NORTHERN TERRITORY OF AUSTRALIA

LICENSED SURVEYORS ACT 1983

As in force at 13 September 2025

Table of provisions

Part I Preliminary

1 Short title 1
2 Commencement 1
3 Repeal 1
4 Definitions 1

Part II Surveyor-General

5 Surveyor-General 3
6 Delegation 3
7 Acting appointment 3

Part III Surveyors Board

8 Surveyors Board 4
9 Composition of Board and appointment of members 5
11 Period of appointment 5
12 Chairperson 5
13 Resignation of members 5
14 Dismissal of members 5
15 Acting appointment 6
16 Powers and functions of Board 6
17 Meeting of Board 6
18 Delegation by Board 7
19 Liability for acts of Board, &c. 7
20 Setting of fees 8
21 Annual report 8

Part IV Registration and qualifications

22 Register 8
23 Application for registration 8
24 Registration 8
25 Qualification for registration 9
26 Examinations 10
27 Reciprocal arrangements 10
28 Payment of annual registration fee 10
29 Notice of decision to refuse registration 11
30 Proof of registration 11
31 Fraudulent registration 11
32 Alteration of Register 11

33 Cancellation or suspension of registration 12
34 Inquiry to be held 13
35 Notice of decision to reprimand, &c. 13
36 Effect of suspension of registration 14
37 Surrender of certificate 14
38 Application for re-registration 14

Part V Appeals

40 Licensed Surveyors Appeal Tribunal 15
41 Secretary of Tribunal 15
42 Powers and procedures of Tribunal 15
43 Appeals 16
44 Removal of suspension pending determination of appeal 17
45 Action consequent on allowance of appeal 17
46 Decision of Tribunal final 17

Part VI Practice of land boundary surveying

46A Coordinated survey areas 17
47 Board may give directions 18
48 Unauthorized surveys etc. 18

Part VII Survey plans

49 Submission and approval of plan 19
50 No acceptance of survey unless plan approved etc. 20
51 Correction of survey 20

Part VIII Miscellaneous

52 Legal assistance 21
53 Power to summon witnesses 21
54 Power to examine on oath 21
56 Failure to attend or produce documents 21
57 Refusal to take oath or give evidence 21
58 Protection of witnesses 22
59 Fees and expenses to witnesses 22
60 Board may inspect books, &c. 22
61 Power of entry upon land, &c. 22
62 Destruction of survey marks 24
63 Evidence of certified map, &c. 24
64 Judicial notice 24
65 Service of summons or notice 24
66 Regulations 25

Schedule Ordinances repealed

ENDNOTES

NORTHERN TERRITORY OF AUSTRALIA

As in force at 13 September 2025

LICENSED SURVEYORS ACT 1983

An Act to provide for the registration of land boundary surveyors and for the regulation of the practice of land boundary surveying, and for other purposes

Part I Preliminary

1 Short title

This Act may be cited as the *Licensed Surveyors Act 1983*.

2 Commencement

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

3 Repeal

The Ordinances specified in the Schedule are repealed.

4 Definitions

In this Act:

applicant means a person who applies under section 23 for registration.

approved means approved by the Board.

Board means the Surveyors Board of the Northern Territory of Australia established by section 8.

certificate of registration means a certificate of registration issued under section 24(3).

Chairperson means the Chairperson of the Board.

coordinated survey area means an area of land in the Territory declared under section 46A to be a coordinated survey area.

Deputy Chairperson means the Deputy Chairperson of the Board appointed under section 12(2).

graduate surveyor means a person who possesses the approved educational qualifications for registration as a licensed surveyor but has not satisfied the Board that the person has the additional qualifications for registration referred to in section 25(1)(a).

land includes land covered by water.

licensed surveyor means:

(a) a person whose name was immediately before the commencement of this Act entered in the Register kept under the repealed Act; or

(b) a person whose name is, for the time being, entered in the Register.

member means a member of the Board appointed under section 9(2) and includes a person appointed to act as a member.

reciprocating board means the surveyors board or other competent authority of a reciprocating State.

reciprocating State means a part of the Commonwealth or another country with the surveyors board or other competent authority of which the Board has entered into a reciprocal arrangement under section 27.

Register means the Register of Licensed Surveyors kept under section 22.

repealed Act means the Ordinances repealed by section 3, as in force immediately before the commencement of this Act.

survey means a measurement or delimitation of land boundaries authorized or required:

(a) under an Act dealing with the alienation, leasing or occupation of Crown land or land of the Crown, or affecting titles to land;

(b) by the Crown or the proprietor, lessee or mortgagee of the land or a prospective proprietor, lessee or mortgagee; or

(c) in connection with the dedication, reservation, resumption or disposal of land for any purpose under the authority of an Act,

and includes all matters incidental to or consequent upon such measurement or delimitation.

survey mark includes a beacon, concrete block, metal pin or plaque, peg, post, stone cairn or any other approved marker placed on land for the purposes of a survey or indicating a boundary.

Surveyor-General means the person appointed under section 5, and includes a person appointed under section 7 to act as the Surveyor-General while so acting.

Tribunal means the Licensed Surveyors Appeal Tribunal established by section 40.

Note for section 4

The Interpretation Act 1978 contains definitions and other provisions that may be relevant to this Act.

Part II Surveyor-General

5 Surveyor-General

The Minister may, by instrument in writing, appoint a person who is a licensed surveyor to be the Surveyor-General for the Territory.

