



ANNO VICESIMO SEXTO

GEORGII V REGIS.

A.D. 1935.

No. 2220.

An Act to consolidate and amend the law for the licensing of surveyors, and for other purposes.

[Assented to, 21st November, 1935.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

PART I.

PART I.

PRELIMINARY.

1. This Act may be cited as the " Surveyors Act, 1935 ". Short title.
2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.
3. The Acts mentioned in the first schedule are hereby repealed. Repeal.
4. The provisions of this Act are arranged as follows :— Arrangement.
 - PART I.—Preliminary :
 - PART II.—The Surveyors' Board of South Australia :
 - PART III.—Examination and licensing of surveyors :
 - PART IV.—Powers to enter land :
 - PART V.—Miscellaneous.

PART I.

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Interpretation.

5. In this Act, unless the context or subject matter otherwise requires—

“ board ” means the Surveyors’ Board of South Australia :

“ chairman ” means the chairman of the board :

“ institute ” means The South Australian Institute of Surveyors, Incorporated :

“ licensed ” means licensed or deemed to be licensed under this Act :

“ licensed surveyor ” means a person licensed or deemed to be licensed as a surveyor under this Act :

“ member ” means a member of the board :

“ register ” means the register of licensed surveyors under this Act :

“ secretary ” means the secretary of the board.

PART II.

PART II.

THE SURVEYORS’ BOARD OF SOUTH AUSTRALIA.

Constitution of
the board.
cf. 657, 1896,
s. 4 (part).

6. (1) There shall be a board to be called “ The Surveyors’ Board of South Australia ”.

(2) The board shall consist of—

(a) the Surveyor-General :

(b) three members appointed by the Governor on the nomination of the institute :

(c) two members appointed by the Governor on the nomination of the Surveyor-General.

(3) When a vacancy occurs on the board, whether by the expiration of a member’s term of office or otherwise, the Governor shall, after nomination, appoint a member to fill the vacancy. If the member whose seat has become vacant was nominated by the institute, the person to fill the vacancy shall be nominated by the institute, and if by the Surveyor-General, he shall be nominated by the Surveyor-General.

(4) No person shall be appointed a member unless at the time of nomination he is licensed under this Act as a surveyor.

(5) All nominations shall be in writing. Nominations made by the institute shall be lodged with the Chief Secretary during the month of November in every year, and nominations made

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by the Surveyor-General shall be so lodged during the month of December in every year. Nominations of members to fill extraordinary vacancies on the board by the removal, death, or resignation of members, shall be lodged as aforesaid by the institute within one month, and by the Surveyor-General within two months after the happening of the vacancy.

(6) Notice of the appointment of any member shall be published in the *Government Gazette*, and the notice so published shall be conclusive evidence that the member was duly nominated and appointed.

(7) The members of the Board of Examiners for Surveyors appointed pursuant to The Licensed Surveyors Act, 1896, holding office at the commencement of this Act shall be, without any further appointment, the first members of The Surveyors' Board of South Australia under this Act.

7. (1) Appointed members shall be appointed for a term of one year, and shall retire from office on the thirty-first day of December in every year: Provided that—

Tenure of
office.
Cf. 657, 1896,
s. 4 (part).

- i. a member appointed to fill a vacancy caused otherwise than by a retirement of a member on the expiration of his term of office shall be appointed only for the unexpired portion of the term of the member in whose place he is appointed; and
- ii. any retiring member shall hold office until his successor is appointed.

(2) Any person ceasing to be a member by reason of the expiration of his term of office shall be eligible for reappointment.

8. (1) In addition to the retirement of members by the expiration of their terms of office, the seat of an appointed member shall become vacant on—

Casual
vacancies.

- (a) the death, lunacy or bankruptcy of the member; or the execution by the member of a statutory deed of assignment for the benefit of his creditors; or his compounding with his creditors for less than twenty shillings in the pound; or the conviction of a member for an indictable offence;
- (b) the cancellation or suspension of his licence under this Act;
- (c) the resignation of the member by notice in writing, posted or delivered to the chairman; or
- (d) the absence of the member from three consecutive meetings of the board without leave of the board.

