

# REPRINT

## LAND SURVEYS ACT (CAP. 134)

**As in force at: 1 March 1996**

**STATUS: HISTORICAL & REPEALED**

This version is that published in the Revised Edition of the Laws in force in Solomon Islands on 1st March 1996 [LN 24/96]. It does not include amendments made since that date.

Repealed by the Land Surveyors Act 2017 (No. 2 of 2017) from 12 June 2017

**AN ACT FOR THE REGULATION OF LAND SURVEYORS AND SURVEYS**

## **LAND SURVEYS ACT (CAP. 134)**

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# LAND SURVEYS ACT (Cap. 134)

As in force at: 1 March 1996

## 1 Short title

This Act may be cited as the *Land Surveys Act*.

## 2 Interpretation

In this Act unless the context otherwise requires “**Surveyor-General**” means the chief surveyor in the service of the Government.

## 3 Application to be registered as Land Surveyor

- (1) Every person desirous of becoming a Land Surveyor shall address an application to that effect to the Minister, accompanied by such certificates of qualification as may be deemed expedient, and the Minister, if he thinks fit, may transmit such application and accompanying certificates to the Surveyor-General for his report thereon.
- (2) No application shall be entertained unless the applicant produces satisfactory certificates that he has been professionally employed for not less than two years, of which period not less than eighteen months has been spent in the field.

## 4 Examination of applicant

- (1) The Surveyor-General shall examine every such applicant, provided that such applicant shall before the time appointed for the examination pay to the Surveyor-General a fee of four dollars and twenty cents and shall report to the Minister as to the fitness of such applicant to be commissioned as a Land Surveyor.
- (2) If the report be favourable the Minister may issue a commission to the applicant as a Land Surveyor, and the name of every person to whom such a commission is issued shall be registered by the Surveyor-General.
- (3) The Surveyor-General may, at his discretion, dispense with the

examination above provided for in the case of an applicant who at the time of his application is registered or licensed as a Land Surveyor in any part of Her Majesty's dominions the laws whereof require the passing of an examination as a condition precedent to registration or licensing.

**5 Rules and directions by Surveyor-General**

Every registered Land Surveyor shall in the exercise of his functions conform to such rules and directions as the Surveyor-General, with the approval of the Minister, may from time to time make or issue.

**6 Recognition of surveys by Courts and Government**

No surveys other than those executed by a registered Land Surveyor, or other than those executed by or under the direction or authority of the Surveyor-General, the plans and memoranda of which have been countersigned by the Surveyor-General, shall be recognised by any Court in Solomon Islands or by the Government.

**7 Plans, etc., to be signed and dated**

Every plan or memorandum of survey made by a registered Land Surveyor shall be signed by the person making the same and shall bear the date of making.

**8 Duplicate of plans, etc., to be filed in Surveyor-General's office**

Every registered Land Surveyor shall file in the office of the Surveyor-General a duplicate of every plan and memorandum of survey made by him, and it shall be the duty of the Surveyor-General to lay down as far as possible upon general maps of the various islands of Solomon Islands the position and boundaries of the land surveyed.

**9 Penalty for unauthorised use of broad arrow**

If any person shall without the authority of the Minister use or make upon any land or upon anything thereon any mark in the form of a representation of a broad arrow he shall on conviction be liable to a fine of two hundred dollars or to imprisonment for six months or to both.

**10           Errors of registered surveyor to be corrected at his cost**

Any registered Land Surveyor who, in the exercise of his functions, shall make an error in any work which he shall have been directed or instructed to perform shall be liable at the request of the Surveyor-General or of the person directing or instructing him to correct such error at his own expense.

**11           Commission of registered surveyor may be suspended or cancelled in certain events**

If it shall be brought to the notice of the Surveyor-General or if he himself shall have reason to believe that any registered Land Surveyor has in the exercise of his functions acted dishonestly or negligently or in an unprofessional or improper manner or shown want of reasonable skill or that he has refused or neglected to conform to any rule or direction made or issued by the Surveyor-General as hereinbefore provided it shall be the duty of the Surveyor-General to frame a charge against him and to call him to answer thereto before a Board consisting of the Surveyor-General and two persons to be nominated by the Minister and if the said Board by a majority shall find the charge proved, or if such registered Surveyor shall fail to appear before the Board or appearing shall refuse to answer, the Board shall report the result to the Minister who may thereupon suspend or cancel the commission of the offender. The suspension or cancellation shall be published in the *Gazette*.

**12           Fees for Government surveys**

The Minister may from time to time by order fix the fees to be paid for surveys carried out by the Government, or for any work performed by the Government, in relation to any matter within the functions of the Surveyor-General.

**13           Fees payable to registered Land Surveyors**

There shall be paid to registered Land Surveyors for surveys and work done in connection therewith, when employed otherwise than by the Crown, such fees as may from time to time be fixed by the Surveyor-General with the consent of the Minister. In the event of any registered Land Surveyor charging any higher fees than those so fixed he may be deemed guilty of having exercised his functions

in an unprofessional and improper manner and may be dealt with accordingly.

**14      Penalty for unauthorised practising as a surveyor**

Any person, not being a duly registered Land Surveyor and entitled to practise as such, who for gain or reward as a Surveyor, purports to perform any of the duties or functions appertaining to the office of a Surveyor shall be liable, on conviction, to a fine of fifty dollars.

## ENDNOTES

### 1

#### KEY

amd = amended	Pt = Part
Ch = Chapter	rem = remainder
Div = Division	renum = renumbered
exp = expires/expired	rep = repealed
GN = Gazette Notice	Sch = Schedule
hdg = heading	Sdiv = Subdivision
ins = inserted	SIG = Solomon Islands Gazette
lt = long title	st = short title
LN = Legal Notice	sub = substituted
nc = not commenced	

#### NOTE

This Reprint comprises the Act and amendments as in force on 1 March 1996 and published as Chapter 134 of the Revised Edition of the Laws of Solomon Islands.

### 2

#### LIST OF LEGISLATION

##### ***Land Surveys Act (Cap. 134)***

<i>Constituent legislation:</i>	5 of 1915 (Commenced 19 May 1915)
	13 of 1959
	4 of 1968
	LN 46A of 1978
	LN 88 of 1978

### 3

#### LIST OF AMENDMENTS