SECTION 2

ADMINISTRATION OF THE SURVEYING PROFESSION

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SECTION 2 - ADMINISTRATION OF THE SURVEYING PROFESSION

2.1 Evolution of the Surveyors Board, Victoria

The first land surveys in Australia were made by surveyors trained in Great Britain who came to New South Wales at the beginning of settlement. The Surveyor-General who came with the First Fleet was born in Germany, and had received his survey experience as a member of the British Army. Although there were many matters in establishing the new Colony which seemed more pressing than surveying, it soon became obvious that the demarcation, description and recording of land should be carried out by qualified and competent persons.

It was not surprising that in September 1837 a proclamation was issued by the authority of the Governor of New South Wales directing that each applicant for employment as an assistant surveyor in the Colony should, prior to appointment, appear before a Board consisting of the Commanding Royal Engineer, the King's Astronomer of New South Wales and the Surveyor-General or Deputy Surveyor-General, to be examined in his knowledge of the theory and practice of land surveying.

Soon after Victoria became a separate Colony a Royal Commission into the Victorian Public Service included in its report a recommendation that all surveys of land for sale should be performed by licensed surveyors, of approved qualifications, who would perform the work as it may be required and receive a fee. As a consequence, a Board of Examiners was constituted for the purpose of licensing surveyors, and its first meeting was held on 13 September 1861. Members of the Board were Messrs. Hodgkinson, Ellery, Skene, Crenion and Acheson.

The first Victorian Act relating to surveyors was the Transfer of Land Statute 1866 No.301, which empowered the Registrar of Titles to require proprietors subdividing land to submit a map declared to be accurate by a Statutory Declaration by a licensed surveyor, and that no person be permitted to practise as a surveyor under the Act unless especially licensed for the purpose by the Surveyor-General. Amendments to this Act, enacted in 1885, included a stipulation that no licence to practise as a surveyor under the Transfer of Land Statute 1866 shall be issued by the Surveyor-General to any person who has not first obtained the Qualification Certificate of the Board of Examiners.

2.2 The Authority of the Surveyors Board, Victoria

The Surveyors Board, Victoria, established in 1895, consisted of six members, as it does today, two of whom were ex officio by virtue of their office, while the remaining four were nominated members. The Board derives its powers from Acts of Parliament setting out the law relating to surveyors. Changes in the authority of the Board can be traced by reference to the Acts passed since 1895.

2.2.1 Land Surveyors Act 1895 No.1400

The first Land Surveyors Act came into operation on 1 January 1896. A Bill, known as the Licensing of Surveyors Bill, was introduced to Parliament in September 1895 by Mr. A. W. Craven, M.L.A. It was stated that the Bill was a Bill of federal character as it proposed to allow surveyors who were licensed in one Colony to work in other Colonies without any additional examination. The Bill was based on recommendations received by the Government from a conference of surveyors held in Melbourne in 1892 at which all Colonies and the Dominion of New Zealand were represented. The conference recommended reciprocal recognition by each Colony of Certificates of Competency to Survey issued by the other Colonies, and that the Board of Examiners in each Colony should be a corporate body, constituted by Act of Parliament and empowered to conduct examinations and issue licences, and that the regulations for examination of surveyors, the subjects of the examination and the standard of efficiency required throughout the Australasian Colonies should be identical. In this Act, "Australasian Colony" was to be interpreted as any Colony or province forming part of the continent of Australia and the Colonies of New Zealand and Tasmania.

The Act repealed sections of the Transfer of Land Act 1890 concerning the licensing of surveyors and empowered the Governor in Council to appoint four persons, together with the Surveyor-General
and the Surveyor and Chief Draughtsman in the Office of Titles, to a Board called the Surveyors Board. Two members were to be nominated by the Minister of Lands and two members by the Victorian Institute of Surveyors. Only persons holding a Certificate of Competency issued by the Board of Examiners or a licence were eligible for nomination and appointment to the Board.

The functions and powers of the Board were to hold examinations in the months of March and September of every year and at such other times as the Board shall by regulation appoint, to give certificates to any person who at any examination of the Board shall satisfy the examiners in the subjects set for examination, and to issue a licence to any person holding a certificate or qualification if the members of the Board are satisfied as to his character.

The Board was required to keep a register of all persons holding licences and was empowered to deal with offences set out in the Act, either by suspending the licence or cancelling it absolutely. The Board was also empowered to make regulations for the conduct of examinations, the regulating of its own business and for the guidance of surveyors under the Transfer of Land Act 1890 and the Land Acts.

No specific reference was made to reciprocity in the Act except in the regulatory powers concerning inquiries into qualifications and employment of persons in any Australasian Colony. The first meeting of the Surveyors Board, Victoria took place on 5 February 1896, and in 1900 the first identical examinations were held in all Australasian colonies.

2.2.2 Land Surveyors Act 1915 No.2679

The purpose of this Act was to consolidate the law relating to the licensing of surveyors. No changes were made to the 1895 Act which was repealed.

2.2.3 Land Surveyors Act 1922 No.3196

This Act amended the constitution of the Surveyors Board by making the Government Astronomer an ex officio member of the Board and reducing the Minister’s nomination to one member.

It authorized the Surveyors Board to give any licensed surveyor a letter of recommendation to the authority in any State of the Commonwealth or the Dominion of New Zealand which corresponds to the Surveyors Board in Victoria, and empowered the Board to register indentures of apprenticeship of any person to any licensed surveyor.

The Act included "a caution" as an additional penalty that may be approved by the Board for offences against the Act, and in the case of proved charges allowing the Board to order the accused to pay the costs of the inquiry.

2.2.4 Land Surveyors Act 1928 No.3712

The purpose of this Act was to consolidate the law relating to the licensing of surveyors. No changes were made to the 1915 Act or the amending 1922 Act which were both repealed.

2.2.5 Land Surveyors Act 1942 No.4939

This Act repealed the 1928 Act and defined "plan", "survey" and "title survey" for the first time. Survey was defined as "the act or process of determining the form, contour, position, area, height, depth or any similar particulars with respect to any part of the earth's surface whether land or water, or of any natural or artificial features on, below or above any part of such surface, or the length or direction of boundary lines of any part of such surface, or of any such natural or artificial features, and includes the making of a plan or plans thereof."

It provided for the appointment of three persons (each of whom to be a licensed surveyor) from a panel of five names submitted to the Minister by the Victorian Institute of Surveyors, provided that when a degree course in surveying was established in the University of Melbourne a person (to be a licensed surveyor) would be appointed upon nomination to the Minister by the University. Appointment to the Board from nominations by the Institute would revert to two persons.
The Act empowered the Board to enter into and give effect to reciprocal arrangements with the Surveyors Board or similar authority in any part of His Majesty's Dominions concerning training, examinations and granting of licenses.

The Board's functions were broadened to include the prescription of a preliminary educational standard and courses of training in surveying, including training under indentures of apprenticeship. With these wider functions, the Board broke new ground with the issue of regulations governing the examination for and the issue of Certificates of Competency as Mining Surveyors. These regulations were published in the Government Gazette No. 92, 11 July 1945. A prerequisite to enter this examination was the possession of a Certificate of Competency as a Land Surveyor and some practical experience in underground surveys. The examination covered mining surveying, practical mining, hydraulic engineering and geology. Exemptions were available for defined engineering qualifications.

During the following 35 years not one such certificate was issued, and these Regulations were revoked in the Surveyors (Registration) Regulations, S.R. No.446, 1980, which came into operation on 1 December 1980.

2.2.6 Land Surveyors Act 1945 No.5068

The purpose of this Act was to amend section 4 of the 1942 Act by making provision that, if at any time there was no person holding the office of Government Astronomer, the Governor in Council could appoint a person with suitable occupation and training to be a member of the Board.

2.2.7 Land Surveyors Act 1953 No.5713

This Act made further amendments to the 1942 Act empowering the Board to prescribe or approve courses of training and to hold or approve examinations and grant Certificates of Competency in any of the following branches of surveying:

- engineering surveying
- mining surveying
- topographic surveying
- geodetic surveying
- hydrographic surveying

and any of the special branches of surveying the Board thinks fit.

For the first time the Board was empowered to cause to be prepared, published and sold a handbook containing Acts and Regulations, and such other information and matter relative to surveying generally as the Board may consider of value to surveyors.

2.2.8 Land Surveyors Act 1958 No.6288

The purpose of this Act was to consolidate the law relating to surveyors. No changes were made to the 1942 Act or the amending 1945 and 1953 Acts.

2.2.9 Land Surveyors (Surveyors Board) Act 1977 No.8990

This Act amended the constitution of the Surveyors Board by deleting reference to the office of Government Astronomer and widening the teaching nomination to a person (who shall be a licensed surveyor) engaged in the teaching of surveying in a tertiary course approved by the Board. This amendment was made in recognition of the approved surveying course at the Royal Melbourne Institute of Technology.

The panel of names of licensed surveyors submitted to the Minister for appointment to the Board was reduced from five to three.

The person holding the office of Surveyor and Chief Draughtsman in the Office of Titles was appointed Deputy Chairman of the Board.

2.2.10 Surveyors Act 1978 No.9180

It had been twenty-five years since the Government had given close consideration as to whether the law relating to surveyors was appropriate for modem surveying conditions and practice. Following representations to the Government by the Board and the Institution new legislation was drafted.
The Minister for Lands, when introducing the Bill to Parliament, stated that the existing legislation was mainly concerned with cadastral surveying and protecting the public by ensuring confidence in the title system of land registration. He said that changes in the educational standards, professional practice methods and technological advances that have occurred over recent decades, have now made it necessary to review the law relating to surveyors. In addition to its existing role of cadastral surveying, the professional surveyor's role today includes engineering surveying, geodetic surveying, mapping and photogrammetry. The education and training of surveyors is formulated accordingly.

The Minister went on to say that it was appropriate today that the public be given some protection in respect to the profession of surveying as a whole. Survey work can involve large amounts of money and mistakes can result in heavy costs. Accurate surveying and proper professional advice will save both time and money on any project.

This new legislation, the Surveyors Act 1978 No.9180, came into operation on 1 December 1980, repealing the Land Surveyors Act 1958 and the Land Surveyors (Surveyors Board) Act 1977. The new Act, still current in 1993, is divided into three parts:

Part I sets out the constitution of the Surveyors Board and its general powers and functions. The constitution of the Board remained unchanged, but new concepts were introduced into the powers and functions of the Board which recognised new educational standards, and included the approval and recording of training agreements and issue of letters of accreditation in lieu of letters of recommendation.

Part II deals with the registration of surveyors. The Board shall register a person as a surveyor if it is satisfied that the applicant holds a Certificate of Competency in surveying issued by the Board, and that the applicant is of good character and is a fit and proper person to be so registered. It may also register an applicant if the Board is satisfied that the applicant is registered or licensed or otherwise authorised to practise surveying in a reciprocating country. State or Territory, or is otherwise qualified as prescribed.

A person so registered may apply to the Board to have the register endorsed in relation to him/her to the effect that he/she is authorised to perform cadastral surveys as defined in the Act. The Board shall endorse the register accordingly if it is satisfied that the applicant holds a Certificate of Competency in cadastral surveying recognised by the Board, and is a fit and proper person to have the register so endorsed. Reciprocating provisions also apply.

The Board is empowered to cancel or suspend the registration or endorsement for offences set out in the Act.

Part III deals with general matters relating to surveyors, and includes new provisions concerning the constitution of firms and corporations which may carry on, either as the whole or part of their business, the practice of cadastral surveying. Penalties for offences by firms, corporations, unregistered and unlicensed persons are set out.

This part also sets out the Board's regulatory powers and retains the Board's authority to cause to be prepared and published a Handbook containing all Acts and regulations relating to surveying and such other information and matter relating to surveying generally as the Board may consider to be of value to registered surveyors, and to sell it at such price as it thinks fit. To date, the Board has issued three Parts of the Survey Practice Handbook, Victoria, viz:

Part 1 - Drawing Practice 1984 (revised to 31 January 1993)
Part 2 - Survey Procedures 1985 (revised to 1 July 1992)
Part 3 - Land Surveying Law and Administration 1989 (revised to 31 January 1994)

S.32(1) of the Surveyors Act 1978 has been amended by Act No.47/1989 to now read: "The Board may from time to time cause to be prepared and published a handbook containing all Acts and regulations relating to surveying or subdivision of land, standards and content for plans and documents under the Subdivision Act 1988 and such other information and matter relating to surveying generally as the Board may consider to be of value to registered surveyors".

This is the first time the handbook has been called up in legislation, and further consolidates the authority of the Board.

Since the commencement of the operation of the present 1978 Act, the Board has made various regulations. Those current at 31 January 1994 are:

- Surveyors (Cadastral Surveys) Regulations 1985, S.R.No.209, which came into operation on 1 July 1985.
- Surveyors (Surveyors Board) Regulations 1992, S.R.No.100, which came into operation on 1 July 1992.