(2) The Governor may remove any appointed member from his office on the recommendation of a majority of the members of the board.

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Appointment
without
nomination on
failure to
nominate.

9. (1) If in any case the institute fails to give notice in writing to the Clerk of the Executive Council of the nomination within two months after being requested in writing by the said clerk to make the nomination, the Governor may appoint a member without nomination.

(2) A member appointed pursuant to this section shall be deemed to have been appointed after being nominated by the institute.

Chairman.

10. (1) The Surveyor-General shall be *ex officio* chairman of the board.

(2) The chairman, when present, shall preside at all meetings of the board. In the absence of the chairman from any meeting, another member, chosen for the purpose by the majority of the members present and voting, shall preside.

(3) The person presiding for the time being shall have a casting vote as well as a deliberative vote.

Quorum.
Cf. 657, 1896,
s. 5.

11. Four members present at a meeting shall constitute a quorum of the board.

Voting.

12. Every question before the board at any meeting shall be determined by a majority of votes of the members present at the meeting, and no member so present shall refuse to vote.

Defects in
appointment.

13. (1) No act or proceeding of the board shall be invalid or illegal in consequence only of the number of the members of the board not being complete at the time of the act or proceeding.

(2) All acts and proceedings of the board shall, notwithstanding the subsequent discovery of any defect in the appointment of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if the said member had been duly appointed and was qualified and entitled to act and had acted as a member of the board, and as if the board had been properly and fully constituted.

Secretary.
657, 1896,
s. 6 (part).

14. At its first meeting after its appointment in any year, the board shall appoint one of its members to be the secretary of the board during the ensuing year. On the occurrence of any vacancy in the office during any year, the board shall appoint one of its members to be secretary of the board for the remainder of that year.

Protection of
board.

15. No matter or thing done or suffered by the board, or by any member, or the secretary, *bona fide* in the execution, or intended execution, of this Act, or the exercise or discharge, or intended exercise or discharge, of any of its or his powers or

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duties, shall subject the board, or any member, or the secretary, or any other person, or the Crown, to any liability in respect thereof.

16. (1) The board may enter into a reciprocal arrangement with any board or other competent authority in any part of His Majesty's dominions for the recognition of the status of any person authorised by that board or other authority to practise as a land surveyor in the part aforesaid, and the licensing of such persons under this Act.

Reciprocity.
Cf. 657, 1896,
s. 6, III.

(2) Any such arrangement may contain a condition that any such person applying to be licensed under this Act shall furnish additional satisfactory evidence of character and competency.

17. The Treasurer, out of moneys to be provided by Parliament, may in any financial year apply a sum not exceeding one hundred pounds—

Expenses of
board.

- (a) in payment of fees to members conducting examinations not exceeding two guineas a day :
- (b) in payment of the expenses of not more than two delegates to represent the board at any conference of surveyors held in the Commonwealth :
- (c) in the purchase of books or other publications relating to surveying or of instruments or materials necessary for the carrying out of the duties of the board under this Act :
- (d) in the payment of the costs of setting, preparing, printing, and checking examination papers :
- (e) in the payment of the general costs of the administration of this Act.

PART III.

PART III.

EXAMINATION AND LICENSING OF SURVEYORS.

18. (1) The board shall, at the times appointed by regulation, hold examinations.

Power to hold
examinations.
Cf. 657, 1896,
s. 6, II.

(2) Examinations shall be conducted by members of the board.

(3) Examinations shall be conducted in the manner and in the subjects prescribed by regulation.

Certificate of
competency
Cf. 657, 1896,
s. 6, III.

19. The board may give a certificate of competency in the prescribed form signed by the secretary and two members to any person who, after examination as aforesaid, satisfies the examiners in the subjects set for examination.

Licensing of
surveyors.
Cf. 657, 1896,
s. 6.

