

## SUBSIDIARY LEGISLATION

## Regulations under section 15

## LICENSED LAND SURVEYORS REGULATIONS

S.189/81

## PART I

1. These Regulations may be cited as the Licensed Land Surveyors Regulations. Citation

2. In these Regulations unless the context otherwise requires — Interpretation

“Act” means the Licensed Land Surveyors Act;

the “Board” means the Land Surveyors Board established under section 3 of the Act.

## PART II

## REGISTRATION

3. An application for registration shall be made in the form prescribed in the First Schedule to these Regulations. Application for licence

4. An applicant for registration who fulfils the requirement of section 6 of the Act and, who, after making a declaration in the form and manner set out in the Second Schedule to the Act, pays the fees prescribed in the Second Schedule to these Regulations shall be issued with a Licence to Practise in the form set out in the Third Schedule to the Regulations. Forms and fees

## PART III

## QUALIFICATIONS

5. (1) For the purposes of subsection (2) of section 6 of the Act the qualifications recognised by the Board are set out in the Fourth Schedule of these Regulations. Qualifications

(2) Notwithstanding the possession of any one of the qualifications set out in the Fourth Schedule to the Regulations, an applicant for a licence may be required to take such further written, oral or practical examination as the Board may deem necessary.

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Applicants to comply with the requirements under the Immigration and Labour Acts

6. Where an applicant for a licence is a person who is subject to control under any written laws relating to Immigration and Labour, no licence shall be issued to such applicant until he has complied with the requirements of such laws.

PART IV

CONDUCT OF TITLE SURVEYS

Surveyor to be familiar with related legislation

7. (1) Every licensed surveyor shall be conversant with the Act and regulations made thereunder, with all legislation in respect of title to land and land use, and all rules and regulations made under legislation in so far as they affect the work of a licensed surveyor, and with the instructions and circulars of the Survey Department. A list of the principal legislation is given in the Fifth Schedule to these Regulations.

(2) The fact that any survey or plan has been approved by the Surveyor General or any official appointed by him to approve such survey or plan shall be no defence to any charge in relation to a defective survey or plan.

Personal direction and supervision of surveys

8. (1) Every title survey shall be made under the immediate personal direction and supervision of a licensed surveyor.

(2) A licensed surveyor shall not employ more than 4 survey technicians at any time.

(3) Every survey technician employed by a licensed surveyor shall possess educational qualifications and experience acceptable to the Board and shall be registered with the Board by the licensed surveyor who employs him. The licensed surveyor shall notify the Board when any such survey technician ceases to be employed by him.

(4) The educational qualification for a survey technician shall normally be a General Certificate of Education at Ordinary Level or its equivalent, with a pass in mathematics or certificate or diploma in land surveying from an institution recognised by the Board.

Existing survey records to be obtained

9. Before commencing a title survey, every licensed surveyor or his representative shall —

(a) consult the records of the Surveyor General or of any other licensed surveyor or other authority to which he may be directed by the Surveyor General.

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(b) obtain therefrom all relevant information available which may be necessary to effect the survey.

10. (1) A licensed surveyor shall give written notice of intention to commence a title survey to the Surveyor General.

Notice of intention to commence a survey

(2) Such notice of intention shall set out the purpose and extent of the proposed survey and the date on which it is expected to commence work.

11. (1) Licensed surveyors shall ensure that a proposed title survey complies with all requirements of the Surveyor General, the District Land Officer, the Chairman of the Subdivision Control Competent Authority or any other relevant officer before commencing work on such survey.

Compliance with requirements of Surveyor General, District Land Officers, etc.

(2) In particular he shall ensure that —

(a) a subdivision title survey is carried out in accordance with the appropriate plan approved and registered by the Subdivision Control Competent Authority;

(b) no existing building or structure obstructs a new lot boundary created by subdivision;

(c) the appropriate certificate agreeing to the proposed subdivision layout has been duly signed by the land owners concerned before commencing work;

(d) no existing boundary mark found firm is disturbed or removed without the specific consent of the Surveyor General.

12. (1) On completion of a title survey the licensed surveyor shall lodge the certified plan, field notes, relevant diagrams and the land owner's boundary inspection certificate with the Surveyor General.

Lodging of Data

(2) The licensed surveyor shall supply all information obtained by him in the field relative to the title under survey in the field notes and plans prepared for submission to the Surveyor General.

