



BELIZE

**WORKMEN'S COMPENSATION ACT
CHAPTER 303**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



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This edition contains a consolidation of the following laws-

Page

**WORKMEN'S COMPENSATION
(DANGEROUS OPERATIONS) ORDER**

3 - 6

WORKMEN'S COMPENSATION REGULATIONS

7 - 73

CHAPTER 303

WORKMEN'S COMPENSATION
(DANGEROUS OPERATIONS) ORDER

ARRANGEMENT OF PARAGRAPHS

1. Short title.
2. Application of section 30 of Act.

CHAPTER 303**WORKMEN'S COMPENSATION
(DANGEROUS OPERATIONS) ORDER
(Section 30)**

Ch. 141.

Ch. 240

Short title.

1. This Order may be cited as the

**WORKMEN'S COMPENSATION
(DANGEROUS OPERATIONS) ORDER.**

Application
of section 30
of Act.

2. (1) Subsection (1) of section 30 of the Workmen's Compensation Act (which sub-section requires compulsory insurance of workmen), shall apply to employments in the operations set out in sub-paragraph (2) of this paragraph, which operations shall be deemed to be dangerous to life or limb for the purposes of workmen's compensation and to be "dangerous operations" within the meaning of section 30 of the Workmen's Compensation Act.

(2)

- (a) The manufacture or adaptation for sale of tobacco in any form;
- (b) the process of letter-press printing or of book-binding where machinery moved by mechanical power, is used;
- (c) the manufacture of bricks, tiles or other building material;
- (d) the operation and maintenance of machinery used for the purpose of clearing land or preparing agricultural lands;

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- (e) the drilling of wells by mechanical means;
 - (f) the quarrying of stone;
 - (g) the generation or transformation or distribution of electrical energy for the purpose of the supply thereof by way of trade, or for the purpose of lighting any street, public place or public building, or any hotel or industrial undertaking;
 - (h) any work in which explosives are used;
 - (i) where machinery moved by mechanical power is used directly or indirectly in any part of the process, or to promote or maintain the same -
 - (i) the manufacture of aerated waters of any kind;
 - (ii) the manufacture of bread or biscuits;
 - (iii) the manufacture of ice;
 - (iv) the manufacture, alteration or repair of articles of clothing, including boots and shoes;
 - (v) the manufacture, alteration or repair of machinery, or of any article of metal not being machinery;
 - (vi) the construction, reconstruction, repair, or demolition of ships, boats or vessels;

- (j) the operation of any craft, whether propelled by machinery or not, on any inland waterway;
- (k) the operation of welding apparatus.

CHAPTER 303

WORKMEN'S COMPENSATION REGULATIONS

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Interpretation.
3. Applications.
4. Procedure where respondent claims indemnity by a third party.
5. Procedure where third party admits claim.
6. Failure of third party to file statement.
7. Application of regulations 4 to 6 to claims by employer.
8. Form of memorandum of agreement.
9. Notice to parties interested of memorandum having been received.
10. Where genuineness of memorandum disputed or objection made by employer.
11. Notice of dispute or objection.
12. Procedure where memorandum objected to or disputed.
13. Application for cancellation of agreement.

14. When application may be made without medical certificate.
15. Interim order pending review.
16. Procedure on application for redemption of periodic payments by a lump sum.
17. Application for order where workman under legal disability.
18. Application for variation of order.
19. Payment into court generally.
20. Payment into court under section 14 (1).
21. Publication of list of payments into court.
22. Procedure where no compensation deposited.
23. Payment into court under sections 14 (2) and (3).
24. Manner of dealing with money.
25. Right of employer to present memorandum when notice given.
26. Workman to submit to medical examination in accordance with regulations.
27. Examination on employer's premises.
28. Examination in other cases.
29. Extended application of two preceding regulations.

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30. Examination after suspension of right to compensation.
 31. Medical treatment of workman.
 32. Fees for emergency treatment and examination.
 33. Treatment of government employees by government medical officer.
 34. Medical certificates.
 35. Fee payable to medical practitioner for attendance at court.
 36. Half-yearly returns of diseases to be submitted to Director of Health Services.
 37. Payment of compensation by instalments.
 38. Execution to enforce payment of compensation.
 39. Enforcement by judgment summons.
 40. Proceedings against a firm.
 41. Forms.
 42. Proceedings and service of documents where Government a party.
 43. Copies of document filed.
 44. Service of documents.
 45. Applications.
 46. Master, seamen and apprentices.

47. Orders.
48. Signature on documents.
49. Medical references: examination and report.
50. Statement of wages to be furnished by employer.
51. Service of copy of answer on applicant.
52. Court fees.
53. Costs.
54. Registration of employers.
55. Applications of the rules of court.

FIRST SCHEDULE

SECOND SCHEDULE

CHAPTER 303

WORKMEN'S COMPENSATION REGULATIONS

(Section 55)

Ch. 240.

Ch. 141.

67/1971.

1. These Regulations may be cited as the

Short title.

WORKMEN'S COMPENSATION REGULATIONS.

2. In these Regulations unless the context otherwise requires -

Interpretation.

“Act” means the Workmen's Compensation Act;

“court” means a district court;

“clerk of the court” means a clerk of a district court or any person performing the duties of the clerk;

“government medical officer” means a medical officer appointed under the provisions of the Medical Service and Institutions Act;

CAP. 39.

“medical practitioner” shall have the meaning assigned to it by section 2 of the Act;

“medical referee” means a medical practitioner appointed as a medical referee under section 42 of the Act;

“section” means a section of the Act.

PART I*Procedure on Making Application for Compensation*

Applications.

3. (1) Any application of the nature referred to in section 43 shall be filed with the clerk of the court, and shall, unless the Court otherwise directs, be made in Form 1 or 2 in the First Schedule to these Regulations as the case may be.

(2) In any case in which both the principal and a contractor with him as defined in section 22 are alleged to be liable to pay compensation under the Act, the provisions of the rules of the court applicable to joinder of parties shall apply.

(3) An application on behalf of the dependants of a deceased workman for the settlement of any question arising out of an accident resulting in the death of that workman may be made by the legal personal representative, if any, of the deceased workman on behalf of such dependants, or by the dependants themselves.

(4) If there is any conflict of interest between the dependants themselves, or if any dependants when invited to do so neglect or refuse to join in an application, the application may be made by or on behalf of some only of such dependants, the other dependants in either case being named as respondents.

(5) In the construction of the last preceding paragraph the term “dependants” shall include persons who claim or may be entitled to claim to be dependants, but as to whose claim to rank as dependants any question arises.

(6) In any case in which the amount of compensation payable as the result of the death of a workman has been agreed upon or ascertained, but

any question arises as to who are dependants, or as to the amount payable to any dependant, an application for the settlement of such question may be made either by the legal personal representative (if any) of the deceased workman on behalf of the dependants or any of them, or by such dependants or any of them against the other dependants and the persons claiming or who may be entitled to claim to be dependants, but as to whose claim to rank as such a question arises; or the application may be made by the persons claiming to be dependants, but as to whose claim to rank as such a question arises, or any of them, against the legal personal representative (if any) of the deceased workman, and the dependants, and such of the persons claiming or who may be entitled to claim to be dependants as are not applicants.

