



Queensland

# Surveyors Regulation 2004

## Explanatory Notes for SL 2004 No. 128

made under the

*Surveyors Act 2003*

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Clause 1 specifies the name of the regulation.

Clause 2 specifies the starting date for the regulation.

Clause 3 stipulates the level of professional indemnity insurance cover required to be held by individual consulting surveyors.

Clause 4 details the things an applicant for registration as an emeritus surveyor needs to comply with or supply to the board, for the board's consideration of the application. Flexibility is provided to the board to consider other things apart from having 30 years registration under the Act. The board might for example consider other contributions made to the industry or the profession by the applicant.

The clause requires applicants to have made provision for the completion or correction of any plans of survey made by the person and not registered at the time of the application, if the plan was intended for registration. This ensures that any plan intended for registration can be appropriately dealt with, and if required by the registrar of titles or the chief executive, can be amended by another cadastral surveyor.

Clause 5 stipulates the level of professional indemnity insurance cover required to be held by body corporate consulting surveyors.

Clause 6 concerns applications for assessment of Professional Training Agreements, Professional Assessment Projects, Reassessment of Professional Assessment Projects and Assessment of Competence Equivalence. The clause requires applicants to make their application in

accordance with the relevant approved form, and to provide the documents required by the board.

The fees applicable to each of these forms of competency assessment are set out in the fee schedule, part 6. The assessment of competence equivalence may also be carried out by other accredited entities, apart from the Surveyors Board of Queensland. The same assessment fee applies in these instances whether provided by the board or a third party assessor.

Clause 7 details all of the particulars that the board is required to hold on the register of surveyors. The register is essentially a record of details for each registrant. The principal component of the register is a public record. The register also contains a part that the board will keep confidential for the purposes of conducting Board business.

The register holds information about registered individuals that must be employed by body corporate surveyors, including by those companies that are endorsed to perform specialised surveys, to satisfy the requirements of section 38(3) of the Act.

The register also holds information about any past or current disciplinary actions that have had or continue to have an impact on the registered person. Once a disciplinary action has expired or been served, the record of that action reverts to a confidential part of the register and shall not be made public.

Clause 8 supports section 72 of the Act, by specifying those changes in circumstances about which surveyors must advise the board, to ensure that the relevant particulars on the register are correct. This includes information about the surveyor(s) a body corporate surveyor relies upon to perform surveys. In the case where the body corporate holds out and provides specialised surveying services, any change to the nominated surveyor(s) that hold an endorsement for performing those specialised surveys, must also be notified.

For example, if a corporation is registered as a surveyor with a hydrographic surveying endorsement, it is required to employ a surveyor with that endorsement. If the employed surveyor ceases to hold the hydrographic endorsement, or leaves the employment of the corporation, the corporation is required to notify the board. Unless the corporation employs another surveyor with a hydrographic endorsement, the corporation is not satisfying the requirements of its registration under section 38(3) of the Act.

Clause 9 provides the alternative name that might be used by a registered surveyor who holds the cadastral endorsement (a “cadastral surveyor”

under the Act). This clause simply recognises that the title “registered surveyor (land)” may be used to indicate the person’s registration status. It does not require cadastral surveyors to use the title.

Clause 11 provides that the fees prescribed under the Act are detailed in the schedule to the regulations.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Natural Resources, Mines and Energy.