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Survey on Transparency in Belize

Definitions of common terms used in this questionnaire:

- *MPs*: members of the lower house/chamber of the national/federal parliament.
- *Financial disclosure laws*: laws that require MPs to disclose their assets and liabilities.
- *Business activities' disclosure laws*: laws that require MPs to disclose secondary employment and business activities in the private sector, such as membership in a company's board of directors, or being an officer or advisor in a company.
- *Family members' individual interests*: Business activities and assets and liabilities owned separately by the MP's family, such as non-marital assets. We only consider assets and interests owned independently by an MP's family member, assets jointly owned are not considered.
- *Post-tenure agreements*: employment agreements and/or business transactions that an MP enters into after completing his parliamentary term, such as an agreement to work for a certain company after completing their parliamentary term.



[Belize]

Lower House of Parliament – [House of Representatives]**PART 1: DISCLOSURE REQUIREMENTS**

Part 1 requests information on whether MPs are required to disclose their assets and liabilities and their business activities.

If your country requires Members of Parliament (MPs) in the lower house to disclose their financial and/or business interests, please use the blank disclosure form to supplement the law when completing this section.

Disclosure requirement and frequency	TA2009	Your answer
1. Are MPs required to disclose their:		
Assets and liabilities?	Y	[]
Business activities (e.g. secondary employment, sources of income)?	Y	[]
2. When are MPs required to submit a disclosure form?		
Upon taking and leaving office	Y	[]
Only upon taking office	N	[]
Annually	Y	[]
Once every X years (please specify how often)	N	[]
3. Are MPs required to disclose <u>changes</u> in assets or business activities prior to disclosure deadline (e.g., within 4 weeks of any change)?		
	N	[]
Applicable law(s) and comments:		
Prevention of Corruption, 2007, part.III, art.10 (2)		
Your Comments / Any missing laws?:		
[]		

1.1. DISCLOSURE OF ASSETS & LIABILITIES

Report of Assets and Liabilities	TA2009	Your answer
4. Are MPs required to disclose the following assets and liabilities:		
Personal residence	Y	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	Y	[]
○ Exact location	N	[]
○ Total value without the exact location	N	[]
○ Not specified	N	[]
Non-financial, non-movable assets (e.g., other real estate)	Y	[]
<i>Details: Disclosure of exact location vs. monetary value</i>		
○ Value <i>and</i> exact location of the property	Y	[]
○ Exact location	N	[]
○ Total value without the exact location	N	[]
○ Not specified	N	[]
Non-financial, movable assets (e.g., jewelry, vehicles)	Y	[]
<i>Details: Disclosure of description vs. monetary value</i>		
○ Value <i>and</i> description of the asset	Y	[]
○ Description of the asset	N	[]



<input type="radio"/> Total value without descriptions	N	[]
<input type="radio"/> Not specified	N	[]
Stock holdings and other securities	Y	[]
<i>Details: Disclosure of name vs. monetary value</i>		
<input type="radio"/> Value of stock <i>and</i> name of company in which they hold stocks	Y	[]
<input type="radio"/> Name of company in which they hold stock	N	[]
<input type="radio"/> Total value of stock, without the name of the company	N	[]
<input type="radio"/> Not specified	N	[]
<i>Details: Disclosure of all vs. certain types of stocks</i>		
<input type="radio"/> All stock ownership	Y	[]
<input type="radio"/> Stock ownership in certain types of companies (e.g., in specific industries, in companies where the state is a partial owner)	N	[]
<input type="radio"/> Stock above a certain threshold	N	[]
▪ Please specify the threshold	n/a	[]
Interest-bearing financial investments (e.g., bonds, savings accounts)	Y	[]
<input type="radio"/> Value of investment <i>and</i> name of company in which investment is held	Y	[]
<input type="radio"/> Name of company in which investment is held	N	[]
<input type="radio"/> Total value of investment, without the name of the company	N	[]
<input type="radio"/> Not specified	N	[]
Liabilities (e.g., loans, credits, mortgages)	Y	[]
<input type="radio"/> Name of lender <i>and</i> value of liability	Y	[]
<input type="radio"/> Name of lender only	N	[]
<input type="radio"/> Total value of liability, without the name of the lender	N	[]
<input type="radio"/> Not specified	N	[]
Applicable law(s) and comments: Prevention of Corruption, 2007, art.11 Blank Disclosure Form		
Your Comments / Any missing laws?: []		

1.2. DISCLOSURE OF BUSINESS ACTIVITIES

In the questions below, please answer “yes” only if there is an *explicit* requirement to disclose specific items.

