



Queensland

Surveyors Act 2003

Surveyors Regulation 2004

Current as at 1 July 2013

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/information.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Surveyors Regulation 2004

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Surveyors Regulation 2004

[as amended by all amendments that commenced on or before 1 July 2013]

1 Short title

This regulation may be cited as the *Surveyors Regulation 2004*.

2 Commencement

This regulation commences on 1 August 2004.

3 Insurance cover for registration endorsement as consulting surveyor—individuals

For section 36(2)(c)(iii) of the Act, the insurance cover is professional indemnity insurance in an amount not less than \$1000000.

4 Criteria for registration as an emeritus surveyor

- (1) For section 36(3)(c) of the Act, the criteria for registration of an individual as an emeritus surveyor are that the individual—
 - (a) has been registered as a surveyor, including any registration as a surveyor under the repealed Act or a corresponding law, for periods totalling—
 - (i) at least 30 years; or
 - (ii) a lesser period decided by the board; and
 - (b) gives the board a written statement that the individual has retired from surveying practice.
- (2) If the individual is the cadastral surveyor responsible for the survey quality of a plan of survey that is not, but is intended to be, registered under the *Land Act 1994* or *Land Title Act 1994* or is required for a purpose under the *Mineral Resources Act 1989*, it is a further criterion that the individual has—

- (a) authorised another person to take action as mentioned in the *Survey and Mapping Infrastructure Act 2003*, section 32(1), for the plan of survey; and
- (b) given the board a copy of the authorisation.

5 Insurance cover for registration—corporations

For section 38(2)(d) of the Act, the insurance cover is professional indemnity insurance in an amount not less than \$1000000.

6 Application for competency assessment—Act, s 44

An application for assessment of a person's competency must be—

- (a) made in the approved form; and
- (b) accompanied by any documents identified in the form and reasonably required for deciding the application.

7 Particulars for register

- (1) For section 68(3) of the Act, each of the following particulars, for each registrant, are prescribed—
 - (a) the registrant's name;
 - (b) the registrant's business address and postal address;
 - (c) the type of registration held by the registrant;
 - (d) the registration endorsements held by the registrant;
 - (e) the day the registrant was first registered, for the registrant's current type of registration, under the Act, the repealed Act or a corresponding law;
 - (f) the expiry date of the registrant's registration;
 - (g) the expiry date of each registration endorsement held by the registrant;
 - (h) if the registrant is a corporation and intends to conduct, or holds itself out as conducting, cadastral surveys—the

- name of a cadastral surveyor employed by the corporation;
- (i) if the registrant is a corporation and holds a registration endorsement (other than a registration endorsement for cadastral surveys or as a consulting surveyor)—the name of a surveyor who is employed by the corporation and holds the same registration endorsement;
 - (j) if the registrant is a corporation and paragraphs (h) and (i) do not apply—the name of a surveyor employed by the corporation;
 - (k) if a professional conduct review panel takes disciplinary action against the registrant under section 91 of the Act—details of the action;
 - (l) if QCAT takes disciplinary action against the registrant—details of the action, other than details recorded under section 127 of the Act;
 - (m) if the board, or a surveyors disciplinary committee, established under the repealed Act took disciplinary action against the registrant within 5 years before the commencement of this section—details of the action.
- (2) For subsection (1)(k) and (l), the details must be included in the publicly available part of the register for the following period—
- (a) if conditions are imposed on the registrant's registration, registration endorsement or re-application for registration—the period the conditions are in force;
 - (b) if a professional conduct review panel or QCAT states in its decision about the disciplinary action that the details of the action may be included in the publicly available part of the register for a period—the stated period.

8 Change in circumstances for which notice must be given

For section 72 of the Act, a change in any of the following circumstances for a registrant is prescribed—

- (a) the registrant's name;

- (b) the registrant's business address or postal address;
- (c) any registration endorsement held by the registrant;
- (d) for a corporation that intends to conduct, or holds itself out as conducting, cadastral surveys—the cadastral surveyor employed by the corporation;
- (e) for a corporation that holds a registration endorsement (other than a registration endorsement for cadastral surveys or as a consulting surveyor)—the surveyor who is employed by the corporation and holds the same registration endorsement;
- (f) for a corporation, other than a corporation mentioned in paragraphs (d) or (e)—the surveyor employed by the corporation.

