

B E L I Z E:

**DIRECTIONS IN WRITING DELEGATING
POWER TO THE CHIEF JUSTICE TO
MAKE INTRA-MINISTERIAL TRANSFERS**

**(CHARLES B. HYDE, SR.)
CHAIRMAN
JUDICIAL AND LEGAL SERVICES COMMISSION**

TO: CHIEF JUSTICE

WHEREAS, section 110 F(4) of the Belize Constitution, Chapter 4 of the Substantive Laws of Belize, Revised Edition 2000, provides that the Judicial and Legal Services Commission may, by directions in writing and subject to such conditions as it thinks fit, delegate any of its powers referred to in subsection (1) of the said section to any one or more members of the Commission or, with the consent of the Prime Minister, to any public officer who is a judicial or legal officer;

AND WHEREAS, acting pursuant to section 110 F(4) of the Belize Constitution as aforesaid, the Judicial and Legal Services Commission considers it expedient to delegate its powers to make intra-ministerial transfers for Magistrates only to the Chief Justice;

NOW, THEREFORE, in exercise of the aforesaid powers, it is hereby ordered and directed that the power to make intra-ministerial transfers for Magistrates only, shall be

and is hereby delegated to the Chief Justice, subject to the conditions enumerated hereunder as follows:-

- (a) The transfer of public officers by the Chief Justice shall be intra-ministerial, that is to say, within one Ministry only.
- (b) All public officers within a Ministry below the grade of Head of Department, other than officers referred to in the Public Services Commission (Delegation of Power to Transfer) Order (S.I. 83 of 1994), may be transferred pursuant to condition (a) above, according to the needs of the particular Ministry.
- (c) The delegation made herein may be revoked at will by the Judicial and Legal Services Commission, as the case may be.
- (d) Transfers within the Ministry shall normally be for a tour of duty of two (2) to three (3) years, but in any case should not be for less than two (2) years, unless the exigencies of the Service otherwise requires.
- (e) As far as possible, transfers must be planned in such a way as not to disrupt officers with children attending school during a current school year.
- (f) Transfers are for the benefit of the Public Service, as well as Public Officers, and shall not be used as a punitive measure.

- (g) Transfers shall not be arbitrary, and Officers shall be transferred on a rotation basis to ensure equity and fairplay.
- (h) Adequate notice, subject to the exigencies of the Service, of such transfers and the reasons therefor must be given to Officers affected to allow for proper arrangements for family and accommodation.
- (i) Public Officers aggrieved by any transfer made to them pursuant to this delegation shall submit the matter for consideration and review by the Judicial and Legal Services Commission.
- (j) Any submission under condition (i) above shall be made within twenty-one (21) days of the transfer, and such submission must be in accordance with Public Service Regulations.
- (k) The Commission may from time to time as occasion demands, make and publish Transfer Guidelines for the purpose of giving true and full effect to the delegation made by these Directions in Writing.
- (l) The Chief Justice is required to exercise the delegated powers with integrity, fairness, transparency and accountability.
- (m) The Commission hereby reserves unto itself, the powers and responsibilities of general oversight for monitoring the performance of the Chief Justice in the execution of the delegated power.
- (n) Failure to comply with the directions in writing by the Chief Justice may result in the revocation of the delegated power from the Chief Justice.

(o) The Chief Justice is required to submit an annual report in each calendar year containing the names and posts of officers transferred within the Ministry pursuant to the delegated power.

These Directions shall take effect from the 1st day of February, 2003.

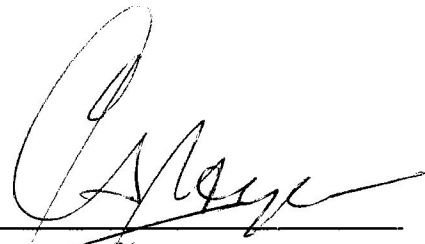
GIVEN under my hand and the Seal of the Judicial and Legal Services Commission this 3rd day of January, in the Year of Our Lord Two Thousand and Three.

SIGNED, SEALED AND DELIVERED

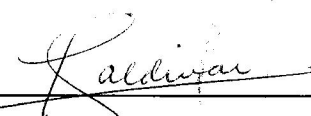
For and on behalf of

THE JUDICIAL AND LEGAL SERVICES COMMISSION) (CHARLES B. HYDE, SR.)

In the presence of

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) **CHAIRMAN**

**JUDICIAL AND LEGAL
SERVICES COMMISSION**



(WITNESS)