2.2.11 Concluding Remarks and Observations

The Victorian Board has conscientiously fulfilled its duties and responsibilities to the Government, the surveying profession and the public for a period of over 90 years. Working in harmony with The Institution of Surveyors, Victoria, (which acts as the Victoria Division of The Institution of Surveyors, Australia) a high standard of surveying and professional conduct has been maintained. The Board has had no desire to over regulate the profession, and although it has statutory powers to regulate for fees, advertising and the conduct of surveyors in connection with the practice of surveying, these matters have been left in the hands of the Institution.

One of the primary concerns of the Board since its inception has been the education and training of surveyors, and standards of field practice, particularly in regard to cadastral surveying. It carefully monitored the transition from Board examinations to the formal academic education now available at educational institutions in all States of the Commonwealth. Full and continuing reciprocity between Australian Boards and the New Zealand Board and partial reciprocity with some other countries has been a major item for consideration, and to this end conferences of Reciprocal Boards have been held every four years. Institutions have been invited to send observers.

The Board is satisfied that the vast majority of cadastral surveys carried out in Victoria meet high professional standards, but there have been occasions when the provisions of the Act and regulations have been breached. When it has been suspected that minor breaches of the regulations have occurred, the surveyors concerned have been asked to appear before the Board and if necessary verbal advice and a warning has been given. In more serious cases full inquiries are held and appropriate disciplinary action taken. From time to time the Surveyor-General and the Surveyor and Chief Draughtsman in the Office of Titles have arranged, with the knowledge of the Board, for random field checks to be made to ensure that the accuracy and standard of survey work is being maintained on surveys lodged with their organisations.

Due to the fact that surveyors have become involved in programmes and projects in which large sums of money are invested, the Government took the additional step in 1978 of empowering the Board to register qualified surveyors not necessarily holding a Certificate of Competency in cadastral surveying. This was done rather reluctantly as legislators ever since the first Land Surveyors Act was passed have been wary of a “closed shop” philosophy, but have always strongly supported the licensing system for cadastral surveying.
The granting of a licence to carry out cadastral surveying carries the responsibility in law for a surveyor to properly establish and re-establish property boundaries, and has enabled the Government to issue Certificates of Title, now folios of the Register, guaranteed by the Crown. The unquestioned value of licensing surveyors by the Surveyors Board has been amply demonstrated by the fact that the Insurance Fund supporting the guarantee of title has seldom been called upon, and that costly litigation concerning property boundaries determined by survey has been almost non-existent. It is therefore very much in the public interest that the present licensing powers of the Surveyors Board be retained and strongly supported by the whole community.

It should be possible for the Surveyors Board and the Institution working in close co-operation to exercise adequate control over the conduct of surveyors without any major changes to the existing law, and thereby continue to ensure a high standard of survey practice with undiminished confidence in the profession.

2.3 Authority of the Surveyor-General

2.3.1 Introduction

The office of Surveyor-General has considerable historical significance and has played a major role in land administration, land settlement and developmental programmes in all States of the Commonwealth. Early Surveyors-General were involved in administrative duties in the establishment of new Colonies in addition to their normal survey duties, and in some cases were personally engaged in exploration. Naturally, the duties and responsibilities of the position have changed over the past 200 years. As land settlement and development slowed down the emphasis turned to detailed and local surveys, survey co-ordination, and topographic and cadastral mapping.

Soon after the separation of Victoria from New South Wales in 1851 the Department of Lands and Survey was established and remained in existence until 1984. Succeeding Surveyors-General were in charge of the Survey Branch, and for the first eighty years or so were almost solely responsible for the determination of land use and the survey and plan drawing for Crown land settlement. Much of the survey work was carried out by contract surveyors working under the supervision of departmental district surveyors.

After the world depression of the 1930s the public service began to expand and the Survey Branch increased its field staff. Staff surveyors were appointed, and most of the Crown land surveys were carried out by the Department. In 1940 the Survey Co-ordination Act was passed and the duties and responsibilities of the Surveyor-General widened greatly. The Central Plan Office was established and later the State Aerial Survey commenced.

In 1945, at the end of World War 2, the Survey Branch became active in geodetic surveying and topographic mapping, and the Surveyor-General was appointed a member of the National Mapping Council of Australia which was set up by the Commonwealth Government in consultation with the State governments to formulate and co-ordinate a mapping programme for the whole of Australia. (The National Mapping Council ceased to exist after 1987).

Further change came in 1970 when the State Land Conservation Council was set up and took over the role of investigating and making recommendations on the use of public land. In 1980 the Surveyor-General initiated the design and development of an automated modular system for the Central Plan Office, and following a directive from the Government, commenced the planning and assembly of the necessary resources for the implementation of a computer based land information system for Victoria called Landata.

2.3.2 A Brief History of the Office of Surveyor-General

The Royal Instructions from King George III to Governor Phillip for the settlement of New South Wales included a delegation of power to make land grants to settlers, military personnel and emancipated convicts. For this purpose the Governor was required to have the Surveyor of Lands make surveys and mark out in lots lands of the territory.
# Surveyors - General

**Victoria**

including Surveyors-General for New South Wales prior to separation in 1851

<table>
<thead>
<tr>
<th>Name</th>
<th>Signature</th>
<th>Term</th>
<th>Name</th>
<th>Signature</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>Augustus TH Alt</td>
<td></td>
<td>1787-1803</td>
<td>Joseph Martin Reed</td>
<td></td>
<td>1899-1914</td>
</tr>
<tr>
<td>Charles Grimes</td>
<td></td>
<td>1803-1811</td>
<td>Alexander Bruce Lang</td>
<td></td>
<td>1914-1925</td>
</tr>
<tr>
<td>John Oxley</td>
<td></td>
<td>1812-1828</td>
<td>George Stewart Pinniger</td>
<td></td>
<td>1925-1926</td>
</tr>
<tr>
<td>Sir Thomas Mitchell</td>
<td></td>
<td>1828-1855</td>
<td>Feuilon De La Mole Mott</td>
<td></td>
<td>1928-1928</td>
</tr>
<tr>
<td>Robert Hoddle</td>
<td></td>
<td>1851-1853</td>
<td>Albert Edward W. Tobin</td>
<td></td>
<td>1929-1932</td>
</tr>
<tr>
<td>Capt. Andrew Clarke</td>
<td></td>
<td>1853-1857</td>
<td>Peter Campbell</td>
<td></td>
<td>1932-1935</td>
</tr>
<tr>
<td>George Samuel Wegg Horne</td>
<td></td>
<td>1857</td>
<td>Henry William Moore</td>
<td></td>
<td>1935-1938</td>
</tr>
<tr>
<td>George Christian Darbyshire</td>
<td></td>
<td>1857</td>
<td>Oscar George Pearson</td>
<td></td>
<td>1938-1952</td>
</tr>
<tr>
<td>Clement Hodgkinson</td>
<td></td>
<td>1857-1858</td>
<td>Frank William Arter</td>
<td></td>
<td>1952-1967</td>
</tr>
<tr>
<td>Michael Callanan</td>
<td></td>
<td>1894-1895</td>
<td>John Richard Parker</td>
<td></td>
<td>1989-</td>
</tr>
<tr>
<td>Samuel Kingston Vickery</td>
<td></td>
<td>1895-1899</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The first Surveyor-General of New South Wales, which included the Port Phillip District later to become the State of Victoria, was Augustus Theodore Henry Alt, Baron of Hesse Cassel, who arrived in Australia with the First Fleet in 1788. He was an important member of the colonial administrative hierarchy and amongst his responsibilities were the survey and allotment of all land grants and leases under the Governor's direction and control. He was succeeded by three other Surveyors-General, Charles Grimes, John Oxley and Sir Thomas Mitchell before Victoria became a separate Colony.

In 1837 Governor Bourke visited the Port Phillip District from Sydney to decide on sites for towns and villages, and to ascertain the progress of surveys in the District. He brought with him Robert Hoddle who, after Victoria's separation from New South Wales in July 1851, was appointed the first Surveyor-General for Victoria and remained in office until 1853. Up to 1993, there have been twenty-three Victorian Surveyors-General. Their names and terms of office are shown in the included table. The office now carries the title of Surveyor-General and Director of Mapping.

Following assent being given to the **Constitution Act** 1855, Captain Andrew Clarke, who succeeded Robert Hoddle as Surveyor-General, was appointed a non-elective member of the Victorian Legislative Council and a member of the Executive Council.

By letters patent dated 28 April 1857 the office of Surveyor-General as a Minister of the Crown was abolished, and a Board of Land and Works was established to take over the powers and authorities which were vested in the Surveyor-General by Acts then in force. The Surveyor-General remained responsible for all surveys in the Colony and was appointed head of the Survey Branch when the Department of Lands and Survey was first established in 1860. This is the position to the present day except that the Survey Branch, now designated Survey and Mapping Victoria, is part of the Department of Finance.

### 2.3.3 Statutory Powers of the Surveyor-General

The Surveyor-General is the recognised authority on land boundaries. This is borne out by the powers given to the position by many Acts passed over the years dealing with Crown land. Although Surveyors-General have played a prominent role in land settlement, most of the statutory powers under the **Land Acts** have been vested in the Minister or the Governor in Council.

The most comprehensive legislation concerning the authority of the Surveyor-General was passed in 1940. In introducing the Survey Co-ordination Bill into Parliament the Minister for Lands referred to the overlapping of survey work, the fact that survey marks were not always of a sufficiently permanent nature and that it was necessary that all surveys, whether for general engineering or land tenure, should conform to a reasonable standard of accuracy so that the resulting work could be used generally. He said that it was also necessary to have machinery for co-operation with the Commonwealth, particularly in regard to triangulation and mapping.

The Minister said that the co-ordination of surveys implied supervision by a central authority and, as the Department of Lands and Survey held in the original plan room the record plans of alienation of land from the Crown and was under the supervision of the Surveyor-General, it was considered the natural location for a Central Plan Office and Central Plan Register, and that the Surveyor-General be the officer responsible to give effect to the scheme in consultation with other departments and authorities concerned.

The Bill had been drafted from resolutions passed at conferences with representatives of the Commonwealth, twelve State Government and quasi Government departments, the Surveyors Board and The Victorian Institute of Surveyors, presided over by the Public Service Commissioner acting for the Premier. It was passed by Parliament and became the **Survey Co-ordination Act** 1940 No.4732, the first Act for the co-ordination of surveys to come into operation in any State of the Commonwealth.

The **Survey Co-ordination (Place Names) Act** 1965 No.7360 later became Part II of the **Survey Co-ordination Act** 1958 No.6388. In introducing the Place Names Bill to Parliament the Minister for Lands said that the need to establish a committee with statutory powers was brought to notice by various departments and public authorities interested in drawing and publishing official maps and plans. He said that the **Survey Co-ordination Act** was designed to co-ordinate and facilitate the survey, mapping and general plan work of departments and public authorities, and it was anticipated that the amendment to this Act now proposed would prove to be a simple and effective means of achieving unity in these matters so that undesirable duplication of place names would be eliminated, suitable new names selected,
existing unsuitable names would be altered and the spelling of place names of official maps would be uniform.

An outline of the sections of current Acts and the Regulations concerning the powers of the Surveyor-General is given below.

2.3.3.1 Survey Co-ordination Act 1958 No.6388

This Act was reprinted in 1982 to include the Survey Co-ordination (Place Names) Act 1965 and some minor amendments made by the Survey Co-ordination (Place Names) Act 1971 and Statute Law Revision Acts. It gives the Surveyor-General wide powers and responsibilities concerning the co-ordination of survey work in the State. A precis of the sections concerning the powers and responsibilities of the Surveyor-General is as follows:

Section 5: Departments and public authorities are to give notice to the Surveyor-General of their intention to commence a survey.

Section 6: The Surveyor-General may require surveys to be carried out in a certain manner, permanent marks to be established and plans to be supplied.

Section 7: Departments and public authorities are to forward quarterly returns of plans and surveys made by them to the Surveyor-General.

Section 8: The Surveyor-General is required to enter plans of general value in a Central Plan Register, to require certain registered plans to be lodged in the Central Plan Office, to give consent before registered plans are destroyed, to receive advice of alteration to registered plans, to authorise persons to have access to registered plans and to publish an index of all plans recorded in the Central Plan Register.

Section 9: The Surveyor-General is to be assisted by a Titles Office Survey Officer in the co-ordination of plans in the Office of Titles with registered plans in the Central Plan Office, and the Surveyor-General may authorise persons to inspect plans in the Office of Titles.

Section 10: The Surveyor-General may authorise inspection of registered plans whether in the Central Plan Office or not.

Section 11: The Surveyor-General may require departments and public authorities to supply copies of registered plans to other departments and public authorities and licensed surveyors.

Section 12: The Surveyor-General may cause surveys to be carried out for establishing a standard traverse and permanent marks for any area within the State. Upon a report by the Surveyor-General that the work has been completed the Governor in Council may proclaim such area to be a “proclaimed survey area”. The Surveyor-General is to advise how surveys may be connected to the standard traverse.