9 Title for holder of registration endorsement for cadastral surveys

A surveyor who holds a registration endorsement for carrying out cadastral surveys may use the title 'registered surveyor—land' to show the type of registration endorsement held by the surveyor.

Editor's note—

See section 192 (Regulation-making power) of the Act.

10 Fees

The fees payable under the Act are stated in the schedule.

Schedule Fees

section 10

\$

- 1 Initial registration or registration endorsement, for an individual (Act, s 45(1)(c))—
 - (a) registration as a surveyor—
 - (i) application fee. 127.80
 - (ii) registration fee 142.50
 - (b) registration endorsement as a consulting surveyor—
 - (i) application fee. 129.50
 - (ii) registration fee 287.30
 - (c) registration endorsement, other than as a consulting surveyor—
 - (i) application fee. 33.40
 - (ii) registration fee 73.55
 - (d) registration as a surveying graduate—
 - (i) application fee. 97.40
 - (ii) registration fee 120.60
 - (e) registration as a surveying associate—
 - (i) application fee. 81.35
 - (ii) registration fee 111.90
 - (f) registration as an emeritus surveyor—
 - (i) application fee. nil
 - (ii) registration fee 75.60
- 2 Initial registration and registration endorsement, for a corporation (Act, s 45(1)(c))—
 - (a) registration as a surveyor with a registration endorsement as a consulting surveyor—
 - (i) application fee. 295.50
 - (ii) registration fee 1 491.00

Schedule

		\$
	(b) registration endorsement, other than as a consulting surveyor—	
	(i) application fee	67.10
	(ii) registration fee	288.50
3	Renewal of registration or registration endorsement, for an individual (Act, s 54)—	
	(a) registration as a surveyor—	
	(i) registration fee	142.50
	(ii) late fee	71.30
	(b) registration endorsement as a consulting surveyor—	
	(i) registration fee	142.50
	(ii) late fee	71.30
	(c) registration endorsement, other than as a consulting surveyor—	
	(i) registration fee	14.30
	(ii) late fee	6.95
	(d) registration as a surveying graduate—	
	(i) registration fee	120.60
	(ii) late fee	60.35
	(e) registration as a surveying associate—	
	(i) registration fee	111.90
	(ii) late fee	55.85
	(f) registration as an emeritus surveyor—	
	(i) registration fee	nil
	(ii) late fee	nil
4	Renewal of registration and registration endorsement, for a corporation (Act, s 54)—	
	(a) registration as a surveyor with a registration endorsement as a consulting surveyor—	
	(i) registration fee	630.00
	(ii) late fee	316.80
	(b) registration endorsement, other than as a consulting surveyor—	

		\$
	(i) registration fee	14.30
	(ii) late fee	6.95
5	Restoration of registration or registration endorsement (Act, s 60(1)(b)(i))—application fee (in addition to any fees payable under item 3 or 4)	108.20
6	Replacement or duplicate registration certificate (Act, s 78(2)(b))	67.50
7	Assessment fee for an application for competency assessment (Act, s 44(2))—	
	(a) if the competency assessment involves training under a professional training agreement—	
	(i) lodging the application (including the agreement)	164.90
	(ii) varying the agreement	44.15
	(iii) relodging the agreement	44.15
	(iv) assessing and reporting on training under the agreement	44.15
	(b) if the competency assessment involves assessing a professional assessment project—	
	(i) lodging the application	67.10
	(ii) assessing the project	425.60
	(c) if the competency assessment involves reassessing a professional assessment project—	
	(i) lodging the application	26.75
	(ii) reassessing the project	84.40
	(d) if the competency assessment involves assessing a person's competence equivalence—	
	(i) lodging the application	134.20
	(ii) assessing the person's competence equivalence	805.00

