

LAND SURVEYORS ACT
(CHAPTER 156, SECTION 40(2)(j))

LAND SURVEYORS (INVESTIGATION COMMITTEES) RULES

ARRANGEMENT OF RULES

Rule

1. Citation
 2. Definitions
 3. Complaints against registered surveyors
 4. Appointment of Committee
 5. Committee to carry out work expeditiously
 6. Proceedings of Committee
 7. Quorum and resolutions
 8. Right to be heard
 9. Report and recommendation
-

[1st September 1992]

Citation

1. These Rules may be cited as the Land Surveyors (Investigation Committees) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“Committee” means an Investigation Committee appointed under section 24(1) of the Act;

“member” means a member of a Committee;

“registered surveyor” means a registered surveyor and includes a licensed corporation, partnership or limited liability partnership.

[S 184/2007 wef 02/05/2007]

Complaints against registered surveyors

3.—(1) A complaint against a registered surveyor shall be made to the Board in writing and shall be supported by a statutory declaration which shall state —

- (a) the address and occupation of the complainant; and
- (b) the source of the complainant's information and the grounds for his belief in the truth of the declaration if it is not within the personal knowledge of the complainant.

(2) The Board may waive the statutory declaration if the complaint is made in writing by a public officer.

(3) The Board may require any person making a complaint to deposit with the Board a reasonable sum not exceeding \$1,000 to cover any costs and expenses as may be necessarily incurred by the Board in dealing with the complaint.

(4) Where the complaint is found to be frivolous or vexatious or is dismissed, the sum so deposited or any part thereof as the Board may determine shall be applied for the payment of those costs and expenses; otherwise the sum so deposited shall be returned to the person making the complaint.

Appointment of Committee

4.—(1) Where the Board receives a complaint, the Board may —

- (a) forthwith appoint a Committee to investigate into the matter and to advise the Board whether a hearing by the Board under section 25 or 27 of the Act should be held;
- (b) refer the complaint to the Committee; and
- (c) inform the registered surveyor that the complaint has been referred to a Committee.

(2) In order that the Board may satisfy itself whether any complaint discloses a need for investigation by a Committee, the Board may require —

- (a) the complainant; and

(b) the registered surveyor against whom the complaint is made or in respect of whom the facts relate,

to furnish such information in such form or to produce such document as the Board may require.

(3) If any complainant refuses or fails, without lawful excuse, to furnish any information or to produce any document as may be required by the Board under paragraph (2), the Board may dismiss the complaint.

(4) If any registered surveyor against whom a complaint is made refuses or fails, without lawful excuse, to furnish any information or to produce any document as may be required by the Board under paragraph (2), he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(5) Where any complaint laid before a Committee under this rule arises from the conviction of a registered surveyor for a criminal offence, the Committee, and the General Division of the High Court on any appeal under section 28 of the Act, shall accept his conviction as final and conclusive.

[S 1078/2020 wef 02/01/2021]

Committee to carry out work expeditiously

5.—(1) A Committee shall carry out its work expeditiously and report to the Board not later than two months after the date of its appointment or within such extension of time as the Board may grant under paragraph (2).

(2) Where a Committee is of the opinion that it will not be able to report its findings to the Board within the period specified in paragraph (1) due to the complexity of the matter or serious difficulties encountered by the Committee in conducting its investigation, the Committee may apply in writing to the Board for an extension of time to submit its report.

Proceedings of Committee

6.—(1) A Committee may meet for the purposes of its investigation, adjourn or otherwise regulate the conduct of its investigation as the members may think fit.

(2) The Chairman of a Committee may at any time summon a meeting of the Committee.

(3) Any question arising at any meeting of a Committee shall be determined by a majority of votes of the members thereof, and in the case of an equality of votes, the Chairman of the Committee shall have a second or casting vote.

Quorum and resolutions

7. All members of a Committee shall be present to constitute a quorum for a meeting of the Committee and any resolution or decision in writing signed by all the members of a Committee shall be as valid and effectual as if it had been made or passed at a meeting of the Committee duly convened and held where all its members were present; and any such resolution may consist of several documents in like form, each signed by one or more members.

Right to be heard

8.—(1) Where a Committee is of the opinion that a registered surveyor should be called upon to answer any allegation made against him, the Committee shall post or deliver to the registered surveyor concerned —

- (a) copies of the complaint and any statutory declaration or affidavits that have been made in support of the complaint; and
- (b) a notice inviting the registered surveyor concerned to give, within such period (not being less than 14 days) as may be specified in the notice, to the Committee any written explanation he may wish to offer and to advise the Committee if he wishes to be heard by the Committee.

(2) On the expiration of the time specified in the notice under paragraph (1)(b), the Committee shall give the registered surveyor concerned reasonable opportunity to be heard and shall consider any explanation so given.

(3) A registered surveyor may present his case before a Committee in person or by an advocate and solicitor.

(4) A duly authorised employee of a licensed corporation, partnership or limited liability partnership or an advocate and solicitor may appear before a Committee on behalf of the licensed corporation, partnership or limited liability partnership.

[S 184/2007 wef 02/05/2007]

Report and recommendation

9.—(1) Upon completion of its investigation into the complaint, the Committee shall report its findings to the Board and shall in its report recommend to the Board to do any of the following:

- (a) dismiss the complaint;
- (b) issue the registered surveyor with a letter advising him on the steps to be taken to improve or regularise his practice or conduct;
- (c) issue the registered surveyor with a letter warning him against further improper conduct;
- (d) hold a hearing for the purpose of section 25 or 27 of the Act;
- (e) make such other order as the Committee considers appropriate.

(2) Where a Committee is satisfied that there is no ground for disciplinary action under section 25 or 27 of the Act arising from the complaint, the Committee shall report to the Board accordingly and state the reasons for its decision.

(3) The report shall contain copies of all relevant documents and statements collected by the Committee during the investigation.

[G.N. Nos. S 374/92; S 202/2000]

LEGISLATIVE HISTORY
LAND SURVEYORS (INVESTIGATION COMMITTEES) RULES
(CHAPTER 156, R 6)

This Legislative History is provided for the convenience of users of the Land Surveyors (Investigation Committees) Rules. It is not part of these Rules.

1. G. N. No. S 374/1992 — Land Surveyors (Investigation Committees) Rules 1992

Date of commencement : 1 September 1992

2. 1993 Revised Edition — Land Surveyors (Investigation Committees) Rules

Date of operation : 1 April 1993

3. G. N. No. S 202/2000 — Land Surveyors (Investigation Committees) (Amendment) Rules 2000

Date of commencement : 15 April 2000

4. 2002 Revised Edition — Land Surveyors (Investigation Committees) Rules

Date of operation : 31 January 2002

5. G. N. No. S 184/2007 — Land Surveyors (Investigation Committees) (Amendment) Rules 2007

Date of commencement : 2 May 2007

6. G.N. No. S 1078/2020 — Land Surveyors (Investigation Committees) (Amendment) Rules 2020

Date of commencement : 2 January 2021