6 Delegation

(1) The Surveyor-General may, by instrument in writing, delegate to a licensed surveyor any of his or her powers and functions under this or any other Act, other than the *Electoral Act 2004*, except this power of delegation.

(2) A power or function delegated in pursuance of this section, when exercised or performed by the delegate, shall be deemed to have been exercised or performed by the Surveyor-General.

(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Surveyor-General.

7 Acting appointment

(1) The Minister may appoint a licensed surveyor to act as the Surveyor-General:

(a) during a vacancy in the office of Surveyor-General, whether or not an appointment has previously been made to the office; or

(b) during a period, or during all periods, when the Surveyor-General is absent from duty or from the Territory or is, for any reason, unable to perform the functions of his or her office,

but a person appointed to act during a vacancy shall not continue so to act for a period in excess of 12 months.

(2) The appointment of a person under subsection (1) may be expressed to have effect only in such circumstances as are specified in the instrument of appointment.

(3) Where a person is acting as the Surveyor-General in accordance with this section and the office of Surveyor-General becomes vacant while that person is so acting then, subject to subsection (2), that person may continue so to act until the Minister otherwise directs, the vacancy is filled or a period of 12 months from the date on which the vacancy occurred expires, whichever first occurs.

(4) The Minister may, at any time, terminate the appointment of a person appointed to act in accordance with this section.

(5) The appointment of a person under this section ceases to have effect if he or she resigns his or her appointment by writing signed by him or her and delivered to the Minister.

(6) The validity of anything done by a person purporting to act under subsection (1) shall not be called in question on the ground that the occasion for his or her appointment had not arisen, that there is a defect or irregularity in or in connection with his or her appointment, that the appointment had ceased to have effect or that the occasion for him or her to act had not arisen or had ceased.

Part III Surveyors Board

8 Surveyors Board

(1) There is established by this Act a board by the name of the Surveyors Board of the Northern Territory of Australia.

(2) The Board:

(a) is a body corporate with perpetual succession;

(b) shall have a common seal; and

(c) is capable, in its corporate name, of suing and being sued.

(3) All courts, judges and persons acting judicially shall take judicial notice of the common seal of the Board affixed to a document and shall presume that it was duly affixed.

9 Composition of Board and appointment of members

(1) The Board consists of the Surveyor-General and 4 members.

(2) The Minister must, by *Gazette* notice, appoint the following to be the members of the Board:

(a) 2 persons from a panel of 3 licensed surveyors nominated by a recognised professional surveying body representing land boundary surveyors in the Territory;

(b) 2 other licensed surveyors.

(3) The exercise of a power or the performance of a function of the Board is not affected by reason only of there being a vacancy in the membership of the Board.

11 Period of appointment

A member:

(a) holds office for the period, not exceeding 4 years, specified in the instrument of appointment; and

(b) is eligible for re-appointment.

12 Chairperson

(1) The Surveyor-General is to be the Chairperson of the Board.

(2) The Board must appoint one of its members to be the Deputy Chairperson of the Board.

13 Resignation of members

A member may resign his or her office by writing signed by him or her and delivered to the Minister.

14 Dismissal of members

(1) The Minister may terminate the appointment of a member for inability, inefficiency, misbehaviour or physical or mental incapacity.

(2) Where a member:

(a) is absent, except on leave granted by the Board, from 2 consecutive meetings of the Board;

(b) becomes bankrupt, applies to take the benefit of a law for the relief of bankrupt or insolvent debtors, compounds with his or her creditors or makes an assignment of his or her remuneration for their benefit; or

(c) is convicted, whether in the Territory or elsewhere, of an offence punishable by imprisonment for 12 months or longer or of any offence which, in the opinion of the Board, renders him or her unfit to practise as a licensed surveyor,

the Minister shall terminate the appointment of the member.

15 Acting appointment

(1) Where a member is or is expected to be absent from duty as a member (including where he or she is or is expected to be acting as the Surveyor-General) or from the Territory or is for any reason temporarily unable to perform the duties of his or her office, the Minister may appoint a licensed surveyor to act as a member during the absence or temporary inability.

(2) The Minister may, at any time, terminate an appointment made under this section.

(3) The validity of a decision of the Board shall not be questioned in any proceedings on a ground arising from the fact that the occasion for the appointment of a person purporting to be appointed under this section had not arisen or that an appointment under this section had ceased to have effect.

16 Powers and functions of Board

The Board has such powers and functions as are given to or imposed on it by or under this or any other Act of the Territory.

17 Meeting of Board

(1) Subject to subsection (2), the Chairperson shall, by reasonable notice given to all members, call such meetings of the Board as are necessary for the exercise of its powers and the performance of its functions, but so that the interval between one meeting and the next does not exceed 12 months.

(2) At any time:

(a) the Minister may direct; or

(b) a majority of the members may request,

the Chairperson to convene a meeting of the Board and the Chairperson shall convene a meeting in accordance with the direction of the Minister or may convene a meeting in accordance with the request of the members.

(3) At a meeting of the Board:

(a) the Chairperson or, in the absence of the Chairperson, the Deputy Chairperson and 2 members constitute a quorum;

(b) questions arising shall be determined by a majority of the votes of the Chairperson and members present and voting;

(c) the Chairperson or Deputy Chairperson presiding has a deliberative vote and, in the event of an equality of votes, also has a casting vote; and

(d) subject to this Act, the Board shall determine the procedure to be followed at or in connection with the meeting.

