

(2) If the name of any person who is not a member of the Association appears as part of any letterhead, professional card or other printed matter published or authorised by a member of the Association then, for the purposes of this bye-law, such member and such person shall be deemed to be practising in partnership.

**48.** No member shall advertise or attempt to procure business in any manner which, in the opinion of the Council, is objectionable, after having been notified of that opinion of the Council. Advertisement.

**49.** Any provision of these Bye-laws may with the approval of the Minister be amended on a vote by secret ballot, by a three-fourths' majority of the members of the Association present at a general meeting after due notice of the meeting has been given specifying the proposed amendments. Alteration of the Bye-laws.

## LAND SURVEYORS REGULATIONS

S.I. 97/1975

### (SECTION 34)

*[Commencement 1st December, 1975]*

**1.** These Regulations may be cited as the Land Surveyors Regulations. Citation.

**2.** In these Regulations, unless the context otherwise requires — Interpretation.

“Act” means the Land Surveyors Act; Ch. 251.

“plan” includes all plans resulting from any survey;

“rural survey” means a survey, not being a town survey, which is of an area larger than two acres;

“town survey” means a survey of a land division for residential, commercial or industrial purposes.

**3.** A surveyor making any survey shall ensure that his instruments and equipment are in a proper state of adjustment and in the course of making any survey shall conform to good professional survey practice. Instruments to be in a proper state of adjustment.

Surveyor to  
comply with  
request of  
Surveyor-  
General.

4. On receipt of a request in writing from the Surveyor-General to amend or to supply any further information concerning a survey, plan or diagram, the surveyor concerned shall comply with the request within the period agreed between the Surveyor-General and the surveyor.

Information to be  
obtained by  
surveyor.

5. (1) Before making a survey or a survey for public purposes the surveyor shall —

- (a) obtain all information in respect of the subject land and adjoining lands available in the office of the Registrar-General and in the Department of Lands and Surveys;
- (b) give notice to all owners or occupiers of the subject land in accordance with the provisions of section 26(2) or section 29 of the Act, as the case may be;
- (c) give reasonable notice to all owners or occupiers of adjoining lands in order to afford such owners or occupiers thereof an opportunity of being present when the survey marks common to the land being surveyed and to such adjoining lands are being pointed out:

Provided that —

- (a) in the case of land situate in an Out Island such notice may be forwarded to the Commissioner thereof to be posted on the public notice board at his office;
- (b) where the adjoining land is owned or occupied by the Crown or the Government of The Bahamas such notice may be served on the Surveyor-General.

(2) For the purpose of paragraph (1) of this regulation all records in the offices of the Registrar-General and the Department of Lands and Surveys shall be open to inspection by a surveyor free of charge during normal office hours, and such inspection shall be made under the supervision of the officer having charge of those records.

(3) The information so obtained shall be used only for the purpose of effecting surveys under the Act and no surveyor shall make use of any such information so as to infringe the copyright of the Crown or of any other person.

6. (1) It shall be the duty of every surveyor making a survey to give due regard to the public interest in all his operations, to search for and, when found, to connect to old marks necessary to prove the accuracy of the survey and to supply to the Registrar-General all information obtained by him relating to the survey that will aid in securing accuracy and completeness in the title to the land.

Duty of  
surveyor.

(2) It shall be the duty of every surveyor to report to the Surveyor-General all cases of disturbance to trigonometrical stations or standard reference marks coming to his notice.

(3) Every surveyor shall carry out surveys with such equipment and by such methods as will readily obtain the standards of accuracy prescribed by these Regulations.

(4) It shall be the duty of a surveyor to calibrate and to operate personally or to supervise personally the calibration and operation of any camera used for terrestrial photography and to provide the Surveyor-General with an up-to-date calibration certificate of the aerial camera from a person qualified to test and calibrate the camera.

(5) A surveyor shall be personally responsible for the quality of all photographs accepted for any mapping purpose and for the quality of all maps or plans resulting therefrom.