Section 13: It is the duty of the Surveyor-General to advise and take all steps necessary for avoiding unnecessary duplication of surveys.

Section 14: The Surveyor-General is given a general power to carry out surveys for the purpose of the Act.

Section 15: The Surveyor-General may adopt any particular reference marks to be permanent marks, and in certain cases may be required to maintain permanent marks established by other departments and public authorities.

Section 16: Reports are to be made to the Surveyor-General on removal or alteration of permanent marks.

Section 17: The Surveyor-General is to notify certain authorities of the establishment, removal or alteration of any permanent mark.
Section 18: The Surveyor-General is to be notified of any irregularity, destruction, removal or disrepair of any permanent mark.

Section 20: The Surveyor-General is required to report to the Minister upon the progress and co-ordination of surveys, and generally on the administration of the Act each year.

Section 21: The Surveyor-General may exempt departments, public authorities and licensed surveyors privately employed from all or any provisions of the Act under certain circumstances. Refusal of exemption and any requisition of the Surveyor-General made pursuant to the Act is subject to appeal to the Governor in Council.

Section 24 (Part II of the Act): The Surveyor-General to be Chairman of the Place Names Committee.

Survey Co-ordination (Surveys) Regulations 1992 made pursuant to Section 22 of the Survey Co-ordination Act 1958 give the Surveyor-General certain discretionary powers concerning the practical implementation of the Act.

Under the regulations the Surveyor-General shall issue Certificates of Examination for satisfactory surveying tapes and levelling staves, and may request results of frequency calibrations and comparisons with standard lines of electronic distance measuring equipment.

The Surveyor-General may require field notes and abstract of field notes made for cadastral surveys to be produced for inspection and examination.

A sample of various Acts which make reference to plan or plans lodged or to be lodged in the Central Plan Office are:

- Cemeteries Act 1958 No.6217
- Forests Act 1958 No.6254
- Port of Melbourne Authority Act 1958 No.6312
- Land Conservation (Vehicle Control) Act 1972 No.8379
- National Parks Act 1975 No.8702
- Port Bellarine Tourist Resort Act No.9555
- Electoral Boundaries Commission Act 1982 No.9801
- Alpine Resorts Act 1983 No.9974
- South Yarra Project Act 1984 No.10153
- Ground-water (Border Agreement) Act 1985 No.10218
- Royal Botanic Gardens Act 1991 No.87
- Melbourne Market and Park Lands Act 1992 No.20
- Loy Yang B Act 1992 No.35
- Heritage Rivers Act 1992 No.36
- Melbourne University (VCAH) Act 1992 No.52
- Victorian Plantations Corporation Act 1993 No.61
- Land Titles Validation Act 1993 No.65
- Gas and Fuel Corporation (Heatane Gas) Act 1993 No.88

2.3.3.2 Land Act 1958 No.6284

Section 123 (I): Before the Governor in Council may grant a grazing lease for unalienated Crown land the Surveyor-General is required to certify that such land is unsuitable for selection under selection purchase leases or conditional purchase leases under the Act. It is also provided that no lease will be granted for any first, second or third class land or any unclassified land which, in the opinion of the Surveyor-General, would, if classified, be classified as first, second or third class land.

Section 142 (e): No fence shall be erected on any bee farm site except on any boundary thereof, nor unless the boundaries thereof are clearly defined by a survey approved by the Surveyor-General.

Section 303 (3)(a)(ii): In development leases the subdivision of land comprised in the lease shall be by means of surveys carried out in accordance with the regulations relating to surveys under the Act and approved by the Surveyor-General.
Land Act Regulations 1984 provide for the Surveyor-General to certify as to the correctness of an adjustment of a boundary, area or description of land for which a Crown lease or Crown grant has been issued.

2.3.3.3 Local Government Act 1989 No.11 (As amended by Local Government (Miscellaneous Amendments) Act 1993 No.125)
Schedule 10 7(2) refers to the Surveyor-General's approval to alignments of roads vested in the Crown or a body representing the Crown.

2.3.3.4 Forests Act 1958 No.6254
Section 73 provides that the Surveyor-General may certify that a map is an original map truly showing the land excised, added or altered to any State Forest. Judicial notice is to be taken of the signature of the Surveyor-General certifying that maps are reproductions of original maps drawn correctly or to a larger scale than the originals.

2.3.3.5 National Parks Act 1975 No.8702
In the schedules to this Act, reference is made to plans of National Parks prepared by the Surveyor-General and lodged in the Central Plan Office.

2.3.3.6 Port of Geelong Authority Act 1958 No.6262
Section 75 provides that boundaries described in schedules to the Act are to be defined by survey under the direction of the Surveyor-General who is to certify the plans and survey.

2.3.3.7 Port of Melbourne Authority Act 1958 No.6312
Section 106A authorises that on the first day of February in every year, a plan, certified by the Surveyor-General, showing the land comprising the Port of Melbourne on that date, shall be lodged in the Central Plan Office.

2.3.3.8 Other Acts
In the following Acts, a plan or plans of survey, signed by the Surveyor-General, are required:

- Eastern Freeway Lands Act 1971 No.8204
- National Tennis Centre Act 1985 No.10206
- Melbourne Cricket Ground Trust Act 1989 No.70
- Docklands Authority Act 1991 No-22
- Aboriginal Lands Act 1991 No .38
- Deakin University (Victoria College) Act 1991 No.41
- National Rail Corporation (Victoria) Act 1991 No.76
- Royal Botanic Gardens Act 1991 No. 87
- Royal Melbourne Institute of Technology Act 1992 No.45
- Melbourne University (VCAH) Act 1992 No.52
- Casino Control (Amendment) Act 1993 No.34
- Institute of Educational Administration (Repeal) Act 1993 No.45
2.3.3.9 **Electoral Boundaries Commission Act 1982 No.9801**
Section 3 (2)(c): The Surveyor-General shall be one of three members of the Electoral Boundary Commission. Section 4 sets out the tenure of office.

2.3.3.10 **Commonwealth Electoral Act 1918**
Sections 25 L (2) & (3) provide that the Surveyor-General, if he is available, shall be a member of a Redistribution Committee for Victoria.
Section 25 W (2)(c) provides that members of the Redistribution Committee to be members of an Augmented Electoral Commission for Victoria.

2.3.3.11 **Evidence Act 1958 No.6246**
Section 72 (e) provides for the certification by the Surveyor-General of copies of original maps, plans, documents and papers in the custody of a department administered by the Minister handling the Survey Co-ordination Act 1958.

2.3.3.12 **Surveyors Act 1978 No.9180**
Section 4 (2) (a): The Surveyor-General to be a member of the Surveyors Board and be Chairman.
Section 31: No person shall be appointed to the office of Surveyor-General unless he is a licensed surveyor.

2.3.3.13 **Commonwealth Weights and Measures (National Standards) Regulations**
The Surveyor-General is appointed as Victoria's verifying authority for standards of measurement under section 77 of the Regulations.

2.3.4 **General Observations**
By virtue of this senior position in the Public Service and statutory appointment as Chairman of the Surveyors Board, the Surveyor-General is recognised as the head of the surveying profession in Victoria.
In addition to his day to day duties and responsibilities the Surveyor-General has wider obligations concerning the whole of the surveying profession, other Government departments and authorities, and the public generally. His advice has been sought and given on many facets of land administration, and on a number of occasions he has been required to arbitrate on disagreements over land boundaries.
As set out above, the office of Surveyor-General is cited in both State and Commonwealth legislation and should be upheld and strongly supported by the surveying profession to ensure that decisions affecting it will continue to be made by qualified and experienced persons with a complete understanding of the discipline concerned.
2.4 Licensing of Surveyors in Victoria

2.4.1 Progress of Legislation 1866-1958 1866 -

*Transfer of Land Statute 1866 No.301*

The only relevant provision of this Statute was section 13a which made provision to the effect that where land under the Statute was subdivided, a plan of subdivision was to be lodged with the Office of Titles which “Shall be declared as accurate by the statutory declaration of a licensed surveyor”. The section then provided that “No person shall be permitted to practise as a surveyor under this section unless specially licensed for that purpose by the Surveyor-General.”

1885 - *Transfer of Land Statute 1885 No.872*

Section 4 of this amending Statute provided that “After the coming into operation of this Act no licence to practise as a surveyor under the Act (ie. the Transfer of Land Statute 1866) shall be issued by the Surveyor-General to any person who has not first obtained the Qualification Certificate of the Board of Examiners for Government Surveyors.”

Section 5 made further provision to the effect that every licence issued was to be subject to the regulations and instructions in force for surveyors under this Act issued by the Department of Lands and Survey and was to be revocable for good cause shown.

1890 - *Transfer of Land Act 1890 No.1149*

The foregoing provisions were carried forward into the 1890 Consolidation of Victoria Statutes. Section 16 of that Act being in identical terms with section 4 of the 1885 Act and section 17 with section 5 of the same Act, while section 172 was in the same terms as section 134 of the 1866 Act.

1895 - *Land Surveyors Act 1895 No.1400*

This was the first Act dealing with the qualification and licensing of surveyors. The Act repealed the provisions of sections 16 and 17 of the Transfer of Land Act 1890 and also that part of section 172 which made provision to the effect that no person should be permitted to practise as a surveyor under the 1890 Act unless specially licensed for that purpose by the Surveyor-General. The repeal was effected by section 2 of the Act which went on to provide that any person who, at the commencement of the Act held a qualification could, at any time, on application to the Board, have his name entered on the Register.

Section 3 contained the following definitions:

- "Certificate" meant a certificate of competency in surveying granted after the commencement of the Act by the legally constituted Board of Examiners for land surveyors in any Australian Colony, ie. any of the present States of the Commonwealth or New Zealand.

- "Licence" meant a licence to practise as a surveyor under the Act.

- "Licensed surveyor" meant any person registered in respect of a qualification or certificate under the Act.

- "Qualification" meant any licence issued before the coming into force of the Act entitling the holder thereof to practise as a surveyor under the Transfer of Land Act 1890, or any certificate of competency issued by the Board of Examiners for the Survey Branch of the Department of Lands and Survey for Victoria.

Sections 4 and 5 of the Act then provided for the establishment of a Surveyors Board in Victoria.

Section 6 provided that the Board (ie. the Surveyors Board) should perform *(inter alia)* the following duties and powers:

(a) The holding and conduct of examinations and the setting up of syllabi;
(b) The granting of certificates to any person who at any examination of the Board satisfied the examiners in the subjects set for examination;

(c) The issuing of licences to any person holding a certificate of qualification;

(d) The refusal of licences or certificates to any person unless satisfied as to good character.

Section 7 deals with the privileges conferred by a licence. It is in the following terms: "Every licence issued and registered under this Act shall, while such licence remains in force, entitle the holder thereof to practise as a surveyor under any Act in force relating to the alienation and disposal of Crown land and to effect surveys under such Act and under all Acts relating to titles of land, and no person shall practise under such Acts or effect such surveys unless he is so licensed."

Section 9 gave power to the Board to make regulations for examinations, and for the guidance of surveyors under the Transfer of Land Act 1890 and under the Land Act.

Section 11 required any person, before receiving a licence, to make a declaration in the form of the Third Schedule.

By virtue of section 12:

"Any person, not being a licensed surveyor who for gain or reward as a surveyor either:

(a) Knowingly and wilfully pretends that he is a licensed surveyor; or

(b) Certifies to the accuracy of any survey or plan purporting to be a survey or plan for the purpose of titles to land, or signs or initials any such survey or plan shall be guilty of an offence .....

The declaration contained in the Third Schedule was in the following terms:

"I A.B. do solemnly and sincerely declare that I will, to the best of my ability, without partiality, favour or affection, correctly survey and delineate the boundaries of any lands I may be instructed and undertake to survey in strict compliance with the regulations and instructions in force for the time being of the Board constituted by the Land Surveyors Act 1895."

1915 - Land Surveyors Act 1915 No.2679

In 1915 the Victorian Statutes were again consolidated and the Land Surveyors Act 1895 was repealed and for the most part re-enacted in the Land Surveyors Act 1915. Section 2 of the 1915 Act repealed the 1895 Act but such repeal did not affect any licence or certificate granted, or any right accrued under the 1895 Act before the commencement of the 1915 Act - Section 3 had the following definitions:

- "Certificate" - the same as in the 1895 Act.
- "Licence" meant a licence to practise under the 1915 Act.
- "Licensed surveyors" meant any person registered in respect of a qualification or certificate under this 1915 Act or any Act thereby repealed.
- "Qualification" meant (a) any licence granted before the commencement of this 1915 Act entitling the holder thereof to practise as a surveyor under the Transfer of Land Act 1890, or (b) as in (b) in the same definition in the 1895 Act.

Sections 6, 7, 9, 11, 12 and the Third Schedule of the 1915 Act were in similar terms to the corresponding sections of the 1895 Act.

