



TRINIDAD AND TOBAGO

No. 19—1952

[L.S.]

I ASSENT,

H. E. RANCE,

*Governor.*

14th May, 1952.

AN ORDINANCE relating to the qualification and control of  
Land Surveyors and to the Survey of Land.

**[By Proclamation]**

Commence-  
ment

ENACTED by the Governor of Trinidad and Tobago with the  
advice and consent of the Legislative Council thereof.

Enactment

1. This Ordinance may be cited as the Land Surveyors  
Ordinance, 1952.

Short title

Interpretation

**2. In this Ordinance—**

“licensed Surveyor” means a Land Surveyor licensed under the provisions of this Ordinance;

“the Association” means the Land Surveyors Association of Trinidad and Tobago;

“the Board” means the Land Survey Board established by and constituted in accordance with section 10 of this Ordinance.

Qualifications for licence to practise as a Land Surveyor

**3.** No person shall be licensed to practise as a Land Surveyor until he shall have attained the age of twenty-one years and unless he shall have satisfied the Board, either by examination or otherwise, that he possesses the requisite qualifications and proficiency to practise as a Land Surveyor.

Fee for licence

**4.** Any person who is certified by the Board to be qualified as aforesaid shall, on payment to the Accountant General of the sum of twenty-five dollars, be entitled to receive from the Governor a licence to practise as a Land Surveyor.

Exemptions

**5. (1)** Any person in the service of the Government of the Colony who shall satisfy the Board that he possesses the requisite qualifications and proficiency to practise as a Land Surveyor shall be entitled, on the recommendation of the Board, to obtain a licence under this Ordinance without the payment of any fee.

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**(2)** Any person who immediately before the commencement of this Ordinance shall have been licensed under the Land Surveyors Ordinance to practise as a Land Surveyor in the Colony shall be deemed to have satisfied the Board that he possesses the requisite qualifications and proficiency to practise as a Land Surveyor and shall be entitled to obtain a licence under this Ordinance without the payment of any fee.

Form of licence

**6.** Every licence issued under this Ordinance shall be in the form in the First Schedule to this Ordinance.

Prohibition against practising by unlicensed persons

**7. (1)** No person, unless he be a licensed Surveyor, shall—

(a) practise or act as a Land Surveyor, or

(b) hold himself out in any manner whatsoever as being a licensed Surveyor, or

- (c) perform any survey or do any similar act affecting or calculated or purporting to affect the delimitation of the boundaries or the location of the beacons or marks on any land, the boundaries of which have been or are to be described in any deed or in any instrument dealing with the transfer of land or any estate or interest therein.

(2) Any person who contravenes any provision of this section shall be guilty of an offence against this Ordinance, and shall be liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

8. Every map, plan or diagram of any land attached to any document which purports to grant, transfer or affect the title to any land or any interest in any land shall be certified by a licensed Surveyor.

Maps, &c.  
relating to  
interests in  
land to be  
signed by  
licensed  
Surveyor

9. (1) Any person who obstructs or causes to be obstructed any lawful survey of land, whether by force, or by threats, or in any other manner, shall be liable on summary conviction to a fine of two hundred and fifty dollars, and, in the case of a continuing offence, to a fine of two hundred and fifty dollars for each and every day on which he so obstructs or causes such obstruction.

Hindering

(2) Any person who molests a licensed Surveyor or his assistant while such Surveyor or assistant is engaged upon any lawful survey of land shall be guilty of an offence under this Ordinance.

(3) Any person who without lawful excuse—

(a) alters, moves, disturbs, or wilfully damages or destroys any beacon, bench mark, reference mark, signal station, trigonometrical station, or other survey mark, intended to be permanent and erected or placed for the purpose of or in connection with any survey operations, whether such beacon, bench mark, reference mark, signal station, trigonometrical station, or other survey mark, is upon his own land or not; or

(b) erects or places any beacon on any land except under the supervision of a licensed Surveyor, whether his intention is to alter the boundary of any land or to cause deception as to any boundary line or not, shall be guilty of an offence under this Ordinance.

Establishment,  
constitution  
and quorum of  
Land Survey  
Board

**10.** (1) For the purposes of this Ordinance there shall be established a Board to be called the Land Survey Board (hereinafter referred to as "the Board") which shall consist of—

- (a) the Director of Surveys,
- (b) the Deputy Director of Surveys,
- (c) a licensed Surveyor to be appointed by the Governor in Council, and
- (d) three licensed Surveyors to be nominated by the Association at a General or Extraordinary General Meeting of the Association and approved by the Governor in Council.

(2) Any member of the Board other than an *ex officio* member shall hold office for a term of two years but may be re-appointed or re-nominated, as the case may be, for any further number of terms of two years.

(3) The Director of Surveys and, in his absence, the Deputy Director of Surveys, shall be Chairman of the Board. In the event of the absence of both the Director of Surveys and the Deputy Director of Surveys from a meeting of the Board, the members present at such meeting shall elect from their number a chairman to preside at such meeting.

(4) Four members of the Board shall form a quorum at any meeting; and the decision of the majority present shall be the decision of the Board. In the event of an equality of votes at any meeting, the Chairman or member presiding shall have a casting vote in addition to his original vote.

Appointment  
of Secretary  
of Board

**11.** The Governor shall appoint a fit and proper person to be Secretary of the Board.

Removal, &c.,  
of members  
of Board and  
filling of  
acting appoint-  
ments

**12.** (1) The Governor may at any time remove the member of the Board appointed by him, and in any such event as well as on the death or resignation of any such member may make another appointment.

(2) The Association shall, on the death or resignation of any member nominated by them, in a General Meeting or at an Extraordinary General Meeting nominate a successor. The Association may in like manner remove from office any nominated member for incapacity, prolonged illness or other good cause (of each and every of which causes they shall be the sole judge) and shall forthwith nominate a successor for the approval of the Governor.

(3) Both the Governor and the Association may make acting appointments during the absence from the Colony of any member respectively appointed or nominated by him or them; and any acting appointment by the Association shall be by nomination for the approval of the Governor.

(4) All appointments or nominations, acting or otherwise, shall be published in the *Royal Gazette*.