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the *Reprints Act 1992*, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 July 2013. Future amendments of the *Surveyors Regulation 2004* may be made in accordance with this reprint under the *Reprints Act 1992*, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3237 0466 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	1 August 2004	
1A	2004 SL No. 264	3 December 2004	
1B	2005 SL No. 103	1 July 2005	
1C	2006 SL No. 110	1 July 2006	
1D	2007 SL No. 89	18 May 2007	
1E	2007 SL No. 98	1 July 2007	R1E withdrawn, see R2
2	—	1 July 2007	
2A	2008 SL No. 149	1 July 2008	
2B	2009 SL No. 137	1 August 2009	
2C	2009 SL No. 265	1 December 2009	
2D	2010 SL No. 162	1 August 2010	
2E	2011 SL No. 135	1 August 2011	
2F	2012 SL No. 105	1 August 2012	

Current as at 1 July 2013	Amendments included 2013 SL No. 84	Notes
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5 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Surveyors Regulation 2004 SL No. 128

made by the Governor in Council on 15 July 2004

notfd gaz 16 July 2004 pp 856–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2004 (see s 2)

exp 1 September 2014 (see SIA s 54)

Notes—(1) The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

(2) A regulatory impact statement and explanatory note were prepared.

amending legislation—

Surveyors Amendment Regulation (No. 1) 2004 SL No. 264

notfd gaz 3 December 2004 pp 1117–19

commenced on date of notification

Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2005 SL No. 103 pts 1, 15

notfd gaz 3 June 2005 pp 415–19

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2005 (see s 2)

Natural Resources Legislation Amendment Regulation (No. 1) 2006 SL No. 110 pts 1, 16

notfd gaz 2 June 2006 pp 572–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2006 (see s 2)

Surveyors Amendment Regulation (No. 1) 2007 SL No. 89

notfd gaz 18 May 2007 pp 345–8

commenced on date of notification

Natural Resources and Water Legislation Amendment Regulation (No. 1) 2007 SL No. 98 pts 1, 8

notfd gaz 1 June 2007 pp 582–4

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2007 (see s 2)

Natural Resources and Water Legislation Amendment Regulation (No. 1) 2008 SL No. 149 pts 1, 8

notfd gaz 6 June 2008 pp 800–2

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2008 (see s 2)

Natural Resources and Water Legislation Amendment Regulation (No. 1) 2009 SL No. 137 pts 1, 8

notfd gaz 3 July 2009 pp 934–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2009 (see s 2)

Queensland Civil and Administrative Tribunal (Jurisdiction Provisions) Amendment Regulation (No. 1) 2009 SL No. 265 pts 1, 23

notfd gaz 20 November 2009 pp 900–3

ss 1–2 commenced on date of notification

remaining provisions commenced 1 December 2009 (see s 2)

Environment and Resource Management Legislation Amendment Regulation (No. 2) 2010 SL No. 162 pts 1, 18

notfd gaz 2 July 2010 pp 1033–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2010 (see s 2)

Environment and Resource Management Legislation Amendment Regulation (No. 1) 2011 SL No. 135 pts 1, 18

notfd gaz 8 July 2011 pp 632–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2011 (see s 2)

Natural Resources and Mines Legislation Amendment Regulation (No. 1) 2012 SL No. 105 ss 1, 2(2)(c), pt 18

notfd gaz 20 July 2012 pp 863–7

ss 1–2 commenced on date of notification

remaining provisions commenced 1 August 2012 (see s 2(2)(c))

Natural Resources and Mines Legislation Amendment Regulation (No. 2) 2013 SL No. 84 ss 1, 2(2), pt 18

notfd gaz 31 May 2013 pp 160–5

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2013 (see s 2(2))

6 List of annotations

Criteria for registration as an emeritus surveyor

s 4 amd 2004 SL No. 264 s 3; 2007 SL No. 89 s 3

Particulars for register

s 7 amd 2009 SL No. 265 s 66

SCHEDULE—FEES

amd 2004 SL No. 264 s 4

sub 2005 SL No. 103 s 30; 2006 SL No. 110 s 32; 2007 SL No. 98 s 16; 2008 SL No. 149 s 17; 2009 SL No. 137 s 19; 2010 SL No. 162 s 38; 2011 SL No. 135 s 40; 2012 SL No. 105 s 48; 2013 SL No. 84 s 48