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LAND SURVEYORS ACT (CHAPTER 156)

LAND SURVEYORS (AMENDMENT) RULES 2005

In exercise of the powers conferred by section 47(2) of the Land Surveyors Act, the Land Surveyors Board, with the approval of the Minister for Law, hereby makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Land Surveyors (Amendment) Rules 2005 and shall come into operation on 31st March 2005.

Amendment of rule 7

2. Rule 7 of the Land Surveyors Rules (R 1) (referred to in these Rules as the principal Rules) is amended by deleting the words “section 26(2)” and substituting the words “section 31(2)”.

Amendment of rule 8

3. The principal Rules are amended by re-numbering rule 8 as paragraph (1) of that rule, and by inserting immediately thereafter the following paragraph:

“(2) An application under paragraph (1) by a registered surveyor subject to Part IIA shall be accompanied by a Continuing Professional Development Programme form evidencing that the applicant has complied with the continuing professional development requirements in that Part.”.

Amendment of rule 9

4. Rule 9 of the principal Rules is amended by deleting “\$200” and substituting “\$300”.

New Part IIA

5. The principal Rules are amended by inserting, immediately after rule 13, the following Part:

“PART IIA

CONTINUING PROFESSIONAL DEVELOPMENT

Definitions of this Part

13A. In this Part —

“continuing professional development unit” means a continuing professional development unit which a registered surveyor obtains by successfully completing any survey related activity or non-survey related activity;

“non-survey related activity” means any activity, course or programme identified under rule 13E(1) or (2) as a non-survey related activity;

“qualifying period”, in relation to a registered surveyor, means a period of 12 months immediately preceding the date he applies for a practising certificate;

“requisite continuing professional development units”, in relation to a registered surveyor, means the number of continuing professional development units he is required to obtain under rule 13C(1);

“survey related activity” means any activity, course or programme identified under rule 13E(1) or (2) as a survey related activity.

Application of this Part

13B. This Part shall apply to every registered surveyor who applies on or after 1st January 2006 for a renewal of his practising certificate authorising him to engage in survey work in Singapore after 31st December 2006.

Requirements as to continuing professional development

13C.—(1) For the purposes of section 15(3)(b)(ii) of the Act, the requisite continuing professional development units that a registered surveyor is required to obtain during the qualifying period is at least 20 continuing professional development units, of which —

- (a) at least 10 continuing professional development units shall be obtained from successfully completing one or more survey-related activities; and
- (b) the remainder shall be obtained from successfully completing one or more survey related activities or non-survey related activities, or both.

(2) The Board may issue a practising certificate to a registered surveyor notwithstanding that he has failed to obtain the requisite continuing professional development units during the qualifying period if the registered surveyor gives an undertaking that he will obtain the shortfall in the requisite continuing professional development units within 12 months immediately following the last day of the qualifying period.

(3) Any continuing professional development units obtained by the registered surveyor in the circumstances referred to in paragraph (2) shall be disregarded for the purpose of any subsequent application by the registered surveyor for a practising certificate.

(4) Notwithstanding paragraphs (1) and (2), the Board may, in such special circumstances as it may determine, issue a practising certificate to a registered surveyor who has obtained such lower number of continuing professional development units during the qualifying period as the Board may allow.

Board may appoint managing agent

13D.—(1) The Board may appoint a managing agent to administer and implement the continuing professional development programme.

(2) For the avoidance of doubt, the managing agent shall have no powers in relation to the issuing of practising certificates under Part V of the Act or rule 13C.

List of activities, etc., with continuing professional development units

13E.—(1) The Board or its duly appointed managing agent shall, for the purposes of this Part, publish on either or both of their Internet websites —

- (a) the list of activities, courses and programmes under the continuing professional development programme;
- (b) the number of continuing professional development units a registered surveyor will obtain if he successfully completes each of the activities, courses and programmes; and
- (c) whether each of the activities, courses and programmes is a survey related activity or a non-survey related activity.

(2) Notwithstanding paragraph (1), a registered surveyor may, at any time, apply to the Board for any particular activity, course or programme to be recognised as a survey related activity or non-survey related activity for which a registered surveyor will obtain a specified number of continuing professional development units if he successfully completes it.

Issue of guidelines and directives

13F. For the purposes of rules 13C and 13E, the Board may issue such guidelines and directives, not inconsistent with the provisions of these Rules, as the Board considers necessary.

