

Court of Appeal reverses nationalization of Telemedia | Channel5Belize.com

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Eamon Courtenay

The Court of Appeal today delivered a massive blow to the government in the 2009 acquisition of Belize Telemedia. The ruling reverses an order made by the government to compulsorily acquire the telephone company from the Ashcroft Group. It was handed down at four this afternoon. The drama mounted because there was first a notice for ruling for ten a.m. that was moved by the Court Registrar to two o'clock and then to late afternoon. Telemedia was nationalized back in August 2009 with government acquiring ninety-four

percent shares in the company. It was challenged in the courts by Dean Boyce as Chairman of the Executive Committee and the Board of Trustees. In July 2010, the Supreme Court ruled that government's acquisition of the company was constitutional. Boyce appealed that ruling and today the Court of Appeal gave its decision. The courtroom was packed to capacity as the ruling was delivered by Justice Brian Alleyne. Essentially it nullifies the acquisition and hands back Telemedia to the previous owners removing it from government control. That decision was contained in a one hundred and fifty page document, in which the justices found that the government did not have sufficient reasons to compulsorily acquire the company for public purpose. Attorneys Godfrey Smith and Eamon Courtenay spoke to News Five about today's ruling.

Eamon Courtenay, Attorney

"The most fundamental decision is that the amendment to the Belize Telecommunications Act, by which the government took control of Belize Telemedia Limited has been struck down by the Court of Appeal. It seems to me to be a triumph for the rule of law for the independence of the judiciary. What this signals to one and all is that you may hate Michael Ashcroft, you may hate anybody but you're still subject to the constitution of this country. You cannot take private property to satisfy some personal grudge that you have with an individual. That has no place in a democracy and the decision of the Court of Appeal gave life to that principle."

Godfrey Smith, Attorney



Godfrey Smith

"Well, as you might have heard the judge say, the acquisition act and order have been declared unconstitutional, null and void. Null and void means it was never of any effect from the beginning and therefore cannot stand. The obvious effect of that is that the shareholders whose shares were acquired are effectively restored as the legitimate shareholders of BTL."

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