(4) The Board shall keep records of its meetings.

18 Delegation by Board

(1) The Board may, by instrument in writing, delegate to the Chairperson or a member any of its powers and functions under this Act, other than this power of delegation.

(2) A power or function delegated under this section, when exercised or performed by the delegate, shall, for the purposes of this Act, be deemed to have been exercised or performed by the Board.

(3) A delegation under this section does not prevent the exercise of a power or the performance of a function by the Board.

19 Liability for acts of Board, &c.

Where the Board, the Chairperson or a member commits an act or makes an omission in good faith:

(a) in the exercise or purported exercise of a power; or

(b) in the performance or purported performance of a function,

under this Act for the purpose of giving effect to the provisions or objects of this Act, or for discharging an obligation placed on the Board, the Chairperson or a member by this Act, no action, claim or demand, either civil or criminal, in respect of that act or omission lies, or shall be commenced or allowed, against the Territory, the Board, the Chairperson or a member.

20 Setting of fees

Subject to sections 26 and 28 and the Regulations, the Board may, by notice in the *Gazette*, prescribe the fees payable in respect of any application to, or matter or thing required by or under this Act to be done by or in relation to, the Board or the Tribunal, and a fee so set shall be payable accordingly.

21 Annual report

(1) At the end of each financial year, the Board must prepare a report on its operations during that financial year.

(2) The Board must give the report to the Minister within 6 months after the end of that financial year or another period specified by the Minister.

(3) The Minister must table a copy of the report in the Legislative Assembly within 6 sitting days after the Minister receives the report.

Part IV Registration and qualifications

22 Register

(1) The Board shall keep a register to be known as the Register of Licensed Surveyors.

(2) The Board shall, as soon as practicable after 1 January in each year, publish in the *Gazette* the name, and address referred to in section 24(1)(a) and (b), of each licensed surveyor, as at that date.

23 Application for registration

(1) A person may apply in the approved form to be registered as a licensed surveyor.

(2) An application under subsection (1) shall be accompanied by the prescribed fee.

24 Registration

(1) Where the Board has received an application for registration and the prescribed fee, and has authorized the registration of the applicant as a licensed surveyor, it shall, subject to section 39, cause to be entered in the Register:

(a) the applicant's name;

(b) his or her professional address or addresses, if any, in the Territory or, if he or she has no such professional address, his or her place of residence, whether in the Territory or elsewhere;

(c) particulars of his or her qualifications;

(d) the registration number allotted to him or her;

(e) the date of his or her registration; and

(f) such other particulars, if any, as are prescribed.

(2) An entry in the Register shall be signed by the Chairperson or the Deputy Chairperson.

(3) Where a person is registered as a licensed surveyor the Board shall cause to be issued to him or her a certificate of registration, under the hand of the Chairperson or Deputy Chairperson.

25 Qualification for registration

(1) Subject to subsection (2), the Board shall authorize the registration of a person as a licensed surveyor if he or she satisfies the Board that he or she is a fit and proper person to be so registered and:

(a) he or she has approved educational qualifications and:

(i) has completed, in accordance with the directions of the Board, approved training and field service with a licensed surveyor; or

(ii) has completed training and field service outside the Territory which, by itself or together with further training or field service in the Territory, is, in the opinion of the Board, equivalent to the training and field service referred to in subparagraph (i),

and has passed such examinations, if any, as are required by the Board;

(b) he or she is registered, licensed or authorized to practise as a surveyor of land boundaries by a reciprocating board; or

(c) he or she holds a letter of accreditation issued by a reciprocating board certifying that he or she is qualified, under the relevant law, to be registered, licensed or authorized to practise as a surveyor of land boundaries.

(2) The Board may require an applicant for registration to attend personally before it and, if he or she fails to attend as required, may refuse to authorize his or her registration.

26 Examinations

(1) For the purpose of determining whether an applicant for registration is qualified to be registered as a licensed surveyor, the Board may conduct such examinations, either written or oral, as it thinks fit and for that purpose may appoint examiners and supervisors of examinations and pay to them such fees as are approved.

(2) An application to sit for an examination referred to in subsection (1) shall be in the approved form and be accompanied by the approved fee.

27 Reciprocal arrangements

The Board may enter into a reciprocal arrangement with a surveyors board or other competent authority in any part of the Commonwealth or another country, for the recognition of the status of a person registered, licensed or authorized by the surveyors board or other competent authority to practise as a surveyor of land boundaries in that part of the Commonwealth or other country, and for his or her registration as a licensed surveyor under this Act.

28 Payment of annual registration fee

(1) A licensed surveyor shall, before 1 December in each year, pay to the Board the prescribed annual registration fee for the ensuing year of registration commencing 1 January and ending 31 December.

(2) If a licensed surveyor fails to pay the prescribed annual registration fee for the ensuing year of registration before the commencement of that year of registration the Board may remove his or her name from the Register.

(3) A person whose name has been removed under subsection (2) from the Register may apply to the Board to have his or her name restored to the Register and, on payment of the prescribed fee and any prescribed annual registration fee remaining unpaid by him or her as the Board thinks fit, the Board may restore his or her name accordingly.

(4) Subject to the Regulations, the Minister may, by notice in the *Gazette*, prescribe fees for the purposes of this section.

