

CHAPTER 5.07

LAND SURVEYORS ACT

Revised Edition

Showing the law as at 31 December 2022

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• Act • Subsidiary Legislation •

ACT

(Act 13 of 1984)

Act 13 of 1984 .. in force 8 August 1984

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CHAPTER 5.07 LAND SURVEYORS ACT

AN ACT to make provision for the licensing and professional conduct of land surveyors, for regulating the making of land surveys and for connected matters.

Commencement [8 August 1984]

PART 1 PRELIMINARY

1. Short title

This Act may be cited as the Land Surveyors Act.

2. Interpretation

In this Act, unless the context otherwise requires—

“**assistant**” means a person not being a surveyor who is engaged on survey work directly under the control of a surveyor;

“**Board**” means the Land Surveyors Board established under section 4;

“**Chief Surveyor**” means the Chief Surveyor appointed under section 3;

“**Land Registration Act**” means the Land Registration Act;

“**Land Registry**” means the registry established by the Land Registration Act;

“**licensed surveyor**” means a surveyor licensed under this Act;

“**owner**” in relation to any land, means any person receiving or entitled to receive rents or profits from any tenant or occupier thereof whether on his or her own account or as an agent or trustee for any other person or who would receive the same if the land were let;

“**Minister**” means the Minister responsible for survey matters;

“**plan**” includes a map, plot, diagram, aerial photograph or derivatives thereof approved by the Chief Surveyor as suitable for survey purposes;

“**prescribed**” means prescribed by regulations made under this Act;

“**public survey**” means any survey made for the purpose of defining the boundaries of the whole or part of land which is owned or about to be acquired by the Government of Saint Lucia or any public authority, and includes a comprehensive survey of Saint Lucia or any part of it;

“**registered land**” means land registered in the Land Registry;

"Registrar" means the Registrar of Lands as defined in the Land Registration Act or the Registrar in charge of the registration of documents to or in respect of land;

"Regulations" mean regulations made under section 28;

"survey" means a survey defining the boundaries of any land in Saint Lucia and includes a survey for the purpose of the Land Registration Act;

"Survey Department" means the department under the Chief Surveyor in Saint Lucia, exercising functions relating to surveys;

"surveyor" means a licensed land surveyor or an officer of the Survey Department authorised by the Chief Surveyor to carry out surveys.

3. Chief Surveyor

(1) There shall be a Chief Surveyor appointed by the Public Service Commission who shall subject to the provisions of this law—

- (a) direct and control all public surveys;
- (b) control all other surveys;
- (c) examine all general and particular plans of surveys including those required for any registration of land in accordance with the Land Registration Act and approve such plans if satisfied that such surveys have been carried out and the plans prepared in accordance with the Regulations;
- (d) take charge of and preserve all survey records;
- (e) cancel or amend in accordance with the provisions of any law, and after consultation with the particular surveyor, if available, any survey plan or diagram found to be incorrect or inadequate; and
- (f) prepare, certify and issue at the request of any person upon payment of the prescribed fees, copies of diagrams and documents filed within his or her department which are available to the public.

(2) The Chief Surveyor shall be the authority for the preparation and publication of the official maps of Saint Lucia, and no other person shall, without a licence in writing issued by the Chief Surveyor, make use of any material which has been prepared, or published in official maps in the preparation or publication of any other map.

PART 2 THE LAND SURVEYORS BOARD

4. Establishment of the Land Surveyors Board

(1) There shall be established a Board, to be known as the Land Surveyors Board, consisting of the Chief Surveyor, who shall be the chairperson of the Board, and 2 other Surveyors appointed by the Minister from the body representing Land Surveyors.

(2) A member of the Board appointed by the Minister shall hold office for 2 years, and may at any time resign his or her appointment by notice in writing given to the Minister.

(3) The Minister may at any time cancel the appointment of a member of the Board who has been appointed under subsection (2) if he or she infringes any rule of the Board made under section 5(g), or for any other good reason.

(4) The Board may appoint a Secretary who shall hold office during the pleasure of the Board, and shall be paid an allowance to be determined by the Board, subject to the approval of the Minister.

(5) In the exercise of its duty under the provisions of section 5(d), the Board may co-opt a member of the legal department to assist in its deliberations.

5. Duties of the Board

It shall be the duty of the Board—

- (a) to grant to duly qualified persons in accordance with the provisions of this law, licences to practise land surveying in Saint Lucia;
- (b) to provide for examinations to be taken by applicants for such licences;
- (c) to keep a register of all licensed surveyors in accordance with section 8;
- (d) to take disciplinary proceedings against licensed surveyors in accordance with the provisions of this Act;
- (e) to hear and determine any disputes between any licensed surveyor and his or her client as to the fees charged by the licensed surveyor;
- (f) to perform such other functions as are prescribed by this Act or any regulations made thereunder; and
- (g) to make rules governing the conduct of its business, subject to the approval of the Minister.

6. Conditions for grant of Surveyor's Licence

(1) The Board shall not grant a licence to practise land surveying to any person unless the person has passed such examination (except that the Board may exempt a person from part of the examination by reason of passing an approved land surveying course), and has passed a test of competence, that the Board prescribes.

(2) An applicant for a licence to practise land surveying shall furnish to the Board satisfactory evidence of his or her good character.

7. Grant of licence to be Gazetted

(1) The grant of a licence under this part shall be in the form in Schedule 1 and notice thereof shall be by public notice.

(2) There shall be payable to the Treasury in respect of the grant of a licence to a surveyor the prescribed fee.

8. Register of licensed surveyors

The Board shall cause a register to be kept which shall contain the names, addresses and qualifications of all persons to whom licences have been granted and any other prescribed particulars.

9. Disciplinary powers of the Board

(1) Where, after due enquiry by the Board, a licensed surveyor is found to have committed professional misconduct, or, having been convicted of a criminal offence is found by the Board to be unfit to practise, the Board may—

- (a) revoke the licence to the licensed surveyor;
- (b) suspend the licence for a period not exceeding 3 years;
- (c) impose a fine not exceeding \$250 on the licensed surveyor; or
- (d) reprimand the licensed surveyor.

(2) Upon any inquiry held by the Board under subsection (1), the person whose conduct is being inquired into shall be afforded an opportunity of being heard, either in person or by counsel.

(3) For the purpose of proceedings at any inquiry held by the Board, the Board may administer oaths and affirmations and may, subject to the provision of any regulations made under this Act enforce the attendance of persons as witnesses and the production of books and documents.

(4) Any person who, having been summoned by the Board in the form prescribed in Schedule 2 to attend before it, fails so to attend, or fails to produce any books or documents which he or she is required to produce, commits an offence.

10. Appeal to the High Court

Any person aggrieved by a decision of the Board under section 9, or under section 24(4), may within one month after the date of the decision, appeal to the High Court against the decision, and, on any such appeal, the High Court may give such directions as to the costs of the appeal, and no appeal shall lie from an order of the High Court under this section.