7. All surveys made under the Act shall be based for bearing and co-ordinate position on the Universal Transverse Mercator Projection to conform with the trigonometrical and traverse control points laid down by the Directorate of Overseas Surveys and the Surveyor-General, and final co-ordinates shall be given in metres or in both metres and feet:

Survey and  
Projection  
System.

Provided that in any area where the trigonometrical or control points exceed one thousand feet from the area being surveyed, it shall be the duty of the Surveyor-General to supply the co-ordinate position.

8. (1) Field notes of a survey shall be a record of all observations and measurements made by the surveyor and of the marks placed and found in the ground by him:

Field notes.

Provided that in the case of a town survey a work diagram may be submitted giving all the details of the survey.

(2) Field notes shall be neatly and clearly recorded in a book or on loose leaves or approved standard. Erasures must be avoided. Any erroneous entry shall be neatly crossed out and the correct entry rewritten near by.

(3) Field notes shall be indexed and referenced in such a way as to identify clearly the land surveyed.

(4) The surveyor shall ensure that all distances shown in the field notes are in terms of the official standard of length.

(5) Field notes or facsimile copies thereof shall accompany any plan when lodged for examination with the Registrar-General or the Surveyor-General.

Bearings.

**9.** Bearing shall be measured with a theodolite or transit in good adjustment, in degrees, minutes and seconds of arc in sexagesimal measurement and shall be given on the plan as whole circle bearings commencing at 0°, the north point of the appropriate central meridian, and thence in a clockwise direction. For computation and plan the bearings shall be rounded off to the nearest 10", 30" or 1', depending on the length of the line.

Origin of co-ordinates and bearings.

**10.** (1) Origins of co-ordinates and bearings shall normally be taken from reliable marks of the triangulation or standard traverse control system or of previously approved surveys. The reliability of two marks for this purpose shall be proved by agreement with a third mark.

(2) Where other means are impracticable a bearing origin may be obtained by three or more separate and independent stellar or solar observations.

(3) In the case of sets of extra meridian stellar observations at least one star in the east together with one star in the west, and for solar observations, where necessary, observations in the morning and in the afternoon, shall be used.

Check bearings.

**11.** Check bearings shall be observed at intervals of not more than twenty stations in a traverse, including for this purpose stations used to extend a line to form one continuous traverse leg and shall be checked by solar or stellar observations to the standards set in regulation 10.

**12.** (1) The limit of bearing misclosure shall be  $30\sqrt{n}$  seconds where “n” is the number of traverse stations. Angular and linear errors.

(2) The limit of traverse misclosure after adjustment of bearings shall be —

- (a) for town surveys, 2 inches (0.05 metres) plus 1 part in 8000;
- (b) for rural surveys, 5 inches (0.15 metres) plus 1 part in 5000:

Provided that the lengths of traverse between reference marks do not produce an allowable error of more than 1.8 ft ( $\frac{1}{2}$  metre).

**13.** (1) All traverses shall be computed and co-ordinated on the Universal Transverse Mercator Grid for the Commonwealth in the official standard of length as described in regulation 7, using the grid bearings and the appropriate grid distances. Traverse computations and closures.

(2) Separate co-ordinate lists in metres or metres and their equivalent in feet shall be given for each station using the official conversion factor. Town surveys shall be computed to one hundredth of a foot or five millimetres and rural surveys to one tenth of a foot or five centimetres.

(3) The latitude and departure of each traverse line shall be adjusted by a proportionate correction to eliminate the misclosure or by any other more accurate method.

**14.** (1) Where possible the boundary lines shall be directly measured by traverse with measuring tape, steel band or instruments in good adjustment and shall be marked at every angle by a steel rod or iron pipe at least  $\frac{1}{2}$  inch in diameter or by any other approved type of permanent mark driven and set firmly into the ground and surrounded by concrete. Boundaries and marks.

(2) On long boundary lines, boundary marks shall be placed at intervals not exceeding five hundred to eight hundred feet or one hundred and fifty metres to two hundred and forty metres and so as to be intervisible.

**15.** (1) Where a survey is situated more than one thousand feet from a Government Standard traverse control mark or triangulation station additional reference marks shall be planted by the Surveyor-General. Reference marks.