**13.** The Board shall meet at least once in every three months at times and places to be fixed beforehand by the Board, and not less than seven days' notice of any meeting together with the agenda therefor shall be given to members of the Board: Provided that on a written requisition setting out the object of a proposed meeting signed by two members and directed to the Chairman, the Chairman shall within seven days of the receipt of such a request duly convene such a meeting: Provided further that the Chairman may at any time convene an emergency meeting whenever he thinks it necessary to do so.

Meetings of  
Board

**14.** (1) The Board shall have power to enquire into the truth of any allegations made against a licensed Surveyor touching the commission of any offence against any provision of any rules made or deemed to have been made under this Ordinance, and, after due enquiry, to make recommendations to the Governor for the suspension or cancellation of the licence issued to such Surveyor.

Powers of  
Board

(2) The Board may, subject to the approval of the Governor in Council, make rules for all or any of the following purposes:—

- (a) the apprenticeship of Pupil Land Surveyors, the duration of such apprenticeship and the examination and licensing of persons desirous of practising as Land Surveyors;
- (b) the issue, revocation or suspension of licence granted under this Ordinance;
- (c) declaring what shall be offences by licensed Surveyors under such rules and the penalties in respect thereof;

- (d) regulating the manner and system in accordance with which surveys are to be performed, the degree of accuracy necessary, the description of marks or beacons to be erected and the form in which plans or diagrams are to be constructed or drawn and records of survey kept;
- (e) the collection and recording of any information in respect of any land;
- (f) the scale of fees payable for the survey of land and the preparation of plans or diagrams;
- (g) the steps to be taken by the Director of Surveys to test the accuracy of surveys the results of which are recorded in plans or diagrams which have been or are intended to be registered under the Real Property Ordinance, 1945;
- (h) the testing of surveying instruments and of measuring tapes to be used in the survey of land;
- (i) fixing the unit of measure to be used on general plans and diagrams; and
- (j) generally for the better carrying out of the objects and purposes of this Ordinance.

Ord. 20 of 1945

(3) Until varied or revoked in accordance with the provisions of this Ordinance, the rules contained in the Second Schedule to this Ordinance shall be deemed to have been made under this Ordinance and to be in force.

(4) No rule made under this section shall come into operation until at least one month after the first publication thereof in the *Royal Gazette*.

General penalties

**15.** (1) Every person guilty of an offence under this Ordinance for which no penalty is expressly provided herein shall be liable on summary conviction to a fine of two hundred and fifty dollars.

(2) Every person guilty of an offence under any rules made or deemed to have been made under this Ordinance shall be liable on summary conviction to a fine of two hundred and fifty dollars.

Commencement

**16.** This Ordinance shall come into force on a day to be fixed by the Governor by proclamation in the *Royal Gazette*.

Repealed  
Ch. 27, No. 2.

**17.** The Land Surveyors Ordinance is hereby repealed.

## FIRST SCHEDULE

LICENCE TO LAND SURVEYOR—THE LAND SURVEYORS ORDINANCE, 1952

TRINIDAD AND TOBAGO

WHEREAS

of

has satisfied the Land Survey Board constituted under the above-mentioned Ordinance that he is by virtue of (*here state particulars of qualification*) qualified to practise as a Land Surveyor;

Now therefore I

Governor of the Colony of Trinidad and Tobago do under and by virtue of the provisions of the above-mentioned Ordinance hereby authorize the said

to practise as a Land Surveyor in this Colony.

Dated this

day of

Governor.

## SECOND SCHEDULE

## LAND SURVEYORS RULES

## PART I

## GENERAL

1. These Rules may be cited as the Land Surveyors Rules, 1952.

2. In these Rules, the expression "the Ordinance" means the Land Surveyors Ordinance, 1952, and the expression "Pupil Surveyor" means a Pupil Land Surveyor.

## PART II

## APPRENTICESHIP OF PUPIL SURVEYORS

3. Pupil Surveyors may be appointed by the Governor on the recommendation of the Board.

4. (1) A pupil Surveyor shall enter into an apprenticeship agreement in Form A set forth in the Schedule to these Rules or in such other form as may be applicable to the circumstances, to serve under the Director of Surveys for a period of four years, except as provided for in Rule 16, and provided that a Pupil Surveyor who has passed the examination provided for in paragraph (1) (b) of Rule 11, on the completion of his third year of pupilage or as near as possible thereafter, shall be exempted from serving for the remainder of the period of four years.

(2) Notwithstanding anything contained in paragraph (1) hereof any exemption from the four years' pupilage granted to a Pupil Surveyor under the provisions of Rule 16 shall count in full for the purpose of this Rule and the provisions of Rule 15 shall *mutatis mutandis* apply with regard to Part 2 of the examination provided for in paragraph (1) (b) of Rule 11.

5. The pay of a Pupil Surveyor shall be:

during the first year	...	...	...	\$30.00	per month
do. second year	...	...	...	35.00	do.
do. third year	...	...	...	40.00	do.
do. fourth year	...	...	...	40.00	do.

6. A candidate for appointment as a Pupil Surveyor must—

(a) have attained the age of 18 years and must have passed either the School Certificate Examination with credits or higher standard in not less than four subjects of which English and Elementary Mathematics must be two, the Preliminary Examination or Special Test of the Royal Institution of Chartered Surveyors (hereinafter called the Institution) or one of the exempting examinations accepted by the Council of the Institution; Provided that such candidate shall have been enrolled as a student of the Institution or shall undertake to be so enrolled within six calendar months of his entering into the agreement mentioned in Rule 4: Provided further that the Director of Surveys may terminate forthwith the said agreement in respect of a Pupil Surveyor who fails to be so enrolled within the time specified in the first proviso to this Rule;

(b) furnish proof that he is a British Subject.

7. Every such candidate must produce a medical certificate stating that he is free from any complaint which might prevent him from efficiently performing his duties as a Land Surveyor.

8. The Director of Surveys, or such officer or officers of the Lands and Surveys Department as may be deputed by him, shall teach Pupil Surveyors their ordinary office and field duties and shall provide the training necessary to prepare the said Pupil Surveyors for the examinations prescribed under Rule 11: Provided that the Director of Surveys may make such other arrangements as he deems necessary for providing the training in Mathematics and Physics required for the purposes of the examination referred to in paragraph 1 (a) of the said Rule 11.

