

Government Notice No. 49

LAND SURVEY ACT

(CAP. 59:03)

LAND SURVEY REGULATIONS, 2020

IN EXERCISE of the powers conferred by section 75 of the Land Survey Act, I, KEZZIE KASAMBALA MSUKWA, Minister of Lands, make the following Regulations—

ARRANGEMENT OF REGULATIONS

REGULATIONS

PART I—PRELIMINARY

1. Citation
2. Interpretation
3. Application
4. Surveys subject to approval

PART II—LICENSING OF LAND SURVEYORS

5. Assessment of applicants
6. Setting examination
7. Oral interviews
8. Licensing
9. Surveyor General may check field work

PART III—REGISTRATION OF SURVEY TECHNICIANS, GRADUATE SURVEYORS
AND LICENSED SURVEYORS

10. Registration as surveying technician
11. Registration as graduate land surveyor
12. Registration as licensed surveyor
13. Certificate of registration
14. Register
15. Authorized common seal

PART IV—CHECKING OF SURVEY WORK

16. Surveyor General may test surveys of doubtful accuracy

PART V—FIELD WORK

17. Information previous to survey
18. Testing, adjustment and registration of survey equipment
19. Field book observations
20. Surveys to be based on geodetic stations

REGULATIONS

21. Position of geodetic stations shall be determined
22. Baseline measurement
23. Determination of true north
24. Determination of points
25. Checking of surveys and limits of allowable error
26. Beacon on or near boundaries
27. Curves as boundaries
28. Unacceptable boundaries
29. Curvilinear boundaries
30. Topographical features to be surveyed
31. Surveys to be based on reference marks

PART VI—BEACONS

32. Beacons to be placed
33. Types of beacons
34. When beacons are not required
35. Indicatory beacons
36. Moving beacons
37. Damage to beacons and geodetic stations

PART VII—DEED PLANS

38. Deed plan forms
39. Quality and size of material
40. Margin
41. Ink
42. Geometrical figure
43. How to indicate beacons and geodetic stations
44. Colouring
45. Lettering
46. How to indicate contiguous properties
47. Unit of measure
48. Scales
49. Numerical data to be recorded on a deed plan
50. Coordinates
51. Limits of inconsistency
52. How to indicate North
53. Topography
54. Names of rivers, etc to be given
55. Direction of rivers

REGULATIONS

56. Direction of roads and railways
57. Irregular boundaries
58. Limits of the figure to be clearly described
59. Land to be designated by a name or number
60. Locality to be stated
61. Easements and rights of way
62. Beacons to be described
63. Connecting data
64. Composite deed plans
65. Erasures
66. Approved deed plans
67. Untidy and dilapidated plans
68. Deed plans to be signed and dated

PART VIII—WORKING PLANS

69. When a working plan is required
70. Material to be used
71. Margins
72. Scales
73. Data and details to be recorded on the working plan
74. How to show data and details
75. Conventional signs to be used on plans
76. Working plan to be signed and dated

PART IX—SURVEY RECORDS

77. Survey records
78. Computations
79. Comparison of data

PART X—GENERAL PLANS

80. When a general plan is required
81. Data and details to be shown on a general plan
82. Survey records to accompany the general plan
83. Survey records retained by the surveyor
84. Alternative format for a general plan
85. Reference numbering for a general plan and its records
86. Alterations to a general plan
87. Surveyor General to maintain a cadastral index
88. Limits of accuracy
89. Survey procedure
90. Registration diagrams

REGULATIONS

PART XI—DEMARICATION OF CUSTOMARY ESTATES

91. Nature of general boundaries
92. Identifying physical features
93. Verifying land parcels
94. Demarcation and field verification of land parcels
95. Use of fixed boundaries
96. Plotting registration diagrams
97. Individual and contiguous land properties
98. Unique number of land parcels
99. Content of registration diagrams

PART XII—MEASUREMENT BY DIFFERENTIAL GNSS

100. Registration of GNSS Receivers and drones
101. Specification of survey done with receiver
102. Approval of transformation parameters
103. Establishing of geodetic survey controls
104. Method of cadastral, etc. surveys
105. Placing beacons in cadastral surveys
106. Approved data software
107. Submission of survey records
108. Format of the generated field book

PART XIII—MISCELLANEOUS

109. Surveys of land on behalf of Government
110. Surveyor General not liable for cost of any document officially required
111. Replacement of lost beacon to be reported by the surveyor
112. Plan to be in duplicate
113. Tariffs for survey
114. Surveyor General to be taxing officer
115. Board to be taxing office
116. Accounts for government surveys to be in duplicate
117. Application for licence
118. Licence to be personal
119. Annual fee
120. Notification of postal address and specimen signature
121. Notification of cessation of practice
122. Preservation of beacons by landlords
123. Unsatisfactory boundary
124. Revocation

PART I—PRELIMINARY

1. These Regulations may be cited as the Land Survey Regulations, Citation
2020.

2. In these Regulations, unless the context otherwise requires— Interpretation

“angle” when used in relation to a figure on a plan, means the internal angle at the intersection of two adjacent sides; or the angle made by the intersection of an indicatory line and an adjacent side, or by two indicatory lines;

“arc” means the mean of a round of observations taken in clockwise order and a round of observations taken in anti-clockwise order with the telescope reversed;

“customary estate lease” means the certificate issued under section 23 of the Customary Land Act;

Act No. 19 of
2016

“deed plan” means a plan with the attributes under Part VII;

“figure of regular shape” means a rectangular figure, a parallelogram, a right angled triangle, a right angled trapezium or any one of these figures of which one or more of its corners has been cut off by an isosceles triangle;

“fixed boundary” means a boundary of a piece of land accurately determined by survey in accordance with these Regulations;

“geodetic station” means a station of the primary, secondary or tertiary triangulation;

“general boundary” means a boundary which uses natural or man-made features to define a boundary line of a land parcel;

“general plan” means a cadastral plan that accompanies a survey that is required to be submitted to the Surveyor General but is exempted from approval;

“GNSS” means Global Navigation Satellite System;

“registration district” shall have the meaning under the Registered Land Act;

Cap.58:01

“left bank of a river” means that bank of a river which is on his left when the observer is looking downstream;

“original plan” means the registered plan of the property being surveyed, re-surveyed or subdivided;

“right bank of a river” means that bank of a river which is on his right side when the observer is looking downstream;

“round of observations” means a single series of observations to surrounding stations;

“side” means the length of a straight boundary line represented thereon, or the length of an imaginary line joining any two beacons between which the boundary is curvilinear;

- Act No.17 of 2016
- “subdivision” shall have the meaning under the Physical Planning Act;
- “sub division plan” means the plan of a subdivision;
- “trigonometrical station” means a station of the primary, secondary or tertiary triangulation;
- “UTM” means the Universal Traverse Mercator; and
- “work plan” means a plan with the attributes under Part VIII.
- Application
- 3.—(1) These Regulations shall apply to surveys carried out for the following purposes—
- (a) all surveys carried out by the Government, or on behalf of the Government, for the purposes of creating or conveying any interest in land whether on public or private land;
- (b) all surveys carried out within a Land Registration District for the purposes of creating or conveying any interest in land where the Registry Map is being maintained by the Surveyor General;
- (c) any survey carried out on private land; and
- (d) any surveys for the purpose of providing topographic and hydrographic information.
- (2) These Regulations shall not apply to any survey, whose field work was commenced before the coming into force of these Regulations or to any plan framed in accordance with Regulations in force at the date of such survey.
- Surveys subject to approval
- 4.—(1) All records, survey data and plans that are prepared for surveys carried out under regulation 3 (1) shall be—
- (a) submitted to the Surveyor General for examination and approval; and
- (b) filed by the Surveyor General and be assigned distinctive reference numbers.
- (2) Records, survey data and plans that are submitted by surveyors engaged to carry out surveys that may be exempted from approval by the Surveyor General where—
- (a) the survey carries a report signed and dated by a registered licensed surveyor certifying that the survey was carried out by himself or under his personal supervision; and
- (b) the Surveyor General reserves the right to examine any survey to ensure that the regulations are complied with.
- (3) The Surveyor General may grant exemption from examining other surveys of a similar nature to those exempted in regulation 3(2) upon written application by a surveyor.

PART II—LICENSING OF LAND SURVEYORS

5.—(1) The Board shall consider applications for licensing of land surveyors, at least twice every year. Assessment
of applicants

(2) An applicant to be considered as a candidate as a licensed Surveyor shall complete, sign and submit Form 1A in the Seventh Schedule hereto with evidence of payment of application fees to the Board as prescribed in the Eighth Schedule hereto.

