



Republic of Namibia
Annotated Statutes

REGULATIONS

REGULATIONS SURVIVING IN TERMS OF

Land Survey Act 33 of 1993

section 46(3)

General Regulations

Government Notice 1814 of 1962
(RSA GG 365)
came into force on 3 December 1962

These General Regulations were originally made in terms of section 8 of the Land Survey Act 9 of 1927, which was repealed by the Land Survey Act 33 of 1993. Pursuant to section 46(3) of the Land Survey Act 33 of 1993, the General Regulations are deemed to have been made under that Act

as amended by

- Government Notice 1395 of 1964** (RSA GG 897)
came into force on date of publication: 11 September 1964
- Government Notice 533 of 1967** (RSA GG 1716)
came into force on date of publication: 21 April 1967
- Government Notice 1033 of 1969** (RSA GG 2439)
came into force on date of publication: 20 June 1969
- Government Notice 1126 of 1969** (RSA GG 2469)
came into force on date of publication: 04 July 1969
- Government Notice 2008 of 1970** (RSA GG 2931)
came into force on date of publication: 20 November 1970
- Government Notice 959 of 1972** (RSA GG 3545)
came into force on date of publication: 09 June 1972
- Government Notice 1804 of 1972** (RSA GG 3677)
came into force on date of publication: 13 October 1972
- Government Notice 1817 of 1979** (RSA GG 6628)
came into force on date of publication: 24 August 1979
- Government Notice 1445 of 1981** (RSA GG 7655)
came into force on date of publication: 10 July 1981
- Government Notice 2562 of 1981** (RSA G 7937)
came into force on date of publication: 27 November 1981
- Government Notice 178 of 1983** (RSA G 8531)
came into force on date of publication: 28 January 1983

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- Government Notice 291 of 1984** (RSA G 9071)
came into force on date of publication: 24 February 1984
- Government Notice 1020 of 1985** (RSA G 9738)
came into force on date of publication: 10 May 1985
- Government Notice 657 of 1986** (RSA G 10185)
came into force on date of publication: 11 April 1986
- Government Notice 247 of 1986** (OG 5302)
came into force on date of publication: 15 December 1986
- Government Notice 1577 of 1987** (RSA G 10834)
came into force on date of publication: 17 July 1987
- Government Notice 1578 of 1987** (RSA G 10834)
came into force on date of publication: 17 July 1987
- Government Notice 2018 of 1987** (RSA G 10907)
came into force on date of publication: 18 September 1987
- Government Notice 34 of 1988** (OG 5503)
came into force on date of publication: 01 March 1988
- Government Notice 829 of 1989** (RSA G 11843)
came into force on date of publication: 28 April 1989
- Government Notice AG 68 of 1989** (OG 5799)
came into force on date of publication: 14 September 1989
- Government Notice AG 24 of 1990** (OG 5914)
came into force on date of publication: 16 March 1990
- Government Notice 50 of 1993** (GG 636)
came into force on date of publication: 06 May 1993
- Government Notice 270 of 1996** (GG 1425)
came into force on date of publication: 16 October 1996
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CHAPTER I

OPERATION OF REGULATIONS

Commencement of Regulations

1. These regulations shall not apply to any survey, the field work of which was commenced before the coming into force of these regulations, or to any diagram framed in accordance with regulations in force at the date of such survey.

Definitions

2. For the purpose of these regulations -

“accurately determined” means determined with a standard of accuracy conforming with that prescribed in subregulation (1) of regulation 11;

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“the Act” means Act No. 9 of 1927;

“administrative district” means an administrative district as defined in the regulations promulgated in terms of the Deeds Registries Act, 1937 (Act No. 47 of 1937);

an “arc” of observations means the mean of two rounds of observations to surrounding stations and beacons, one being taken in a clockwise direction and the other with the telescope transited, in an anti-clockwise direction;

“original diagram” means the diagram of the property being surveyed, resurveyed, or subdivided;

“regular figure” or “figure of regular shape” means a rectangular figure or a right angled triangle;

“the right or left bank of a river” means that bank of the river which is on his right or left side, as the case may be, when the observer is looking downstream; and “the middle of the river” means the line midway between the banks;

“rural land” includes all land not situate in a township or in a settlement;

“side”, when used in relation to a figure on a diagram or general plan, means a straight boundary line represented thereon, or the imaginary line joining any two beacons between which the boundary is curvilinear, and includes the line joining an unbeaconed corner point with the indicatory beacon defining such point.

(j) ‘metre’ means the unit of length as defined in Table 1 of the First Schedule to Government Notice R. 1146 of 5 July 1974 published in terms of section 3 of the Measuring Units and National Measuring Standards Act, 1973 (Act 76 of 1973)

[Definition of “metre” inserted by GN 1804/1972 and substituted by GN 178/1983]

CHAPTER II

TEST OF SURVEYS AND CHARGES AGAINST LAND SURVEYOR

[Heading of Chapter II substituted by GN 657/1986 and GN 1577/1987]

3.

[regulation 3 substituted by GN 2008/1970 and deleted by GN 657/1986]

Surveyor-General may test Surveys

4. The Surveyor-General may at any time check in the field any survey made by a land surveyor under the Act. Should he thereafter have reason to doubt the accuracy, correctness or authenticity of any such surveyor any information supplied in connection with such survey he may after having given notice of his intention to the land surveyor concerned depute a land surveyor who may be an officer in Government employ to test such accuracy, correctness or authenticity and thereafter take such action as he may deem fit.

[regulation 4 substituted by GN 1033/1969]

Charge against a Land Surveyor

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5. Every charge against a land surveyor under section *fourteen* of the Act, shall be submitted in writing to the Director-General. The Director-General may, after inquiry, advise the Minister to apply to court for the suspension or the cancellation of the right of such land surveyor to practise as such, or may take such other action as it shall decide.

CHAPTER III**FIELD WORK****Survey Information**

6. (1) Before carrying out any survey in terms of the Act, a land surveyor shall obtain all available information in respect of any previous surveys of the piece of land to be surveyed, of the adjoining pieces of land, and of official co-ordinate values and designations of beacons affected by the survey.

(2) For the preparation of a diagram in terms of section 39 of the Act or for the purpose of consolidation of title without resurvey, a land surveyor shall obtain all available data in respect of such diagrams.

(3) If the Surveyor-General is able to furnish the information required in terms of this regulation, he shall do so free of charge.

(4) In applying for information, a land surveyor shall furnish a sketch plan or verbal description of the land indicating the approximate location of the portion to be surveyed or the diagrams required in relation to surrounding pieces of land.

[regulation 6 substituted by GN 1445/1981]

Instruments

7. (1) Every land surveyor shall ensure that the instruments and equipment used in any survey for which he is responsible, are in proper adjustment.

[subregulation (1) substituted by GN 291/1984]

(2) A measuring band shall be tested against a standard base approved by the Director-General and the Surveyor-General shall assign an official number thereto. Such band may at any time be submitted to the Surveyor-General to be tested free of charge.

(3) When called upon by the Surveyor-General, a land surveyor shall make his instruments and equipment available for testing and shall furnish such calibration certificates and other documentary evidence as may be called for by way of proof that he has complied with the provisions of subregulation 7 (1).

[subregulation (3) substituted by GN 1020/1985]

(4) The Surveyor-General may condemn any instrument or equipment which he considers unfit for survey work: Provided that the land surveyor may appeal to the Director-General against the decision of the Surveyor-General.

Field Measurements and Observations

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8. (1) A land surveyor shall determine the positions of all stations, beacons, landmarks and boundaries within the limits of accuracy prescribed in regulation 11 and shall adequately check every part of his survey.

(2) In the Cape Province where topographical or other features have a bearing on the determination of the position of a beacon or boundary, such features shall be fixed with a degree of accuracy commensurate with the purpose for which they are required.

(3) Unless a point is otherwise adequately checked -

(a) when its position is determined by intersection or trilateration, the angle at the vertex of any triangle used in such determination shall not be less than 30 degrees nor greater than 150 degrees;

(b) its position shall not be determined by resection from less than four points favourably situated, and the observations used in such determination shall consist of not less than two arcs, unless three of such points are within 10,000 feet of the point being determined, in which case only one arc need be observed;

(c) its position shall not be determined by a single triangle only, unless observations are made at all three points and on at least two different parts of the circle.

(4) Observations at any station or beacon shall consist of at least one arc when observing over distances exceeding half a mile, or over any distance of more than 300 feet when the slope exceeds ten degrees.

(5)

[subregulation (5) deleted by GN 1033/1969]

(6) (a) Points which are co-ordinated by photogrammetric methods, shall fall wholly within the perimeter of the ground control points.

(b) Unless otherwise adequately checked, every beacon, the co-ordinates of which have been determined photogrammetrically, shall be checked by the measurement in the field of at least two distances terminating at such beacon: Provided that the difference in the directions of two check distances shall not be less than 30 degrees and not greater than 150 degrees.

[subregulation (6) inserted by GN 291/1984]

(7) Unless otherwise adequately checked, the relative positions of adjacent beacons in close proximity to one another in a township which have been determined independently of one another or from distance greater than 300 metres shall be verified by the measurement of at least two distances terminating at such beacons: Provided that the difference in the directions of two check distances shall not be less than 30 degrees nor greater than 150 degrees.

[subregulation (7) inserted by GN 291/1984 and substituted by GN 1020/1985]

(8) When traversing between two fixed points, observations must be taken at both fixed points in order that the traverse may be properly adjusted, unless the orientation is otherwise adequately checked.

[subregulation (8) inserted by GN 1577/1987]

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Measurement of Base Lines and other Distances

9. (1) If in any survey it is necessary to measure a base, the length of such base shall not be less than ten per cent of the perimeter of the land under survey where such perimeter does not exceed 40,000 feet. When the perimeter exceeds 40,000 feet, the length of the base shall be at least 4,000 feet. In this regulation, the perimeter of the land shall include the connections required by regulation 36.

(2) A base shall be measured -

- (a) once in each direction; or
- (b) in two sections of more or less equal length, which shall be compared through subsidiary triangles; or
- (c) in one continuous length, in which case it shall either be compared with a check base or checked in some other adequate manner.

The difference between any two measurements or between a measurement and a derived distance shall not exceed 1/7500.

(3) The unit of measurement to be used for all distances shall be the metre.

[subregulation (3) inserted by GN 1804/1972]

(4) The requirements of this regulation may, in exceptional circumstances, be relaxed with the approval of the Surveyor-General.

(5) Measured distances shall be corrected for slope and for all factors to enable the correct plane distance to be obtained. Measurements made in the course of a survey based on trigonometrical stations, shall, in addition, be reduced to sea level and corrected for scale enlargement factor.

Connection to Trigonometrical Stations, Reference Marks

10. (1) Any survey of land situate in a township shall be connected to, or based upon, reference marks; provided that such connection or basing shall not be necessary -

- (a) when the land is situate more than 1,000 feet from the nearest reference mark; or
- (b) in the case of reference marks whose positions have been recorded on a general plan, when the land surveyor is able from other sources to apply satisfactory checks to the correctness of the positions of beacons of the land being surveyed; or
- (c) in the case of reference marks other than those shown on a general plan or erected in terms of section *twenty-six bis* of the Act, unless the Surveyor-General has published a notice in the *Gazette*, setting forth a date after which such connection or basing shall be compulsory.

(2) Any survey of rural land, or of land situate in a settlement, shall be based on trigonometrical stations if surrounded by such stations and situate within 10,000 feet of any such

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station; provided such basing shall not be necessary when it is dependent upon a traverse from any such station and the distance between such land and such station exceeds 2,500 feet.

(3) When the survey of rural land, or of land situate within a settlement, is not based on trigonometrical stations, the positions of all trigonometrical stations as referred to in subparagraph (iii) of paragraph (a) of subregulation (1) of regulation 34, shall be accurately determined.

(4) The co-ordinate value of any survey station whose position on the trigonometrical survey system has been determined in a manner and with a degree of accuracy acceptable to the Surveyor-General may after verification, be used by any land surveyor In any subsequent survey

[subregulation (4) amended by GN 1395/ 1964 and substituted by GN 533/1967]

(5) The Surveyor-General may, in exceptional circumstances and subject to such conditions as he may deem necessary, exempt any survey from the operation of this regulation.

Limits of Allowable Error in Field Work

11. (1) The accuracy with which a survey, other than that referred to in subregulation (2), shall be done is expressed by the following formulae, where -

Class A refers to -

- (i) the determination of reference marks established in terms of section 26bis of the Act;
- (ii) the fixing of reference marks in previously surveyed townships; and
- (iii) such other determinations as maybe prescribed in these regulations;

Class B refers to -

[subparagraph (i) deleted by GN 1445/1981]

- (i) the survey of new townships;
- (ii) the resurvey or subdivision of an erf in an existing township;
- (iii) the survey for the replacement of a beacon in a township; and

(iv) the survey for the preparation of a diagram required under the law relating to the registration of mining titles in respect of precious stones and minerals;

[subparagraph (ii) to (v) renumbered by GN 1445/1981]

Class C refers to all surveys not included in Class A or Class B, and shall include surveys for mining titles in respect of base minerals -

(a) when the position of a point is determined by polars, triangulation, trilateration or a combination of these methods, the displacement between any observed ray or measured distance and the final co-ordinates of the point fixed shall be of the order -

for Class A-A metres;
for Class B-1,5A metres;

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for Class C-3A metres;

and shall not exceed two times this quantity where A is equal to -

$$0,012 + \frac{0,082S}{3S + 1\ 000} + \frac{0,15S}{100\ 000}$$

and S is the distance in metres between the known and the unknown point;

[paragraph (a) substituted by GN 533/1969]

(b) when the position of a point is determined by traverse, the closure of the traverse shall be of the order for -

for Class A-A metres
 for Class B-1,5A metres
 for Class C-3A metres

and shall not exceed two times this quantity, where A is equal to 0.01 plus 1/24 000 of the total traverse length: Provided that when the traverse closes on the starting point, the closure for Class C shall not exceed that prescribed for Class B.