1928 - Land Surveyors Act 1928 No.3712

The Victorian Statutes were again consolidated in 1928 and the 1915 Act was repealed in the Land Surveyors Act 1928. The relevant provisions of the 1928 Act were in similar terms to the 1915 Act.
1942 - Land Surveyors Act 1942 No.4932

The 1928 Act was repealed by the Land Surveyors Act 1942 but provision was made in section 2 that such repeal does not affect any licence or certificate issued or granted or any right accrued under the 1928 Act before the commencement of the 1942 Act.

Section 3 of the 1942 Act contains the following definitions:

- "Certificate" means certificate of competency in surveying issued or granted after the first day of January 1896 (ie. the date of commencement of the Land Surveyors Act 1895) or by the Board (ie. the Victorian Surveyors Board continued in existence by the 1942 Act) or by the Surveyors Board or any similar authority in any reciprocating State (ie. any part of Her Majesty's Dominions, including the United Kingdom with which reciprocal arrangements have been entered into).
- "Licence" means a licence granted under the 1942 Act or issued under any corresponding previous enactment.
- "Licensed surveyor" means a person registered under the 1942 Act or any corresponding previous enactment, and whose registration is for the time being in force.
- "Plan" includes every plan, map, aerial photograph or description made or obtained as part of a survey or surveys.
- "Survey" means the act or process of determining the form, contour, position, area, height, depth or similar particulars with respect to any part of the earth's surface, whether land or water, or any natural or artificial features on, below or above any part of such surface, or the length or direction of the boundary lines of any part of such surface or of any natural or artificial features, and includes the making or obtaining of a plan or plans thereof, and "to survey", and the derivatives thereof have a corresponding interpretation.
- "title survey" means any survey made for or in connection with or for the purpose of making or obtaining any plan or survey data to be used for or in connection with any dealing or matter whatsoever:
  (a) relating to the alienation of Crown lands;
  (b) relating to or affecting title to any lands;
  (c) relating to the delimitation of the boundaries of any lands or the location of any survey pegs or other survey marks; or
  (d) (without affecting the generality of the foregoing) under the Land Acts, the Transfer of Land Acts, the Property Law Acts, the Land Compensation Act 1928 or any other Act or enactment relating to the alienation of Crown lands or to title to any lands.

Under section 5 of the Act the Board has the power and function of prescribing a course of training in surveying, including training under indentures of apprenticeship, to hold examinations for certificates, to issue certificates, to grant licences and to register persons to whom licences have been granted.

Under section 7 the Board shall issue a certificate to any person who has completed the prescribed course of training and who satisfies the examiners in the subjects set for examination.

Section 8 requires the Board to issue a licence to any person who holds a certificate and who is a natural born or naturalised subject of twenty-one years of age and of good character.

Section 12 is in considerably wider terms than the corresponding provision (also section 12) of the earlier Acts; it provides that every person who:

(a) not being a licensed surveyor takes, uses or adopts in any matter whatsoever (either alone or in combination with any other words or letters) the title addition or description of "Licensed Surveyor" or the letters "L.S." or any other name, title, words, letters, addition or description implying that he is licensed or registered under the Act or is a licensed surveyor or is carrying on the practice of a licensed surveyor;
(b) not being a licensed surveyor, certifies to the accuracy of any title survey or initials any plan purporting to be a plan of a title survey; or

(c) not being a licensed surveyor or a person acting under the immediate direction or supervision of a licensed surveyor, makes or undertakes to make any title survey or carries out any work in connection with or undertakes to carry out any work in connection with any title survey or places in position in relation to any land any peg or mark with the intention that it may be taken to be a survey peg or survey mark so placed by or under the direction of a licensed surveyor for the purposes of a title survey;

shall be guilty of an offence - Penalty - not more than fifty pounds.

1953 - Land Surveyors Act 1953 No.5713

Amendments to the 1942 Act were made by the Land Surveyors Act 1953.

Section 2 provides that "in addition to, and without in any way affecting the course of training and examination in surveying referred to in the Principal Act" (ie. the 1942 Act), the Board may prescribe courses of training and conduct examinations in the following special branches of surveying:

(i) engineering surveying;

(ii) mining surveying;

(iii) topographic surveying;

(iv) geodetic surveying;

(v) hydrographic surveying;

(vi) such other branches of surveying as the Board thinks fit.

The section also empowers the Board to issue certificates of competence in the appropriate special branch of surveying to persons who have passed the requisite examinations.

These amendments were brought about by the intention to provide for the training and examination in special branches of surveying so as to relieve the considerable shortage of surveyors required for mapping and construction projects in the post World War II period.

The provisions for certificates of competency in special branches of surveying was extensively debated by The Institution of Surveyors, Victoria, and the Surveyors Board, and proposals for regulations were made but no regulations were ever adopted by the Board. The Institution was generally against the proposal to split the profession into "special branches" and it subsequently became obvious that the need did not exist. No person ever applied for examination or the issue of a certificate of competency under the "special branches" provisions.

This concept was carried forward into the Land Surveyors Act 1958 (Consolidation) but was abandoned in the Surveyors Act 1978.

1958 - Land Surveyors Act 1958 No.6288

This Act was a consolidation which resulted in the repeal of the following:

- **Land Surveyors Act 1942 No.4939**
- **Land Surveyors (Amendment) Act 1945 No.5068**
- **Land Surveyors Act 1953 No.5713**

The provisions of the repealed Acts were carried forward in the new Act. Between 1962 and 1977, minor amendments were made by the Subordinate Legislation Act No.6886 (1 August 1962), the Statute Law Revision Act No.7065 (3 December 1963), the Land Surveyors (Surveyors Board) Act 1977 No.8990,
and the *Statute Law Revision Act 1977* No. 9019. So much of the 1958 Act as had not already been repealed was repealed by the *Surveyors Act 1978*.

### 2.4.2 Contemporary Legislation

#### 2.4.2.1 Surveyors Act 1978 No. 9180

The *Surveyors Act 1978* came into operation on 1 December 1980. This Act contained many new concepts and particularly provided for the registration of surveyors other than the traditional cadastral surveyor.

The significant new concepts are contained in:

**Section 8:**

(a) "to prescribe degrees, diplomas and other qualifications ..."

(b) "to prescribe -
   (i) courses of study in surveying ... 
   (ii) courses of training in surveying .."

(c) "to hold examinations in surveying..."

**Section 10(1):**

(1) "The Board shall issue a certificate of competency in surveying to any person who -

(a) holds a prescribed degree or other qualification;

(b) has completed to the satisfaction of the Board the course of study and course of training in surveying required by this Act to be completed and passed the examinations in surveying required..."

It is provided further in section 10(2):

(2) "Notwithstanding anything in sub-section (1), the Board may issue a certificate of competency in surveying to any person who is not eligible to be issued with such a certificate by reason only that he does not hold a prescribed degree diploma or other qualification if he holds such a degree diploma or other qualification as is approved by the Board or has passed such examinations as are approved by the Board for the purposes of this sub-section."

This sub-section provides for an applicant to hold a degree, diploma or qualification other than the traditional degree etc. in "Surveying".

Sub-sections 10(3) and 10(4) are also important as to alternative provisions for "a course of study" and "a course of training".

**Section 10(3):**

(3) "The Board may accept such evidence as is satisfactory to it that a person desiring to be registered under section 12 has in a reciprocating country completed a course of study or course of training in surveying of a similar standard to the course of study or course of training in surveying required by this Act to be completed by persons desiring to be so registered or passed examinations in surveying of a similar standard to the examinations in surveying required by this Act to be passed by such persons."

**Section 10(4):**

(4) "Where the Board is satisfied that a person has in a reciprocating country completed such a course of study or course of training in surveying as is mentioned in sub-section (3) or passed such examinations in surveying as are mentioned in that sub-section, that person shall be deemed for
the purposes of sub-section (1) to have completed to the satisfaction of the Board the course of study or course of training in surveying required by this Act to be completed by persons desiring to be registered under section 12 or to have passed the examinations in surveying required by this Act to be passed by such persons, as the case may be."

Part II - Registration of Surveyors: Section 12(1) & (2):

(1) "A person may apply to the Board to be registered as a surveyor under this section."

(2) "The Board shall register an applicant if it is satisfied that the applicant -

(a) holds a certificate of competency in surveying issued by the Board;

(b) is of good character and is a fit and proper person to be so registered; and

(c) has paid the prescribed fee for registration under this section."

Section 12(3) provides for an alternative for an applicant who does "not hold a certificate of competency in surveying".

2.4.2.2 Surveyors (Registration) Regulations 1980 S.R.No.446

These Regulations set out details of requirements for:

Regulation | 2 | Interpretations
| 3-9 | Training in Surveying
| 10-13 | Examinations in Practical Projects
| 14-20 | Examinations in Assessment Projects
| 21 | Certificates of Competency
| 22 | Registration
| 23 | Certificate of Registration
| 24 | Register of Surveyors
| 25 | Endorsement to Perform Cadastral Surveys

Schedule | 1 | Certificate of Training
| 2 | Training Agreement
| 3 | Particulars to be entered in the Book of Training Agreements
| 4 | Degrees, Diplomas and Qualifications
| 5A | Practical Projects
| 5B | Assessment Projects
| 6 | Certificate of Competency in Surveying
| 7 | Certificate of Competency in Cadastral Surveying
| 8 | Certificate of Registration
| 9 | Register of Surveyors
| 10 | Endorsement Certificate of Registration

2.4.2.3 Surveyors (Cadastral Surveys) Regulations 1985 S.R.No.209

These Regulations are different from previous Regulations of this nature in that the emphasis is more on the prescribed accuracy rather than the details of making the survey. The Regulations provide as follows:

Regulation | 3 | Interpretations
| 4-8 | Survey Equipment
| 9-10 | Classification and Accuracy of Surveys
| 11-16 | Survey Marks
| 17 | Field Survey
| 18-22 | Draughting
Field Notes
Abstract of Field Notes
Plans
Certification of Plan
Report by the Licensed Surveyor
Notice of Having Re-established a Parcel
Amendment of Abstract of Field Notes and Plan.

Schedule

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Draughting:

Section 18: "Subject to these Regulations, the draughtsmanship on field notes, an abstract of field notes or a plan of a cadastral survey shall be of a standard acceptable to the Board for documents of a cadastral survey."

In regard to "a standard acceptable to the Board ...", attention is drawn to publications by the Board and in particular:

Survey Practice Handbook, Victoria:

- Part 1 Drawing Practice 1984 (revised to 31 January 1993)
- Part 2 Survey Procedures 1985 (revised to 1 July 1992)

2.4.2.4 Surveyors (Cadastral Surveys) (Amendment) Regulations 1989 S.R.No.259

These make some amendments to Regulations 9, 17, 25, 26 and 27 of the Principal Regulations S.R. No.209/85, and are mostly consequent to the passing of the Subdivision Act 1988.

2.4.3 Transfer of Land Statutes and Land Surveyors Acts Enumeration

1837 Proclamation by Governor of New South Wales that applicants for assistant surveyor positions are to appear before a Board for examination.
1851 Victoria became separate Colony.
1859-60 Royal Commission to Inquire into and Report on the Civil Service of the Colony.
1861 Board of Examiners 13 September 1861, licensing of surveyors.
1866 Transfer of Land Statute No.301 (surveyor specially licensed by Surveyor-General).
1890 Transfer of Land Act No.1149 (surveyor licensed under this Act), sections 16,17,18,162 and 172.'
1895 Land Surveyors Act No.1400
1915 Land Surveyors Act No.2679 (Consolidation)
1922 Land Surveyors Act No.3196 (Amendment)
1928 Land Surveyors Act No.3712 (Consolidation)
1942  Land Surveyors Act No.4939 (Consolidation and Amendment)
1945  Land Surveyors (Amendment) Act No.5068
1953  Land Surveyors Act No.5713 (Amendment)
1958  Land Surveyors Act No.6288 (Consolidation)
1962  Subordinate Legislation Act No.6886 (Repeal Land Surveyors Act No.6288, sub-section 2 of section 16).
1963  Statute Law Revision Act No.7065 (Amendment Land Surveyors Act No.6288, sub-section 10 of section 4).
1978  Surveyors Act No.9180 (Consolidation and Amendment).