(7) If the employer has paid the agreed or ascertained amount of compensation into Court, it shall not be necessary to make him a respondent, and if he is made a respondent, the court may direct that all further proceedings against him be stayed.

(8) Where the sole question for the determination of the Court is the amount of the funeral expenses of a deceased workman who has left no dependants, the application may be made by the legal personal representative (if any) of the deceased workman, or by the person to whom any such expenses are due.

(9) The court may at any time direct that an infant shall appear either as applicant or respondent in, the same manner as if he were of full age.

4. Where the respondent claims that if compensation is recovered against him he will be entitled to be indemnified by a person not a party to the case (hereinafter referred to as the third party), he shall, within seven days after being served with the copy of the application, file a notice of such claim with the clerk of the court, and the clerk of the court shall thereupon cause a copy of the notice of such claim together with a notice in Form 3 in the First Schedule to these Regulations to be served on the third party, and the third party shall file a

Procedure
where
respondent
claims
indemnity by a
third party.

written statement dealing with the matters raised in the application for compensation or with the claim for indemnity or both, within seven days from the service of the copy of the notice thereof or such further time as the court may allow.

Procedure
where third
party admits
claim.

5. If the third party admits the claim, he shall at any time before the first hearing –

(a) where the application is made by an injured workman-

(i) file with the clerk of the court a notice that he submits to an order for the payment of a periodic sum, to be specified in such notice; or

(ii) file with the clerk of the court a notice that he submits to an order for the payment of a lump sum, to be specified in the notice, and pay such sum into court;

(b) where the application is made by or on behalf of the dependants of a deceased workman, or for the settlement of the sum payable in respect of the funeral of a deceased workman, who leaves no dependants, file with clerk of the court a notice that he admits liability, and pay into court such sum of money as he considers sufficient to cover his liability in the circumstances of the case.

Failure of third
party to file
statement.

6. If the third party fails to file a written statement dealing with the claim against him within the prescribed time, or within the time fixed by the court on an application to enlarge the time, he shall be taken to admit the claim.

7. The provisions of regulations 4 to 6 of these Regulations shall, with the necessary modifications, apply to a case in which an employer is the applicant and claims to be entitled to indemnity against any person not a party to the proceedings.

Application of regulations 4 to 6 to claims by employer.

PART II

The Memorandum of Agreement

8. (1) The memorandum of agreement sent to the clerk of the court under subsection (3) of section 21, shall be in as close conformity, as the circumstances of the case permit, with Form 4 or 5 in the First Schedule to these Regulations as the case may be.

Form of memorandum of agreement.

(2) Every such memorandum shall contain the like particulars as would have been required if the memorandum had been an application for compensation under these Regulations.

9. On receipt of a memorandum and the necessary copies thereof, the clerk of the court shall send one copy to every party interested together with a notice in Form 6 in the First Schedule to these Regulations, requesting such party to inform him within seven days from the date of the notice whether the memorandum is genuine, or whether he disputes its genuineness, or whether the recording of the memorandum is objected to and, if so, on what grounds.

Notice to parties interested of memorandum having been received.

10. If-

(a) any party interested disputes the genuineness of the memorandum (for example, by alleging that no such agreement has in fact been entered into, or that the terms of the agreement are not correctly stated in the memorandum, or that the agreement is no longer subsisting or enforceable, or that it is not enforceable by reason of its having been entered

Where genuineness of memorandum disputed or objection made by employer.

into under a mutual mistake or obtained by fraud or undue influence or other improper means); or

- (b) where a workman seeks to record a memorandum of agreement between his employer and himself, the employer proves by an affidavit that the workman has, in fact, returned to work, and is earning wages as he did before the accident, and objects to the recording of the memorandum,

the party so disputing or objecting shall within the time prescribed in regulation 9 of these Regulations file with the clerk of the court, in case of a dispute under paragraph (a) of this regulation, a notice in Form 7 in the First Schedule to these Regulations stating the grounds on which the genuineness of the memorandum is disputed or, in the case of an objection under paragraph (b) of this regulation, the affidavit stating the grounds on which the recording thereof is objected to.

Notice of
dispute or
objection.

11. On receipt of any such notice or affidavit as in the last preceding regulation mentioned, the clerk of the court shall send a copy thereof to every other interested party together with a notice in Form 8 in the First Schedule to these Regulations informing every such party that the memorandum will not be recorded except by order of the court.

Procedure
where
memorandum
objected to,
or disputed.

12. (1) On receipt of any such notice as in the last preceding regulation mentioned, any interested party may apply to the court to order the memorandum to be recorded.

(2) Where any such application is made the clerk of the court shall refer to the court the memorandum and all other documents filed in connection therewith, and the court shall fix a day of which notice shall be given to the parties for the determination of the matter.

(3) At any time during the hearing of an application to record a memorandum, the court may, with consent of all parties interested, amend the memorandum.

(4) Upon the hearing of any such application the court shall determine the matter in controversy between the parties and may confirm or rectify the memorandum of agreement and direct the clerk of the court to record it or may make such other order as may seem just.

13. (1) An application for cancellation of an agreement pursuant to the provisions of paragraph (b)(ii) of subsection (1) of section 21 shall be in accordance with Form 9 in the First Schedule to these Regulations.

Application
for cancellation
of agreement.

(2) The applicant shall in an affidavit accompanying the application state the facts necessary to establish that he is an interested person, verify the grounds on which cancellation of the agreement is sought, and, if any money has already been paid under the agreement, he shall also state the particulars of the amount and date of payment.

PART III

Application for Review or for Redemption of Periodic Payment and Application for Order where Workman under Legal Disability or for Variation of Order

14. Any application of the nature referred to in section 12 or 17 shall be in Form 10 in the First Schedule to these Regulations and may be made without a medical certificate –

When
application
may be made
without
medical
certificate.

(a) by the employer, on the ground that since that right to compensation was determined the workman's wages have increased;

- (b) by the workman, on the ground that since the right to compensation was determined his wages have diminished;
- (c) by the workman, on the ground that the employer, having commenced to pay compensation, has ceased to pay the same, notwithstanding the fact that there has been no change in the workman's condition such as to warrant such cessation;
- (d) by the employer, on the ground that the workman has ceased, since the right to compensation was determined, to be a minor;
- (e) either by the employer or the workman, on the ground that the determination of the rate of compensation for the time being in force was obtained by fraud or undue influence or other improper means;
- (f) either by the employer or the workman, on the ground that in the determination of compensation there is a mistake or error apparent on the face of the record.

Interim order
pending review.

15. If, on examining an application for review by an employer in which the reduction or discontinuance of periodic payments sought, it appears to the court that there is reasonable ground for believing that the employer has a right to such reduction or discontinuance, the court may at any time issue an order withholding the periodic payments in whole or in part pending its decision on the application.

16. (1) Where application is made to the court under section 17 for the redemption of a right to receive periodic payments by the payment of a lump sum upon the amount of which the parties are unable to agree, the court shall form an estimate of the probable further duration of the incapacity, and shall award a sum equivalent to the total of the periodic payments which would be payable for the period during which it estimates that the incapacity will continue, less one-half per centum of that total for each month comprised in that period:

Procedure on application for redemption of periodic payments by a lump sum.