(2) Such marks shall be sited in positions least likely to be disturbed, and shall be connected to the survey by a closed traverse.

(3) The number of reference marks required shall be determined by the requirement that no boundary pillar shall be more than one thousand feet from a reference mark measured through the traverse.

Curved  
boundaries.

**16.** Boundaries formed by curves shall have survey marks placed on the curves in such manner that the offset of any curve from the middle of the chord between adjacent survey marks shall not exceed two feet or sixty centimetres:

Provided that the tangent points and at least one other position on the curve shall be marked.

Natural  
boundaries.

**17.** (1) Wherever possible, natural boundaries are to be fixed by offsets to nearby traverse lines, but where this is impracticable, the boundary may be fixed by tachymeter or compass surveys, provided that they are firmly tied as frequently as is desirable and possible to the main traverse.

(2) When the scale permits, natural boundaries may, with the prior approval of the Surveyor-General, be taken from official maps or plans plotted from photography:

Provided that the approval of the Surveyor-General shall not be deemed to imply that any boundary so determined is the high water mark at ordinary spring tides:

Provided further that the surveyor at all times is satisfied that the feature has not altered and is shown as it was at the relevant date of his survey.

Hanging  
traverses.

**18.** Unclosed hanging traverses shall not be accepted unless it is impossible to obtain a closed circuit, in which case the line or lines shall be determined by two independent measurements of angles and distances.

Traverse sheets.

**19.** (1) The computations referred to in regulation 13 shall be tabulated on forms approved by the Surveyor-General and shall show station numbers, bearings, true and grid distances and adjusted UTM co-ordinates and shall accompany the plan when lodged with the Registrar General or the Surveyor-General:

Provided that for two surveys the Surveyor-General may accept a print from a computer or calculator which gives the information required by regulation 13 and this regulation if such print is permanent and is accompanied by the full details of the computer programme and the perimeter and adjustment used.

(2) Other computations which shall accompany the plan on forms approved by the Surveyor-General shall include those for any connecting triangles, intersections, resections or astronomical azimuths (where these form part of the survey).

(3) Areas shall be calculated mathematically and the calculations in respect thereof shall be submitted with the plans.

**20.** (1) All plans shall be neatly drawn on stable transparent plastic material of good quality approved by the Surveyor-General. Tracing paper or cloth may not be used.

Plan forms.

(2) Every plan shall be lodged with the Surveyor-General and the Surveyor-General shall issue a receipt on receiving the same; and such plans shall be accompanied by a working copy being a dyeline print or other more permanent print.

(3) The sizes of plans shall be in the C series paper sizes of the International Organization for Standardization, that is to say —

- (a) C1  $23 \frac{3}{8} \times 33 \frac{1}{16}$  inches or 594 x 841 millimetres;
- (b) C2  $16 \frac{1}{2} \times 23 \frac{3}{8}$  inches or 420 x 594 millimetres;
- (c) C3  $11 \frac{3}{4} \times 16 \frac{1}{2}$  inches or 297 x 420 millimetres;
- (d) C4  $8 \frac{1}{4} \times 11 \frac{3}{4}$  inches or 210 x 297 millimetres;
- (e) C5  $8 \frac{1}{2} \times 13$  inches or 216 x 330 millimetres.

(4) The scale to be used shall be such as will clearly illustrate details of the work, and where necessary intricate detail shall be shown by illustrative diagrams. Scales smaller than 1/10,000 of an inch may not be used.

(5) Plans shall be drawn by plotting by co-ordinates from grid lines or intersections drawn permanently on the plan at suitable intervals. The grid lines shall be drawn as near parallel as practicable to the edges of the plan with the north point pointing to the top.

(6) All scales shall be drawn not less than 6 inches in length unless the size of the plan dictates otherwise.

(7) The north point shall be grid north and shall be indicated by a simple arrow or half arrow.

Marks and  
colours.

**21.** (1) The original transparency shall be drawn in good quality India ink or plastic ink approved by the Surveyor-General.

