

SURVEY CO-ORDINATION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Duty to furnish information and power to require works in connection with certain surveys.
2. Offences.
3. Compensation.
4. Short title.

An Act to provide for the furnishing to the Director of Federal Surveys of information relating to survey work; to provide for the carrying out of certain additional operations, by persons doing the work; and for purposes connected with the matters aforesaid.

[1962 No. 28.]

[13th September, 1962]

L Commencement.J

1. Duty to furnish information and power to require works in connection with certain surveys

(1) No survey work within the meaning of this Act shall be carried out unless the person responsible for carrying out the work has given to the Director of Federal Surveys (in this Act referred to as "the Director"), not less than three months then next preceding the day on which the work commences, or such shorter period as the Director may allow, notice of the work in accordance with the provisions of this section.

[1968 No. 42.]

(2) A notice under the foregoing subsection shall state-

(a) the name and address of the person giving the notice and, if he is carrying out the survey work in question in pursuance of a contract or arrangement with any other person, the name and address of that other person;

(b) particulars of the work and the purposes of the work, and of the area to which the work relates; and

(c) the dates on which it is proposed to begin and end the work, and shall contain a sketch map illustrating the work.

(3) The Director shall, on receiving a notice in pursuance of this section, forthwith give notice of its receipt to the person who gave it and may, at any time before the expiration of the period of one month beginning with the date on which the first-mentioned notice was given, give a counter-notice to that person requiring him to do all or any of the following things, that is to say-

(a) to erect in connection with the survey work in question survey marks of such description and at such reasonable points or within such reasonable limits as may be specified in the counter-notice;

(b) to process all aerial films in connection with the survey work in question in Nigeria, and submit them for examination before prints are made from them or before they are used for any purposes whatsoever;

(c) within the period of one month beginning with the date of the completion of the work or of the production of the thing or information in question, whichever last occurs, to furnish the Director with-

(i) two copies of every map and plan produced by or on behalf of that person in consequence of the work, showing the date on which they were made and indicating all connections with any such survey marks as are mentioned in sub-paragraph (iii) of this paragraph;

(ii) the original or a copy of the negatives of all aerial photographs produced in connection with the work; and

(iii) the original or a copy of all field observations, notes and computations made for the purposes of the work and particulars of all permanent survey marks erected (otherwise than in pursuance of paragraph (a) of this subsection) in the course or in consequence of the work;

(d) in a case where there is a survey mark, or two or more survey marks, under the control of the Government of the Federation or a State and situated within a distance of less than 16.09 kilometres from any point at which the work is carried out, to secure that the work is connected to the mark or, as the case may be, to such one of the marks as that person may select.

(4) It shall be the duty of the Director to give one copy of each map and plan which relates to a State and is furnished to him in pursuance of paragraph (c) of subsection (3) of this section to the Surveyor-General of the State.

(5) The following survey marks, that is to say-

(a) all marks erected in pursuance of paragraph (a) of subsection (3) of this section; and

(b) any of the marks of which particulars are furnished in pursuance of sub-paragraph (iii) of paragraph (c) of subsection (3) of this section as to which the Director gives to the person mentioned in that subsection, within the period of one month beginning with the date of the giving of the particulars, notice that the marks are to vest in the Minister,

shall, by virtue of this section and without further assurance, vest in the Minister absolutely; and any matter furnished to the Director in pursuance of paragraph (c) of that subsection shall be the property of the Minister and may be used by the Director for the purposes of his office in such manner as he thinks fit.

(6) Without prejudice to any other means of service, a document authorised or required to be served under this section may be served by post, but shall not be treated as duly served by post unless it is sent in a registered letter.

(7) In this Act, "**survey work**" means the carrying out or ascertaining, with a view to determining the shape or size of any part of the surface of any land (including any natural feature of the land), of all or any of the following, that is to say-

(a) traverses observed by angular and linear measurements;

(b) lines of levels observed by optical or hydrostatic methods;

(c) linear measurements by means of radio transmission, radar, any electronic or electromagnetic means;

(d) topographical or hydrographic surveys, triangulation and trilateration;

(e) terrestrial photography specially made for survey purposes by means of a camera-theodolite, stereo camera or similar instrument;

(f) aerial photography for survey purposes;

(g) heighting of points by aneroid barometer, altimeter, hypsometer, airborne profile recorder or any airborne auxiliary equipment;

(h) astronomical observations for the determination of azimuth, latitude or longitude,

but does not include any activity mentioned in the foregoing paragraphs which is undertaken-

(i) by or on the instructions of the Nigerian Army, the Nigerian Navy, the Nigerian Air Force or the survey department of the Federation or of a State;

(ii) in any part of Nigeria specified for the purposes of this paragraph by regulations made by the Minister; or

(iii) solely for the purpose of determining boundaries of any property.

2. Offences

(1) A person (other than the Director) who fails to comply with any requirement made by or in pursuance of the foregoing section shall be guilty of an offence and liable-

(a) on summary conviction, to a fine of an amount not exceeding ₦400;

(b) on conviction on indictment, to a fine of an amount not exceeding ₦1 000.

(2) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he, as well as the body corporate, shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Compensation

(1) Any person whose property is transferred to the Minister by section 1 of this Act, or who incurs expense or suffers loss by reason of the provisions of subsection (3) or (5) of that section, shall-

(a) be paid adequate compensation by the Minister in respect of the property, expense or loss; and

(b) be entitled to refer any question as to his interest in any relevant property and as to the amount of any compensation payable in pursuance of this section for determination by the High Court having jurisdiction in the area in which the property is situated or, in so far as the value of any property is not involved in relation to any compensation, by the High Court having jurisdiction in the area in which any part of the relevant survey work was carried out.

(2) Any expenses incurred by the Minister by virtue of the foregoing subsection shall be defrayed out of moneys provided by the National Assembly.

4. Short title

This Act may be cited as the Survey Co-ordination Act.

SUBSIDIARY LEGISLATION

No Subsidiary Legislation