Provided that fractions of a cent included in the sum so computed shall be disregarded.

(2) When, in any case to which paragraph (1) of this regulation applies, the court is unable to form an approximate estimate of the probable further duration of the incapacity, the court may from time to time postpone a decision on the application for a period not exceeding two months at any one time.

17. An application, under subsection (6) of section 14 for an order that a periodic payment payable to a workman under any legal disability shall during the disability be paid to any dependant or other person, may be made either by the person liable to make such payment or by or on behalf of the workman entitled to such payment. The application shall be made in Form 11 in the First Schedule to these Regulations and shall be served on every interested party.

Application for order where workman under legal disability.

18. An application, for the variation of an order of the court under subsection (7) of section 14, may be made by or on behalf of any person interested. The application shall be made in Form 12 in the First Schedule to these Regulations stating the circumstances under which the application is made and the relief or order which the applicant claims, and shall be served on every other interested party.

Application for variation of order.

PART IV*Payment of Compensation into Court*

Payment into
court generally.

19. Compensation shall be paid into court -

- (a) under an order of the court directing a specific sum to be paid as compensation; or
- (b) under an agreement between an employer or other person liable to pay compensation and a workman or the dependants of a workman according to the tenor thereof; or
- (c) pursuant to a claim for compensation made out against an employer or other person liable to pay the same who admits liability, or denies liability but is willing to pay an amount in settlement of the claim.

Payment into
court under
section 14 (1).

20. (1) An employer paying compensation into court under subsection (1) of section 14 shall furnish therewith a statement in Form 13 in the First Schedule to these Regulations.

(2) If, in the statement above referred to, the employer indicates that he desires to be made a party to the distribution proceedings, the court shall, before allotting the sum deposited as compensation, afford to the employer an opportunity of establishing that the person to whom it proposes to allot such sum is not a dependant of the deceased workman, or as the case may be, that no one of such persons is a dependant.

(3) Any dependant, whether notice under subsection (5) of section 14 has been published or not, may apply to the court for the payment out or

distribution of any sum so deposited.

(4) The statement of disbursements to be furnished on application by the employer under subsection (5) of section 14 shall be in Form 14 in the First Schedule to these Regulations.

21. The clerk of the court shall cause to be displayed in a prominent position outside his office an accurate list of deposits paid into court under subsection (1) of section 14 together with the names and addresses of the depositors and of the workmen in respect of whose death the deposits have been made.

Publication of
list of payments
into courts.

22. (1) Where a dependant of a deceased workman claims that compensation is payable in respect of the death of the workman, and no compensation has been deposited in accordance with subsection (1) of section 14 in respect thereof, the dependant may apply to the court for the issue of an order requiring the employer to deposit compensation in accordance with the aforesaid subsection:

Procedure
where no
compensation
deposited.

Provided that no such application shall be entertained unless the applicant proves by affidavit that such compensation has become payable and that he has requested the employer to deposit the compensation and that the employer has refused or omitted to do so.

(2)

(a) The court may, at any time, cause notice to be given in such manner as the court thinks fit to all or any of the dependants of the deceased workman who have not joined in the application, requiring them, if they desire to join therein, to appear before the court on a date specified in this behalf.

(b) If any dependant to whom such notice has been given fails to appear and to join in the application

on the date specified in the notice, he shall not be permitted thereafter to claim that the employer is liable to deposit compensation, unless he satisfies the court that he was prevented by any sufficient cause from appearing when the case was called for hearing.

(3) If, after completing the inquiry into the application, the court issues an order requiring the employer to deposit compensation in accordance with subsection (1) of section 14, nothing in paragraph (2) of this regulation shall be deemed to prohibit the allotment of any part of the sum deposited as compensation to a dependant of the deceased workman who failed to join in the application.

Payment into court under sections 14 (2) and (3).

23. An employer paying compensation into court in accordance with subsection (2) or subsection (3) of section 14 shall furnish therewith a statement in Form 15 in the First Schedule to these Regulations.

Manner of dealing with money.
CAP. 97.

24. Any money paid into court shall be dealt with in the same manner as moneys paid into and out of court under the District Courts (Procedure) Act; except that a separate ledger shall be kept in respect of such accounts.

Right of employer to present memorandum when notice given.

25. (1) Any employer to whom notice of an accident has been given may at any time, notwithstanding the fact that no claim for compensation has been made in respect of such accident, present to the clerk of the court a memorandum, supported by an affidavit made by himself or by any other person having knowledge of the facts stated in the memorandum, embodying the results of any investigation or inquiry which has been made into the circumstances or cause of the accident.

(2) A memorandum presented under this regulation shall be recorded by the clerk of the court.

PART V*Medical Examination of Workman*

26. A workman who is required under subsection (1) of section 18 to submit himself for medical examination shall do so in accordance with the regulations contained in this Part of these Regulations.

Workman to submit to medical examination in accordance with regulations.

27. When such workman is present on the employer's premises, and the employer offers to have him examined free of charge by a medical practitioner who is so present, the workman shall submit himself for examination forthwith.

Examination on employer's premises.

28. In cases to which regulation 27 of these Regulations does not apply, the employer may, subject to the provisions of subsection (3) of section 18 -

Examination in other cases.

- (a) send the medical practitioner to the place where the workman is residing for the time being, in which case the workman shall submit himself for medical examination on being requested to do so by the medical practitioner; or
- (b) send to the workman an offer in writing to have him examined free of charge by a medical practitioner, in which case the workman shall submit himself for medical examination at the employer's premises or at such other place in the vicinity as is specified in such offer and at such time as is so specified:

Provided that:

- (i) the time so specified shall not, save with the express consent of the workman, be between the hours of 7 p.m. and 6.30 a.m.;
- (ii) in any case where the workman's condition renders it impossible or inadvisable that he should leave the place where he is residing for the time being, he shall not be required to submit himself for medical examination save at that place.

Extended application of two preceding regulations.

29. The last two preceding regulations shall apply to any workman receiving periodic payments who is required by his employer under the provisions of section 19 to submit himself to medical examination.

Examination after suspension of right to compensation

30. If a workman whose right to compensation has been suspended under subsection (4) of section 18 subsequently offers himself for medical examination, his examination shall take place on the employer's premises or at such other place in the vicinity as may be fixed by the employer.

Medical treatment of workman.

31. The medical treatment to which a workman may be required to submit himself in accordance with the provisions of section 18 shall include any treatment at or in a hospital or other institution in which the workman may be conveniently and efficiently treated for the personal injury which arose out of and in the course of his employment.

Fees for emergency treatment and examination. Second Schedule.

32. Where emergency medical treatment or examination is effected by a medical practitioner in accordance with the provisions of subsection (2) of section 6, the fee payable to the medical practitioner and in respect of each workman so treated or examined shall be as set out in the Second Schedule to

these Regulations.

33. Where a workman in the employment of any government department is treated or examined by a government medical officer no fee shall be payable in respect of such treatment or examination.

Treatment of government employees by government medical officer.

34. Where a medical practitioner is required to issue or issues a certificate under the provisions of the Act, he shall do so in Form 16 (a), (b) or (c) in the First Schedule to these Regulations, and the fees payable to him for each certificate so issued shall be as follows:

Medical certificates.