29 Notice of decision to refuse registration

Where the Board refuses to authorize the registration of a person as a licensed surveyor, it shall:

(a) record the reasons for its decision;

(b) serve on the applicant personally or by posting it by prepaid letter addressed to him or her at the address shown as his or her address in the application, within 7 days after so deciding, notice of its decision; and

(c) if the applicant so requests, supply him or her with a copy of its reasons.

30 Proof of registration

(1) A certificate of registration is evidence that the person specified in the certificate was registered under this Act on the date specified in the certificate.

(2) A document purporting to be a certificate under the hand of the Chairperson or Deputy Chairperson and stating that a person was or was not registered on the date or dates or during the period mentioned in the document is, in all courts and before all persons and bodies authorized to receive evidence, evidence of the matter so stated.

31 Fraudulent registration

A person shall not, in connection with an application for registration under this Act, make a false or misleading statement or produce a false certificate, testimonial or other document.

Maximum penalty: 100 penalty units or imprisonment for 6 months.

32 Alteration of Register

The Board shall cause to be removed from the Register the name of a licensed surveyor who dies or who requests his or her name to be removed and may cause to be made such alterations to the particulars recorded in the Register as are necessary.

33 Cancellation or suspension of registration

(1) Subject to section 34, the Board may order the removal from the Register of the name of a licensed surveyor:

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

(b) who is found guilty, whether in the Territory or elsewhere, of an offence which, in the opinion of the Board, renders him or her unfit to practise as a licensed surveyor;

(c) who is found guilty of an offence against this Act;

(d) who is found guilty of an offence against any other law in force in the Territory relating to the duties and functions of licensed surveyors or matters incidental to surveys;

(e) whose name is, otherwise than for non-payment of fees or at his or her own request, removed from a register of surveyors, or like records, kept by a reciprocating board;

(f) who becomes of unsound mind;

(g) who in the opinion of the Board is guilty of:

(i) habitual drunkenness or addiction to a narcotic drug;

(ii) allowing a person, other than a licensed surveyor or a person employed under his or her direct supervision, to practise in his or her name as a licensed surveyor; or

(iii) directly or indirectly giving or offering or agreeing to give or offer to a person a valuable consideration for securing or attempting to secure for the licensed surveyor employment or work as a licensed surveyor;

(h) who certifies to the accuracy of a survey knowing it to be inaccurate;

(j) who wilfully or by culpable negligence or through incompetence makes, or causes to be made under his or her supervision, a survey that is so inaccurate or defective as to be unreliable; or

(k) who contravenes, or fails to comply with, a direction given under section 47 by the Board.

(2) The Board may, instead of ordering the removal of the name of a licensed surveyor from the Register on a ground referred to in subsection (1)(c), (d), (g), (h), (j) or (k), reprimand him or her or suspend his or her registration for a period, not exceeding 3 years, as it thinks fit.

(3) Where the entitlement of a licensed surveyor to practise in a reciprocating State or another Territory of the Commonwealth is suspended, the Board may suspend his or her registration for a period not extending beyond the period of suspension imposed by the reciprocating board.

34 Inquiry to be held

(1) Before taking action under section 33(1)(a), (b), (f), (g), (h), (j) or (k) in relation to a licensed surveyor, the Board shall, as soon as practicable, hold an inquiry after giving not less than 10 days notice to the licensed surveyor of the matters to be inquired into and of the time and place at which the inquiry is to be held.

(2) At an inquiry under subsection (1) the licensed surveyor may be represented by a legal practitioner or an agent, who may examine witnesses and address the Board on the licensed surveyor's behalf.

(3) In conducting an inquiry under subsection (1) the Board is not bound by rules of evidence or legal procedure, but may inform itself in such manner as it thinks fit.

(4) Pending the holding of an inquiry under subsection (1), the Board may, if it appears to it that the circumstances justify it in so doing, suspend the registration of the licensed surveyor.

35 Notice of decision to reprimand, &c.

Where the Board reprimands a licensed surveyor, suspends his or her registration or orders the removal from the Register of his or her name, the Board shall:

(a) record the reasons for its decision;

(b) serve on the licensed surveyor, within 7 days after so deciding, notice of its decision; and

(c) supply him or her with a copy of those reasons.

36 Effect of suspension of registration

(1) A person whose registration as a licensed surveyor is suspended shall, during the period for which the registration is suspended, be deemed to be a person who is not registered as a licensed surveyor under this Act.

(2) The Board may, by notice in writing, remove a suspension referred to in subsection (1) from a date specified in the notice.

(3) Where the Board removes under subsection (2) a suspension, the Board shall forthwith return the certificate of registration surrendered under section 37.

37 Surrender of certificate

(1) Where the Board orders the removal from the Register of the name of a licensed surveyor or the suspension of his or her registration, it may, by notice in writing, require him or her, within 14 days after the service on him or her of the notice, to deliver his or her certificate of registration to the Board.

(2) A person referred to in subsection (1) shall not fail to comply with a notice served on him or her under that subsection.

Maximum penalty: 20 penalty units and 2 penalty units for each day during which the offence continues.

(3) It is a defence to a prosecution for an offence against subsection (2) if the defendant satisfies the court that:

(a) the certificate has been destroyed; or

(b) after diligent search, he or she has been unable to find the certificate.

38 Application for re-registration

(1) A person whose name has been removed from the Register in pursuance of section 33 may again apply for registration as a licensed surveyor.