Report of income, secondary employment, and business activities	TA2009	Your answer
5. Are MPs required to disclose the <u>value</u> of their current income?	Y	[]
6. Are MPs required to disclose <u>all</u> sources of income?	Y	[]
<input type="radio"/> Only some categories of income (i.e. paid secondary employment)	N	
7. Are MPs required to disclose <u>unpaid</u> secondary activities?	N	[]
8. Are MPs required to disclose if they hold the following high level positions in companies?:		
Membership in boards of directors or positions as officers (e.g., CEO, CFO)?	N	[]
<input type="radio"/> In all types of companies	N	[]
<input type="radio"/> In certain types of companies (e.g., in specific industries)	N	[]
<input type="radio"/> Only if the position is paid	N	[]



Positions as advisors (e.g., financial, legal, auditor)?	N	[]
○ All types of advisory work	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Only if the position is paid	N	[]
Applicable law(s) and comments: Prevention of Corruption, 2007, art.11 Blank Disclosure Form		
Your Comments / Any missing laws?: []		

1.3. EXPENSES DISCLOSURE

Report on Expenses Disclosure	TA2009	Your answer
9. Are MPs required to disclose any kind of expenses?	N	[]
Applicable law(s) and comments: The regulations are silent on this matter.		
The law(s) identified above is (are) the applicable one(s):		[]
<i>If NO, please cite the applicable law(s):</i> []		
Contributor's Comments: []		

1.4. FAMILY MEMBERS' DISCLOSURE

Report of family members' interests (e.g. spouse, children, other)	TA2009	Your answer
10. Are MPs required to disclose their family members' <u>independently owned</u> interests (not joint assets or joint interests)?	Y	[]
11. Are family members required to complete the same disclosure form as MPs?	Y	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, Part III, 11(1)(5) Blank Disclosure Form		
Your Comments / Any missing laws?: []		

What did you use to complete the sections above?	TA2009	Your answer
Blank disclosure form	Y	[]
Your Comments: []		

1.4. PUBLIC AVAILABILITY OF MPs' DISCLOSURE FORMS

Public Availability of MPs' Disclosure Forms	TA2009	Your answer
12. <u>By law</u>, are filled out disclosure forms public?	N(*)	[]
13. <u>In practice</u>, does the public have access to the filled out disclosure forms?	We don't know	[]
At a registrar where the public can request forms in person	"	[]
On the internet (please specify address)	"	[]



Disclosures can be obtained from other sources (please specify source)	“	[]
14. Are filled out disclosure forms only available to the public under certain conditions?	Y	[]
With the express consent of the MP	N	[]
Other (please specify): <i>the IC has to revise it</i>	Y	[]
15. Does the law specify that only a summary of the disclosure is accessible by the public?	Y	[]
16. In practice, does the public have access to the complete disclosure (not a summary)?	N	[]
Applicable law(s) and comments:		
Prevention of Corruption Act, 2007, Part II, art.8; Part III, art. 12 (2)		
(*) The forms are to be treated as confidential. Once they have reviewed the disclosure, the Integrity Commission publishes a certificate (summary) in the official gazette. Given that the law entered into force in February 2008, it is still too soon to tell if they published the certificate.		
With the previous law, the revision process took many years. For instance, for 2006, the Integrity Commission published the disclosures of 4 MPs, the most recent one being from 2001. They published the certificates (summary) that the law mandated, but with several years of delay.		
The certificate should be published in Print Belize Limited that publishes the Gazette online, you can pay \$5 for a one day subscription and get the Gazette; Tel: +501 822 0648		
Your Comments / Any missing laws?:		
[]		

PART 2: RESTRICTIONS ON PARTICIPATING IN COMPANIES

Part 2 requests information on whether MPs face restrictions on participating in certain companies.

In some countries, disclosure of business interests is not required, but there are restrictions on doing business. Such provisions may be found in the constitution, election laws, standing orders of the parliament, anticorruption laws, conflict of interest or incompatibility laws, and ethics laws among others.