(2) The working print shall be coloured as follows —

|                                                                           |                      |
|---------------------------------------------------------------------------|----------------------|
| Roads previously demarcated<br>by title survey .....                      | Burnt Sienna         |
| Land to be acquired for a<br>public road or other public<br>purpose ..... | Raw Sienna           |
| Reserves and Swamps .....                                                 | Green wash           |
| Easements and rights of way .....                                         | Yellow               |
| Lots for which a separate title<br>is to be used .....                    | Pink                 |
| Coast line (mean high water<br>mark) .....                                | Blue wash as a band: |

Provided that with the approval of the Surveyor-General coloured borders may be used on a working print instead of coloured washes:

Provided further that the colours specified above may at any time be varied with the approval of the Surveyor-General.

Symbol for  
survey marks.

**22.** Survey marks and stations shall be shown on the plan as follows —

|                                                                                     |                           |                              |
|-------------------------------------------------------------------------------------|---------------------------|------------------------------|
|  | Minor)                    |                              |
|  | Major)                    | Trig-Station — Triangle      |
|  | Standard reference —      | Triangle around small-circle |
|  | Other reference — Double) | Where there are              |
|                                                                                     | circle mark               | ) old marks found,           |
|                                                                                     |                           | ) the fact shall be          |
|  | Traverse mark — Single    | ) stated on the plan         |
|                                                                                     | circle                    | ) and reference              |
|  | Boundary pillar — Solid   | ) given to original          |
|                                                                                     | circle                    | ) plan.                      |



**23.** (1) Every traverse line or straight boundary shall have the grid bearing and true distance neatly printed along it, and where the line is not measured but has been adopted from a previous survey the fact shall be stated as in the following example —

Lines on plans.

$$\frac{264^{\circ}17' 30'' \text{ Adopted}}{598.3 \text{ Adopted}}$$

(2) Where the distance or bearing has been calculated the calculated measurement should be shown accompanied by the word “computed” as in the following example —

$$\frac{(18^{\circ}20' 30'') \text{ (Computed)}}{602.3}$$

(3) When boundary lines are adopted from previous surveys it shall not be necessary to show the traverse details (if any) on which those lines depend but a reference shall be given to the plan from which the adoption has been made. Lines may be adopted only from plans lodged in the Department of Lands and Surveys and approved by the Surveyor-General.

**24.** The area of each parcel of land being dealt with on the plan shall be as follows —

Areas.

- (a) under 1 acre in square feet, to the nearest square foot or rounded off to the nearest 10 feet depending on the accuracy of the measurement that determined the area;
- (b) 1 acre to 5 acres, to 3 decimal places of an acre;
- (c) 5 acres to 100 acres, to 2 decimal places of an acre;
- (d) 100 acres to 500 acres, to 1 decimal place of an acre; and
- (e) over 500 acres to the nearest acre:

Provided that where the quality and nature of the survey require greater accuracy, the area shown may reflect the increased accuracy of its determination.

**25.** The title of a plan shall normally be placed in the lower portion of the sheet and shall contain the following —

Plan title.

- (a) the correct reference of the land surveyed;
- (b) the reference to any certificate of title or Crown grant being affected;

- (c) the name of the person for whom the survey is made;
- (d) the name of the survey firm and/or the surveyor and his registration number;
- (e) the drawn scale of the plan and grid north; and
- (f) the certificate by the surveyor in the form set out in the First Schedule.

First Schedule.

Other plan  
details.

**26.** The other details required to be shown on a plan are as follows —

- (a) the lot numbers and title references (if any) to all land parcels abutting on the area comprised in the survey as well as the names of the adjoining owners or occupiers where these are known or can be ascertained;
- (b) the number assigned to each separate new parcel or lot created by the survey for which a title is to issue.

These numbers shall be shown in a style not to be confused with lot numbers of abutting land;

- (c) the accurate position and extent of all buildings, fences, walls, or other features on, or adjacent to or within 50 feet (15 metres) of any boundary, and where it is possible, evidence of an old title or claim and the age of the feature should be ascertained and shown on the plan;
- (d) reference to any previously approved plans that affect the survey, shown in their correct relation to the land affected, as well as in tabular form in the corner of the plan;
- (e) the correct name and number of the block, the name of the locality or district, the name and number of the section and the islands;
- (f) the name of the person for whom the survey was made and the dates during which the survey was executed.