- (a) First Certificate - two dollars;
- (b) Intermediate Certificate - one dollar
- (c) Final Certificate - two dollars:

Provided that where a government medical officer issues such a certificate to a workman in the employment of any government department or local government authority no fee shall be payable to him.

35. Where a medical practitioner is required to attend at a court, he shall be paid the sum of five dollars for each such attendance or such fees as the court under the circumstances of the case may think adequate.

Fee payable to medical practitioner for attendance at court.

36. The Director of Health Services shall cause to be submitted to him from all hospitals in Belize, and from all government medical practitioners at half-yearly intervals a report of any disease occurring among industrial workers (other than diseases prescribed by order) to such an extent that it may reasonably be assumed that an industrial disease has occurred, and he shall convey such information to the Labour Commissioner as soon as is reasonably practicable.

Half-yearly returns of diseases to be submitted to Director of Health Services.

PART VI*Order and Execution*

Payments of
compensation
by instalments.

37. The court may direct that any lump sum payable as compensation be paid into court by instalments at such times as may be fixed by the court.

Execution to
enforce payment
of compensation.

38. (1) Where under regulation 22 of these Regulations, the court has made an order requiring the employer or other person liable to pay compensation in accordance with subsection (1) of section 14, and the employer or such other person fails or neglects to do so, execution may be issued for the recovery of the amount of the compensation in the same manner as execution is issued under the District Courts (Procedure) Act, and with the like effect without any further leave of the court.

CAP. 97.

(2) Where a party liable to pay compensation into court under subsection (2) of section 14 has made default in payment of the amount, the party entitled to such compensation may apply to the court for leave to issue execution against the goods of the party in default.

(3) An application for leave to issue execution shall be made in accordance with any rules applicable to an application for leave to issue execution in civil proceedings in the court.

(4) Nothing herein contained shall operate to prevent the court from directing in its order that execution shall issue for the recovery of the amount of any compensation thereby ordered to be paid, and, if the court so directs, execution shall issue without any application under regulation 22 of these Regulations for the deposit of compensation, or under this regulation for leave to issue execution.

(5) Execution may be issued without leave of the court against any party liable to make a periodic payment to a workman under any order or

recorded memorandum of agreement, but if the party so liable file with the clerk of the court an application for the review of the periodic payment alleging that the incapacity has wholly or partially ceased, execution shall not issue until that application is disposed of by the court:

Provided that the court may direct that execution shall be stayed pending the disposal of the application for review only upon terms that the party liable make payment into court or otherwise of every periodic payment which may become due and payable pending the determination of the application.

39. Where proceedings by way of judgment summons are taken against a party liable to pay compensation or costs either under any order of the court or under any recorded memorandum of agreement, and such party has made default in payment of the amount of such compensation or costs, or of any instalment where payment is to be made in instalments, the rules for the time being in force as to judgment summonses in the court shall, with any necessary modifications, apply to such proceedings.

Enforcement
by judgment
summons.

40. Where parties liable to pay compensation or costs are a firm, the rules of the court in civil proceedings applicable to execution or to a judgment summons against a company or a firm shall apply.

Proceedings
against a firm.

PART VII

Miscellaneous

41. The forms in the First Schedule to these Regulations and herein referred to shall be used in all cases to which they are applicable with such modifications as may be necessary.

Forms.
First
Schedule

Proceedings
and service of
documents
where
Government a
party.

42. (1) In any proceedings under the Act or these Regulations arising out of an injury to a workman employed by or under the Government, in which, if the employer were a private person, such employer would be a necessary party, the head of the department by, in or under which the workman was employed, or where the department is administered by a board or by commissioners, such board or commissioners, shall under his or their official title as representing the Crown be made the necessary party.

(2) In any such case any proceeding, document or notice to be served on the head of the department, or on the board or commissioners, may be served on the head of the department personally or by being left at his office with some person employed therein or, in the case of a board or commissioners, on the secretary to such board or commissioners.

Copies of
document filed.

43. Where any document is to be filed, there shall be filed with the original document as many copies of the document as there are persons on whom copies of the document are to be served, and in addition any necessary copies for the return of service and for the use of the court.

Service of
documents.

44. (1) Subject to any particular regulation, any proceeding, document or notice to be served under the Act or these Regulations may be served

CAP. 97.

(a) in the manner provided for the service of summons under the District Courts (Procedure) Act and any rules made thereunder; or

(b) in accordance with any Act, rule or regulation specifically providing the mode of service in any particular case.

(2) Where proceedings are taken by a workman against the managing committee of a club as an employer, service or notice of any documents or proceedings shall be valid and sufficient if served on or given to

a member of such committee or its secretary and on the club premises in such manner as would be valid and sufficient if he were the sole employer.

45. (1) All persons whose presence at the hearing of any application may be necessary to enable the court effectively and completely to adjudicate upon and settle all the questions involved shall, unless the court otherwise directs, be made parties to the application and every such person shall be served with a copy of the application ten clear days at least before the hearing of the application. Applications.

(2) The court may, whether or not an affidavit is required to be filed in support of an application, hear evidence *viva voce* in order to determine any question involved in any application made under these Regulations.

46. (1) In any proceeding for the determination of any question arising out of an accident to any master, seaman or apprentice under section 39, the claim for compensation shall state – Master, seamen and apprentices.

(a) in the case of the death of a master, seaman or apprentice, the date at which news of the death was received by the claimant; and

(b) in the case of a master, seaman or apprentice having been lost with his ship, the date at which his ship was lost or is deemed to have been lost.

(2) The application to determine compensation shall be in accordance with Forms 1 and 2 in the First Schedule to these Regulations with the necessary modifications, and there shall be added to the particulars therein, the name of the ship or vessel on which the deceased workman was employed at the time of the accident, and its port of registry, and if not registered in Belize, the name of the owner, or the managing owner or manager, and his residence or principal place of business if the same is in Belize.

(3) It shall be sufficient to describe the owners of the ship as “the owners of the ship”, and the provisions of the rules of the court as to the names of partners shall with the necessary modifications apply to the disclosure of names of such owners.

(4) Subject to subsection 1 (a) of section 39 as to service of the notice of accident, and the claim for compensation, any document, notice or proceeding to be served on the owners of a ship shall be deemed to be sufficiently served, if served, on the managing owner or manager for the time being of the ship, or (except where the master is claiming compensation) on the master of the ship; and subsection (1) of section 696 of the Merchant Shipping Act, 1894, shall apply to service on the master of the ship, and where the master is claiming compensation, and there is no managing owner of the ship, service may be effected in accordance with paragraph (c) of the said subsection of the Merchant Shipping Act.

57 & 58
Vict. c. 60.

Orders.

47. An order of the court shall be in one of the Forms 17, 18 or 19 in the First Schedule to these Regulations, as shall be appropriate to the circumstances of the case, with any necessary variation.

Signatures on
documents.

48. Any application to the court or any other document which is to be signed by an applicant may be signed by his Attorney-at-Law.

Medical
referees:
examination
and report.

49. (1) The court may, before or after the institution of any legal proceedings and on or without the application of any interested party, refer to medical referees for a report thereon any matter which seems material to any question arising out of an accident in which compensation is or might be claimed.