(3) The Board shall accept an application for licensing and registration from a candidate who meets the requirements under section 28 of the Act.

(4) Subject to section 28 of the Act and sub-regulation (1), a candidate shall submit to the Board—

(a) a register of approved jobs carried out by the candidate; and

(b) a letter from his supervisor, who shall be a practising licensed surveyor, confirming that the candidate carried out the jobs under his supervision.

(5) The Board shall make an assessment of the candidate's submission and shall make a decision regarding whether the candidate qualifies to proceed to an examination or not.

(6) Where the Board has made a decision on a submission of a candidate, it shall communicate the decision to the candidate in writing and in the case where the decision is that the candidate does not qualify to proceed to an examination, the candidate shall be provided the reasons for such decision in writing.

6.—(1) The Board shall agree on the trial survey to be given to a candidate. Setting
examination

(2) The Board shall give a candidate a trial survey, once it has been agreed, and the survey shall be completed within fourteen days from the date it was given to the candidate.

(3) Each member of the Board shall independently assess, mark and award marks to a trial survey of a candidate.

(4) The Board shall agree on how a trial survey shall be marked and assessed.

(5) The Board shall inform a candidate, in writing, of its decision, as to whether the candidate has passed the examination or not, within fourteen days from the date the candidate submitted his trial survey.

(6) Where a candidate has failed his trial survey, the Board shall inform the candidate the reasons for its decision.

7.—(1) Four members of the Board shall comprise an interview panel. Oral
interviews

(2) The Board shall design an assessment form to be used for assessment during an interview of a candidate.

(3) The interview panel shall confirm, through the questioning of a candidate, whether the candidate personally carried out a trial survey.

(4) A candidate shall be examined on the laws relevant to the practice of surveying.

(5) The Board shall assess a candidate and satisfy itself whether the candidate deserves a licence or not.

(6) The Board shall inform a candidate, in writing, whether he has passed the interview or not within fourteen days from the date of the interview, and where the candidate has failed the interview, the Board shall provide the reasons of its decision, in writing.

(7) A candidate who has failed an interview shall not be considered for another examination within the same year.

Licensing

8.—(1) A successful candidate shall be required to fill Form I of the Seventh Schedule hereto.

(2) The Board shall award a successful candidate with a licence in Form II of the Seventh Schedule hereto.

(3) A licensed surveyor shall pay to the Board an annual fee as prescribed in the Eighth Schedule hereto.

Surveyor
General may
check field
work

9.—(1) The Surveyor General may, at any time, delegate an officer in the public service, being a surveyor, to check in the field any survey done by a surveyor under the Act or any information recorded in connection with such survey or to test any surveying instruments or measuring bands used by such surveyor.

(2) The Surveyor General may likewise delegate any officer in the public service, being a surveyor, to inspect and report upon the erection and maintenance of beacons in accordance with the Act and these Regulations.

PART III—REGISTRATION OF SURVEY TECHNICIANS, GRADUATE SURVEYORS AND LICENSED SURVEYORS

Registration
as surveying
technician

10. A person shall be considered to be registered as a surveying technician where he or she—

(a) has complied with the requirements contained in section 32 of the Act;

(b) has attained practical experience in land surveying under the direction of a registered licensed surveyor for a period of not less than two years;

(c) has submitted an application to the Board for registration as a surveying technician in form of a completed and signed Form IC in the Seventh Schedule hereto;

(d) is a registered surveying technician with the Surveyors Institute of Malawi; and

(e) has paid to the Board the prescribed registration fee as set out in the Eighth Schedule hereto.

11. A person shall be registered as a graduate land surveyor when he or she—
- Registration
as a graduate
land surveyor
- (a) has complied with the requirements contained in section 31 of the Act;
- (b) is a registered graduate member of the Surveyors Institute of Malawi;
- (c) has submitted an application to the Board for registration as a graduate land surveyor in form of a completed and signed Form ID in the Seventh Schedule hereto; and
- (d) has paid to the Board the prescribed registration fee as set out in the Eighth Schedule hereto.
12. A person shall be registered as a licensed surveyor when he or she—
- Registration
as licensed
surveyor
- (a) has complied with the requirements contained in section 28 of the Act;
- (b) has submitted an application to the Board to be registered as such in form of a completed and signed Form IE as set out in the Seventh Schedule hereto;
- (c) is a fully paid member of the Surveyors Institute of Malawi; and
- (d) has paid to the Board the prescribed registration fee as set in the Eighth Schedule hereto.
- 13.—(1) The Board shall, upon registration, issue a certificate of registration to a surveying technician, a graduate land surveyor or a licensed land surveyor, as the case may be, as set out in in Forms II B to D of the Seventh Schedule hereto.
- Certificate of
registration
- (2) The certificate of registration referred to in sub-regulation (1) shall be renewed annually upon application and payment of the prescribed registration fee to the Board set out in the Eighth Schedule hereto.
14. The Board shall maintain a register containing the following information of each member—
- Register
- (a) full name;
- (b) contact details;
- (c) the date of the issue of first certificate;
- (d) the status of certificate;
- (e) the status of licence; and
- (f) claims, if any, for professional indemnity.
- 15.—(1) A person registered as a licensed surveyor shall obtain an authorised common seal to be used in the certification of plans, drawings and documents.
- Authorised
common seal
- (2) A registered surveyor shall return the seal referred to in sub-regulation (1) upon suspension or revocation of his registration with the Board.

- (3) Every cadastral plan, survey plan or report shall be—
- (a) embossed with the seal of the registered surveyor; and
 - (b) registered with the Surveyor General.

PART IV—CHECKING OF SURVEY WORK

Surveyor
General
may test
surveys of
doubtful
accuracy

16.—(1) (a) Where the Surveyor General has any reason to doubt within the limits prescribed the accuracy, in regulation 9, of any survey made under the Act, he may call on the responsible surveyor, in writing, to admit or deny the inaccuracy within a period of thirty days;

(b) here a surveyor admits the inaccuracy, he shall, without delay, take appropriate action to rectify his error;

(c) where a surveyor denies the inaccuracy, he and the Surveyor General may agree upon a surveyor to be appointed to test the accuracy of the survey in question; and

(d) where he so desires, a surveyor, may be present, at his own expense, during the testing of the survey.

(2) Should the surveyor, when called upon by the Surveyor General neglect either to admit or to deny, within the said period, the inaccuracy of his work, or should no agreement be come to within a period of thirty days as to the surveyor to be appointed, the Surveyor General may, without further reference to the surveyor, appoint a surveyor to make the necessary investigation.

(3) (a) In the event of the work proving inaccurate, the Surveyor General may reject the whole survey or any portion of it, and charge the cost of the investigation to the surveyor concerned; and

(b) should the survey prove to be within the prescribed limits of accuracy and to have been carried out in accordance with these Regulations, the Surveyor General shall be liable for the costs of the investigation.

PART V—FIELD WORK

Information
previous to
survey

17.—(1) Before carrying out any survey, a surveyor shall provide himself with all available information in respect of any previous survey of the piece of land to be surveyed and of the adjoining pieces of land.

(2) The Surveyor General shall furnish this information to surveyors free of charge where he is able to do so.

Testing,
adjustment and
registration
of survey
equipment

18.—(1) Every surveyor shall assure himself that his survey equipment used for the purpose of base or other measurements has been properly tested and any errors ascertained and that the equipment is in a proper state of adjustment and has been registered at the Surveyor General's office.

(2) Unless there is a standard base approved by the Surveyor General available for the testing of his survey equipment, every surveyor shall reserve

at least one survey equipment of a type approved by the Surveyor General as a standard to be used solely for the checking of the equipment which he has in general use.

(3) The standard equipment shall be submitted to the Surveyor General before use in Malawi, and thereafter at least once every ten years, to be tested or re-tested, which testing or retesting shall be done free of charge.

(4) When called upon by the Surveyor General to do so, a surveyor shall as soon as possible, submit his standard or other survey equipment to the Surveyor General for testing.

(5) A surveyor may, if he so desires, at any time submit one or more of his survey equipment to the Surveyor General to be tested free of charge.

(6) The Surveyor General may condemn any survey equipment which he considers is not fit for survey work, or he may prescribe on what class of survey work any particular equipment may be used and the number of repeat observations which must be made with any particular instrument.

(7) A surveyor shall not use, in any survey done under the Act, any survey equipment that has been condemned pursuant to sub-regulation (6).

(8) The Surveyor General may assign a unique number to each of the survey equipment tested or registered by him, and a surveyor shall quote such number in the field book relating to each survey he carries out.

