6 de la resolución 1373 (2001) del Consejo de Seguridad.

Mi Gobierno está dispuesto a transmitir nuevos informes o informaciones al Comité si hace falta o el Comité los solicita.

Le agradecería que tuviera a bien hacer distribuir la presente carta y su anexo como documento del Consejo de Seguridad.

(Firmado) **Janine Coye Felson**  
Ministra Consejera

## Apéndice

### **Informe preliminar sobre la lucha contra el terrorismo presentado por Belice de conformidad con la resolución 1373 (2001) del Consejo de Seguridad**

1. Las preguntas señaladas a continuación corresponden al párrafo e incisos pertinentes de las directrices para preparar los informes que debían presentarse a más tardar el 27 de diciembre de 2001 en virtud de la resolución 1373 (2001) del Consejo de Seguridad de las Naciones Unidas. El Comité contra el Terrorismo de las Naciones Unidas decidió que los Estados Miembros se ciñeran a dichas directrices a la hora de presentar sus informes.

#### **Párrafo 1 de la parte dispositiva**

**Inciso a) – ¿Qué medidas se han adoptado, de haberse adoptado alguna, para prevenir y reprimir la financiación de actos terroristas además de las enumeradas en sus respuestas a las preguntas relativas a los incisos b) y d) del párrafo 1?**

El Gobierno de Belice ha adoptado un método de triple vertiente para aplicar las resoluciones del Consejo de Seguridad, comprendida la resolución 1373 (2001): 1) promulgar una Ley de aplicación de las resoluciones y convenciones de las Naciones Unidas para darles efectividad; 2) endurecer la Ley de (prevención del) blanqueo de dinero para congelar sin demora los activos de los terroristas y los que blanquean dinero; y 3) adherirse a las convenciones pertinentes de las Naciones Unidas o ratificarlas.

- i) En este sentido, el 7 de diciembre de 2001 se presentó un proyecto de ley de aplicación de las resoluciones y convenciones de las Naciones Unidas a la Cámara de Representantes. Esta medida facultaría al Ministerio de Relaciones Exteriores para adoptar las medidas que pudieran hacer falta para aplicar las resoluciones aprobadas por el Consejo de Seguridad de conformidad con las disposiciones del Capítulo VII de la Carta de las Naciones Unidas. Facultaría también al Ministro de Relaciones Exteriores para aplicar toda Convención de las Naciones Unidas firmada por Belice. Todo decreto que se apruebe con este propósito se someterá a la Asamblea Nacional y podrá ser objeto de una resolución negativa.
- ii) El 7 de diciembre de 2001, se presentó un proyecto de ley de (reforma) de la Ley de (prevención del) blanqueo de dinero (2001) a la Cámara de Representantes, que prevé reformar la Ley de (prevención del) blanqueo de dinero (1996), a fin de aumentar la eficacia de las disposiciones para luchar contra el terrorismo y autorizaría la congelación sin demora de los fondos y otros activos financieros de los terroristas y los que blanquean dinero.

**Inciso b) – ¿Qué actividades enumeradas en este inciso están tipificadas como delitos en su país y a qué penas se condena la comisión de dichos delitos?**

Estos delitos se sancionarán con las mismas penas que los de blanqueo de dinero a tenor de lo estipulado en el artículo 4 del título II del capítulo 104 de la Ley de blanqueo de dinero, esto es: toda persona hallada culpable de uno de los delitos contemplados en las disposiciones de la Ley de prevención del blanqueo de dinero

(1996) podrá ser sancionado con multa de 25.000 a 100.000 dólares, o con tres a seis años de reclusión o ambas penas a la vez.

**Inciso c) – ¿Qué legislación y qué procedimientos existen para congelar cuentas y activos en bancos e instituciones financieras? Sería de ayuda que los Estados proporcionaran ejemplos de cualquier medida pertinente que hubieran adoptado al respecto.**

Véase el artículo 19 de la Ley de prevención del blanqueo de dinero, en el que se enuncian detalladamente los procedimientos en vigor para congelar cuentas y activos depositados en bancos e instituciones financieras.

Las principales enmiendas a esta Ley previstas en el proyecto de ley de 2001 sobre la prevención del blanqueo de dinero puede resumirse como sigue:

- i) Facultaría a la autoridad supervisora componente (el Gobernador del Banco Central) para congelar sin demora los fondos y activos financieros de cualquier persona para facilitar toda investigación, juicio o procedimiento relacionado con un delito de blanqueo de dinero en Belice o en el extranjero.
- ii) Añadiría un nuevo artículo 11A a la Ley en vigor, que contemplaría expresamente la congelación de los fondos relacionados con el terrorismo. La facultad de congelar fondos se conferiría a la autoridad supervisora, pero la persona afectada podría recurrir a la Corte Suprema para que revocara la decisión pertinente.
- iii) El artículo 23 de la Ley principal, que trata de la cooperación internacional en relación con los delitos de blanqueo de dinero, se reformaría suprimiendo el inciso 6), que estipula que: “la asistencia prevista en el presente artículo se prestará únicamente a los países con los que Belice mantenga acuerdos de asistencia jurídica recíproca sobre una base bilateral o multilateral”.
- iv) En materia de cooperación internacional, se facultaría a la autoridad supervisora para adoptar todas las medidas que pudieran hacer falta, incluida la congelación de activos, para aplicar decisiones o recomendaciones del Consejo de Seguridad.
- v) La lista de actividades quedan comprendidas en el alcance de la Ley de prevención del blanqueo de dinero que figura en el primer anexo de la Ley principal se ampliaría mediante la inclusión en ella de los servicios de contabilidad, jurídicos y financieros internacionales.

**Inciso d) – ¿Qué medidas existen para prohibir las actividades enumeradas en este inciso?**

Véase el artículo 20 de la Ley, que prevé la confiscación de los bienes, el producto y los instrumentos derivados del delito o relacionados con él.

Según el artículo 13 de la Ley, las instituciones financieras tienen el deber de denunciar toda transacción comercial sospechosa.

Además, la autoridad supervisora del Banco Central ha distribuido listas de personas y organizaciones sospechosas de participar en actividades terroristas a las instituciones financieras, comprendidas las extraterritoriales, pidiéndoles que consulten

sus bases de datos sobre sus clientes y notifiquen al Banco Central si cualquiera de las personas inscritas en la lista ha recurrido a sus servicios.