Please consider all of the above sources of law to answer the questions.

Restrictions on business activities	TA2009	Your answer
17. During tenure, are MPs prohibited from all paid activities?	N	[]
18. During tenure, are MPs prohibited from the following activities:		
Owning stock of private companies?	N	[]
○ Do MPs have to place their stockholding into a trust fund for the duration of their term in office	N	[]
○ Are MPs restricted from owning certain types of stocks (e.g., in certain industries)	N	[]
○ Are MPs restricted from owning stocks above a certain threshold	N	[]
▪ Please specify threshold	n/a	[]
Being members of boards of directors or positions as officers (CEO, CFO) in companies?	N	[]
○ In all types of companies	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]
○ Are there restrictions on being a member of boards of directors only if the position is paid	N	[]
Being an advisor to companies (e.g., financial, legal, auditor)?	N	[]
○ In all types companies	N	[]
○ In certain types of companies (e.g., in specific industries)	N	[]



○ Are there restrictions on being an advisor only if the position is paid	N	[]
19. Are there other restrictions on activities in the private sector?	N	[]
20. Can restrictions on business activities be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	N/a	[]
Applicable law(s) and comments: We were unable to find any provisions on this matter. Also, the definition of “income” that the Prevention of Corruption Act establishes includes disclosing business activities and income from private sector activities.		
Your Comments / Any missing laws?: []		

PART 3: DOING BUSINESS WITH THE GOVERNMENT

Part 3 requests information on whether MPs are required to disclose or are restricted from participating in business transactions with the government, such as being a government contractor or signing a private contract with the government. Provisions regulating doing business with the government may be found in the constitution, standing orders of the parliament, or public procurement laws. Please consider all these laws when answering this section.

Doing business with the government	TA2009	Your answer
21. Are MPs required to disclose doing business with the government?		
Are MPs required to disclose signing contracts with the government (e.g., through participation in privatizations, state- led auctions, contract provisions)?	Y	[]
○ Contracts in which they participate <u>directly</u> by themselves	Y	
○ <u>indirectly</u> through third parties related to them or where they are involved	Y	
○ With <i>all</i> government agencies	Y	[]
○ Only with certain agencies (e.g., only if the contract is with parliament) or under certain conditions	N	[]
22. Are MPs prohibited from doing business with the government?		
Are MPs restricted from signing contracts with the government (e.g., through participation in privatizations, state-led auctions or where an MP provides services or goods to the government directly or via third parties)?	Y	[]
○ With <i>all</i> government agencies	N	[]
○ Only with certain agencies (e.g., if the contract is with parliament) or under certain conditions	Y	[]
23. Can restrictions on business relations with the government be lifted by a third party, such as the Speaker of the Parliament or the Comptroller?	Y	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, art. 2 (definition of income), art. 25 Please note that the restriction only applies to doing business with the agency in which the MP is employed. And the restriction can be lifted if the person discloses the interest within 30 days of acquiring the interest.		
Your Comments / Any missing laws?: []		

PART 4: OTHER RESTRICTIONS AND DISCLOSURE REQUIREMENTS



Part 4 requests information on other types of restrictions and disclosure requirements for MPs, such as on holding two public offices, on voting on matters in which they have a personal interest, on receiving gifts, and on post-tenure employment agreements.