11. Grant of new licence and termination of suspension

Where an order has been made for the revocation of the licence granted to any person or for suspending such a licence, the Board may either of its own motion or on the application of the person concerned, and in either case after holding such inquiry as the Board thinks fit, grant a new licence and cause the name of that person to be restored to the register.

12. Notice, etc. to be published in Gazette

Notice of the grant, revocation or suspension of any licence, or of the termination of the order revoking such licence shall be published in the Gazette.

PART 3 THE CONDUCT OF SURVEYS

13. Duties of licensed surveyors and non-liability of government

(1) Every surveyor shall carry out every survey undertaken by him or her in such manner as will ensure that—

- (a) the interests of good government are served and the survey conforms to the survey practice in the Survey Department where the procedure is not laid down by Regulations;
- (b) the survey accords in all respects with the provisions of this Act and any regulations made thereunder; and
- (c) every survey carried out by him or her or under his or her supervision is correct and complete.

However, the Chief Surveyor may, in his or her discretion in the case of a particular survey, by notice in writing to the surveyor, direct that the standards of accuracy prescribed by such regulations may be relaxed in such manner, to such extent and subject to such conditions as he or she may specify in the notice.

(2) Neither the Government nor any public officer is liable for any defective survey, or any work appertaining thereto, performed by a licensed surveyor although any plan relating to such survey has been authenticated in accordance with the requirements and provisions of this Act or accepted for registration under the Land Registration Act, or any other Act.

(3) Without prejudice to his or her other legal rights any person who is dissatisfied with the actions or conduct of a surveyor in the conduct of a survey or as a result of

having conducted a survey shall report the matter to the Chief Surveyor who shall thereupon investigate the matter and deal with it in any manner that he or she thinks fit.

14. Conduct of surveys

Any survey of land for the purpose of the Land Registration Act shall be carried out under and in accordance with the directions of the Chief Surveyor.

15. Unlicensed persons not to undertake professional surveys

A person, other than a licensed surveyor shall not—

- (a) survey any holding or land for the purpose of preparing any plan which is attached to, or is referred to in, any document or instrument purporting to confer, declare, transfer, limit, extinguish or otherwise deal with or affect any right, title or interest, in or over any right, title or interest, in or over any holding or land, being a document or instrument which is required to be registered, or is ineffectual until registered, under any law relating to the registration or transactions in or of title to land, or registration under any other Act;
- (b) perform any survey which affects or may affect the definition of the boundaries, or the location of survey marks, or any holding or land registered under any law relating to the registration of land or of title to land, or registration under any other Act.

16. Powers in relation to all public surveys

(1) For the purposes of any public survey the Chief Surveyor or any surveyor authorised by him or her may enter upon any land with such assistance as may reasonably be required, and may affix or set up or place thereon or therein trigonometrical stations, monuments, survey beacons, marks or poles, and do all things necessary for such survey.

(2) The surveyor shall give at least 8 days notice in writing to the owner or occupier of the land of his or her intention to enter thereon. Where the owner or occupier cannot be found the notice shall be placed in a conspicuous place on the land.

17. Compensation

Compensation shall be payable out of the public revenues to the owner of any crops or trees cut or damaged, in the exercise of any of the powers conferred by section 16, and if any question shall arise as to the amount of compensation to be paid or the right to a claimant to recover compensation such question shall, in default of agreement between the Chief Surveyor and all persons concerned, be finally determined by a magistrate on application made by the Chief Surveyor or any person authorised by him or her in that behalf or by any person claiming to be entitled to compensation under the provisions of this section.

However, in determining the value of any crops or trees cut or damaged the Chief Surveyor or the magistrate, as the case may be, shall have regard to the current crop valuation list prepared by the Ministry of Agriculture.

Also, save at the discretion of the Chief Surveyor no such application shall be granted if it is by a person claiming to be entitled to compensation and is made more than 90 days after the date on which the crop or trees in respect of which the claim is brought were cut or damaged.

18. Power of surveyor to enter land

(1) When a surveyor intends to survey any land he or she shall give at least 7 days' notice of his or her intention, in the Form in Schedule 3 or to the like effect, to the owner or occupier of the adjoining lands. Similar notice of the land to be surveyed

and the time fixed for the survey must also be given by the surveyor to the Chief Surveyor.

(2) This section does not prevent the parties interested in the lines about to be run from agreeing in writing to have the said lines run and established without notice. However, a copy of such agreement certified by the surveyor to be correct, and a notice in the Form in Schedule 3 or to the like effect that such a survey by agreement has been commenced, shall be given by the surveyor to the Chief Surveyor not later than the 7th day after the commencement of such survey.

(3) After giving notice as aforesaid and before the time appointed, a surveyor, with his or her necessary instruments may enter upon land adjoining the land about to be surveyed by him or her, and he or she may make traverses for the purpose of gaining information, but he or she shall not run or mark any boundary lines.

(4) Any surveyor who fails to comply with any of the foregoing provisions of this section commits an offence against this Act.

(5) Compensation shall be payable for any damage done to any land by reason of the exercise of the powers contained in sub-sections (1) and (3).

However, any aggrieved landowner claiming compensation shall make such a claim within 90 days from the date of damage to such land.

(6) Where a surveyor is a Government employee compensation shall be assessed in accordance with the procedure set out in section 17.

(7) Where the surveyor is not a Government employee any compensation payable shall be subject to agreement between the surveyor and the aggrieved party or parties.

However, where such agreement is not possible the Chief Surveyor shall sit as arbitrator and in default of agreement between the Chief Surveyor and all persons concerned compensation shall be determined by a magistrate as set out in section 17. No compensation is payable out of public revenues for damage to land by reason of the exercise by a surveyor who is not a Government employee of the powers contained in subsection (1).

(8) When a surveyor after having given notice of survey as aforesaid is unable to begin the survey on the day appointed, he or she shall give notice of such inability to the parties concerned before the day appointed and shall give fresh notice before beginning the survey.

However, nothing herein contained shall prevent the parties interested from agreeing in writing to dispense with any such further notice.

(9) If a surveyor, after having begun a survey, is unable to continue it to its conclusion, he or she shall before again proceeding therewith, give 48 hours' notice of his or her intention to resume such survey, stating when he or she will proceed.

However, nothing herein contained shall prevent the parties interested from agreeing in writing to dispense with such notice.

PART 4

THE PRESERVATION OF SURVEY MARKS

19. Penalty for removing survey boundary marks

Any unauthorised person who shall wilfully obliterate, remove or damage any trigonometrical station, monument, survey, beacon, mark or pole or any boundary mark affixed set up or placed for the purpose of conducting any public or other survey under this Act commits an offence and in addition to any other punishment imposed on summary conviction may be ordered to pay the cost of repairing or replacing the thing obliterated, removed or damaged and of making any survey rendered necessary by the act for which the conviction is had.