9. Pupil Surveyors will accompany the officers of the Survey Staff from time to time in actual field work, and when, in the opinion of the Director of Surveys, they are capable of rendering any practical assistance to the officer in charge, they will receive such field allowance as may be determined by the Director of Surveys, not exceeding \$1.20 per diem.

10. The Governor may, on the recommendation of the Board, terminate at a month's notice the apprenticeship of any Pupil Surveyor who is guilty of misconduct, or who is unlikely to become an efficient Land Surveyor.

## PART III

## EXAMINATION AND LICENSING OF LAND SURVEYORS

11. (1) In order to satisfy the Board that he possesses the requisite qualifications to practise as a Land Surveyor, a Pupil Surveyor shall be required to pass the following examinations:—

(a) Land Surveyors Qualifying Examination, Section A.

The subjects of examination shall be those of the First Professional Examination in Sub-Division V of the Institution, and the examination papers as set by the Institution shall be written and passed to the satisfaction of the Council of the Institution in accordance with the Rules governing the examination as set out in the Rules and Syllabus for the Professional Examinations of the Institution.

(b) Land Surveyors Qualifying Examination, Section B.

Part 1.—The subjects of examination shall be those of the Intermediate Examination in Sub-Division V of the Institution and the examination papers as set by the Institution shall be written and passed, and the plan and the plane-table survey shall be prepared to the satisfaction of the Council of the Institution in accordance with the Rules governing the examination as set out in the Rules and Syllabus for the Professional Examinations of the Institution.

Part 2.—This part of the examination shall be conducted by the Board and shall consist of—

- (i) A Trial Survey—the survey and sub-division for “Title”, of a prescribed piece of land, to the satisfaction of the Board;
- (ii) Practical Field Astronomy—the preparation, observation and computation of a star programme for the determination of Time Latitude and Azimuth and also the determination of these quantities from solar observations, to the satisfaction of the Board;
- (iii) Survey Law—a written or oral examination or both, as the Board may determine, on the laws and regulations in force in the Colony relating to the survey, registration and transfer of land, which shall be passed to the satisfaction of the Board.

(2) Neither the Board nor any person lawfully acting for and on behalf of the Board shall be held liable in any way whatsoever for the loss or destruction of or damage to any examination script or plan in the course of the transmission of such script or plan to the Council of the Institution.

12. (1) The aggregate pass mark in Part 2 of the examination provided for in paragraph (i) (b) of Rule 11 will be 55 per cent. with a minimum pass mark of 40 per cent. in each of the subjects mentioned in paragraphs (i), (ii) and (iii) of paragraph (1) (b) of Rule 11.

- (2) (a) Any candidate who fails to obtain the prescribed aggregate pass mark in Part 1 of the examination provided for in paragraph (1) (b) of Rule 11 will be considered to have failed the said examination as a whole.
- (b) Any candidate who has obtained the prescribed aggregate pass mark in Part 1 of the examination provided for in paragraph (1) (b) of Rule 11, but is referred back in any one subject of that part of the said examination, will not be required to sit again for Part 2 of the said examination provided that such candidate has attained the prescribed aggregate pass mark in that part of the said examination and provided further that such candidate has also obtained the prescribed minimum pass mark in each of the subjects mentioned in sub-paragraphs (i), (ii) and (iii) of paragraph (1) (b) of Rule 11.
- (c) Any candidate who, having obtained the prescribed aggregate pass mark in Part 1 of the examination provided for in paragraph (1) (b) of Rule 11, whether or not he has been referred back in any one subject of that part of the said examination, fails to obtain the prescribed aggregate pass mark in Part 2 of the said examination or fails to obtain the prescribed minimum pass mark in one or more of the subjects mentioned in sub-paragraphs (i), (ii) and (iii) of paragraph (1) (b) of Rule 11, will be required to sit again for the whole of that part of the said examination after a period of twelve months or six months, as the case may be, depending on whether such candidate has or has not been referred back in any one subject of Part 1 of the said examination.
13. (1) A fee of \$24 shall be payable to the Accountant General by each candidate for Part 2 of the examination provided for in paragraph (1) (b) of Rule 11, such fee to be paid at least seven days before the first day of that part of the said examination on each occasion such candidate presents himself for that part of the said examination.
- (2) Each Pupil Surveyor shall be responsible for the payment of his own annual subscription to the Institution and also for the payment of such examination fees as may be required by the Institution.
14. A Pupil Surveyor having failed in the examination provided for in paragraph (1) (b) of Rule 11 held on the completion of his third year of pupilage or as near as possible thereafter will, subject to the provisions of paragraph (2) (c) of Rule 12, be allowed another attempt on the completion of his fourth year of pupilage or as near as possible thereafter.
15. The Governor may, on the recommendation of the Board, permit a candidate who has twice failed to pass the examination provided for in paragraph (1) (b) of Rule 11 to sit the said examination for a third time.
16. (1) A candidate for appointment as a Pupil Surveyor who at the date of his application shall have followed a course of theoretical and practical instruction in land surveying for a continuous period of one year during the preceding two years in any institution in any other part of the British Commonwealth and who shall have passed the examination provided for in

paragraph (1) (a) of Rule 11 or shall have been exempted from the said examination by the Council of the Institution may, on the recommendation of the Board, be exempted from one year of the period of four years required under Rule 4.

(2) A candidate for appointment as a Pupil Surveyor who at the date of his application shall have followed a course of theoretical and practical instruction in land surveying for a continuous period of two years in any institution in any other part of the British Commonwealth and who shall have passed Part 1 of the examination provided for in paragraph (1) (b) of Rule 11 or shall have been exempted from that part of the said examination by the Council of the Institution may, on the recommendation of the Board, be exempted from two years of the period of four years required under Rule 4; such candidate will be required to sit for Part 2 of the said examination at the end of one year's service and, if he fail so to pass, he shall be required to sit for and to pass that part of the said examination after a further period of six months.

(3) A candidate for appointment as a Pupil Surveyor who at the date of his application shall have followed a course of theoretical and practical instruction in land surveying for a continuous period of two years in any institution in any other part of the British Commonwealth and who shall have passed Part 1 of the examination provided for in paragraph (1) (b) of Rule 11 or shall have been exempted from that part of the said examination by the Council of the Institution and who shall have been engaged in land survey work for one of the preceding two years, may, on the recommendation of the Board, be exempted from three years of the period of four years required under Rule 4: such candidate will be required to sit for Part 2 of the said examination at the end of six months' service and if he fails so to pass, he shall be required to sit for and to pass that part of the said examination after a further period of six months.

