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(a)

the Director, who shall be chairman of the Board;

(b)

seven surveyors employed in the public service being licensed surveyors or holders of an East African Land Survey Certificate and who are full members of the Institution of Surveyors of Kenya (Chapter of Land Surveyors) appointed from time to time by the Minister as

followsŠ

(i)

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(ii)

(iii)

(c)

four licensed surveyors in private practice elected by licensed members of the Institution of Surveyors of Kenya (Chapter of Land Surveyors) who shall hold office for two years and shall be eligible for re-election:

(a)

to conduct the examination of candidates for admission as licensed surveyors in accordance with the provisions of this Act;

(b)

to grant licences in accordance with the provisions of this Act;

(c)

to keep a register of all licensed surveyors;

(d)

to take disciplinary proceedings against licensed surveyors in accordance with the provisions of this Act;

(e)

to hear and determine any dispute between any licensed surveyor and his client as to the fees charged by the licensed surveyor;

(f)

to hear and determine any dispute between the Director and a licensed surveyor as to the application of any regulations in which provision is made for reference to the Board;

(g)

to advise the Director on all matters relating to cadastral surveys in connexion with the registration of land or of title to land under any written law for the time being in force relating to the registration of land or of title to land.

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(a)

he has previously practised land surveying regularly and faithfully for such period as the Board may require, in the Survey of Kenya or with a licensed surveyor in Kenya or in one of the countries approved for the purposes of paragraph (d) of subsection (1) of section 12 of this Act, and he produces either a statutory declaration from the Director or from such licensed surveyor, as the case may be, in such form as may be prescribed, or such other evidence as may satisfy the Board, that he has so served for the period required by the Board; or

(b)

he satisfies the Board that he has pursued suitable courses of study in land surveying and mathematics and he has had practical experience in land surveying.

(a)

was duly registered as a licensed surveyor in accordance with the

provisions of any written law relating to the registration of surveyors in force at any time before the commencement of this Act; or

(b)

is the holder of an East African Land Survey Certificate; or

(c)

has taken a degree in land surveying from a university recognized by the Board, passed the Kenya land law examination and has had not less than two years practical experience with the Survey of Kenya or with a licensed surveyor to the satisfaction of the Board; or

(d)

is the holder of a licence to practise as a surveyor in any country which the Minister may, by notice in the

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, approve; or

(e)

is the holder of the qualification of Fellow or Professional Associate of the Royal Institute of Chartered Surveyors in subdivision V (Land Surveying); or

(f)

has complied with the provisions of paragraph (b) of section 11 of this Act,

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(a)

he satisfies the Board that he has had field experience in land surveying; and

(b)

he carries out to the satisfaction of the Board, a trial survey; and

(c)

he satisfies the Board that he is capable of conducting land surveys in accordance with the provisions of this Act and of any regulations made thereunder.

- (a)
he has attained the age of twenty-one years; and
- (b)
he has passed the prescribed examination to the satisfaction of the Board or has been exempted therefrom; and
- (c)
he has complied with the provisions of this Act.

- (a)
cancel the licence granted to such licensed surveyor; or

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- (b)
suspend the licence for a period not exceeding three years; or
- (c)
impose a fine not exceeding one thousand shillings on such licensed surveyor; or
- (d)
reprimand such licensed surveyor.

- (a)
making or supervising any survey or resurvey; or
- (b)
affixing or setting up thereon or therein any survey mark; or
- (c)
inspecting any survey mark; or
- (d)
altering, repairing, moving or removing any survey mark; or
- (e)
doing anything necessary for carrying out any of the aforesaid purposes; or
- (f)
examining or inspecting the conduct of any survey.

(a)

if such act was done with intent to defraud, to imprisonment for a term not exceeding three years; or

(b)

in any other case, to a fine not exceeding three thousand shillings or to imprisonment for a term not exceeding six months or to both such fine and such imprisonment,

- (a)
the plan is found to be inaccurate by reason of any error or omission in the survey; or
- (b)
the plan does not conform with the terms and conditions subject to which permission to subdivide the land to which the plan relates has been given,

- (a)
the registered owner of the land to which such plan relates or, in the case of Government land, the Commissioner of Lands; and
- (b)
the surveyor by whom the survey was executed; and
- (c)
the registrar.

- (a)
in the case of land registered under the Government Lands Act (Cap. 280), the Principal Registrar of Government Lands;
- (b)
in the case of land registered under the Land Titles Act (Cap. 282), the Principal Registrar;
- (c)
in the case of land registered under the Registration of Titles Act (Cap.