Se está alentando también que las instituciones financieras adopten nuevas medidas en consonancia con las normas internacionales de lucha contra el terrorismo.

#### **Párrafo 2 de la parte dispositiva**

**Inciso a) – ¿Qué legislación u otras medidas existen para dar efecto a este inciso? En particular, ¿en qué figuras delictivas están encuadrados: i) el reclutamiento de miembros de grupos terroristas y ii) el abastecimiento de armas a los terroristas? ¿Qué otras medidas existen para ayudar a evitar esas actividades?**

El mandato de la División Especial del Cuerpo de Policía de Belice prevé la recogida de información sobre grupos terroristas o subversivos.

La Ley de armas tipifica como delito la tenencia de armas sin la correspondiente licencia. Análogamente, en virtud de la reglamentación de aduanas el incumplimiento del deber de declarar los bienes internados puede acarrear el cobro de una suma de hasta tres veces su valor.

**Inciso b) – ¿Qué otras medidas se están adoptando para prevenir la comisión de actos de terrorismo? y, en particular ¿qué mecanismos de alerta temprana existen que permitan el intercambio de información con otros Estados?**

El Cuerpo de Policía de Belice cuenta con un centro conjunto de coordinación e información que coteja toda la información sobre asuntos delictivos de todos los organismos oficiales. Además, el Departamento de Interpol del Centro distribuye las listas más recientes y actualizadas de personas buscadas. Esta información se distribuye luego a los organismos competentes, inclusive en los puertos de entrada. Al Centro se le ha encargado también la tarea de intercambiar información con sus homólogos extranjeros. El Centro también mantiene relaciones de colaboración estrechas con la oficina en el país de la Dirección de Lucha contra la Droga (DEA) de los Estados Unidos tanto por lo que respecta a solicitudes procedentes del extranjero como a la recogida de información.

**Inciso c) – ¿Qué legislación o qué procedimientos existen para denegar refugio a los terroristas, como leyes para la exclusión o expulsión de los tipos de personas a que se hace referencia en este apartado? Sería de ayuda que los Estados proporcionaran ejemplos de cualquier medida pertinente que hubieran adoptado al respecto.**

Cuando se notifica con la debida antelación a la dependencia del Cuerpo de Policía de Belice encargado de la búsqueda y recogida de información, ésta puede actualizar su lista de vigilancia en todos los puertos de entrada para impedir el ingreso de indeseables en el territorio nacional.

Si una de estas personas consigue entrar en el territorio nacional, la Ley de inmigración permite extraditarla una vez comprobada su identidad.

La Ley de inmigración no contiene ninguna disposición que trate específicamente del terrorismo. No obstante, la legislación contempla procedimientos para expulsar de inmediato a toda persona que a juicio del ministerio ponga en peligro la seguridad de Belice o para que las autoridades de inmigración impidan a tales

personas entrar en el territorio nacional. Si se trata de alguien que ha obtenido la ciudadanía de Belice, la Ley estipula también que el Ministro podrá revocarla por haber sido concedida por error u obtenida por medios fraudulentos.

**Inciso d) – ¿Qué legislación o qué procedimientos existen para impedir que los terroristas actúen desde su territorio en contra de otros Estados o de sus ciudadanos? Sería de ayuda que los Estados proporcionaran ejemplos de cualquier medida pertinente que hubieran adoptado al respecto.**

Todo terrorista o participe en actividades terroristas puede ser extraditado en consonancia con las disposiciones de la Ley de extradición y sus activos pueden ser confiscados en virtud de la Ley de prevención del blanqueo de dinero.

**Inciso e) – ¿Qué medidas se han adoptado para tipificar los actos de terrorismo como delitos graves y para velar por que su castigo corresponda a la gravedad de esos actos de terrorismo? Sírvase aportar ejemplos de las sentencias condenatorias dictadas y las penas impuestas.**

Estos delitos están sujetos a la Ley de represión del terrorismo, cuya finalidad es tipificar como delitos los actos relacionados específicamente con el terrorismo.

**Inciso f) – ¿Qué procedimientos y mecanismos existen para proporcionar asistencia a otros Estados? Sírvase facilitar los detalles disponibles acerca de cómo se han empleado en la práctica.**

En una de las disposiciones del capítulo 112 de la Ley de extradición de Belice se estipula que toda persona que cometiere un delito previsto en la legislación sobre el terrorismo podrá ser extraditada.

En enero de 2002 Belice ratificó un Tratado de asistencia mutua en asuntos penales con los Estados Unidos de América. Este Tratado prevé el intercambio de información y documentos, así como la compilación y confiscación de activos. Los Estados Unidos no han ratificado el Tratado aún. Sin embargo, el proyecto de Ley sobre prevención del blanqueo de dinero prevé el intercambio de información general y la prestación de asistencia estipulando que esto no ha de descansar únicamente en las obligaciones dimanantes de tratados de asistencia mutua.

**Inciso g) – ¿De qué forma impiden la circulación de terroristas los controles fronterizos en su país? ¿De qué forma apoyan esa tarea sus procedimientos para la emisión de documentos de identidad y de viaje? ¿Qué medidas existen para evitar su falsificación, etc.?**

La Fuerza de Defensa y el Cuerpo de Policía de Belice vigilan los principales puntos de cruce de la frontera, sobre todo de la frontera con Guatemala. En otros casos varios organismos (policía, Fuerzas de Defensa, servicios de aduanas e inmigración) realizan actividades conjuntas dentro de las fronteras y de las aguas territoriales para reprimir delitos relacionados con sus respectivos ámbitos de competencia.

Los puertos internacionales de Belice no están equipados aún con computadoras, de forma que a la entrada y a la salida la documentación se controla manualmente. Sin embargo, muchos de los funcionarios competentes han sido capacitados para reconocer documentos falsificados y en la frontera occidental de Belice se detectan periódicamente a personas que portan pasaportes falsos. Además, en los

aeropuertos de Belice hay lámparas de rayos ultravioletas (“luz negra”) que los funcionarios competentes pueden emplear cuando un documento despierta sospechas, en particular si, como los pasaportes, llevan marcas de seguridad que pueden verse con dicho dispositivo.