(2) The Board may, in its discretion, authorize the registration of an applicant referred to in subsection (1) or refuse to authorize the registration.

Part V Appeals

40 Licensed Surveyors Appeal Tribunal

(1) There is hereby established a tribunal by the name of the Licensed Surveyors Appeal Tribunal.

(2) The Tribunal consists of:

(a) a lawyer who has been admitted to the legal profession for at least 7 years, appointed by the Attorney-General, to be the Chairperson; and

(b) 2 licensed surveyors, appointed by the Minister, neither of whom are members of the Board and one of whom is to be appointed on the nomination of a recognised professional surveying body representing land boundary surveyors in the Territory.

(4) A member of the Tribunal is not civilly or criminally liable in respect of an act done or omission made by the member in good faith in carrying out a function imposed or exercising a power conferred under this Act on the member or the Tribunal.

41 Secretary of Tribunal

The Minister shall appoint a person to be the secretary of the Tribunal.

42 Powers and procedures of Tribunal

(1) In and in relation to an appeal under this Part the Tribunal has such powers and shall comply with such practices and procedures as are prescribed and, in the absence of a practice or procedure in relation to a particular matter or thing being prescribed, shall adopt such procedures as it thinks fit.

(2) The Judges appointed under section 32(1) of the *Supreme Court Act 1979* who are not additional Judges, or a majority of those Judges, may make rules, not inconsistent with this Act:

(a) for regulating the practice and procedure of the Tribunal;

(b) conferring on the Tribunal additional powers necessary or convenient for carrying out its functions, including the power to impose a maximum penalty of 100 penalty units for a breach of the rules; and

(c) making such other provisions as are necessary or convenient for carrying into effect the provisions of this Part.

43 Appeals

(1) Where the Board:

(a) refuses an application for the registration of a person;

(b) orders the removal from the Register of the name of a licensed surveyor;

(c) reprimands a licensed surveyor; or

(d) suspends, otherwise than under section 33(3), the registration of a licensed surveyor,

the person or licensed surveyor may, within 21 days after the notice of the decision is served on him or her, appeal to the Tribunal against the decision of the Board by lodging with the secretary of the Tribunal an application in the prescribed form.

(2) Jurisdiction to hear and determine appeals under this Part is vested in the Tribunal.

(3) An appeal under this Part is in the nature of a rehearing.

(4) In an appeal under this Part the Tribunal shall be bound by the rules of evidence.

(5) The Board shall be the respondent in an appeal under this Part.

(6) A party to an appeal under this Part may appear before the Tribunal in person or may be represented at the hearing of the appeal by a legal practitioner or an agent.

(7) In an appeal under this Part the Tribunal may:

(a) affirm, set aside or vary a decision appealed against;

(b) give such judgment as it thinks fit; and

(c) make such other order, as to costs or otherwise, as it thinks fit.

(8) Where, in an appeal under this section, the Tribunal sets aside or varies a decision of the Board, the Tribunal shall set out in its decision its reasons.

44 Removal of suspension pending determination of appeal

Where a person appeals under section 43(1) against the suspension of his or her registration he or she shall, from the time that the appeal is lodged with the Tribunal until the determination of the appeal, be deemed to continue to be registered as a licensed surveyor.

45 Action consequent on allowance of appeal

Where the Tribunal allows an appeal under section 43, the Board shall, subject to any order of the Tribunal:

(a) in a matter referred to in section 43(1)(a) – forthwith cause the appellant to be registered;

(b) in a matter referred to in section 43(1)(b) – forthwith cause the name of the appellant to be restored to the Register and return his or her certificate of registration to him or her;

(c) in a matter referred to in section 43(1)(c) – cause a record of the decision to be entered in the prescribed register; and

(d) in a matter referred to in section 43(1)(d) – forthwith remove the suspension and return the appellant's certificate of registration to him or her,

and do such other things as are necessary to give effect to the decision or the order of the Tribunal.

46 Decision of Tribunal final

The decision of the Tribunal in an appeal under this Part is final and shall not be challenged in a court by prerogative writ or otherwise.

Part VI Practice of land boundary surveying

46A Coordinated survey areas

(1) The Surveyor-General may declare an area of land in the Territory to be a coordinated survey area.

(2) A declaration under subsection (1) is to be notified in the *Gazette* and takes effect on the date specified in the notice.

(3) A survey within a coordinated survey area is to be in accordance with an approved methodology to delimit land boundaries by geodetic coordinates or with another approved system of delimitation.

47 Board may give directions

(1) The Board may give directions with respect to the practice to be followed by licensed surveyors in making land boundary surveys and preparing plans showing the results of such surveys.

(2) Directions given under subsection (1) shall:

(a) be notified in the *Gazette*; and

(b) take effect on the date on which they are notified or, if another date being a date after the first-mentioned date is specified in the direction, on the date so specified.

(3) A notice referred to in subsection (2)(a) shall indicate the place where copies of the directions to which it relates may be purchased or otherwise obtained.

48 Unauthorized surveys etc.

(1) A person other than a licensed surveyor or a person employed under the supervision of a licensed surveyor shall not, for fee or reward, survey land boundaries in the Territory.

Maximum penalty: 500 penalty units.

(2) Where, by an Act or other law in force in the Territory, provision is made requiring a certificate or other document to be made or given by a licensed surveyor, a person other than a licensed surveyor shall not give or purport to give such a certificate or document.

Maximum penalty: 500 penalty units.