[paragraph (b) substituted by GN 533/1969]

(c) when the position of a beacon in a township is checked by the measurement of distance from adjacent beacons, the difference between a single measured distance and the adopted final distance shall not exceed 0,06 metres:

Provided that the Surveyor-General shall determine a standard of accuracy for any survey operation not specified in this regulation.

[paragraph (c) inserted by GN 291/1984]

(d) When the vertical position of a point is determined, the difference between any determination thereof and the finally adopted height shall be of the order of 0,03 metres for Class B and 0,06 metres for Class C and shall not exceed two times this quantity;

[paragraph (d) inserted by GN 1577/1987]

(2) The error in a traverse made for the purpose of determining the position of a curvilinear boundary shall not exceed one percent of the length of the traverse.

(3) The position of a curvilinear boundary shall be determined with an accuracy commensurate with tachometric measurement.

[regulation 11 substituted by GN 1020/1985]

Limit of Allowable Difference from Original Survey

12. For the purpose of section twenty-one of the Act the limit of disagreement from the original diagram is -

$$0.4 \sqrt{d},$$

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where a represents the distance in feet derived from data on the original diagram between any two beacons affected by the subdivision. Any portion of a boundary line shall be deemed to be within the limit when the whole of such boundary line is within such limit.

Official Co-ordinate Values

13. (1) The Surveyor-General may assign an official co-ordinate value, based on the trigonometrical survey system, to any beacon which has been correctly identified, if the determination of the co-ordinate value of such beacon conforms with the standard of accuracy prescribed in regulation 11 for Class A surveys.

(2) The Surveyor-General shall assign a distinctive official designation to every beacon to which an official co-ordinate value has been assigned and shall maintain a record of all such official designations and values.

(3) An official co-ordinate value shall be used on all new diagrams, except as otherwise provided in regulation 49, and the position of the beacon to which an official co-ordinate value has been assigned, shall not be redetermined except for the purpose of verification.

(4) An official co-ordinate value shall not be altered save with the consent of the Surveyor-General, and then only -

- (i) if the effect of a subsequent extension of the trigonometrical system or an alteration of the co-ordinate values of trigonometrical stations in the relevant area has, in his opinion, rendered an adjustment necessary or desirable; or
- (ii) when the lawful position of the affected beacon has subsequently to be reviewed; or
- (iii) when an undetected error in survey had adversely affected the previous determination; or
- (iv) when in any subsequent survey it is deemed necessary to use a co-ordinate value determined with a greater degree of accuracy.

Adoption of Data

14. (1) When the position of a terminal beacon has previously been properly identified and determined on the trigonometrical system, the co-ordinates of such beacon may be adopted for the purpose of alignment thereto, provided that a beacon is not placed so close to such terminal beacon that its alignment could be appreciably affected by such survey errors as could normally be expected in the determination of the position of the terminal beacon.

(2) The data defining an unbeaconed point in relation to an indicatory beacon and obtained in the process of correcting the alignment of a beacon as prescribed in regulation 17, may be adopted without verification for the purpose of any new diagram.

Curvilinear Boundaries

15. (1) (a) When the centre line of a railway forms, or defines an existing boundary, the intersections of such line with the rectilinear boundaries, and when necessary, the ends of the straights, shall be accurately determined.

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(b) The position of a railway curve defining an existing boundary may be determined by any survey methods; provided that such determination conforms with the standard of accuracy prescribed in subregulation (2) of regulation 11; provided further that, unless the elements of the curve are accurately determined, or the curve is determined by photogrammetric methods, points surveyed on such curve shall not be more than 100 feet apart.

(c) Notwithstanding the provisions of paragraph (b), it shall not be necessary to re-determine the radius and the centre of a circular curve which forms or defines an existing boundary, when such curve has previously been accurately determined.

(2) Wire fences, railway lines, roads (except such roads as have been surveyed and proclaimed under Ordinance No. 44 of 1904, Transvaal), streams which are liable to change course or any regular curves, or natural or artificial features which are not permanently or clearly defined, shall not be adopted as new boundaries.

(3) When a land surveyor is prevented from obtaining access to the middle of a river forming a boundary, he may determine its position by surveying the position of one of the banks and the widths at critical points.

(4) When a river boundary is described on the original diagram in ambiguous terms, but the land is depicted as extending to a bank, and when the ambiguity is not removed in terms of section *thirty-one bis* of the Act, the position of such bank shall be determined for the purpose of representing it on a new sub-divisional diagram.

(5) The Surveyor-General shall not permit a curvilinear boundary to be substituted by a boundary of another character in terms of paragraph (iii) of subsection (2) of section *eighteen bis* of the Act, unless he is satisfied that the two boundaries are so nearly co-incident that no material alteration in area of land has taken place by reason of the substitution. The survey records relating to a survey in terms of the aforesaid subsection of the Act shall include a plan showing complete details of the new boundary together with the relevant numerical data for inclusion in a new diagram that may be required to be framed of any property affected.

(6) Photogrammetric methods, acceptable to the Surveyor-General, may be used for determining the position of any curvilinear boundary, provided that the annotation of such boundary on an aerial photograph shall be done in the field and shall be the personal responsibility of the land surveyor concerned

[subregulation (6) substituted by GN 533/1967]

(7) The total length of a traverse, made for the purpose of determining the position of a curvilinear boundary, shall not exceed 7,500 feet, unless otherwise adequately checked.

Topography

16. In the survey of any land sufficient observations, measurements and sketches shall be made to enable topographical features affecting rights of ownership, such as roads and railways, to be determined; provided that the positions of such features may be obtained from large scale modern maps or from aerial photographs, and provided further that the positions of such features which are liable to change shall be verified

[regulation 16 substituted by GN 533/1967]

Alignment of Existing Beacons

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17. (1) In surveying a piece of land, any existing beacon of which is supposed to be on a straight line boundary common to such piece of land and other properties, a land surveyor shall, subject to the provisions of subregulation (6) hereof, proceed as follows -

- (a) When the terminals of the common boundary line are lawfully established beacons, or are well ascertained beacons recognised by all parties, the beacon if not on the straight line joining the terminals shall, subject to the provisions of subregulation (5) hereof, be replaced on line unless it is a lawfully established beacon, in which case it shall be adopted as a beacon of the land under survey,
- (b) when the terminals of the common boundary line are not lawfully established beacons, and the positions of one or both is doubtful, the beacon, if not on line, may be adopted provided it is a well ascertained beacon recognised by all parties and in respect of which an agreement substantially in accordance with Form B of the Second Schedule of the Act, signed by all parties concerned, is lodged with the Surveyor-General.

(2) When any beacon of a piece of land adjoining that under survey, which is supposed to be on the common boundary referred to in subregulation (1) is found to be not on line, it need not be dealt with provided that -

- (a) if it is a lawfully established beacon it shall be adopted as a beacon of the land under survey;
- (b) if it is a well ascertained beacon recognised by all parties and in respect of which an agreement substantially in accordance with Form B of the Second Schedule of the Act, signed by all parties concerned, is lodged with the Surveyor-General, it may be adopted as a beacon of the land under survey.

(3) In cases not provided for above, a land surveyor shall investigate the matter thoroughly and collect all available information and evidence to enable him to place the beacons in the most likely positions; an agreement as above mentioned, to all such beacons, shall be lodged if deemed necessary by the Surveyor-General. Cognisance shall be taken of the beacons and boundaries of a township along the straight line boundary.

A full report detailing all the evidence on which the land surveyor based his action shall be submitted with the relative survey records.

(4) In correcting the alignment of a beacon as provided for in this regulation, such beacon shall, as a rule, be placed at the intersection of the boundary line of which it forms a terminal, with the straight line on which it is supposed to be.

(5) For the purpose of this regulation a beacon shall be deemed to be not on the true and correct boundary when its displacement exceeds $0.2 \text{ plus } \frac{d}{4,000}$ feet with a maximum of 3 feet;

provided that a beacon need not be moved in order to correct its alignment when its displacement falls within the limit of $0.2 \text{ plus } \frac{d}{2,000}$ feet with a maximum of 3 feet, where "d" is the distance

from such beacon to the nearest terminal, or point justifiably adopted as terminal in terms of this regulation; provided further that, in cases where it is necessary to correct alignment, if the beacon is not replaced on line -

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- (a) it shall be used as an indicatory beacon for the unbeaconed point adopted as a corner of the land under survey; and
- (b) such data as may be necessary to define the position of such point in relation to such indicatory beacon, shall be recorded on any new diagram affected.

(6) When a surveyor is able to identify a beacon previously placed on line, and in respect of which the survey records have been approved and the Surveyor-General is satisfied that the alignment was correctly effected, such beacon need not be re-tested for alignment.

[regulation 17 amended by GN 178/1983]

CHAPTER IV

BEACONS, TRIGONOMETRICAL STATIONS, REFERENCE MARKS

Specifications for Beacons and Witness Marks

18. (1) Except as provided in regulation 19, the corner points of every piece of land, shall be marked by beacons in accordance with the following minimum specifications -

- (a) For land situate in a township -
 - a half-inch iron peg or galvanised iron pipe, 1 ½ feet long, driven in vertically and flush with the surface of the ground.
- (b) For land situate in a settlement -
 - an iron standard weighing approximately two pounds per foot, a three-quarter inch iron peg or galvanised iron pipe, 2 feet long, driven in vertically and projecting not more than six inches above the surface of the ground.
- (c) For rural land -
 - an iron standard weighing approximately two pounds per foot, a three-quarter inch iron peg or galvanised iron pipe, 3 feet long, driven in vertically and projecting not more than six inches above the surface of the ground; over the standard, peg or pipe shall be erected a cairn of stones, or a heap of sods, 2 feet high with a base of 2 feet; or
 - a solid stone or concrete block, 3 feet in length and 36 square inches in cross-section, firmly planted in the ground to a depth of at least two feet.

Provided that -

- (i) when the corner point falls in soft or sandy ground the length of the standard, peg or pipe shall be increased sufficiently to ensure the stability and permanence of the beacon;
- (ii) when it is not possible to drive the standard, peg or pipe into the ground, the corner point shall be defined by a ½-inch hole drilled 1 inch deep into the obstructing rock, pavement or structure;

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(iii) when the corner Point falls in hard or rocky ground and the standard, peg or pipe cannot be driven in to the prescribed depth, its length may be reduced if the stability and permanence of the beacon is not thereby impaired, otherwise the corner point shall be defined by a standard, peg or pipe, 1 foot long, embedded in a symmetrical block of concrete $\frac{1}{2}$ cubic foot in volume;

(iv) if deemed necessary, any standard, peg or pipe may be embedded in a symmetrical block of concrete $\frac{1}{2}$ cubic foot in volume.

(v) when the piece of land constituting the perimeter of a township is surveyed or resurveyed at the same time as the township, the provisions of subregulation (1)(a) shall apply *mutatis mutandis* to such surveyor resurvey.

[subparagraph (v) inserted by GN 1445/1981]

(2) When a post forms part of a properly erected fence and occupies a corner point of land being surveyed, it may be adopted as a beacon.

For rural land the corner post shall be distinguished from other fence posts in the vicinity by erecting a small cairn of stones or a heap of sods around the post, by paint marks, or by two trenches dug in the direction of two boundaries meeting at the post. A peg shall not be placed at the foot of the corner post for the purpose of identification.

(3)

[subregulation (3) amended by GN 1395/1964 and deleted by GN 1033/1969]

Witness marks need not be placed in respect of a beacon within 1,000 feet of another beacon at which witness marks have been placed in terms of this regulation.

[subregulation (3) amended by GN 1395/1964]

Provided further that it shall not be necessary to place such witness marks whenever, in the opinion of the surveyor, it is impractical to do so and he reports accordingly

[proviso inserted by GN 1395/1964]

(3) Any departure from the prescribed types of beacons reference marks shall be reported to the Surveyor-General for sanction.

[subregulation (4) amended by GN 1395/1964 and GN 1033/1969]

(4) When in the survey of any piece of land a beacon which should define one of its corner points is missing, or in a dilapidated condition, or of a decidedly inferior type, it shall be restored in conformity with the requirements of this regulation.

(5) This regulation shall not apply to the survey of a mining right.

(6) In no circumstances shall a trigonometrical station erected by the Director-General, be used as a new beacon.