2.4.4 Regulations and Statutory Rules Enumeration under Land Surveyors Acts

1896  Regulations for Guidance of Surveyors (under Transfer of Land Act 1890).
1898  Regulations for Guidance of Surveyors (under Land Surveyors Act 1895).
1903  Regulations for the Examination of Land Surveyors, Victoria.
1910  Regulations for the Examination of Land Surveyors, Victoria.
1910  Regulations for the Examination of Land Surveyors and Issue of Licences to Survey.
1912  Regulations for the Examination of Land Surveyors and Issue of Licences to Survey.
1915  Regulations for the Guidance of Surveyors:

  • Under Transfer of Land Act 1915;
  • Under provisions of Land Surveyors Act 1915 section 9(f).
1920  Regulations for Examinations for Land Surveyors and Issue of Licences to Survey.
1920  Regulations for the Guidance of Surveyors.
1926  Regulations for the Examination and Registration of Land Surveyors.
1930  Regulations for the Examination and Registration of Land Surveyors.
1931  Regulations for the Guidance of Surveyors.
1935  Regulations for the Examination and Licensing of Surveyors.
1945  Certificate of Competency as Mining Surveyors (Examination Regulations 11 July 1945, Gov. Gazette p-1902).
1975 Land Surveyors (Examination and Registration) Regulations, S.R.No.11a, 1975.
1978 Land Surveyors (Examination and Registration) (Fees) Regulations S.R.No.188, 1978.
1992 Surveyors (Registration) Regulations S.R.No.99, 1992
1992 Surveyors (Surveyors Board) Regulations S.R.No.100, 1992
1992 Surveyors (Fees) Regulations S.R.No.250, 1992

2.5 The Institution of Surveyors, Australia Inc.

2.5.1 History of Formation

In 1952 the six State Institutes combined to form the Institution of Surveyors, Australia, after more than 70 years of intermittent effort. Many things hampered this achievement - the indifference and apathy of many, the difficulties and delays of interstate communications before the development of air travel, two world wars and a depression.

Although many surveyors were indifferent and even hostile to the idea of federation, a few cherished the idea of an institution which would embrace all Australian surveyors whose academic backgrounds, practical experience and professional competence were acceptable.
In 1881 a New South Wales Institute of Surveyors was formed with the Government Astronomer (H.C. Russell) as President. A member, T.S. Parrott, wrote to the Victorian Institute and suggested: "a conference of representatives from the various colonies, to meet either in Sydney or Melbourne, with a view to bringing about some federal action of the profession." Victoria agreed, and a conference was arranged to coincide with an exhibition of instruments already planned.

The First Intercolonial Conference of Surveyors met in Melbourne on 28 March 1883 at the Exchange in Collins Street. Most of the delegates were Victorians, but four came from New South Wales (none officially) and one from Tasmania. The South Australian Institute had just been formed and was unable to send a delegate, but supported the aims of the conference. Queensland and Western Australia were not represented. It was resolved that a federation of Australian surveyors was desirable and a committee was appointed to pursue the matter. This committee reported two years later to the annual general meeting of the Victorian Institute, that Queensland gave only qualified approval, New Zealand opposed, and New South Wales still held aloof. Although the other Colonies were in favour of federation, it was considered that further discussions should be deferred.

The Surveyor-General of Western Australia had pointed out in 1886 that Queensland surveyors were allowed to practice in his Colony, and he asked for a similar concession for Western Australian surveyors in Queensland. Tully, the Queensland Surveyor-General, replied that the proposal was premature because: "the supply of surveyors in Queensland is far in excess of demand, and I do not want to see claimants for work flocking in from other Colonies."

This was an early example of interstate prejudices which hindered the formation of an Australian institution. Federation was impossible without a common code for the training and examination of surveyors, and for many years reciprocity and federation were synonymous. The South Australian Board of Examiners raised the matter in 1887, but nothing concrete was achieved. In 1890 the Queensland Surveyor-General, Davidson, announced that he would hold examinations for surveyors at the same time as New South Wales, using the same papers. In the following year his successor, McDowall, suggested to all Australian Institutes and Surveyors-General that uniform standards of field service and examination should be adopted. The replies indicated a general desire for identical qualifications throughout the Colonies, and a conference to discuss reciprocity was arranged by the Victorian Institute, at McDowall's request. On 31 October 1892 delegates from New Zealand and all Australian Colonies except Tasmania, met in Melbourne and after discussions extending over four days, agreed unanimously to recommend reciprocal recognition of each other's Certificates of Competency. Regulations for the examination and registration of land surveyors were drawn up, including specifications for the prerequisites and training of articled pupils. Other conferences followed and in 1900 the first identical examinations were held in all Australian Colonies. Three years later the system was extended to New Zealand, but surveyors from by then, other States, continued to be regarded with suspicion, despite common examinations and training conditions. The profession was not ready for federation.

During the period 1909-1914 the Department of Defence commenced the topographical survey of areas around the capital cities, thus opening up again the topographic and geodetic branches of surveying which had been practically abandoned many years before.

During the World War I many surveyors enlisted in the armed services, most being employed either in the artillery or engineers.

After the Armistice in November 1918, the Army Education Scheme was put into effect and a Survey Course and School was organised at the British Ordnance Survey in Southampton under the Director, Colonel Sir Charles Close, K.B.E., etc., his assisting staff being Major A.J. Wolff, D.S.O. Lieut. R. Peel, R.E., Lieut. N.G. Maddams, R.E., Sgt. A.G. Streeter, R.E., and Mr. H. Durham. Captain Rome Gillespie, a licensed surveyor and engineer of New South Wales was appointed Officer Commanding the Course and School which were located at Southampton.

The Course comprised sixteen officers and men who were qualified or licensed surveyors. It had as its task the further training of these surveyors in geodetic and topographic surveying.

The school consisted of sixty-four officers and men who had not yet passed the examination for the licence, or men who had deferred their articles to enlist.

Excellent tuition was given by very competent instructors and when the time came for embarkation to return home a meeting of all the Australians present at the school was held, and, after serious
discussion on the status of the profession in Australia, it was agreed that those present would use every effort to enlist the comradeship which had been created amongst those who had served during the war, in order to raise the status of the profession in all States of the Australian Commonwealth. Those who attended the Survey School had the advantage of being repatriated from England in the SS Norman thus enabling them to continue their studies under ideal conditions.

It is difficult to isolate all the individual names but amongst those attending the first meeting of the Institutes of Surveyors of Australia held in 1927, the original members of the Co-ordinating Council and the members of the first Council there were many who attended the Survey School at Southampton and who had not forgotten the resolutions that were adopted in 1919.

The first effective steps towards this, as far as can be traced, were taken by Queensland at a council meeting on 11 December 1925. Feeling that some form of affiliation was desirable, the Secretary (S.G. Palmer), who planned to visit Sydney and Melbourne early in the New Year, was authorised to discuss it with the southern Institutes. As he was also the Secretary of the Queensland Division of the Institution of Engineers, which had benefited substantially in membership and prestige from federation in 1919, he was well qualified to urge co-operation for surveyors. His discussions aroused interest, and on his return he reported that both States favoured closer co-operation, and that a conference of all Australian Institutes would be arranged in Melbourne to consider the matter.

Some difficulties were experienced in arranging the 1st Interstate Conference and it was not until 2 November 1927 that the initial step was taken on the road which, after many disappointments and frustrations, finally led to the union of all Australian Institutes of Surveyors. All States were represented and elected James G. Gillespie, the Victorian President, as Chairman. He was the only one of the original delegates who was still active when the Institution of Surveyors, Australia, was formed in 1952, and his unanimous election as its Foundation President was a fitting recognition of his substantial and significant contributions to its creation. The Tasmanian delegate (R.B. Montgomery) suggested that the formation of a federal institute should be considered, and the delegate from Western Australia (J. Paterson) proposed that a federal council be formed to deal with federal matters, as his institute thought that the formation of a federal institute would be premature at this stage. Action was deferred until the next conference, which New South Wales was asked to convene.

An important achievement of this conference was the decision to publish The Australian Surveyor. At the Intercolonial Conference of 1892 the Queensland Surveyor-General (McDowall) had expressed his hope for a surveyors periodical which would represent Australian surveyors as a body, but no action followed. From time to time other attempts were made to establish a federal journal to replace the journals issued by the State institutes, but none met with success until 1927, when the Queensland delegate (Palmer) submitted proposals for a Commonwealth survey journal. This had been discussed with New South Wales and Victoria on his visit in 1926, and the responses had encouraged him to investigate the costs of such a publication and the support it might hope to receive. These showed that it was financially viable, and Queensland offered to undertake its management. The Conference resolved that an Australian survey journal should be published, and accepted the offer of the Queensland institute to produce it. Such a journal would naturally have followed any amalgamation of Australian institutes, but The Australian Surveyor actually preceded the institution by nearly a quarter of a century. The first issue Vol.1, No.1 appeared in January 1928, while the formation of the Institution of Surveyors, Australia, was not finalised until 20 October 1952. The Queensland institute produced one volume covering 1928 and 1929, and one issue of volume II in 1930, but it was obvious that its limited resources were not equal to the task, and New South Wales accepted responsibility for its production.

All States were represented when the 2nd Interstate Conference met in Sydney on 23 October 1928. W.A. Chadwick, President of the New South Wales Institute of Surveyors, was chosen as Chairman. After the Queensland delegate (Palmer) had discussed the probable costs of a federal institution, Victoria (Percival) moved: "That the Federal Institute of Surveyors be formed, and that the Queensland institute be asked to take upon itself the work of drawing up and preparing the necessary draft conditions, and submit the matter to the various States for their concurrence."

The 3rd Interstate Conference met in Brisbane in 1930. Unfortunately its proceedings were never published owing to the temporary suspension of publication The Australian Surveyor. A copy of the draft constitution prepared by Queensland has been found, and it closely resembles that finally adopted for the Federal Institute in 1952. The federal body was to be called "The Institution of Surveyors, Australia", and the State institutes were to become foundation societies or divisions.
The 4th Interstate Conference was planned to meet at Perth in September 1931, but was postponed owing to the Depression, and delegates did not meet until 30 October 1934, when all States except Tasmania, met in Melbourne. The Victorian President, G.T. Little, was chosen as Chairman. Federation seemed to be forgotten, for it was not discussed, and the 5th Interstate Conference resolved at Adelaide in September 1936 that formation of the federal institution would be premature under existing conditions. Two years later the 6th Interstate Conference met in Perth, with P.G.S. Hope as Chairman. Federation received little attention. South Australia, when reporting action from the 5th Interstate Conference, said that the time was still inopportune and no delegate had any comment to offer. The 7th Interstate Conference in Sydney on 19 March 1940 was dominated by wartime problems, and federation was not raised.

With the outbreak of hostilities with Japan an extensive programme of roads, camps, hospitals, aerodromes and docks was needed. This called for a large body of surveyors, and at the same time many medically fit surveyors of military age were drafted into the armed services, most of them into the expanded Australian Survey Corps, and the experiences of these war years dispelled most of the fears and suspicions which had hindered earlier efforts at federation. When the 8th Interstate Conference assembled at Brisbane on 12 August 1946 it was obvious that goodwill and tolerance now replaced the former distrust.

The 9th Interstate Conference met in Melbourne on 25 October 1948. The President of the Victorian Institute of Surveyors, and Surveyor-General of Victoria, F.W. Arter was elected Chairman. Delegates seemed determined that this conference should achieve something positive towards formation of a federal institution.

The conference adopted unanimously a scheme submitted by J.G. Gillespie, for a co-ordinating council to prepare and adopt a constitution of a federal institute. To reduce travelling expenses and to expedite its work, this council was composed of representative members nominated by the State institutes, and resident members belonging to a single so-called parent institute. The Victorian institute was chosen as the "Parent Institute", and the States nominated the following members of the co-ordinating council:

<table>
<thead>
<tr>
<th>Institute</th>
<th>Representative Members</th>
<th>Resident Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Queensland</td>
<td>W.J.E.White</td>
<td>MJ.Lea</td>
</tr>
<tr>
<td>New South Wales</td>
<td>N.K.Bennett</td>
<td>A.Urbahns</td>
</tr>
<tr>
<td>Tasmania</td>
<td>J.Cohen</td>
<td>C.A.Wilson</td>
</tr>
<tr>
<td>South Australia</td>
<td>F.Ellis</td>
<td>G.T.Little</td>
</tr>
<tr>
<td>Western Australia</td>
<td>T.A.Cleave</td>
<td>G.J.Thornton-Smith</td>
</tr>
<tr>
<td>Victoria</td>
<td>J.G.Gillespie</td>
<td>L. FitzGerald</td>
</tr>
</tbody>
</table>

On 14 October 1949 the co-ordinating council met in Melbourne for its inaugural meeting. J.G. Gillespie was elected unanimously as president and R.D. Steele was appointed hon. secretary and hon. treasurer. Other meetings followed.

The co-ordinating council re-affirmed the resolution of the 1948 Conference to form a federal institute, and adopted the constitution and by-laws as presented by the president of the co-ordinating council.

All State institutes ratified the constitution, thus becoming foundation societies of the institution.

The divisions, as they now were, elected Councillors. They assembled in Melbourne on 20 October 1952 for the initial council meeting of the institution, and this date has been adopted as the official date of formation. Obviously anxious to pay tribute to J.G. Gillespie for his contribution to its creation, councillors unanimously elected him as the Foundation President of the institution. N.K. Bennett (Sydney) and C.L. Alexander (Adelaide) were elected vice-presidents. R.D. Steele and M.J. Lea (both of Melbourne) were appointed hon. secretary and hon. treasurer respectively.