(3) A person other than a licensed surveyor shall not take, or use, either alone or in combination with any other words or letters:

(a) the title of "licensed surveyor"; or

(b) a name, title, addition or description (including initials or letters placed after his or her name) indicating or implying that he or she is a licensed surveyor or that he or she is authorized under this Act to survey land boundaries in the Territory.

Maximum penalty: 500 penalty units.

(4) Nothing in this section prevents a corporation from:

(a) providing surveys of land boundaries in the Territory, or services incidental to such surveys, by an officer or employee of the corporation who is a licensed surveyor; or

(b) using a name, title, addition or description referred to in subsection (3)(b) if the corporation is providing surveys of land boundaries in the Territory, or services incidental to such surveys, by an officer or employee of the corporation who is a licensed surveyor.

Part VII Survey plans

49 Submission and approval of plan

(1) A licensed surveyor must submit to the Surveyor-General, in the prescribed manner and accompanied by the prescribed fee:

(a) any plan of survey certified by the licensed surveyor that is or may be required in relation to the legal title to land or legal rights and obligations in respect of land; and

(b) the data from which the plan was prepared.

(2) A plan submitted under this section is to be in the prescribed format relevant to the area of land, or the coordinated survey area, within which the land boundaries delineated in the plan are situated.

(3) The Surveyor-General may approve a plan submitted under this section if:

(a) the plan is certified by a licensed surveyor in accordance with the practice directions given by the Board under section 47 and in force immediately before the date of approval; and

(b) the Surveyor-General is satisfied in respect of the matters referred to in section 62 of the *Planning Act 1999* (if applicable); and

(c) the Registrar-General has given notice that the land to which the plan relates is in order for dealings under the *Land Title Act 2000* (if applicable); and

(d) any other requirements in respect of a particular subdivision specified under a law in force in the Territory have been complied with; and

(e) any other requirements specified by the Surveyor-General in a particular case have been complied with.

(3A) For subsection (3)(e), the Surveyor-General may require a licensed surveyor to submit further information or documents relevant to the Surveyor-General's consideration of approval of a plan.

(4) If a plan of a survey does not comply with the requirements in subsection (3), the Surveyor-General may:

(a) on receipt of the prescribed fee, examine the plan; and

(b) if satisfied that the plan is correct, approve it.

(5) The Surveyor-General may, by notice in the *Gazette*, prescribe the format, manner of submitting and number of copies of plans of land boundary surveys required to be submitted under this section.

(6) The Minister may, by notice in the *Gazette*, prescribe fees for the purposes of this section.

50 No acceptance of survey unless plan approved etc.

(1) The Territory is not to accept or adopt a survey unless a plan of the survey has been approved by the Surveyor-General.

(2) A plan approved by the Surveyor-General, or a copy of a plan certified by the Surveyor-General to be a true copy of a plan approved by him or her, is to be accepted as correct in all questions relating to the land boundaries delineated in the plan.

51 Correction of survey

(1) The Surveyor-General may give a licensed surveyor a written notice requiring the licensed surveyor to correct, at his or her own expense and within a specified time, an error or omission made in a survey certified by the licensed surveyor.

(2) If a licensed surveyor given a notice under subsection (1) fails to correct the error or omission within the specified time:

(a) the Surveyor-General may instruct another licensed surveyor to make the required correction; and

(b) the costs incurred by the Surveyor-General in having the correction made is a debt owed to the Territory by the licensed surveyor given the notice.

(3) Despite subsections (1) and (2), the Surveyor-General may, without giving notice to the licensed surveyor who certified a survey in which there is an error or omission, instruct another licensed surveyor to make the required correction.

(4) The costs incurred by the Surveyor-General under subsection (3) are to be borne by the Territory.

Part VIII Miscellaneous

52 Legal assistance

The Attorney-General may appoint a legal practitioner to assist the Board at an inquiry under section 34 or in any matters before the Tribunal.

53 Power to summon witnesses

The Chairperson or Chairperson of the Tribunal may, by writing under his or her hand, summon a person to attend before the Board or the Tribunal, as the case may be, at a time and place specified in the summons and then and there to give evidence and produce such books, documents or writings in his or her custody or control as he or she is required by the summons to produce.

54 Power to examine on oath

A Board or the Tribunal may require a person appearing before it to give evidence on oath.

56 Failure to attend or produce documents

(1) A person served with a summons to attend before the Board or the Tribunal shall not refuse or fail, without reasonable excuse, to attend in accordance with the summons or to produce books, documents or writings in his or her custody or control that he or she is required by the summons to produce.

Maximum penalty: 100 penalty units.

(2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that the book, document or writing to which the summons relates was not relevant to the matter the subject of the proceedings of the Board or the Tribunal, as the case may be.

57 Refusal to take oath or give evidence

(1) A person appearing as a witness before the Board or the Tribunal shall not refuse to take an oath when required by the Board or Tribunal to do so or to answer a question relevant to the proceedings put to him or her by a member of the Board or the Tribunal.

Maximum penalty: 100 penalty units.

(2) A statement or disclosure made before the Board or the Tribunal by a witness is not, except in an appeal under Part V to the Tribunal, in the case of a statement or disclosure made before the Board or in proceedings for giving false testimony before the Board or the Tribunal, admissible in evidence against him or her in civil or criminal proceedings in a court.

58 Protection of witnesses

A witness before the Board or the Tribunal has the same protection as a witness in a matter before the Supreme Court.