[subregulations (4), (5), (6) and (7) renumbered by GN 1033/1969]

When Beacons are not required

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- 19.** (1) It shall not be necessary to define any corner point by a beacon -
- (a) when the corner point coincides with the corner of a permanent building, which shall in such case be adopted as a beacon;
 - (b) when the corner point is in such close proximity to the corner of a building that a beacon cannot be conveniently placed in position; in such case the position of the corner of the building shall be accurately determined for use as an indicatory beacon;
 - (c) when the area affected by a servitude is of defined width, in which case it shall be necessary to place beacons along one side only of the area, or on a convenient line indicatory to such side;
 - (d) at the ends of the straight of a railway line forming a boundary;
 - (e) when the purpose of the beacon will fall away by consolidation of title;
 - (f) in the case of a servitude based on visible physical features of a permanent nature.

(2) The Surveyor-General may waive the requirement to erect or restore any beacon, when it is evident that such beacon would serve no useful purpose.

Indicatory Beacons

20. (1) When a corner point of a piece of land or the beacon of a real right falls in an inaccessible or insecure position, or in a position where it is deemed inadvisable to place a beacon, such position shall be preserved by means of indicatory beacons.

[subregulation (1) substituted by GN 1445/1981]

(2) Except as otherwise provided in subregulation (5) of regulation 17, an indicatory beacon shall be placed on each of two of the rectilinear boundaries meeting at such corner point, and as close thereto as will be consistent with its safety; provided that it shall not be placed in a position where it could be mistaken for the corner beacon; provided further that it shall not be necessary to place an indicatory beacon when -

- (a) special dispensation is obtained from the Surveyor-General, or
- (b) it cannot be placed on line due to an obstructing building or permanent structure.

(3) An indicatory beacon for defining the intersection of a rectilinear boundary with a curvilinear boundary, shall be placed on the former boundary, as near to the intersection as circumstances permit without endangering the permanency of the beacon and, unless impracticable, on the same side of the curvilinear boundary as the land under survey.

(4) When the removal of a beacon is authorised in terms of section *thirty-six* of the Act and it is not possible or advisable to replace it in its original position, the land surveyor shall place indicatory beacons, and where possible one on each of the straight boundary lines meeting thereat or in such other positions as may have been authorised by the Surveyor-General, and shall without delay furnish such information as the Surveyor-General may require to enable him to record the positions of the indicatory beacons on the relative diagrams.

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Marking of Survey Stations

21. All favourably situated main survey stations which are not likely to be disturbed, shall be marked in a permanent manner, preferably by iron pipes, pegs or wire-nails, not less than 6 inches long.

Damage to and removal of Trigonometrical Stations, Reference Marks and Bench Marks

22. (1) A trigonometrical station, a reference mark erected in terms of section *twenty-six bis* of the Act or a bench mark, shall not be moved or demolished except on written authority of the Director-General, who shall consult the Surveyor-General before giving such authority.

(2) If it comes to the knowledge of a land surveyor that a trigonometrical station, a reference mark or a bench mark has been or is likely to be damaged or destroyed, he shall immediately report the circumstances to the Director-General and to the Surveyor-General.

Reference Marks

23. (1) (a) In the survey of new townships, extensions to existing townships or the subdivision of an erf, reference marks shall be placed at convenient intervals and in suitable positions: Provided that -

[paragraph (a) substituted by GN 533/1967]

- (i) not less than two such marks shall be placed;
- (ii) in general one such mark shall be placed for every 25 erven;
- (iii) in the case of the subdivision of an erf, such reference marks need be placed only if a general plan is required in terms of regulation 53; and
- (iv) the Surveyor-General may relax the requirements of this paragraph.

[subregulation (1)(a) substituted by GN 178/1983]

(b) The local authority shall be consulted, whenever possible, to determine the most suitable positions of such reference marks in order to obviate destruction of the marks by the subsequent installation of services.

[paragraph (b) deleted by GN 533/1967 and substituted by GN 2008/1970]

(2) A reference mark erected in terms of section 26*bis* of the Act shall be in accordance with the specifications indicated in Annexure B of these regulations: Provided that, where compliance with the a foregoing provisions is found to be impossible or impracticable as a result of the local, physical or other circumstances obtaining in respect of or in connection with the erection of reference marks in terms of section 26*bis*(1) of the Act, the Surveyor-General may sanction a departure from the said provisions.

[regulation 23 substituted by GN 1445/1981, amended
 by GN 291/1984 and substituted by GN 657/1986]

CHAPTER V

DIAGRAMS

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Nature, Form and Size

24. (1) Except as provided in subregulation (4), a diagram shall be framed on one or more rectangular sheets of good, durable paper of a quality approved by the Surveyor-General and in accordance with the lay-out, style, specifications and symbols indicated in Annexure B of the Regulations: Provided that, when a diagram comprises more than one sheet, a note to that effect and the relevant sheet number shall appear in a prominent position on each sheet of the diagram. Only one side of the paper shall be used.

[subregulation (1) substituted by GN 1445/1981]

(2) Any departure from the requirements of subregulation (1), and the use of specially printed forms, are subject to the prior approval of the Surveyor-General.

(3) Only good quality black drawing ink or typewriter with a black ribbon, shall be used in the preparation of a diagram. The signature shall be in black or blue-black ink of good quality.

[subregulation (3) substituted by GN 959/1972]

(4) Unless otherwise authorised by the Surveyor-General at least one copy of the diagram shall be framed on paper. The remaining copies may be on paper or prepared by a process approved by the Surveyor-General

[subregulation (4) substituted by GN 829/1989]

(5) The dimensions of a diagram form shall be either 297 by 420 millimetres (Size A3) or 297 by 210 millimetres (Size A4) provided that the Surveyor-General may refuse to approve a diagram framed on a Size A3 form if in his opinion a Size A4 form could conveniently have been used provided further that in exceptional circumstances the Surveyor-General may permit the use of forms of different sizes

[subregulation (5) substituted by GN 533/1967]

- (6) No writing or drawing shall encroach on the margins of a diagram, which shall be-
- (i) in the case of Size A4 forms, 40 millimetres wide along the left-hand edge of the longer side and 10 millimetres along the other sides;
 - (ii) in the case of Size A3 forms, 80 millimetres wide along the middle of the form and parallel to the shorter side and 10 millimetres along all other sides;
 - (iii) in the case of all other forms, of such nature as the Surveyor-General may permit;

provided that the right-hand margin may be used for initialling alterations

[subregulation (6) substituted by GN 533/1967]

(7) The Surveyor-General may refuse to approve any diagram should he consider that it is dilapidated, framed in a careless manner, or its appearance spoilt by amendments or additions.

Number of Copies required

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25. Unless the land is to be registered by reference to a general plan, a diagram shall be submitted in single and the Surveyor-General shall prepare and supply the additional copies required for registration: Provided that when a diagram of a size larger than A4 is submitted, he may call for such additional copies as are required for registration.

[regulation 25 substituted by GN 533/1967 and GN 1033/1969]

Figure

26. (1) Land shall be represented on a diagram by a single figure; provided that two or more parts of a piece of land may be represented when -

- (a) the diagram is framed for the purpose of amendment or rectification of title as prescribed in section *forty-four* of the Deeds Registries Act No. 47 of 1937; or
- (b) the diagram is framed for the purpose of consolidation of title and a component portion has been split into parts by the deduction of one or more intervening portions, or comprises existing detached portions represented on a single diagram which are accepted as constituting a single property; or
- (c) such parts meet at one or more common points; or
- (d) such parts are disconnected by the prior deduction of a strip of road or railway reserve.
- (e) a diagram of rural land is framed for the purpose of registration of a single lease in respect of such parts of one parent property

[paragraph (e) substituted by GN 178/1983]

(2) when a diagram is framed on a Size A3 form the figure shall be drawn wholly to the left or to the right of the central margin

[subregulation (2) substituted by GN 533/1967]

Scale and Plot

27. (1) Provided that the size of the figure shall not be less than six square centimetres except in the case of a servitude diagram or in such other circumstances as the Surveyor-General may allow.

[subregulation (1) amended by GN 1033/1969 and substituted by GN 959/1972]

(2) When beacons are in such close proximity to each other that their relative positions cannot be clearly shown without unduly increasing the size of the diagram form, they shall be represented in an inset at a larger scale oriented to the main figure.

(3) The scale to which the figure is plotted shall be recorded on the diagram below the figure. The scale of an inset shall be given in such inset.

(4) The plot of the figure shall agree with the data on the diagram within a limit of 0.04 inches.

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Topographical Features

28. All topographical features, determined as prescribed in regulation 16 shall be depicted on the diagram in the conventional manner as shown in Annexure B.

Land held under different Tenures or Conditions of Title

29. When it is necessary for the purpose of registration to represent on a diagram the boundaries of areas held under different tenures or conditions of title, such boundaries shall be represented by black broken lines and shall be lettered. Such lines shall be repeated in similar manner on all subsequent diagrams unless they are no longer required for registration purposes.

How to indicate contiguous properties

30. The directions of the boundary lines of contiguous properties shall be indicated by broken lines drawn from the points representing common beacons, and the names and other designations of such contiguous properties shall be written in their respective positions.

[regulation 30 deleted by GN 533/1967 and inserted by GN 1033/1969]

Connecting Figure

31. When it is necessary to depict the connecting figure referred to in subregulation (1) of regulation 36, it shall be indicated on a diagram by broken lines or by means of an inset. It shall not be necessary to plot such figure to scale if this is found to be inconvenient.

Description and official Designations of Beacons

32. (1) A diagram shall contain a clear and concise description of each beacon, and of the locality of each beacon in relation to any permanent feature in its immediate vicinity.

If any beacon is a fence post, this must be clearly evident from the description, e.g. iron rail (corner fence post).

The description of any adopted beacon to which an official co-ordinate value has been assigned, shall be obtained from the official record.

[subregulation (2) deleted by GN 1033/1969]

(2) Official beacon designations shall be tabulated on a diagram in a manner determined by the Surveyor-General.

[subregulation (3) renumbered by GN 1033/1969 and substituted by GN 178/1983]

Unit of Measure

33. (1) On any diagram the sides and, when required, the co-ordinates shall be expressed in metres.

(2) For the purpose of converting co-ordinates on the national survey system the following factors shall be used -

1 Geodetic Cape foot=0.314 855 575 16 metres,

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1 S.A. Geodetic foot = 0.304 797 265 4 metres.

(3) For the purpose of converting areas, the following factors shall be used -

1 morgen = 0.856 532 hectares,

1 acre = 0.404 686 hectares.

[regulation 33 substituted by GN 1033/1969]

Numerical Data

34. (1) Subject to the provisions of subregulation (2) of regulation 49, a diagram shall contain the following numerical data -

Co-ordinates

(a) Subject to the provisions of regulation 35, the co-ordinates in metres to either one or two decimal places of -

- (i) every corner point defining the rectilinear figure and of every indicatory beacon defining such corner point;
- (ii) all other corner points in respect of which connecting data are furnished in terms' of regulation 36;
- (iii) all trigonometrical stations falling within the figure or within 30 metres of any corner point referred to in subparagraphs (i) and (ii);
- (iv) at least two favourably situated trigonometrical stations or two reference marks erected in terms of section 26bis(2) of the Act, to which the Survey has been connected: Provided that the Surveyor-General may waive this requirement after consultation with the Chief Director

[subparagraph (iv) substituted by GN 1445/1981 and GN 1577/1987]

- (v) the centre and tangent points of every circular curve forming a boundary, if determined during the course of a survey;
- (vi) the ends of the straights when the elements of the curve have not been accurately determined: Provided that on a diagram of land in a township, the co-ordinates shall be expressed to two decimal places of a metre

[paragraph (a) substituted by GN 959/1972]

provided that on a diagram of land in a township, the co-ordinates shall be expressed to two decimal places of a foot.

Sides and other Distances

(b) The lengths in metres to either one or two decimal places of -

- (i) the sides of the rectilinear figure;

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- (ii) the radius of every circular curve forming a boundary, if determined during the course of the survey or adopted;

Provided that -

- (a) on a diagram of land in a township the lengths shall be expressed to two decimal places of a metre;
- (b) it shall not be necessary to record the distance from an indicatory beacon to an irregular curvilinear boundary; and
- (c) the number of decimal places used in recording the sides shall correspond to the number of decimal places used when co-ordinates are stated.

[subregulation (b) substituted by GN 959/1972]

Directions

- (c) Directions to the nearest one second of all sides provided that-
 - (i) where the length of the side is less than 2000 metres the direction may be expressed to the nearest 10 seconds;
 - (ii) when the side is part of a boundary, determined during the course of a survey; and whose length exceeds 2 000 metres, the direction of such side shall be expressed to single seconds;
 - (iii) on a diagram of land in a township, the direction shall be expressed to the nearest 10 seconds;
- (iv) angles may be recorded on the diagram of an erf if the erf is represented on an approved general plan on which angles are recorded

[subparagraph (iv) substituted by GN 829/1989]

[paragraph (c) substituted by GN 959/1972]

Area.

- (d) The area, which shall be expressed in square metres to the nearest square metre when the area is less than one hectare, otherwise in hectares to four decimal places: Provided that-
 - (i) when disconnected parts of land are represented on the diagram only the combined area of such parts shall be recorded;
 - (ii) as a general rule the area of a servitude need not be recorded.

[paragraph (d) substituted by GN 1033/1969]

Servitude Data.

- (e) Subject to the provisions of subregulation (2) of regulation 46, such data as may be necessary to define the limits of the figure representing a servitude.

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Connecting Data.

