



BELIZE

**LAND UTILIZATION ACT
CHAPTER 188**

REVISED EDITION 2000
SHOWING THE LAW AS AT 31ST DECEMBER, 2000

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Laws of Belize, Revised Edition 1980 - 1990.

This edition contains a consolidation of the following laws-	Page
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Amendments in force as at 31st December, 2000.	



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CHAPTER 188

LAND UTILIZATION

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CHAPTER 188

LAND UTILIZATION

[19th September, 1981]

CAP. 158A,
R.E. 1980-1990.
16 of 1981.
22 of 1987.
5 of 1990.
10 of 2000.

PART I

Preliminary

- 1. This Act may be cited as the Land Utilization Act. Short title.
- 2. In this Act, unless the context otherwise requires:- Interpretation.

“Minister” means the Minister of Government responsible for land;

“subdivide” means to divide for the purpose of alienation any land into smaller parcels than that in which it is owned or possessed at the time of the coming into force of this Act.

PART II

Subdivision

- 3.-(1) This Act shall apply to all land in Belize: Restriction on subdivision of land.

Provided that the Minister may by Order published in the *Gazette* declare that the provisions of this Act shall apply only to such area as may be described in that order. 5 of 1990.

(2) No person may subdivide any land to which this Act applies except in accordance with the provisions hereinafter contained.

- 4. Any person wishing to subdivide any land to which this Act applies Application.

shall submit an application to the Land Subdivision and Utilization Authority set up under section 9 of this Act.

Requirements of application.

5. An application submitted under section 4 of this Act shall include a plan and a statement setting out the applicant's title and the details of the intended subdivision.

Particulars in application.

6. The plan submitted with an application under section 4 of this Act shall show the following particulars-

- (a) the location, dimensions and boundaries of the land to be subdivided;
- (b) the dimensions of each lot or parcel of land following from the subdivision;
- (c) the location of all existing buildings on the land to be subdivided;
- (d) the layout of the streets, and the proposed width of each, within the subdivision;
- (e) the location of the main drains;
- (f) the location of any swamps, hills, rivers, streams, ancient monuments or ruins, drainage patterns, on the land to be subdivided;
- (g) the situation of any easements or rights of way to which the land to be subdivided is subject.

When subdivision void.

7.-(1) Any purported subdivision in contravention of the provisions of this Act shall be void and of no effect.

(2) Any person who contravenes the provisions of this Act commits an offence and shall be liable on summary conviction to a fine not exceeding one thousand dollars.

8.-(1) The Registrar shall not, after the coming into force of this Act, register any subdivision of land or any title to any lot arising from any subdivision of land unless he is satisfied that the said subdivision was done with the approval of the Minister.

Duty of the Registrar of Lands.

(2) A certificate from the Commissioner of Lands stating that the subdivision had been approved by the Minister shall be conclusive evidence of the fact of the approval of the Minister.

(3) No instrument which creates or transfers, or purports to create or transfer, any interest in land (including common law conveyances), arising from or involving any subdivision of land wherever situate in Belize, shall be lodged or received for registration unless it is accompanied by a certificate from the Commissioner of Lands and Surveys verifying that the final approval for the said subdivision has been granted by the Minister or that such approval is not required.

5 of 1990.

9.-(1) There shall be a Land Subdivision and Utilization Authority which shall be comprised of-

Land Subdivision and Utilization Authority.

- (a) the Commissioner of Lands;
- (b) the Chief Engineer or representative;
- (c) the Chief Forest Officer or representative;
- (d) the Chief Agricultural Officer or representative;
- (e) the Assistant Secretary of the Ministry responsible for lands, who shall be the secretary;

- (f) two other persons to be appointed by the Minister responsible for lands; and
- 10 of 2000.
CAP. 145. (g) the National Coordinator appointed under the Disaster Preparedness and Response Act.

(2) The chairman shall be such person as may be nominated by the Minister from the persons already members under paragraphs (a) to (d) of subsection (1) of this section.

(3) The quorum shall consist of at least three of the officers mentioned in (a) to (d) and one person from category (f) mentioned in subsection (1) of this section.

Application to be made to the Authority.