20. (1) Any of the following persons who satisfies the board that he has attained the age of twenty-one years, and is of good fame and character, shall upon payment of the prescribed fee be licensed under this Act by the board :—

I. Any person to whom a certificate of competency is issued under this Act or The Licensed Surveyors Act, 1896 :

II. Any person who holds a certificate, diploma, degree, or licence granted within or outside South Australia by some university, college, or other authority which is recognised by the board as furnishing sufficient evidence of the possession by the holder thereof of the requisite knowledge and skill for the efficient practice of the profession of surveying :

III. Any person who satisfies the board that he is by law entitled to practise as a land surveyor in any part of His Majesty's dominions in respect of which a reciprocal arrangement has been entered into under section 16, and who otherwise complies with any conditions authorised by this Act.

(2) Every person who at the commencement of this Act is registered as a surveyor under The Licensed Surveyors Act, 1896, shall be deemed to be licensed under this Act without the payment of any fee, and any qualification or certificate issued under the said Act shall be deemed to be a licence under this Act.

Applications
and proceed-
ings thereon.

21. (1) Any person desiring to be licensed shall submit to the board proof of the qualification upon which he relies.

(2) The board shall require the attendance before it of the person applying to be licensed, unless he is specially excused by the board, and may require the attendance of any other persons.

(3) The board may examine any person upon oath, affirmation, or declaration, and for that purpose any member may administer an oath, affirmation, or declaration.

(4) A summons issued by the board requiring the attendance of any person or the production of any documents, and signed by the secretary, shall have the same effect as a subpoena *ad*

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testificandum or *duces tecum*, as the case may be, issued out of the Supreme Court in a civil action ; and obedience thereto, or non-observance thereof, or refusal to give evidence, shall be enforced or punished by a judge of the Supreme Court in chambers, in the same manner as in the case of disobedience or non-observance of a subpoena issued out of the said court, or refusal to give evidence before the said court.

(5) If not satisfied that the applicant is entitled to be licensed, the board may refuse the application or adjourn the same for further consideration.

22. (1) If any person who applies to be licensed is dissatisfied with the decision of the board, he may, by motion to the Supreme Court, within three months after the giving of the decision, apply to the Supreme Court for an order directing the board to license him.

Appeal from
the board.

(2) The Supreme Court may order that the person applying be licensed, or that he be licensed conditionally or upon terms, or may decline to make such or any order.

23. (1) Before any person shall receive a licence under this Act he shall make a declaration in the form of the second schedule before a justice, and shall deliver the declaration to the secretary.

Declaration by
licensee.
Cf. 657, 1896,
s. 9.

(2) This section shall not apply to any person who at the commencement of this Act, is registered as a licensed surveyor under The Licensed Surveyors Act, 1896.

24. (1) When any person has paid the licence fee (if any) and has become licensed, the secretary shall deliver to him a licence in the prescribed form.

Licence

(2) On application made to him at any time and on payment of the prescribed fee, the secretary shall issue to any registered person a duplicate licence in any case where the secretary is satisfied that the original licence is lost or destroyed.

25. (1) The licence of any person under this Act—

(a) whose licence has been obtained by fraud or misrepresentation ; or

(b) whose qualification has been withdrawn, cancelled, or suspended by the university, college, board, or other authority by which it was conferred ; or

(c) who, after being licensed, has been convicted of any felony or misdemeanour, or of any offence which, if committed in South Australia, would be a felony or misdemeanour ; or

Power to
cancel licence.
Cf. 657, 1896,
s. 6.

- (d) who is guilty of infamous conduct in any professional respect ; or
- (e) who has wilfully certified to the accuracy of any survey plan knowing the same to be inaccurate, or without taking reasonable precautions to verify its accuracy ; or
- (f) who has made any survey or immediately directed and supervised any survey which is so inaccurate as to be unreliable ; or
- (g) who by reason of negligence or incompetence, has habitually made defective surveys, or who has habitually made surveys to which he has not applied adequate checks ; or
- (h) who has certified to the accuracy of any survey carried out by him or under his personal supervision if the operations of pegging and ground-marking, and all other requirements of the survey, have not been carried out in accordance with the regulations under this Act relating to the conduct of surveys and the operations incidental thereto ; or
- (i) who has supplied to the Surveyor-General any erroneous information with relation to any survey, boundaries of land, or survey pegs, knowing the information to be erroneous in any material particular ; or
- (j) who is convicted of any offence against or commits any breach of any regulation under this Act for insuring the accuracy of surveys,

may be cancelled or may be suspended for any period not exceeding three years by the board, and upon the making of the order of cancellation or during the period specified in the order of suspension, the said person shall cease to be licensed as a surveyor.