20. Penalty for obstructing surveyors

Any person who wilfully obstructs, hinders, resists or threatens any surveyor in the execution of his or her duty in or about the conduct of any public survey or other survey under this Act, or any workman or other person acting in aid of any such surveyors, commits an offence.

21. Recovery of moneys due

Any sum due under the provisions of this part of this Act may be sued for and recovered by the Chief Surveyor or any person authorised by him or her by action in any court of competent jurisdiction.

22. Delegation of functions

(1) The Chief Surveyor may by written notice delegate any of his or her functions under this law to any officer of the Survey Department by name or office.

(2) Any such delegation shall be revocable at will and no delegation shall prevent the exercise by the Chief Surveyor of any function.

PART 5 GENERAL

23. Plans etc. to become property of Government

(1) Every surveyor who executes any survey in accordance with the provisions of this Act and of any regulations made thereunder shall send to the Chief Surveyor all plans, field notes, computations and a report relating thereto, and all such plans, field notes, computations and report shall be deposited in the Survey Department and shall become the property of the Government.

(2) A plan deposited in the Survey Department in accordance with subsection (1) shall not be altered or amended in any way without the permission of the Chief Surveyor.

(3) Until the contrary is proved, every survey of operation in an unconcluded survey commenced after the passing of this Act, shall be deemed to have been concluded on the 30th day after the survey shall have been commenced.

24. Correction of errors

(1) The Chief Surveyor may at any time undertake such field and office checks on the survey work of a licensed surveyor as he or she thinks fit.

(2) The Chief Surveyor may, under section 25, by notice in writing, instruct any licensed surveyor to correct at his or her own expense within a time specified in such notice any error made by him or her in the survey represented by the plan submitted for authentication.

(3) In the event of such licensed surveyor refusing or neglecting within the time specified to correct such error, it shall be lawful for the Chief Surveyor to undertake such correction and to recover the whole cost of such correction from the licensed surveyor concerned.

(4) If such licensed surveyor refuses or neglects to pay the cost of the correction referred to in subsection (3) within 14 days of the same having been demanded of him or her, the Chief Surveyor may report the facts to the Board for disciplinary action, and after due inquiry the Board may order such licensed surveyor to pay the cost of correction to the Chief Surveyor; and if such licensed surveyor refuses or neglects to comply with such order within one month after the date of the order, the Board may subject to the provisions of section 21 suspend the licence of the licensed surveyor until the cost of the correction has been paid, or for a period not exceeding 3 years, whichever it thinks fit.

25. Authentication of plans

(1) Land shall not be deemed to have been surveyed or resurveyed until the plan thereof has been authenticated by the signature of the Chief Surveyor.

(2) Every plan authenticated by the Chief Surveyor under subsection (1) shall in any Court of Law or in any proceeding of a legal or quasi-legal nature be conclusive evidence of the survey information comprised therein unless and until such plan is cancelled by the Chief Surveyor by virtue of section 26.

(3) Every plan purporting to bear the signature of the Chief Surveyor for the purpose of subsection (1) shall be deemed to be properly authenticated unless and until the contrary is proved.

26. Chief Surveyor may cancel authentication of plan

(1) Where, in the case of a document or instrument to which an authenticated plan is attached, or in which reference to such a plan is made—

- (a) the plan is found to be inaccurate by reason of any error or omission in the survey; or
- (b) the plan does not conform with the terms and conditions subject to which permission to subdivide the land to which the plan relates has been given, the Chief Surveyor shall cancel the authentication of such plan and may recall any copies which may have been issued, and in every case the provisions of section 24 shall apply.

(2) The Chief Surveyor shall upon the cancellation of the authentication of any plan notify in writing—

- (a) the owner of the land to which such plan relates;
- (b) the surveyor by whom the survey was executed; and
- (c) the Registrar.

27. Aerial Survey

(1) Any person who intends to carry out any aerial photography of Saint Lucia for use in mapping or similar purpose shall, before carrying out the same, give to the Chief Surveyor in writing not less than one month's notice of his or her intention so to do.

(2) Any person who has carried out any such aerial photography shall, if the Chief Surveyor so requires in writing—

- (a) produce to the Chief Surveyor for his or her inspection all of the photographs thereby produced or such of them as the Chief Surveyor may specify; and
- (b) supply to the Chief Surveyor, at the Chief Surveyor's cost, such copies, diapositives and diagrams as the Chief Surveyor may require of such photographs.

However, the supply of photographs to the Chief Surveyor under this section shall not in any way affect the copyright therein of the person supplying them or other owner of such copyright.

28. Power of Minister to make regulations

The Minister may make regulations—

- (a) prescribing the manner in which surveys are to be made, the records to be kept by licensed surveyors and the manner of keeping the same;
- (b) prescribing the manner in which survey marks shall be constructed;

- (c) with regard to plans of survey and their preparation and the matters to be shown thereon;
- (d) with regard to the publication, issue, service and form of the notices to be published, issued or served under this Act or Regulations made thereunder;
- (e) prescribing the returns to be made by licensed surveyors to the Chief Surveyor;
- (f) requiring surveyors to report in writing to the Chief Surveyor matters connected with surveys on which they are engaged or with previous surveys, ascertained by them during the course of their work;
- (g) for securing the maintenance of survey marks in their correct position and the preservation of the same;
- (h) providing for the checking of surveys alleged to be erroneous and for the payment of the expenses of such checking;
- (i) providing for the checking of tapes and instruments used by surveyors;
- (j) providing for and regulating the inspection and the taking of copies of plans of surveys in any office of the Survey Department;
- (k) prescribing any fees which may be charged under this Act;
- (l) prescribing the syllabi of examinations for the purpose of section 6;
- (m) prescribing any other matters which this Act requires or authorises to be prescribed by him or her;
- (n) generally for giving effect to the purposes of this Act so far as the Chief Surveyor and the Minister are the appropriate authorities therefor.

29. General penalty

Any person who contravenes or fails to comply with any provision of this Act or any regulation made thereunder commits an offence and unless otherwise provided shall on summary conviction be punishable with a fine not exceeding \$500 or imprisonment for a term not exceeding 6 months or to both such fine and such imprisonment.

30. Onus of compliance

Where there exists a relationship of master and servant, principal and agent or corporation and officer of that corporation, every such person in that behalf shall be jointly and severally responsible for compliance with the provisions of this Act.

Schedule 1

(Section 7)

LICENCE TO LAND SURVEYOR

Whereas the Board of Examiners constituted under the Land Surveyors Act have duly satisfied themselves that Mr of by virtue of (here state particulars of qualifications) is duly qualified to practise as a Land Surveyor;

Now therefore I Chairperson of the Land Surveyors Board under and by virtue of the provisions of the above mentioned Act hereby authorise the said to practice as a Land Surveyor in Saint Lucia.

Dated this day of 20

.....

Chair

Schedule 2

(Section 79(4))

SUMMONS TO WITNESS

In the Matter of A.B., a Licensed Surveyor

In the Matter of the Land Surveyors Act.