The first general meeting of the institution was held in Hobart on 9 April 1954. At the same time a survey congress of technical papers, discussions and social functions was held, thus setting the pattern which other congresses have followed with minor modifications.

Steady growth shows that the formation of the institution was justified. An additional division representing surveyors in the Australian Capital Territory was added in 1959, and in 1970 a division representing the surveyors in the Northern Territory was formed. New South Wales, Victoria and Queensland have all established subsidiary groups to provide closer contact with non-metropolitan
Formation of a division in the Territory of Papua New Guinea was considered. An Association of Surveyors was formed there in 1960, but decided to remain independent after negotiations extending over 5 years, feeling this was desirable because of the differences between local and Australian conditions, and their obligations towards locally trained surveyors whose qualifications might not satisfy the institution's requirements.

### 2.5.2 Roll of Presidents of The Institution of Surveyors, Australia.

<table>
<thead>
<tr>
<th>Year</th>
<th>President</th>
<th>Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>1952</td>
<td>J G Gillespie MBE</td>
<td>Victoria</td>
</tr>
<tr>
<td>1955</td>
<td>A J Lines</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1957</td>
<td>S E Reilly MBE</td>
<td>Queensland</td>
</tr>
<tr>
<td>1959</td>
<td>J W Cohen</td>
<td>Tasmania</td>
</tr>
<tr>
<td>1960</td>
<td>M J Lea OBE</td>
<td>Victoria</td>
</tr>
<tr>
<td>1962</td>
<td>RW Paynter</td>
<td>South Australia</td>
</tr>
<tr>
<td>1964</td>
<td>R B Alberton AM</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1965</td>
<td>J F Morgan</td>
<td>Western Australia</td>
</tr>
<tr>
<td>1966</td>
<td>Brig D Macdonald AM</td>
<td>Victoria</td>
</tr>
<tr>
<td>1967</td>
<td>W J E White</td>
<td>Queensland</td>
</tr>
<tr>
<td>1968</td>
<td>M L Braid</td>
<td>Victoria</td>
</tr>
<tr>
<td>1969</td>
<td>A Wood</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1970</td>
<td>R. J. Love</td>
<td>Victoria</td>
</tr>
<tr>
<td>1971</td>
<td>D Morgan</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1972</td>
<td>P C Miller</td>
<td>Queensland</td>
</tr>
<tr>
<td>1973</td>
<td>EB Valentine</td>
<td>Tasmania</td>
</tr>
<tr>
<td>1974</td>
<td>R S Jones</td>
<td>Queensland</td>
</tr>
<tr>
<td>1975</td>
<td>A G Bomford</td>
<td>Canberra</td>
</tr>
<tr>
<td>1976</td>
<td>J K Barrie</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1977</td>
<td>F E Culliver</td>
<td>Victoria</td>
</tr>
<tr>
<td>1978</td>
<td>E B M James</td>
<td>Northern Territory</td>
</tr>
<tr>
<td>1979</td>
<td>J J Dwyer</td>
<td>Tasmania</td>
</tr>
<tr>
<td>1980</td>
<td>J M Serisier</td>
<td>Queensland</td>
</tr>
<tr>
<td>1981</td>
<td>J A Thompson</td>
<td>Victoria</td>
</tr>
<tr>
<td>1982</td>
<td>J B M Kennedy</td>
<td>Canberra</td>
</tr>
<tr>
<td>1983</td>
<td>K J Blume</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1984</td>
<td>P M Byrne</td>
<td>Western Australia</td>
</tr>
<tr>
<td>1985</td>
<td>R E Holmes</td>
<td>Victoria</td>
</tr>
<tr>
<td>1986</td>
<td>D J Lorschy</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1987</td>
<td>E A McKinnon</td>
<td>Western Australia</td>
</tr>
<tr>
<td>1988</td>
<td>G K Lindsay</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1989</td>
<td>J K Curdie</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1990</td>
<td>T W Menzies</td>
<td>Northern Territory</td>
</tr>
<tr>
<td>1991</td>
<td>BJ Burford</td>
<td>South Australia</td>
</tr>
<tr>
<td>1992</td>
<td>J M Naughton</td>
<td>New South Wales</td>
</tr>
<tr>
<td>1993</td>
<td>RL Browne</td>
<td>Western Australia</td>
</tr>
</tbody>
</table>

### 2.5.3 Constitution of The Institution of Surveyors, Australia.

The relationship between the Institution of Surveyors, Australia and the Divisions of the Institution is made clear in the provisions of the Constitution.

The Foundation Societies and Divisions are set out in Clause 335.

The several Institutes of Surveyors were founded as follows:

<table>
<thead>
<tr>
<th>Division</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victoria</td>
<td>1874</td>
</tr>
<tr>
<td>Queensland</td>
<td>1878</td>
</tr>
<tr>
<td>South Australia</td>
<td>1882</td>
</tr>
<tr>
<td>New South Wales</td>
<td>1884</td>
</tr>
<tr>
<td>Tasmania</td>
<td>1889</td>
</tr>
<tr>
<td>Western Australia</td>
<td>1910</td>
</tr>
</tbody>
</table>
The Institution of Surveyors, Australia, Inc. Constitution

1. Name

The name of the Association is The Institution of Surveyors, Australia, Inc.

2. Objects

The objects of the Institution include the following:

2.1 To promote the science and practice of surveying in all its branches, and the usefulness and efficiency of persons engaged therein.

2.2 To raise the character and status and advance the interests of the profession of surveying and those engaged therein.

2.3 To encourage the study of surveying and to improve and elevate the general and technical knowledge of persons engaged or intending to engage in the profession of surveying.

2.4 To promote and safeguard the interests of the profession of surveying generally.

2.5 To obtain a Royal Charter.

2.6 To amalgamate affiliate or co-operate with any other Institutions or Associations having objects altogether or in part similar to this Institution, provided that in any amalgamation or affiliation the identity and autonomy of The Institution of Surveyors, Australia, Inc. shall not thereby be lost.

2.7 To do all such things as the Institution may think incidental or conducive to the attainment of the above objects or any of them.

3. Organisation

3.1 In order to carry out more effectively the objects of the Institution and to stimulate interest and to secure effective representation on the Council, the Commonwealth of Australia shall be divided into territorial areas and Divisions of the Institution shall be established in such areas.

3.2 The Institution shall have power to establish Divisions and to define, amend and restrict the areas and boundaries of any Division and to provide for the amalgamation or subdivision of Divisions. The members of the Institution in any district or place may apply to the Institution for the establishment of a Division and the Institution shall, if it approves such application, take such action as it may deem necessary accordingly.

3.3.1 The several Institutes of Surveyors set forth in Clause 3.3.5 hereof shall be known as Foundation Societies and each such Foundation Society may either amalgamate with and become a Division of the Institution or affiliate with and become and act as a representative of the Institution in the appropriate divisional area.

3.3.2 In the latter case a Foundation Society shall while preserving its separate identity constitution and assets act as and be deemed to be a Division of the Institution for all purposes of the Institution not inconsistent with the separate identity of such Foundation Society and shall so far as practicable having regard to the foregoing provisions subscribe and conform to the Constitution and By-Laws of the Institution which shall be read and construed accordingly.

3.3.3 Divisions of the Institution shall be deemed to have been established in the States and Territories referred to in Clause 3.3.5 hereof and the Foundation Society in each State or Territory shall be or act (as the case may require) as the Division of the Institution in such State or Territory.
3 3 4A Foundation Society may either adopt the name of the Institution with the addition of the particular Division (e.g., The Institution of Surveyors, Australia, Inc - Tasmanian Division) or retain its existing or other like name with an appropriate reference to the particular Division (e.g., The Institute of Surveyors, Tasmania - Tasmanian Division of The Institution of Surveyors, Australia, Inc). In the latter case, the reference to Division shall be in such form as the Council of the Institution may approve.

3 3 5 The Foundation Societies and Divisions hereinbefore mentioned are as follows:

<table>
<thead>
<tr>
<th>Foundation Society</th>
<th>Division</th>
</tr>
</thead>
<tbody>
<tr>
<td>The South Australian Institute of Surveyors</td>
<td>South Australia</td>
</tr>
<tr>
<td>The Queensland Institute of Surveyors</td>
<td>Queensland</td>
</tr>
<tr>
<td>The Institute of Surveyors, Tasmania</td>
<td>Tasmania</td>
</tr>
<tr>
<td>The Victorian Institute of Surveyors</td>
<td>Victoria</td>
</tr>
<tr>
<td>The Institution of Surveyors, Western Australia</td>
<td>Western Australia</td>
</tr>
<tr>
<td>Institution of Surveyors, New South Wales Incorporated</td>
<td>New South Wales</td>
</tr>
<tr>
<td>The Institution of Surveyors, Australia, Canberra Division</td>
<td>Canberra</td>
</tr>
<tr>
<td>The Institution of Surveyors, Australia, Northern Territory Division</td>
<td>Northern Territory</td>
</tr>
</tbody>
</table>

3 3 6 Members of Foundation Societies whose subscriptions are paid to the date of the formation of the relevant Division shall be admitted as foundation members of the Institution of grade of membership equal to that enjoyed by the member in the Foundation Society provided that application for such membership is made within twelve months of the establishment of the Division concerned.

3 3 7 Every Division established by the Institution other than a Foundation Society shall adopt and use the name of the Institution with the addition of the particular Division and shall otherwise as regards constitution and management conform with the Constitution and By-Laws of the Institution in all respects.

4. Property

4 1 The income and property of the Institution shall be applied solely towards the promotion and carrying out of the objects of the Institution. The Institution shall not carry on any trade or business or engage in any transaction with a view to the pecuniary gain or profit of the members thereof. No part of the income or property of the Institution shall be paid or transferred, by way of dividend or bonus or otherwise howsoever by way of profit to the members of the Institution provided that nothing herein contained shall prevent the payment in good faith of remuneration to any officer or servant of the Institution in return for any service rendered to the Institution or prevent the establishment of a benevolent fund for the officers and servants of the Institution and their dependents or prevent the payment at the discretion of the Council of the Institution of the expenses incurred by any members of the Institution in attending meetings or otherwise undertaking business of the Institution at the instance of the Council or the payment of honoraria to office-bearers.

4 2 Subject to Clause 332 hereof Foundation Societies shall transfer to the appropriate Divisions all real and personal property whether belonging to them absolutely or vested in them or for them in trust or otherwise. Such Division shall retain full control of such property subject to Clause 4 3.

4 3 The Institution may authorise the formation of a Subdivision where the request comes from a group of corporate members within the boundaries of an existing Division, i.e., within the area which includes all land administered under a common group of Land Laws. Such application shall first be forwarded to the relevant Division, but the applications shall be forwarded to the Institution by that Division whether it approves or not. Subdivisions shall bear the same relationship to the parent Division as that between Divisions and the Institution.

4 4 Any new Division formed may at the time of such formation receive any real or personal property transferred to it by a parent Division or Divisions and thereafter reserve to itself and retain full control of all such property subject to Clause 4 5.
4.5 If on the winding up or dissolution of the Institution there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of the Institution but shall be given or transferred to some other institution or institutions having objects similar to the objects of the Institution to be determined by the members of the Institution at or before the time of dissolution, and in default thereof by the Corporate Affairs Commission.

5. Membership

5.1 Unless and until the By-Laws of the Institution shall otherwise provide there shall be seven grades of members of the Institution termed respectively Honorary Fellows, Fellows and Members, who shall be corporate members. Graduate Members, Associates, Affiliates and Students. Associates shall possess all the rights and privileges of corporate members except the right to hold office and to vote on special resolution matters. Affiliates and Students shall possess all the rights and privileges of corporate members except the right to hold office and to vote. The members of the Institution shall consist of:

5.1.1 The several persons who immediately before the formation of this Institution were members of the Foundation Societies and joined the Institution, such members shall be deemed to have entered the Institution as members of the same grade as that to which they belonged in their respective Foundation Society.

5.1.2 All persons from time to time elected or advanced to any grade of membership in accordance with the By-Laws of the Institution.

5.2 The qualifications, methods and terms of admission privileges and obligations of members including liability to expulsion, removal of name from the Register of the Institution or suspension and conditions of resignation from membership shall be such as the By-Laws of the Institution shall direct.

5.3 Unless and until the By-Laws of the Institution shall provide for a change in such designations a member of the Institution shall be entitled to the exclusive use after his name of the following abbreviated designations as applicable:

| Graduate        | Grad. I.S.Aust. |           |                |

6. Council

6.1 The affairs of the Institution shall be managed by a body to be called "The Council" which shall be the governing body of the Institution.

6.2 The Council shall consist of such members of the Institution holding such qualifications and elected or nominated in such manner holding office for such periods and on such terms as to re-election or re-nomination and otherwise as may be prescribed by the By-Laws of the Institution.