(2) The cancellation or suspension of the licence of any person whose licence has been so cancelled or suspended may, at any time and for such reason as the board thinks fit, by order of the board, be annulled, and the effect of any such annulment shall be as the board determines.

(3) If any licensed surveyor is convicted of an offence against or commits any breach of any regulation under this Act or commits any of the acts mentioned in paragraphs (d), (e), (f),

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(g), (h), or (i) of subsection (1), the board may in lieu of cancelling or suspending his licence, or in addition to suspending his licence—

- (a) impose a fine upon the licensed surveyor not exceeding fifty pounds, to be paid within such time as the board directs :
- (b) order the surveyor to pay the cost of the correction of his work within such time as the board directs :
- (c) order the surveyor to pay a specified sum as costs of the inquiry within such time as the board directs.

Any of the powers conferred by this subsection may be exercised either alone or together with any of the other powers so conferred.

(4) The board may, in the event of the non-payment of any fine or amount imposed or ordered to be paid under subsection (3), or any part thereof, suspend the licence of the surveyor until payment thereof is made.

(5) Before cancelling or suspending the licence of any person or imposing any such fine the board shall—

- (a) give to the said person, by post by registered letter, addressed to the last known place of residence or business of the said person at least fourteen days' notice in writing of the complaint against him and of the day, time, and place fixed for hearing the same ; and
- (b) hold full inquiry into the matter of the complaint, and afford the said person an opportunity of giving an explanation personally or in writing.

(6) The provisions of section 21 shall apply to the holding of an inquiry under this section in the same manner as if the inquiry were the hearing of any application for a licence under this Act.

(7) The board may act in any proceeding under this section against any licensed surveyor in any case where the board is of opinion that the licensed surveyor may reasonably be charged with the matters alleged against him and the board has by resolution authorised the taking of the proceeding. Neither the board nor any member shall be debarred from hearing and determining any charge by reason of the fact that the board or the member authorised the charge or took part in an investigation or inquiry as to the charge.

(8) If any person is dissatisfied with any decision of the board under this section, he may, by motion made within three months after the giving of the decision, apply to the

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Supreme Court for an order directing the board to rescind or vary the decision, and on any such motion the court may make such order as it thinks just, or may decline to make any order. Any order made by the court on any such appeal shall be final and conclusive.

Register.
Cf. 657, 1896,
s. 6, IV.

26. The board shall cause to be kept a register of persons licensed under this Act which shall contain the names, addresses, and qualifications of those persons, the dates of licensing, and any other matters prescribed.

Inspection of
register.

27. The register shall be kept by the secretary, and shall at all times be open to inspection by any person on payment of the prescribed fee.

Correction of
register.
Cf. 657, 1896,
s. 6 IV.

28. (1) The secretary shall from time to time strike out in the register the names of all licensed persons who have died, and shall make such alterations and amendments in the register as the board from time to time directs, for the purpose of making the same an accurate record of the names, addresses, and qualifications of all persons for the time being licensed.

(2) To assist the secretary in the discharge of his duties under this section, the Registrar-General of Births and Deaths on receiving notice of the death of any person licensed under this Act, shall forthwith inform the secretary in writing of the death.

Publication of
register.
Cf. 657, 1896,
s. 6, IV.

29. (1) A copy of the register shall, in the month of January in each year, be published by the secretary in the *Government Gazette* and notice of any addition to the register or the cancellation or suspension of the licence of any licensed surveyor shall be published by the secretary in the *Government Gazette* within fourteen days after the addition, cancellation, or suspension, as the case may be.

(2) Any copy of the register appearing in the *Government Gazette* shall in all courts and before all persons be *prima facie* evidence that the persons therein specified, and no others, are licensed: Provided that a certificate purporting to be signed by the secretary, and stating that, at the date mentioned therein, a person was or was not licensed, shall be *prima facie* evidence that the said person was or was not licensed at the date mentioned in the certificate.