17. (1) Land Surveyors shall be appointed and licensed by the Governor on the recommendation of the Board who, before giving each recommendation, must satisfy themselves that the candidate—

- (a) has served with the Lands and Surveys Department of the Colony the pupilage required by these Rules and has passed or been examined in whole or in part from the examination provided for in Rule 11; or
- (b) being a Topographical Assistant on the staff of the Lands and Surveys Department at the date of the commencement of these Rules has served continuously to the satisfaction of the Director of surveys, for five years as such on such staff and at the expiration of that period has received not less than six months practical training in Cadastral Surveys for title with the Department and has passed the examination provided for in Rule 11; or
- (c) holds a licence to practise as a Land Surveyor in Australia, New Zealand or South Africa, or as a Dominion Land Surveyor of Canada, or possesses the full A.R.I.C.S. qualification in Sub-Division V; and in order to acquire a knowledge of local survey practice has spent, with the Government Survey Staff of this Colony, such period not exceeding six months, as may be fixed by the Board: Provided that at the end of such period the

candidate shall satisfy the Board as to his knowledge of local survey practice, and of the laws and regulations appertaining to lands and surveys of lands in this Colony, and that he is a fit and proper person to be licensed under the Ordinance; and

(d) has made a declaration in Form B set forth in the Schedule to these Rules.

(2) It shall be lawful for the Governor to suspend or cancel the licence of any Land Surveyor who has been apprenticed as a Pupil Surveyor in accordance with an apprenticeship agreement in the form set forth in the Schedule to these Rules and who fails to perform the obligation imposed upon him by clause 8 of such agreement.

## PART IV

### SURVEYS GENERAL

18. The horizontal angles on all controlling traverses and on surveys in towns and villages and in open or orchard country shall be measured with a theodolite capable of being read to 20 seconds of arc or less. The grid bearings of the lines shall be obtained direct from the trigonometrical framework or a primary traverse and, when this is not practicable, from solar or stellar observations. In the latter case the necessary corrections for convergence shall be applied.

19. (1) On petition surveys in forested country in Trinidad the bearings of the lines may be obtained by means of a magnetic compass attached to the horizontal circle of the theodolite reading to 1 minute of arc or less, such compass to be of a type approved by the Director of Surveys, provided that at least once a month the Land Surveyor determines the correction, if any, to be applied to the readings obtained with the compass at the Savannah Referring Mark, in order to obtain true bearings at that point, due allowance being made for the diurnal variation of the compass at the moment of observation.

(2) For surveys in Tobago, similar monthly determinations of the correction to be made to the compass readings in order to obtain true bearings are to be made at the Standard Referring Mark in Scarborough.

Bearings obtained at other points in the Colony with the compass by applying to its reading the corrections determined at the Referring Marks in Port-of-Spain and Scarborough, as the case may be, shall be termed compass bearings. Compass bearings are to be converted to grid bearings by applying the corrections shewn on the charts prepared for that purpose by the Director of Surveys.

(3) When using the magnetic needle, the Land Surveyor shall allow for diurnal variation by applying the hourly corrections given in the table prepared for this purpose, copies of which may be obtained on application to the Director of Surveys.

20. On primary controlling traverses all measurements of length shall be made with steel bands standardised by the makers at 85° Fahr. with a known pull. These bands shall be compared with the standard at the office of the Director of Surveys after each 40 miles of traverse.

On controlling traverses the tension shall be gauged at one end by a spring balance and thermometer readings taken for temperature corrections. The tape shall be held in catenary and the angle of slope measured on the vertical circle of the theodolite.

21. On petition and tertiary surveys measurements shall be made with steel band tapes standardised by the makers at 85° Fahr.; no corrections for temperature need be made and the lengths of the lines may be measured in horizontal steps with the aid of heavy plumb bobs.

#### LIMITS OF ERROR

22. The limits of error on traverses run between trigonometrical stations or points connected to the trigonometrical framework shall be as follows:—

On a primary controlling traverse the difference between the traverse bearing and that derived from trigonometrical data or from another primary traverse or from a solar azimuth shall not exceed a minute and a half of arc, and the linear misclosure shall not be greater than 1 in 4,000.

On the secondary controlling traverse the closing angular error shall not exceed two and a half minutes of arc and the linear misclosure shall not be greater than 1 in 2,500.

On all tertiary traverses in which the bearings are compass bearings the linear misclosure shall not exceed 1 in 1,000.

23. The linear misclosure on compass traverses which close on themselves shall not exceed 1 in 1,500.

Re-Survey and Re-Establishment of lost corners.

24. When re-establishing the boundaries of alienated land the Land Surveyor shall make careful search and enquiry for evidence of original survey marks. The principle to be maintained is that the marks, as found on the ground, define the boundaries of the land originally alienated, unless there is reason to believe that they have been moved.

25. If there are differences between the dimensions of the boundaries on the ground and those given on the plan, the Land Surveyor must endeavour to obtain sufficient evidence to decide whether the differences are due to encroachments, movements of marks or to defects in the original survey.

26. In cases where a material disagreement is found to exist between an old and a new survey the Land Surveyor who carried out the latter shall forward to the Director of Surveys a full report on the subject accompanied by a plan.

27. On no account shall a Land Surveyor change the position of any boundary marks except with the concurrence of the adjoining owner or owners and unless he is fully satisfied that the mark has been previously tampered with or moved from its original position, and in that event the Land Surveyor shall record accurately in his field book and on his plan the position of such mark prior to the alteration of its position by him.

## PART V

## SURVEY OF CROWN LAND

28. Before commencing the survey of any Crown Land the Land Surveyor must first obtain a Survey Order signed by the Director of Surveys which will contain instructions as to the running of any connecting lines that may be required. Whenever it is possible to do so the survey shall be connected to the trigonometrical framework.

29. A Land Surveyor before proceeding to execute a Survey Order shall examine and verify from the Survey records of the Lands and Surveys Department the accuracy of the information supplied to him with the Survey Order and which will be required by him for the proper execution of the survey.