19.—(1) Observations shall be made with a telescope in both direct and reversed positions, and these observations shall be separately entered in the field book.

Field book
observations

(2) During observations, it shall not be necessary to reverse the telescope—

(a) when using a total station; and

(b) when making vertical observations over distances of less than one kilometre when the depression or elevation angle is not more than 10 degrees.

(3) Rounds of observations from any point shall be made alternatively in clockwise and in anti-clockwise order.

(4) In the first round of observations, at each observing point the instrument shall be set, whenever possible, in the bearing which is to be used throughout the survey and computations.

(5) Each round of triangulation observations from a station shall be concluded by sighting on the first object observed on the round and the resultant readings shall be entered into the field book.

(6) All angular observations, measurements of length, slope and, when necessary, the temperature and the distance to be corrected for sag, shall be separately entered in the field book.

(7) Where a measurement of length exceeds the tape used, each tape length shall be recorded in the field book.

(8) Where a total station is used, the printed field book or electronic field book shall be admissible.

(9) The date on which the observations are made at each observing point shall be recorded in the field book above the column of bearings and any special circumstances which may adversely affect the quality of any observations shall be recorded in an appropriate position on the same page if possible.

(10) A full description of all beacons, whether placed, found or adopted, and other marks used in the course of the survey, shall also be entered in the field book and it shall be clearly stated whether the beacon was found or placed.

(11) Unless electronic distance measurements methods are used, all field books used in surveys of land shall be in the prescribed form prescribed in the Second Schedule hereto and all observations and measurements shall be recorded clearly and legibly in pencil, and in the manner indicated therein.

(12) Any entries in the field book, other than those of actual observations or measurements made in the field, shall be written in ink and entries of data for setting out beacons shall be cross-referenced to the pages in the computations from which such data were extracted.

(13) No erasures shall be made in the field book and alterations, if any, shall—

(a) be made by drawing a line through the erroneous entry in such a way that the original entry remains legible;

(b) be entered in the correct value outside the erroneous entry and never cross it; and

(c) be made in the field as the result of actual direct re-observations or re-measurements, and at the time such re-observations or re-measurements were made.

(14) Every surveyor shall enter in his field book the type of instruments and particulars of the survey equipment used in the survey.

(15) The letters or numbers by which the beacons or other marks are recorded in the field book shall be plain and clear, and digits by themselves shall not be used to designate beacons or stations, except in the case of international boundary beacons.

Surveys to
be based
on geodetic
stations

20.—(1) The survey of any piece of land shall be based upon a geodetic station if situated within 3,000 metres of any such station.

(2) Where a traverse be necessary for the basing in sub-regulations (1), the prescribed distance from geodetic station shall be 800 metres.

(3) Where the basing is within a municipality or township and a reference mark survey exists, the survey shall be based upon such reference marks in accordance with regulation 31.

(4) 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.

21.—(1) The position of any geodetic station which falls within the limits of the land under survey shall be determined accurately and indicated on the plan of such land. Position of geodetic station shall be determined

(2) The position of any geodetic station which falls outside the limit of the land under survey but which is within 100 metres of any beacon thereof shall be accurately determined and indicated on the plan of such land.

22.—(1) Where in any survey it is necessary to measure a base, the length of such base shall not be less than 10 per centum of the perimeter of the land under survey. Baseline measurements

(2) Notwithstanding sub-regulation (1)—

(a) the length of a base need not exceed 1,000 metres; and

(b) the Surveyor General may, in exceptional circumstances, approve the use of a shorter base.

(3) A baseline shall have inter-visible terminals and shall be measured—

(a) once in each direction; or

(b) once in two sections of more or less equal length, which shall be compared through subsidiary triangles.

(4) The difference between any two measurements of a base or between a measurement and a derived distance shall not exceed 1 in 10,000.

(5) Measured distances shall be corrected for slope and for all factors to enable the correct reduced projection distance to be obtained.

23. When the survey of any piece of land is not based on geodetic stations, the direction of true north shall be determined, as accurately as possible, by astronomical observations, if not derived from other sources, with prior authority of the Surveyor General and the manner in which true north has been determined shall be recorded in the field book and stated in the report on survey. Determination of true north

24.—(1) The position of a point shall not be determined by— Determination of points

(a) triangulation or trilateration when the apex angle of fixing rays is less than 30 degrees or greater than 150 degrees;

(b) resection from less than four points favourably situated; and

(c) intersection from less than three points favourably situated.

(2) The position of a point may be determined by—

(a) single bearing and measured distance from a survey station if such position is adequately checked against another known station;

(b) resection from geodetic station if the observations for such resection have been taken on at least two arcs;

(c) two rounds of observations where a total station is used; and

(d) a single closed triangle if the observations at all three points have been made on at least two different parts of the circle and the angles of the triangle are taken out directly and a comparison given with those

Checking of
surveys and
limits of
allowable
error

obtained from the directions used in the computations.

25.—(1) Every surveyor shall always perform sufficient field work to enable him to apply a thorough check to every part of his survey.

(2) For the purpose of this regulation—

(a) (i) “Class A” refers to surveys to determine the position of town control or reference marks;

(ii) “Class B” refers to surveys in cities, municipalities, townships and district centres; and

(iii) “Class C” refers to surveys not included in Class A or Class B;

(b) Triangulation: The difference between the observed and calculated bearing of any ray used in fixing a point by triangulation shall not exceed—

(i) for Class A surveys: $1+15,000/S+300$ seconds;

(ii) for Class B surveys: $1+30,000/(S+300)$ seconds; and

(iii) for Class C surveys: $1+60,000/(S+300)$ seconds,

Where “S” is the length of the ray in metres;

(c) Trilateration and Fixation by Electronic Distance Measurement : The difference between the measured and calculated length of any ray used in fixing a point using electronic distance measurement shall not exceed—

(i) for Class A surveys: $0.075S/(S+300)$ metres;

(ii) for Class B surveys: $0.15S/(S+300)$ metres; and

(iii) for Class C surveys: $0.30S/(S+300)$ metres,

Where “S” is the length of the ray in metres;

(d) Traverse: The misclosure in a traverse shall not exceed—

(i) for Class A, 1:12,000;

(ii) for Class B, 1: 8,000; and

(iii) for Class C, 1: 4,000;

and a reasonable misclosure shall be allowed in the case of short traverses.

For a traverse made solely to survey a curvilinear boundary or a photo control point, the misclosure shall be commensurate with the plottable accuracy that can be achieved at the scale of the final plan; and

(e) unless reason is shown to the contrary, the following limits shall apply—

(i) with due regard to possible changes in the reference system, the previous co-ordinate of a found beacon shall be adopted if it is in agreement with the current survey within 0.05 metres in vector displacement;

(ii) the check on the surveyed or placed beacon shall be in agreement within 0.025 metres of the surveyed or derived value; and

(iii) notwithstanding the provisions of this regulation, the Surveyor General may stipulate, in writing, other standards of accuracy in special cases.

26.—(1) In the survey of a piece of land, any beacon which is supposed to be on a straight line boundary common to such piece of land and other properties, the surveyor shall investigate the position in regard to such beacon and thereafter proceed as follows—

Beacon on
or near
boundaries

(a) when the terminals of the common boundary are established beacons, or are well ascertained beacons recognised by all parties, the beacon if not on the straight line joining the terminals shall be replaced on line, unless it is an established beacon, in which case it shall be adopted as a beacon of the land under survey; and

(b) when the terminals of the common boundary line are not established beacons and the position of one or both is doubtful, the beacon if not on line may be adopted provided it is a beacon recognised by all parties and in respect of which an agreement substantially in accordance with Form III in the Seventh Schedule hereto, signed by all parties concerned, is lodged with the Surveyor General.

(2) In the survey of a piece of land, when any beacon of an adjoining piece of land which is supposed to be on the common boundary referred to in sub-regulation (1) is found to be not on line, it need not be dealt with.

(3) Notwithstanding sub-regulations (1) and (2), a beacon shall be deemed on line if—

(a) it is an established beacon then it shall be adopted as a beacon of the land under survey; and

(b) it is a well ascertained beacon recognised by all parties and in respect of which an agreement substantially in accordance with Form 3 in the Seventh Schedule, signed by all parties concerned, is lodged with the Surveyor General then it may be adopted as a beacon of the property under survey.

(4) In cases not provided for in sub-regulations (1) and (2), the surveyor shall—

(a) investigate the matter thoroughly and collect all information and evidence to enable him place the beacons in their most likely positions;

(b) lodge an agreement as mentioned in sub-regulations (1) and (2), if such agreement is deemed necessary by the Surveyor General; and

(c) submit a full report detailing all the evidence on which he based his action with the relative survey records.