- (f) Such data as are prescribed in regulation 36.
- (2) Data shall be tabulated; provided that indicatory data may be shown in an inset drawn to an enlarged scale.
- (3) In the tabulation of data on a diagram, the corner points of the figure shall be referred to consecutively in clockwise order by letters placed outside the figure.

[The words "Director of Trigonometrical Survey and Survey Board" substituted by GN 1804/1972]

Co-ordinates - System, Constant; when not required

35. (1) When a survey has been based on trigonometrical stations or on reference marks, a reference to the system and to the constant by which the co-ordinates have been reduced, shall be recorded on the diagram. The constant shall conform with the constant used in the calculations and referred to in subregulation (4) of regulation 61.

- (2) Co-ordinates need not be stated on a diagram -
 - (a) framed from an approved general plan, unless the co-ordinates of each corner point of the land concerned are stated on such general plan;
 - (b) of land situate in a township or a settlement, unless the surveyor resurvey of such land is based on or connected to trigonometrical stations, or to reference marks in the manner prescribed in regulation 10;
 - (c) compiled for consolidated title, in the special circumstances referred to in paragraphs (b) and (c) of subregulation (1) of regulation 49.

Connecting Data

36. (1) When no rectilinear boundary of a subdivision coincides in whole or in part, with a boundary of the land being subdivided, the position of two suitably situated beacons of such land, or of a former subdivision thereof, shall be accurately determined and connecting data, comprising the sides, directions and co-ordinates of the quadrilateral figure connecting such beacons to two beacons of the subdivision, shall be furnished on the sub-divisional diagram, provided that -

- (a) the co-ordinates shall be omitted when no other co-ordinates are furnished;
- (b) if a diagram of a road or railway traversing the hind or of a servitude area within the land is filed in the office of the Surveyor-General, the subdivision may be connected to two suitable beacons represented on such diagram;
- (c) connecting data shall not be furnished on a subdivisional diagram when the subdivisional survey is based on trigonometrical stations or on reference marks, and any approved survey, which included at least two beacons not less than 500 feet apart of the land being subdivided has been similarly based.

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(2) When a rectilinear boundary of a subdivision coincides in whole or in part, with a boundary of the land being subdivided, the following connecting data shall be recorded on the diagram -

- (a) The two sides of the remaining extent along the boundary on either side of the subdivision as well as the co-ordinates of the corresponding terminals, adjusted, if necessary, to coincide with the true and correct boundary determined as prescribed in regulation 17; and
- (b) the distances from the aforementioned terminals or from the beacons of the subdivision on that boundary to, as well as the co-ordinates of, beacons such as are referred to in subregulations (1) and (2) of regulation 17, when the positions of such beacons have been accurately determined for the purpose of effecting the correct alignment;

provided that -

- (i) the co-ordinates of the terminals shall be omitted when no other co-ordinates are furnished;
- (ii) if a land surveyor is in a position to effect the correct alignment of the subdivisional beacons without determining the positions of both terminals referred to, data in respect of one such terminal only need be recorded, provided further that if the boundary requires the application of section *sixteen* of the Act, the positions of both terminals shall be accurately determined and the data recorded accordingly;
- (iii) such connections shall not be recorded if the subdivisional survey is based on trigonometrical stations or reference marks and the coordinates of the terminals are similarly based and recorded on an approved diagram, unless it was necessary to redetermine the positions of the terminals.

[subregulation (2) amended by GN 1033/1969]

(3) Connecting data shall not be furnished on a subdivisional diagram if such data can be deduced from diagrams of adjoining subdivisions submitted for examination at the same time.

(4) For the purpose of this regulation the word “terminal” means a beacon which terminates the boundary of the land being subdivided.

Consistency of Data

37. (1) Sides, angles or directions, and areas given on any diagram shall be numerically consistent with the co-ordinates recorded thereon as far as the limitations of Regulation 34 will allow:

Provided that the area of a regular figure shall be determined directly from the sides.

[subregulation (1) substituted by GN 1020/1985]

(2) The numerical data recorded on a diagram, other than a diagram compiled for the purpose of registering a certificate of consolidated title, on which co-Ordinates are not recorded, shall be unacceptable for registration when-

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- (a) the closure of a data traverse computed round the rectilinear figure exceeds

$$0,02 + \frac{p \sqrt{n}}{10\ 000} \text{ metres}$$

Or

[paragraph (a) substituted by GN 2008/1970]

- (b) the inconsistency in the area of the rectilinear figure as computed from its sides and angles, or directions, exceeds

$$2 + \frac{p^2 \sqrt{n}}{80\ 000} \text{ square metres}$$

where p represents the perimeter in metres and n the number of sides of the rectilinear figure.

[paragraph (b) substituted by GN 2008/1970]

[subregulation (2) substituted by GN 1020/1985]

(3) When the land represented on any diagram, is bounded by a curvilinear line, other than a railway line or a curve defined entirely by mathematical data, the allowable maximum discrepancy in the recorded area shall be the area contained between the curvilinear line and a line parallel to it, displaced at a distance corresponding to 0.04 inches on the scale adopted for the working plan in terms of paragraph (c) of subregulation (2) of regulation 62. The curvilinear area shall be derived from a correct representation of the curvilinear line on the working plan.

(4) When, in the survey of several lots, it is necessary to frame a diagram of the whole block of such lots, the data recorded on the diagrams of the individual lots shall be consistent with the data recorded on the diagram of the whole block.

Certificate

38. Every diagram, except a diagram such as is referred to in subregulation (3) of regulation 49, shall be signed by the responsible land surveyor under the following certificate -

“Surveyed in (month, year) by me.
Land Surveyor”;

Provided that -

- (i) in appropriate circumstance the certificate may be modified with the consent of the Surveyor-General;
- (ii) in the case of a diagram reflecting only official co-ordinate values, the diagram shall be signed by any land surveyor under the certificate -

“Framed in (month, year) by me
Land Surveyor”.

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- (iii) in the case of a diagram framed in terms of section 39 of the Act the diagram shall be signed by the responsible land surveyor under the certificate-

‘Framed in terms of section 39 of Act 9 of 1927
in (month, year).....by me.
.....Land Surveyor’

[paragraph (iii) inserted by GN 959/1972]

Thoroughfares

39. When a roadway, street, right-of-way or lane of uniform width abuts on any boundary of township land under survey, its registered width shall be recorded on the sub-divisional diagram; provided that if the width has been redetermined such new width shall be given.

True North

40. The direction of true north shall be indicated on every diagram by an arrow pointing, as a general rule, towards the top of the paper.

Ambiguous Curvilinear Boundary

41. When a curvilinear boundary is not described in clear terms on the original diagram, or its description is ambiguous, the ambiguity shall, whenever possible, be removed under the provisions of section *thirty-one bis* of the Act, provided that if the ambiguity is not removed it shall be retained in the same form on all new diagrams affected.

Verbal Definition

42. (1) Subject to the provisions of regulation 41, every diagram shall contain a clear verbal definition of the limits of the figure representing the land.

(2) In the definition shall be recited, clock-wise and in the order in which they occur, the letters by which the corner points are indicated, and if applicable a description of the curvilinear boundary.

(3) When a river, stream, water-course, wall, krans, or other well-defined permanent, natural or artificial feature forms a new boundary, it shall be distinctly recorded in the verbal definition of the figure which specific part of the feature forms such boundary.

(4) In the cases referred to in paragraphs (c) and (d) of regulation 26, the verbal definition shall be recorded in such a manner as not to reflect separate figures.

Designation

43. (1) The land represented on a diagram shall be distinguished by name, letter or number according to customary procedure prevailing in each province.

(2) The spelling of the name, or the designation of a piece of land, as recorded on an original diagram, shall be retained in all sub-divisional diagrams, except when a new designation is assigned in terms of subsection (2) of section *ninety-three* of the Deeds Registries Act No. 47 of 1937, in which case the amended farm name or designation shall be recorded.

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Locality

- 44.** When applicable, a diagram shall contain an appropriate reference to -
- (i) the township or settlement;
 - (ii) the area of the urban local authority;
 - (iii) the administrative district; and
 - (iv) the province:

Provided that a diagram framed for the granting of a right of leasehold in a township shall contain an appropriate reference to -

- (i) the township;
- (ii) the Administration Board area;
- (iii) the Chief Commissioner's area; and
- (iv) the province.

[regulation 44 substituted by GN 1445/1981]

References

- 45.** Every diagram shall contain -
- (a) a reference to the Surveyor-General's number of the original diagram,
 - (b) a reference to the title deed to which the original diagram relates,
 - (c) such Deeds Office references to the original diagram as may be required.

Servitudes

46. (1) Special care shall be taken to represent with accuracy on a diagram, features which form the subject of a servitude.

(2) When features or boundaries defining an existing servitude have been determined by survey and are represented on a registered diagram, they need not be resurveyed for the purpose of a new diagram of the whole or portion of the land affected by such servitude; provided the limits of the servitude falling within the land surveyed are graphically represented and described on the new diagram and a reference is made to the diagram and to the deed, when available, from which such limits and description were obtained.

(3) When a new subdivisional boundary falls in close proximity to an existing servitude which is not indicated on the diagram of the relevant subdivision, the land surveyor shall furnish the Surveyor-General with a certificate to the effect that the sub-division is not affected by such servitude.

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(4) When it is intended to create a servitude over a portion of land upon transfer of such portion, the features or boundaries defining such servitude shall be represented on the relevant subdivisional diagram together with a note describing such servitude. The note, shall be in the form of a direct statement and shall contain no condition which it is proposed to attach to the servitude.

[subregulation (4) amended by GN 533/1967]

(5) If upon transfer of a portion of land a servitude is to be registered against the remainder or against contiguous or neighbouring land, the features or boundaries defining such servitude may, with the consent of the Surveyor General, be represented and described on the subdivisional diagram. If the figure of the servitude cannot conveniently be represented to the scale of the diagram it may be shown in an inset plotted to a different scale.

(6) When an existing servitude is not registered in a Deeds Registry and the only indication of its existence is a note on a registered diagram, the identical words used on such diagram shall be reproduced in a similar position on any subdivisional diagram representing land affected by such servitude; provided that such note shall not be altered or omitted except as a result of an order of competent authority, the registration of a notarial deed to remove any uncertainty, or of a lapsing by merger.

(7) When a servitude encumbers land extending beyond the limits of the feature determining the position of the servitude, the servitude note shall, whenever practicable, refer to the area concerned as a servitude area.

(8) The provisions of regulation 36 shall apply to a diagram framed for the registration of a servitude.

Composite Diagrams

47. No subdivisional diagram shall represent portions of land represented on more than one original diagram.

Diagrams of Land situate in more than one Administrative District

48. No diagram shall be accepted for registration if it represents land situate in two or more administrative districts; provided that if in an area in which a system of land numbering has not been established, the boundary of an administrative district intersects land represented by a single figure on a registered diagram, a subdivisional diagram representing a portion of such land situated in two or more administrative districts, shall be accepted for registration.

Diagrams for Consolidated Title

49. (1) A diagram compiled, without resurvey, for the purpose of consolidation of title, shall contain only such numerical data as are directly derived from component diagrams, or are obtained by simple addition or subtraction of data appearing on diagrams of components and their original diagrams; provided that when -

- (a) a component diagram contains both beacon and transfer data, both sets of data shall be reproduced on the compiled diagram. If in the opinion of the Surveyor-General, the reproduction of the transfer data may lead to confusion, all such data may be omitted;

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[paragraph (a) amended by GN 533/1967]

- (b) component diagrams record different co-ordinate systems, only co-ordinates based on the trigonometrical survey system shall be furnished;
- (c) component diagrams contain discordant co-ordinates on the trigonometrical survey system, of common corner points, all such values shall be reproduced on the compiled diagram; provided further that only the official co-ordinate value shall be recorded in respect of beacons to which the provisions of regulation 13 have been applied.
- (d) a remaining extent is included as a component, the data may be derived with the consent of the Surveyor-General from the diagrams of the deducted portions of the same property of which such component is the remaining extent.

[paragraph (d) inserted by GN 959/1972]

- (e) the data on component diagrams apparently create bends in what was a straight line boundary before deduction of the components, the relevant angles on such component diagrams may be ignored.

[paragraph (e) inserted by GN 1445/1981]

- (2) On a diagram compiled, without resurvey, for the purpose of consolidation of title -
 - (a) the numerical data shall be consistent within the limits prescribed by regulation 37; provided that these limits may be exceeded with the approval of the Surveyor-General;
 - (b) the aggregate area shall agree exactly with the sum of the transfer areas of component portions.
- (3) A land surveyor shall sign a diagram compiled for consolidation of title under the certificate -

“Compiled in (month, year) by me.
Land Surveyor.”

- (4) On any diagram prepared for the registration of consolidated title, whether framed by compilation of component diagrams or from survey -
 - (a) the details prescribed in regulation 43 and the diagram and the deed references shall be quoted for each component portion;
 - (b) the internal boundaries of component portions and of land held under different tenures or conditions of title, shall be indicated by black broken lines, and lettered;
 - (c) the areas of component portions shall be omitted;
 - (d) the data in respect of internal boundaries of the component portions shall be omitted.

Certificate of Township or Registered Title

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50. (1) When an area to be laid out as a township or a settlement does not comprise the whole of the land represented by an approved diagram, a subdivisional diagram of the portion to be so laid out shall be framed for the purpose of annexure to a certificate of township, settlement or registered title.