Special provision for applicants for practising certificate for 2007

13G. Where —

- (a) a registered surveyor applies on or after 1st January 2006 for a renewal of his practising certificate authorising him

to engage in survey work in Singapore in the year 2007;
and

- (b) he has, at any time before 1st January 2006, successfully completed any activity, course or programme that —
- (i) is published on the Internet website of the Board or its duly appointed managing agent, and identified therein as an activity, a course or a programme for which a registered surveyor will obtain a specified number of continuing professional development units if he successfully completes it; or
 - (ii) is otherwise recognised by the Board as a survey related activity or a non-survey related activity for which a registered surveyor will obtain a specified number of continuing professional development units if he successfully completes it,

the registered surveyor shall be regarded as having obtained those continuing professional development units during the qualifying period for that application.”.

Amendment of rule 15

6. Rule 15(1) of the principal Rules is amended by deleting “\$300” and substituting “\$500”.

Amendment of rule 19

7. Rule 19 of the principal Rules is amended by deleting the words “section 17(8) or 18(4)” in the 1st line and substituting the words “section 22(8) or 23(4)”.

Amendment of rule 23

8. Rule 23(2) of the principal Rules is amended by deleting “\$100” in sub-paragraph (b) and substituting “\$150”.

Amendment of rule 24

9. Rule 24(2) of the principal Rules is amended by deleting the words “one month” and substituting the words “2 weeks”.

Amendment of rule 27

10. Rule 27 of the principal Rules is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) For the purpose of section 12(1)(b) of the Act, the further examination shall consist of the following:

(a) in the case of a person who has, before 1st September 2005, passed the examination in Open Lot Survey or Built on Lot Survey or both subjects, and has not completed the further examination —

(i) the written examination conducted by the Board in the subject Cadastral Law; and

(ii) the oral and practical examinations conducted by the Board in the following subjects:

(A) Open Lot Survey;

(B) Built on Lot Survey; and

(C) Strata Survey; and

(b) in all other cases —

(i) the written examination conducted by the Board in the subject Cadastral Law; and

(ii) the oral and practical examinations conducted by the Board in the following subjects:

(A) Land Lot Survey; and

(B) Strata Survey.”.

Amendment of rule 28

11. Rule 28(1) of the principal Rules is amended by deleting the word “and” at the end of sub-paragraph (iii) of sub-paragraph (a), and by inserting immediately thereafter the following sub-paragraph:

“(iv) in respect of the land lot survey —

- (A) the survey of one or more lots, 2 of the boundaries of which shall coincide with and be reinstated from previous surveys; and
- (B) the survey of lots with buildings on or near the boundaries and involving exact fixation of party wall and other walls; and”.

Amendment of rule 29

12. Rule 29(2) of the principal Rules is amended by deleting sub-paragraph (b) and substituting the following sub-paragraph:

“(b) except where the Board for special reason directs otherwise in respect of any particular person, he does so within 7 years from the date he was first notified by the Registrar, whether before, on or after 31st March 2005, that he has passed any subject in the further examination, regardless when his application to sit for any subject in the further examination was made.”.

Deletion of rules 33 and 34

13. Rules 33 and 34 of the principal Rules are deleted.

Amendment of First Schedule

14. The First Schedule to the principal Rules is amended —

- (a) by deleting the words “section 26(2)” in the first paragraph of Form 4 and substituting the words “section 31(2)”;
- (b) by deleting paragraph 5 of Form 5 and substituting the following paragraphs:

“5. I confirm that I have obtained the requisite continuing professional development units during the qualifying period. The duly completed and signed Continuing Professional Development Programme form is enclosed.

6. I forward the fee of \$_____.”;

- (c) by deleting the word “partnership” in the 2nd line of Part II of Form 8 and substituting the word “corporation”;

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- (d) by deleting the words “ordinarily resident in Singapore” in paragraph 1 of Form 9;
- (e) by deleting the words “a registered owner of at least one share of the corporation” in paragraph 1(b) of Form 9 and substituting the words “is authorised under a resolution of the board of directors of the corporation to make all final survey decisions on behalf of the corporation with respect to the requirements of the Land Surveyors Act, the rules or any other law relating to the supply of survey services by the corporation”;
- (f) by inserting, immediately after the words “and member thereof” in paragraph 1(c) of Form 9, the words “and is authorised under a resolution of the board of directors of the corporation to make all final survey decisions on behalf of the corporation with respect to the requirements of the Land Surveyors Act, the rules or any other law relating to the supply of survey services by the corporation”; and
- (g) by deleting paragraph 2 of Form 9 and substituting the following paragraph:
- “2. The licensee shall supply survey services in Singapore if and only if the licensee is insured in respect of professional liability in accordance with the Land Surveyors Act and the rules made thereunder.”.

Made this 24th day of March 2005.

SOH KHENG PENG
President,
Land Surveyors Board,
Singapore.

[LAW 19/003/002 Vol. 4; AG/LEG/SL/156/2002/1/Vol. 1]

(To be presented to Parliament under section 47(4) of the Land Surveyors Act).