

BELIZE-ELV EXPERIENCE

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LEGISLATION

SUMMARY JURISDICTION (OFFENCES) ACT CHAPTER 98 REVISED EDITION 2020

- **“derelict vehicle”** means a vehicle that appears to the competent authority, by reason of its condition, to have been **abandoned**, provided that for the purposes of this definition, the opinion of the competent authority shall be prima facie evidence of the truth of the matters therein contained, and in forming an opinion, the competent authority may, if it thinks fit, take into account,
 - (a) the fact that the wheels or any of them,
 - (b) the engine or other parts have been removed;
 - (c) (b) any other factors taken together with the fact that the vehicle was unlicensed during the immediately preceding period of six months;
- Where a derelict vehicle is left or caused to be left in a public place, the competent authority may give **notice** to the owner or the person so leaving or causing the same to be left requiring him within **forty-eight hours** of such notice to **remove** the derelict vehicle.



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- A person who **fails to comply** with the requirements of a notice is **guilty** of an offence and is liable on summary conviction to a fine not exceeding **five hundred dollars** and to a further fine not exceeding **one hundred dollars for every day during which the failure is continued after conviction**, and the competent authority may, without prejudice to any further proceedings for a fine in respect of such failure, **remove** the derelict vehicle so left or caused to be left and may **recover the expenses** reasonably incurred in so doing from the person in default summarily as a civil debt.
- If a vehicle is not removed within the specified time in compliance with a notice given such vehicle shall be deemed to have been **abandoned and forfeited to the Crown**.
- Without prejudice to the power of the competent authority to remove a derelict vehicle upon failure to comply with a notice, the competent authority may at any time without giving such notice remove any derelict vehicle found in a public place.



LEGISLATION

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- Where any vehicle has been deemed to have been **abandoned and forfeited to the Crown**, such vehicle shall be disposed of in such manner as the **Minister of Finance may direct**, provided that where the competent authority is a local authority, such vehicle may be disposed of by the local authority and the sale proceeds credited to the account of such authority.
- If, before a derelict vehicle is disposed of it is claimed by a person who satisfies the competent authority that he/she is its owner and pays the competent authority any expenses incurred in respect of its removal and storage, the competent authority shall permit him to remove the derelict vehicle from its custody during such period as may be specified by the competent authority.
- Where the competent authority disposes of a derelict vehicle by selling it and before the expiration of three months from the date of sale any person satisfies the competent authority that at the time of such sale he/she was the owner of the derelict vehicle, the competent authority shall pay over to him any sum by which the proceeds of the sale exceed the aggregate of the expenses incurred in respect of the removal, storage, and disposal of the derelict vehicle
- **Where any derelict vehicle is removed or disposed of in pursuance of the provisions of this section, no action, suit or other cause shall lie against the competent authority or the Government, or their agents or servants, unless it is shown that such removal or disposal was motivated by malice or fraud.**



CURRENT SITUATION

▪ Current Situation

- Because Belize is on the mainland and close to the United States, Belize imports most of its vehicles from the US. There are two types of motor vehicle dealers in Belize, one that sells new vehicles and one that sells used or repaired vehicles. A large portion of vehicles in Belize are bought in salvage auctions in the US, the vehicles are repaired and sold in Belize.
- End-of-life vehicles are handled by the scrap metal industry.
- In 2007-2008 the DOE saw a rise in the collection, storage, transportation, and exportation of scrap metals, including end-of-life vehicles. There were over 70 entities dealing with scrap metal, today we only have about 6 with 2 major companies.
- In terms of processing: the end-of-life vehicles are sold to scrap metal companies who remove the valuable materials (Heavy Metal Scrap) and (Light Metal Scrap). The HMS is currently selling at \$ 300-\$400 USD per ton and the LMS is at \$ 292.00 USD per ton.
- On average, a company makes about \$150 USD after processing and selling one ELV but the work is tedious because it also generates a lot of waste.
- The non-valuable materials are what is the major concern from an environmental and human health perspective. This is the area that we need to focus our attention on.



PRIVATE SECTOR CHALLENGES

- There are no incentives being offered by the government to improve its operations rather government chooses to use legal instruments to regulate the sector which creates additional challenges.
- Transportation cost is very high in Belize because of the high fuel cost.
- Fluctuating cost per ton of metal. A few years ago, the cost per ton of scrap metal dropped to \$ 90 USD which almost collapsed the industry. Knowing the industry and forecasting is important.
- Another challenge is the timely processing of permits by the government and the borders are not open 24/7.



WAY FORWARD

- Belize has very good legislation to regulate ELVs but needs support to improve compliance monitoring and enforcement efforts. More inspections are required at the large companies to ensure that they are managing the non-valuable materials in an environmentally sound manner and of the smaller everyday person collecting scrap metal and selling to larger companies.
- Government needs to provide incentives to scrap metal companies example, reducing the cost of the permit if the company is consistently in very good compliance, providing tax relief on the importation of equipment, fuel subsidies, etc.
- Diversify from recycling only metals to other products.
- Private companies also need technical assistance with regard to internal processes, design of facilities, guidelines, etc.
- More public awareness and outreach are needed in the sector about the harmful chemicals used in vehicles and their potential impacts on human health and the environment.
- Data collection and information management about ELVs needs to be strengthened. We know how much and the year of manufacture of the vehicles coming into the country on an annual basis, we need to use this information to develop an ELV management plan base on this information.
- We also need to consider prohibiting the importation of vehicles that are manufactured after a certain year, maybe ten-year-old (2013).



THANK YOU