(2) When an area to be subdivided into lots in any manner not provided for in subregulation (1), does not comprise the whole of the land represented on an approved diagram, a diagram of the portion so being subdivided, shall be framed for the purpose of annexure to a certificate of registered title, if deemed necessary by the Surveyor-General.

Deductions, Alterations, Endorsements

51. (1) No deduction, note, alteration or endorsement shall be made on a registered diagram except by the Surveyor-General or unless authorised by him in writing.

(2) An approved diagram may be amended, prior to the registration thereof, only by the Surveyor-General with the consent of the land surveyor concerned.

(3) Alterations to any diagram under examination shall be initialled by the land surveyor or in special circumstances, by the Surveyor-General, who shall, in appropriate circumstances, notify the land surveyor thereof. Erasures are not permitted.

Certified Copies of Diagrams

52. A certified copy of an approved diagram or general plan shall not be issued by the Surveyor-General prior to the registration thereof, unless the written consent of the land surveyor concerned, or of any person legally entitled to act on his behalf, is produced to the Surveyor-General, provided that such consent shall not be required -

- (i) if the Surveyor-General has been supplied with evidence that such land surveyor has unreasonably withheld his consent or has failed to respond in a reasonable time to a notice requesting authorisation for the issue of a certified copy;
- (ii) if one or more original copies of the diagram are produced by the applicant to the Surveyor-General;
- (iii) if the Surveyor General is required to provide the additional copies of a diagram or general plan as referred to in regulations 25 and 54 respectively;

[paragraph (iii) substituted by GN 2008/1970]

- (iv) in respect of copies supplied to government departments or local authorities

[regulation 52 substituted by GN 533/1967]

CHAPTER VI

GENERAL PLANS

When required

53. A general plan shall be provided when -

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- (a) land is subdivided into five or more portions and the original diagram is plotted on a scale which does not permit the deductions of such portions being clearly shown; or
- (b) a general plan is required under any law; or
- (c) in the opinion of the Surveyor-General a general plan is required for any other reason.

Number of Copies required

54. A general plan shall be framed in such numbers as may be required for registration provided that a single copy shall be lodged with the Surveyor-General if he is in a position to supply the additional copies required for registration

[regulation 54 substituted by GN 533/1967]

Nature, Form and Size

55. (1) a general plan shall be framed on good drawing paper mounted on linen or on material of a quality and type approved by the Surveyor-General.

[subregulation (1) substituted by GN 533/1967]

(2) General plans shall be framed on a size of paper prescribed by the Surveyor-General and in accordance with the lay-out, style, specifications and symbols indicated in Annexure B of the Regulations: Provided that, if the layout of the erven is depicted on more than one sheet, the main sheet shall indicate which erven appear on the respective sheets and shall contain a key plan in the form of an inset indicating the sheet numbers and divisions. If the plan comprises more than one sheet, all the sheets shall be numbered and be of the same size.

[subregulation (2) substituted by GN 1445/1981]

(3) Unencumbered margins, not less than 3 inches wide, shall be left along the sides of every sheet of a general plan; provided that a margin of not less than 9 inches wide shall be left along the right-hand side of the title sheet; provided further that these requirements may be relaxed with the consent of the Surveyor-General.

(4) In order to ensure neatness in the final general plan, a preliminary plan, complete in all respects except for the prescribed margins, may be submitted to the Surveyor-General for examination

[subregulation (4) substituted by GN 533/1967]

Data and Details to be recorded

56. (1) The provisions of regulations 24(3) and (7), 27, 28, 29, 30, 32, 33, 35 (1), 37, 39, 40, 41, 42 (3), 43, 44, 45, 46 and 51 which are applicable to a diagram shall, *mutatis mutandis*, apply to the whole figure and to the subdivisions represented on a general plan.

[subregulation (1) amended by GN 2008/1970]

- (1A) The provisions of regulation 62 (2) (f) shall apply *mutatis mutandis*.

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[subregulation (1A) inserted by GN 1445/1981]

(2) The provisions of paragraphs (a), (b), (c) and (e) of subregulation (1), and of subregulation (2) of regulation 34 shall, *mutatis mutandis*, apply to the whole figure represented on a general plan; provided that -

- (a) in the case of rural land, no data other than the co-ordinates referred to in subparagraphs (iii) and (iv) of paragraph (a) of subregulation (1) of regulation 34, need be recorded;
- (b) in the case of townships, the co-ordinates of the reference marks shall be tabulated: Provided further that where compliance with the requirement is found to be impossible or impracticable due to the disturbance of such reference marks by the installation of the services contemplated in section 26bis (1) (b) of the Act, the Surveyor-General shall allow the co-ordinates of such reference marks to be added after the approval of the general plan;

[paragraph (b) substituted by GN 291/1984]

- (c) the sides and directions may be recorded on the figure.
- (3) The following information shall be furnished in respect of the subdivisions -

Co-ordinates.

- (a) The co-ordinates, which shall be tabulated, of -
 - (i) in the case of rural land, all corner points and any indicatory beacons defining any such point;
 - (ii) the corners of blocks of erven or, in lieu thereof, the apices of truncated carriers, unless adjacent blocks are of regular shape and several block corners or apices are collinear, in which case the co-ordinates of only the terminals of the line or required;

provided that the co-ordinates of corner points of blocks of erven in a township shall be expressed in feet to two decimal places.

[paragraph (a) amended deleted by GN 959/1972]

Sides and Directions.

- (b) The length and direction of each side, which shall be recorded within the figure whenever it is feasible to do so: provided that -
 - (i) it shall not be necessary to record such data on both sides of a common boundary;
 - (ii) when two or more erven or lots in a single block abut on the same straight line it shall be sufficient to record the direction of such line once only;

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- (iii) when the sides of two or more adjoining erven in a block are parallel, it shall only be necessary to record the directions of the first and last of such parallel sides;
 - (iv) the sides of erven in a township shall be expressed in feet to two decimal places;
- [paragraph (iv) amended by GN 959/1972]**
- (v) the value of the direction of a side shall be recorded within the figure so as to represent the clockwise direction of such side irrespective of the manner in which it is written;
 - (vi) when a change of direction is not visually obvious on the general plan, the point at which the change occurs shall be distinguished by a single black circle.

Areas.

- (c) The areas, which shall be tabulated consecutively and separately for each erf or lot, shall be expressed in accordance with the provisions of paragraph (d) of subregulation (1) of regulation 34; provided that these requirements may be relaxed with the consent of the Surveyor-General.

Road Widths.

- (d) The widths of roads when uniform, which shall be recorded in the figure of the road.

Connecting Data.

- (e) Sufficient numerical data to connect the blocks with each other, and with the boundaries of the outside figure. Such data shall be provided in the figure of the plan, or in an inset.
- (4) The designation of each erf or lot shall be written within the figure.
- (5) the Surveyor-General may, subject to the conditions he deems necessary, accept the use of alpha-numeric symbols to denote beacon descriptions in groups.

[subregulation (5) substituted by GN 829/1989]

Numbering of Erven and Lots

57. The numbering of erven or lots on a general plan shall proceed consecutively in each block and progressively along the streets or roads adjoining a block; provided that public places shall be numbered in accordance with customary procedure prevailing in each province, and that blocks of erven or lots shall not be separately designated.

Certificate

58. (1) Every general plan shall bear the date of survey and shall be Signed under the certificate prescribed in regulation 38: Provided that a general plan, acceptable to the Government department concerned for the granting of a right of leasehold, which was beaconed before I

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September 1979, but was not signed by a land surveyor as having been surveyed by him, shall be signed under the following certificate:

The consistency of the data on this plan has been checked.

.....
Date
Land Surveyor

[subregulation (1) substituted by GN 1445/1981]

(2) If two or more land surveyors were engaged on the survey and the responsibility can be divided, each land surveyor shall sign the general plan under a separate certificate, from which the extent of the division of responsibility shall be clearly evident.

(3) Each sheet of a general plan shall be signed by the land surveyor and approved by the Surveyor-General.

Exemptions

58A. The Surveyor-General may relax any requirement prescribed in these regulations for the framing of a general plan when such general plan is required for the granting of a right of leasehold.

[regulation (58A) inserted by GN 1445/1981]

CHAPTER VII

SURVEY RECORDS

Survey Records - Composition and Lodgement

59. (1) The survey records referred to in paragraph (c) of subregulation (I) of section 13 of the Act shall comprise -

- (a) the original field book;
- (b) the computations, which shall include a typewritten list or a list written in black ink, of all final co-ordinates in which complete references to the source from which the co-ordinates were obtained shall be provided;

[paragraph (b) substituted by GN 959/1972]

- (c) the working plan;
- (d) a triangulation plan, unless all trigonometrical stations are plotted to scale on the working plan;
- (e) a comparison sketch on which the following are recorded:
 - (i) the data derived from the survey;
 - (ii) the data obtained or deduced from the original and adjoining diagrams, in brackets; and

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(iii) the date finally adopted for the survey, underlined:

Provided that when the original and new survey are based on the same system of co-ordinates, only a list of the original, surveyed and adopted values need be furnished;

(f) a report on the survey and on matters incidental thereto, substantially in the form included in Annexure B;

(g) the records, which the Surveyor-General may require when a curvilinear boundary has been determined by photogrammetric methods;

(h) an index to the calculations and field notes, which may be included in the co-ordinate list.

(i) the descriptions of all beacons found, together with the descriptions as recorded by other land surveyors in previous surveys;

(j) the following additional records when the numerical data of a portion of land are determined by photogrammetric methods-

(i) a full set of contact prints and dispositive;

(ii) a flight plan showing photo centres, photo numbers and the boundary of the area under survey;

(iii) a list of residual errors of transformation of photogrammetric co-ordinates of all ground control points trigonometrical stations and reference marks; and

(iv) the comparisons between the calculated and measured distances.

(k) in respect of diagrams and general plans which have been submitted to the Surveyor-General for examination and approval, a certificate from the responsible land surveyor stating that-

(i) the consistency of data has been checked directly from such diagrams and general plans;

(ii) the co-ordinates of beacons appearing on such diagrams and general plans have been checked against the co-ordinate list and the calculations of the fixes of such beacons; and

(iii) the beacon descriptions on such diagrams and general plans have been checked against those recorded, in the field book and those shown on the working plan.

[paragraph (k) inserted by GN 1577/1987]

(l) a copy of the diagrams and general plans referred to in subregulation (k) which demonstrate the results of the checks for consistency of the data.

[paragraph (l) inserted by GN 1577/1987]

[subregulation (1) substituted by GN 2008/1970 and GN 291/1984]

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(2) Survey records shall be lodged with the Surveyor-General for examination and permanent filing simultaneously with every relevant diagram or general plan, unless such records are already filed in his office.

(3) When a survey for the replacement of beacons, involves only their replacement into co-ordinate positions previously established on the trigonometrical system, the requirements of subregulation (1) may be relaxed at the discretion of the Surveyor-General.

[subregulation (3) inserted by GN 657/1986]

Field Notes

60. (1) The field-book as referred to in regulation 59, shall contain a record of the following -

- (a) All angular and linear measurements and all observations made for the purpose of reducing such measurements. The entries of all such measurements and observations shall be made, preferably in pencil, or in ink, on one side of the paper only;
- (b) calculated data used for the placing and checking of beacons, which shall be entered in ink of a colour different from that used for the field entries, and references to the calculation pages from which such data were extracted: Provided that field plans in the form of permanent prints of the general plan may be used to record measured distances and slope angles when placing beacons of a block of erven in a township or settlement, subject to the prior approval of the Surveyor-General;

[paragraph (b) substituted by GN 1445/1981]

- (c) the date on which each set of measurements or observations were made and a reference to any conditions which could affect the quality of the measurements;
- (d) a description of -
 - (i) the land under survey;
 - (ii) the measuring instruments used, including official numbers of such instruments;
 - (iii) all beacons, landmarks and permanently marked stations, as found or erected, including particulars of witness marks found or placed; such descriptions to be recorded at the time of finding or erecting the relevant beacons, marks or stations.

[subparagraph (iii) substituted by GN 1577/1987]

[paragraph (d) amended by GN 1033/1969]

- (e) such topographical sketches as may be necessary;
- (f) the name of the observer which shall be recorded on the fly leaf, or on each page if more than one observer is involved,

[paragraph (f) amended by GN 1033/1969]

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(2) All measurements and observations in the field shall be recorded at the time when such measurements and observations are made.

[subregulation (2) substituted by GN 657/1986]

(3) On no account shall erasures be made in a field-book. Entries may be altered only as a result of re-measurement or re-observation and in such a manner that the original entries are not obliterated.

(4) The form of the field-book and the manner of recording entries therein shall comply as closely as practicable with the specimen in Annexure B hereto, unless the methods of survey employed warrant field notes of a different form.

Computations

61. (1) Computations shall be done in ink or printed out on only one side of the paper, whose dimensions shall be 297 by 210 millimetres (Size A4): Provided that minor computations made in the field for the placing of a beacon may be made in the field book.

[subregulation (1) substituted by GN 533/1967 and inserted by GN 1033/1969]

(2) Computations shall be made throughout in the unit of measure prescribed in regulation 33.

(3) When a survey is not based on trigonometrical stations or on reference marks, the co-ordinate system shall be based on an approximate direction of true north: Provided that in such a survey of land in a township a co-ordinate axis parallel to the general direction of a block of lots may be used.

