

[L.S.]

BICKHAM ESCOTT,
High Commissioner.



No. V. of 1915.

KING'S REGULATION

FOR THE REGULATION OF LAND SURVEYORS AND SURVEYS WITHIN THE BRITISH SOLOMON ISLANDS PROTECTORATE.

Made by His Britannic Majesty's High Commissioner for the Western Pacific in accordance with the provisions of the Pacific Order in Council, 1893.

In the name of His Majesty, George the Fifth, by the Grace of God of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

1. This Regulation may be cited as the Solomons Land Surveys Short title.
Regulation 1915.

2. In this Regulation and in any rules or directions made or issued Interpretation.
hereunder, unless the context otherwise requires—

“Protectorate” means the Islands of the British Solomon Islands Protectorate ;

“Resident Commissioner” means the Resident Commissioner in the Protectorate and includes any person duly acting as such ;

“Crown Surveyor” means the chief surveyor in the service of the Protectorate Government and includes any person duly acting as such.

3.—(1) Every person desirous of becoming a Land Surveyor shall Application to be registered as Land Surveyor.
address an application to that effect to the Resident Commissioner accompanied by such certificates of qualification as may be deemed expedient and the Resident Commissioner if he thinks fit may transmit such application and accompanying certificates to the Crown Surveyor for his report thereon.

(2) No application shall be entertained unless the applicant produces satisfactory certificates that he has been professionally employed for not less than two years of which period not less than eighteen months has been spent in the field.

4.—(1) The Crown Surveyor shall examine every such applicant Examination of applicant.
provided that such applicant shall before the time appointed for the examination pay to the Crown Surveyor a fee of two guineas and

shall report to the Resident Commissioner as to the fitness of such applicant to be commissioned as a Land Surveyor.

(2) If the report be favourable the Resident Commissioner may issue a commission to the applicant as a Land Surveyor and the name of every person to whom such a commission is issued shall be registered by the Crown Surveyor.

(3) The Crown Surveyor may at his discretion dispense with the examination above provided for in the case of an applicant who at the time of his application is registered or licensed as a Land Surveyor in any part of His Majesty's Dominions the laws whereof require the passing of an examination as a condition precedent to registration or licensing.

Rules and directions by Crown Surveyor.

5. Every registered Land Surveyor shall in the exercise of his functions conform to such rules and directions as the Crown Surveyor with the approval of the Resident Commissioner may from time to time make or issue.

Recognition of surveys by Courts and Government.

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

Plans, &c., to be signed and dated.

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

Duplicate of plans, &c., to be filed in Crown Surveyor's office.

8. Every registered Land Surveyor shall file in the office of the Crown Surveyor a duplicate of every plan and memorandum of survey made by him and it shall be the duty of the Crown Surveyor to lay down as far as possible upon general maps of the various islands of the Protectorate the position and boundaries of the lands surveyed.

Crown Surveyor, &c., may enter on land.

9. The Crown Surveyor and any registered Land Surveyor and any person acting by or under the direction or authority of the Crown Surveyor or a registered Land Surveyor may in the exercise of their several functions enter on or pass over any land causing as little inconvenience to the owners or occupiers of such land as is consistent with the exercise of such functions.

Crown Surveyor may survey any land and collect fees therefor.

10.—(1) It shall be lawful for the Crown Surveyor in any case where he shall think fit to survey or cause to be surveyed any land and to collect fees therefor in accordance with the scale framed by the High Commissioner for the Western Pacific in force at the time of the demand therefor.

(2) The fees payable may be collected from any person having at the time they are demanded any interest in or title to the land surveyed whether of a legal or equitable nature and shall constitute a preferential charge thereon in favour of the Crown which shall subsist notwithstanding any transfer or devolution of the land surveyed until they shall have been paid.

Penalty for obstructing Crown Surveyor, &c.

11. Any person obstructing or attempting to obstruct the Crown Surveyor or any registered Land Surveyor or any person acting by or under the direction or authority of the Crown Surveyor or any registered Land Surveyor in the exercise of their several functions shall on conviction be liable to a fine not exceeding fifty pounds or to a term of imprisonment not exceeding six months.

Penalty for unauthorised use of broad arrow.

12. If any person shall without the authority of the Government use or make upon any land or upon anything thereon any mark in the form of a representation of a broad arrow he shall on conviction be liable to a fine not exceeding one hundred pounds or to a term of imprisonment not exceeding six months or to both.

Penalty for unauthorised removal, &c. of marks.

13.—(1) If any person shall without the authority of the Crown Surveyor remove alter the position of obliterate deface or otherwise deal with any mark in the form of a representation of a broad arrow

or any other mark or any landmark which shall have been made erected or established by or under the direction or authority of the Crown Surveyor he shall on conviction be liable to a fine not exceeding one hundred pounds or to a term of imprisonment not exceeding six months or to both.

(2) An offender against the provisions of this section shall further be liable to pay to the Crown Surveyor such sum of money as shall be sufficient to cover any expense incurred by the Government in resurveying the land in connection with which the offence was committed or in restoring any mark or landmark unlawfully dealt with to the like position and condition in which it was before the commission of the offence.

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

Errors of registered surveyor to be corrected at his cost.

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

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

16. The High Commissioner for the Western Pacific may from time to time by proclamation under his hand and the seal of the Western Pacific High Commission fix the fees to be paid for surveys carried out by the Government or for any work performed by the Government in relation to any matter within the functions of the Crown Surveyor.

Fees for Government surveys.

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

Fees payable to registered Land Surveyors.

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

Penalty for unauthorised practicing as a Surveyor.

Published and exhibited in the Public Office of the High Commissioner for the Western Pacific this nineteenth day of May, one thousand nine hundred and fifteen.

By Command,

A. L. AYTON,

Acting Secretary to His Majesty's High Commissioner for the Western Pacific.

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