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PART IV.

PART IV.

POWERS TO ENTER LAND.

30. In this Part—

Interpretation
547, 1892, s. 2

“lands” means all lands within the State, whether alienated from the Crown or otherwise, and all public roads, streets, thoroughfares, and reserves :

“occupier” includes leaseholder :

“owner” includes the person for the time being receiving or entitled to receive the rents and profits of the lands entered upon, whether on his own account, or as agent, trustee, or attorney for any other person ; and, in the case of public roads, streets, thoroughfares, and reserves, means the Crown, or the municipal corporation or district council, as the case may be, in which the same are vested :

“surveyor” means—

(a) a person licensed as a surveyor under this Act :

(b) any engineering surveyor in the employment of the Government.

31. (1) After notice is given pursuant to subsection (2), any surveyor, or assistant acting under his directions and personal supervision, may enter and remain for a reasonable time upon any lands, and drive and leave pegs in and make and leave any survey marks on any such lands for the purposes of any survey.

Power to enter
upon any
lands.
547, 1892, s. 3.

(2) No entry shall be made pursuant to this section unless and until notice is given of the intention to enter.

The said notice may be given—

(a) in writing by post to the occupier of the land at the dwelling house or place of business of the occupier ; or

(b) in writing or orally to the said occupier personally ; or

(c) in writing to any person apparently over the age of fourteen years at the dwelling house or place of business of the said occupier.

32. (1) For any of the purposes aforesaid any such surveyor or assistant acting as aforesaid may trim, lop, or cut down any trees or bushes that may obstruct his survey, doing as little damage as may be.

Power to cut
down trees, &c.
547, 1892, s. 4.

(2) The owner or occupier of any land so entered upon as aforesaid shall be entitled to compensation from the surveyor or his employer, for any damage or injury sustained in the exercise of the powers contained herein.

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(3) Any such surveyor or assistant may exercise the above-mentioned powers on any public road, street, or thoroughfare without being liable to any claim for compensation or to any action or other legal proceeding on account thereof.

Consent of owner, corporation, or district council.
547, 1892, s. 5.

33. Nothing in this Part shall be deemed to authorise the lopping, trimming, or cutting down by any surveyor or his assistant of any vines or fruit trees, or trees or bushes planted or conserved upon any private land without the consent in writing of the owner, or upon any public road, street, thoroughfare, or reserve within the jurisdiction of any municipal or district council without the consent in writing of the council first obtained.

Persons destroying survey marks.
547, 1892, s. 6.

34. Any person who during the progress of any survey wilfully pulls up, removes, destroys, or injures any peg or other survey mark driven, made, or put up, by or under the direction of any such surveyor on the boundaries of any roads or other property surveyed, or for the purpose of defining the boundaries, shall be guilty of an offence against this Act and liable to a penalty of not exceeding twenty pounds.

Recovery of compensation.
547, 1892, s. 7.

35. The compensation payable in respect of any matters under this Part may be recovered in the local court nearest the land entered upon.

PART V.

PART V.

MISCELLANEOUS.

Penalties on unlicensed surveyors.
Cf. 657, 1896, s. 12.

36. (1) Any person who not being a licensed surveyor—

- (a) uses or causes to be used any words, titles, initials, intended to cause, or which may reasonably cause any other person to believe that he is so licensed :
- (b) certifies to the accuracy of any survey or plan as a licensed surveyor :
- (c) performs or executes or undertakes to perform or execute any survey affecting the delimitation of boundaries or the location of survey-pegs in connection with any land for the purposes of the registration of any instrument of title,

shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

(2) For the purposes of this section a person whose licence has been cancelled or suspended shall during the period the cancellation or suspension continues not be deemed to be a licensed surveyor.

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(3) In any proceedings under this section the burden of proving that the defendant at any material time was a licensed surveyor shall lie upon the defendant.

37. The board may, by the secretary or any person thereunto authorised in writing under the hand of the chairman, in the name of the board, institute, carry on, prosecute, and defend any action, complaint, or proceeding whatsoever.

Power of board to sue and be sued.

