

**BELIZE:**

**STATUTORY INSTRUMENT**

**No. 80 of 2019**

**ARRANGEMENT OF REGULATIONS**

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*REGULATIONS made by the Minister responsible for Supplies Control in exercise of the powers conferred upon him by section 3 of the Supplies Control Act, Chapter 293 of the Substantive Laws of Belize, Revised Edition 2011, and all other powers thereunto him enabling.*

*(Gazetted 5<sup>th</sup> December, 2019)*

1. These Regulations may be cited as the

Citation.

**SUPPLIES CONTROL (DISTRIBUTION OF LPG)  
REGULATIONS, 2019.**

2. In these Regulations unless the context otherwise requires—

Definition.

“Belize Bureau of Standards” means the Bureau of Standards established under section 3 of the Standards Act;

CAP. 295.

“Belize Police Department” means the Belize Police Department established under section 4 of the Police Act;

CAP. 138.

“Department of Environment” means the Department of Environment established under section 3 of the Environmental Protection Act;

CAP. 328.

“LPG” means liquefied petroleum gas;

“National Fire Service” means the National Fire Service established under section 3 of the National Fire Service Act; and

“national standards” means standards made by the Belize Bureau of Standards.

Application  
for permit.

3. (1) A person desiring to sell, distribute or otherwise deal in LPG shall apply to the Controller of Supplies for a permit.

(2) A person applying for a permit under sub-regulation (1) shall submit —

(a) an approval from—

(i) the National Fire Service;

(ii) the Department of the Environment;  
and

(iii) the Belize Police Department;

(b) a list of plant and equipment, specifying storage containers, measuring and metering equipment, number of motor vehicles, license plates and vehicle identification numbers; and

(c) any other information reasonably required.

(3) Where the Controller of Supplies is satisfied that an applicant is in compliance with sub-regulation (2), he may grant a permit subject to the following conditions—

(a) compliance with all national standards related to LPG;

(b) compliance with provisions of the Act, the National Metrology Act and regulations and the Standards Act and regulations; and

CAP. 294.

CAP. 295.

- (c) any other condition as the Controller of Supplies deems fit.

(4) A permit granted under this regulation shall be for a period of one year.

(5) Where the Controller of Supplies is satisfied that a specific market is adequately served by existing entrants, he may refuse to issue a permit.

(6) An applicant refused under sub-regulation (5) may re-apply for a permit after two years from the date of refusal.

(7) An application submitted pursuant to sub-regulation (6) shall comply with the requirements of sub-regulation (2).

(8) An application under this regulation shall be reviewed within a period of three months.

4. (1) If, with respect to any premises, the Controller of Supplies has reasonable grounds for suspecting that an offence against these regulations has been or is being committed, and that evidence of the commission of the offence is to be found at such premises, and is satisfied—

Powers of  
search and  
inspection.

- (a) that it is essential in the public interest that the premises should be searched for the purpose of obtaining such evidence; and
- (b) that the evidence is not likely to be found at the premises unless they are forthwith searched,

the Controller of Supplies may, by written order under his hand, authorise any person or persons named in the order, or any police officer to enter the premises, if necessary by force

and to search the premises and to seize any articles or goods found in the premises which the person or persons or police officer, as aforesaid has or have reasonable grounds for believing to be evidence of commission of such offence.

(2) The Controller of Supplies or a person authorised by the Controller of Supplies, the Senior Price Control Officer, a price control officer or a police officer, may at any time during the business hours of any premises in which LPG is offered for sale, either by retail or wholesale, enter any part of the premises in which the LPG is so offered for sale and inspect the premises, equipment and any price list, or mark indicating price relating thereto.

**Revocation or  
suspension of  
a permit.**

5. (1) Where an inspection under regulation 4 reveals a violation of any of these regulations, or any of the regulations under Regulation 3(3)(b), the Controller of Supplies may by notice, suspend the permit of the operator of the premises which is in violation of the regulations.

(2) A notice issued under sub-regulation (1) shall inform the operator of the premises of the reasons for the suspension, the laws violated and the time period within which the operator of the premises may cure the default or make representation against the suspension.

(3) Where an operator of premises on whom a notice has been served remedies the breach within the period of time given in the notice, a consumer protection inspector shall inspect the premises of the operator to confirm in writing, by a report to the Controller of Supplies, that the breach has been satisfactorily remedied or not.

(4) Where the Controller of Supplies is satisfied that a breach has been satisfactorily remedied, he may lift the suspension and the operator of premises may continue to operate.



(5) Where the Controller of Supplies is not satisfied that a breach has been satisfactorily remedied, the suspension shall be extended until the breach is satisfactorily remedied.

(6) An aggrieved operator may apply to the court for redress in instances where he believes he is being unfairly disenfranchised.

(7) An operator who commits multiple infractions shall suffer a suspension of permit and subject to penalties under regulation 8.

(8) Where an operator is convicted of two or more offences under these Regulations, his permit shall be revoked and he will be disqualified from reapplying for a period of 5 years.

6. (1) Every operator who sells, distributes or otherwise deals in LPG shall apply in writing to the Controller of Supplies in a form to be prescribed by the Controller of Supplies and be issued with a provisional permit to operate.

Existing  
operators.

(2) A provisional permit issued under sub-regulation (1) shall be for a maximum period of two years.

(3) During the duration of a provisional permit, an operator shall take all steps required under the law to come into compliance with these regulations and all Belize National Standards related to LPG.

(4) Upon the expiration of a provisional permit, an operator under this regulation shall apply for a permit under regulation 3.

(5) In addition to the requirements of regulation 3, an operator under this regulation shall—

- (a) provide a compliance plan proposing how the operator intends to come into compliance with the law; and
- (b) prepare and undertake a training plan for personnel.

**Obligations  
of the  
Controller of  
Supplies.**

**7. The Controller of Supplies shall—**

- (a) issue to each operator a unique identification number which shall be recorded and stored in a database; and
- (b) in respect of existing operators, prepare a compliance report for operators within six months of the issue of making the application.

**Power to take  
over stock.**

8. Where the Minister is of the opinion that the circumstances require it, he may take over any stocks of LPG in possession or control of any operator to ensure the equitable distribution thereof.

**Notice of  
take-over to  
be given.**

9. Where the Minister takes over any stock pursuant to regulation 8 he shall, in writing, inform the operator concerned on or before the time of such take over.

**Content of  
notice.**

10. The notice required to be given under regulation 9 may stipulate that the operator concerned shall perform such acts as the Minister thinks necessary to facilitate the take-over of the stocks concerned.

**Compensation  
for take-over.**

11. Where stock is taken over under regulation 8, the operator shall be paid the controlled price for stock taken,

provided that where any cost is incurred in the transportation at landing for such stock, the Minister may deduct the costs from the price to be paid to the operator.

12. It shall be an offence for any person to sell, distribute or otherwise deal in LPG in a wholesale transaction without the prior written approval of the Minister.

Offence.

13. A person who contravenes any of these regulations or who fails to comply with any directive of the Controller of Supplies commits an offence, and in addition to any other specific condition imposed for breach of any of these regulations, is liable on summary conviction to a fine of one thousand dollars or imprisonment for six months or to both fine and imprisonment.

Penalties.


14. These regulations are subject to negative resolution.

Negative resolution.

15. These regulations come into force on the 7<sup>th</sup> day of December, 2019.

Commencement.

MADE this 2<sup>nd</sup> day of December, 2019.



ERWIN CONTRERAS  
*Minister of Economic Development,  
Petroleum, Investment, Trade and  
Commerce  
(Minister responsible for Supplies Control)*