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

(6) In this regulation "established beacon" means a beacon established in terms of section 45 of the Act, and a survey includes a re-survey.

(7) Where there is any uncertainty whether a beacon or boundary has been lawfully established or consented to as provided in sub-regulation (1), the surveyor shall apply to the Surveyor General for information on this point.

(8) For the purpose of this regulation, a beacon shall be deemed to be not on the true and correct boundary when its displacement exceeds $0.05 + 0.0005d$ metres (with a maximum of 1 metre) where "d" is the distance in metres between such beacon and the nearest terminal beacon of the said boundary line.

Curves as
boundaries

27.—(1) When the centre line of a curve or a line at a uniform distance from a curve forms, or defines an existing boundary, the intersections of such line with the rectilinear boundaries, and where necessary, the ends of straights, shall be accurately determined.

(2) The position of a curve defining an existing boundary may be determined by any survey method;

(3) The determination of the position of a curve shall conform with the standard of accuracy prescribed in regulation 25 (2)(d) (iv), 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 30 metres apart.

(4) Notwithstanding the provisions of sub-regulation (2), it shall not be necessary to re-determine the radius and the center of a circular curve which forms or defines an existing boundary, when such curve has previously been accurately determined.

(5) When it is required to place beacons along a boundary that is defined by a circular arc, the beacons shall be located such that the perpendicular separation between the arc and the chord formed by joining two successive beacons shall not exceed one metre.

Unacceptable
boundaries

28.—(1) Wire fences, roads, railway lines, streams which are liable to change their courses, and any other natural or artificial features which are not clearly and permanently defined shall not be adopted as curvilinear boundaries in any fixed boundary survey, unless they are shown as boundaries in the original plan or deed of the property being surveyed or of the adjoining piece of land.

(2) Except as provided in regulation 27 (2), a regular curve which is not clearly and permanently defined on the ground shall not be adopted as a new boundary in the survey of any land.

(3) In the survey of any land, any side beyond 500 metres shall have

indicatory beacons placed on line at intervals not longer than 500 metres provided that, in exceptional circumstances, the Surveyor General may sanction a longer side.

29.—(1) The only irregular curvilinear boundaries which shall be permitted are right bank or left bank of clearly defined and permanent water courses, provided that for surveys undertaken in association with the Registered Land Act, any natural or artificial feature may with the approval of the Surveyor General be permissible.

Curvilinear
boundaries
Cap 58:01

(2) Aerial survey methods, acceptable to the Surveyor General, may be used for determining the position of any curvilinear boundary.

(3) The position of a curvilinear boundary, other than a circular curve, may be adopted from plans or maps approved by the Surveyor General.

(4) The average difference between the actual position of a curvilinear boundary when plotted on a plan and its erroneous representation thereof shall not exceed one millimetre.

(5) When an irregular curvilinear boundary is depicted on an existing plan but is not readily determinable, then a linear boundary may be substituted with the approval of the Surveyor General, providing that the two boundaries are so nearly coincident that no material alteration in area of land has taken place by reason of substitution and providing that the contiguous owners of the land have agreed and steps shall be taken to ensure that plans and documents affected by the substitution are amended accordingly.

30.—(1) In the survey of any land, a surveyor shall make sufficient observations, measurements and sketches in the field to enable him to fill in with reasonable accuracy on the plans and deed plans the topographical features of the land surveyed, particularly prominent hilltops, water courses, buildings, bridges, dams, springs, roads and railways.

Topographical
features to
be surveyed

(2) The topography in the neighbourhood of beacons is to be determined with special care.

31. In the survey, re-survey or subdivision of any plot in an area in which reference marks have been established, every surveyor shall base his survey on at least two such reference marks or on beacons previously fixed from such reference marks:

Surveys to
be based on
reference
marks

Provided that where the land is situated more than 500 metres from the nearest reference mark, a connection shall be optional.

PART VI—BEACONS

32. Save as is provided in regulation 34, the corner points of every piece of land surveyed for the purpose of registration shall be marked with beacons which beacons shall be built under the supervision of the surveyor responsible for the survey who shall also show the client the position of every beacon defining the property.

Beacons to
be placed

Types of
beacons

33.—(1) The standard beacon shall consist essentially of an iron peg at least 10 millimetres in diameter, or an iron pipe at least 10 millimetres in internal diameter, and at least 45 centimetres in length, driven vertically into the ground so that the top is flush with the surface of the ground and the iron peg or pipe shall be set in a cylindrical concrete block at least 20 centimetres in diameter and at least 30 centimetres in depth.

(2) The name of the beacon shall be clearly and permanently marked on the surface of the concrete and where the ground is—

(a) soft or sandy, the iron peg or pipe shall be at least 60 centimetres in length; and

(b) rocky and it is not possible to drive in an iron peg at least 45 centimetres in length, a shorter peg may be grouted into the rock or a hole at least 10 millimetres in diameter and 20 millimetres in depth may be drilled in solid rock.

(3) For plots less than one hectare in extent, the standard beacon shall be used.

(4) For areas between one and one hundred hectares in extent a cairn of stones, bricks or concrete not less than 30 centimetres in diameter and height shall be erected over the standard beacon.

(5) For areas more than one hundred hectares in extent, a cairn of stones, bricks or concrete not less than 75 centimetres in diameter and height shall be erected over the standard beacon.

(6) Where a post of permanent material, forming part of a properly erected fence, occupies a corner point of the land being surveyed, it may be adopted as a beacon, provided that this post shall be distinguished from other fence posts by the erection of cairns as provided in sub-regulations (4) and (5).

(7) When in the survey of a piece of land a beacon which should define one of its corner points is missing or is in a dilapidated condition or is of a type decidedly inferior to those described in this regulation, the surveyor shall rebuild or repair it in its original position so as to bring it into conformity with the requirements of these Regulations.

(8) The erection of beacons of types other than those specified in this regulation is not expressly forbidden, but a surveyor wishing to erect other types of beacons shall first obtain the written consent of the Surveyor General.

When beacons
are not required

34.—(1) Where the corner point of a piece of land coincides with a corner of the building, the corner of the building shall be adopted as the beacon.

(2) Where the corner point of a piece of land does not coincide with the corner of a building, but is in such close proximity to it that a beacon cannot conveniently be placed in position, the relative positions of the corner of the building and of the point which the beacon should occupy shall be ascertained and clearly indicated on the plan by numerical data in an inset drawn to an enlarged scale.

(3) When the purpose of the beacon will fall away by consolidation of

title or by common ownership of the land under survey, the beacon need not be placed.

(4) Easements or rights of way which are clearly visible on the ground shall be beacons, save that if the easement or right of way is of a strip of uniform width not exceeding 100 metres, only one side of such strip need be beacons.

(5) 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.

35.—(1) When a corner point of a property falls within inaccessible ground or where it is inadvisable to place a beacon, or when the position for an original beacon of a property under survey falls in an inaccessible or unsuitable place, such as a river, stream, dam, dambo, railway track, road or street, its position shall be indicated on the ground by beacons erected on the straight boundary lines meeting at this point and as near as possible thereto as will be consistent with their safety and the distance between such indicatory beacons and the inaccessible corner point of the property shall be furnished on the plans. Indicatory
beacons

(2) Where indicatory beacons if placed in a municipality or township are likely to be mistaken for corner beacons, they shall not be placed.

(3) A beacon placed by a surveyor to define a rectilinear boundary terminating at a curvilinear boundary shall be erected on or as near to the curvilinear boundary as the nature of the land will permit without endangering the permanency of the beacon, and the distance from the indicatory beacon to the corner point it indicates shall be furnished on the plans to the nearest metre.

(4) Wherever practicable, a beacon shall be on the same side of the curvilinear boundary as is the land of which it is a beacon provided that when a line at a uniform distance from a curvilinear line forms the boundary, the point of intersection of such boundary with a rectilinear boundary shall be beacons.

(5) When a beacon shall be removed under the authority of the Surveyor General in accordance with section 45 of the Act and it is not possible or advisable to replace it in its original position, an indicatory beacon shall be placed on each of the straight boundary lines meeting thereat and the placing of such beacons shall be effected under the supervision of a surveyor who shall furnish the Surveyor General with such information as he may require to enable him to record the positions of the beacons on the relative plans.