He shall notify the Warden in whose County such survey is to be executed on what day he will begin the survey; this notification should reach the Warden not less than four clear days previous to the date of survey. In the case of a petition survey, in addition to the above notice being given to the Warden, the Land Surveyor is advised to notify the Petitioner himself.

30. All lands petitioned for, fronting on rivers, public roads or the sea, shall be surveyed, where practicable, with a frontage not exceeding  $\frac{1}{3}$  (one third) part of the depth.

31. Petition surveys shall be executed on the traverse system, and, whenever practicable, boundary lines shall be run on compass bearings of  $360^\circ$ ,  $180^\circ$ ,  $90^\circ$  and  $270^\circ$ .

32. The corners and boundary lines of parcels petitioned for shall be marked by the Land Surveyor in the following manner:—

- (a) In the case of a parcel containing 10 acres or less a concrete pillar shall be placed at one of the corners and the remaining corners shall be marked by iron stakes.

For a parcel containing 10 acres and under 20 acres at least two corners shall be marked by concrete pillars and the remaining corners by iron stakes.

For a parcel containing over 20 acres and under 40 acres at least three corners shall be marked by concrete pillars and the remaining corners by iron stakes.

For a parcel containing 40 acres or more every principal corner shall be marked by a concrete pillar.

- (b) Along the boundary lines, slips of the "Dragons Blood" plant shall be planted not more than one chain apart. Two slips shall also be planted at each corner mark.

Trenches eight links in length, one link in width and one link in depth shall also be dug near each corner in the direction of the boundary lines. Whenever a boundary line exceeds twenty chains in length similar trenches shall be dug at intervals of about ten chains and an iron stake shall be placed at one end of each of these trenches.

33. The concrete pillars and iron stakes referred to in the preceding rule shall be of a design approved of by the Director of Surveys and will be supplied to the Land Surveyors to whom Survey Orders have been issued.

34. The exact position of all boundary marks placed by the Land Surveyor with the exception of the slips of "Dragon Blood" shall be recorded by him in his field notes and shall also be shown on the plan.

35. Land Surveyors are required to warn all owners and petitioners of land, the boundaries of which are defined or re-defined by survey, that they are responsible for the proper care and upkeep of all concrete pillars, iron stakes and other marks of whatsoever nature, which may be placed at the corners of or along the boundaries of the said land.

36. On completion of the survey the Land Surveyor shall return to the Director of Surveys the completed Survey Order with the following documents for which the Standard Forms supplied in the Survey Order must be used:—

- (a) A certified copy of the field book together with the traverse and area computations.
- (b) A certificate containing the names of the interested persons present at the survey, namely the petitioner or his agent, the neighbours and the Warden or Ward Officer, and stating whether any objection was made or not. Should there be any objection, the Land Surveyor shall submit a report explaining the objection made and his opinion on it.

The date on which the notices of survey were served on the petitioner and neighbours shall also be entered on this certificate.

- (c) A plan, in duplicate, of the survey constructed in the manner prescribed in Rules 45 to 61 of these Rules.
- (d) A voucher for the payment of the fees due to him for the survey calculated at the prescribed rates.

37. Compensation for loss of time caused by the refusal of the petitioner to take the land described in the petition shall be allowed to the Land Surveyor only when sanctioned by the Governor, who, after receiving the report of the Director of Surveys will decide whether any compensation is to be granted, and, if so, whether or not it shall be charged against the petitioner.

38. The acreage to be surveyed as given in the Survey Order is never to be exceeded, unless there are very good reasons for so doing and the petitioner gives an undertaking in writing to pay for the excess. The Director of Surveys shall have the right to refuse to accept any survey that has a defect in acreage of more than one per cent.

39. Should any portion of the land to be surveyed be under cultivation, the Land Surveyor shall show on his plan the approximate extent and nature of the cultivation. A Land Surveyor has no power to require anyone to tell him who cultivated the land, but he should ascertain this if possible.

40. A Land Surveyor shall report the existence of any springs, minerals or stone deposits likely to be useful for road metal or other purposes that may come under his observation.

41. No payment will be made until the plans, field book and computations have been verified and approved by the Director of Surveys.

42. If a Survey Order remains unexecuted a month after its date of issue, the Land Surveyor to whom it was issued, shall return it to the Director of Surveys with a statement explaining the reason for its non-execution.

43. In cases where an inspection by a Land Surveyor appointed by the Director of Surveys for the purpose shows that any survey has been inaccurately or carelessly done or has not been marked in accordance with these Rules, the Land Surveyor responsible for the survey may be called upon to re-survey and mark the area in question at his own expense and furnish new plans for approval or to bear the cost of any re-survey deemed necessary by the Director of Surveys.

44. Survey Orders executed by Land Surveyors other than Land Surveyors employed by the Government on monthly salaries shall be paid for at the following rates, which are intended to cover all expenses connected with the survey including labour and the proper marking of the boundary lines as laid down in Rule 32 and for the production of the plans and documents enumerated in Rule 36.

- (a) (i) For the first 5 chains or less—\$7.00  
For every chain over the first 5 chains at the rate of 66 cents per chain.
  - (ii) The sum of 25 cents shall be paid for each concrete pillar placed by a Land Surveyor for the marking of the survey.
  - (iii) The provisions of the preceding sub-paragraphs (i) and (ii) shall be deemed to have come into force on the 15th February, 1940: Provided that for the period from the 1st January, 1942 to the 31st December, 1943 an increase of 25 per cent. shall be deemed to have been added to the fees payable under the said sub-paragraphs.
- (b) The Director of Surveys may, at his discretion, make special arrangements to pay for a survey according to the time spent by the Land Surveyor on the field work, at a rate not exceeding \$20 per field day, which payment is intended to cover all expenses connected with the survey including labour, the proper marking of the boundary lines and the preparation and production of the plans and documents enumerated in Rule 36; or at separate rates per day for the field work and the office work, as may be agreed on by the Land Surveyor and the Director of Surveys, such arrangements to be stated on the Survey Order when it is issued to the Land Surveyor.
- (c) Compensation for loss of time granted in accordance with Rule 37 shall be paid at the rate of \$16 per day.

