

[AS REPORTED ON BY THE WASTE LANDS COMMITTEE.]

Hon. G. F. Richardson.

NEW ZEALAND INSTITUTE OF SURVEYORS.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Formation of an Institute of Surveyors in the Colony of New Zealand, and for the Incorporation thereof. Title.

5 WHEREAS certain persons in the Colony of New Zealand have formed themselves into an association under the name of "The New Zealand Institute of Surveyors," for defining the nature and extent of the education expected from candidates seeking to enter the profession, providing a competent and sufficient authority to pronounce the opinions of the whole profession upon the conduct of any of its members and upon any matters touching their general interests or well-being, affording the public requiring the assistance of surveyors a guarantee of their competency, and providing means for the discussion of professional questions with a view to their mutual improvement, and, 10 generally, for regulating matters pertaining to the profession of a surveyor, and for securing uniformity of practice amongst surveyors in the said colony: And whereas it is expedient to incorporate the association, and to give to the same such powers as are hereinafter conferred: Preamble.

20 BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The New Zealand Institute of Surveyors Act, 1891." Short Title.

25 2. For the purposes of this Act the word "surveyor" shall mean any person who holds a certificate as an authorised surveyor from the Surveyor-General of the Colony of New Zealand; and nothing in this Act shall be deemed to interfere with or control the requirements of any law now or hereafter in force respecting the qualification, status, 30 or employment of surveyors. Interpretation.

- Incorporation. 3. All persons who have become and are now members or associate members of the aforesaid association, and all persons who shall at any time or hereafter become members of the same under and in accordance with this Act and the by-laws and rules made hereunder, and their successors, shall be members of and form one body politic and corporate in deed and in law by the name of "The New Zealand Institute of Surveyors," and by such name they and their successors may sue and be sued, implead and be impleaded, answer and be answered, in any and every Court of law and equity in the Colony of New Zealand, in all actions, claims, suits, matters, and things whatsoever, in like manner as fully and effectually as any person in the said Colony may or can do. 5 10
- Seal. 4. The New Zealand Institute of Surveyors under the said name shall have perpetual succession, and may have and use a common seal, with full power and authority to alter, vary, break, and renew the same at their discretion. 15
- Purchase of land. 5. The said Institute may at all times hereafter purchase, acquire, hold, possess, and enjoy, for any estate or term of years whatever, any real or personal estate of any nature or kind whatsoever; and may sell, convey, demise, exchange, mortgage, and dispose of such real or personal estate or any part thereof. 20
- Council and officers. 6. The affairs of the Institute shall be managed by a Council, consisting of President, two Vice-Presidents, Honorary Treasurer, six delegates from local Committees, and six ordinary members. The President, Vice-President, Honorary Treasurer, and six ordinary members shall be elected by ballot from amongst the members of the Institute at the next annual meeting first ensuing after the passing of this Act. The President shall hold office for two years; and three of the other members of Council shall retire annually by ballot, but be eligible for re-election at the next annual meeting. 25
- How elected. 7. Meetings of the Institute shall be held at such times and places as the by-laws shall direct. The rules and by-laws of the Institute shall provide for the representation and voting at such meetings of its members. 30
- General meetings. 8. The Council shall transact all the ordinary business of the Institute; it shall keep, or cause to be kept, proper minutes of its proceedings; it shall have power to appoint committees, and to pass by-laws for the regulation of its own affairs, and from time to time to rescind, alter, or amend such by-laws, provided that such be not repugnant to the general rules of the Institute; and it shall have power to appoint a Secretary and other necessary officers, and in its discretion to cancel such appointments, and to order the payment out of the funds of the Institute of such salaries or allowances to such officers as it may determine. 35 40
- Powers of Council. All the property of the Institute shall be vested in the President and Honorary Treasurer for the time being, in trust for the Institute. 45

Struck out.

9. The Council shall have full power to examine and inquire into, or cause to be examined and inquired into, the qualification and fitness of candidates claiming to be admitted as members of the Institute; and the method, nature, and extent of such examination and inquiry may be regulated by rules and by-laws made and passed hereunder. 50

10. 9. ~~No~~ Any person shall *may* hereafter become a member of the said Institute unless he be over twenty-one years of age, and shall have had not less than five years' professional experience, and shall be possessed of the qualification stated in section *two*, or any other such

Qualification of membership.

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11. 10. At any meeting of members of the Institute it shall be lawful for them, or such of them as shall be present, provided the number be not less than ten, to make such by-laws, rules, or orders as to them shall seem necessary, convenient, or proper for the regulation and government of the said Institute, and for fixing the manner of electing the Council, President, Vice-Presidents, Honorary Treasurer, Auditors, and such other officers as shall be deemed necessary, and the qualifications respectively for such officers, and the term of their continuance in office, and the manner and time in which any vacancy shall be filled up; and also for regulating the appointing and admitting persons to be members of the Institute, and for expelling members therefrom for misconduct and malpractice; and for convening ordinary or special meetings of members; and for the granting of certificates of membership; and for conferring fellowships, and creating honorary memberships, and other titles of distinction; and generally for carrying the objects for which the Institute is formed into full and complete effect. And such by-laws may be from time to time altered, varied, or revoked, and new by-laws may be made and passed, so that the same be not repugnant to this Act, provided that notice of any proposed alteration be notified in writing to the Council at least three months before date of meeting.

By-laws.

12. 11. A register of surveyors shall be kept by the Surveyor-General at the City of Wellington, and such other place or places as he may fix. The said register shall be open during all reasonable business hours for inspection, and shall be open to the inspection of any member of the Institute gratis, and to the inspection of any other person on payment of the sum of one shilling; and from and after the *first* day of *January*, one thousand eight hundred and ninety-two, no person shall be entitled to recover any fee or charge in any Court for any survey made under any Act of the General Assembly of New Zealand relating to the disposal of land, or for any survey affecting the tenure of land, or for the establishment of any previous survey of any land, unless he is registered under this Act.

Register.

40 The said register shall, upon production, be *prima facie* evidence that any person whose name is therein inscribed is a surveyor within the meaning of this Act.

New clause.

12. The Surveyor-General shall publish in the Government *Gazette* in the month of January of every year a list of authorized surveyors, and the production of such *Gazette* shall in any Court be

45 *prima facie* evidence that any person named therein is a surveyor within the meaning of this Act.

List of surveyors to be published in *Gazette*.