(1)

To C. D.

You are hereby summoned to attend before the Land Surveyors Board (2)
at on the day of
....., 20 at the hour of and so from day to day
until the above matter is heard to give evidence respecting such matter and also to bring with
you and produce at the time and place aforesaid—

(3)

Given under my hand this day of 20

.....
Chair, Land Surveyors Board

(1) Name and address of person summoned

(2) Place

(3) Here specify the documents required

Schedule 3

THE LAND SURVEYORS ACT

NOTICE OF INTENTION TO SURVEY

To of

I hereby give you notice that I am employed by of
..... (or have been appointed by the judge [as the case may be])
to survey [describe the land to be surveyed] situate in the Quarter of and
known by the name of being the Estate (or a part of the Estate) designated on
Lefort de Latour's General Plan of the State as (insert de Latour's name for the land and
number and colour) which adjoins land said to belong to you (or to be occupied by you, [as the
case may be]) and that I shall commence to survey the same at:00 a.m./p.m. on
..... day the day of 20 at which time you are requested to
attend by yourself or your agent, as you may think fit, at (state place of meeting) and in the
meantime I shall make such traverses as I may deem requisite.

Dated this day of 20

.....
Land Surveyor.

CHAPTER 5.07 LAND SURVEYORS ACT

SUBSIDIARY LEGISLATION

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Land Surveyors (Licence Fee) Regulations – Section 28

(Statutory Instrument 52/1986)

ARRANGEMENT OF REGULATIONS

1. Citation
 2. Licence Fee
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LAND SURVEYORS (LICENCE FEE) REGULATIONS – SECTION 28

Commencement [7 June 1986]

1. Citation

These Regulations may be cited as the Land Surveyors (Licence Fee) Regulations.

2. Licence Fee

The fee payable to the Treasury in respect of the grant of a licence to practice as a surveyor is \$300.

Land Surveyors Regulations – Section 28
(Statutory Instruments 68/1984 and 53/1986)

Statutory Instrument 68/1984 .. in force 22 December 1984
Amended by S.I. 53/1986 .. in force 7 June 1986

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LAND SURVEYORS REGULATIONS – SECTION 28

Commencement [22 December 1984]

PART 1 PRELIMINARY

1. Citation

These Regulations may be cited as the Surveyors Regulations.

2. Interpretation

In these Regulations, except where the context otherwise requires—

“**approximate**” in relation to any boundary has the meaning ascribed to it in section 17 of the Land Registration Act;

“**fixed**” in relation to any boundary has the meaning ascribed to it in section 18 of the Land Registration Act;

“**general**” in relation to any boundary has the meaning ascribed to it in section 17 of the Land Registration Act;

“**principal law**” means the Land Surveyors Act;

“**Registration section**” has the meaning ascribed to it in the Land Registration Act; and

“**Registry map**” has the meaning ascribed to it in the Land Registration Act.

PART 2 REGULATIONS AFFECTING ALL SURVEYS MADE UNDER SECTION 14 OF THE PRINCIPAL LAW

3. Disputes

If a dispute arises between a licensed surveyor and the Chief Surveyor over the application of the Regulations, either party may refer the matter to the Board. The Board shall hear and determine such dispute, and its decision shall be final.

4. Units of Measurement

- (1) All distances shown on plans shall be in metres and decimals of a metre.
- (2) All angular measurements shall be in degrees, minutes and seconds of arc.
- (3) For purposes of conversion from international metre to English feet, the relationship to be used shall be one international metre equals 3.2808456 English feet.

5. Systems of Co-ordinates and projections

- (1) The figure of the earth and the projection to be used in the computation of co-ordinates of any survey shall be the Transverse Mercator Projection for the West Indies using the Clark 1880 (modified) figure elements; semi-major axis 6,378,249 international metres flattening 1/293.5.
- (2) Surveys may only be based on a local system by prior arrangement with the Chief Surveyor.

6. Maintenance

- (1) Every licensed surveyor shall maintain his or her theodolite, measuring bands and all other equipment in good order, and the Chief Surveyor may refuse to authenticate any survey which has been made with defective equipment.
- (2) All distance measuring equipment shall be submitted to the Chief Surveyor once every 12 months for checking against the official standard. Checking will be over a period of 3 days commencing on the second Monday of each New Year at such time and place as the Chief Surveyor may direct.
- (3) The Chief Surveyor may refuse to authenticate any survey made with measuring equipment not submitted for inspection as in subsection (2).
- (4) A licensed surveyor shall notify the Chief Surveyor if he or she has taken receipt of new measuring equipment and shall present this for checking when requested to do so. A surveyor is not precluded from using new equipment if the Chief Surveyor is notified of its receipt.
- (5) The Chief Surveyor may require a licensed surveyor to present his or her measuring equipment for checking at any time.

7. Presentation of surveys

- (1) Every licensed surveyor shall be personally responsible for the accuracy, fidelity and completeness of every survey presented by him or her for the approval of the Chief Surveyor.
- (2) It shall be the duty of every surveyor making any survey under these Regulations to record all relevant information that may aid in securing the accuracy and completeness of every such survey and serve the purposes of good Government.
- (3) Every surveyor shall perform sufficient work to enable him or her to apply a thorough check to every part of his or her survey.
- (4) Every surveyor shall present his or her plan, computations and connected documents of every survey in such a manner as the Chief Surveyor may require, and if any surveyor forwards to the Chief Surveyor any plan, computation or connected document which does not conform substantially with the appropriate requirements, the Chief Surveyor may, at his or her discretion return the plan, computation and connected document to the surveyor and refuse to authenticate such plan, computation or connected document until it has been made to conform with the appropriate requirements.
- (5) All plans, computation and connected documents returned to a surveyor shall be resubmitted to the Chief Surveyor without undue delay and in no circumstances shall this be later than one month after the return of the plan to the surveyor.

8. Permissible errors of measurement

All measurements must be made in accordance with these Regulations and the Chief Surveyor may refuse to authenticate any survey which contains errors in excess of those that can be expected from measurements properly carried out in the manner specified.

9. Checking of surveys

The Chief Surveyor may at any time depute any surveyor to check in the field any survey made under the law by any other surveyor, and such check may include the verification of any information recorded in connection with such survey mark established under the law or any regulations made thereunder.

10. Information prior to surveys

(1) Before carrying out any survey, every licensed surveyor shall be provided, or shall provide himself or herself with all available information in respect of any previous survey of the parcel of land to be surveyed and of any adjoining parcel.

(2) Applications to the Chief Surveyor for this information shall be in writing and shall, whenever applicable make reference to the approval for subdivision, or other transaction and of the official index sheet.

(3) The Chief Surveyor shall make available to any licensed surveyor all technical information in his or her possession. Where the licensed surveyor extracts the information himself or herself by personal search no fee will be payable, but where the information is extracted on his or her behalf by the Chief Surveyor the fee will be in accordance with the official tariff.