### **Párrafo 3 de la parte dispositiva**

**Inciso a) – ¿Qué medidas se han adoptado para identificar y agilizar el intercambio de información operacional en las esferas indicadas en este inciso?**

(Véanse más adelante las respuestas en el inciso c.)

**Inciso b) – ¿Qué medidas se han adoptado para intercambiar información y cooperar en las esferas indicadas en este inciso?**

Se ha intercambiado información sobre asuntos penales y relacionados con la información de forma oficial y oficiosa. En el plano oficial Belice ha venido valiéndose de la Ley de prevención del blanqueo de dinero y del Código de Conducta IFSP (International Financial Services Practitioners) para responder a las solicitudes formuladas por conducto del Ministerio de Justicia. En el plano oficioso, se ha intercambiado información con varios organismos extranjeros, comprendida la Dirección de Lucha contra la Drogas (DEA) de los Estados Unidos.

**Inciso c) – ¿Qué medidas se han adoptado para cooperar en las esferas indicadas en este inciso?**

Belice es parte en un Tratado de asistencia mutua con los Estados Unidos de América. El Tratado prevé, entre otras cosas, el traslado de detenidos, la notificación de documentos, actividades de búsqueda y captura, etc.

Belice es uno de los signatarios del Plan centroamericano de cooperación global para prevenir y luchar contra el terrorismo y las actividades afines.

Belice está colaborando con los países del Caribe en la concertación de tratados bilaterales y multilaterales de lucha contra el terrorismo y las actividades afines.

**Inciso d) – ¿Cuál es la intención de su Gobierno acerca de la firma y ratificación de los convenios y protocolos a que se hace referencia en este inciso?**

Según se ha indicado ya en la respuesta a la pregunta que figura en el párrafo 1 de la parte dispositiva, el Gobierno de Belice tiene previsto adherirse a las convenciones aplicables de las Naciones Unidas.

**Inciso e) – Facilite cualquier información pertinente sobre la aplicación de los convenios, protocolos y resoluciones a que se hace referencia en este inciso.**

Belice ha firmado o ratificado las siguientes convenciones especializadas que establecen el marco jurídico internacional para luchar contra el terrorismo:

- a) Convenio internacional para la represión de la financiación del terrorismo (1999)
- b) Convención sobre la prevención y el castigo de los delitos contra personas internacionalmente protegidas (1973)

- c) Convenio internacional para la represión de los atentados terroristas cometidos con bombas (1998)
  - d) Convenio sobre la marcación de explosivos plásticos para los fines de detección (1991)
  - e) Protocolo para la represión de actos ilícitos de violencia en los aeropuertos que presten servicio a la aviación civil internacional (1988)
  - f) Convenio de La Haya para la represión del apoderamiento ilícito de aeronaves (1970)
  - g) Convenio de Tokio sobre las infracciones y ciertos otros actos cometidos a bordo de las aeronaves (1963)
  - h) Convención sobre la Protección Física de los Materiales Nucleares (1979)
  - i) Convenio de Montreal para la represión de actos ilícitos contra la seguridad de la aviación civil (1971)
- Además, el Consejo de Ministros ha decidido suscribir o ratificar las tres convenciones restantes de este marco:
- j) Convenio para la represión de actos ilícitos contra la seguridad de la navegación marítima (1988)
  - k) Protocolo para la represión de actos ilícitos contra la seguridad de las plataformas fijas emplazadas en la plataforma continental (1988)
  - l) Convención internacional contra la toma de rehenes (1979)

**Inciso f) – ¿Qué legislación, procedimientos y mecanismos existen para asegurarse de que los solicitantes de asilo no hayan participado en actividades terroristas antes de conceder el estatuto de refugiado? Sírvase aportar ejemplos de cualquier caso de interés.**

La Ley de refugiados de 1991 prevé el establecimiento de un Comité encargado de determinar si el interesado cumple los requisitos necesarios para que se le conceda la condición de refugiado en Belice. No se han tramitado nuevas solicitudes de la condición de refugiado desde 1998. En virtud de la ley en vigor los solicitantes deben someterse a un examen de seguridad antes de que se les conceda la condición de refugiado en Belice.

Toda persona que se traslada a Belice y solicita la condición de refugiado ha de acudir a Help for Progress, el organismo no gubernamental local que sirve de enlace con el ACNUR desde el restablecimiento de la paz y la estabilidad en América Central y la retirada de este organismo de Belice. A estas personas, a las que Help for Progress remite al Departamento de Inmigración, se les ayuda a regularizar su situación jurídica y se les presta asesoramiento a la hora de solicitar permiso de residencia o la ciudadanía una vez que han cumplido con los requisitos jurídicos pertinentes. Toda persona que adquiere la ciudadanía de Belice ha de someterse a un examen de seguridad a cargo de la Dependencia de Seguridad/Interpol del Cuerpo nacional de policía.

**Inciso g) – ¿Qué procedimientos existen para evitar que los terroristas abusen del estatuto de refugiado? Sírvase facilitar detalles de los procedimientos legislativos o administrativos que impidan que se reconozca la reivindicación de motivaciones políticas como causa de denegación de las solicitudes de extradición de presuntos terroristas. Sírvase presentar ejemplos de cualquier caso de interés.**

Según se ha indicado ya, debido al restablecimiento de la paz en Centroamérica, no se han tramitado solicitudes de la condición de refugiado desde 1998.

**Asistencia que se solicita al Comité contra el Terrorismo de las Naciones Unidas**

Los organismos que se encargan de hacer cumplir la ley en Belice requieren asistencia en forma de servicios técnicos y de asesoramiento para prevenir mejor y demostrar que se han cometido los delitos de asociación ilícita y complicidad.



**Attachment 1**

*Money Laundering (Prevention)*

[CAP. 104]

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**CHAPTER 104**

**MONEY LAUNDERING (PREVENTION)**

**ARRANGEMENT OF SECTIONS**

**PART I**

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1. Short title.
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4. Offence committed by a body of persons.
5. Attempts; aiding and abetting; conspiracy.
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7. Tipping-off.
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9. Jurisdiction.

**PART III**

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*Money Laundering (Prevention)*

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**FIRST SCHEDULE**

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**SECOND SCHEDULE**

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**CAP. 104]**

*Money Laundering (Prevention)*

**CHAPTER 104**

12 of 1996.  
Commencement  
[1. 8. 1996]  
S.I. 104 of 1996.