36.—(1) Subject to regulation 35, the Surveyor General may, when he deems it necessary, alter the position of, remove or destroy a beacon or landmark erected to define, or recognised as defining a boundary of any land of which a plan or description is attached to a deed registered in the Deeds Registry or Lands Registry, or may, by writing under his hand, depute a surveyor to do so. Moving of
beacons

(2) Save as provided in sub-regulation (1), a surveyor shall not alter the

position of, remove or willfully destroy any beacon or landmark erected to define, or recognised as defining a boundary of any land of which a plan or description is attached to a deed registered in the Deeds Registry or Lands Registry and a licensed surveyor can replace a beacon, deemed to have been disturbed, which forms part of the boundary of the plot under survey.

Damage to
beacons and
geodetic
stations

37. Where it comes to the knowledge of a surveyor in the course of his work that any benchmark, reference mark, beacon or geodetic station has been damaged, destroyed, removed, altered in position or fallen into disrepair, he shall immediately report the circumstances to the Surveyor General.

PART VII—DEED PLANS

Deed plan
forms

38.—(1) The form to be used in the preparation of deed plans shall be the forms as set out in the Fifth Schedule hereto.

(2) Notwithstanding sub-regulation (1), on the application of a surveyor required to frame a deed plan for some special purpose not fully provided for as set out in the Fifth Schedule hereto, and on the submission by such surveyor of a description of what is required to be included, the Surveyor General may direct that a form other than as set out in the Fifth Schedule hereto be used in the preparation of such deed plan.

Quality and
size of
material

39.—(1) All deed plans shall be framed on material approved by the Surveyor General.

(2) Deed plans shall be framed on A4 or A3 size sheets so that cross folding may be avoided when the deed plans are bound with their relative deeds.

(3) Notwithstanding sub-regulations (1) and (2), the Surveyor General may, in special cases, allow the use of other sizes.

Margin

40.—(1) A marginal space shall be left along all four edges of the sheet used in framing any deed plan; that along the left and top edges shall be not less than 25 millimetres in width and that along the other edges shall not be less than 12 millimetres in width.

(2) The marginal spaces shall be free of all writing and shall not be encroached upon in anyway in the framing of the deed plan.

Ink

41. The ink used in the preparation of a deed plan shall be durable good quality water proof ink.

Geometrical
figure

42.—(1) On every deed plan, the land surveyed shall be represented by a geometrical figure.

(2) All boundaries of such land, including curvilinear boundaries, shall be represented by continuous black lines.

(3) The plot of a figure shall agree with the results of the survey within a limit of 1 millimetre.

How to indicate
beacons and
stations

43.—(1) The position of each beacon shall be indicated on the deed plan by a small black circle.

(2) A geodetic station shall be indicated by a small circle inscribed within a triangle, both in black ink.

(3) When two or more beacons are in such close proximity to one another that their relative positions cannot be clearly shown on the deed plan, they shall be plotted at a larger scale in an inset thereof.

44.—(1) On prints made from the original deed plan, the figure shall be marked by a uniform coloured red border running along the inner side of the boundary line. Colouring

(2) The colour of the border referred to in sub-regulation (1) shall not be so dark as to obscure any necessary details.

45.—(1) (a) The letters or numbers used to designate beacons on a deed plan shall be the same as those used in the field book, which letters or numbers shall be written, wherever possible, outside the figure but as near as possible to the point indicated; and Lettering

(b) where a piece of land has a curvilinear boundary, each intersection of a straight with a curved boundary shall be indicated by a lower case letter.

(2) No letters or numbers other than those that can be reproduced by an ordinary typewriter shall be used in the field book, working plan or deed plan.

(3) A geodetic station may be described by a small triangle and the official number of such station.

46.—(1) The direction of boundaries of contiguous properties shall be indicated by broken black lines drawn from the point representing common beacons or, in the case of river boundaries from the common intersection points, and the designation of such contiguous properties shall be written in their respective positions. How to indicate contiguous properties

(2) Where contiguous properties and the property under survey are subdivisions of the same parent property, it shall be sufficient to refer to them by their sub-divisional number or letter omitting all reference to earlier parentage.

(3) Where contiguous properties are lots in one and the same city, municipality, township or trading centre, it shall be sufficient to describe contiguous lots by their numbers only.

47.—(1) The sides and co-ordinates recorded on a deed plan shall be expressed in metres. Unit of measure

(2) The boundaries of contiguous lots shall reflect their position at the date of the survey.

48.—(1) The scale to which the figure on a deed plan is plotted shall be recorded immediately below the deed plan number. Scales

(2) The figure on a deed plan shall be plotted to one of the following scales—

(a) 1:1,250;

(b) 1:2,500;

(c) 1:5,000;

(d) 1:10,000; or

(e) any other of the scales mentioned in which the denominator is multiplied or divided by an integral power of 10.

(3) Notwithstanding sub-regulation (2), the size of the figure shall not be less than 10 square centimetres, nor so small as to be unnecessarily cramped or that any essential information would be inadequately represented on it, except as provided in regulation 43.

(3) The Surveyor General may in his discretion authorize a departure from the provisions of this regulation.

Numerical
data to be
recorded on
a deed plan

49.—(1) A deed plan intended for attachment to a deed to be registered in the Deeds Registry or Lands Registry shall contain—

(a) the rectangular co-ordinates to two decimal places of every beacon of the piece of land represented on such deed plan;

(b) the rectangular co-ordinates to two decimal places of the centre of any circular curve bounding the property and of the tangent points of any such circular curve, if determined during the course of survey;

(c) the rectangular coordinates to two decimal places of every geodetic station;

(d) the sides to two decimal places;

(e) the bearing to the nearest 10 seconds of arc of each straight boundary line or imaginary line joining two beacons between such boundary line or imaginary line which is less than 2,000 metres in length;

(f) the bearing to the nearest second of arc of each straight boundary line or imaginary line which exceeds 2,000 metres in length and when the bearing of a boundary line is given to single seconds, the bearings of any parts of the line less than 2,000 metres in length may be given to the nearest 10 seconds;

(g) the distance and the bearing from the beacon to the intersection of the straight and curvilinear boundaries, where a piece of land has a curvilinear boundary and the beacon has not been placed on such curvilinear boundary; and

(h) the area expressed in—

(i) hectares to three decimal places if the land is more than one hectare in extent; or

(ii) hectares to four decimal places if the land is one hectare or less in extent.

(2) The numerical data mentioned in sub-regulation (1) shall not be inscribed within the figure itself, but shall be neatly tabulated in the columns provided on the deed plan form.

(3) In the tabulation of the numerical data under this regulation, the corner points of the figure shall be referred to consecutively in clockwise order.

50.—(1) The co-ordinates furnished on one and the same document shall, in all cases, be referred to the same origin and axes which shall be shown outside the figure where possible. Co-ordinates

(2) The co-ordinates given on any document shall be expressed in the same unit of measure as that in which the sides are expressed.

(3) In the statement of co-ordinates the Eastings shall always appear in the left hand column and the Northings in the right hand column.

(4) On a deed plan of any land the survey of which has been based on geodetic stations, such fact shall be recorded against the coordinate column by the letters "UTM".

(5) Where the co-ordinates recorded on a deed plan have been reduced by a constant quantity, such constant shall be inserted above the column containing the correspondingly reduced co-ordinates.

(6) When the survey of the land is not based on geodetic stations, the co-ordinates shall be computed using the direction of True North, determined as prescribed in regulation 23, as one of the axes of the system and as the zero bearing.

51. The sides, bearings and area given on any deed plan shall be numerically consistent with the co-ordinates recorded thereon as far as the limitations prescribed in regulation 50 shall allow. Limits of inconsistency

52.—(1) When the survey of any piece of land is based on geodetic stations, the direction of North shall be indicated on every deed plan by a straight line and shall be designated by the words "Grid North" or the letters "GN". How to indicate North

(2) When a survey of any piece of land is not based on geodetic stations, the direction of the North shall be indicated on every deed plan by a straight line and shall be designated by the words "North" or the letter "N".

(3) The North bearing shall point as nearly as possible at right angles to and towards the top of the deed plan and the line indicating it shall be drawn, if possible to the left and clear of the figure.

53. In all cases, the topographical features mentioned in regulation 30 shall be— Topography

(a) clearly and accurately shown on the deed plan;

(b) represented with special care in the neighbourhood of beacons;
and

(c) represented in the manner prescribed in the Third Schedule hereto.