11. Prior approval of statutory authorities

Before submitting any survey to the Chief Surveyor, a licensed surveyor shall provide written evidence that the subdivision or other transaction of any parcel of land has been approved by the appropriate Government authority in any case where such approval is required by any law and that the survey submitted conforms with such approval.

12. Authority for entry upon land

Under sections 16 and 18 of the principal law the Chief Surveyor shall furnish to every surveyor an official letter of authority in Form A in Schedule 1 to these Regulations.

13. Employment of unqualified assistant

(1) A licensed surveyor shall not employ an unqualified assistant without the written approval of the Board.

However, the Chief Surveyor may give provisional approval pending decision by the Board.

(2) When such approval is given it shall be for a period of not more than 2 years in the first instance and may thereafter be renewed for further periods at the discretion of the Board.

(3) The work done by any such assistant shall be under the direct personal control of the licensed surveyor, who shall himself or herself carry out a sufficient check to ensure that the work done by such assistant is correct. The licensed surveyor shall accept full personal responsibility for all work performed by his or her unqualified assistant.

(4) The licensed surveyor shall supply a certificate which shall be drawn up in Form B in Schedule 2 to these Regulations.

(5) If the Chief Surveyor finds that an unqualified assistant has performed any work which has not been supervised and checked by the licensed surveyor he or she may suspend approval for the employment of the unqualified assistant, and the case shall be referred to the Board whose decision on the matter shall be final.

14. Fees in respect of services rendered by the Chief Surveyor

The fees as shown in Schedule 3 in respect of services rendered by the Survey Department shall be collected by the Chief Surveyor. (*Substituted by S.I. 53/1986*)

15. Fees chargeable by licensed surveyors

The fees prescribed in Schedule 4 to these Regulations shall be charged by a licensed surveyor in respect of work done by him or her.

PART 3 SURVEY MARKS, BOUNDARY BEACONS AND BOUNDARIES

16. Design and specification of survey marks

(1) The design of the survey marks shall be as specified by the Chief Surveyor, except in special circumstances which must be set out in the report on the survey.

(2) Every new triangulation or trilateration station other than a purely auxiliary station shall be permanently marked and numbered in the sequence given by the Chief Surveyor.

(3) In third order traverses as defined in regulation 37 all traverse stations shall whenever possible be permanent points.

17. Placement of survey marks

(1) Where the boundaries of a parcel are required to be fixed in accordance with section 18 of the Land Registration Act, any beacons required to be placed to define accurately the boundaries of the parcel shall be of such type as the Chief Surveyor may require and may be surmounted by a cairn of stones or witnessed by a tree or tall post planted for the purpose.

(2) Where a boundary is inadequately defined and it is necessary to place a beacon to define the approximate position of the boundary such a beacon shall conform to the requirements of subregulation (1).

(3) With a view to facilitating the location of isolated boundary beacons, such beacons shall be referenced to any nearby prominent physical feature.

(4) Adjacent beacons along the same line shall be intervisible with a maximum distance between them of 150 metres.

18. Line beacons and river beacons and new curvilinear boundary

(1)

(a) Where a rectilinear boundary intersects a curvilinear boundary such as a road or river and a beacon, required by regulation 17, cannot be placed on the intersection, a beacon shall be placed on the rectilinear boundary as near as possible to the intersection.

(b) Where the curvilinear boundary such as the centre line of a non-tidal river is in a river or swamp the beacon shall be placed above flood level.

(2) When a line or river beacon has been placed in accordance with regulation 17(1) the distance from the line or river beacon to the actual boundary shall be measured to 0.3 metres.

(3) All subdivisions of a parcel, the boundaries of which have been fixed, which is situated across a river reserve or right of way shall be fully beacons as self contained units.

(4) Where a curvilinear feature is adopted as a sub-divisional boundary of a parcel, the boundaries of which have been fixed the several subdivisions and any remainder shall be fully beacons as self contained units.

(5) Where a new curve is being established it shall be marked at both ends and at the mid point and along the curve so that at no point does the curve depart from the chord by more than 0.5 metres.

19. Placing beacon on boundary line

Where a beacon is placed on a boundary line that has been fixed it shall be provided to be on line by establishing either direct or indirectly its relationship with the terminal beacons of the line.

20. Beacons placed from computed data

Where a beacon is placed from computed data, its position shall be provided by an independent field check and calculation.

21. When beacon cannot be placed

When the corner of a parcel, the boundaries of which are required to be fixed, falls within inaccessible ground where a beacon cannot be placed, the position of such corner shall be permanently referenced by at least one indicative beacon placed on a boundary line as near as possible to the corner. The details of the situation shall be indicated on the plan or in an inset on the plan.

22. Damaged beacons to be repaired

Where an old beacon of the parcel under survey is found to be damaged, the surveyor shall repair or renew the beacon and shall make a record of the repairs on his or her field notes.

23. Trigonometrical stations to be repaired

(1) Every surveyor engaged on a public survey who discovers any trigonometrical or traverse stations to be damaged and in need of repair shall carry out such repair as may be necessary.

(2) A licensed surveyor not engaged on a public survey is not required to repair any damaged trigonometrical or traverse station, but he or she shall report in writing to the Chief Surveyor the name, number and position of any such station and the nature of the damage he or she has observed.

24. Missing beacons and report

Missing beacons shall be noted in the surveyor's report to be presented under regulation 63 and in order to demonstrate that he or she has searched in the right place the surveyor shall furnish such measurement and observation as may be necessary.

25. Re-establishment of missing beacons

If a surveyor is required to re-establish a missing beacon he or she shall submit his or her field notes, computations and report to the Chief Surveyor.

26. Redundant beacons

Where the existence of a visible redundant beacon is likely to lead to confusion, it shall be removed and replaced by an underground mark in the form of an upturned bottle or a standard survey mark and should be described by the surveyor in his or her report.

27. Surveys and re-establishment of boundaries

(1) In every survey of land where the position of a feature or beacon defining the boundary or a parcel is found to differ materially from that indicated by the relevant previous survey, the surveyor shall exercise the greatest care—

- (a) in establishing that the discrepancy actually does exist;
- (b) in collecting all evidence which may have a bearing on the eventual action to be taken; and
- (c) in preparing his or her report of the evidence and his or her decision.

(2) A careful search shall be made in the position indicated by the previous survey to ascertain whether or not any evidence of the old boundary feature or beacon still exists and the position of any building or other development within 10 metres of the boundary shall be recorded.

(3) The surveyor may provide the Chief Surveyor with a full report and shall request instructions or may proceed at his or her own risks and provide the Chief Surveyor with a full report on completion.

PART 4 SURVEYS PERFORMED BY TRIANGULATION, TRILATERATION, TRAVERSE AND AIR SURVEYS

28. Guiding principle

All licensed surveyors shall assist, as far as is consonant with efficient and economical survey, in the establishment and increase of permanent control marks of all types throughout the territory.

