



CARIBBEAN COURT OF JUSTICE

**134 HENRY STREET
PORT OF SPAIN
REPUBLIC OF TRINIDAD AND TOBAGO**
Telephone: (868) 612-5CCJ Fax: (868) 624-4710
Website: www.ccj.org

MEDIA RELEASE

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CCJ CLARIFIES PROCEDURE FOR FILING APPEALS AND TREATMENT OF WASTED COSTS ORDERS IN BELIZE

Port of Spain, Trinidad and Tobago. On Tuesday, 7 July 2026, the Caribbean Court of Justice (“CCJ”) in its Appellate jurisdiction issued reasons for its decision in *Jeremy Enriquez and Anand Ramlogan SC v The Attorney General of Belize [2026] CCJ (AJ) BZ (CCJ Application Nos BZ/A/CV2025/003, BZ/A/CV2025/004 and BZ/A/CV2025/005)* the Elections and Boundaries Commission appearing as Interested Party. These reasons followed its decision on 23 March 2026, to determine the three related applications for permission to appeal, also called, special leave to appeal from Belize.

The Court granted special leave and allowed the appeals in two of the matters, one concerning the validity of a notice of appeal and the other a wasted costs order (a legal mechanism where a judge orders a lawyer or other legal representative to personally pay for legal fees that were needlessly or improperly incurred due to their own misconduct, negligence, or unreasonable behaviour) made personally against Senior Counsel for the Applicants, and dismissed the third application, which concerned an *ex parte* order (a court order issued at the request of one party without the opposing party being present or given prior notice) made by the judge of his own motion.

The three matters arose from proceedings before Justice Hondora in the High Court of Belize in which Mr Jeremy Enriquez, in his own right and in the public interest, challenged the failure of the State to redefine the electoral boundaries of Belize in accordance with the proposals of the Elections and Boundaries Commission. In the course of those proceedings, the judge dismissed an application for urgent interim relief; made a wasted costs order requiring Senior Counsel for the Applicants to pay personally half of the Attorney General’s legal costs incurred in the interim relief applications; and, of his own motion, made an *ex parte* order restraining publication and requiring further information from Senior Counsel. The Court of Appeal of Belize upheld preliminary objections in each matter, striking out two notices of appeal as nullities and denying leave in the third.

The CCJ had to determine:

- 1) BZ/A/CV2025/003: Whether section 202(1) of the Senior Courts Act of Belize prescribed a deadline for the filing of an appeal that the words “signed, entered or otherwise perfected” operate disjunctively
- 2) BZ/A/CV2025/004: Whether a wasted costs order made against a legal practitioner is not “an order as to costs” requiring leave, but a final order from which an appeal lies as of right.

- 3) *BZ/A/CV2025/005*: Whether the appeal was an abuse of process; whether the Applicant was required to first apply to the High Court judge to vary or discharge his *ex parte* order before appealing to the CA.

Regarding the first issue, the Court held in *BZ/A/CV2025/003* that the words “signed, entered or otherwise perfected” in section 202(1) of the Senior Courts Act operate disjunctively: any one of those steps is a sufficient statutory trigger for the filing of an appeal, and an order signed by the parties and the judge, therefore, complies with the section. That the notice of appeal was valid: at its highest, it was a premature filing capable of cure under the Court of Appeal’s curative power (ability to review its own judgments to prevent miscarriage of justice).

Regarding the second issue, the CCJ held in *BZ/A/CV2025/004* that a wasted costs order made against a legal practitioner is a disciplinary order relating to the practitioner’s conduct, and not in the nature of an “order as to costs” within section 201(1)(i) of the Senior Courts Act. It is, however, a final order within section 201(1)(a), since it finally adjudicates the practitioner’s liability to pay the costs in question, with the result that no leave is required to appeal from it. Therefore, no leave was required to appeal the wasted costs order; the judge had proceeded of his own motion, without setting out the grounds on which he was minded to make the order, without convening a show-cause hearing, and without giving the seven days’ notice required by rule 63.9

Regarding the third issue in *BZ/A/CV2025/005*, the Court found no reason to deviate from *WEA Records Ltd v Visions Channel 4 Ltd* which established that the proper course was to apply to the judge below, or to another High Court judge under rule 11.21 of the Belize CPR, to vary or discharge the order before appealing. The Court concluded that the application presented no realistic chance of success.

The Court accordingly granted special leave and allowed the appeals in *BZ/A/CV2025/003* and *BZ/A/CV2025/004*, with costs to the Appellants in the CCJ and in the Court of Appeal. The Court dismissed the application for special leave in *BZ/A/CV2025/005*, with costs to the Respondent and the Interested Party in the CCJ and in the Court of Appeal, in each case to be assessed if not agreed.

The members of the CCJ panel were CCJ President, the Honourable Mr Justice Anderson and Honourable Justices Rajnauth-Lee, Jamadar, Ononaiwu, and Eboe-Osuji. Mr Anand Ramlogan SC, Mr Peter Knox KC, Ms Sheena Pitts, Mr Cecil Ramirez, Mr Godwin Haylock, and Mr Vishaal Siewasaran appeared for the Appellants. Ms Iliana N. Swift appeared for the Respondent. Mr Hector D. Guerra and Mr Edgar G. Lord appeared for the Interested Party.

The full CCJ judgment is available on its website at www.ccj.org.

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About the Caribbean Court of Justice

The Caribbean Court of Justice (CCJ) was inaugurated in Port of Spain, Republic of Trinidad and Tobago on 16 April 2005 and presently has a Bench of seven judges presided over by CCJ President, the Honourable Mr Justice Winston Anderson. The CCJ has an Original and an Appellate Jurisdiction and is effectively, therefore, two courts in one. In its Original Jurisdiction, it is an international court with exclusive jurisdiction to interpret and apply the rules set out in the Revised Treaty of Chaguaramas (RTC) and to decide disputes arising under it. The RTC established the Caribbean Community (CARICOM) and the CARICOM Single Market and Economy (CSME). In its Original Jurisdiction, the CCJ is critical to the CSME and all 12 Member States which belong to the CSME (including their citizens, businesses, and governments) can access the Court’s Original Jurisdiction to protect their rights under the RTC. In its Appellate Jurisdiction, the CCJ is the final court of appeal for criminal and civil matters for those countries in the Caribbean that alter their national Constitutions to

enable the CCJ to perform that role. At present, five states access the Court in its Appellate Jurisdiction, these being Barbados, Belize, Dominica, Guyana, and Saint Lucia. However, by signing and ratifying the Agreement Establishing the Caribbean Court of Justice, Member States of the Community have demonstrated a commitment to making the CCJ their final court of appeal. The Court is the realisation of a vision of our ancestors, an expression of independence and a signal of the region's coming of age.

For more information please contact:
The Public Education & Protocol Unit
Tel: (868) 612-5225 ext. 2246, 2260
Email: ccjcomm@ccj.org