## PART VI

### CONSTRUCTION OF PLANS

45. In constructing plans to be attached to deeds or other proceedings, the Land Surveyor shall observe the following rules:—

- (a) Plans shall be drawn on rectangular sheets of good durable paper measuring 13 inches by 8 inches, or on rectangular sheets of which the shorter side measures 13 inches, so that cross folding may be avoided when the plans are bound with their relative deeds or proceedings.

(b) The above dimensions shall not be departed from except in special cases and with the previous approval of the Director of Surveys.

(c) Whenever practicable, plans shall be drawn to one of the following scales, according to the acreage of the parcel surveyed.

For areas not exceeding 10,000 sq. ft.	...	...	1 in	500
Areas of 10,000 sq. ft. to one acre	...	...	1 in	1,000
Areas of one acre to three acres	...	...	1 in	1,250
Areas of three acres to twelve acres	...	...	1 in	2,500
Areas of twelve acres to fifty acres	...	...	1 in	5,000
Areas of fifty acres and over	...	...	1 in	10,000

Or such other natural scale as shall be approved by the Director of Surveys.

(d) Insets necessary to show details or measurements with adequate clearness may be drawn to any natural scale.

46. General plans prepared for resumption, acquisition or for any other purpose shall be drawn to such of the following scales 1 in 1,250, 1 in 2,500, 1 in 5,000, or 1 in 10,000 as will enable the required detail to be shown clearly thereon.

47. The scale to which the plan is drawn shall be noted in a conspicuous place on the plan.

48. The grid north shall in every case be shown on the plan and shall point towards the top of the sheet, and, if practicable, shall be parallel to the side of the sheet.

49. The bearing of each boundary line run shall be expressed in degrees and minutes and shall refer to grid north. In the case of a survey carried out with a magnetic needle the correction that has been applied to the compass bearings to obtain grid bearings shall be given on the plan.

50. On a survey connected to the trigonometrical framework the grid co-ordinates of at least one corner mark shall be given.

51. The exact position of every station used in the survey shall be marked on the plan by a small hole made in the paper by a needle point and various types of stations shall be indicated as follows:—

A trigonometrical station shall be surrounded by a small triangle in red, a boundary beacon by a small circle in red, and a station used only as a traverse point by a small circle in black.

Reference to the traverse stations shall be made by means of small block letters placed alongside the circles.

52. The plotting of any irregular figure shall be done from co-ordinates and must be sufficiently accurate to ensure that there will be no disagreement between the numerical data and the plot.

53. All measurements shall be stated in links except on plans of towns or village lots the measurements of which shall be given in feet to the nearest tenth part of a foot.

54. The area of an enclosed parcel shall be shown in acres, roods and perches and also in acres to the third place of decimals; except in the case of building lots the areas of which shall be shown in square feet. The area referred to shall be tinted pink.

55. The area of the parcel shall also be expressed in writing in the process verbal at the foot of the plan. The process verbal shall also give the date of the survey and the name of the person for whom the land has been surveyed, and it shall be signed by the Land Surveyor who shall also enter the date of his signature.

56. All numerical data and all names and words on any plan must be so written that they can be read without turning the plan.

57. All topographical features such as roads, rivers, and buildings within fifty links of any boundary line shall be carefully noted and shown upon the plan.

58. All boundary lines run by the Land Surveyor shall be shown in fine continuous black lines, and the approximate positions of any adjoining boundary lines not run shall be shown in broken black lines.

Connecting or computation lines not run along boundaries shall be shown in fine continuous red lines.

59. The following information shall also be given on every plan:—

- (a) The County and Ward within which the parcel is situated and in the case of a building lot the name of the town or village as well.
- (b) The Standard Sheet Number.
- (c) When the survey has been executed on an order from the Director of Surveys the number of the Lands and Surveys Office correspondence number.
- (d) The name of the owner of the parcel surveyed and the names of the owners of the parcels and the numbers of the lots adjoining the parcel surveyed.
- (e) The names of all roads, rivers and streams, intersecting or within fifty links of the lands surveyed.
- (f) The direction of the flow of all rivers and streams shall be indicated by small arrows.

60. The following colours shall be used:—

- (a) Boundary lines and all names, areas, bearings and lengths shall be in black.
- (b) Rivers, streams and all water features shall be coloured blue.
- (c) Contours and hill features shall be in brown.
- (d) Roads and traces shall be coloured burnt umber.
- (e) Connecting or computation lines with their bearings and lengths shall be in red.

- (f) Lands resumed shall be coloured pink.
- (g) Lands acquired shall be coloured raw sienna.
- (h) Lands vested in the Crown under section 4 of the Roads Ordinance shall be coloured yellow.

61. All writing, lettering and figuring on any plan and in the process verbal shall be neatly and carefully executed in Indian ink.

62. All plans shall be submitted to the Director of Surveys for his approval. If on inspection, a plan is found to be incomplete or faulty or has not been prepared in accordance with the preceding rules for the Construction of Plans it may be rejected by the Director of Surveys, and payment for the same shall not be allowed.

## PART VII

### SURVEY OF ALIENATED LANDS NOT UNDER THE PROVISIONS OF THE REAL PROPERTY ORDINANCE, 1945

63. The owner of every parcel of land to be re-surveyed or sub-divided shall give at least three clear days notice, specifying the date of the proposed survey, to the proprietors (or their agents) of land contiguous to the boundaries to be surveyed: Provided that any such proprietor or agent may, by writing under his hand, waive his right to such notice.

Provided further that if the Land Surveyor shall find it reasonably necessary for him or his assistants to enter upon other lands in the locality for the purpose of taking bearings or of doing any other acts or things necessary or incidental to the proper performance of such re-survey or sub-division, he may, on giving reasonable notice to the owners or occupiers of such other lands, by himself or by his assistants enter upon such other lands.

64. The Land Surveyor shall define and mark the property being dealt with in the same manner as is prescribed in the preceding Rules for the Survey of Crown Lands, such Surveyor supplying his own materials for the purpose.

65. Plans shall be constructed in the manner prescribed in the preceding Rules for the Construction of Plans of Surveys of Crown Lands.