(2) When any matter is so referred the court may order the injured workman to submit himself for examination by the medical referees, and it shall be the duty of the workman, on being served with such order, to submit himself for examination accordingly.

(3) If a workman, on being so ordered, refuses to submit himself for examination by medical referees to whom the matter has been so referred or in any way obstructs the same, his right to compensation and to take or prosecute any proceedings under the Act or these Regulations shall be suspended until such examination has taken place or such obstruction has ceased.

(4) Whenever the court refers to medical referees for a report thereon any matter, it shall be the duty of the referees to submit their report to the court as in Form 20 in the First Schedule to these Regulations within ten days, provided that where it is considered reasonable the court may grant an extension of time within which to submit the report.

(5) The court may accept as *prima facie* evidence of the facts therein stated, the written report of medical referees upon the physical condition of the workman, or upon any other question arising out of an accident which has been referred to them for a report. Any party to the proceedings may require the attendance of the medical referees for oral examination, but that party shall be liable in the first instance to provide and pay the cost of the attendance in court of the medical referees, pending decision by the court as to which party shall be liable eventually to pay such costs.

(6) For every matter that is referred to medical referees for their report and for which a report is submitted, a fee of ten dollars shall be payable to each referee.

50. Where any proceeding is taken or is about to be taken for the determination of any question arising out of an accident in respect of which compensation is or might be claimed, the employer shall, if required by the workman, furnish the workman, within ten days from the date of requisition, with a statement showing –

Statement of
wages to be
furnished by
employer.

- (a) the total wages which have fallen due for payment to the workman by the employer in the last twelve months, where the workman has been employed during a continuous period of not less than twelve months immediately preceding the accident; or
- (b) the total wages earned in respect of the last continuous period of service, where that service is of less than twelve months duration immediately preceding the accident.

Service of copy
of answer on
applicant.

51. (1) The respondent shall on the same day on which he lodges with the clerk of the court the written answer referred to in subsection (2) of section 36, serve on every applicant a true copy of such answer:

Provided that where two or more applicants are represented by the same Attorney-at-Law, it shall not be necessary to serve more than one copy of the answer on the defendants so represented.

(2) Service of the answer shall be effected by delivering the same to the applicant or applicants or to his or their Attorney-at-Law personally, or by leaving it at the address of the applicant or applicants or of his or their Attorney-at-Law as stated in the application with some person there residing or employed, or if no such person is known or found there, by leaving it at the same address in some conspicuous place, or by sending it by registered post to the said address, and in the latter case service shall be deemed to have been effected on the day following the day of posting in Belize.

Court fees.

52. No court fees shall be payable by any party in respect of any proceedings under the Act prior to an order awarding compensation:

Provided, however, that a bailiff of the court shall be paid for any service he is called upon to perform under the Act and these Regulations, at the same rates and in the same manner as he would be paid for corresponding service if performed under the District Courts (Procedure) Act and any rules made thereunder and the tariff of fees and costs for the time being in force.

CAP. 97.

53. Any costs of or incident to any proceedings for the determination of any question arising out of an accident to a workman shall be awarded in accordance with any scale prescribed under the Inferior Courts Act.

Costs.

CAP. 94.

54. (1) Every employer to whom section 32 of the Act applies shall make application for registration to the Labour Commissioner as in Form 21 in the First Schedule to these Regulations.

Registration
of employers.

(2) The Labour Commissioner shall, upon receipt of an application made under paragraph (1) of this regulation and on being satisfied that the particulars contained in the application are correct, issue to the employer a certificate of registration as in Form 22 in the First Schedule to these Regulations.

55. Where no provision is made by these Regulations as to the practice and procedure to be observed with respect to any matter or proceeding in the court for the determination of any question arising out of an accident, the rules applicable to actions in the civil jurisdiction of the court shall *mutatis mutandis* apply.

Applications
of the rules of
court.

FIRST SCHEDULE**FORM 1**

[Regulation 3]

WORKMEN'S COMPENSATION ACT*Application by Workman or by Employer to Determine Compensation*

BELIZE:

In the District Court, holden at :

A.B. residing at Applicant

versus

C.D. residing at Respondent

The applicant, a workman employed by
(a contractor with) the respondent

or

The applicant, is the employer of the above-named respondent, a
workman who sustained personal injury by accident arising out of and in the
course of his employment on the day of , 2 ,
at in the District and applies
herein for the determination of the questions hereinafter stated under the
provisions of the Workmen's Compensation Act.

Particulars:

- (1) Place of business, and nature of business of respondent.
- (2) Nature of employment of workman at time of accident, and
whether employed under opposite party or under a contractor

with him. (If employed under a contractor who is not a respondent, name and place of business of contractor to be stated).

- (3) Date and place of accident, nature of work on which workman was then engaged, and nature of accident, and cause of injury.
- (4) Nature of injury.
- (5) Particulars of incapacity for work, whether total or partial, and estimated duration of incapacity.
- (6) Monthly wages during the twelve months previous to the injury, if the applicant has been so long employed under the employer by whom he was immediately employed, or if not, during any less period during which he has been so employed.
- (7) Monthly amount which the applicant is earning or is able to earn in some suitable employment or business after the accident.
- (8) Payment, allowance or benefit received from employer during the period of incapacity.
- (9) Amount claimed as compensation.
- (10) Date of service of statutory notice of accident on employer, and whether given before workman voluntarily left the employment in which he was injured. (A copy of the notice to be annexed).
- (11) If notice not served, reason for omission to serve same.
- (12) Date of claim for compensation.

- (13) Name of ship of which applicant was master, seaman or apprentice at time of accident, and port of registry . (*Vide* regulation 46).

(If application is made by an employer insert here statement required by section 43 (2) of the Act).

Questions for the determination of the Court:

- (a) whether the applicant (or respondent as the case may be) is a workman within the meaning of the Act,
- (b) whether the accident arose out of and in the course of the workman's employment,
- (c) whether the amount of compensation claimed is due, or any part of that amount,
- (d) whether the respondent is liable to pay such compensation as is due,
- (e) etc., (as required).

Dated the day of , 2 .

Applicant

To of

67/1971.

I do hereby require you to lodge with me the undersigned Clerk of the Court within ten days after service hereof a written answer containing a concise statement of the extent and ground of opposition (if any) to the above application.

And further take notice that the hearing of this application is fixed for the day of , 2 , at the above-named Court and that if you fail to lodge such answer or to appear at that time and place, an order may be made against you in default.

Dated this day of , 2 .

Clerk of the District Court

FORM 2
[Regulation 3]

WORKMEN'S COMPENSATION ACT

*Application by or on behalf of Dependants of Deceased
Workman or by Employer to Determine Compensation*

BELIZE:

In the _____ District Court, holden at _____ :

A.B. residing at _____ Applicant

versus

C.D. residing at _____ Respondent.

The applicant is the legal personal representative (or the dependant)
of a workman employed by (a contractor with) the respondent

or

The applicant was the employer of _____ a workman who
sustained personal injury by accident arising out of and in the course of his
employment on the _____ day of _____, 20____, at
_____ in the _____ resulting in his death, and
applies herein for the determination of the questions hereinafter stated, under
the provision of the Workmen's Compensation Act.

Particulars:

- (1) Name and late address of deceased workman.
- (2) Place of business, and nature of business of employer from

whom compensation is claimed.