54. The names of all important rivers and mountains within or adjacent to the limits of the land surveyed shall be given on the deed plan. Names of rivers etc. to be given

55. When a river, stream or water furrow is taken as a boundary of the property being surveyed, the direction of the flow of the water shall be indicated by an arrow head. Direction of rivers

Direction of
roads and
railways

56. Where a main road, railway or important thoroughfare is shown by a surveyor on a deed plan of any land surveyed by him, he shall state against the lines representing it, but not within the figure, the name of the nearest town or place of importance in each thoroughfare is shown by a surveyor on a deed plan of any land surveyed by him, he shall state against the lines representing it, but not within the figure, the name of the nearest town or place of importance in each direction through which such road, railway or important thoroughfare passes, indicating by an arrow the direction in which such town or place of importance lies.

Irregular
boundaries

57.—(1) Where a river, stream, watercourse, wall, cliff or other permanent natural or artificial feature of ground forms a boundary of a piece of land, it shall be distinctly recorded in the verbal definition of the figure whether the right or left bank or middle of such river, stream or water course, the north, east, south or west edge or middle of the wall or upper or lower edge of the cliff is the boundary.

(2) Where a boundary between two pieces of land is ill-defined or unsatisfactory and it is in the interests of all parties concerned that a boundary of another character be substituted for it, the Surveyor General may permit such last named boundary to be adopted in a survey for registration purposes in lieu of the first named boundary, provided that he is satisfied that it is so close thereto that no material alteration in the area of either piece of land shall have taken place by reason of the substitution, and provided further that the owners of all properties contiguous to that boundary have signed an agreement, as nearly as practicable, in accordance with Form III in the Seventh Schedule hereto accepting the new boundary.

Limits of the
figure to be
clearly
described

58. Every deed plan shall contain a clear description of the limits of the figure representing the land and in such description shall be recited, clockwise in the order in which they occur, the names of each of the beacons at the corner points and a description of the curvilinear boundaries, if any.

Land to be
designated
by a name
or number

59.—(1) The land represented shall be distinguished on a deed plan—

(a) in the case of a piece of land which is the subject of a deed not previously registered in the Deeds Registry or Lands Registry and not being a lot in a city, municipality or township, by a name, letter or number to be approved by the Surveyor General;

(b) in the case of a lot in a city, municipality or township which is not a subdivision of an existing lot, by a number which shall be allocated by the Surveyor General; and

(c) in the case of a subdivision of a piece of land in respect of which a deed has been registered in the Deeds Registry, by a lot number, which number shall be distinct from the number allocated to any other subdivision of the same parent property.

(2) The name or number by which a lot is designated shall be quoted on the deed plan in the space provided and not written within the figure.

Locality to
be stated

60. A deed plan shall clearly state in which region, district and locality the land is situated and the number of the sheet of the 1:50,000 map series

which depicts the area, or in the case of a plot in a city, municipality or township the number of the sheet in the 1:5,000 or 1:2,500 map series, where such exist.

61. Where any part of a piece of land depicted on a deed plan is subject to an easement or right of way, such easement or right of way shall be clearly depicted on such deed plan.

Easements
and rights of
way

62. As a help to its future identification, there shall be given a concise description of each beacon of the figure, for example—

Beacons to
be described

- (a) 10mm. iron peg in concrete and cairn;
- (b) drilled hole in rock and cairn;
- (c) 10mm. iron peg in concrete near fence post; or
- (d) iron standard (corner fence post).

63.—(1) When no rectilinear boundary of a subdivision coincides, in whole or in part, with a boundary of the land being divided and the surveyor does not submit, at the same time, deed plans of adjoining subdivisions from which connecting data can be deduced, there shall be furnished on the deed plan of the subdivision, in addition to the other data required, the sides and angles of direction of a quadrilateral figure formed by connecting two beacons of the subdivision to two suitably situated beacons of—

Connecting
data

- (a) the subdivided property;
- (b) a former subdivision of the subdivided property; or

(c) a railway, road or easement traversing the subdivided property, if a survey of such property is filed in the Surveyor General's office and if the survey of the subdivision is based on the geodetic control and the survey of the land being divided was also based on the geodetic control, such connection need not be shown.

(2) (a) When a sub-divisional beacon is placed on a boundary of a piece of land being subdivided and the surveyor does not submit the at the same time deed plans of adjoining subdivisions from which connecting data can be deduced, the distances to both terminals shall be recorded on the deed plan and a beacon of adjoining land, such as is referred to in regulation 26(1)(a) and (b), shall rank as a terminal for the purpose of this sub-regulation; and

(b) in exceptional circumstances, if a surveyor is able to prove that a sub-divisional beacon is on the boundary of the land being divided, and where the position of both terminals have not been determined by survey, the distance from the sub-divisional beacon to the nearer terminal only need be recorded.

(3) The connecting figure prescribed in sub-regulation (1) shall be indicated on the deed plan or plan by an inset and sufficient information shall be given on this inset to ensure the identification of the beacons to which the survey is connected.

(4) The connecting data shall be shown either on the inset or tabulated.

(5) The plot of the connecting figure shall not necessarily be to scale and the connections shall be indicated by dotted black lines.

- Composite deed plans **64.** Any deed plan framed for transfer purposes which represents land stemming from more than one original deed or parcel shall indicate clearly the extent of each piece of land and the deed or parcel from which it stems.
- Erasures **65.**—(1) (a) Erasures shall not be allowed on any deed plan submitted for approval;
- (b) any alteration or amendment of the numerical data, or of the description of the figure, shall be effected by ruling out the incorrect data or words and by writing in the correct data or words above or next to those ruled out; and
- (c) each amendment or alteration shall be initialed by the surveyor responsible, in a special case, by the Surveyor General in his discretion and the initials shall be placed in the margin opposite the correction, preferably in the right hand margin.
- (2) In the framing of any deed plan, prick marks shall not be used for the purpose of transferring to it from any other plan or deed plan the positions of curvilinear boundaries or topographical features of the ground and the position of buildings and the beacons and stations used in the survey may, however, be transferred by means of a pricking needle.
- Approved deed plans **66.** After a deed plan has been approved, no alteration of any nature whatsoever shall be made on it except by the Surveyor General with the consent of the surveyor responsible.
- Untidy and dilapidated plans **67.** The Surveyor General may refuse to approve a deed plan where he consider that it is in a dilapidated condition or that it is framed in a careless or untidy manner, or on unsuitable material, or that by reason of amendments or by the addition of any matter other than that required by these Regulations, or for any other cause, its general appearance has been spoilt.
- Deed plans to be signed and dated **68.** Every deed plan of land framed from survey shall bear the date of such survey and shall be signed by or shall indicate the surveyor who effected the survey.

PART VIII—WORKING PLANS

- When a working plan is required
Animal to be kept under control **69.** A working plan shall be submitted for the purpose of record with every survey submitted for approval.
- Material to be used **70.**—(1) All working plans shall be framed in a good quality drafting film or other durable transparent material approved by the Surveyor General.
- (2) Working plans shall be framed on sheets no larger than A0.
- Margins **71.** A clear space of not less than 5 centimetres in width, unencumbered with writing of any kind, shall be left along the edge of a working plan.

72. Subject to the provision of regulation 48 (2), a working plan shall be plotted on such scale as will permit all prescribed details to be clearly shown thereon. Scales

73.—(1) The provisions of regulations 41 to 43, 45 to 63 and 65 to 68 which are applicable to a deed plan shall, mutatis mutandis, apply to the whole figure represented on a working plan and to figures representing several lots. Data and details to be recorded on the working plan

(2) In respect of figures representing several lots, the following shall apply—

(a) sides and bearings shall be recorded within the figure when it is feasible to do so without endangering their legibility, provided that—

(i) it shall not be necessary to furnish data on both sides of a common boundary;

(ii) bearings may, if more convenient be recorded on the street side of the line if common to a street, provided that the regulation, which shall be applicable to all such bearings namely that the value of the bearing when recorded within any figure shall always be regarded as the clockwise direction of the relevant side of the figure, shall be observed.

(b) the designation of each lot shall be written within the figure representing it;

(c) the area of each lot shall be shown; and

(d) the width of each street, roadway or lane when uniform shall be shown.

(3) The following information shall also be recorded on the working plan—

(a) the position and name or other designation and rectangular coordinates to 3 decimal places of every station, traverse point and reference mark fixed or used in the survey;

(b) all lines used in the determination of a curvilinear boundary;

(c) the position and rectangular coordinates to 3 decimal places of all beacons and land marks or other indications of corner points which the surveyor has determined or placed in the course of the survey; and

(d) an explanatory inset where it is necessary to depict details which cannot be shown distinctly at the scale of the plan or which cannot be shown conventionally, e.g. fences other than those on boundaries, unsurveyed cemeteries, etc.