13. (1) The licensed surveyor shall comply promptly with any requisition made by the Surveyor General in respect of any survey he has made.

Requisition of survey by Surveyor General

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(2) If compliance with such a requisition has not been made, or a satisfactory reason for non-compliance therewith has not been given, within 28 days of notification having been posted by registered mail to his last known address, the matter may be reported to the Board.

Certification  
of plans

14. Every plan shall bear a certificate in the following form —

“I, ..... a surveyor licensed under the Licensed Land Surveyors Act, Cap. 100 certify that the survey from which this plan has been prepared was carried out and marked on the ground by me or under my immediate personal direction and supervision in the field in strict compliance with the Licensed Land Surveyors Regulations and that this plan correctly represents that survey completed on the  
day of                      19

Dated this                      day of                      , 19

..... Surveyor

Licensed under the Licensed Land Surveyors Act, Cap. 100.”

**PART V**

**FEES**

Licensing  
Fees

15. (1) The fees payable by a licensed surveyor are prescribed in the Second Schedule to these Regulations.

(2) Upon satisfactory completion of a title survey, the Surveyor General shall not certify such completion until the licensed surveyor has paid to the Surveyor General a fee equivalent to 10 per centum of the survey fees chargeable to the Landowner to cover the costs of providing survey information and inspection of the survey by the Survey Department.

FIRST SCHEDULE

(Regulation 3)

LICENSED LAND SURVEYORS REGULATIONS

FORM LSB 1

APPLICATION FOR A LICENCE

- I.
  - a. Name of applicant
  - b. Permanent Address
  - c. Address in Brunei (if different)
  - d. Date of birth
  - e. Citizenship
  - f. Identity Card and Passport No.
- II.
  - a. Qualifications
  - b. Membership of Institution
  - c. Evidence of previous professional practice in title survey either in Brunei or in a State or Territory operating a similar title system. Such evidence to be provided by the Officer in charge of the survey department in the State or Territory concerned or the appropriate government officer in charge of title survey records.
  - d. Full names and address of 2 referees attesting to character.

I hereby declare that all the particulars in this application are true.

Dated this                      day of                      , 19

.....  
Signature of Applicant

NOTE:

Evidence supporting the above particulars must be presented with this application. If copies only are furnished, the original documents must be made available to the Chairman for inspection on demand.

Registration Approved .....

Licence No. ....

Dated the                      day of                      , 19

.....  
Signature of Chairman

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**SECOND SCHEDULE**

(Regulation 4)

**FEES**

1. Registration	\$ 100
2. Issue of original Licence	\$ 400
3. Every renewal of Licence	\$ 50
4. Registration of Survey Technicians	\$ 20
5. Examination fee	\$1,000

FORM LSB 3

**THIRD SCHEDULE**

(Regulation 4)

**LICENSED LAND SURVEYORS ACT, CAP. 100**

Section 7

**LICENCE TO PRACTISE**

This is to certify that .....

.....  
is hereby licensed to practise as a Land Surveyor in Brunei until the last  
day of December .....

.....  
**Registrar**  
**Land Surveyors Board**

**FOURTH SCHEDULE**

(Regulation 5(1) )

List of qualifications recognised by the Land Surveyors Board —

1. Degree of Bachelor of Surveying conferred by an Australian or New Zealand University or Institute of Technology
2. Diploma in Land Surveying from Australia or New Zealand acceptable to the Board of Surveyors of Australia or New Zealand
3. Final Examination (Land Surveying) of the Royal Institution of Chartered Surveyors of the United Kingdom
4. Land Surveyors Examination of Australia and New Zealand
5. Any other qualifications acceptable to the Board as equivalent to one of the above

**FIFTH SCHEDULE**

(Regulation 7(1) )

1. Land Acquisition Act, Cap. 41
2. Land Code, Cap.40
3. Town and Country Planning (Development Control) Order, 1972 S.131/72  
Town and Country Planning Regulations No.1: Control of Subdivision and Consolidation of Land. S.71/73
4. Town and Country Planning Regulations No. 2: Miscellaneous Provisions. S.84/74
5. Town and Country Planning Regulations No. 3: Development Control and Use of Land and Buildings. S.85/74
6. Description of Land (Survey Plans) Act, Cap. 101
7. Any other written laws which may affect the licensed surveyor in carrying out his professional duties