29. Main control surveys

(1) All surveys for the extension of the control network shall normally be carried out by Government surveyors under instructions from the Chief Surveyor.

(2) All tertiary control surveys shall be carried out in the manner specified by the Chief Surveyor, and shall aim to achieve a standard accuracy of not less than 1:20,000. Where existing control precludes the attainment of this accuracy the Chief Surveyor may at his or her discretion relax the standard.

(3) All tertiary (or higher accuracy surveys) shall have permanently marked stations as in regulation 16(2), and there shall be a description of each station filed in the Survey Department. The computed co-ordinates shall be entered in the co-ordinate lists.

30. Minor control surveys

(1) Minor surveys, but not including boundary surveys, shall conform to such standards as the Chief Surveyor may direct.

(2) Wherever possible minor control stations shall be permanently marked, either by constructing a mark or by using an existing identifiable mark, such as a boundary mark, hydrant, *et cetera*. The description of each station and its co-ordinate shall be filed in minor control registers for the largest scale official map. Each station shall occupy a single page in the register.

31. Control station numbering

Control stations shall be numbered as directed by the Chief Surveyor.

32. Boundary surveys

Any boundary survey shall be carried out in such manner as is consistent with the existing survey data, boundary information, the nature of the boundary and any recommendations made by the Chief Surveyor prior to the commencement of the survey.

FIXED BOUNDARY SURVEYS

33. Fixed boundary survey connected to national control network

(1) Any fixed boundary survey ordered by the Registrar under section 18 of the Land Registration Act shall be connected to a station in the national control network. Where it is impractical for any licensed surveyor to undertake this task the Survey Department shall on request establish a control point within 300 metres of the location of the survey.

(2) A survey shall be connected to the control framework by traversing or triangulation, or by—

- (a) intersection, if at least 3 suitable rays are observed into the point to be co-ordinated;
- (b) resection, if at least 4 points in favourable positions for such co-ordination are observed; or
- (c) intersection from 2 points combined with a resection at the point to be co-ordinated.

34. Instruments

(1) A theodolite reading to 20" of arc or better shall be used for all fixed boundary surveys.

(2) Measuring bands, steel tapes and electronic measuring equipment shall be of a type approved by the Chief Surveyor.

35. Accuracy

Surveys for fixed boundaries shall aim to achieve a standard accuracy of 1:5,000 in towns and villages and 1:3,000 elsewhere except in special circumstances where this may be relaxed at the discretion of the Chief Surveyor.

36. Method of observing

(1) At every traverse or triangulation station at least 2 rounds (where one round is a series of pointings made on face left followed by a series on face right) using 2 different zeros shall be observed.

(2) Distances shall be measured with sufficient precision to achieve the measures given in section 35 and shall be adjusted for slope, sag, temperature and tension if necessary. Lines measured with a band or tape shall be measured both ways, and EDM equipment shall be used in such manner as to avoid errors.

37. Closing of traverses

(1) A surveyor shall not use a looped traverse if it is practical to close between 2 previously fixed stations.

(2) If a looped traverse cannot be avoided different orientating rays shall be used for opening and closing the traverse if available.

(3) "Open" or "swinging" traverses shall not be used.

38. Surveying of boundary beacons

Where possible, beacons defining a fixed boundary shall be surveyed as the stations of a closed traverse. Where this is not possible, sufficient measurements shall be taken to avoid any gross error in the fixing of such beacons.

39. Degree of slope

The degree of slope of a line shall be determined to sufficient accuracy to comply with regulation 35.

40. Curvilinear

(1) With the consent of the Chief Surveyor an existing survey of a curvilinear boundary may be adopted.

(2) Curvilinear boundary surveys shall be carried out to a standard accuracy appropriate to the plotting scale of the survey plan.

(3) If the tacheometric method is used to survey a curvilinear boundary, distances determined by staff readings shall not exceed 150 metres (500 feet) and all 3 stadia readings shall be taken.

(4) Offsets from a traverse that exceeds 45 metres (150 feet) shall be set out instrumentally or geometrically and the method shall be recorded in the field book.

41. Air Survey

Air survey methods may be used for fixed boundary surveys with the prior permission of the Chief Surveyor in writing.

GENERAL BOUNDARY SURVEYS

42. Guiding principle of general boundary surveys

General boundaries shall be surveyed to an accuracy sufficient to allow the parcel of land to be drawn unambiguously on the Registry map, so that there is no plottable error between adjacent surveys.

43. Connection to control

In order that a survey can be plotted in its correct location on the Registry map it shall be—

- (a) connected and oriented to the national framework control;
- (b) tied in to a minor control or boundary marks already connected to the framework control; or
- (c) tied into points of detail selected by the Chief Surveyor on the 1:2,500 or 1:5,000 plans.

44. Accuracy

General boundary surveys shall be carried out to an accuracy of 1:3,000 except at the discretion of the Chief Surveyor.

45. Method of survey

(1) Regulations 33, 34, 37, 38, 40 and 41 applicable to fixed boundary surveys shall also apply to general boundary surveys.

(2) The degree of slope of a line shall be determined with sufficient accuracy to comply with regulation 44.

46. Method of observing

Methods appropriate to fulfilling regulation 44 shall be used for observing. At least one face left and one face right on different zeros shall be observed by theodolite. Sufficient care shall be taken in measuring distances to correct for sag etc. and to avoid errors that cancel each other out and give a false misclosure.

47. Chief Surveyor's discretion

Where the Chief Surveyor considers that regulation 42 can be fulfilled by departing from regulations 43 to 46 he or she may, at his or her discretion, approve other methods of survey before the survey is executed.

PART 5 FIELD NOTES

48. Recording of observations for control work

At every triangulation or traverse station in a control survey, a surveyor shall record the date, the time, his or her name and the booker's name. Notes shall be made on any factor's which may adversely affect the observations.

49. Damaged beacons

A description of damage to survey beacons shall be included with the field notes.

50. Method of marking field notes

(1) All observations and measurements made in the field shall be recorded clearly and legibly in pencil or waterproof ink, provided that the colour red is not used in such manner as the Chief Surveyor may require.

(2) All entries in field notes not made in the field shall be in a different colour than the original field notes, provided that red is not used.

(3) All entries in field notes shall be indexed and referenced in such a way that any competent person shall be able to prepare a true plan therefrom, and the entries shall be capable of one interpretation.

51. Erasures and corrections

(1) In no circumstances shall any erasure be made in field notes.

(2) Corrections shall be made by drawing a thin line through the erroneous entry so as to leave it legible; the correct entry shall be written outside the erroneous entry and not across it.

(3) Corrections to field notes shall be made in the field and shall be a true record of a measurement or observation and shall be initialled by the surveyor.

52. Nomenclature

Nomenclature shall be chosen to avoid confusion, and the letters I and O shall be avoided in numbering survey marks.

53. Cover page and Index

(1) All survey notes and field books shall have a cover page stating the number of the survey, location of the survey, the surveyor's name and any other information that the Chief Surveyor may require.