**MONEY LAUNDERING (PREVENTION)**

[26th July, 1996]

**PART I**

*Preliminary*

Short title. 1. This Act may be cited as the Money Laundering (Prevention) Act.

Interpretation. 2.(1) In this Act, unless the context otherwise requires-

“business transaction” means any arrangement, including opening an account, between two or more persons where the purpose of the arrangement is to facilitate a transaction between the persons concerned and includes any related transaction between any of the persons concerned and another person;

“business transaction record” includes where relevant to a business transaction -

- (a) the identification of all the persons party to that transaction;
- (b) a description of that transaction sufficient to identify its purpose and method of execution;
- (c) the details of any account used for that transaction, including bank, branch and sort code; and
- (d) the total value of that transaction;

“competent authority” means the Director of Public Prosecutions, and

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includes any person authorized by him in that behalf;

“financial institution” means any person whose regular occupation or business is, for the account of that person, the carrying on of -

- (a) any activity listed in the First Schedule to this Act; First schedule.
- (b) any other activity defined by the Minister of Finance as such by an Order published in the *Gazette* amending the First Schedule to this Act; First schedule.

“freezing” means temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of property on the basis of an order issued by a court or other competent authority;

“forfeiture” means the permanent deprivation of property by Order of a court or other competent authority;

“identification record” means -

- (a) where the person is a corporate body, the details -
  - (i) of the certificate of incorporation, such certificate to be notarized where the corporate body is incorporated outside of Belize;
  - (ii) of the most recent annual return of the corporate body filed at the General Registry, such return to be notarized where the corporate body is incorporated outside of Belize;
  - (iii) of any officer of the corporation as required in paragraph (b) of this definition;

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- (b) otherwise, sufficient documentary evidence to prove to the satisfaction of a financial institution that the person is who that person claims to be,

and, for these purposes, "person" shall include any person who is a nominee, agent, beneficiary or principal in relation to a business transaction;

"instrumentality" means something that is used, or intended for use, in any manner in the commission of a money laundering offence;

"Minister" means the Minister responsible for legal affairs, unless specifically provided otherwise;

"money laundering" means -

- (a) engaging, directly or indirectly, in a transaction that involves property that is the proceeds of crime, knowing or having reasonable grounds for believing the same to be the proceeds of crime; or
- (b) receiving, possessing, managing, investing, concealing, disguising, disposing of or bringing into Belize any property that is the proceeds of crime, knowing or having reasonable grounds for believing the same to be the proceeds of crime;

"person" means any entity, natural or juridical, including among others, a corporation, partnership, trust or estate, joint stock company, association, syndicate, joint venture, or other unincorporated organisation or group, capable of acquiring rights or entering into obligations;

**Second Schedule.**

"prescribed offence" means an offence for the time being listed in the Second Schedule to this Act;

"proceeds of crime" means any property derived or obtained, directly or

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indirectly, through the commission of a prescribed offence, whether committed in Belize or elsewhere; and shall include any property which is knowingly mingled with property that is so derived or obtained;

“property” includes money, investments, holdings, possessions, assets and all other property real or personal, heritable or moveable, including things in action and other intangible or incorporeal property wherever situate (whether in Belize or elsewhere) and includes any interest in such property;

“Supervisory Authority” means the Governor, for the time being, of the Central Bank of Belize, and includes any person authorized by him in writing in that behalf.

(2) The Minister may from time to time by Order published in the *Gazette* amend the Second Schedule to this Act.

Second  
Schedule.

(3) Knowledge, intent, purpose, belief or suspicion required as an element of any offence under this Act may be inferred from objective, factual circumstances.

## PART II

### *Money Laundering Prohibited*

3. A person who, after the commencement of this Act, engages in money laundering is guilty of an offence.

Offence of  
money  
laundering.

4. Where an offence under the provisions of section 3 is committed by a body of persons, whether corporate or unincorporate, every person who, at the time of the commission of the offence, acted in an official capacity for or on behalf of such body of persons, whether as director, manager, secretary or other similar officer, or was purporting to act in such capacity, shall be guilty of that offence, unless he adduces evidence to show that the offence was committed without his knowledge, consent or connivance.

Offence  
committed by a  
body of persons.

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Attempts; aiding and abetting; conspiracy.	5. Any person who attempts or who aids, abets, counsels, or procures the commission of, or who conspires to commit, the offence of money laundering is guilty of an offence.
Penalty for money laundering.	6. A person guilty of an offence under the provisions of section 3, 4 or 5 of this Act shall be punishable on conviction with a fine which shall not be less than twenty-five thousand dollars but which may extend to one hundred thousand dollars, or with imprisonment for a term which shall not be less than three years but which may extend to six years, or with both such fine and term of imprisonment.
Tipping-off.	<p>7.-(1) It is an offence for a person who knows or suspects that an investigation into money laundering has been, is being, or is about to be, made to divulge that fact or other information to another whereby the investigation is likely to be prejudiced.</p> <p>(2) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine not exceeding fifty thousand dollars, or to imprisonment for a term not exceeding three years, or to both such fine and term of imprisonment.</p>
Falsification, concealment, etc., of documents.	<p>8.-(1) It is an offence for a person to falsify, conceal, destroy or otherwise dispose of or cause or permit the falsification, concealment, destruction or disposal of any document or material which is or likely to be relevant to an investigation into money laundering or to any order made in accordance with the provisions of this Act.</p> <p>(2) A person guilty of an offence under subsection (1) above shall be liable on conviction to a fine not exceeding one hundred thousand dollars or to imprisonment for a term not exceeding five years, or to both such fine and term of imprisonment.</p>
Jurisdiction.	9. Notwithstanding anything to the contrary contained in any other law, the offences created by this Act shall be investigated, tried, judged and

sentenced by a court in Belize regardless of whether or not the prescribed offence occurred in Belize or in another territorial jurisdiction, but without prejudice to extradition when applicable in accordance with the law.

### PART III

#### *Anti-Money Laundering Supervision*

10. The functions of the Supervisory Authority as provided in this Act shall be carried out by the Governor, for the time being, of the Central Bank of Belize or by any person authorized by him in writing in that behalf.

Appointment of  
Supervisory  
Authority.

