

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 21

CADASTRAL SURVEY ACT

[9th December, 1958]

Act 10 of 1958
Act 3 of 1959
S.I 95 of 1975
S.I. 72 of 1976
Act 23 of 1976

ARRANGEMENT OF SECTIONS

1. Short title.
2. Cadastral survey to be made.
3. Persons to be appointed by the President to carry out cadastral survey.
4. Power of cadastral surveyors and of persons acting under their orders.
5. Cadastral surveyors and persons acting under their orders to do as little damage as possible.
6. Compensation for trees or crops cut down or damaged.
7. Offences.
8. Power to make regulations.

1. This Act may be cited as the Cadastral Survey Act.
2. A cadastral survey shall be made of the island of Mahé and of such other islands as may be approved by the Minister.
3. Such survey shall be made by such persons (hereinafter referred to as cadastral surveyors), as may from time to time be appointed for the purpose by the President. Any person so appointed by the President shall have all the rights and privileges of a land surveyor licensed under the Land Survey Act.
4. Cadastral surveyors and all persons under their orders may exercise any of the following powers:-

- (a) enter any building at a time suitable to the occupier of such building for the purpose of obtaining any measurements necessary to a proper and satisfactory performance of their duties;
- (b) enter and operate upon any private land;
- (c) plant, erect or set up on such land trigonometrical stations, masts, flags, bench marks, beacons, monuments, traverse points and land marks necessary for the purpose of the cadastral survey, and for so doing may make use of explosives;
- (d) examine all boundary lines;
- (e) cut down any trees, branches of trees, vegetation or brushwood whenever necessary in connection with their operations.

5. Cadastral surveyors and all persons acting under their orders shall at all times do as little damage as possible in the exercise of the several powers granted to them by this Act.

6.(1) Compensation for any trees or crops cut down or damaged as a result of the operations of the cadastral surveyors or of persons acting under their orders shall be payable by the Government to the person entitled thereto. Such compensation shall be determined by agreement of the parties.

(2) If the parties fail to agree on any point arising from the claim to compensation such matter shall be referred for arbitration by two persons, one to be appointed by the Government and one to be appointed by the party or parties claiming compensation.

(3) In the event of such arbitrators being unable to agree, then the matter shall be referred for determination by a Judge in Chambers, whose decision shall be final.

7. Any person who wilfully -

- (a) obstructs or interferes with a cadastral surveyor or any person acting under his orders in the performance of any duty or work under this Act;
- (b) removes, disturbs, defaces or injures a trigonometrical station, bench mark, beacon, monument, traverse point or land mark which has been planted, erected or set up by a cadastral surveyor or any person acting under his orders,

shall be guilty of a misdemeanour and shall on conviction be liable to imprisonment for a term not exceeding two years or to a fine not exceeding R.1,000 or to both such imprisonment and fine.

8.(1) The Minister may make regulations for the better carrying out of the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), such regulations may –

- (a) define or extend the powers of the cadastral surveyors and of persons acting under their orders;
- (b) create offences for breaches of such regulations and provide that such offences be punishable by fine or imprisonment, any fine and any term of imprisonment prescribed not to exceed R.1,000 and 2 years respectively.

NO SUBSIDIARY LEGISLATION