(4) When co-ordinates are reduced by a constant, such constant shall not alter the sign of the original values and shall be confined to multiples of ten thousand: Provided that the co-ordinates of beacons or stations which are used for orientation purposes only may have a different sign.

[subregulation (4) amended by GN 1395/1964, substituted by GN 1445/1981 and GN 657/1986]

(5) A measure of the accuracy, the reliability and manner of fixes and checks shall be provided and shall be clearly indicated by means of cross-reference or concise statements to the sources from which data for the computations have been obtained and to enable the manner in which the data have been processed to be followed.

(6) When a curvilinear area is surveyed such calculations as may have been made to determine the area shall be furnished.

(7) The computations, if not done substantially in the form of the examples attached to Annexure B to these regulations, shall include:

- (a) the data as abstracted from field records or from reduction sheets;
- (b) the displacements in seconds and their equivalents in metres between the finally selected point and the directions used in its determination by triangulation;

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- (c) the displacements in metres between the finally selected point and the distances used in its determination by trilateration;
- (d) the closure of a traverse determination, and the final distances and directions between successive traverse stations;
- (e) limiting values and class of accuracy obtained as prescribed in regulation 11;
- (f) calculated distances and directions between the finally selected point and the fixed points used for its determination;
- (g) a data or consistency calculation in respect of the numerical data-
 - (i) on each diagram, excepting diagrams representing regular figures in respect of which no co-ordinates are recorded;
 - (ii) of each figure, other than a regular figure, represented on a general plan.

[paragraph (g) substituted by GN 1804/1972]

[regulation 61 substituted by GN 2008/1970]

Working Plan

62. (1) The working plan, which shall not be smaller than 210 millimetres by 297 millimetres, shall be neatly framed in ink on durable material approved by the Surveyor-General, in accordance with the layout, style, specifications and symbols prescribed in Annexure B, and to one of the scales contemplated in regulation 27(1)

[subregulation (1) amended by GN 959/1972, substituted by GN 1445/1981 and GN 829/1989]

- (2) The following information shall be recorded on a working plan -
 - (a) the designation of -
 - (i) the land under survey;
 - (ii) each portion or erf into which the land has been subdivided;
 - (iii) adjoining land,
 and the locality as referred to in regulation 44;
 - (b) the positions and designations of -
 - (i) all beacons, stations or points used, adopted, fixed or calculated during the course of the survey;
 - (ii) principal and ground control points when photogrammetric methods are used;
 - (c) the positions of all curvilinear boundaries and of all servitude features, which shall be plotted to the scale of the diagram to be framed, or to a scale of 1/7500, whichever

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is the larger; provided that with the prior consent of the Surveyor-General a different scale may be used;

- (d) all measured lines and directions used in the determination of a curvilinear boundary or of a servitude feature;
- (e) all measured lines used for the determination of any beacon, station or other point;
- (f) the co-ordinate axes with their values reduced by the constant appearing on the co-ordinate list;
- (g) topographical features as prescribed in Regulation 16, including fences and walls along boundaries

[paragraph (g) substituted by GN 533/1967]

- (h) the direction of true north;
- (i) a concise description of all marked stations, beacons and landmarks, or other indications of corner points, which were adopted, found, determined or placed in the course of the survey;
- (j)

[paragraph (j) deleted by GN 1033/1969]

- (j) the scale of the figure and of the plot of curvilinear boundaries and servitude features, if any;
- (k) the area of each portion contained between the curvilinear boundary and the straight line joining the stations used in fixing the position of such boundary, or between the curvilinear boundary and the straight line joining the beacons nearest to that boundary if the area can be determined with sufficient accuracy.

[Paragraph (k) and (l) renumbered by GN 1033/1969]

Provided that any departure from these requirements shall require the prior approval of the Surveyor-General.

[proviso inserted by GN 1020/1985]

(3) When points are in such close proximity to each other, or to fences or boundaries, that details cannot be clearly shown at the scale of the working plan, an enlarged inset, not necessarily to scale, shall be provided.

- (4) (a) The working plan shall be signed and dated under the following certificate -

“Surveyed by me in accordance with the provisions of the Land Survey Act and the regulations framed thereunder.

Date of Survey Land Surveyor;”

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(b) Each land surveyor engaged in the survey shall sign the working plan in the manner prescribed in subregulation (2) of regulation 58.

CHAPTER VIII

MISCELLANEOUS

Letters and Numbers - Limitation on use

63. Letters or numbers which cannot be reproduced by an ordinary typewriter, shall not be used in any field-book, working plan, diagram, sketch or calculation.

Surveys on behalf of the State

64. No survey of State-owned land or survey on behalf of the State shall be undertaken except upon written instructions or authorisation issued by the Surveyor-General: Provided that the provisions of this regulation shall not apply to any survey undertaken on behalf of the South African Transport Services

[regulation 64 substituted by GN 178/1983]

Surveyor-General not liable for Cost of any Document officially required

65. Any diagram, plan, report, document or other information, required by the Surveyor-General in terms of these regulations, shall be deemed to be an essential part of the survey and the cost thereof shall form part of the cost of such survey.

Replacement of Beacons

66. When a land surveyor has replaced a beacon he shall report the circumstances to the Surveyor-General, and shall submit to that officer, for examination and for permanent filing, the survey records relative to such replacement.

[regulation 66 amended by GN 291/1984]

Tariff for Surveys

67. The charge for any services performed by a land surveyor under the Act and these regulations shall be in accordance with the tariff prescribed in Annexure A: Provided that-

(i) the charges may be increased by written agreement between the land surveyor and the person responsible the payment of his fees;

(ii) should the tariff be changed during the course of the survey, the charges shall be apportioned according to the time spent on the survey at the respective rates;

(iii) the tariff shall not apply to surveys for the registration of mining title; and

(iv) the tariff for the survey of urban Black townships and the upgrading of general plans for registration of a leasehold for 99 years shall be the tariff which was applicable at the date of the issue of the instructions for such surveyor upgrading of the general plans.

[regulation 67 amended by GN 1126, substituted by GN 959/1972 and GN 291/1984]

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Taxation of Accounts

68. (1) The Surveyor-General shall exercise, in case of dispute, all the functions of a taxing officer of the court in relation to fees charged by land surveyors in terms of regulation 67.

(2) With the consent of both parties to such dispute, the Surveyor-General may depute the functions assigned to him under subregulation (1) to the president of the institute or association representing land surveyors in the province concerned.

(3) The fee of office for taxing the account of a land surveyor shall be five cents for every R1, or fraction thereof, of the amount of the account to be taxed, with the minimum fee of R1.

When a Beacon has a bearing on a piece of Laand

[The word "Land" is misspelt in the RSA Government Gazette, as reproduce above.]

69. For the purpose of section twenty-four of the Act, a beacon shall be deemed to have a bearing on a piece of land represented on a diagram based upon a division survey, when it defines a terminal point of a straight boundary line, which is common to such piece of land and to the land being subdivided.

Fees of Office

70. The Surveyor-General shall not accept a diagram or general plan for examination unless the fee of office for such examination has been paid.

Arbitration Proceedings

71. (1) Any person who has called upon a contiguous owner to sign an agreement in terms of subsection (2) of section *sixteen* of the Act, shall preserve a record of the hour and day on which, and the place at which, he so called upon him, or if he called upon him in writing, he shall preserve a copy of the letter and any reply thereto he shall receive. In the event of such contiguous owner refusing to sign the agreement, the person calling upon him to do so shall, if possible, obtain the Signature of such owner to such record of such day, hour and place, and also the signature of any witness present.

(2) Whenever it becomes necessary to proceed to arbitration in terms of the Act, the Surveyor-General shall serve notice upon every owner concerned, or to his duly authorised agent, requiring him within a period of one month after the date of notification, or if he was not in South Africa upon such date, within three months thereafter, to complete and sign, before two witnesses, and to return to him, a deed of submission substantially in the following form -

DEED OF SUBMISSION.

I, , the registered owner of the piece of land called, , situate at in the district of , Province of hereby undertake to submit the question of the disputed beacon and boundary common to the land called , and to the land called

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to the decision of an arbitrator or arbitrators to be appointed by the Surveyor-General of the said province under the provisions of Act No. 9 of 1927, and to accept
award in regard to such beacon and boundary, and to the costs of or incidental to such arbitration as final and conclusive. I further agree that, for the purpose of giving effect to any award or order made in terms of the arbitration this deed shall be deemed to be a Submission under the laws relating to arbitration in the Province of, and that at the instance of either party it may be made the subject of an order of court.

(Signed)

Witnesses (2).

(3) Upon receipt of deeds of submission from every owner affected by an objection, or from his duly authorised agent, the Surveyor-General shall appoint an arbitrator or arbitrators to determine the matter in dispute, but shall, unless he deems it otherwise desirable, appoint one arbitrator only. If, however, half or more than half of the persons affected by the objection demand that more than one arbitrator shall be appointed, he shall appoint at least three arbitrators; provided that in no circumstances shall he appoint more than one arbitrator for the settlement of a dispute under section *twenty-two* of the Act. In the event of three arbitrators being appointed, the decision of any two of them shall determine all questions under submission.

(4) Before any arbitrator enters on a reference under the Act he shall make and subscribe to the following declaration before a justice of the peace or commissioner of oaths -

I,, do solemnly and sincerely declare that I will faithfully and honestly, without fear or favour, and to the best of my skill and ability, hear and determine the matter referred to me under the Land Survey Act, 1927.

(5) The appointment of an arbitrator shall not be revoked without the consent of all parties affected by the objection, nor shall the death of any such party act as the revocation of an appointment.

(6) An arbitrator or arbitrators shall submit his or their awards to the Surveyor-General within sixty days after his or their appointment, but the Surveyor-General may for particular reasons to be recorded in writing extend the time in which the award may be made.

(7) If an arbitrator dies or becomes incapable of acting before making his award, or fails or refuses to make his award within sixty days after his appointments, or within such extended period as may have been allowed by the Surveyor-General, the Surveyor-General shall appoint another arbitrator in his place. Every arbitrator so appointed shall have the same powers and authorities as were vested in the arbitrator in whose place the appointment is made.

(8) An arbitrator acting under a submission shall have the power to summon and hear witnesses, to administer oaths or take affirmations, to call for the production of papers and documents, and to enter upon and inspect any land for the purpose of determining the matter in dispute.

(9) The issue of a subpoena or summons on a witness to compel his attendance, and the production of documents before an arbitrator may be procured by such arbitrator or by any party to a submission, in the same way and subject to the same conditions as if the matter were an action pending in a magistrate's court.

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(10) The parties affected by an objection shall submit to be examined by the arbitrator or arbitrators upon oath or affirmation in relation to the question in dispute and to all matters appertaining thereto, and shall produce before the arbitrator or arbitrators all documents within their possession or power respectively which he or they may call for or require, and shall do all other things which during the arbitration the arbitrators may require in connection therewith. Any party affected by an objection shall have the right to be represented by council or attorney.

(11) As far as practicable, written notes shall be taken of the oral evidence of witnesses by the arbitrator or arbitrators before whom it is given, and such notes shall be submitted to the Surveyor-General, together with the award, for purposes of record.

(12) The arbitrator or arbitrators may proceed *ex parte* in case any party to a dispute or any person affected by an objection, after reasonable notice has been given to him, shall neglect or refuse to attend on a reference.

(13) In every award the arbitrator or arbitrators shall direct by whom the cost of and consequent upon arbitration, or any part thereof, shall be paid, and may decide upon or tax the amount of the cost or part thereof to be so paid except the fees payable to the arbitrator or arbitrators; provided that if no direction be given as to the scale on which costs are to be taxed they shall be taxed according to the tariff allowed in magistrates' courts.

(14) The scale of the fees to be paid to an arbitrator shall be determined by the Surveyor-General prior to the appointment of such arbitrator, and the Surveyor-General may, upon such appointment being made, require that the parties affected by an objection, or any of them, shall deposit with him a sum of money equal to the estimated amount of the fees of the arbitrator, and of the expenses which will be incurred by him in travelling and subsistence, or shall give satisfactory security therefor. In case the amount of such fees and expenses is subsequently found to exceed the deposit, the Surveyor-General may withhold the award until the amount of the excess has been paid.

[The word "subsistence" is misspelt in the RSA Government Gazette, as reproduce above.]

The amount due to an arbitrator by way of fees, on the scale determined by the Surveyor-General as aforesaid, and by way of travelling and subsistence expenses, shall be taxable by the Surveyor-General.

(15) The Surveyor-General shall certify in writing the amount due by any person affected by an objection. Such certificate shall be final, and the person named therein shall be indebted to the Surveyor-General in the amount stated therein; provided that the Surveyor-General may rectify any error in such certificate.

How to recover Costs of resurveying Blocks of Land other than Township

72. (1) A schedule framed by the Surveyor-General under the provisions of subsection (5) of section *twenty-two* of the Act, apportioning the costs of and incidental to a resurvey made under that section, shall lie for a period of thirty days for inspection at the respective offices of the Surveyor-General and the magistrate of the district in which the land surveyed is situated.

