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Hotels and Tourist Accommodation Act
Chapter 285, Section 16 of the Substantive Laws of Belize
Revised Edition 2011

Part One – Section 2 – “Service Charge” means any money or other thing of value collected or received from a guest or customer of any hotel, tourist accommodation building, restaurant, café, nightclub or other place of entertainment or hospitality, which is in excess of the basic contractual liability of that guest or customer and is, or is purported to be, collected or received in respect of the quality of service afforded to that guest or customer, and without prejudice to the generality of the foregoing, includes any sum, whether calculated on the basis of a fixed percentage or otherwise, levied on the amount charged to such guest or customer and expressed to be in respect of service.

Part Three - Section 16 – Distribution of Service Charge

- 16 – (1) **Any Service Charges collected or received by the proprietor or employer from guests or customers shall be distributed among employees in accordance with the provisions of a scheme** prescribed or registered under the provisions of this Section, and in the absence of any such scheme, by agreement with the employees.
- (2) The Registrar may by regulations prescribe a formula to be used by all proprietors or employers, or all proprietors and employees of a certain class, for determining the distribution of Service Charges among employees.
- (3) Where no regulations have been made in respect of any given proprietor or employer, or any class of proprietors or employers, the registrar may by agreement with that proprietor or employer, or class of proprietor or employers, register a formula to be used by that proprietor or employer, or class of proprietors and employers, for determining the distribution of Service Charges among employees.
- (4) Any proprietor or employer who fails to comply with a formula imposed upon him by regulations made under subsection (2) or by registration under subsection (3) commits an offence.
- (5) All Service Charges referred to in this section shall be distributed within three weeks of the end of the calendar month in which they were collected or received.
- (6) Any proprietor or employer who fails to comply with section (5) commits an offence.
- (7) **All proprietors or employers in any hotel or tourist accommodation, undertaking, trade or business where service charges to which this section applies are regularly received or collected from guests or customers shall keep accounts recording all such Service Charges received or collected, and the manner in which they were distributed.**
- (8) Without prejudice to any other powers, the Registrar may upon demand inspect any accounts kept pursuant to subsection (7).
- (9) Any proprietor or employer who fails to keep the accounts required under subsection (7), or who does not permit the Registrar to inspect them upon demand pursuant to subsection (8), commits an offence.
- (10) Every person who commits an offence against this Section or any regulation made there under shall be liable to the same penalties as prescribed in Section 27 (1)