66. A certified copy of the plan shall be lodged in the Office of the Director of Surveys within 40 days after conclusion of the survey by the Land Surveyor who executed the survey, and for so doing the Land Surveyor shall be paid at the following rates:—

(a) Where the area surveyed is one acre or less	... ..	\$1.00
(b) Where the area surveyed contains over one acre		
For the first acre	... ..	1.00
For every acre or part thereof after the first up to and including the twentieth	... ..	08
For every acre or part thereof after the twentieth up to and including the hundredth	... ..	05
For every acre or part thereof after the hundredth up to and including the five hundredth	... ..	03
For every acre or part thereof after the five hundredth up to and including the thousandth	... ..	02
For every acre or part thereof above the thousandth	... ..	01

Surveys of parcels that adjoin one another shall be shown on a general plan and the payments to be made for certified copies of general plans and of plans of unenclosed areas shall be determined by the Director of Surveys after a personal examination of each plan.

67. Every Land Surveyor shall keep true and complete field notes of all surveys executed by him and shall give certified copies of the same to the Director of Surveys when called upon to do so, and for so doing he shall be paid the sum of 60 cents for each copy if the number of traverse lines run does not exceed 10, but, if the number of traverse lines run exceeds 10, he shall be paid 60 cents for the first 10 traverse lines and 3 cents for each traverse line over and above 10 traverse lines.

### PART VIII

#### SURVEY OF LANDS HELD UNDER OR TO BE BROUGHT UNDER THE PROVISIONS OF THE REAL PROPERTY ORDINANCE, 1945

68. Any proprietor applying to have land brought under the provisions of the Real Property Ordinance, 1945 shall give at least seven clear days' notice to all the proprietors of lands lying adjacent to the aforesaid land, or to their agents, and of the date of the proposed survey, and on the day of survey he shall attend personally or by duly appointed agent.

69. In executing the survey the Land Surveyor shall survey and define all the boundaries of the property being dealt with, in the manner prescribed in the preceding Rules for the Survey of Crown Lands, such Surveyor supplying his own materials for the purpose.

70. Plans shall be constructed in the manner prescribed in the preceding Rules for the Construction of Plans and the following additional Rules shall also be observed.

- (a) If at any point the scale does not permit the necessary details or measurements to be clearly shewn thereon, this portion of the boundary line shall be drawn afresh to an enlarged scale as an inset on the same plan, if so required by the Director of Surveys.
- (b) Lands brought under the provisions of the Real Property Ordinance, 1945 shall be coloured pink and also surrounded on the inside of the boundary line by a narrow border of deeper shade and about 125th inch in width. Public roads, crown traces and lands reserved for road purposes and waterways reserved to the Crown intersecting the said lands shall be coloured brown and blue respectively, and any pieces of land entirely within the main boundary line but not brought under the provisions of the said Ordinance shall be left uncoloured and surrounded on the outside by such narrow border as aforesaid.
- (c) All the original boundaries of each portion of land brought under the provisions of the said Ordinance as laid out previous to alienation by the Crown shall be shewn by fine continuous black lines. Where only a portion of any land as first alienated by the Crown is brought under the provisions of the said Ordinance then the boundaries of the whole of the land as originally alienated shall be shewn on the plan as described above; and the names of the

present owners of the adjoining portions of the original alienation or the names of their estates shall be clearly marked in their proper places, and the approximate position of their boundary lines where they adjoin the main boundary line of the land being dealt with shall be shewn by dotted black lines.

71. The plan aforesaid shall be accompanied by statutory declarations made and subscribed by the Land Surveyor and the proprietor or his agent respectively, which shall be respectively in the following terms:—

"I, A.B. Licensed Land Surveyor, do hereby certify and solemnly declare that the accompanying plan is correct and that on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, I ran the boundary line or lines coloured \_\_\_\_\_ or otherwise described in the plan and that no objections were made by any person representing himself to be, or to be the agent of, a neighbouring owner or occupant (or that the following objections were made (here state them and by whom made) which I consider to be ill-founded for the following reasons (here give reasons) and I make this declaration conscientiously believing, &c.

AND

I, C.D., being the owner (or agent for the owner E.F.) of the piece of land delineated in the attached plan, do certify that I gave seven clear days notice of survey to the proprietor of each piece of land adjoining the boundary coloured pink in the said plan, viz: (here mention the proprietors of each piece of land or their agents, in regular order, beginning at the north and going eastward to north again) and that on the day of survey I was personally present and that no objections to the said boundary line were made by or on behalf of any person representing himself to be a neighbouring proprietor or occupant (or that the following objections were made) (here state them and by whom made) which I consider to be ill-founded for the following reasons (here state the reasons) and I make this, &c."

72. Before issuing any Certificate of Title, or before receiving any application or transfer on which a plan is required to be supplied, the Registrar General shall require the applicant to forward to the Director of Surveys the plan in duplicate (or triplicate if necessary) prepared by the Land Surveyor. The Director of Surveys shall examine the plan and duplicate, and, if satisfied that they correctly represent the land referred to in the instrument to be registered and that they have been constructed in accordance with rule 70, he shall certify that they are correct by attaching his signature to each, and shall then return the plan in duplicate to the applicant.

73. The signature of the Director of Surveys on the plans shall be tantamount to a notification that they have been examined as stated above.

74. When the instrument and plans have been accepted for registration, the Registrar General shall immediately transmit the duplicate plan to the Director of Surveys who shall, if practicable, cause the position and boundaries of land shewn on such plan to be denoted on the Cadastral Maps of the Colony by tinting it pink and surrounding it by a light pink border, and shall notify the Registrar General when this has been done.

75. In the case of any future sale of a property for which a Certificate of Title has been issued, it shall not be necessary for the proprietor to provide further plans, but in the case of a sale of only a portion of the property he shall provide the Registrar General with two certified copies of the plan of the property the boundaries of which shall be shewn by fine continuous lines surrounded on the inside by a light pink border, the portion to be sold to be coloured a deeper pink and the remaining portion to be left uncoloured.

76. In such a case the Land Surveyor need only run the line or lines dividing the portion to be sold from the rest of the property and such other portion of the boundary line of the original property as shall be necessary to locate accurately the position of the division line with regard to the original boundaries. The proprietor or his agent shall be present at the Survey.

77. In such case the Land Surveyor alone shall attach a signed certificate stating that he has complied with Rule 76 and that the new plans are correct. The plans shall be forwarded by the applicant to the Director of Surveys to be dealt with as provided in the case of the plans mentioned in Rule 72.