- (3) Nature of employment of deceased at time of accident, and whether employed under the alleged employer or under a contract with him. (If employed under a contractor who is not a respondent, name and place of business of contractor to be stated).
- (4) Date and place of accident, nature of work on which deceased was then engaged, and nature of accident and cause of injury.
- (5) Nature of injury to deceased, and date of death (or date when ship was lost or deemed to have been lost).
- (6) Monthly wages during twelve months previous to the injury, if the applicant has been so long employed under the employer by whom he was immediately employed or if not, during any less period during which he has been so employed.
- (7) Amount of the half-monthly payments (if any) made to deceased under the Act, and of any lump sum paid in redemption thereof.
- (8) Character in which applicant applies for compensation, *i.e.*, whether as legal personal representative of deceased or as a dependant, and if as a dependant particulars showing how he is so.
- (9) Particulars as to dependants of deceased by whom or on whose behalf the application is made, giving their names and addresses, and descriptions and occupations (if any), and their relationship to the deceased, and if infants, their respective ages, and stating whether they were wholly or mainly dependent on the earnings of the deceased at the time of his death.

- (10) Particulars as to any persons claiming, or who may be entitled to claim to be dependants, but as to whose claim a question arises, and who are therefore made respondents, with their names, addresses, and descriptions and occupations (if any).
- (11) Particulars of amount claimed as compensation, and of the manner in which the applicant claims to have such amount apportioned and applied.
- (12) Date of service of statutory notice of accident on employer and whether given before deceased voluntarily left the employment in which he was injured. (A copy of the notice to be annexed).
- (13) If notice not served, reason for omission to serve same.
- (14) Date of claim for compensation.
- (15) Name of ship of which applicant was master, seaman or apprentice at date of accident, and port of registry. (*Vide* regulation 46).

(If application is made by an employer insert statement required by section 43 (2) of the Act).

Questions for the determination of the Court –

- (a) whether the deceased was a workman within the meaning of the Act,
- (b) whether the accident arose out of and in the course of the deceased's employment,

- (c) whether the amount of compensation claimed is due, or any part of the amount,
- (d) whether the respondent (or the applicant as the case may be) is liable to pay such compensation as is due.
- (e) whether the applicant(s) is a dependant(s) of the deceased, are
- (f) are how the compensation, when deposited, should be distributed,
- (g) etc. (as required).

Dated the day of , 2 .

Applicant

To of

I do hereby require you to lodge with me the undersigned Clerk of the Court within ten days after service hereof a written answer containing a concise statement of the extent and grounds of opposition (if any) to this application.

And further take notice that the hearing of this application is fixed for the day of , 2 , at the abovenamed Court and that if you fail to lodge such answer or to appear at that time and place, an order may be made against you in default.

Dated this day of , 2 .

Clerk of the District Court

FORM 3
[Regulation 4]**WORKMEN'S COMPENSATION ACT***Notice*

WHEREAS an application for compensation has been made by
applicant, against , and the said
has claimed that you are liable under section of
the Workmen's Compensation Act, to indemnify him against any compensation
which he may be liable to pay in respect of the aforesaid application, you are
hereby informed, that you may appear at o'clock on
the day of ,2 , at the
District Court and contest the claim for compensation made by the said applicant
or the claim for indemnity made by the respondent or both. In default of your
appearance you will be deemed to admit the validity of any order made against
the respondent and be liable to indemnify the respondent for any compensation
recovered from him.

I do hereby require you to file with me the undersigned Clerk of the
Court a written statement dealing with the claim against you in the above
application within seven days after the service thereof on you.

And further take notice that if you fail to forward the statement in
writing an order may be made against you in default.

Dated this day of 2 .

To of

Clerk of the District Court

FORM 4
[Regulation 8]

WORKMEN'S COMPENSATION ACT

(In case of non-fatal injury to workmen by accident)

Memorandum of Agreement

To the Clerk of the Court of the District Court.
In the matter of the Workmen's Compensation Act,
and
In the matter of an agreement between
applicant, and respondent.

1. Be it remembered, that on the day of
2. , personal injury was caused at to the above-named
, a workman under no legal disability, (or minor of the age of
years) by accident arising out of and in the course of his employment.

2. (Insert here the like particulars as in Form 1).

3. And that on the day of 2, the following
agreement was come to by and between the said a n d
the said that is to say –
(here set out the terms of the agreement).

4. (If medical referees have been appointed to report, add) –
A copy of the report of medical referees appointed
to report in the above-mentioned matter is hereunto annexed.

5. You are hereby requested to record this memorandum, pursuant
to section 21 (3) of the above-mentioned Act.

Dated

Signature of employer

Witness

Signature of workman

Witness

(NOTE - An application to record an agreement can be presented under the signature of one party only, provided that the other party has agreed to the terms. Both signatures should be appended, whenever possible).

FORM 4
[Regulation 8]

WORKMEN'S COMPENSATION ACT

(Where death resulted from injury to workman)

Memorandum of Agreement

To the Clerk of the Court of the District Court.

In the matter of the Workmen's Compensation Act,
and

In the matter of an agreement between

of Applicant

and

of Respondent.

1. Be it remembered, that on the day of
2 , personal injury was caused at to late of
 deceased, by accident arising out of and in the course of his
employment, and that on the day of
2 , the said died as the result of such injury.

2. (Insert here the like particulars as in Form 1).

3. And that on the day 2 , the
following agreement was come to by and between t h e
dependants of the said within the meaning of the above-
mentioned Act, and the said that is to say –
(here set out the terms of the agreement).

4. (If medical referees had been appointed to report, add) –
A copy of the report of the medical referees appointed to

report in the above-mentioned matter is hereunto annexed.

5. You are hereby requested to record this memorandum pursuant to section 21 (3) of the above-named Act.

Dated

Signature of employer

Witness

Signature of workman

Witness

(NOTE - An application to record an agreement can be presented under the signature of one party only, provided that the other party has agreed to the terms. Both signatures should be appended, whenever possible).

FORM 6
[Regulation 9]

WORKMEN'S COMPENSATION ACT

Notice of Memorandum having been received

BELIZE

In the

District Court.
(Heading as in Memorandum)

Take notice that a memorandum a copy of which is hereto annexed, has been sent to me for registration.

Such memorandum appears to affect you.

I have therefore to request you to inform me within seven days from this date whether you admit or dispute the genuineness of the memorandum, or whether you object to the recording thereof, and if so, on what grounds.

If you do not inform me in due course that you dispute the genuineness of the memorandum or object to its being recorded, it may be recorded without further inquiry, and will be enforceable accordingly.

If you dispute its genuineness, or object to the recording thereof, it will not be recorded except by order of the Court.

Dated this day of 2 .

Clerk of the District Court

To: (Insert names of all parties interested)

FORM 7

[Regulation 10]

WORKMEN'S COMPENSATION ACT*Notice Disputing Genuineness of Memorandum*

BELIZE

In the

District Court.