Restrictions on holding two public offices	TA2009	Your answer
24. Do MPs face restrictions on holding another public office during tenure (e.g., being a mayor or a judge at the same time as being an MP)?	Y	[]
Applicable law(s) and comments: Constitution, art. 58		
Your Comments / Any missing laws?: []		
Voting Rules	TA2009	Your answer
25. Disclosure on voting – Do MPs have to disclose the existence of a personal interest before voting in Parliament?	N	[]
o Upon disclosing the existence of a personal interest, are MPs allowed to vote?	N	[]
26. Restrictions on voting –Does the law prohibit the MP from voting in Parliament on matters in which he has a personal interest, without <i>explicitly</i> requiring the MP to disclose that interest?	N	[]
Applicable law(s) and comments: We were unable to find any provision on this matter.		
Your Comments / Any missing laws?: []		
Post-tenure Rules	TA2009	Your answer
27. Disclosure of post-tenure agreements – Are MPs required to disclose post-tenure agreements (e.g., employment agreements and/or business transactions that they will enter after completing their parliamentary term)?	N	[]
28. Restrictions on post-tenure agreements – Are MPs restricted from working in certain positions for a given period of time following the end of their term in office?	N	[]
Applicable law(s) and comments: We were unable to find any provision on this matter.		
Your Comments / Any missing laws?: []		
Rules on Gifts	TA2009	Your answer
29. Disclosure on receiving gifts		
o Are MPs required to disclose gifts they receive?	N	[]
o Is this disclosure public?	N	[]
o Are MPs required to disclose gifts above a certain value?	N	[]
▪ Please specify the value in local currency	n/a	[]
30. Restrictions on receiving gifts		
o Are MPs restricted from receiving gifts?	N	[]
o Do MPs have to pay for gifts in order to keep them?	N	[]
o Can MPs only receive gifts up to a certain value?	N	[]
▪ Please specify the value in local currency	N	[]
Applicable law(s) and comments: We were unable to find any provision on this matter. We found some provisions on bribery, but we do not consider bribery provisions for the purposes of this study (Prevention of Corruption Act, 2007, Arts.26, 30)		



Your Comments / Any missing laws?: []		
Rules on Travel	TA2009	Your answer
31. Are MPs required to disclose their sponsored travel?	No	[]
<i>Details: Disclosure of identity of sponsor vs. monetary value</i>		
o Value and identity of the sponsor	n/a	[]
o Identity of the sponsor	n/a	[]
o Total value without identity of the sponsor	n/a	[]
o Not specified	n/a	[]
32. Is this disclosure publicly available?	n/a	[]
Applicable law(s) and comments: Please note this section was only filled according to the Blank Disclosure Form.		
Your Comments / Any missing laws?: []		

PART 5: DISCLOSURE REGISTRAR

Part 5 requests information on the activities of the government agency/body which keeps the completed financial and/or business interests disclosure forms. In this questionnaire, we refer to this agency as “disclosure registrar”. The registrar may check the completeness of the disclosure forms, and may also publish the data on how many MPs complied/failed to comply with their obligation to disclose (“compliance data”). Note that the public availability of compliance data is different from the public availability of the actual disclosures, which is addressed in another section. This section inquires about the profile and activities of the registrar.

Existence and profile of registrar		TA2009	Your answer
31i. Is there an agency in charge of maintaining the completed disclosure forms for MPs?		Y	[]
Does the registrar check the forms for completion?		Y	[]
What forms does the registrar keep?			
o Financial assets and liabilities		Y	[]
o Business activities (secondary employment, positions in private firms)		Y	[]
32i. In addition to maintaining disclosures of MPs, does the registrar maintain the disclosure forms of:			
Ministers?		Y	[]
Judges?		Y	[]
Civil servants?		Y	[]
33. Profile of registrar			
	TA2009	Your answer	
Name	Integrity Commission	[]	
Contact information	-	[]	
Website	-	[]	
Applicable law(s) and comments: Prevention of Corruption Act, 2007, Part II, art.4 (a), 7 (4) (a) (b), 12			
Your Comments / Any missing laws?: []			



Activities of the registrar	TA2009	Your answer
34. By law, does the registrar have to publish data on whether MPs complied/failed to comply with their obligation to disclose?	Y	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, Part III, art. 14(1)		
Your Comments / Any missing laws?: []		
35. In practice, are compliance data available?	Y(*)	[]
What types of compliance data are available?		
o General statistics (compliance rates or percentages)	N	[]
o Publication of names of MPs who complied/did not comply	Y	[]
With what frequency are compliance data reports published?		
o On a regular basis (please specify how often)	N	[]
o Other (please specify): <i>See below</i>	Y	[]
What is the source of compliance data?		
o Government website (please specify) : <i>Official Gazette</i>	Y	[]
o Other (please specify)	N	[]
36. Are there penalties for failure to submit completed disclosure forms?	Y	[]
o Please specify what kind of penalties	Publishing name, and others	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, Part III, art. 12 (2), 14 (1), 19 Compliance data should be published within 60 days of having revised the disclosures in the form of a certificate. Please note the law does not establish how long can the IC take to revise and examine the disclosures. (* Please note we have been unable to check if compliance data was published due to the recent approval of this law (therefore, the deadline has not yet expired).		
Your Comments / Any missing laws?: []		

