

National Liquefied Petroleum Gas Project

BELIZE:

**NATIONAL LIQUEFIED PETROLEUM GAS PROJECT
(AMENDMENT) ACT, 2021**

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 2.
3. Amendment of section 4.
4. Repeal and replacement of section 5.
5. Insertion of new section 5A.
6. Repeal and replacement of section 6.
7. Insertion of new section 6A and 6B.
8. Amendment of section 7.
9. Repeal and replacement of section 10.
10. Amendment of section 11.
11. Repeal and replacement of Schedule.
12. Insertion of new Schedule II.



No. 44 of 2021

I assent,

(H.E. MS. FROYLA TZALAM)

Governor-General

16th November 2021

AN ACT to amend the National Liquefied Petroleum Gas Project Act, Act No. 12 of 2019 of the Substantive Laws of Belize, Revised Edition 2011; to require the Developer to obtain a licence to import LPG into Belize; to provide for a new LPG pricing methodology; and to provide for matters connected therewith or incidental thereto.

(Gazetted 11th November, 2021).

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.

**NATIONAL LIQUEFIED PETROLEUM GAS
PROJECT (AMENDMENT) ACT, 2021,**

12 of 2019.

and shall be read and construed as one with the National Liquefied Petroleum Gas Project Act, which is hereinafter referred to as the principal Act.

Amendment of
section 2

2. The principal Act is amended in section 2 by—

(a) inserting the following definitions in the proper alphabetical order—

““Authorized Import Facility” means an LPG landing terminal located at a port of entry for custom goods that meets and/or exceeds the Minimum Requirement and is approved by the Minister of Finance of the Government for receipt, storage, blending, testing and wholesale distribution of LPG;

S.I. 30 of
2009.

“Controller of Supplies” means the person appointed as Controller of Supplies in accordance with the Supplies Control (Appointment of Controller of Supplies) Regulations, 2009.

“Import Wholesale Price” means the import wholesale price determined and fixed in accordance with section 13 of this Act;

“Project Terminal” means Authorized Import Landing Terminal for receipt, storage, blending, testing and wholesale distribution of LPG developed and established by the Developer under the Project and located at the Port of Big creek, Stann Creek District, Belize;”; and

(b) repealing the term and definition of "Terminal".

3. The principal Act is amended in section 4 by inserting the words "in accordance with the provisions of this Act" immediately after the words "obligations under the Definitive Agreement".

Amendment of section 4.

4. The principal Act is amended by repealing section 5 and replacing it with the following—

Repeal and replacement of section 5.

"Right to import liquefied petroleum gas. Sub. Leg, 1991 Edn. CAP. 221 p. 4.

5. Subject to sections 5A, 6 and 6A, as of the Commercial Operations Date, the Developer shall have the right to import LPG into Belize and to engage in the business of selling and distributing LPG in accordance with regulation 3 of the Supplies and Control (Import/Export) Regulations or any other applicable regulations in effect from time to time."

5. The principal Act is amended by inserting the following new section immediately after section 5—

Insertion of new section 5A.

"Tendering procedures.

5A. Subject to audits by the Controller of Supplies or other authorized officer of the Government, all purchases of LPG for importation into Belize shall be made by way of open, selective or limited tendering procedures in accordance with the provisions of the Finance and Audit Reform Act, except that the intended importer shall be the procurement entity instead of the Government."

CAP. 15.

6. The principal Act is amended by repealing section 6 and replacing it with the following—

Repeal and replacement of section 6.

"Testing of
LPG.

6. Subject to the supervision of the Comptroller of Supplies or other authorized officer of the Government, all LPG imported into Belize shall be imported through, stored at, and undergo conformity assessment, quality assurance and other requisite testing, for and on behalf of the Government, at the Project Terminal or at an Authorized Import Landing Facility."

Insertion of
new sections
6A and 6B.

7. The principal Act is amended by inserting the following new sections immediately after section 6—

"Minimum
requirements.

6A. Subject to supervision of the Controller of Supplies or other authorized officer of the Government, the Project Terminal and all Authorized Import Landing Terminals shall, at a minimum, at all times comply with the guidelines, codes, and standards applicable to storage capacity, construction, equipment installation, and operations as set out in Schedule II.

Schedule II.

Import
Licence. Sub.
Leg, 1991
Edn. CAP.
221 p. 4.

6B. No person shall import LPG into Belize unless that person holds an import licence issued by the Controller of Supplies under the authority vested in him under the Supplies Control (Import/Export) Regulations,

provided that the Controller of Supplies shall not issue an import licence for LPG to any person, or allow the continued use of an import licence for LPG by any person, unless—

(a) such person—

(i) complies with the tendering procedure for the acquisition of