(2) Such costs shall be paid to the Surveyor-General by the owners named in such schedule, either in full at the expiration of the period referred to in subregulation (1) or within such extension of that period as the Surveyor-General may allow, or if the owner finds security to the satisfaction of the Surveyor-General for the payment of such costs in ten equal annual

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instalments, the first of which shall become due at the expiration of such period, plus interest at the rate of 6 per cent per annum on the amount of the costs which may from time to time be outstanding; provided that an owner may pay in larger instalments any costs so apportioned to him; provided further that, should the owner of any land affected by the resurvey desire to effect registration of any portion of such land, the balance of costs, plus interest still unpaid at the date of such transfer, shall become due and payable forthwith.

(3) The Surveyor-General shall certify in writing the amount of the costs due by an owner in terms of section *twenty-two* of the Act, and the certificate of the Surveyor-General shall be final; provided that the Surveyor-General may rectify any error in such certificate. The owner named in such certificate shall be deemed to be indebted to the Minister in the amount stated therein, plus interest at the rate of 6 per cent per annum from the date of expiration of the period referred to in subregulation (1), and such costs, plus interest, shall be recoverable from such owner by the Minister by action in a competent court.

(4) The Surveyor-General shall furnish the Registrar of Deeds with a certified copy of the schedule referred to in subregulation (1), and thereafter the Registrar of Deeds shall not effect registration of any piece of land described in the said schedule until a certificate signed by the Surveyor-General is produced to him to at the costs, plus interest, if any, of and incidental to the resurvey have been paid.

ANNEXURE A

[Annexure A amended by GN 1395/1964, GN 533/1967, GN 1126/1969, GN 2008/1970, GN 959/1972, GN 1804/1972, GN 1817/1979, GN 1445/1981, GN 2562/1981, GN 178/1983, GN 291/1984, GN 1020/1985, GN 657/1986, GN 247/1986, GN 1577/1987, GN 1578/1987, GN 2018/1987, GN 34/1988, GN 829/1989, AG 68/1989, AG 24/1990, GN 50/1993, GN 270/1996]

(Referred to in Regulation 67.)

TARIFF OF FEES

Basic area fees

1. (1) Subject to subparagraphs (2) and (3), the fees for the survey of one or more pieces of land included in the same survey, which are surveyed at the same time and each of which does not have more than six boundaries, shall be, according to extent -

- (a) those shown in Table A opposite the relevant number of pieces of land specified in Column 1 and under the extent of the relevant piece or pieces of land specified in Column 2; or
- (b) those shown in Table B under the relevant number of pieces of land in Column 2 opposite the extent of the piece in Column 1,

and the fee per piece of land which exceeds any number specified in Column 1 of Table A, but not the next higher number so specified, shall be an amount equal to the proportionate fee prescribed for the number which is so exceeded:

TABLE A

A Fees for the Survey of Pieces of Land up to 20 000 m² Extent

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COLUMN 1	COLUMN 2						
Number of pieces of land	Fee for each piece of land according to area in square metres						
	300 and less N\$	301 to 40 N\$	404 to 600 N\$	601 to 1 000 N\$	1 001 to 1 500 N\$	1 501 to 4 000 N\$	4 001 to 20 000 N\$
1.....	1 369	1 528	1 601	1 714	1 850	2 086	2 113
2.....	923	1 033	1 091	1 169	1 254	1 314	1 412
3.....	695	776	825	892	975	1 077	1 162
4.....	610	682	728	788	859	936	1 004
5.....	551	621	666	728	783	852	908
10.....	447	509	539	582	644	745	798
20.....	401	458	486	529	581	668	730
50.....	325	389	427	474	529	616	666
100.....	296	368	405	458	506	598	649
250.....	254	334	371	427	471	589	637
500.....	206	290	328	387	437	579	617
1 000.....	177	263	308	362	410	568	605
Additional for each piece more than 1000	161	239	281	335	382	535	568

TABLE B

COLUMN 1	COLUMN 2					
Areas of pieces of land in hectares	Fee for each piece of land according to number					
	one N\$	two N\$	three N\$	four N\$	five N\$	more than five N\$
More than 2 but not more than 5	2 344	2 344	1 717	1 504	1 394	1 043
More than 5 but not more than 1	2 468	1 848	1 639	1 530	1 463	1 178
More than 10 but not more than 25	2 592	1 984	1 778	1 670	1 604	1 319
More than 25 but not more than 50	2 709	2 122	1 920	1 812	1 744	1 458
More than 50 but not more than 100	2 832	2 249	2 048	1 944	1 879	1 596
More than 100 but not more than 200	3 163	2 627	2 444	2 052	2 052	2 056
More than 200 but not more than 300	3 500	2 955	2 740	2 222	2 222	2 222

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More than 300 but not more than 500	3 827	3 216	2 963	2 390	2 390	2 390
More than 500 but not more than 750	4 162	3 480	3 189	2 562	2 562	2 562
More than 750 but not more than 1 000	4 496	3 730	3 414	2 731	2 731	2 731
More than 1 000 but not more than 1 500	4 828	3 652	3 652	3 652	3 652	3 652
More than 1 500 but not more than 2 000	5 157	3 885	3 885	3 885	3 885	3 885
More than 2 000 but not more than 3 000	5 492	4 124	4 124	4 124	4 124	4 124
More than 3 000 but not more than 5 000	5 824	4 355	4 355	4 355	4 355	4 355
More than 5 000 but not more than 7 500	6 155	4 590	4 590	4 590	4 590	4 590
More than 7 500 but not more than 10 000	6 485	4 821	4 821	4 821	4 821	4 821
More than 10 000	N\$ 238 for every additional 1 000 hectares or part thereof;					

(2) For the purposes of Table A, a fraction of a square metre shall be deemed to be a full square metre.

(3) The fees prescribed in subparagraph (1) -

(a) shall include, subject to the other provisions of this Tariff, the costs of-

- (i) supplying survey records in terms of these regulations;
- (ii) a reasonable amount of additional computation to verify the positions of the beacons of the land under survey;
- (iii) preparing and supplying prescribed reports and certificates;
- (iv) preparing, lodging with the Surveyor-General, and supplying diagrams and general plans in the form and number prescribed for registration: Provided that when a general plan consists of ten or less figures, a fee for such general plan shall be made in terms of paragraph 9 of this Tariff;

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- (v) supplying and erecting new beacons and permanently marking main survey stations;
 - (vi) preparing and supplying any agreement regarding beacons as may be required, but shall not include obtaining the signatures of land owners on such agreement;
 - (vii) locating and verifying existing beacons, stations and reference marks where such beacons, stations and reference marks have not been destroyed, obliterated or covered;
 - (viii) basing the survey on trigonometrical stations and reference marks;
 - (ix) testing the alignment of existing beacons when terminals do not have to be fixed, but excluding replacing beacons on line;
 - (x) placing new beacons on an existing boundary;
 - (xi) pointing out beacons and boundaries in the course of field work;
 - (xii) transport in the course of field work;
 - (xiii) supplying normal labour;
 - (xiv) reasonable time devoted to receiving and perusing instructions for the survey;
- (b) shall, for each piece of land 20 000 square metres or less which is a regular figure, the fee prescribed in Table A in subparagraph (1), be reduced by 10 percent for those regular figures exceeding ten in number: Provided that the ten regular figures exempted shall be the smallest regular figures;
 - (c) shall not be reduced merely for the reason that diagrams are not required for registration;
 - (d) shall, when it is necessary to embed the centre-mark of a beacon in concrete, as prescribed, be increased by N\$74 per beacon;
 - (e) shall, when a beacon is placed in accordance with the first paragraph of regulation 18(1)(c), be increased by N\$53 per beacon;
 - (f) shall, when the beacon is placed in accordance with the second paragraph of regulation 18(1)(c), be increased by N\$128 per beacon;
 - (g) shall, when witness marks are placed in terms of regulation 18(2A), be increased by N\$20 per witness mark;
 - (h) shall, in the survey of pieces of land of different areas, be derived for an individual piece of land from its area at a fee which would be applicable if all the pieces were of the same size: Provided that when two or more pieces of land are being surveyed and one or more of such pieces of land exceed 2 hectares in extent and one or more is less than 2 hectares in extent, the fees for one of the larger or largest areas shall be made in accordance with the first column of fees in Column 2 of Table Bin subparagraph (1);

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- (i) shall, for each straight dividing wall of a dwelling which forms a common boundary, be increased by N\$88 for each abutting erf concerned;
- (j) shall, for each staggered dividing wall of a dwelling which forms a common boundary, be increased by N\$178 for each abutting erf concerned;
- (k) shall, for each servitude endorsement on a set of diagrams or general plans, be increased by N\$32;
- (l) shall, for each component clause of a set of consolidated diagrams prepared by a land surveyor, be increased by N\$32;
- (m) shall, when a number of properties represented on separate diagrams are surveyed for subdivisional or servitude purposes, be increased by N\$147 for the second and each subsequent property so surveyed;
- (n) shall, for the survey of additional boundaries exceeding six in number, be increased by 10 percent for each of ten such additional boundaries and thereafter by 5 percent for each further additional boundary: Provided that the line joining an unbeaconed point with an indicatory beacon shall not be deemed to be a boundary for the purpose of this Tariff;
- (o) shall, in the survey of more than one piece of land in a township, be increased by 25 percent for each piece of land -
 - (i) which is larger than 4 000 square metres;
 - (ii) which is entirely surrounded by roads; and
 - (iii) which is not subdivided into erven.

(4) Except as provided in paragraphs 4 and 10 of this Tariff, no fee shall be charged for the survey of any road area for which registration as a separate property is not required and which is created in the survey of one or more pieces of land.

(5) No fee shall be charged for the survey of the outside figure represented on a general plan, unless a diagram of such figure is required for registration, in which case the fees for the outside figure shall be charged as a separate survey.

(6) In the survey of more than one thousand pieces of land of different areas in a township, the fee for the smallest piece of land shall be derived from the lowest tariff of Table A in subparagraph (1) applicable to such pieces of land.

Location and replacement of beacons

2. For the location of replacement of beacons of a property in a township, fees shall be charged in terms of either paragraph 14 or paragraphs 1 and 11 of this Tariff, whichever is less: Provided that for the survey of a property where abnormal circumstances beyond the control of the land surveyor are present the fees charged in terms of paragraph 1 may be increased by a maximum of 85 percent and that no fees shall be charged in terms of paragraph 13 of this Tariff.

Official co-ordinate values

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3. The fees prescribed in paragraph 1 (1) of this Tariff shall be reduced by 5 percent for each beacon to which an official co-ordinate value has been assigned: Provided that -

- (a) no reductions shall be made when it is necessary to redetermine or to verify the position of such beacon;
- (b) the total amount by which such fees are reduced shall not exceed 50 percent.

Remaining extent

4. If it is necessary to survey the remaining extent of a piece of land being subdivided in order to ascertain its area, all fees prescribed in paragraphs 1 and 3 of this Tariff shall apply to the area of such remaining extent as if it were one of the subdivisions.

Definition of a given area

5. The fees for computing the position of and placing a beacon to define a given area that exceeds 2 hectares in extent shall be 10 per cent of the fees prescribed in Table B in paragraph 1 (1) of this Tariff.

Connections

- 6.** For each of -
- (a) the two distances between two suitably situated beacons of the land being subdivided and two beacons of the subdivision referred to in regulation 36(1); and
 - (b) the lengths of the two sides referred to in regulation 36(2)(a) or the distances referred to in regulation 36(2)(b),

the fees for connections shall be charged as indicated for the distance in Table C below:

Provided that -

- (i) no distance shall be charged for more than once;
- (ii) no fee shall be charged if the desired information can be obtained from a previous survey;
- (iii) the fee shall be charged once only when two or more contiguous subdivisions are surveyed at the same time;
- (iv) no fee shall be charged for connections to terminal beacons, the positions of which can be adopted from previous surveys;
- (v) no fee shall be charged when it is not prescribed that connecting data be shown on a diagram.

TABLE C

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General Regulations

Metres	N\$
50 and less	178
More than 50 but not more than 500	358
More than 5000 but not more than 1 000	536
More than 1 000	536
	plus N\$ 18 for every 100 metres or part thereof in excess of 1 000 metres, I with a maximum of N\$1 789.

Curvilinear boundaries

7. (1) For surveying the high-water mark of the sea, the fee shall be N\$65 for every 50 metres or part thereof plus an initial fee of N\$134 for each subdivision of the land which is being surveyed and abuts on the high-water mark.

(2) For surveying both banks of a river in order to determine the middle, the fee shall be N\$92 for every 50 metres of the river or part thereof plus an initial fee of N\$134 for each subdivision of the land which is being surveyed and abuts on the curvilinear boundary.

(3) For surveying a curvilinear boundary, other than a curvilinear boundary referred to in subparagraph (1) or (2), the fee shall be N\$45 for every 50 metres or part thereof plus an initial fee of N\$134 for each subdivision of the land which is being surveyed and abuts on the curvilinear boundary.

(4) A land surveyor shall not charge a second time for the survey of a curvilinear boundary if the desired information can be obtained from a previous survey; Provided that any work that may be necessary to enable the land surveyor to use such information shall be charged for in accordance with paragraph 14 of this Tariff .