PART 6: DATA INTEGRITY BODY

Part 6 requests information on the government agency/body that is empowered by law to check the veracity of the content of the disclosure forms as part of a regular and routine function. The content check may involve checking annual disclosure forms against each other for irregularities, checking the disclosure forms against other records, such as tax records, or checking the forms to ensure that MPs' activities are not incompatible with the MP's mandate. In this questionnaire, we refer to this agency as "data integrity agency/body".

Existence and functions of a data integrity body/agency	TA2009	Your answer
37. Is there a body/agency that is mandated by law to <u>routinely</u> check the content of the disclosure forms?	Y	[]
Does the body/agency check the content of the forms:		
o of all MPs?	Y	[]
o of a random sample of MPs?	N	[]



<input type="radio"/> each submission period to verify that all information is accurate (e.g., by verifying the content against other records such as tax records, bank statements)?	Y	[]
<input type="radio"/> by comparing the content of the forms upon taking and leaving office to discover irregular increases?	N	[]
<input type="radio"/> to ensure that MPs activities are not incompatible with their mandate?	N	[]
38. Does the body/agency check the content of the forms if there is a complaint?	Y	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, art.4 (a), 7(4)(f); Part III, art.12 (1) (3), 34		
Your Comments / Any missing laws?: []		
39. Details about the data integrity body		
	TA2009	Your answer
Name	Integrity Commission	[]
Contact information	-	[]
Website	-	[]
40. What forms does the body check?		
Financial assets and liabilities forms	Y	[]
Business activities forms (secondary employment, positions in private firms)	Y	[]
41. Does the agency check the disclosure forms of other government officials:		
Ministers?	Y	[]
Judges?	Y	[]
Civil servants?	Y	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, art.4 (a), 7(4)(f);		
Your Comments / Any missing laws?: []		

Activities of the data integrity body/agency	TA2009	Your answer
42. By law, is the body required to publish the results of checking the content of the forms?	N *	[]
Applicable law(s) and comments: The law is silent on this matter.		
Your Comments / Any missing laws?: []		
43. In practice, are results of the integrity body's activities in relation to checking the content of disclosure forms available?	N	[]
<input type="radio"/> General statistics are published (e.g., the content of 10% the disclosure forms was checked)	N	[]
<input type="radio"/> Other (please specify)	N	[]
How often are content checking results published?		
<input type="radio"/> On a regular basis (please specify how often)	N	[]
<input type="radio"/> Other (please specify)	N	[]
Where are content checking results published?		



<input type="radio"/> Government website (please specify)	N	[]
<input type="radio"/> Other (please specify)	N	[]
44. Are there penalties for submitting false information in the disclosures?	Y	[]
<input type="radio"/> Please specify what kind of penalties	Publishing name, and others	[]
Applicable law(s) and comments: Prevention of Corruption Act, 2007, Part III, art. 14 (1) (2), 19 * only required by law when there has been a complaint and the complaint was unfounded art. 17 (3)		
Your Comments / Any missing laws?: []		

PART 7: SALARY DATA

Part 7 requests information on the base salary figure that Members of Parliament in the lower house receive.

Please provide the base salary for MPs in your country
Amount [] Currency[] Per (month/year) []
Applicable law(s) and comments:
Your Comments / Any missing laws?: []



PART 8: REFORMS

Part 8 requests information on the background of the laws used to complete this survey. Part H also requests information on expected reforms.

Reforms in laws on financial disclosure or business activities		
	Yes	No
Are you aware of any changes that occurred between January 2003 and now to the laws and regulations the will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform came into force []		
Are you aware of any changes expected by June 1, 2008 to the laws and regulations that will affect answers to this survey?	<input type="checkbox"/>	<input type="checkbox"/>
If your answer is Yes , please briefly describe: 1) the goal of the reform [] 2) its major characteristics [] 3) the date the reform will come into force []		

Thank you for confirming the responses in this questionnaire!
 We appreciate your contribution to the Transparency and Accountability project.

Please return the completed survey to:

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