(Heading as in Memorandum)

Take notice that (state name of party disputing), a party (or parties) interested, dispute (or disputes) the genuineness of the memorandum sent to you for registration in the above-named matter on the following grounds –

Here state grounds, as *e.g.*

- (a) that no such agreement has in fact been entered into; or
- (b) that the terms of the agreement are not correctly stated in the memorandum (setting out what is claimed to be correct terms); or
- (c) that the agreement is not enforceable by reason of its having been entered into under a mutual mistake (or having been obtained by fraud) (or undue influence or improper means).

Dated this day of 2 .

Signed:

To the Clerk of the District Court.

FORM 8
[Regulation 11]

WORKMEN'S COMPENSATION ACT

*Notice that Genuineness of Memorandum is Disputed, or of Objection
by Employer to Memorandum being Recorded*

(Heading as in Memorandum)

Take notice that _____ of _____ a party (or parties)
interested in the memorandum left with (or sent to) me for registration in the
above-mentioned matter, has (or have) filed with me a notice, a copy of which
is sent herewith, that he disputes (or they dispute) the genuineness of the said
memorandum on the grounds stated in the said notice.

or

(Take notice, that _____ of _____ (the employer) has (or
have) filed with me an affidavit, a copy of which is sent herewith, that he objects
(or they object) to the memorandum left with (or sent to) me for registration in
the above-mentioned matter being recorded on the grounds stated in the said
affidavit.

The memorandum will therefore not be recorded, except by order of
the Court.

Dated this _____ day of _____ 2 _____.

Clerk of the District Court

To: _____ (All parties interested).

FORM 9

[Regulation 13]

WORKMEN'S COMPENSATION ACT*Application for Cancellation of Agreement*

BELIZE:

In the District Court, holden at
A.B. residing at Applicant
versus
C.D. residing at Respondent.

Application is hereby made to the Court by for an order
cancelling an agreement dated the day of 2 ,
between an employer and a workman determining:

(Here set out the matter determined by the agreement in terms of
section 21 (1) (i)).

(Here set out the grounds for cancellation in terms of section 21 (1)
(ii)).

Dated this day of 2 .

Signed:

Applicant

FORM 10

[Regulations 14 and 16]

WORKMEN'S COMPENSATION ACT*Application for Review or Redemption of Periodic Payment*

BELIZE:

In the District Court, holden at
A.B. residing at Applicant
versus
C.D. residing at Respondent.

Application is hereby made for the review (termination, diminution, increase or redemption, as the case may be) of the periodic payment payable to the said in respect of personal injury caused to him by accident arising out of and in the course of his employment, on at in the District.

Particulars are hereto appended –

Particulars:

- (1) Name and address of injured workman.
- (2) Name and place of business of employer by whom compensation is payable.
- (3) Date and nature of accident.
- (4) Amount of periodic payment, and the date from which it commenced.

(5) Relief sought by applicant, whether termination, diminution, increase or redemption.

(6) Grounds of application.

Dated this day of 2 .

Signed:

Applicant

FORM 11
[Regulation 17]

WORKMEN'S COMPENSATION ACT

*Application for Order for Payment to Dependant
or other Person of Periodic Payment Payable to Person
under Legal Disability*

BELIZE:

In the District Court, holden at

A.B. residing at Applicant
versus
C.D. residing at Respondent.

Take notice that I (name and address of applicant) intend to apply to the Court on the day of , for an order that the periodic payment payable in the above-mentioned matter to a person under legal disability (or to me) be during his (or my) disability be paid to (name) a dependant or to any other person best fitted to provide for the welfare of the said (name of workman under disability) and for consequential directions.

Dated this day of 2 .

Signed:
Applicant

To the Clerk of the Court and (names of all parties interested).

FORM 12

[Regulation 18]

WORKMEN'S COMPENSATION ACT*Application for Variation of Order*

(Heading as in Application)

Take notice that I (name and address of applicant) intend to apply to the Court on the day of 2 , for an order of the Court made in the above-mentioned matter on the day of 2 , as to the distribution of the sum paid as compensation among the dependants of deceased (or as to the manner in which the sum payable to a dependant of deceased, should be applied or otherwise dealt with) may be varied by directing (here state variation sought by applicant) and for consequential directions.

And further take notice that the circumstances in which this application is made are (state particulars)

Dated this day of 2 .

Signed:

Applicant

To the Clerk of the Court and (names of all persons interested).

FORM 13
[Regulation 20]

WORKMEN'S COMPENSATION ACT

Deposit for Compensation for Fatal Accident

Compensation amounting to \$ _____ is hereby presented for deposit in
respect of injuries resulting in the death of _____ residing at
_____ which occurred on _____ at _____

His monthly wages are estimated at \$ _____
He was over 21 years at the time of his death.
under _____

The said workman had, prior to the date of his death, received the
following payments namely _____ amounting in all to \$ _____.

This deposit is made pursuant to
(here state the reason for making deposit - *vide* regulation 19).

Signed:

Employer

(To be added if desired) I desire to be made a party to the
proceedings for the distribution of the
aforesaid compensation.

Signed:

Employer

(State names and addresses of dependants so far as are known).

FORM 14

[Regulation 20 (4)]

WORKMEN'S COMPENSATION ACT*Statement of Disbursement*

Depositor

Amount deposited \$

Date

\$ c

	Funeral expenses paid	
	Compensation paid to the following dependants- Name Relationship	
	Total ...	

Dated this day of , 2 .

Clerk of the District Court

FORM 15
[Regulation 23]

WORKMEN'S COMPENSATION ACT

Deposit of Compensation for Non-fatal Accidents

Compensation amounting to \$ is hereby presented for deposit in
respect of permanent injuries sustained by residing at
 temporary
which occurred on at .

This deposit is made pursuant to
(here state the reason for making deposit - *vide* regulation 19).

Dated this day of , 2 .

Employer

FORM 16 (a)

[Regulation 34]

*First Certificate***WORKMEN'S COMPENSATION ACT****CERTIFICATE OF A MEDICAL PRACTITIONER**

Name:

Age:

Where employed:

Nature of employment:

Nature of accident:

Date of accident:

Date of medical examination:

RESULTS OF MEDICAL EXAMINATION:

(a) Subjective complaints by patient:

(b) Objective physical findings:

(c) Diagnosis:

In my opinion, the findings of my examination are consistent
are not
with the nature of the accident as described.

(i) Is he likely to be permanently disabled?

(ii) Is he temporarily disabled?

(iii) Is he fit for -

(a) Normal duties -

(b) Light work -

(c) Unfit for work –

Days off

Date to report for next examination –

Remarks

Signature:

Date:

FORM 16(b)
[Regulation 34]*Intermediate Certificate***WORKMEN'S COMPENSATION ACT****CERTIFICATE OF A MEDICAL PRACTITIONER**

I have examined
who was injured on
and in my opinion he is fit for

- (a) Normal duties
- (b) Light work
- (c) Unfit for work -

Days off

- (d) Date to report for next examination -

Remarks

Signature:

Date:

FORM 16 (c)
[Regulation 34]
Final Certificate

WORKMEN'S COMPENSATION ACT

CERTIFICATE OF A MEDICAL PRACTITIONER

Name:

Age:

Residence:

Where employed:

Nature of employment:

Nature of Accident:

Date of Accident:

Date of Medical Examination:

RESULTS OF MEDICAL EXAMINATION

(a) Subjective complaints by patient:

(b) Objective physical findings:

(c) Diagnosis:

In my opinion the findings of my examination are consistent with
are not
the nature of the accident described.