74.—(1) All boundaries shall be drawn on working plans in black. How to show data and details

(2) All lines, the lengths of which have been measured, and all direction lines used in the determination of a curvilinear boundary shall be drawn in red and where the measured line is a boundary line, the measured line shall be shown in red alongside the black.

(3) Beacons placed in the course of the survey shall be indicated by small black circles.

(4) All beacons found and adopted in a survey shall be indicated by two concentric circles in black.

(5) All beacons found and not adopted in a survey shall be indicated by two concentric circles in black with a line drawn through them.

(6) Traverse stations and survey stations shall be indicated by red circles, and where such points are permanent marks or found from a previous survey by two concentric circles in red.

(7) Any base measured for the purpose of the survey shall be indicated on the working plan by two parallel lines in red.

(8) Each station of the trigonometrical pillar shall be indicated by a small circle inscribed in a triangle both in black.

(9) Reference marks shall be indicated by crosses inscribed in circles both in black.

(10) The Easting and Northing coordinate axes of a survey based on the geodetic network shall be represented by well-defined continuous fine blue lines at intervals of not more than 20 centimetres and the value of each line shall be stated at its extremities.

(11) Where two or more points are in such close proximity that the required details cannot be clearly shown on the working plan, they shall be plotted at a larger scale in an inset thereof.

Conventional signs to be used on plans

75. In any working plan, conventional signs shall be used in accordance with the Third Schedule hereto.

Working plans to be signed and dated

76. Every working plan shall bear—

(a) the date of the survey and shall be signed by the surveyor who carried out the survey under the following certificate—

“Surveyed in (month, year) by
me (or under my personal supervision)
Land Surveyor” ;and

(b) the certificate of the Surveyor General at the bottom right hand corner.

PART IX—SURVEY RECORDS

Survey records

77. The survey records referred to in under this Part shall be—

(a) the original field book or a printout or a copy from electronically recorded observations in a format approved by the Surveyor General;

(b) the computations;

(c) the working plan or the general plan;

(d) the deed plan;

(e) a report which shall be in the form prescribed in the Sixth Schedule hereto; and

(f) such other plans, photographs and documents as the Surveyor General may require.

78.—(1) The computations in respect of surveys shall be made generally in the form prescribed in the Fourth Schedule hereto, provided that other presentations shall be acceptable if approved by the Surveyor General. Computations

(2) Every surveyor shall by his computations apply an efficient check to every part of his survey and such checks shall be clearly indicated by means of cross references or concise statements.

(3) The computations shall be clearly and legibly written in ink on only one side of the paper, whose dimensions shall approximate to A4 size paper save where electronic print-out data is submitted.

(4) Each computation sheet shall be numbered and reference shall be made in the computations to the page or pages in the field book from which the data for the computations have been obtained.

(5) Any electronic print-out data shall be supplemented or annotated where necessary to give a clear picture of the method of survey computation.

(6) The computations of every survey shall include—

(a) a complete list of final coordinates of every point fixed or adopted in the survey, and reference shall be made on the list to the page of computations on which the coordinates have been computed and to the pages of the field book on which reference is made to the point; and

(b) a consistency calculation in respect of each parcel of land represented on the working plan or deed plan.

(7) The rectilinear, curvilinear and total areas shall be given with the consistency calculation.

79. In all surveys which include previously surveyed rectilinear boundaries, a comparison shall be made between the data thereof as determined in the new survey and the respective data furnished on the original plans and such comparison shall be in the form of a drawing on which original data shall be shown in black and the data determined in the new survey shall be in red. Comparison of data

PART X—GENERAL PLANS

80. Surveys that are required to be submitted to the Surveyor General under regulation 3 (1) but are exempted from approval under regulation 3 (2) shall be accompanied by a general plan. When a general plan is required

81. The provisions of Part VIII of these Regulations shall apply to general plans subject to the following exceptions— Data and details to be shown on a general plan

(a) lines measured for the purpose of placing or checking beacons need not be shown; and

(b) a clear written definition of the limits of the figure representing the land shall appear on the plan only in the case where the land contains a curvilinear boundary or where the possibility of ambiguity arises.

Survey records to accompany the general plan

82. The survey records that shall be submitted together with the general plan shall be as follows—

(a) a report which shall be in the form prescribed in the Sixth Schedule hereto;

(b) the sketch plan or such other diagram that may have accompanied the request for the survey to be carried out;

(c) original field book and computations;

(d) a complete list of final co-ordinates of every point fixed or adopted in the survey and reference shall be made in this list to the page of the computations on which the co-ordinates have been computed and to the pages in the field book on which reference is made to the point;

(e) a consistency calculation in respect of each parcel of land represented on the general plan:

(f) a report which shall be in the form prescribed in the Sixth Schedule hereto;

(g) the sketch plan or such other diagram that may have accompanied the request for the survey to be carried out;

(h) original field book and computations; and

(i) a complete list of final co-ordinates of every point fixed or adopted in the survey and reference shall be made in this list to the page of the computations on which the co-ordinates have been computed and to the pages in the field book on which reference is made to the point.

Survey records retained by the surveyor

83. Other records retained by the surveyor, especially the original field book and the computations, shall be filed safely by the surveyor for a period of twelve years and shall be unambiguously referenced to the records of the general plan submitted to the Surveyor General.

Alternative format for a general plan

84. Notwithstanding regulations 80 to 82, where it is necessary to frame a general plan for some special purpose not fully provided for in under this Part, the Surveyor General may, on the application of the surveyor required to frame any such general plan, and on the submission by such surveyor of a description of what is required to be included, direct that a form other than the one prescribed in this Part be used in the preparation of such general plan.

Reference numbering for a general plan and its records

85. A general plan and its accompanying records shall be filed by the Surveyor General and be assigned a unique reference number.

Alterations to a general plan

86. After a general plan has been filed by the Surveyor General, alterations to the data on the plan may only be made by the Surveyor General, upon written application by a surveyor pointing out such errors or omissions that need to be corrected and, accordingly, space shall be reserved on a general plan in which alterations made to the general plan shall be described and the Surveyor General shall sign and date the description added thereto.

87. The Surveyor General shall update Cadastral Index upon the receipt of general plan. Surveyor General to maintain Cadastral index

88. Limits of accuracy as specified in regulation 25 shall apply to surveys leading to the production of general plans. Limits of accuracy

89. Save where specific exceptions have been made in this Part, the conduct of the survey and preparation of records leading to the production of a general plan shall be the same as that leading to the production of a working plan or deed plan. Survey procedure

90.—(1) When required, a registration diagram for a parcel of land may be drawn from a general plan upon from which it is depicted. Registration diagrams

(2) (a) Registration diagrams shall conform with Part IX pertaining to deed plans provided that the words "deed plan" shall be replaced wherever they occur by the words "registration diagram."; and

(b) the deed plan diagram in the Fifth Schedule hereto shall be amended as follows—

(i) the words "deed plan" shall be replaced wherever they occur by the words "registration diagram";

(ii) the Government emblem shall be replaced by an alternative emblem or logo relating to an organization stipulated in the Fifth Schedule hereto;

(iii) the letters "SD" shall be replaced wherever they occur by the letters "GP"; and

(iv) the certificate statement by the Surveyor General shall be replaced by the following statement—

"I certify that this registration diagram conforms with the original Plan No. GP/..... Registered by the Surveyor General and that numerical data shown above are mutually consistent.

.....

Land Surveyor

City/Municipality/Town:

Date:"

(3) Every registration diagram shall be signed by a surveyor and shall bear the date of signature.

(4) A written consent shall be obtained, where possible, whenever the registration diagram is to be signed by a surveyor other than the surveyor who signed the original general plan from which it was framed.

(5) The original copy of the registration diagram shall be given a distinctive number by the Surveyor General after which it shall be filed safely by the issuing organization.

(6)-(a) After a parcel of land has been duly registered by the Deeds

Registrar or the Land Registrar, no alteration of any nature whatever shall be made to its registration diagram, except by the Surveyor General with the written consent, where possible, of the surveyor responsible;

(b) any alteration or amendment of the numerical data, or of the written description of the figure, shall be effected by ruling out the incorrect data or words and by writing in the correct data or words above or next to those regulations out; and

(c) each amendment or alteration shall be initialed by the Surveyor General and the initials shall be placed in the margin opposite the correction, preferably in the right hand margin.