11. The Supervisory Authority -

- (a) shall receive the reports issued by the financial institutions pursuant to the provisions of section 13 (2);
- (b) shall send any such report to the law enforcement authorities if, having considered the report, the Supervisory Authority also has reasonable grounds to believe that a money laundering offence is being, has been or is about to be committed;
- (c) or a person authorised by the Supervisory Authority for such a purpose, may, if there are reasonable grounds for believing that a contravention or breach of this Act may have occurred; enter into the premises of any financial institution during normal working hours to inspect any business transaction record kept by that financial institution pursuant to the provisions of section 12 (a) and ask any questions relevant to such record and make any notes or take any copies of the whole or any part of any such record;
- (d) shall send to the law enforcement authorities any information derived from an inspection carried out pursuant to the

Powers of the  
Supervisory  
Authority.

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provisions of paragraph (c) of this section if it gives the Supervisory Authority reasonable grounds to believe that a money laundering offence is being, has been, or is about to be committed;

- (e) shall destroy any note or copy thereof made or taken pursuant to the provisions of paragraph (c) of this section within three years of the inspection save where any such note or copy has been sent to a law enforcement authority;
- (f) may instruct any financial institution to take such steps as may be appropriate to facilitate any investigation anticipated by the Supervisory Authority following a report or investigation made under the provisions of this section;
- (g) may compile statistics and records, provide information to law enforcement agencies and regulatory bodies within or without Belize in accordance with Part V of this Act, make recommendations arising out of any information received, issue guidelines to financial institutions and advise the Minister of Finance and the Attorney General with regard to any matter relating to money laundering;
- (h) shall create training requirements and provide such training for any financial institution in respect of the business transaction record-keeping and reporting obligations as provided in paragraph (a) of section 12, and subsection (2) of section 13, respectively.

Obligations of  
financial  
institutions.

**12. A financial institution shall -**

- (a) keep a business transaction record of any business transaction for a period of five years after the termination of the business transaction so recorded;

*Money Laundering (Prevention)***[CAP. 104]**

- 
- (b) comply with any instruction issued to it by the Supervisory Authority pursuant to section 11 (f);
  - (c) permit any member of the Supervisory Authority upon request to enter into any premises of the financial institution during normal working hours and inspect the records kept pursuant to the provisions of paragraph (a) of this section and make any notes or take any copies of the whole or any part of any such record and shall answer any questions of the Supervisory Authority in relation to such records;
  - (d) comply with the guidelines and training requirements issued and provided by the Supervisory Authority respectively in accordance with paragraph (g) or (h) of section 11.

13.-(1) Financial institutions shall pay special attention to all complex, unusual or large business transactions, or unusual patterns of transactions whether completed or not, and to all unusual patterns of transactions, and to insignificant but periodic transactions, which have no apparent economic or lawful purpose.

Reporting of  
suspicious  
business  
transactions by  
financial  
institutions.

(2) Upon reasonable suspicion that the transactions described in subsection (1) above could constitute or be related to money laundering, a financial institution shall promptly report the suspicious transactions to the Supervisory Authority.

(3) Financial institutions shall not notify any person, other than a court, competent authority or other person authorized by law, that information has been requested by or furnished to a court or the Supervisory Authority.

(4) When the report referred to in subsection (2) above is made in good faith, the financial institutions and their employees, staff, directors, owners or other representatives as authorised by law, shall be exempted

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from criminal, civil and/or administrative liability, as the case may be, for complying with this section or for breach of any restriction on disclosure of information imposed by contract or by any legislative, regulatory or administrative provision, regardless of the result of the communication.

(5) A criminal offence is committed by a financial institution or its employees, staff, directors, owners or other authorised representatives who, acting as such, wilfully fail to comply with the obligations in this section, or who wilfully make a false or falsified report referred to above.

(6) Without prejudice to criminal and/or civil liabilities for offences connected to money laundering, a financial institution ,and its employees that fail to comply with the requirements of this section shall be liable on conviction to a fine not exceeding fifty thousand dollars and in addition the licence of such financial institution to operate as such may be suspended or revoked by the Supervisory Authority.

(7) The question whether a reasonable suspicion for the purpose of subsection (2) of this section has been formed shall be determined objectively having regard to all the facts and surrounding circumstances.

Supervisory Authority's power to obtain search warrant.

14. The Supervisory Authority or a law enforcement agency, upon application to a Judge of the Supreme Court and satisfying him that there are reasonable grounds to believe that -

- (a) a financial institution has failed to keep a business transaction record as provided by the provisions of section 12 (a);
- (b) a financial institution has failed to report any business transaction as provided by the provisions of section 13 (2); or
- (c) an officer or employee of a financial institution is committing, has committed or is about to commit a money laundering offence,

*Money Laundering (Prevention)***[CAP. 104]**

may obtain a warrant to enter any premises belonging to, in the possession or under the control of the financial institution or any officer or employee of such institution and to search the premises and remove any document, material or other thing therein for the purposes of the Supervisory Authority or law enforcement agency as ordered by the Judge and specified in the warrant.

15. The Supervisory Authority or law enforcement agency, upon application to a Judge of the Supreme Court and satisfying him that there are reasonable grounds for believing that a person is committing, has committed or is about to commit a money laundering offence or for the purpose of determining whether any property belongs to, or is in the possession or under the control of any person, may obtain an order:-

(a) that any document relevant to-

- (i) identifying, locating or quantifying any property; or
- (ii) identifying or locating any document necessary for the transfer of any property,

belonging to, or in the possession or under the control of that person be delivered forthwith to the Supervisory Authority or law enforcement agency;

(b) that a financial institution forthwith produce to the Supervisory Authority or law enforcement agency all information obtained by the institution about any business transaction conducted by or for that person with the institution during such period before or after the date of the order as the Judge directs.

16.-(1)The Supervisory Authority, upon application to a Judge of the Supreme Court and satisfying him that a financial institution has failed without reasonable excuse to comply in whole or in part with any obligation as provided in paragraph (a), (b), (c) and (d) of section 12 and subsection (2) of section 13, may obtain a mandatory injunction against any or all of the

Property tracking  
and monitoring  
orders.

Mandatory  
injunction to  
enforce  
compliance.

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*Money Laundering (Prevention)*

officers or employees of that financial institution in such terms as the Court deems necessary to enforce compliance with such obligation.