Verification of  
boundaries.

**27.** (1) Where an old boundary cannot be re-established owing to the absence of a plan and a survey previously approved under these Regulations, or a physical demarcation of sufficient age and permanency cannot be found, the surveyor shall obtain the consent of the adjoining owners in the form set out in the Second Schedule.

Second Schedule.

(2) If the ownership of any land cannot be ascertained or if the owners of any land are permanently absent from The Bahamas, the surveyor may mark the boundary if he has sufficient evidence or can obtain reliable information from persons with local knowledge.

(3) In all cases where old boundaries are re-established by a survey made under these Regulations the surveyor shall make a full report to the Surveyor-General concerning the evidence used to locate the boundary and forward a copy thereof to the Registrar-General.

**28.** (1) A plan received by the Surveyor-General from a surveyor for examination shall be held on behalf of the surveyor and be deemed to remain constructively in that surveyor's possession until the completion of examination.

Plans the property of the Government.

(2) The surveyor may notify the Surveyor-General that the examination of the plan is not to be completed without the surveyor's consent.

(3) Upon completion of the examination and recording of the plan, the plan and the working print shall become the property of the Government of The Bahamas and the working print shall be a public document in the officer of the Surveyor-General.

**29.** The fees payable to the Board in accordance with the provisions of the Act shall be the fees prescribed in the Third Schedule.

Fees.

Third Schedule.

**30.** A licence issued by the Board under section 12 of the Act and a renewal licence so issued under section 13 of the Act shall be in accordance with the form in the Fourth Schedule.

Form of licence.

Fourth Schedule.

**31.** The fees payable for the examination and checking of plans by the Surveyor-General shall be the fees presented in the Fifth Schedule.

Survey fees

Fifth Schedule.

**32.** The Register of Land Surveyors shall be in the form set forth in the Sixth Schedule.

Form of Register of Land Surveyors.  
Sixth Schedule.

**33.** A complaint that a person registered under the Act has been guilty of improper conduct may be made to the Board by any person on the form set forth in the Seventh Schedule and shall be accompanied by the affidavit set forth in the said Schedule.

Form of complaint.

Seventh Schedule.

Authenticated  
plans to be  
sufficient  
reference for  
legal description  
of land.

**34.** Where the provisions of any law require that a notice shall be published in the *Gazette* or otherwise, specifying the —

- (a) boundaries of any land or area;
- (b) situation and extent of any land or area; or
- (c) particulars necessary to identify any land or area,

it shall be sufficient if such land or area is described by reference in such notice to a plan of such land or area, authenticated, identified and deposited and recorded in the Office of the Surveyor-General in accordance with the provisions of these Regulations and such description shall state the name of the surveyor and the survey firm (if any) and the date of recording of the plan and the record number thereof.

Plans deemed to  
be authenticated.

**35.** A plan shall be deemed to be authenticated and the land identified for the purposes of these Regulations if the plan —

- (a) is authenticated —
  - (i) by the signature of the Surveyor-General in that behalf; and
  - (ii) by the signature of the person by whom the notice is given; and
- (b) is identified by a reference number given by the Office of the Surveyor-General and a date.

#### **FIRST SCHEDULE (Regulation 25)**

I, ..... of .....  
a surveyor registered and licensed in The Bahamas, hereby certify that this plan has been made from surveys executed by me, or under my personal supervision, that both the plan and the surveys are correct, and have been made in accordance with the Land Surveyors Act, and the Land Surveyors Regulations, made thereunder.

.....  
SURVEYOR

**SECOND SCHEDULE (Regulation 27)**

I (We) .....  
 who claim to be the owner(s) of the land shown on the attached  
 diagram hereby agree that the marks placed by .....  
 the Surveyor on ..... (date)  
 correctly define the boundary between my (our) property and the  
 land being surveyed for

Dated at ..... this ..... day of. .... 19 .....