6.3 Subject to clause 4.2 and 4.4 the Council shall have the sole control management and superintendence of the property income affairs and concerns of the Institution and may appoint such Secretaries and Officers as shall in its discretion be deemed necessary and if not contrary to or inconsistent with the provisions of this Constitution or any By-Laws made hereunder may do all such acts as may appear to it to be necessary or desirable for the purpose of carrying into effect the objects of the Institution and in particular and without prejudice to the foregoing power the Council shall have the following powers:

6.3.1 To accept any gift of property for any of the objects of the Institution;

6.3.2 To invest any moneys of, or belonging to the Institution, in such manner as may from time to time be determined;
6.3.3 To borrow, raise or secure the payment or repayment of moneys in such manner as it may think fit/
6.3.4 To purchase, take on lease, construct, maintain or alter any building or works necessary or convenient for the purpose of the Institution,
6.3.5 To sell, lease, mortgage, dispose of or otherwise deal with all or any part of the property of the Institution.
6.4 The Council shall have power, if necessary, to control and conduct examinations in surveying and cognate subjects and issue certificates subject to such regulations as may from time to time be determined in general meeting.

7. Meetings

7.1 The meetings of the Institution shall be of such classes and shall be held for such purposes as may from time to time be prescribed by the By-Laws of the Institution and the rights of the several grades of members shall except as herein otherwise provided be such or subject to such restrictions as may be prescribed by the By-Laws of the Institution.

7.2 The majority of the corporate members present in person or by proxy and voting at a General Meeting of the Institution specially called for the purpose of which due notice has been given, shall have power from time to time to make such By-Laws as shall have been deemed by the Council to be requisite and convenient for the regulation government and advantage of the Institution, its members and property and for the furtherance of its objects and purposes and from time to time to revoke, alter or amend any By-Laws made under this Constitution but such revocation, alteration or amendment shall be subject to the recommendation of the Council and until such By-Laws shall be made the By-Laws appended hereto shall have effect.

8. Alteration of Constitution

This Constitution can only be altered, amended or added to following the passing of a special resolution Due notice in accordance with the Associations Incorporations Act shall be given to the members in accordance with this Constitution specifying the alterations proposed but such alterations shall not be altered, amended or added to in any way Voting on any such resolution shall be by a member in person or by a proxy.

9. Dissolution

The Institution shall continue until a resolution shall be passed by a three-fourths majority of the members thereof for its dissolution at a meeting duly convened for that purpose in accordance with this Constitution.

10. Withdrawal of a Division

If a resolution shall be passed by a three-fourths majority of the members of a Division voting on the resolution by ballot taken by postal vote as provided in the By-Laws that the Division withdraw from the Institution, such Division shall cease on the date specified in the resolution or if no date is so specified then on the date of the passing of the resolution to cease to be a Division of the Institution and from such date all members of that Division shall cease to be members of the Institution and the funds of that Division shall be vested in the institution, association or society specified in the resolution or nominated by a resolution of the Committee of that Division (being an institution, association or society of surveyors functioning in the State or district in which that Division functioned), provided that all fees payable by the Division to the Honorary Secretary in respect of the membership of the Division shall be paid up to the date of such withdrawal.
2.5.4 Code of Ethics of The Institution of Surveyors, Australia, Inc. (*Vide* By-Law 59)

Ethics are rules of conduct based on honesty, justice and courtesy. To merit the trust of the community, the respect of colleagues and the support of the Institution, members are required to comply with the Code of Ethics.

1. A member's responsibility for the welfare and rights of the community shall come before his responsibility to the profession of surveying, to sectional or private interests or to other surveyors.

2. A member shall uphold the standards, the honour and the dignity of the profession and shall conform to the Institution's decisions on questions of ethics and conduct.

3. A member shall accept full responsibility for professional advice and work performed and shall discharge his duties with integrity to his clients and employers and shall be scrupulous in the use of his employer's property and services.

4. A member shall not undertake professional responsibilities beyond his competence or authority nor allow his subordinates to do so.

5. A member shall endeavour to advance the science and practice of surveying and the objects of the Institution and shall continue his professional development throughout his career and encourage the development of his subordinates.

6. A member shall not reveal facts, data or information obtained in a professional capacity, which are personally identifiable, without the prior consent of the client or employer except as required by law.

7. A member when acting as a consultant or holding public office shall perform his duties impartially without fear or favour.

8. A member shall inform his client or employers of any interest which may adversely affect his judgement or the quality of his services and shall not accept any form of compensation for a particular service from more than one source without disclosing the circumstances and receiving approval from all interested parties.

9. A member shall build his reputation on merit and shall refrain from any form of unfair competition including:

   • Using a professional designation to which he has no entitlement;
   
   • Offering inducements to secure work or advancement;
   
   • Seeking to supplant another surveyor who has been appointed;
   
   • Neglecting to comply with provisions of rules or regulations governing the practice of surveying;
   
   • Accepting a fee which would preclude him from providing adequate and appropriate professional service;
   
   • Advertising in a fraudulent or misleading manner or in any other way not in the public interest.
2.5.5 Professional Conduct By-Law 59:

All members of the Institution shall observe, and shall be bound by, the "Code of Ethics" as approved by the Council and ratified in general meeting from time to time and issued to the members. Any alleged breach of this By-Law shall, when brought under the notice of the Council, be investigated, and the Council may exercise the powers conferred on it by the Constitution and these By-Laws in respect of the temporary limitation of the privileges of membership or deal with the matter under By-Law 34 which relates to suspension and expulsion of members.

Nothing in this By-Law shall limit the power of the Council or of a Divisional Committee under By-Law 34.

The aim is that all members observe high professional standards and understand the advantages deriving from adherence to high ethical standards. The Institution has no power to discipline transgressors, other than by withdrawing or suspending membership either temporarily or permanently.

2.5.6 Relationship with Other Professions

Surveying is a relatively small profession which needs to be allied with other professions to be heard effectively.

Formal liaison is provided through:

- The Australian Council of Professions
- State Council of Professions
- Council of Land Professions
- Australian Professional Consultants Council.

The aim is to have co-operation with kindred professions without losing identity.

2.5.7 International Affiliations

The Institution of Surveyors, Australia, Inc. is a member of:

- Federation Internationale des Geometres (FIG)
- Commonwealth Association of Surveying and Land Economy (CASLE) and
- enjoys liaison with the New Zealand Institute of Surveyors (NZIS).

Ties are also maintained with:

- Royal Institute of Chartered Surveyors (RICS)
- American Congress on Surveying and Mapping (ACSM)
- Surveying societies in South East Asia.

2.5.8 The Origin and Symbolism of the Crest of The Institution of Surveyors, Australia. Inc.

The crest was registered as a trade mark by The Institution of Surveyors, N.S.W., Incorporated, on 24 September 1924 and is renewed every fourteen years.

With the agreement of the "Proprietor", The Institution of Surveyors, N.S.W., this crest was adopted by The Institution of Surveyors, Australia, when the Federal Institution was formed in 1952.
The insignia of the crest comprise:

Top left-hand quadrant contains the "Crux Ansata" which was the ancient Egyptian symbol for immortality; also the Phoenix which was the sign used by Plato for immortality.

Top right-hand quadrant contains stars of the Southern Cross imposed on the Cross of St. George which was the national ensign of England prior to the Union with Scotland. In the registration the "Proprietor" undertook that the cross device appearing in the mark would not be printed in red.

Lower left-hand quadrant shows a map of the world or globe, with Australia prominently displayed.

Lower right-hand quadrant is a pyramid encircled by a serpent. No doubt the pyramid records the fact that the origin of geometry goes back to the ancient Egyptians. The serpent is sometimes used to mean a key (in Greek), hence the key to geometry.

The motto ΜΕΛΕΤΩ ΑΓΕΩΜΕΤΡΕΤΟΣ ΕΙΣΙΤΟ was taken from the inscription over the portal of Plato's Academy. The literal meaning is "Let no one without skill in geometria enter", the primary meaning of the Greek word geometria being "measurement of earth".

2.5.9 Use of Crest

At its meeting on 4 October 1984 Council adopted the following guidelines for use of the Institution Crest:

Use of the Institution Crest by the Institution, its Divisions and its members:

1. Use by the Institution and its Divisions:

   The Institution Crest is to be used primarily on official Institution stationery (including that of Divisions), membership certificates. Institution publications (including Divisional publications), Australian Survey Congress Technical Papers and other Congress printed material, and presentation plaques or similar products intended for use by Council or Divisions.

   Uses other than on Institution stationery and publications shall be regulated by the Council. Recognising that the Crest is part of the registered Trade Mark of New South Wales Division, that Division shall be given first option to produce any new products to be offered for sale. Applications for such use by other Divisions shall be made to the Honorary Secretary of the Institution who shall first refer them to New South Wales Division to give it the opportunity to exercise its option. Divisions may present the Crest suitably mounted or displayed to any person whom they wish to honour for service to the Institution.
Use by Members of the Institution:

Members of New South Wales Division have a long-established right to use the Crest on stationery subject to control by that Division. To ensure that use of the Crest by members properly reflects the aspirations of the Institution, the following rules shall be observed by Divisions which permit such use by members:

(1) Use on stationery shall be restricted to members or firms in which all principals are members of the Institution or allied professional societies/ provided such principals are predominantly members of the Institution and in any case permission shall only be granted if all principals who are surveyors are members of the Institution.

(2) Applications in writing for use on stationery by members or firms shall be submitted to the respective Division. Such applications shall include a conceptual sketch of the proposed letterhead. Permission shall only be granted if the Divisional President is satisfied that the proposed use is dignified and is not likely to reflect adversely on the Institution or its members.

(3) Approval for use of the Crest shall be withdrawn if the originally approved use is varied without further approval by the respective Division.

(4) A fee of $50 shall accompany each application. The whole or part of such fee may be refunded if permission is not granted.

(5) Each Division shall maintain a register recording the names of members and firms granted permission to use the Crest, the date of granting and details of the approved use. If requested at any time by Council, a Division shall supply a copy of its register to the Honorary Secretary of the Institution.

2.5.10 The Medal of The Institution

Award of the Medal of The Institution of Surveyors Australia Inc.

1. The Medal of The Institution of Surveyors Australia, Inc. may be awarded to members of the Institution who have performed outstanding technical achievements of service to or reflecting on the profession of surveying in Australia.

2. In exceptional circumstances the Medal may be struck in gold, be designated "The Gold Medal of The Institution of Surveyors, Australia" and may be awarded to a person whose outstanding public service and technical achievement reflect credit on the surveying profession in Australia.
Conditions Governing the Award of the Medal of The Institution of Surveyors, Australia, Inc:
The nomination of a person for the award of the Medal of The Institution of Surveyors, Australia must fulfil the following conditions:

1. The person must be nominated by a Fellow or Member of the Institution of not less than 15 years’ standing.

2. The nomination must be fully documented.

3. The nomination will be submitted confidentially to the President of the Institution, who refers it direct to a sub-committee consisting of the President and his four predecessors in office.

4. This sub-committee shall take all necessary steps to ascertain that the statements contained in the documents are verified and shall make a confidential recommendation to the President of the Institution as to the grade of award, if any.

5. The President shall refer any recommendation of an award to the Council whose decision shall be final.

6. Voting in the Council on the recommendation of the sub-committee shall be governed by the same rules as those required for the election of Honorary Fellows.

7. The Medal of the Institution shall be normally presented at an Annual General Meeting.

8. The Gold Medal of the Institution will be presented by the appropriate representative of the Crown at a special function.

2.6 The Institution of Surveyors, Victoria

The relationship between The Institution of Surveyors, Victoria (I.S.V.) and The Institution of Surveyors, Australia is illustrated by history and the provisions of the Memorandum and Articles of Association of The Institution of Surveyors, Victoria.

2.6.1 Origins

The following is an excerpt from the first page of “The transactions and Proceedings of the Victorian Institute of Surveyors, Volume 1 1874-1880”.

"During the year 1874, several informal discussions took place in reference to the desirability of establishing an Association of Surveyors, the objects of which, inter alia, would be to secure uniformity of practice amongst surveyors; to provide a competent and sufficient authority to pronounce the opinions of the whole profession upon the conduct of any of its members, and upon any matters touching the general interests or well-being of the profession; to provide means for the discussion of general questions, with a view to mutual improvement; and to promote the cultivation of friendly intercourse amongst surveyors.

The advantages likely to accrue from such an institution having been generally admitted, a few prominent members of the profession took upon themselves the responsibility of convening a meeting in Melbourne for the further consideration of the subject.

Circular invitations were addressed to the principal officers of the Lands and Mining Departments, to the authorised Land and Mining Surveyors practising in the Colony, and to the leading members of the various branches of the profession; and these were responded to by about fifty gentlemen, fairly representative of the various interests affected.