THE SUBSIDIARY LAWS OF BELIZE

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(i) Is he likely to be permanently disabled?

(ii) Is he temporarily disabled?

(iii) Is he unfit for:

(a) Normal duties

(b) Light work

(c) Unfit for work

Days off –

Date to report for –

Next examination –

The injuries or conditions described above were aggravated or
were not
otherwise influenced by any pre-existent disease, deformity or
malformation.

Secondary complications are present.
are not

Such complications are the result of neglect.
are not

Final condition resulting from accident:

Is he permanently disabled?

If so state percentage.

Can the Claimant perform his normal duties?

If no, indicate nature of work suitable.

Remarks:

Signature:

Date:

FORM 17
[Regulation 47]**WORKMEN'S COMPENSATION ACT**

(NOTE: These forms are intended for use in ordinary cases only)

*In Case of Application for Periodic
Payment of Compensation Order*

Upon the application of
and upon hearing

(here insert any other introductory recital of findings on which the order
is made which the Court may think fit).

It is ordered as follows-

1. That the respondent C.D. do pay to the applicant A.B. the periodic sum of \$ as compensation for personal injuries caused to the said A.B. on the day of by injury arising out of and in the course of his employment as a workman employed by the said respondent, such periodic payment to commence as from the day of , and to continue during the total or partial incapacity or redeemed in accordance with the provisions of the Workmen's Compensation Act.

2. And that the said C.D. do forthwith pay to the said A.B. the sum of \$ being the amount of such periodic payments calculated from the day of to the said A. B. on the and days of each month.

3. And that the said C.D. do pay to the applicant his costs of and incidental to this application fixed at the sum of \$ (or to be

taxed in accordance with the proper scale).

Dated this day of , 2 .

Magistrate of the District Court

FORM 18
[Regulation 47]**WORKMEN'S COMPENSATION ACT***In Case of Applications by
Dependants Order*

Upon the application of _____ and upon hearing
(here insert any other introductory recital of findings on which the order is
made which the Court may think fit).

It is ordered as follows –

1. That the respondent C.D. do pay the sum of \$ _____ to the
dependants of A.B. late of _____ deceased as compensation
for the injury resulting to such dependants from the death of the said A.B.
which took place on the _____ day of _____, 2_____, from the
injury caused to the said A.B. on the _____ day of
2_____, by accident arising out of and in the course of his employment as a
workman employed by the said respondent.

2. And it is declared that the persons hereinafter named are
entitled to share in such compensation as dependants of the said A.B., that is
to say J.B. widow of the said A.B. and (name the other persons).

3. (Add if so found And it is declared that G.H. the
of the said A.B. is not entitled to share in such compensation as a dependant
of the said A.B.).

And it is further ordered –

4. That the said sum of \$ _____ be apportioned between
the said J. B. and _____ in the proportions following, that is to say –

The sum of \$ _____ to and for the benefit of the said J.B.
and the sum of \$ _____ to and for the benefit of the said _____

5. That the said C.D. do pay the sum of \$ _____ within
fourteen days from the date of this Order.

6. That the said J.B. and the said _____ or any of them be at liberty to apply to the Court from time to time for any further order as to the application of any of the said sums which may be ordered to be invested and the accruing interest thereof.

7. That the said C.D. do pay to the applicants their costs of and incidental to this application fixed at the sum of \$ _____.

Dated this day of , 2 .

Magistrate of the District Court

FORM 19
[Regulation 47]**WORKMEN'S COMPENSATION ACT***In Case of Application by Persons to Whom Expenses of
Funeral are due Order*

Upon the application of
and upon hearing
(here insert any other introductory recital of findings on which the order
is made which the Court may think fit).

It is ordered as follows-

1. That the respondent C.D. do pay the sum of \$
for or towards the expenses of the funeral of A.B., late of
deceased, who died on the day of 2 , from injury
caused on the day of , 2 , by accident arising out of
and in the course of the employment of the said A.B., as a workman employed
by the said C.D.

2. And it is declared that the persons hereinafter named are
entitled to share in such compensation, that is to say -

The applicant E.F. in respect of charges amounting to \$ due
to (or payable by) him in respect of charges amounting to \$ for the
funeral of the said A.B.

Dated this day of , 2 .

Magistrate of the District Court

(NOTE: The above forms will serve as guides for framing orders in other
cases).

FORM 20
[Regulation 49]

WORKMEN'S COMPENSATION ACT

Certificate of Medical Referee under section 42 of the Act

In accordance with the reference made to me/us on _____ (date
of order of reference) by the Magistrate of the _____ District Court
upon the application of _____ (name and address of party or parties)
I/we have on the _____ day of _____
examined _____ (name of workman) and hereby certify that –

(Describe condition of workman, stating whether he has wholly or partially recovered from the injury by accident (or scheduled disease), and stating whether workman is fit for his ordinary or other work specifying where necessary the kind of work, or whether he is unfit for work of any kind).

2. The incapacity of the said

(State whether the incapacity has ceased or to what extent, if any, the incapacity is due to the accident or to scheduled disease).

Dated this _____ day of _____, 20____.

Signed:

Medical Referee(s)

FORM 21
Regulation 54 (1)

WORKMEN'S COMPENSATION ACT

*Application for Registration under section 32
of the Act*

Sir,

Application is hereby made for registration under the provisions of section 32 of the Workmen's Compensation Act.

1. Name.
2. Address (registered address, if any).
3. Type or types of business or trade.
4. Place or places where business or trade is carried on.
5. * (a) Name or names of company or companies with which insurance is carried against workmen's compensation claims, and the number and date of each policy.

* (b) Date of Minister's letter of exemption from carrying insurance against workmen's compensation claims.
6. Average number of persons employed in each business or trade.
7. Number of persons covered by insurance in each business or trade.
8. Number or numbers of registration certificate or certificates in respect

of previous registration of such business or trade.

Yours faithfully,
Employer

To - The Labour Commissioner.

* Strike out whichever is not applicable (a) or (b).

FORM 22
[Regulation 54 (2)]**WORKMEN'S COMPENSATION ACT***Certificate of Registration*

This is to certify that –

M

of

carrying on the business or trade mentioned hereunder has been registered by me in accordance with section 32 of the Workmen's Compensation Act.

Type of business or trade	Location	Number of persons covered by insurance	Insurance Policy No.	Date of letter granting exemption by Minister from carrying insurance policy

Date:

Labour Commissioner

NOTE -This certificate shall be posted in a conspicuous place for work people to see.

SECOND SCHEDULE

(Reg. 32)

\$ c

- (a) Where a workman receives treatment or is examined at a medical practitioner's office or surgery between 9.00 a.m. and 5.00 p.m. 3.00
- (b) Where a workman receives treatment or is examined at a medical practitioner's office or surgery between 5.00 p.m. and 9.00 a.m. 6.00
- (c) Where a medical practitioner is required to treat or examine a workman at a place other than his office or surgery between the hours of 9.00 a.m. and 5.00 p.m. 6.00
- (d) Where a medical practitioner is required to treat or examine a workman at a place other than his office or surgery between the hours of 5.00 p.m. and 9.00 a.m. 10.00