(2) The information shall include the identifying number of the tape or measuring band used with its standard temperature and tension. If a tape is used in catenary its weight per 100', or other sensible unit of measurement shall be included. For all other instruments the type, serial number and calibration data should be recorded.

(3) The pages of field notes shall be numbered and index in numerical order shall be given on the front or reverse side of the cover page.

54. Unorthodox methods

A surveyor may be compelled to use unorthodox methods of survey owing to obstructions or difficulties in the field in which even he or she shall make explanatory notes and, where necessary, diagrams in the field notes to explain clearly the method he or she has used and recorded to maintain the accuracies required by these Regulations.

55. Topographical features

(1) Sketched topographical features in the vicinity of a beacon shall be recorded where possible, to facilitate its location.

(2) All developments on any plot such as buildings, wells, boreholes within 10 metres of the boundary shall be surveyed. Any other development such as pipelines, which in the surveyor's opinion may involve a question of easement, right of way or any prescriptive rights, shall also be surveyed.

(3) For surveys of Crown lands for sale, or lease or rental, a reserve of 10 metres shall be left on each bank of a river or ravine unless the Chief Surveyor instructs otherwise in writing.

PART 6 COMPUTATIONS

56. Computations to be on special forms

(1) Computations shall be made on such forms as the Chief Surveyor may require and shall be fully cross referenced to the field notes on other surveys.

(2) Licensed surveyors shall pay to the Chief Surveyor the cost price of any blank forms supplied to them by the Chief Surveyor.

57. Method of colouring entries on computation sheets

Computations shall be clearly and legibly set out in ink, and the entry of numbers or words to indicate checks on the computations shall be made in different coloured ink.

However, red ink shall be reserved for the use of the Chief Surveyor.

58. Triangulation and trilateration

Surveys carried out by triangulation and trilateration shall normally be set out and computed by the Direction Method, or in conformity with any other current standard survey method or as directed by the Chief Surveyor under regulation 30.

59. Traverses

(1) In surveys carried out by traverse methods, each separate traverse shall normally be set out in suitable form so as to demonstrate the initial datum bearing or bearings, the bearing misclosure and the consequent adjustment of bearings.

(2) The positional misclosure, its distribution through the traverse and the finally adjusted values of all traverse points shall be demonstrated in conformity with survey practice in the Survey Department.

(3) If an electronic calculator is used a surveyor is not obliged to present intermediate results if it was not necessary for the surveyor to record these during computation. A surveyor shall upon request furnish the Chief Surveyor with details of any electronic calculator used and of the routine or programme used to compute a survey presented for authentication.

60. Independent checks to be made

Before any surveyor forwards computations to the Chief Surveyor for authentication he or she shall make an independent check on all his or her calculations, and where possible these shall be demonstrated.

61. Areas

(1) The areas of parcels, the boundaries of which are fixed, shall be determined mathematically.

(2) When a portion of a fixed boundary is a curvilinear feature the area shall be determined partly by computation and partly by planimetric or graphical means.

(3) The area to be determined by planimetric or graphical means shall be reduced to a minimum by making use of any co-ordinated points within the curvilinear boundary to carry out a mathematical determination.

(4) The area of a parcel with general boundaries may be determined mathematically or graphically.

62. Degree of accuracy of calculating

Areas shall normally be calculated to the degree of accuracy specified in the following table:

<i>Decimal places of hectare</i>	<i>Fixed Boundaries</i>	<i>Approximate Boundaries</i>
Parcel of not more than 1 hectare	4	2
Over 1 ha. and not more than 5	3	2
Over 5 ha. and not more than 25	2	1
Over 25 ha. and not more than 100	1	Nearest ha.
Over 100 ha.	Nearest 0.5 ha.	Nearest ha.

63. Presentation of report and computations

The computation of every survey submitted for authentication shall be preceded by—

- (a) a report giving *inter alia* the names of the persons on whom notices were served, the persons who attended the survey, any unusual conditions, occurrences or circumstances, the grounds of any objections to the survey and the decision taken;

- (b) a general index to the computation; and
- (c) a complete list of final co-ordinates of every point adopted or calculated in the survey; this list shall be arranged in groups comprising datum points, new triangulation, trilateration, and traverse stations, old or re-established boundary beacons and new boundary beacons, arranged in alphabetical and numerical order; and on this co-ordinate list a description of every point shall be given, and reference shall be made to the source of co-ordinates including datum plans or pages of computations.

PART 7 PLANS

64. Plans to be drawn on special forms

(1) All plans shall be drawn in waterproof inks on such plan forms as the Chief Surveyor may require.

(2) The original plan should be submitted on stable transparent drawing medium drawn in black water proof ink and this shall be retained by the Survey Department. If a surveyor wishes he or she may request that dyeline copies be produced for his or her own use and shall pay the official charges for this service and for authentication by the Chief Surveyor.

(3) Licensed surveyors shall pay to the Chief Surveyor the cost price of any plan forms supplied to them by the Chief Surveyor.

65. Scales

(1) Plans shall be plotted at the same scale as the Registry map of the registration section in which the parcel is situated: i.e. at 1/5000, 1/2500, 1/1000, 1/500 or at such scale as the Chief Surveyor may require.

(2) A plan shall contain sufficient information to allow the survey to be recomputed. Traverse lines distinct from boundary lines may be evidenced by the symbol for traverse stations only and the times and lengths observed by the surveyor subject to regulations 36 and 46 and the adjusted grid bearings of these lines shown in a table.

(3) The plan symbols shown shall be those in use in the Survey Department.

(4) A separate diagram shall be produced with the field notes to show details of traverses and the measurements taken to tie the survey to the control framework.

66. Plotting of curvilinear boundaries

(1) Where the consent of the Chief Surveyor has been obtained for the adoption of an existing survey of a curvilinear boundary, the surveyor shall—

- (a) make an accurate reduction of the larger scale plan for use at a smaller scale;
- (b) make an accurate transfer for use at the same scale; or
- (c) replot from the original field notes and computations for use at a larger scale.

(2) Where a curvilinear boundary of a parcel has been surveyed, such curvilinear boundary shall be distinctively described.

67. Plotting by Co-ordinates

(1) All plans shall be plotted by rectangular co-ordinates.

(2) A plotting grid of squares indicated by crosses covering the surveyed areas shall be drawn in such a way that grid line values shall be at intervals of 100m. or even multiples of 100m. subject to subregulation (3) below.

(3) Every plan shall contain at least one complete grid square and no square shall have sides exceeding 10 centimetres in length and grid marks shall be placed at the side of the plan.

68. General Rules

(1) All details shown on the plan shall be distinct and the cramping of figures shall be avoided.

(2) The north point on every plan shall be upwards and parallel to the sides of the plan form.

69. Abutting boundaries

(1) All boundaries abutting on any parcel which has been surveyed shall be shown on the plan.