38. Any certificate or licence under this Act shall, except upon proceedings to cancel the same, be conclusive evidence that all conditions precedent to the issue of the certificate or licence have been duly fulfilled.

Certificate evidence of compliance with conditions.
657, 1896,
s. 13.

39. In the absence of any special agreement in writing, any licensed surveyor shall be entitled to charge from the person employing him the fees provided for in the third schedule.

Fees to surveyors.
657, 1896,
s. 14.

40. Notwithstanding the provisions of The Real Property Act, 1886, or any other Act to the contrary, any licensed surveyor shall, for the purposes of any survey and upon payment of one search fee, have access to the register book and to all instruments filed and deposited in the Lands Titles Registration Office and the General Registry Office affecting not only the land the subject of that survey, but also any land adjoining the said land.

Free access to register book and instruments for purpose of survey.
1431, 1920,
s. 3.

41. Notwithstanding the provisions of The Real Property Act, 1886, a certificate under the hand of any licensed surveyor upon any map or plan, that he has personally surveyed the land comprised therein, and that the map or plan is a correct delineation thereof, or of the subdivision thereof, as the case may be, shall have the same force and effect as a declaration by the licensed surveyor to the like effect.

Alternative of certificate for declaration by licensed surveyor on map or plan.
1431, 1920,
s. 4.

42. Any licensed surveyor who wilfully and corruptly gives any certificate, by virtue of this Act, knowing the certificate to be false or untrue in any material particular, shall be guilty of a misdemeanour, and shall be liable to a penalty not exceeding one hundred pounds or to be imprisoned for any term not exceeding four years.

Punishment for false certificate.
1431, 1920,
s. 5.

43. (1) All surveys of Crown lands included in any pastoral, mineral, or other lease or claim, shall be made in accordance with data to be supplied by the Surveyor-General.

Surveys of certain Crown lands.
657, 1896,
s. 10.

(2) Plans of all such surveys shall be submitted in duplicate by the licensed surveyor making the same to the Surveyor-General, and if found correct shall be certified by the Surveyor-General, and one duplicate shall be deposited in his office and the other returned to the surveyor, and either duplicate so

certified, or a copy certified by the Surveyor-General for the time being, to be a true copy of the certified plan, shall be accepted as correct in all questions relating to the boundaries therein delineated of the land comprised in any such lease or claim.

(3) A certified copy of the plan shall be sent by the Surveyor-General to each lessee interested. The lessee shall be allowed time, to be fixed by the Surveyor-General, to appeal against the survey, and to give reasons, if any exist, why the survey should not be adopted.

Re-survey of
lines.
657, 1896,
s. 11.

44. In the event of a lessee objecting under the preceding section to the adoption of any survey made by a licensed surveyor, and giving sufficient reasons for the objections to the Surveyor-General, the Commissioner of Crown Lands shall nominate, at the said lessee's cost, some other licensed surveyor to re-survey the lines, which survey, if verified by the Surveyor-General, shall be final.

Penalty for
falsifying
register.

45. Any person who—

- (a) makes or causes to be made any falsification in the register or in any matter relating to the register ; or
- (b) knowingly makes any false statement upon any examination before the board, or in any document to be used in evidence before, or to be submitted to, the board ; or
- (c) utters or puts off, or attempts to utter or put off as true before the board any false, forged, or counterfeit degree, diploma, licence, certificate, or other document or writing ; or
- (d) procures or attempts to procure himself or any other person to be licensed by making or producing, or causing to be made or produced, any false or fraudulent statement, declaration, or representation, either verbal or in writing ; or
- (e) falsely personates or represents himself as being the person referred to in any degree, diploma, licence, certificate, document, or writing presented to the board, or in any licence granted under this Act ;

or who—

- I. fraudulently or by false representation obtains any licence under this Act ; or
- II. forges, alters, or counterfeits any such licence ; or
- III. utters or uses, or attempts to utter or use, any such forged licence, knowing the same to have been forged,

shall be guilty of a misdemeanour, and be liable to imprisonment for any term not exceeding three years.

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46. All moneys received by the board under this Act shall be paid to the Treasurer for the public uses of the State. Disposal of fees.