78. Any proprietor sub-dividing any land previously brought under the provisions of the Real Property Ordinance, 1945 for the purpose of selling the same in allotments as a settlement or village shall deposit with the Registrar General a plan of such settlement or village; provided that such plan shall exhibit, distinctly delineated, first the original boundaries as brought under the provisions of the Real Property Ordinance, 1945 surrounded by a light pink border, secondly any portions already sold out coloured green, and thirdly all roads, streets, passages, thoroughfares, squares or reserves set apart for public uses, and also all allotments into which the said land may be divided, marked with distinct numbers or symbols, with the superficial area of each sub-division. The surface of the entire portion thus sub-divided shall alone be coloured pink. Every such plan shall be certified as being correct by the Land Surveyor, and shall be forwarded to the Director of Surveys to be dealt with as mentioned in Rule 72. Provided that such plans shall in the first place have been submitted for the approval of the Local Authority in regard to the layout and to the provisions made for access, drainage, and other sanitary matters; and that such approval shall appear on such plans.

79. In the case of a sale of any particular parcel or parcels of land thus sub-divided, the proprietor shall provide the Registrar General with as many plans as may be necessary drawn to an approved natural scale shewing clearly the boundaries of the particular parcel or parcels which adjoin it with the numbers or symbols clearly marked on each. These plans shall be forwarded to the Director of Surveys to be dealt with as mentioned in Rule 72.

80. A Land Surveyor may charge similar fees to those provided for in Rule 44 to cover all expenses connected with the survey including labour and the proper markings of the boundary lines, and the production of a plan in duplicate.

81. For preparing and certifying a plan in duplicate where fresh survey is not required, a Land Surveyor may charge the following fees:—

(a) Where the plan is of a parcel containing one acre or less ...	\$5.00
(b) Where the plan is of a parcel containing over one acre	
For the first acre ... ..	5.00
For every acre or part thereof after the first up to and including the twentieth ... ..	.20
For every acre or part thereof after the twentieth up to and including the hundredth ... ..	.06
For every acre or part thereof after the hundredth up to and including the five hundredth ... ..	.03
For every acre or part thereof after the five hundredth up to and including the thousandth ... ..	.02
For every acre or part thereof above the thousandth ... ..	.01

82. It shall be lawful for the Director of Surveys to require such additions and modifications to be made in any particular plans as shall be requisite to delineate distinctly the positions and extent of lands placed under the provisions of the Real Property Ordinance, 1945 or afterwards transferred by the proprietor.

## PART IX

### OFFENCES

83. If any Land Surveyor—

- (a) signs a plan purporting to represent any survey work performed by himself, which work shall not have been carried out under his personal supervision and direction;
- (b) executes a survey with carelessness, and without making sufficient check measurements for the proper determination of the points to be located and for the purpose of testing the accuracy of his calculations, whereby an incorrect plan is passed for registration;
- (c) wilfully refuses or neglects to carry out and perform any of the rules as to the manner and system in accordance with which surveys are to be performed, and the construction and deposit of plans, and the marks by which boundaries are to be defined;
- (d) wilfully makes or registers any records or calculations which are fictitious or untrue in connection with any surveys performed or alleged to have been performed by him;
- (e) accepts payment and does not complete the survey which includes the delivery of the finished plan to his client; or
- (f) conducts himself dishonourably in connection with the performance of any work done by him as a Land Surveyor,

he shall be liable on summary conviction by a magistrate to a penalty of two hundred and fifty dollars; and in addition to or in lieu of such proceedings, if the Board so recommends, the Governor may suspend or cancel the licence of the offending Land Surveyor.

## PART X

### REPEAL AND SAVING

84. The Land Surveyors Rules, 1935 and all amendments thereto and all Rules contained in any Land Regulations relating to the Survey of Land are hereby revoked: Provided that notwithstanding such revocation, Pupil Surveyors who were on the Staff of the Lands and Surveys Department on or before the 21st September, 1950 shall be examined in accordance with the Rules which were in force immediately before that date, and nothing contained in Rules 4, 6, 8, 11, 12, 13, 14, 15, 16, or 17 of these Rules shall apply in respect of such Pupil Surveyors.

## SCHEDULE

## FORM A

## APPRENTICESHIP AGREEMENT

THIS AGREEMENT made the \_\_\_\_\_ day of \_\_\_\_\_  
One thousand nine hundred and \_\_\_\_\_ Between  
aged \_\_\_\_\_ years, of \_\_\_\_\_ in the Colony of Trinidad  
and Tobago (hereinafter called "the Apprentice") of the One Part and  
Director of Surveys of the said Colony  
(hereinafter called "The Director of Surveys" which expression shall include  
his successors in office and any person appointed to carry out the duties of  
the said office) of the Other Part :

Witnesseth as follows :—

That the Director of Surveys and the Apprentice hereby mutually covenant and agree to the terms, conditions and stipulations hereinafter contained as follows :—

1. That the Apprentice of his own free will binds himself apprentice or pupil to the Director of Surveys for the term of Four Years from the date hereof subject to exemption from service of the last year as provided by Rule 4 of the Land Surveyors Rules, 1952, hereinafter referred to as the said Rules.

2. During such term the Apprentice will faithfully serve the Director of Surveys and obey his lawful commands and those of such member or members of the Government Survey Staff appointed by him to instruct Pupil Surveyors in the profession of a Land Surveyor, the ordinary office and field duties, and the drawing and taking of astronomical observations, and shall accompany such member or members as aforesaid, from time to time in actual field work and render any practical assistance when required so to do.

3. The Apprentice will not during the said term do any damage to any instruments, books, plans, or other property of the Government which may be entrusted to him or suffer any damage or wrongful dealing with the same and will when required give to the Director of Surveys a true account of all the property which may be entrusted to his care.

4. The Director of Surveys will during the said term of apprenticeship use all proper means to teach the Apprentice or cause him to be taught the theory and practice of surveying except as provided in rule 8 of the said Rules.

5. The Apprentice shall during the said term of his apprenticeship punctually attend at such times and places as the Director of Surveys may direct for the purpose of such instruction and shall not engage in any other business or occupation without the consent in writing of the Director of Surveys.