At this meeting, which was held at Hockin's Hotel, Elizabeth Street, Melbourne, on April 7th, 1874, resolutions were adopted fully justifying the action taken by the promoters of the movement, a code of rules and by-laws was adopted ad interim, and officers for the year were appointed. The office of President (having been declined by Mr.A.J.Skene, Surveyor-General, on account of pressure of official duties) was conferred on Mr.R.L.J.Ellery, F.R.S., F.R.A.S., Government Astronomer, and Chief of the
Geodetic Survey Staff, and that of Vice-President on Major Thomas Couchrnan, Chief Mining Surveyor A Treasurer and six members of Council were also elected from among the gentlemen present at the meeting.

During the first six months of the existence of the Society, forty-five members were admitted and enrolled, and it was then deemed that the future success of the Institute might be looked on as fairly assured.

2.6.2 Objects of The Institution of Surveyors, Victoria

The objects of the Institution contain similar ideals to the objects of The Institution of Surveyors, Australia, Inc.

Memorandum of Association (Clause 3) The objects for which the Institution is established are:

- The advancement and elevation of surveying and civil engineering as professions in Victoria and the cultivation of friendly relations among the members.
- As a scientific and professional organisation to encourage the study of surveying and to improve and elevate the general and scientific knowledge of persons engaged or intending to engage in the profession of surveying.

2.6.3 The Name

The name of the Institution was originally The Victorian Institute of Surveyors vide the Memorandum registered with the Registrar of Companies, dated 8 October 1895.

By an extraordinary resolution at an Extraordinary General Meeting on 19 December 1952, the name of the society was changed to The Institution of Surveyors, Australia, Melbourne Division.

Again, by an extraordinary resolution at an Extraordinary General Meeting on 17 April 1959, the name was changed to The Institution of Surveyors, Victoria. This was done to ensure no conflict with Victorian legislation. The Institution acts as the Victoria Division of The Institution of Surveyors, Australia.

2.6.4 Qualification for Membership (I.S.V. Clause 20) (I.S.A. By-Law 6)

The qualification for Honorary Fellows, Members, Associates and Students shall be the same as the respective qualifications for membership of The Institution of Surveyors, Australia.

2.6.5 Nomination of Councillors (I.S.V. Clause 67) (I.S.A. By-Laws 83, 84, 85).

When required the Committee shall, by forwarding a notice paper to members, invite nomination for the office of Councillors of The Institution of Surveyors, Australia, and any Corporate Member of the Institution may make such nomination. Each nomination

2.6.6 Advertising by Members

The Institute of Surveyors, Victoria, is bound by the Code of Ethics adopted by The Institution of Surveyors, Australia, and by By-Law 59 in regard to professional conduct.

The Institution of Surveyors, Victoria, has also adopted a policy in regard to advertising.

A member shall refrain from advertising in a fraudulent or misleading manlier or in any way not in the public interest.
2.6.7 Principal Aims of The Institution

- To advance the science of surveying by improvement of University and College curricula and the conduct of seminars and workshops.
- To develop surveying as a necessary and respected discipline and provide liaison with, and awareness of, activities in associated areas.
- To maintain a high standard of professional ethics, promote greater public understanding, and demonstrate a responsible and dignified presence in the community.
- To improve the professional stature of a surveyor by providing a forum for exchange of individual viewpoints and ideas in order that our collective strength and influence can be applied towards matters of mutual interest.
- To provide a knowledge of employment trends and to improve professional performance.
- To encourage member participation in survey based activities as well as activities beyond the immediate scope of surveying.

2.6.8 Benefits of Membership

- An appreciation and understanding of all facets of the profession.
- Continuing professional development through participation in conferences, seminars, sponsored workshops and tours.
- The receipt of technical journals and news bulletins.
- The experience gained from involvement with fellow professionals and the solidarity of a unified group - the stronger the membership the stronger the collective influence.
- Improved personal status together with the opportunity to express opinions and participate in the development of future technological or educational trends.
- Social opportunities among colleagues with mutual interests.
- Opportunity for participation in group purchase programmes.

2.6.9 The Institution Role

The Institution attends to the professional needs of surveyors; it conducts congresses and seminars and circulates technical and other information through its various publications and journals. It also has an input into the framing of educational standards for surveyors, and communicates expressions of opinion from the profession to the various arms of government, to the legislative processes and to other areas as necessary.

2.7 Association of Consulting Surveyors (Victoria) Inc.

2.7.1 History

2.7.1.1 Private Practising Surveyors

The Victorian Institute of Surveyors was founded in 1874 and from the beginning, private practising surveyors within the Institute aimed at improving their position. This is illustrated by the Victorian Institute of Surveyors' Report of Council 1888:
'As a natural consequence of keen competition for private work, in many instances very low fees have been charged, and as might be expected, the quality of some of the work may be challenged. Any movement having for its object the advancement of the profession must show the public that a high standard of work is to the interests of both parties.'

Following the end of World War II, Australia entered a period of rapid development which continued for 25 years. Due to a backlog in housing and the expansion of immigration, housing developments mushroomed throughout the urban areas and consequently land surveyors were in great demand.

This led to strong competition between survey firms and the need arose to control their listings in the classified telephone directory. In the late 1950s, a number of consulting surveyors grouped together to form a Private Practice Panel. The panel acted as a sub-committee of the Institution and its members were allowed to enter their firm's name in the 'Pink Pages (now Yellow Pages)') of the telephone directory under the Institution's banner. Eventually the panel became an adviser to the Institution in setting fee scales and also became a forum where surveyors could discuss matters affecting their practices.

2.7.1.2 The Conference of Australian Surveyors' Private Practice Associations (CASPPA)

Private practice panels also formed in the other States and in the early 1970s, representatives of the panels met during the Institution's Annual Congress to form a national body, then known as 'The Conference of Australian Surveying Private Practising Associations' (CASPPA). The main aim of this body was to act as a national voice to represent the consultant surveying industry to the Federal Government.

It soon became apparent that CASPPA was not a suitable body for solving practitioners' problems and so the Association of Consulting Surveyors, Australia (ACSA) comprising representatives from each state's Private Practice Panel, was formed.

2.7.1.3 Private Practice Panel

In the mid-1950s the Committee of the Victoria Division approved the formation of a Private Practice Panel and appointed a Governor. The activities and proposals by the Panel were reported to the Committee and, if approved, appropriate action was taken under the name of the Institution.

2.7.1.4 Private Practice Panel Rules

Private Practice Panel Rules were adapted by the Victoria Division on 14 October 1966. The rules stated:

"These rules shall be read and construed with the Constitution and By-Laws of The Institution of Surveyors, Australia, and the Memorandum and Articles of Association of The Institution of Surveyors, Victoria. The procedure therein shall apply, with necessary alteration, to the procedure of the Panel.

"The objects of the Panel shall be:

(a) to advance the interests of private practising surveyors,

(b) to foster, maintain and preserve the integrity and status of members of the Institution in private practice, to promote honourable practice, to repress malpractice and to encourage actively a strict observance of the Code of Ethics and the Scale of Fees of the Institution,

(c) to submit to the Divisional Committee advice and/or information on disputed points of practice and all questions of professional usage and conduct affecting members of the Institution in private practice,

(d) to maintain and make available to the public an up-to-date list of sole practitioner members and firms or companies with which members of the panel practice."
The rules went on to provide for:

- Membership and Affiliate Membership
- Renewal of Membership or Affiliate Membership
- Conditions of Membership
- Subscriptions and Levies
- Panel Executive
- Meetings of Panel
- Finance
- Telephone Directory
- Alteration of Rules

The activities of the Panel included reports on:

- Titles Office Procedures
- Changes in Legislation
- Watching brief on new Legislation
- Publication of Newsletter
- Lists of Acts and Regulations
- Planning Schemes and Development Orders
- Ministerial Statements
- Scale of Fees
- Corporate Practice

2.7.2 Formation of Association of Consulting Surveyors (Victoria) Inc.

The name of the Private Practice Panel was changed to the Association of Consulting Surveyors Victoria (ACSV) on 5 May 1976.

This action followed a strong recommendation from a General Meeting of the Panel in order to arrive at a common name throughout Australia. It was stated that there was to be no change in the nature of the Panel and the close affinity with the committee of the Division.

2.7.3 Autonomy

On 1 October 1982 following considerable debate within the Institution, the Association of Consulting Surveyors Victoria became autonomous and no longer dependent on the Institution for approval of reports, actions and finance.

2.7.4 Incorporation

The Association was incorporated as the Association of Consulting Surveyors (Victoria) Inc. on 11 January 1989. Copies of its rules are available from the office of the Association.

2.7.5 Objectives

The objects of the Association include the following:

- To provide and arrange programmes for the continuing education of members of the Association.
- To conserve and promote the interests and status of the profession of surveying and generally to represent the profession and, in particular, the members of the Association.
- To foster, maintain and preserve the integrity and status of members of the Association, to promote practice, to repress malpractice, and to encourage actively a strict observance of the Code of Ethics and the Guide for Survey Fees.
• To conserve, foster and maintain a close liaison with the Institution
• To initiate, participate or assist in activities and schemes for enhancing the status of the profession of consulting surveyors and the general advancement of its members and to co-operate with other associations and organisations having similar objectives
• To maintain and make available to the public an up-to-date list of member firms of the Association
• To conduct research, promote, develop and advance the scientific and technical aspects of any matters relating to surveying or its associated callings
• To co-operate with the Association of Consulting Surveyors of each of the States and Territories of Australia having objects similar to the Association
• To promote and foster projects and activities which are in the interest of the surveying profession generally or in the interests of the members in particular
• To consider from time to time any existing or proposed legislation or regulation of the State of Victoria or the Commonwealth of Australia affecting members and to seek amendments thereto or repeal thereof

2.7.6 Membership

The membership classification of the Association is

(a) Honorary Life Member
(b) Member Arm
(c) Affiliate Member
(d) Retired Member
(e) Sustaining Member
(e) Associate Member

Member Firm

A Member Firm may be

(a) a sole practitioner, or
(b) a partnership of two or more individuals, or
(c) a company

Member Firm representatives shall be eligible for corporate membership of The Institution of Surveyors, Australia, and private practice shall occupy the greater part of the representatives' time during normal working hours

Member Firms shall also maintain a proper office and the name displayed or under which the practice is conducted shall not, in the opinion of the Executive, be misleading or objectionable

In order to protect the public, the Member Firm shall hold and maintain a professional indemnity insurance policy satisfactory to the Executive and supply proof of such policy to the satisfaction of the Executive with each membership application and/or subscription

2.7.7 Newsletter

The Association publishes a monthly Newsletter to keep members informed on

(a) the activities of the Association's Executive Committee,
(b) ongoing reports on industrial matters,
(c) updated advice on Land Titles Office requirements,
(d) latest computer hardware and software for surveyors,
(e) deputations and submissions on legislation, regulation and matters of concern to the surveying profession,
(f) legislative changes affecting the surveying profession and public interest;
(g) statistics and information pertinent to land development, business trends and similar matters of concern to the members;
(h) other matters which from time to time are of particular interest to the members both as consulting surveyors and business people.

2.7.8 Professional Indemnity Insurance

An Australia-wide Professional Indemnity Insurance Scheme was introduced in 1985 and it is run as a co-operative by members of the surveying profession.

2.8 Association of Consulting Surveyors Australia Inc.

This Association, (ACSA), was formed in 1972 as a federation of the separate State Associations of Surveyors. The Association of Consulting Surveyors (Victoria) was the last to join the ACSA.

There is a strong link between the Institution of Surveyors, Australia and the Association of Consulting Surveyors Australia, and both parties co-operate closely.

The ACSA joined with the Institution of Surveyors, Australia and the Australian Institute of Quantity Surveyors in the establishment of a national headquarters for each of the participants in Canberra, ACT.

Since 1990 premises known as National Surveyors House have been jointly owned and occupied by the respective organisations thereby fostering a mutual co-operation between these professional bodies.

2.8.1 The Future Role of the Association

The Association continues to monitor its role in society by reviewing:
(a) education policies and code of conduct in tune with current requirements;
(b) retention of powers of self-regulation and freedom to promote the usefulness of the profession for the public advantage;
(c) collaboration with other consulting professions;
(d) the making of quality contribution to public affairs;
(e) the monitoring of trends in public and political opinion so as to identify in advance those issues that may be of interest to the profession and thus be able to make informed comments;
(f) the existing code of conduct to embrace the possible extension of the code to cover negligence and incompetence and the relevance of continuing professional development to the question of competence;
(g) the provision of guidance to the profession concerning the basis of charging for service; and
(h) the establishment of an advisory and information service to assist members on industrial and employee relations.

2.8.2 Surveying in the Future

Notwithstanding the changing political, social and economic trends and the impact of new technologies, the Association of Consulting Surveyors and the consulting surveyor will play an increasingly important part in the management of the nation's land resources. Public opinion now demands much more sensitivity to the environment and land-use planning. This requires a greater input from the land surveyor with specialist skills in the management of land related data, particularly when applied to the development of urban and rural areas, industrial rehabilitation and the modernisation of older areas and buildings. Land surveying involves the measurement, representation, analysis and the management of land data, essential requirements for the future of our environment and nation.