47. (1) The Governor may make regulations prescribing all matters which by this Act are contemplated or permitted to be prescribed, or which may be necessary or convenient to be prescribed for giving effect to this Act, including regulations for the following, among other purposes :— Regulations.

- I. Prescribing the manner in which nominations of members are to be made by the institute :
- II. Regulating the meetings and proceedings and the conduct of the business of the board :
- III. Prescribing the duties of the secretary :
- IV. Regulating the manner of keeping and the form of the register :
- v. Prescribing forms to be used under this Act :
- VI. Prescribing the conditions upon which any licensed surveyor may be removed or suspended from the register, or fined, or ordered to make any payment of any other amount pursuant to section 25 and providing for the payment of any such fine or other amount, and the consequences of default in payment :
- VII. Prescribing the course of study, professional practice, conditions of service, and training of persons desirous of qualifying for examination by the board :
- VIII. Prescribing the conditions governing the granting of exemptions from any of the requirements of the board in respect of examinations or professional service :
- IX. Prescribing the times and places of and the mode of conducting examinations :
- x. Prescribing the subject-matter of examinations to be conducted by the board, and the standards required to be obtained by successful candidates :
- XI. Prescribing the number of subjects that may be taken by a candidate at any one time, and the manner in which they may be passed :
- XII. Prescribing a scale of fees to be charged and paid in respect of any application, examination, registration, certificate, licence, inspection, or other proceeding, act, or thing provided or required under this Act :

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- XIII. Regulating the granting of certificates of competency :
- XIV. Prescribing details of reciprocal arrangements with other boards or similar competent authorities :
- XV. Prescribing what certificates, diplomas, degrees, or licences will be recognised by the board as qualifying the persons holding them or any of them to be licensed as surveyors, whether immediately, or after further examination or field service, or both :
- XVI. For securing the accuracy of plans and surveys made by licensed surveyors :
- XVII. Prescribing the character and extent of supervision to be exercised by licensed surveyors over surveys :
- XVIII. For securing the establishment and custody of permanent marks :
- XIX. For controlling the surveying of Crown lands and lands included in any mining lease, claim, licence, or permit granted by the Crown and lands included in any lease, agreement, or other instrument whereby Crown lands or such other lands are demised or otherwise dealt with :
- XX. For imposing penalties not exceeding ten pounds for the breach of any regulation made pursuant to paragraph XVIII. or XIX.

(2) All regulations made pursuant to paragraphs I. to XVII. (both inclusive) of subsection (1) shall be made on the recommendation of the board at a meeting of the board at which the Surveyor-General is present. All regulations made pursuant to paragraphs XVIII. to XX. (both inclusive) of subsection (1) shall be made on the recommendation of the Surveyor-General.

Costs in
Supreme Court
proceedings.

48. The Supreme Court, or a judge thereof, making or declining to make an order in any matter under this Act, may make any order and give any directions as to the costs thereof which it or he thinks proper.

Summary
proceedings
for offences.

49. All proceedings in respect of any offence against this Act, not being a misdemeanour, shall be disposed of summarily.

Expenses under
Act.

50. The money required for the purposes of this Act shall be paid out of moneys provided by Parliament for those purposes.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

W. DUGAN, Governor.

Surveyors Act.—1935.

SCHEDULES.

THE FIRST SCHEDULE.

ACTS REPEALED.

Number and Year of Act.	Short Title.
No. 547 of 1892	Land Surveyors Act of 1892
No. 657 of 1896	The Licensed Surveyors Act, 1896
No. 1431 of 1920	Licensed Surveyors Amendment Act, 1920
No. 1790 of 1927	Licensed Surveyors Act Amendment Act, 1927

THE SECOND SCHEDULE.

I, A.B., do hereby solemnly and sincerely declare that I will, to the best of my ability, and without partiality, favour, or affection, correctly survey and delineate the boundaries of any lands I may be instructed to survey.

Declared the day of 19 before me. A.B.
C. D.,
Justice of the Peace.

THE THIRD SCHEDULE.

For the time employed on any survey, and the plans, calculations, and travelling while employed thereon (exclusive of wages of assistants and expenses of party) :—
 Not exceeding per diem £5 5s.