

THE SURVEY OF LANDS ACT, 1972

Act No. 44 of 1972

I assent,

27th December, 1972.

A. R. M. OSMAN,
Acting Governor-General.

ARRANGEMENT OF SECTIONS

Section

1. Short title.
2. Interpretation.
3. Entry on land.
4. Compensation.
5. Protection of surveyors and other persons entering on land.
6. Regulations.

An Act to authorise the survey of lands which may be required for public purposes

[30th December, 1972].

ENACTED by the Parliament of Mauritius, as follows—

1. This Act may be cited as the Survey of Lands Act, 1972. *Short title.*

2. In this Act—

“Minister” means the Minister to whom responsibility for the subject of Lands is assigned ; *Interpretation.*

“surveyor” means—

- (a) the Chief Surveyor ; or
- (b) any Government surveyor deputed by the Chief Surveyor ; or
- (c) a Sworn Land Surveyor designated by the Minister.

3.—(1) Notwithstanding anything contained in any other law in force but subject to subsection (2), where the Minister is satisfied that any land may be required for a public purpose, he may, by order specifying the public purpose, authorise a surveyor to survey the land for the purpose of determining the suitability or otherwise of the land for the public purpose specified in the order. *Entry on land.*

The Survey of Lands Act, 1972

(2) A surveyor who is authorised to survey any land pursuant to subsection (1) may, on giving adequate notice to the owner or occupier thereof, enter upon the land between the hours of 7 a.m. and 6 p.m. for the purpose of the survey.

(3) A surveyor entering upon any land pursuant to subsection (2) may be accompanied by any person he reasonably requires for the purpose of the survey.

(4) Where it is not practicable after reasonable inquiry to ascertain the name and address of the person on whom a notice under subsection (2) is to be served, the notice may be posted up in a conspicuous place on or near the land.

Compensation.

4. The owner or occupier of any land entered upon pursuant to section 3 shall not be entitled to any compensation except in respect of damage to improvements existing on the land at the time of the entry thereupon.

Protection of surveyors and other persons entering on land.

5.—(1) No liability, civil or criminal, shall attach to a surveyor or any person accompanying him in respect of any act which the surveyor or that person may have done or omitted to do in good faith for the purpose of a survey under section 3(1).

(2) The provisions of subsection (1) shall be in addition to and not in derogation from the provisions of the Public Officers Protection Ordinance, 1957, and for the purposes of that Ordinance every surveyor who enters upon any land pursuant to section 3(2), or any person accompanying him, shall be deemed to be a public officer or a person engaged or employed in the performance of a public duty.

Regulations.

6. The Minister may make such regulations as he deems necessary for carrying this Act into effect.