59 Fees and expenses to witnesses

(1) A person who attends for the purpose of giving evidence before the Board or the Tribunal is entitled to receive such fees and travelling expenses in accordance with the scale in the High Court Rules as the Chairperson or Chairperson of the Tribunal, as the case may be, determines.

(2) Fees and expenses payable under subsection (1) are payable:

(a) if the person attended before the Board or the Tribunal, whether on summons or not, by reason of a request by a person other than the Chairperson or the Chairperson of the Tribunal or an officer of the Agency – by the person at whose request the first-mentioned person attended; or

(b) in any other case – by the Territory.

60 Board may inspect books, &c.

The Board may inspect books, documents or writings before it and may retain them for such reasonable period as it thinks fit and may make copies of such portions of them as are relevant to a matter before the Board.

61 Power of entry upon land, &c.

(1) Notwithstanding anything contained in any other Act, a licensed surveyor and such assistants as he or she considers necessary may, at all reasonable times, after giving notice of his or her intention so to do, enter upon land, whether the land is the land to be surveyed or other land, for the purpose of making a survey and may, for that purpose, open a fence, place a survey mark on the land and enter a building on the land to determine the position of a wall or to define a boundary.

(2) In addition to the powers conferred by subsection (1), a licensed surveyor and his or her assistants may, with as little damage as possible, trim, lop or cut down trees or bushes that may obstruct a survey.

(3) A person shall not, without reasonable cause, hinder or obstruct a licensed surveyor or his or her assistants in exercising the powers conferred by this section.

Maximum penalty: 100 penalty units.

(4) A licensed surveyor shall be liable to pay compensation to the owner of land entered for damage caused in the exercise of the powers conferred by this section.

(5) Where, under subsection (4), the damage so caused is necessary for the purposes of the survey, the person who engaged or employed the licensed surveyor shall reimburse the licensed surveyor the amount he or she is required to pay as compensation for the damage.

(6) A notice of intention to enter land under this section may be given:

(a) in writing or orally to the owner personally;

(b) in writing by posting it by prepaid letter addressed to the owner at his or her usual or last-known place of residence or business; or

(c) in writing to a person apparently living or employed at that place of residence or business and who has apparently attained the age of 16 years.

(7) In this section, ***owner*** includes:

(a) in the case of land held under lease from the Territory – the person who is the lessee of the land;

(b) in the case of land which is held in fee simple – the person in whom the fee simple is vested or a lessee or tenant of the land; and

(c) in the case of land occupied under a tenancy from the Territory – the person who occupies the land.

62 Destruction of survey marks

(1) A person shall not, without lawful authority, destroy, obliterate, remove, injure or deface a survey mark.

Maximum penalty: 100 penalty units.

(2) Where a person is found guilty of an offence against subsection (1), the court may, in addition to any penalty imposed under that subsection, order him or her to pay the costs of re-establishing the survey mark so destroyed, obliterated, removed, injured or defaced.

63 Evidence of certified map, &c.

In any legal proceedings under a law in force in the Territory a map, plan or copy of a map or plan relating to the Territory or a part of the Territory or a certificate relating to a location in the Territory purporting to be certified by the Surveyor-General as correct shall be accepted as evidence of the matters to which they relate without the production of original records and without the personal attendance of the Surveyor-General or proof of his or her signature.

64 Judicial notice

Judicial notice shall be taken of the signature of the Chairperson or Deputy Chairperson appearing on a certificate issued under this Act or the Regulations by the Board and of the fact that the person by whom the certificate purports to have been signed was, at the time the certificate was signed, the Chairperson or Deputy Chairperson.

65 Service of summons or notice

The service on a person by the Board or the Tribunal of a summons or notice under this Act shall be deemed to have been duly effected if the summons or notice is:

(a) delivered to the person personally;

(b) posted by prepaid letter addressed to him or her at his or her place of residence, or at his or her professional address or one of his or her professional addresses, last known to the Chairperson or Chairperson of the Tribunal, as the case may be; or

(c) delivered to his or her place of residence or left at his or her professional address with a person apparently living or employed at that place and who has apparently attained the age of 16 years.

66 Regulations

The Administrator may make regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, providing for and in relation to:

(a) the fees, if any, payable in respect of an application, registration, certificate or other proceeding, act or thing provided for or required under this Act or the Regulations;

(d) the certification of, and manner of certifying, plans of survey;

(e) the registration of and manner of registering graduate surveyors and the qualifications and experience of such graduates;

(f) particulars relating to a licensed surveyor which may be entered in the Register; and

(g) the imposition of maximum penalties of 100 penalty units for offences against the Regulations.