.....  
 Landowner

.....  
 SURVEYOR

.....  
 Landowner

**THIRD SCHEDULE (Regulation 29)****FEES**

For registration under section 11 of the Act..... \$25.00

For a licence issued under section 12 of the Act..... \$10.00

For the renewal of a licence under section 13(2) of the Act..... \$ 5.00

For a copy of a licence lost, destroyed or mutilated..... \$ 5.00

**FOURTH SCHEDULE (Regulation 30)****FORM OF LICENCE**

THE COMMONWEALTH OF THE BAHAMAS

THE LAND SURVEYORS ACT

THE LAND SURVEYORS REGULATIONS

LICENCE TO PRACTICE

This is to certify that .....  
 who was registered in the Register of Land Surveyors on  
 the .....  
 Registration No ..... is hereby authorised to engage in the  
 practice of land surveying for the period ending .....  
 ..... 19 .....

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Given by the Board

this ..... day of ..... 19 .....

.....  
CHAIRMAN

.....  
SECRETARY

### **FIFTH SCHEDULE (Regulation 31)**

#### **SCHEDULE OF CHARGES FOR EXAMINATION AND CHECKING OF PLANS BY SURVEYOR-GENERAL**

| SUBDIVISIONS                                                                                                             | FEE                  |
|--------------------------------------------------------------------------------------------------------------------------|----------------------|
| LOTS                                                                                                                     |                      |
| Up to 10 lots                                                                                                            | \$20.00              |
| For every additional lot from 11 to 25 lots                                                                              | \$ 2.00 per lot.     |
| For every additional lot from 26 to 50 lots                                                                              | \$ 1.00 per lot.     |
| For every additional lot from 51 to 100 lots                                                                             | \$ 0.50 per lot.     |
| For every additional lot exceeding 100 lots                                                                              | \$ 0.25 per lot.     |
| <br>SURVEY PLANS                                                                                                         |                      |
| Simple plot not exceeding 20 stations                                                                                    | \$20.00.             |
| Traverse Enclosure of 21 stations but not<br>xceeding 40 stations                                                        | \$ 1.00 per station. |
| Traverse Enclosure for every additional station<br>from 41 to 100 stations                                               | \$ 0.50 per station. |
| Traverse Enclosure for every additional station<br>exceeding 100 stations                                                | \$ 0.25 per station. |
| For every Requisition Sheet served on a<br>surveyor the need for which causes the<br>suspension of the checking of plans | \$ 5.00              |

**SIXTH SCHEDULE (Regulation 32)****Register of Land Surveyors****(Land Surveyors Act (Sections 10(1))**

| Surveyor | Date of Registration and Number | Business Address               |           |              |  | Home Address                  |           |              | Relevant Professional Qualifications | Effect of an order filed with the Secretary under section 19 of the Act |
|----------|---------------------------------|--------------------------------|-----------|--------------|--|-------------------------------|-----------|--------------|--------------------------------------|-------------------------------------------------------------------------|
|          |                                 | Lot, Street, Locality, Island. | Phone No. | P.O. Box No. |  | Lot, Street, Locality, Island | Phone No. | P.O. Box No. |                                      |                                                                         |
|          |                                 |                                |           |              |  |                               |           |              |                                      |                                                                         |

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**SEVENTH SCHEDULE (Regulation 33)**
**COMPLAINT OF IMPROPER CONDUCT BY SURVEYOR  
UNDER SECTION 16 OF THE LAND SURVEYORS ACT**

Given full name of  
surveyor.

I, the undersigned, do hereunder state a complaint against  
Surveyor .....  
The incident of misconduct occurred at .....  
on the..... in respect of  
land owned by .....  
in the Island of ..... said to be in  
possession of ..... and the details of the misconduct  
are set out below.

Give details of  
the complaint;  
continue overleaf  
if necessary.

.....  
.....  
.....  
.....

**Attestation:**

I, ..... do  
solemnly and sincerely declare that the foregoing particulars stated  
in this complaint are true, and I make this solemn declaration  
conscientiously believing the same to be true.

(Signature of Applicant) . .....  
Made and subscribed this . ..... day of .....  
19 ..... before me .....

.....  
(Justice of the Peace or other official)

Address: .....

.....  
Complainant