



BELIZE

**FOREST FIRE PROTECTION ACT
CHAPTER 212**

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
ARRANGEMENT OF SECTIONS	3
FOREST FIRE PROTECTION ACT	4
Amendments in force as at 31st December, 2000.	



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CHAPTER 212

FOREST FIRE PROTECTION

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Declaration of a fire protection area.
4. Chief Forest Officer to prepare a fire protection plan.
5. Landowner to be notified.
6. Landowner to carry out prescription or pay the Chief Forest Officer to do so.
7. Right of appeal against prescriptions.
8. Chief Forest Officer to apply plan to national lands.
9. Chief Forest Officer may carry out prescriptions on private lands and claim costs.
10. Chief Forest Officer may carry out prescriptions on private land at Government expense.
11. Fire fighting.
12. Liability for damage.

13. Controlled areas.
14. Disaster preparedness and response related power.

CHAPTER 212

FOREST FIRE PROTECTION

[10th November, 1962]

CAP. 175,
R.E. 1980-1990.
20 of 1962.
38 of 1963.
40 of 1963.
10 of 2000.

Short title.

1. This Act may be cited as the Forest Fire Protection Act.

Interpretation.

2. In this Act, unless the context otherwise requires:-

“fire protection plan” means a plan approved by the Minister confined to such measures as in the opinion of the Minister may be necessary for the prevention of forest fires or bush fires and the extinguishing of such fires, and may include provision for the building of fire lines, roads, bridges, fire towers or lookouts, telephone systems and the supply of vehicles and equipment for fire fighting, transport and communications and men employed to operate the machines, fight fires and man the fire lookouts. A plan may include time limits for the completion of works prescribed therein and time limits for provision of machines and equipment and may define the periods during which men shall be employed;

“landowner” means any person who holds or the agent of any person who holds any land in freehold or by grant, prescription or any other form of acquisition or is the lessee of the Crown or any other person under or by virtue of a lease or agreement for a lease which provides for a term exceeding fifteen years or includes an option to purchase or acquire the freehold title to the land.

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| <p>3. The Minister may, by Order published in the <i>Gazette</i>, declare any area of Belize to be a fire protection area.</p> | <p>Declaration of a fire protection area.
40 of 1963.</p> |
| <p>4. The Chief Forest Officer shall prepare a fire protection plan for any area declared to be a fire protection area. He shall complete such plan within six months after publication of the Order declaring the area in the <i>Gazette</i>. He shall then submit the fire protection plan to the Minister who shall approve or amend it.</p> | <p>Chief Forest Officer to prepare a fire protection plan.</p> |
| <p>5. When the fire protection plan has been approved and signed by the Minister, the Chief Forest Officer shall notify in writing each landowner who enjoys rights within the fire protection area, of the prescriptions of the fire protection plan in so far as they apply to the lands over which each respective landowner enjoys rights, and shall send to the landowner a copy of the fire protection plan.</p> | <p>Landowner to be notified.</p> |
| <p>6. Each landowner shall at his own expense carry out the prescriptions of the fire protection plan in so far as they relate to land over which he enjoys rights, provided that he may require the Chief Forest Officer to carry out the prescriptions of the fire protection plan on such land in which case the landowner shall pay the cost of carrying out each prescription as estimated in the fire protection plan, to the Chief Forest Officer, not later than thirty days after the completion of the prescription.</p> | <p>Landowner to carry out prescription or pay the Chief Forest Officer to do so.</p> |
| <p>7. Within sixty days of the date that the Chief Forest Officer serves notice on a landowner in accordance with section 5, the landowner may appeal to the Minister against any or all of the prescriptions in the fire protection plan which relate to the land over which the land owner enjoys rights. The Minister shall consider such appeal and his decision thereon shall be final.</p> | <p>Right of appeal against prescriptions.
40 of 1963.</p> |
| <p>8. The Chief Forest Officer shall carry out the prescriptions of the fire protection plan in so far as they relate to land in the possession of the Crown or</p> | <p>Chief Forest Officer to apply plan to national lands.</p> |

the Government.

Chief Forest Officer may carry out prescriptions on private lands and claim costs.

9. If, within the time specified in a fire protection plan, any landowner fails to comply with or to carry out any prescription in the plan relating to land over which he enjoys rights, the Chief Forest Officer may enter upon the land and carry out the prescriptions thereof. In such a case the landowner shall pay to the Chief Forest Officer on demand the actual expenses incurred in the execution of all work carried out in accordance with the fire protection plan and if the landowner fails to pay the expenses on demand they may be recovered as a civil debt due to the Crown.

Chief Forest Officer may carry out prescriptions on private land at Government expense.

10. The Chief Forest Officer may, after giving fourteen days' notice to the landowner, enter any land within a fire protection area to carry out the prescriptions of a fire protection plan at no cost to the landowner, in which case the Chief Forest Officer shall not be liable for any damage which may result from putting such prescriptions into effect.

Fire fighting.

11. In the event of the outbreak of a forest or bush fire, whether within or without a fire protection area, the Chief Forest Officer may, with or without assistants, enter upon any land or direct any person to enter, with or without assistants, upon any land and there take such measures, including the building of fire lines and the destruction of trees, as the Chief Forest Officer or, as the case may be, the person so directed may consider necessary for fighting such outbreak of fire.

Liability for damage.

12. Neither the Government, the Chief Forest Officer, nor any person acting under a direction given by the Chief Forest Officer or assisting the Chief Forest Officer, shall be liable for any loss or damage suffered by any person directly or indirectly in consequence of anything done under sections 9, 10 and 11.

Controlled areas.

13.-(1) The Minister may, by Order published in two issues of the *Gazette*, declare any part of Belize to be a "controlled area".

(2) Such Order shall specify the period during which it shall remain in force, which period shall not be longer than six months and shall expire each year on 30th June.

(3) No person shall enter or remain within a controlled area without the written permission of the Chief Forest Officer or of a person authorised by the Chief Forest Officer.

(4) A permission granted under subsection (3) may be made subject to such conditions and restrictions stated therein as the person by whom the permission is granted may think fit.

(5) Any person who is aggrieved by a refusal of the Chief Forest Officer to grant him permission to enter a controlled area, or by the conditions under which such permission is granted, may appeal in writing to the Minister, and the decision of the Minister shall be final.

(6) Any person who enters or remains within a controlled area without the written permission of the Chief Forest Officer or of a person authorised by the Chief Forest Officer or who in a controlled area contravenes or fails to comply with any condition or restriction expressed in the permission granted to him commits an offence and is liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding two years, or to both such fine and term of imprisonment.

14. Any exercise of any power of the Chief Forest Officer under this Act is an exercise of a disaster preparedness and response related power within the meaning of section 13 (1) of the Disaster Preparedness and Response Act.

Disaster preparedness and response related power. 10 of 2000. CAP. 145.