(2) In granting an injunction pursuant to subsection (1) of this section, the Court may order that should the financial institution or any officer or employee of that institution fail without reasonable excuse to comply with all or any of the provisions of that injunction, such financial institution, officer or employee shall pay a financial penalty in the sum and in the manner directed by the Court.

Other measures to avoid money laundering.

17. A person who has been convicted of a prescribed offence (whether in Belize or elsewhere ) or of an offence under this Act, may not be eligible or licensed to carry on the business of a financial institution.

Currency reporting when leaving Belize.

18. A person who leaves Belize with more than twenty thousand dollars in cash or negotiable bearer instruments (in Belize currency or equivalent foreign currency) without first having reported the fact to the Supervisory Authority, shall commit an offence under this Act and shall be liable on conviction to a fine not exceeding ten thousand dollars.

**PART IV**

*Freezing and Forfeiture of Assets in Relation to Money Laundering*

Restraint order.

19.-(1)Where a person has been charged or is about to be charged with a money laundering offence, the competent authority may make an application to the Supreme Court in accordance with subsection (2) for the freezing of the property of, or in the possession or under the control of that person, which is alleged to be the proceeds of crime, wherever such property may be.

(2) An application made under subsection (1), for a restraint order under subsection (3) in respect of any property may be made on an *ex*

*Money Laundering (Prevention)***[CAP. 104]**

*parte* application to a Judge in Chambers and shall be accompanied by an affidavit sworn on the information and belief of the competent authority or any other person deposing to the following matters, namely:-

- (a) the offence or matter under investigation;
- (b) the person who is believed to be in possession of the property;
- (c) the grounds for the belief that an order of forfeiture may be made under this Act; and
- (d) a description of the property.

(3) Where an application for a restraint order is made to a Judge under subsection (1), the Judge may, if satisfied that there are reasonable grounds to believe that there exists any property in respect of which an order of forfeiture may be made under this Act, make an order-

- (a) prohibiting any person from disposing of, or otherwise dealing with, any interest in the property specified in the order otherwise than in such manner as may be specified in the order; and
- (b) at the request of the competent authority, where the Judge is of the opinion that the circumstances so require,
  - (i) appointing a person to take control of and to manage or otherwise deal with all or part of that property in accordance with the directions of the Judge; and
  - (ii) requiring any person having possession of that property to give possession of the property to the

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*Money Laundering (Prevention)*

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person appointed under subparagraph (i).

(4) The Court or Judge in making an order under subsection (3) may give directions as to the disposal of that property for the purpose of -

- (a) determining any dispute as to the ownership of the property or any part thereof;
- (b) its proper administration during the period of freezing;
- (c) the payment of moneys to that person for the reasonable subsistence of that person and his family;
- (d) meeting the reasonable business and legal expenses of the person referred to in subsection (1); and
- (e) permitting the use of the property in order to enter into a recognizance required of that person by a court.

(5) For the purpose of determining the reasonableness of business and legal expenses referred to in subsection (4) (d), a Judge may hold a hearing in chambers.

(6) Before making an order under subsection (3), the Judge may require the competent authority to give such undertakings as the Judge considers appropriate with respect to the payment of damages or costs, or both, in relation to the making and execution of the order.

(7) An order made under subsection (3) shall provide for notice to be given to persons affected by the order in such manner as the Judge directs or as may be prescribed by rules of court.

(8) A copy of the order made under subsection (3) shall be filed in the Registry of the Supreme Court against any property affected by the

*Money Laundering (Prevention)***[CAP. 104]**

order.

(9) An order made under the provisions of this section shall cease to have effect at the end of the period of forty-eight hours following the hour the order was made if the person against whom such order was made has not been charged with a money laundering offence within that time.

(10) Any person to whom notice of an order made under subsection (3) is given in accordance with this section and who, while the order is in force, acts in contravention of or fails to comply with the order is, without prejudice to any other remedy provided at law, guilty of an offence punishable on summary conviction to imprisonment for a term not exceeding two years.

20.-(1) When a person is convicted of a money laundering offence, the Court shall order that the property, proceeds or instrumentalities derived from or connected or related to such an offence be forfeited and disposed of in such manner as the Minister may direct.

**Forfeiture of  
property,  
proceeds or  
instrumentalities.**

(2) When, as a result of any act or omission of the person convicted, any of the property, proceeds or instrumentalities described in subsection (1) above cannot be forfeited, the Court shall order the forfeiture of any other property of the person convicted, for an equivalent value, or shall order the person convicted to pay a fine of such value.

(3) In determining whether or not any property is derived from or connected or related to a money laundering offence the Court shall apply the standard of proof required in civil proceedings.

(4) In making a forfeiture order the Court may give directions for the purpose of determining any dispute as to the ownership of the property or any part thereof.

(5) For the purpose of this Act, the Court may infer that property

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was obtained or derived as a result of the commission of a money laundering offence where evidence established that the value, after the commission of that offence, of all the property of the person alleged to have committed the offence exceeds the value of all the property of that person before the commission of that offence and the Court is satisfied that the income of that person from his legitimate sources as disclosed by him to the Court pursuant to subsection (6) cannot reasonably account for such an increase in value.

(6) A person convicted or absolutely or conditionally discharged of a money laundering offence may be summoned to appear before the Court at the instance of the competent authority and to give information as to his legitimate sources of income.

Rights of *bona fide* third parties.

21.-(1) The measures and sanctions referred to in sections 19 and 20 shall apply without prejudice to the rights of *bona fide* third parties.

(2) Proper notifications shall be made so that all those claiming legitimate legal interest in property, proceeds or instrumentalities may appear in support of their claims.

(3) A third party's lack of good faith may be inferred, at the discretion of the court or other competent authority, from the objective circumstances of the case.

(4) The Court or other competent authority shall return the property, proceeds or instrumentalities to the claimant, when it has been demonstrated to its satisfaction that:-

- (a) the claimant has a legitimate legal interest in the property, proceeds or instrumentalities;
- (b) no participation, collusion or involvement with respect to the money laundering offence which is the subject of

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- the proceedings can be imputed to the claimant;
- (c) the claimant lacked knowledge and was not intentionally ignorant of the illegal use of the property, proceeds or instrumentalities or if he had knowledge, did not freely consent to its illegal use;
  - (d) the claimant did not acquire any right in the property, proceeds or instrumentalities from a person proceeded against under circumstances that give rise to a reasonable inference that any right was transferred for the purpose of avoiding the eventual subsequent forfeiture of the property, proceeds or instrumentalities, and
  - (e) the claimant did all that could reasonably be expected to prevent the illegal use of the property, proceeds or instrumentalities.

