

## CHAPTER 207

### THE VALUATION SURVEYORS ACT

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## CHAPTER 207

### VALUATION SURVEYORS

34 of 1976  
13 of 1994

An Act to provide for the registration of valuation surveyors; and to provide for matters connected with or incidental thereto.

[1st August, 1979]

1. This Act may be cited as the Valuation Surveyors Act. Short title
2. In this Act, unless the context otherwise requires- Interpretation

"Board" means the Valuation Surveyors Registration Board established under section *four*;

"Chairman" means the chairman of the Board and includes any member elected to act as chairman under section *seven*;

"land" includes land of any tenure, and tenements and hereditaments, corporeal or incorporeal, and houses and other buildings, also an undivided share in land, but does not include any mining right as defined in the Mines and Minerals Act in or in respect of any land; Cap. 213

"member" means a member of the Board;

"registered" means registered under this Act; and "registration" shall be

construed accordingly;

"valuation surveyor" means a person engaged in the business of valuation of land, whether as a private practitioner or as an employee or agent of some other person; and "valuation surveying" shall be construed accordingly.

**3.** (1) Notwithstanding the provisions of any other written law, no person, unless he is registered as a valuation surveyor, shall-

Prohibition of un-registered persons from practising

(a) practise valuation surveying of land or use any name, title or style containing the word "valuer", "valuing", "valuation", "evaluator", "evaluating", "evaluation", "appraiser", "appraising" or "appraisal", or any other word implying his being in the business of valuation surveying;

(b) provide a valuation of land for any fee, commission, reward, or any other consideration, pecuniary or otherwise.

(2) Any person who contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two thousand five hundred penalty units or to imprisonment for a period not exceeding one year, or to both.

*(As amended by Act No. 13 of 1994)*

**4.** (1) There shall be established a Board to be known as the Valuation Surveyors Registration Board, which shall consist of five members to be appointed by the Minister so, however, as to include-

Establishment of Board

(a) a Government valuation surveyor;

(b) a person who is or has been a legal practitioner within the meaning of the Legal Practitioners Act of not less than five years standing in Zambia;

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(c) a registered valuation surveyor or a person eligible for registration nominated by such professional association as the Minister may, after consultation with the Board, recognise to be

- representative of the interests of valuation surveyors in Zambia;
- (d) a registered valuation surveyor or a person eligible for registration representing the interests of local authorities in Zambia; and
  - (e) any other registered valuation surveyor or person eligible for registration.
- (2) The Minister shall designate one of the members as Chairman.
- 5.** (1) Subject to the provisions of section *six*, a person shall hold office as a member for a term of three years and on the expiry thereof shall be eligible for reappointment. Tenure, duties, etc., of members
- (2) A member shall have such duties, receive such remuneration and be subject to such terms and conditions as may be prescribed by regulations.
- 6.** (1) A member may resign his office by giving not less than one month's notice in writing to the Minister. Resignation and removal
- (2) The Minister may remove a member from office on the ground of misbehaviour or inability to discharge the functions of his office by reason of infirmity of body or mind or any other cause.
- 7.** (1) At any meeting of the Board three members shall form a quorum. Meetings and decisions of Board
- (2) All decisions of the Board shall be taken at a meeting by a majority of votes of the members present, and, in the event of an equality of votes, the Chairman shall have a casting vote, in addition to his deliberative vote.
- (3) A meeting of the Board shall be presided over by the Chairman, or, in the absence of the Chairman, by such other member as the members present may elect from among their number to act as chairman for that

meeting.

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| <p><b>8.</b> The Board may, with the approval of the Minister, by statutory instrument, make rules relating to all or any of the following matters:</p> <ul style="list-style-type: none"><li>(a) the management of the Board, the holding of meetings of the Board, the issue of notices calling such meetings and the procedure to be followed at such meetings;</li><li>(b) the appointment and duties of the officers of the Board;</li><li>(c) the professional conduct of valuation surveyors; the mode of inquiry into breaches of the rules of professional conduct and the penalties therefor;</li><li>(d) the conditions of engagement of valuation surveyors in private practice on a piece-work basis and the scale of fees to be charged by them for professional advice tendered and services rendered;</li><li>(e) the procedure to be followed by persons applying for registration;</li><li>(f) the fee for registration and the annual subscription to be paid by a valuation surveyor; and the purposes for which the moneys received as such fees and subscriptions may be spent;</li><li>(g) the suspension of registration and the cancellation of registration of valuation surveyors;</li><li>(h) the maintenance and improvement of the status and qualifications of valuation surveyors.</li></ul> | <p>Rules</p>                                      |
| <p><b>9.</b> The Board shall keep and maintain a register to be known as the "Register of Valuation Surveyors" wherein shall be entered in respect of every person to be registered as a valuation surveyor, his name and address, qualifications, date of registration and such other particulars as may be prescribed by regulations.</p>  | <p>Register of valuation surveyors</p>            |
| <p><b>10.</b> The Board shall, at least once in every calendar year, by <i>Gazette</i> notice, publish a list of full names of all persons then on the register.</p>   | <p>Publication of list of valuation surveyors</p> |
| <p><b>11.</b> A person shall not be registered as a valuation surveyor unless, on the date of his application for registration, he has attained the age of twenty-one years and has-</p> <ul style="list-style-type: none"><li>(a) (i) passed such qualifying examination as the</li></ul>   | <p>Qualifications for registration</p>            |

Minister may, after consultation with the Board, prescribe; and

(ii) completed such period of such practical training in the work of a valuation surveyor as the Minister may, on the recommendation of the Board, consider satisfactory; or

(b) acquired such qualifications and experience as the Minister may, after consultation with the Board, consider to be adequate for efficient practice as a valuation surveyor.

**12.** The Board may suspend the registration of any valuation surveyor or strike out of the register the name of any valuation surveyor who is found, after due inquiry by the Board, to have been guilty of professional misconduct.

Suspension of valuation surveyors

**13.** Any person aggrieved by a decision of the Board may, within twenty-eight days of receiving a copy of such decision, appeal to the High Court, and the High Court may make such order thereon as it thinks fit.

Appeals

**14.** The Minister may, by statutory instrument, make regulations for the better carrying out of the purposes of this Act.

Regulations