Diagrams, endorsements and prints

8. (1) Subject to paragraph 1(3)(a)(iv), the fees which shall be charged for the preparation of a diagram are -

- (a) N\$88 for a diagram of six sides or less without co-ordinates and N\$4,68 for each additional side above six;
- (b) N\$115 for a diagram of six sides or less with co-ordinates and N\$6, 12 for each additional side above six;
- (c) for consolidated diagrams the fees prescribed in subparagraph (a) or (b) as the case may be and in addition N\$32 shall be charged for each component clause of the consolidation.

(2) For each servitude endorsement on a diagram or general plan a fee of N\$32 shall be charged.

(3) For providing prints of diagrams suitable for registration a fee of N\$12 per 1 000 square centimetres or part thereof shall be charged.

General plans

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General Regulations

9. (1) Subject to paragraph 1(3)(a)(iv), the fees which shall be charged for the preparation of a general plan are-

- (a) N\$730 for a general plan with any number of figures up to and including ten figures;
- (b) N\$123 for every additional figure up to and including fifty additional figures;
- (c) N\$14 for every additional figure above fifty additional figures.

(2) For providing additional copies of a general plan suitable for registration purposes a fee equal to that of the printing costs plus 50 per cent shall be charged.

Servitudes

10. (1) Subject to paragraph 1(3)(a), (d), (e), (t) and (g) and paragraphs 6, 11, 12, and 13 of this Tariff, the basic fee for the survey of existing visible power line is the amount indicated against the relevant distance in Table D below:

TABLE D

Distance between Consecutive Bend Points of Power Line

Metres	N\$
20 and less	666
More than 20 but not more than 50	799
More than 50 but not more than 100	873
More than 100 but not more than 150	926
More than 150 but not more than 250	979
More than 250 but not more than 350	1 053
More than 350 but not more than 500	1 137
More than 500 but not more than 750	1 277
More than 750 but not more than 1 000	1 399
More than 1 000 but not more than 1 500	1 589
More than 1 500 but not more than 2 000	1 800
More than 2 000 but not more than 3 000	2 047
More than 3 000 but not more than 4 000	2 314
More than 4 000 but not more than 5 000	2 550
More than 5 000 but not more than 7 500	2 817
More than 7 500 but not more than 10 000	3 193
More than 10 000 but not more than 12 500	3 615
More than 12 500 but not more than 15 000	3 949
More than 15 000 but not more than 20 000	4 393
More than 20 000 but not more than 30 000	4 917
More than 30 000	4 917
More than 20 but not more than 50	plus N\$471 for every 10 000 metres or part thereof
More than 20 but not more than 50	in excess of 30 000 metres.

(2) In the case of two or more adjacent power lines represented on the same servitude diagram, the fee for the survey of each additional line after the first line shall be N\$80 per bend if calculated only or N\$166 per bend if calculated and beacons.

(3) For each property affected by the servitude for which a separate servitude diagram is required, an additional fee of N\$184 shall be charged.

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(4) In addition to the fees prescribed in paragraph 6 of this Tariff, all other property beacons necessarily determined during the course of the survey shall be as for the connections fees according to Table C in paragraph 6 for the distance from each such beacon to the nearest power line bend point included in the survey.

(5) (a) The basic fee for the survey of a line to be represented on a separate servitude diagram shall be the fee prescribed in paragraph 1 of this Tariff for the area of a square piece of land, one side of which is equal to one quarter of the length of such line: Provided that-

- (i) all other fees and reductions prescribed in this Tariff shall apply as if the line represented one or more boundaries of a piece of land; and
- (ii) such length shall be taken as being the distance along such line between the property boundaries for which connecting data are normally considered necessary by the Surveyor-General.

(b) When two or more adjacent lines are represented on the same servitude diagram, the fee for the survey of each additional line after the first line shall be 35 percent of the fee prescribed in subparagraph (a).

(6) The fees prescribed in paragraph 1 of this Tariff shall apply to the survey involving the beaconing of a servitude area when it is essential to represent such area on a separate servitude diagram: Provided that, when such area affects more than one contiguous property, each section of such area which is necessarily beaconed shall be considered to be a separate piece of land.

(7) (a) For a servitude combined with a subdivision and represented on a subdivisional diagram, when such servitude lies outside the boundaries of the subdivision, the fees contemplated in subparagraphs (5) and (6) shall be charged.

(b) A servitude combined with a subdivision and represented on a subdivisional diagram shall be considered to be an inherent part of such subdivision when such servitude lies within the boundaries of the subdivision and the fees prescribed in this Tariff shall apply to the survey of such servitude: Provided that all additional beacons necessarily placed to define the limits of the servitude, shall be charged for as if they were additional sides.

(c) The fees prescribed in paragraph 7 of this Tariff shall be charged when the servitude concerned is defined by a curvilinear line.

(8) For servitude surveys for which the Surveyor-General has allowed the same procedures to be adopted which are prescribed for existing visible power line servitudes, the fees to be charged are the fees prescribed in subparagraphs (1), (2), (3) and (4) of this paragraph.

Travelling, transport and subsistence

11. (1) A fee for the forward and the return journey between a land surveyor's headquarters and the site of the survey or from the place where he or she was last employed to such site and onwards to other work shall be charged at a rate of N\$2,45 per kilometre: Provided that -

- (a) such fee shall be charged for only one completed journey with one vehicle, unless substantial reasons exist for additional journeys being made or additional vehicles being used;

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- (b) no such fee shall be charged for travelling and transport during the performance of a survey for which a basic fee is charged.

(2) An additional fee shall be charged for the time occupied during the forward and return journeys between the land surveyor's headquarters and the site of the survey for one land surveyor, one technical assistant and labourers being necessarily transported for the performance of the survey and which fee, unless a different prior written agreement has been entered into between the land surveyor and the client, shall be determined –

- (a) in respect of the land surveyor, at a rate of N\$153 per hour; and
- (b) in respect of any technical assistant and labourers, at a rate per hour which is equal to 0,15 percent of the gross annual remuneration of the technical assistant and labourers involved.

(3) When free accommodation is not provided at the site of the survey, the land surveyor shall charge travelling and transport expenses at the rates prescribed in subparagraphs (1) and (2) of this paragraph in respect of one forward and one return journey per day between the site of the survey and either-

- (a) his or her headquarters; or
- (b) the nearest suitable accommodation; or
- (c) the free accommodation provided elsewhere by the client:

Provided that –

- (i) the distance per day for which such fee is charged shall not exceed 100 kilometres; and
- (ii) no fees shall be charged in terms of this paragraph for the first day devoted to the survey.

(4) When accommodation is supplied by the land surveyor away from his or her headquarters, he or she may charge N\$152 per day each for himself or herself and each technical assistant and N\$86 per day for each of his or her labourers, unless a prior written agreement has been entered into between the land surveyor and the client that the land surveyor may recover his or her actual expenses.

Line clearing

12. (1) When it is essential for the performance of a survey that vegetation be cleared, the time necessarily spent by the surveyor solely on supervising such clearing shall be charged for at a rate of N\$155 per hour: Provided that the land surveyor shall ensure that the clearing is done as economically and expeditiously as possible: Provided further that, whenever practicable, the client shall be afforded the opportunity of having the necessary clearing done and supplying the necessary labour.

(2) The cost of labour supplied by the land surveyor for the clearing may be recovered from the client.

Abnormal circumstances

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13. (1) The fees prescribed in Table B in paragraph 1(1), in paragraph 1(3)(b), (m) and (n) and in paragraphs 4, 5, 6, 7, 10 and 11(1) of this Tariff shall, in the case of surveys in the registration divisions mentioned in Column 1 below, be increased by the percentages mentioned opposite thereto in Column 2 below:

COLUMN 1 Registration Division	COLUMN 2 Percentage increase
A.....	20%
B.....	35%
D.....	15%
J.....	15%
L.....	15%

(2) In the survey of pieces of land in an existing township, the fees prescribed in Table A in paragraph 1 (1) of this Tariff, shall, for those pieces of land upon which one or more buildings have been erected, be increased with N\$360 or 60% of the relevant fees so prescribed whichever is less.

Miscellaneous

14. For professional work not provided for elsewhere in this Tariff-

- (a) a fee of N\$220 per hour shall be charged: Provided that where an institute of land surveyors has set a tariff for the work in question a fee shall be charged in accordance with such tariff, but such fee shall not exceed N\$220 per hour;
- (b) the following costs shall be recovered:
 - (i) N\$2,45 per kilometre in respect of motor transport supplied by the land surveyor during the performance of a survey;
 - (ii) the amount of disbursements for beacon material;
- (c) an amount per hour or part thereof which is equal to 0,15 percent of the gross annual remuneration of technical assistants and labourers necessarily employed for the work in question shall be charged.

ANNEXURE B

[Annexure B substituted by GN 1577/1987, GN 1578/1987 and GN 270/1996]

Scale of fees to be charged in the office of the Surveyor-General

Examination of Diagrams

1. (a) For the examination, approval and certification of a diagram, whether permitted to be in single or not: N\$120-00: Provided that the fee prescribed above shall cover the supply by the Surveyor-General, in prescribed circumstances, of the additional copies of the diagrams required for registration, and all services in connections with or incidental to such registration which are not specified elsewhere in this scale of fees.

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- (b) For diagrams submitted, not complying with the specification (type of paper), per sheet: an additional N\$10,00.
- (c) For the examination, approval and certification of a diagram which has been rejected by the Surveyor-General, and relogged by the land surveyor: N\$30-00 per sheet.

Examination of General Plans

- 2. (a) For the examinations, approval and certification of a general plan, including such additional copies thereof as may be prescribed by law: N\$500-00.

For each lot, erf, holding, portion or subdivision shown in such a plan: an additional N\$20-00.

- (b) For the examination, approval and certification of a general plan which has been rejected by the Surveyor-General and relogged by the land surveyor: N\$10-00 per lot, erf, holding, portion or subdivision shown on such plan, subject to a maximum of N\$ 1 000.

Amendments and Endorsements

- 3. For each amendment or endorsement to a general plan or diagram, in terms of any law: N\$40-00: Provided that –
 - (i) where more than one amendment or endorsement is included in the same authority to amend or endorse, the second and subsequent amendments or endorsements shall be charged for at the rate of N\$40-00 per amendment or endorsement.
 - (ii) if, in the opinion of the Surveyor-General, the work involved is of a complicated nature, the tariff prescribed in paragraph 13 shall apply;
 - (iii) for the purpose of this paragraph a general plan or diagram shall include the number of copies of such document necessary for registration if they are amended or endorsed at the same time.

Withdrawal of Diagrams

- 4. For withdrawing a diagram: N\$40-00

Hand-drawn Diagrams in the Surveyor-General's Office

- 5. For supplying a hand-drawn diagram, or hand-drawn certified copy of a diagram, per diagram or copy: N\$250-00

Certificates

- 6. For each hour, or portion thereof, spent in preparation of-
 - (i) a certificate of remaining extent N\$80-00;
 - (ii) any other certificate: N\$40-00

Prints

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7. (a) For prints done in the darkroom -
- (i) Negatives per A5 size sheet: N\$20-00.
 - (ii) Positives on paper, per A0 size sheet: N\$70-00, and per A1 size sheet: N\$35-00.
 - (iii) Positives on polyester film, per A0 size sheet: N\$80-00, and per A1 size sheet: N\$40-00.
 - (iv) Hot box copies of general plans, per sheet: N\$80-00.
- (b) Photocopies of plans, maps, flight plans and ortophotos -
- (i) Paper copies, per A0 size sheet: N\$1 0-00, and per A1 size sheet: N\$5--00
 - (ii) Polyester and sepia copies, per A0 size sheet: N\$50-00, and per A1 size sheet: N\$25-00.
 - (iii) Paper copies of general plans or noting plans: per copy N\$20-00.
 - (iv) Polyester or sepia copies of general plans or noting plans: per copy N\$50-00.
 - (v) Paper copies of flight plans, per A0 size sheet: N\$7 -00, and per A1 size sheet: N\$10-00.
- (c) Photocopies of diagrams and other documents -
- (i) Per A3 size sheet: N\$4-00.
 - (ii) Per A4 size sheet: N\$2-00.

Certified copies

8. A certified copy of a diagram or any document supplied by the Surveyor General:
- (a) Per A4 size copy: N\$10-00.
 - (b) Per A3 size copy: N\$15-00.
 - (c) Per copy bigger than A3 size: N\$18-00.

Report to Court

9. For supplying a court report or an affidavit: For each hour, or portion thereof, spent in preparation of such report or affidavit: N\$80-00.

Printed Maps

10. (a) 1:50 000 Topographical map: N\$15-00.
- (b) 1 :250 000 Topographical map: N\$20-00.

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- (c) 1: 1 000 000 Wall map: N\$40-00.

Co-ordinates, Heights and Plans of Trigonometric Stations, Reference Marks and Bench Marks

11. (a) For supplying co-ordinates or heights in printed format: 35 cents per point.
- (b) For supplying prints of plans trigonometrical stations, reference marks and bench marks: N\$10-00.
- (c) For supplying prints of reconnaissance reports of trigonometrical stations and locality sketches of reference marks and bench marks: N\$4-00 per print: Provided that no guarantee can be given by the Surveyor-General that any trigonometrical station, reference mark or bench mark for which data has been supplied has not been disturbed or removed.

Information to be faxed

12. To fax information in Namibia, per A4 size sheet: N\$10-00.

Miscellaneous Work

13. For any work or service not specified above the charge shall be on a time basis at the rate of N\$80-00 per hour or portion thereof.