22. The provisions of sections 19 and 20 shall only apply to property coming into the possession or under the control of a person after the coming into force of this Act.

Limitations on freezing or forfeiture of property.

## PART V

### *International Cooperation*

23.-(1) The Court or other competent authority shall cooperate with the Court or other competent authority of another State, taking the appropriate measures to provide assistance in matters concerning money laundering offences, in accordance with this Act, and within the limits of their respective legal systems.

Assistance to foreign countries.

(2) The Court or other competent authority may receive a request

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*Money Laundering (Prevention)*

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from the Court or other competent authority of another State to identify, trace, freeze, seize or forfeit the property, proceeds, or instrumentalities connected to money laundering offences, and may take appropriate actions, including those contained in sections 19 and 20 of this Act.

(3) A final judicial order of judgment that provides for the forfeiture of property, proceeds or instrumentalities connected to money laundering offences, issued by a Court or other competent authority of another State, may be recognised as evidence that the property, proceeds or instrumentalities referred to by such order or judgment may be subject to forfeiture in accordance with the law.

(4) The Court or other competent authority may receive and take appropriate measures with respect to a request from a Court or other competent authority from another State, for assistance related to a civil, criminal, or administrative investigation, prosecution or proceedings, as the case may be, involving money laundering offences, or violations of any provision of this Act. Such assistance may include providing original or certified copies of relevant documents and records, including those of financial institutions and government agencies, obtaining testimony in the requested States; facilitating the voluntary presence or availability in the requesting State of persons, including those in custody, to give testimony, locating or identifying persons, service of documents; examining objects and places; executing searches and seizures; providing information and evidentiary items, and provisional measures.

(5) Any provisions referring to bank secrecy or confidentiality shall not be an impediment to compliance with this section, when the information is requested by or shared with the Court or other competent authority.

(6) Assistance referred to in this section shall be provided only to those countries with whom Belize has entered into mutual assistance treaties on a bilateral or multilateral basis, and all such assistance shall be subject to the terms of such treaties.

**PART VI***Miscellaneous*

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| <p><b>24.</b> Money laundering is an offence for the purpose of any law relating to extradition or the rendition of fugitive offenders.</p> <p><b>25.</b> Subject to the provisions of the Belize Constitution, the provisions of this Act shall have effect notwithstanding any obligation as to secrecy or other restriction upon the disclosure of information imposed by any law or otherwise.</p> <p><b>26.</b> It shall not be unlawful for any person to make any disclosure in compliance with this Act.</p> <p><b>27.-{(1)}</b> No prosecution in respect of any offence committed under this Act or the Regulations made thereunder shall be instituted except by, or with the consent in writing of, the Director of Public Prosecutions.</p> <p style="padding-left: 2em;"><b>(2)</b> All offences under this Act shall be tried summarily without the consent of the accused unless otherwise directed by the Director of Public Prosecutions.</p> <p><b>28.</b> All prosecutions, actions, suits or other proceedings brought for any offence, or for the recovery of any fines, penalties or forfeitures, under this Act or the Regulations made thereunder, shall be brought within five years next after the date the offence was committed or the cause of action accrued.</p> <p><b>29.-{(1)}</b> The Minister may make Regulations for the better carrying out of the provisions of this Act and for prescribing anything that needs to be prescribed.</p> <p style="padding-left: 2em;"><b>(2)</b> All Regulations made under subsection (1) shall be subject to negative resolution.</p> | <p>Money laundering an offence for extradition purposes.</p> <p>Secrecy obligations overridden.<br/>CAP. 4.</p> <p>Disclosure protected.</p> <p>Prosecution of offences.</p> <p>Limitation of proceedings.</p> <p>Regulations.</p> |
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**Commencement.**

30. This Act shall come into force on a day to be appointed by the Minister by Order published in the *Gazette*.

**FIRST SCHEDULE**  
**[Section 2]**

*Activities of financial institutions*

CAP. 263.

1. "Banking business" and "financial business" as defined in the Banks and Financial Institutions Act, and in the Schedule to that Act;

CAP. 267.

2. "Offshore banking business" as defined in the Offshore Banking Act;

3. Venture risk capital;

4. Money transmission services;

5. Issuing and administering means of payments (e.g. credit cards, travellers' cheques and bankers' drafts);

6. Guarantees and commitments;

7. Trading for own account or for account of customers in:-

(a) money market instruments (e.g., cheques, bills, certificates of deposits, commercial paper, etc.);

(b) foreign exchange;

(c) financial and commodity-based derivative instruments (e.g., futures, options, interest rate and foreign exchange instruments, etc.);

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- (d) transferable or negotiable instruments;
8. Money broking;
  9. Money lending and pawning;
  10. Money exchange (e.g., casa de cambio);
  11. Insurance business;
  12. Real property business;
  13. Credit unions;
  14. Building societies;
  15. Trust business;
  16. Safe custody services.

**SECOND SCHEDULE**  
[Section 2]

*Prescribed offences*

Blackmail

Counterfeiting

Drug Trafficking and related offences

Extortion

False accounting

Forgery

Fraud

Illegal deposit-taking

Robbery involving more than \$10,000.00

Terrorism

Thefts involving more than \$10,000.00

Arms trafficking

Kidnapping

**Attachment 2****Money Laundering (Prevention)****BELIZE:****BILL**

for

**AN ACT** to amend the Money Laundering (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2000, to make improved provisions to combat terrorism; to provide for the freezing of funds and other financial assets of terrorists; to facilitate international cooperation in the investigation and prosecution of money laundering offences; and to provide for matters connected therewith or incidental thereto.

(Gazetted 8<sup>th</sup> December, 2001)

**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:

Short title      1. This Act may be cited as the

**MONEY LAUNDERING (PREVENTION) (AMENDMENT) ACT, 2001**

CAP. 104      and shall be read and construed as one with the Money Laundering (Prevention) Act, which is hereinafter referred to as the principal Act.

