



No. 16 of 2012

I assent,
(SIR COLVILLE N. YOUNG)
Governor-General

27th December, 2012

AN ACT to amend the Domestic Banks and Financial Institutions Act (No. 11 of 2012), to clarify the definitions of the terms 'banking business' and 'financial business'; to vary the capital requirement for financial institutions; to facilitate the exchange of information pursuant to a Tax Information Exchange Agreement or a Double Taxation Agreement entered into by Belize; and to provide for matters connected therewith or incidental thereto.

(Gazetted 29th December, 2012.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:-

1. This Act may be cited as the

Short title.

DOMESTIC BANKS AND FINANCIAL INSTITUTIONS (AMENDMENT) ACT, 2012,

No. 11 of 2012. and shall be read and construed as one with the Domestic Banks and Financial Institutions Act, 2012, which is hereinafter referred to as the principal Act.

Amendment
of section 2.

2. Section 2 of the principal Act is hereby amended as follows:-

(i) in the definition of term "banking business", add the following words at the end of that definition:-

"but does not include any such business conducted solely with persons not resident in Belize exclusively in a currency or currencies other than the Belize dollar under an enactment authorising the carrying on of such business;"

(ii) in the definition of the term "financial business", add the following words at the end of that definition:-

"or any financial business conducted solely with persons not resident in Belize exclusively in a currency or currencies other than the Belize dollar under an enactment authorising the carrying on of such business."

Amendment
of section 36.

3. Section 36 of the principal Act is hereby amended as follows:

(i) in subsection (1) (c) [relating to capital requirement for a local financial institution], substitute the words "five hundred thousand dollars" for the words "two million dollars" occurring therein;

(ii) in subsection (1) (d) (ii) [relating to assigned capital in respect of a foreign financial institution], substitute the words "five hundred thousand dollars" for the words "two million dollars" occurring therein;

(iii) in subsection (2), add the following *proviso* at the end of that subsection:-

"Provided that the powers conferred on the Central Bank by this subsection shall be exercised after consultation with the Minister."

4. Section 84 of the principal Act is hereby amended by adding the following new subsection after subsection (6):-

**Amendment
of section 84.**

"(7) The restrictions contained in this section or any other provision of this Act on the disclosure of information shall not apply to a request for information pursuant to a Tax Information Exchange Agreement or a Double Taxation Agreement entered into by Belize".

5. (1) The principal Act is hereby amended by the substitution of the words "Practice Directions" for the word "Guidelines" wherever occurring therein.

**Replacement
of the term
Guidelines
with Practice
Directions.**

(2) In any other Act, rule, regulation or order, where a reference is made to Guidelines issued by the Central Bank, the same shall be read and construed as a reference to Practice Directions issued by the Central Bank under this Act.

6. This Act shall come into force on such day as the Minister may, by Order published in the Gazette, appoint.

Commencement.