Schedule Ordinances repealed

section 3

Licensed Surveyors Ordinance 1933 (No. 6 of 1933)

Licensed Surveyors Ordinance 1937 (No. 6 of 1937)

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz* = *Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced
od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

***Licensed Surveyors Act 1983* (Act No. 49, 1983)**
Assent date 12 October 1983
Commenced 1 January 1984 (*Gaz* S41, 22 December 1983)

***Statute Law Revision Act (No. 2) 1987* (Act No. 59, 1987)**
Assent date 31 December 1987
Commenced 31 December 1987

***Financial Management (Consequential Amendments) Act 1995* (Act No. 5, 1995)**
Assent date 21 March 1995
Commenced 1 April 1995 (s 2, s 2 *Financial Management 1995* (Act No. 4, 1995) and *Gaz* S13, 31 March 1995)

***Sentencing (Consequential Amendments) Act 1996* (Act No. 17, 1996)**
Assent date 19 April 1996
Commenced 1 July 1996 (s 2, s 2 *Sentencing Act 1995* (Act No. 39, 1995) and *Gaz* S15, 13 June 1996)

***Licensed Surveyors Amendment Act 2001* (Act No. 9, 2001)**
Assent date 22 June 2001
Commenced 26 September 2001 (*Gaz* G38, 26 September 2001, p 3)

***Statute Law Revision Act 2002* (Act No. 18, 2002)**
Assent date 7 June 2002
Commenced 7 June 2002

***Statute Law Revision Act (No. 2) 2003* (Act No. 44, 2003)**
Assent date 7 July 2003
Commenced 7 July 2003

***Electoral (Consequential Amendments) Act 2004* (Act No. 12, 2004)**
Assent date 1 March 2004
Commenced 15 March 2004 (s 2, s 2 *Electoral Act 2004* (Act No. 11, 2004) and *Gaz* S6, 15 March 2004)

Legal Profession (Consequential Amendments) Act 2007 **(Act No. 7, 2007)**

Assent date	17 May 2007
Commenced	s 10: 1 July 2007 (*Gaz* G26, 27 June 2007, p 3); rem 17 May 2007

Oaths, Affidavits and Declarations (Consequential Amendments) Act 2010 **(Act No. 40, 2010)**

Assent date	18 November 2010
Commenced	1 March 2011 (s 2, s 2 *Oaths, Affidavits and Declarations Act 2010* (Act No. 39, 2010) and *Gaz* G7, 16 February 2011, p 4)

Penalties Amendment (Miscellaneous) Act 2013 **(Act No. 23, 2013)**

Assent date	12 July 2013
Commenced	28 August 2013 (*Gaz* G35, 28 August 2013, p 2)

Statute Law Revision Act 2018 **(Act No. 10, 2018)**

Assent date	23 May 2018
Commenced	20 June 2018 (*Gaz* S41, 20 June 2018)

Licensed Surveyors Amendment Act 2019 **(Act No. 13, 2019)**

Assent date	9 April 2019
Commenced	8 May 2019 (*Gaz* G19, 8 May 2019, p 4))

Lands, Planning and Environment Legislation Amendment Act 2025 **(Act No. 25, 2025)**

Assent date	12 September 2025
Commenced	pt 6: nc; rem: 13 September 2025 (s 2(1))

3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22 of 2018) to: ss 1, 6, 4, 21, 42 and 49.

4 LIST OF AMENDMENTS

s 4	amd No. 9, 2001, s 4; No. 10, 2018, s 6; No. 25, 2025, s 20
s 6	amd No. 9, 2001, s 11; No. 44, 2003, s 5; No. 12, 2004, s 6
s 7	amd No. 9, 2001, s 11
s 9	amd No. 10, 2018, s 6; No. 25, 2025, s 21
s 10	amd No. 10, 2018, s 6 rep No. 25, 2025, s 22
s 11	amd No. 9, 2001, s 11; No. 10, 2018, s 6 sub No. 25, 2025, s 22
s 12	sub No. 9, 2001, s 5
ss 13 – 15	amd No. 9, 2001, s 11
ss 17 – 19	amd No. 9, 2001, s 11
s 21	sub No. 5, 1995, s 19; No. 13, 2019, s 4
ss 24 – 25	amd No. 9, 2001, s 11
ss 27 – 32	amd No. 9, 2001, s 11
s 31	amd No. 23, 2013, s 12
s 33	amd No. 17, 1996, s 6; No. 9, 2001, s 11
s 35	amd No. 9, 2001, s 11
s 37	amd No. 9, 2001, s 11; No. 23, 2013, s 12
s 39	rep No. 9, 2001, s 6

s 40	amd No. 9, 2001, s 11; No. 7, 2007, s 16; No. 10, 2018, s 6; No. 25, 2025, s 24
s 42	amd No. 9, 2001, s 11; No. 23, 2013, s 12
ss 43 – 45	amd No. 9, 2001, s 11
s 46A	ins No. 9, 2001, s 7
s 48	amd No. 9, 2001, s 8; No. 18, 2002, s 6; No. 23, 2013, s 12
pt VII hdg	sub No. 9, 2001, s 9
s 49	amd No. 59, 1987, s 5
	sub No. 9, 2001, s 9
	amd No. , 2025, s 23
ss 50 – 51	sub No. 9, 2001, s 9
s 53	amd No. 9, 2001, s 11
s 54	sub No. 40, 2010, s 69
s 55	amd No. 9, 2001, s 11
	rep No. 40, 2010, s 69
s 56	amd No. 9, 2001, s 11; No. 23, 2013, s 12
s 57	amd No. 9, 2001, s 11; No. 40, 2010, s 70; No. 23, 2013, s 12
s 59	amd No. 9, 2001, s 11; No. 25, 2025, s 24
s 61	amd No. 9, 2001, s 11; No. 23, 2013, s 12
s 62	amd No. 17, 1996, s 6; No. 9, 2001, s 11; No. 23, 2013, s 12
ss 63 – 65	amd No. 9, 2001, s 11
s 66	amd No. 9, 2001, s 11; No. 23, 2013, s 12
s 67	rep No. 9, 2001, s 10