Amendment of section 2      2. Section 2 of the principal Act is hereby amended by inserting the following definition in its proper alphabetical order:

“terrorism” means the use or threat of action where –

- (a) (i) the action falls within sub-paragraph (b),  
 (ii) the use or threat is designed to influence the government or to intimidate the public or a section of the public, and  
 (iii) the use or threat is made for the purpose of advancing a political, religious or ideological cause;
- (b) action falls within this sub-paragraph if it –  
 (i) involves serious violence against a person,  
 (ii) involves serious damage to property,  
 (iii) endangers a person’s life, other than that of the person committing the action,  
 (iv) creates a serious risk to the health or safety of the public or a section of the public, or  
 (v) is designed seriously to interfere with or seriously to disrupt an electronic system;
- (c) the use or threat of action falling within sub-paragraph (b) which involves the use of firearms or explosives is terrorism whether or not sub-paragraph (a) (ii) is satisfied;
- (d) in sub-paragraphs (a), (b) and (c) –

- (i) "action" includes action outside Belize,
- (ii) a reference to any person or to property is a reference to any person, or to property, wherever situated,
- (iii) a reference to the public includes a reference to the public of a country other than that of Belize,
- (iv) "the government" means the government of Belize or of a country other than Belize.

Amendment  
of section 11

3. Section 11 of the principal Act is hereby amended as follows:

- (i) by renumbering that section as subsection (1);
- (ii) in subsection (1) as so renumbered, by repealing paragraph (f) and replacing it by the following:

"(f) may instruct any financial institution to take such action as may be appropriate, including the freezing of funds and other financial assets or economic resources of any person or entity, to facilitate any investigation, prosecution or proceeding for a money laundering offence, whether in Belize or elsewhere;"
- (iii) by adding the following as new subsection (2) immediately after subsection (1):

"(2) Every Order made by the Supervisory Authority pursuant to paragraph (f) of subsection (1) above for the freezing of funds or financial assets of any person shall cease to have effect after three clear days from the making of the Order, unless within such period the Supervisory Authority makes an application to a Judge of Supreme Court in Chambers for an order for the freezing of such property, and the application shall be heard by the Court as soon as practicable.

Addition of  
section 11A

4. The principal Act is hereby amended by the addition of the following as new section 11A immediately after section 11:

"Freezing of  
funds connected  
with terrorism

11A. (1) Where the Supervisory Authority has reasonable grounds for believing that the person by, for or on behalf of whom any funds are held is or may be –

- (a) a person who commits, attempts to commit, facilitates or participates in the commission of acts of terrorism,
- (b) a person controlled or owned directly or indirectly by a person in (a), or
- (c) a person acting on behalf, or at the direction, of a person in (a),

the Supervisory Authority may by notice direct that those funds shall be frozen and shall not be made available to any person.

(2) A direction given under subsection (1) above shall specify either-

- (a) the period for which the direction is to have effect; or
- (b) that the direction is to have effect until it is revoked by notice under subsection (3) below.

(3) The Supervisory Authority may by notice revoke a direction given under subsection (1) at any time.

- (4) A notice under subsections (1) or (3) shall be given in writing to the person holding the funds in question ("the recipient"), and shall require the recipient to send a copy of the notice without delay to the person whose funds they are, or for or on whose behalf they are held ("the owner").
- (5) A recipient shall be treated as complying with that requirement if, without delay, he sends a copy of the notice to the owner at his last-known address or, if he does not have an address for the owner, he makes arrangements for a copy of the notice to be supplied to the owner at the first available opportunity.
- (6) Where a direction has been given under subsection (1) above any person by, for or on behalf of whom those funds are held may apply to the Supreme Court for the direction to be set aside; and on such application the Court may set aside the direction.
- (7) A person who makes an application under subsection (6) above shall give a copy of the application and any witness statement or affidavit in support to the Supervisory Authority (and to any other person by, for or on behalf of whom those funds are held), not later than seven days before the date fixed for the hearing of the application.
- (8) Any person who contravenes or fails to comply with the requirements of this section shall be guilty of a money laundering offence and shall be liable to the penalties prescribed in section 6 of this Act."

**Amendment  
of section 23**

**5. Section 23 of the principal Act is hereby amended as follows:**

- (a) by substituting the words "The Court, Supervisory Authority or other competent authority" for the words "The Court or other competent authority" wherever occurring therein;
- (b) by repealing subsection (5) and replacing the same by the following:
- "(5) Any provisions relating to bank secrecy or confidentiality shall not be an impediment to compliance with this section, when the information is requested by or shared with the court or other competent authority whether in Belize or elsewhere, and any disclosure made in pursuance thereto shall not be regarded as a breach of confidentiality imposed by law or contract;"
- (c) by repealing subsection (6) thereof and substituting therefor the following:
- "The Supervisory Authority may take such action as may be appropriate including the freezing of funds and other financial assets or economic resources of any person to comply with or give effect to a resolution of the Security Council of the United Nations adopted under Chapter VII of the United Nations Charter:
- Provided that if the Security Council takes any subsequent decision which has the effect of postponing, suspending or cancelling the operation of such resolution, in whole or in part, any order made by the Supervisory Authority under this subsection shall cease to have effect or its operation shall be postponed or suspended, in whole or in part, as the case may be, in accordance with that decision."

Addition of new  
section 26A

6. The principal Act is hereby amended by the insertion of the following as new section 26A immediately after section 26:

"General penalty for non-compliance 26A. Every financial institution or other person who fails to comply with any direction or instruction given by the Supervisory Authority under this Act shall be guilty of an offence and shall, unless a penalty is specifically provided elsewhere, be liable on summary conviction to a fine not exceeding twenty-five thousand dollars or to imprisonment for a term not exceeding three years, or to both."

Amendment  
of section 27

7. Section 27 of the principal Act is hereby amended by repealing subsection (1) thereof and replacing the same by the following:

"(1) No prosecution in respect of any offence committed under this Act or any regulations made thereunder shall be instituted except by, or with the consent in writing of the Director of Public Prosecutions or the Supervisory Authority:

Provided that this subsection shall not prevent the arrest, or the issue or execution of a warrant for the arrest, of any person in respect of such an offence, or the remand in custody or on bail of any person charged with such an offence, notwithstanding that the necessary consent to the institution of proceedings for the offence has not been obtained."

Amendment  
of First Schedule

8. The First Schedule to the principal Act is hereby amended by the addition of the following at the end thereof:

"17. International financial services

18. Accounting services

19. Legal services".