

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SURVEYORS (AMENDMENT) BILL 1995

EXPLANATORY MEMORANDUM

Circulated by authority of

Gary Humphries
Minister for the Environment,
Land and Planning.

Surveyors (Amendment) Bill 1995

Outline

The *Surveyors Act 1967* ("the Act") provides for the registration of land surveyors and for the regulation of land surveying. This is effected through the Surveyors Board which is established under the Act.

It is proposed to amend the Act to establish a further member of the Surveyors Board. It will not be necessary for that member to be a registered surveyor. This will enable community representation on the Board.

The opportunity has also been taken to remove gender specific language from the legislation.

Revenue/Cost Implications

The Bill has no revenue or cost implications.

Formal Clauses

Clauses 1,2 and 3 are formal requirements. They refer to the short title, the date the legislation commences and the Principal Act. The legislation commences on notification in the Gazette.

Clause 4 - Members of the Board

Clause 4 amends section 6 of the Principal Act. Section 6 establishes the membership of the Board.

Clause 4 amends subsection 6(1) by providing that the Board shall consist of the Chief Surveyor and five other members, appointed by the Minister.

Subsections 6(4) and 6(5) are omitted and a new subsection 6(4) inserted, which provides that of the remaining members, two shall be registered surveyors. Subsection 6(3) provides that two of the members of the Board appointed from a panel shall be nominated by the Institute of Surveyors, Canberra Division. Subsection 6(4) refers to the three remaining members.

Clause 5 - Tenure of Office

Clause 5 amends section 7 of the Principal Act. Section 7 sets out the terms of tenure for members of the Surveyors Board.

Clause 5 amends paragraph 7(2)(a) to refer to the panel referred to in subsection 6(3). This is necessary because of the amendment to subsection 6(3).

Paragraph 7(2)(b) is also amended because of the amendments to subsection 6(4). In the event of a vacancy, the appointed person shall be a registered surveyor if the appointment of that person would otherwise result in there being two members who were not registered surveyors.

Clause 6 - Vacation of office by member

Clause 6 amends section 10 of the Principal Act. Section 10 provides for the circumstances in which a member is taken to have vacated his or her office.

Clause 6 amends section 10 by omitting from paragraph 10(g) the words after "appointed". The words are not necessary given the repeal of subsection 6(5).

Clause 7 - Further amendments

Clauses 7(1) and (2) amend various provisions throughout the Act to remove gender specific language.