10.-(1) The Land Subdivision and Utilization Authority (hereinafter referred to as “the Authority”) shall receive all applications for subdivision and shall make such investigation thereon as the Authority shall deem necessary.

(2) The Authority may call for and take into consideration all such information and documents as may be necessary for a proper study of the application.

(3) Any person making an application under section 4 of this Act shall, if so requested by the Authority, provide the Authority with such information and documentary materials as may be within his power to provide, and any failure or neglect so to do may result in the Minister refusing to grant his approval to the proposed subdivision.

Report by Authority.
5 of 1990.

11.-(1) The Authority, having considered the application and all such other information as shall be relevant thereto, shall report to the Minister thereon and shall in such report make such recommendation to the Minister as to the granting of his approval to the project as to the Authority shall seem proper.

(2) Where any land or part of land proposed to be subdivided is

situate within the limits of any city or town, the Authority shall, in considering any application for subdivision, consult the local authority concerned and shall include the comments of such authority in the report submitted to the Minister under subsection (1).

12.-(1) The Minister may, after consideration of the recommendations of the Authority, grant a provisional approval to a proposed subdivision of land. Provisional approval.

(2) The Minister may, on the recommendation of the Authority, attach to any provisional approval granted by him to a proposed subdivision of land such conditions relating thereto as he shall think necessary.

13. The applicant for any approval to subdivide land shall, upon receipt of provisional approval thereto- Duties of the applicant.

(a) have the land to be subdivided surveyed by a Certified Surveyor and a plan drawn up in accordance with the approved subdivision; 5 of 1990.

(b) have the plan so prepared recorded by the Principal Surveyor;

(c) build the roads or streets to the satisfaction of the Ministry of Works;

(d) comply with all such other conditions as may have been imposed by the Minister in the provisional approval given to him.

14. The applicant shall not sell, lease, give or in any other manner alienate any part of the land which is to be subdivided until he has received the final approval of the Minister thereto. Restriction on sale, etc.

15. Where an applicant, to whom provisional approval has been granted by the Minister, complies with the several requirements set out in section 13 to Final approval.

the satisfaction of the Authority, the Authority shall so report to the Minister and the Minister shall thereupon grant final approval to the proposed subdivisions:

Providing that the Minister may, on the recommendation of the Authority, grant, to an applicant to whom provisional approval had been granted in respect of any subdivision, final approval of such part of the said subdivision as may have been completed to the satisfaction of the Authority.

Testamentary disposition of land.

16.-(1) Where after the coming into force of this Act, a testator, being the owner of any land, purports to grant a divided portion of such land to any person by any will or codicil, such grant shall, until approval to such subdivision has been granted by the Minister or where the Minister has refused his approval to such subdivision, take effect as if it were a grant of an undivided share of the said land.

(2) The executor or an heir may apply for approval for the proposed division of the land.

Regulations.

17.-(1) The Minister may make such regulations as are necessary for the better carrying out of the provisions of this Part of the Act.

(2) The Minister may annex to the breach of any regulation made hereunder a fine not exceeding five hundred dollars.

(3) All regulations made under this section shall be subject to negative resolution by the National Assembly.

Application of this Part.

18. This Part of this Act shall not apply -

(a) where the divided portion of any land is transferred to the owner of any land abutting on the said subdivided portion;

(b) where the divided portions are to be alienated to the

transferor's wife or children and each parcel of land so alienated or devised is provided with a right of way.

PART III

Utilization

19.-(1) The Minister may, for the better utilization of land, make regulations-

Regulations regarding utilization.

- (a) to demarcate areas, water catchment areas or watersheds and prohibiting the clearing of any vegetation within those areas;
- (b) to provide for such other measures as may be required to prevent soil erosion;
- (c) restricting the construction of buildings within stipulated distances from the middle line of any road or street;
- (d) to demarcate specific areas as spacial development areas and to stipulate the type of development that will be permitted within those areas;
- (e) for the clearing of any forest or the felling of any trees; and
- (f) to provide for all such other things as may be necessary for the better carrying out of the provisions of this Part of the Act.

(2) The Minister may annex to the breach of any regulation made hereunder a fine not exceeding five hundred dollars.

(3) All regulations made under this section shall be subject to negative resolution by the National Assembly.