

# Belize Age of Consent

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**The Age of Consent in Belize is 16 years old.** The age of consent is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. **Individuals aged 15 or younger in Belize are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape or the equivalent local law. Belize statutory rape law is violated when an individual has consensual sexual intercourse with a person under age 16.**

Belize does not have a close-in-age exemption. Close in age exemptions, commonly known as “Romeo and Juliet laws” in the United States, are put in place to prevent the prosecution of individuals who engage in consensual sexual activity when both participants are significantly close in age to each other, and one or both partners are below the age of consent.

Because there is no close-in-age exemption in Belize, it is possible for two individuals both under the age of 16 who willingly engage in intercourse to both be prosecuted for statutory rape, although this is rare. Similarly, no protections are reserved for sexual relations in which one participant is a 15 year old and the second is a 16 or 17 year old.

Section II of **Belize’s State Party Report to the United Nations Convention on the Rights of the Child**, dated 7 February 1997, outlines the legal definition of a child (Part A), legal minimum ages (Part B), and the age of attainment of majority (Part C), as follows:

## II. DEFINITION OF THE CHILD

### (art. 1)

#### A. Definition of the child under the law

25. The Infants Act (Cap. 138) specifies that “*every person under the age of eighteen years is an infant*” (S. 3). This is the definition applied to most laws relevant to children, unless otherwise specified. This means that, in general, a child is defined as being under the age of 18 years, and any exceptions to that prescribe a younger (not older) age. 26. This age definition is reflected in the Marriage Act (Cap. 140, S.

2) and the Adoption of Children Act (Cap. 135, S. 2), amongst others. Consistent with article 1, some laws specifically provide for earlier attainment of majority. For example, the Summary Jurisdiction (Procedure) Act (Cap. 100, S. 2) defines an **“adult” as anyone aged 16 years or over, a “child” as anyone under 14 years of age, and a “young person” as anyone between the ages of 14 and 16 years inclusive**. The Factories Act (Cap. 233, S. 2) defines a “young person” as anyone between the ages of 14 and 17 years inclusive. The Juvenile Offenders Act (S. 2) defines a “child” as anyone under the age of 14 years. 27. There is some scope within some Acts for the courts to exercise judgement in determining a child’s age. For example, the Juvenile Offenders Act provides that “where it appears to the court that the person so brought before it is of the age of sixteen years or upwards, that person shall for the purposes of this Ordinance be deemed not to be a child or young person” (S. 19 (2)). There are similar discretionary powers granted to the courts in other Acts.

## **B. Legal minimum ages**

28. The legal minimum age for:

- (a) Legal or medical counselling without parental consent is 18 years;
- (b) The end of compulsory education is 14 years (Education Act, Cap. 29, S. 34);
- (c) Part-time employment is 12 years (Labour Act, Cap. 234, S. 169 (a));
- (d) Full-time employment is 14 years (Labour Act, S. 54 (2));
- (e) Hazardous employment is 14 years (Labour Act, S. 169 (g));
- (f) Sexual consent in respect of criminal matters is at age 16 for unmarried females and age 14 for married females. This is implied by the Criminal Code (Cap. 84) and the Marriage Act. The Criminal Code states (S. 46 (2) (a)) that every person who unlawfully and carnally knows any girl who is of or above the age of 14 years but under the age of 16 years shall be guilty of a misdemeanour;
- (g) A person to legally marry is 14 years. The Marriage Act states that the marriage of anyone under 14 years of age is void (S. 4 (1)), and that parental consent is required for the marriage of any person aged 14 years but less than 18 years (S. 5 (1));
- (h) Voluntary enlistment into the armed forces is 18 years. The Defence Act (Cap. 106, S. 16 (2)) states that no person under 18 years of age may be recruited into the armed service;

(i) Conscription into the armed forces is not prescribed in the Defence Act, but is at the Governor General's determination (S. 164 (2)(i));

(j) Voluntarily giving testimony in court is any age unless prevented by extreme youth;

(k) Criminal liability is 7 years. A person under 18 years of age is liable to fines or imprisonment if convicted under the Representation of the People Act (Cap. 9, S. 27 (b)) (this concerns false claims in registration as an elector). The Criminal Code exempts a child under 7 years of age from criminal liability (S. 24 (1)). A child between the ages of 7 and 12 years inclusive who is not mature enough to judge the nature and consequence of his actions is also exempted (S. 24 (2)). The Summary Jurisdiction (Procedure) Act (S. 70 (5)) states that anyone between the age of 16 and 18 years inclusive who is fined may be placed under supervision until the fine is paid;

(l) Deprivation of liberty is 7 years of age according to the Criminal Code (S. 24);

(m) Being committed to prison is at age 16 years and over, although a young person aged 14 but less than 16 years may be imprisoned if no suitable alternative exists (such as probation or a certified institution) but is not allowed to associate with adult prisoners (Juvenile Offenders Act, S. 11);

(n) Consumption of alcohol is at 18 years of age (but only with respect to consumption on licensed premises) (Intoxicating Liquor Licensing Act, Cap. 117, S. 41).

## **C. Age of attainment of majority**

29. Consistent with the interpretation of a "child" in the Infants Act (S. 3), the Interpretation Act (Cap. 1, S. 3 (1)) defines an "adult" as anyone who has attained the age of 18 years. Similarly, the Representation of the People Act (S. 7 (a)) prescribes 18 years as the age at which a person is qualified to register and to vote in general elections. Again, there is some provision for definition at an earlier age, such as the Summary Jurisdiction (Procedure) Act (S. 2) which defines an adult as any person of or over 16 years of age (UN 7 Feb. 1977). According to the Coalition to Stop the Use of Child Soldiers' Global Report, because there is no conscription in Belize, there is no compulsory recruitment age (2001). The voluntary recruitment age is 18 and, according to this report, there is no evidence of under age recruitment into the armed forces in Belize (ibid.). Regarding statutory rape, Belize's State Party Report to the United Nations Convention on the Rights of the Child (7 Feb. 1997), states that the following offences are "punishable by imprisonment under the Criminal Code":

- Carnal knowledge of a child aged under 16 years (S. 46 (1))
- Procurement of a female under 18 years to have unlawful carnal knowledge or to become a prostitute (S. 47)
- Permitting the defilement of any female under 16 years (S. 49)
- Stealing a child under 12 years (S. 53)
- Abduction of an unmarried female under 18 years (S. 54)
- Abandonment of an infant under 5 years (S. 58)
- Abandonment of a child under 7 years (S. 88)
- Causing the death of a child under 12 months (by reason of post-partum depression) (S. 107)
- Injury to a child at birth (S. 111)

After 16 years of age, an individual may obtain their own passport and leave the country of their own accord (ibid.). A child under 16 years of age may not purchase a plane ticket without being accompanied by a parent (ibid.).

## References

- Coalition to Stop the Use of Child Soldiers [London]. 2001. Child Soldiers Global Report. [Accessed 18 Feb. 2002]
- United Nations (UN), Committee on the Rights of the Child. 7 February 1997. (CRC/C/3/Add.46). Consideration of Reports Submitted By States Parties Under Article 44 of the Convention. Addendum: Belize. [Accessed 18 Feb. 2002]

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