281), the Principal Registrar of Titles;

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(d)

in the case of land registered under the Registered Land Act (Cap. 300), the Chief Land Registrar;

(e)

deleted by L.N. 303/1964.

; and

(f)

in the case of any document registered under the Registration of Documents Act, the Principal Registrar of Documents (Cap. 285).

(a)

the Director, who shall be chairman of the Committee;

(b)

ten other members appointed by the Minister for such period as he may direct.

(a)

survey any holding or land for the purpose of preparing any plan which is attached to, or is referred to in, any document or instrument purporting to confer, declare, transfer, limit, extinguish or otherwise deal with or affect any right, title or interest, whether vested or contingent to, in or over any holding or land, being a document or instrument which is required to be registered, or is ineffectual until registered, under any written law for the time being in force relating to the registration of transactions in or of title to land; or

(b)

perform any survey which affects or may affect the delimitation of the

boundaries, or the location of survey marks, of any holding or land registered or to be registered under any written law for the time being in force relating to the registration of land or of title to land.

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(a)

fraudulently procures or attempts to procure himself or any other person to be granted a licence by the Board under this Act; or

(b)

not being a licensed surveyor, falsely pretends to be such, or falsely takes or uses any title or description implying, whether in itself or in the circumstances in which it is taken or used, that such person is a licensed surveyor or is qualified to practise as such; or

(c)

being a licensed surveyor, allows an unlicensed person to perform any survey to which section 22 applies,

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(a)

it is authenticated, by the signature of the Director or of a Government surveyor authorized in writing by the Director in that behalf and by the signature of the authority by whom the notice is given, to be the land or area to which the notice refers; and

(b)

it is identified by a reference number.

(a)

produce to the Director for his inspection all of the photographs thereby produced or such of them as the Director may specify; and

(b)

supply to the Director, at the DirectorTMs cost, such copies as the Director may require of such photographs:

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(a)

the manner in which surveys shall be carried out and the manner and form in which the records of surveys shall be prepared and furnished to the Director;

(b)

the standard of accuracy which shall, subject to any direction given under the proviso to subsection (1) of section 21 be achieved, and the limit of error which shall, subject as aforesaid, be allowed, in surveys and resurveys of land;

(c)

the nature, form and dimensions of survey marks, the manner of marking the same for identification and the manner of their construction, erection, protection, maintenance and repair;

(d)

the testing of surveying instruments and of measuring tapes to be used in the survey of land;

(e)

the unit of measurement which shall be used on plans;

(f)

the charges to be made for the making of any survey by the Survey Department;

(g)

the charges to be made for the authentication under this Act of plans submitted by a licensed surveyor;

(h)

the fees or charges to be paid in respect of any plan or document issued, or any act or matter required or permitted to be performed or

dealt with, in the Survey Office;

(i)

the circumstances in which any person may inspect any unpublished plan in the possession of the Survey Department;

(j)

the manner of keeping the register of licensed surveyors and prescribing the particulars which shall be recorded therein;

(k)

the evidence which shall be produced and the conditions which shall be fulfilled by any person applying for a licence under this Act;

(l)

the method of examination of persons desirous of qualifying for a licence, and the syllabus of subjects therefor; the fees payable for examination; and the nature and period of previous service or training required;

(m)

what certificates of examination, diplomas, degrees, licences or titles, other than those prescribed by this Act, shall be recognized by the Board for the purpose of exempting a person from passing the whole or any part of any examination of the Board;

(n)

the procedure for granting licences under this Act;

(o)

the procedure which shall be followed by the Board in hearing and determining any dispute between a licensed surveyor and his client as to the fees charged by the licensed surveyor;

(oa)

the procedure which shall be followed by the Board in hearing and determining any dispute between the Director and a licensed surveyor as to the application of any regulation in which provision is made for reference to the Board;

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(p)

the procedure which shall be followed by the Board in any inquiry held under section 17 or section 19 of this Act;

(pa)

the fees or charges to be paid in respect of the hearing of any dispute by the Board;

(q)

the manner in which the attendance of witnesses and the production of books and documents at such an inquiry shall be obtained and enforced;

(r)

matters relating to the direction and guidance of licensed surveyors;

(s)

a power for the Director, after consultation with the Board, to require calculations to be submitted in such manner as he may direct;

(t)

the fees to be charged by a licensed surveyor in respect of work done;

(u)

anything which under this Act may be prescribed, and generally as to any matter appertaining to the surveying of land, and for carrying out the intent and purpose of this Act.