(2) Where the parcel or parcels adjoin a surveyed road, and where the scale of plotting permits, the boundaries abutting on the other side of the road shall be shown.

70. Co-ordinates and numerical data

(1) In every survey the co-ordinates of permanent control stations shall be tabulated on the plan.

(2) Where boundaries of parcels have been fixed, the following additional information shall be given on the plan—

- (a) the co-ordinates of block corners of regular shaped figures and of all beacons of irregular shaped parcels shall be tabulated;
- (b) the observed length without scale factor correction and the adjusted grid bearing of every boundary shall, when possible, be inscribed along the line to which they refer in a table.

(3) Co-ordinates, and lengths when required by subregulation (2), shall be shown to 2 decimal places of a metre.

(4)

- (a) The area of every parcel shall be inscribed where possible within the figures to which it refers to the degree of accuracy prescribed by regulation 62 of these Regulations.
- (b) Sufficient space shall be left for the parcel number to be inserted by the Chief Surveyor.
- (c) A parcel number shall not be inserted by any surveyor.

(5) All other data which may serve to clarify or complete any survey plan shall be shown on the plan.

71. Triangulation charts

When surveys have been made by triangulation or trilateration or a combination of these techniques, a chart drawn on a separate plan form shall be made showing all rays observed or measured or both. Such charts shall show a tabulated list of final co-ordinates of all permanent control points.

However, it shall not be necessary to draw a separate plan where the control points have been surveyed by methods permitted in regulation 34(2).

72. Colours and style printing

Every survey plan shall be drawn in accordance with the requirements of the Chief Surveyor in respect of colours, style of printing and other details.

73. Topographical features

(1) All topographical features that have been accurately fixed by survey, or have been sketched with reasonable precision, in accordance with regulation 55(1), shall be shown in their correct plotted positions on the plan.

(2) When form lines add nothing of significant value to the plan, they shall not be shown.

(3) Topographical information may with the prior approval of the Chief Surveyor be taken from any official map published by the Chief Surveyor or any authority approved by the Chief Surveyor with due caution in regard to the limitation enjoined by the scale of the map.

(4) Topographical information may be taken from aerial photographs but the source shall be shown on the plan.

74. Erasures or corrections

(1) Erasures shall not be made after a plan has been submitted to the Survey Department for lodging.

(2) Necessary corrections shall be made by scoring through the incorrect word, letter, or numerical in ink and writing the correct word, letter or numerical. Every such correction shall be initialled by the surveyor.

75. Certificate

Every plan shall have on it a certificate in such form as the Chief Surveyor may require and the certificate shall be signed and dated by the surveyor who made the survey.

76. Authentication by Chief Surveyor

The Chief Surveyor may refuse to authenticate any plan submitted by a licensed surveyor which, in his or her opinion has been drawn carelessly and untidily, or is received by him or her in a dilapidated or damaged condition.

PART 8 MISCELLANEOUS

77. Public access to maps and plans

(1) Any person shall have access, free of charge, to every published map and plan in the possession of the Chief Surveyor.

However, the Chief Surveyor or his or her representative may refuse access as he or she may deem necessary in the public interest.

(2) The search fee given in the Schedule shall be paid in advance by any person who is not a licensed surveyor or not on Government duty, for access to any unpublished plan. The search fee may be credited against the price of any print of the plan purchased at the time of the search.

Schedule 1

FORM A

Reg. 12

LETTER OF AUTHORITY TO CONDUCT A PUBLIC SURVEY

Authority is hereby given to
an *ex-officio* Surveyor
a licensed Surveyor
to conduct a public survey:
..... at for which notices
will be given as required under the Land Surveyors Act.

.....
Chief Surveyor.

Schedule 2

FORM B

Reg. 13

SURVEYOR'S CERTIFICATE ACCEPTING RESPONSIBILITY FOR SURVEY

This is to certify that I am the
Surveyor responsible for all the work performed by
....., an unqualified assistant.

Since this work has been done under my direct personal control, I further certify that I have
carried out sufficient checks to ensure that the work done by him or her is correct.

.....
Ex-officio/Licensed Surveyor.

Schedule 3

(Regulation 14)

FEES IN RESPECT OF SERVICES RENDERED BY THE CHIEF SURVEYOR

	<i>Nature of Service</i>	<i>Fees payable</i>
		\$ c.
(a)	authentication of a plan submitted by a surveyor	25 00;
(b)	preparation of certified copies or extracts of lodged plans	25 00;
(c)	a search	5 00;

(Inserted by S.I. 53/1986)

Schedule 4

Reg. 15

SCHEDULE OF FEES FOR LAND SURVEYORS

(a)	Daily	\$500.00
(b)	Closed traverse	
	(1 acre) 4,000 sq. m.	\$500.00
	6,000 sq. m.	\$625.00
	(2 acres) 8,000 sq. m.	\$750.00
	10,000 sq. m.	\$875.00
	(1 Carre) 12,500 sq. m.	\$1,000.00
	(2 Carres) 25,000 sq. m.	\$1,375.00
	(3 Carres) 40,000 sq. m.	\$1,750.00
	Remainder = each additional hectare or part	\$250.00
	1 Hectare = 2.47 acres	
(c)	City lots minimum	\$750.00
	In Central Castries	
(d)	Partition of land	
	Full fee or overall survey plus ⅔ of normal	
	fee for each sub-division.	
(e)	Alien Land Holding Surveys	
	Normal fee plus 1 % of selling price of the land surveyed	
(f)	Topo surveys	

	House lots not exceeding (10,000 sq. ft.) 1,000 sq. m.	\$500.00
	Other Land — per 4,000 sq. m. depending on terrain	\$500/750.00
(g)	Open traverse	
	Per 100 foot 30 m.	\$75.00
	Alternately — per day	\$500.00
(h)	Plan designs	
	Scheme not exceeding 10 lots	\$375.00
	Scheme from 11 lots but not exceeding 20 lots	\$625.00
	Scheme from 21 lots but not exceeding 50 lots	\$940.00
	Scheme from 51 lots but not exceeding 100 lots	\$1,250.00
	Over 100 lots	\$1,875.00
	The above fees do not include expenses for approval fees	
(i)	Layout of roads	
	Per 30 m	\$75.00
	Per (including grading) 30 m.	\$125.00
(j)	Scheme sub-division	
	500 sq. m. lots and under	\$225.00
	Over 500 sq. m. but not exceeding 1,000 sq. m.	\$275.00
	Over 1,000 sq. m. but not exceeding 2,000 sq. m.	\$312.00
	Other sizes $\frac{2}{3}$ of normal survey fee	
	N.B. —The above fees are minimum and obtain for surveys within 3 km. radius of the surveyor's station or offices	
(k)	Transport and subsistence allowance	
	Transport at the rate of \$1.20 per km. in the case of a Land Rover and \$0.95 km. in the case of a motor car above the 3 km. radius; and subsistence allowance of the surveyor and his or her workers must be paid for by the client.	