PART XI—DEMARICATION OF CUSTOMARY ESTATES

- | | |
|--|---|
| Nature of general boundaries | 91. Visible and identifiable natural or man-made features surrounding a piece of land parcel shall be used as a general boundary. |
| Identifying physical features | 92. Orthophoto or aerial, satellite and large scale topographic maps approved by the Surveyor General shall be used for the identification of physical features. |
| Verifying land parcels | 93. The boundary of a land parcel shall be marked on Orthophoto or aerial and satellite imagery, and large scale topographic maps during demarcation and field verification of land parcels. |
| Demarcation and field verification of land parcels | 94. The demarcation and field verification of land parcels shall be carried out in the presence of all parties. |
| Use of fixed boundaries | 95. Notwithstanding regulations 91 to 94, fixed boundaries shall be applied in all boundaries where it is impossible to demarcate land parcels using general boundaries. |
| Plotting of title plans | 96. All title plans shall be plotted on A4 or A3 paper. |
| Individual and contiguous land properties | 97. A title plan shall show individual land boundaries and contiguous land properties. |
| Unique number of land parcels | 98. A land parcel in a title plan shall be assigned a unique number. |
| Content of a title plan | 99. A title plan shall contain the following—
(a) locality;
(b) approximate area of the land parcel;
(c) north arrow;
(d) scale;
(e) name of the registered land surveyor;
(f) signature of the registered land surveyor; and |

(g) an extract of the land parcel and contiguous properties from the registry map.

PART XII—MEASUREMENT BY GNSS

100.—(1) Every GNSS receiver, including Drones, shall be registered with the Surveyor General before it may be used for measurement in any survey and mapping work.

Registration of GNSS receivers and drones

(2) The Surveyor General shall check the GNSS receiver, software and data collection, downloading and processing methodologies before registration.

(3) Any subsequent changes or revisions that are incorporated into the processing software shall be notified to the Surveyor General and the Surveyor General may call upon the surveyor to demonstrate its operability.

101.—(1) Upon receiving an application under regulation 117, the Surveyor General shall specify the type of surveys for which the equipment may be used.

Specification of survey done with receiver

(2) Before granting a registration number, the Surveyor General shall test the equipment over a standard base or by other methods.

102. A practising licensed surveyor shall provide to the Surveyor General, for his approval, the geodetic coordinate transformation parameters that have been used in a GNSS receiver or in data processing.

Approval of transformation parameters

103. Geodetic survey controls shall be established by—

(a) static survey positioning method for national geodetic controls; or

(b) real time kinematic survey positioning method for small projects and other controls.

Establishing geodetic survey tools

104. Cadastral, engineering and other types of surveys shall be carried out in real time kinematic survey positioning method or any methods approved by the Surveyor General.

Method of cadastral etc. surveys

105. Beacons in a cadastral survey shall be placed in real time kinematic survey positioning method with a base receiver on a known survey control and placing checks shall be carried out from another known survey control.

Placing beacons in cadastral surveys

106. Data downloading, processing and analysis shall be carried out following software recommended procedure and the Surveyor General shall check and approve the software.

Approved data software

107.—(1) A practising licensed surveyor shall submit survey records to the Surveyor General including—

(a) a summary of geodetic coordinate transformation parameters;

(b) the field book record of setup parameters; and

(c) the final coordinates from the GNSS receiver.

Submission of survey records

Format of
generated
field book

108. The format of the generated Field Book shall depend on the data downloading and processing software used by the practising licensed surveyor and the Surveyor General shall check and approve the software.

PART XIII—MISCELLANEOUS

Surveys of land
on behalf of
Government

109. A survey of public land for grant, lease or easement purpose, or a survey of any land on behalf of the Government, shall not be undertaken, except upon written instructions issued by the Surveyor General.

Surveyor
General not
liable for
cost of any
document
officially
required

110. Any plan, report or other document required by the Surveyor General in accordance with these Regulations shall be deemed to be an essential part of the survey, and the cost thereto shall form a part of the cost of such survey.

Replacement of
lost beacon to
be reported by
the Surveyor

111. Where a surveyor has replaced a lost beacon he shall report forthwith the circumstances to the Surveyor General and shall submit to him, for examination and permanent filing, the survey records to such replacement.

Plan to be in
duplicate

112. Where a plan or sketch, of which the return is desired, is submitted to the Surveyor General in illustration of a letter or report, it shall be in duplicate, or shall be drawn on transparent material from which a print can be made.

Tariff for
surveys

113. The minimum charges for any services performed by a surveyor under these Regulations shall be in accordance with the tariff of fees prescribed in the First Schedule hereto.

Surveyor
General to
be taxing
officer

114. The Surveyor General shall, in case of a dispute, exercise all the functions of a taxing officer in relation to fees charged by surveyors for performing the several acts which are permitted or required under the Act or these Regulations to be performed by surveyors.

Board to be
assessment
officer

115. The Board shall, in case of dispute, exercise all the functions of an assessment officer in relation to fees charged by surveyors for performing the several acts which are permitted or required under the Act or these Regulations to be performed by surveyors.

Accounts for
Government
surveys to be in
duplicate

116. Accounts for survey work done on behalf of Government shall be submitted in duplicate to the Surveyor General in such form as he may require.

Application for
licence

117.—(1) An application for licence to practice as a surveyor shall be addressed to the Chairperson of the Board.

(2) Every applicant shall forward his application fee as prescribed in the Seventh Schedule hereto together with a signed declaration as prescribed in Form I in the Seventh Schedule hereto.

(3) The form of licence to be issued shall be as prescribed in Form II in the Seventh Schedule hereto.

- 118.** A licence shall be not transferable and shall be personal to the holder. Licence to be personal
- 119.** The annual fees prescribed in the First Schedule hereto shall be due and payable to the Surveyor General, in advance, on or before the 1st January of each year. Annual fee
- 120.**—(1) Every surveyor shall furnish the Surveyor General with his address and shall promptly notify the Surveyor General of any change of address within twenty-one days of the change of address occurring. Notification of postal address and specimen signature
- (2) Every licensed surveyor shall furnish the Surveyor General with a specimen of his signature.
- 121.** In the event of a surveyor ceasing to practice in Malawi, he shall notify the Surveyor General to that effect and shall furnish an address for reference. Notification of cessation of practice
- 122.** Every surveyor shall, during the course of any survey being carried out by him, inform all owners and occupiers of the land which he is surveying and of any land contiguous to such land that it is their duty to take all necessary steps to preserve all survey marks, of whatsoever nature, situated within or on the boundaries of their land and that no such survey mark may be removed, damaged or destroyed. Preservation of beacons by landlords
- 123.** Where a boundary between two pieces of land is ill defined or unsatisfactory and it is in the interest of all parties concerned that a boundary of another character be substituted for it, the Surveyor General may permit such last named boundary to be adopted in a survey for registration purposes in lieu of the first named boundary, provided that he is satisfied that it is so close thereto that no material alteration in the area of either piece of land shall have taken place by reason of substitution, and provided further that the owners of all properties contiguous to that boundary have signed an agreement, in accordance with Form 3 of the Seventh Schedule hereto accepting the new boundary. Unsatisfactory boundary
- 124.** The Land Survey Rules are hereby revoked. Revocation G.N. 123/1973

FIRST SCHEDULE

TARIFF OF FEES

PART—I

BASIC CHARGES FOR CADASTRAL SURVEYS IN FIXED BOUNDARY SYSTEM

The basic charges for the survey of pieces of land included in the same survey and surveyed at the same time, which shall include the charge for—

- (a) the construction of beacons as prescribed in these Regulations;
- (b) clearing traverse lines and triangulation stations;

- (c) the supply of survey records, reports, and plans as prescribed in these Regulations shall be—

<i>Lot size</i>	<i>Charge</i>
1 hectare or less	K200, 000
1 ha-5 ha	K350, 000
5 ha-10 ha	K500, 000
10 ha-20 ha	K550, 000
20 ha-100 ha	K30, 000 per ha minimum K600, 000
100 ha-500 ha	K15, 000 per ha minimum K2, 500,000
500 ha-1,000 ha	K15, 000 per ha minimum K7, 500,000
Over 1,000 ha	K10, 000 per ha minimum K15, 000,000

- (d) the lot charge shall be reduced by—
- (i) 10% in the simultaneous survey of 21-50 lots;
 - (ii) 20% in the simultaneous survey of 51-100 lots;
 - (iii) 30% in the simultaneous survey of 101-150 lots;
 - (iv) 40% in the simultaneous survey of over 200 lots or more;
- (e) if the combined area of several lots under simultaneous survey should exceed 1,000 ha then the charge for each lot shall be calculated at K8,500.00 per ha; and
- (f) the charge for plots with more sides than a basic plot shall be increased by 1% of the basic charge per side.

PART—II

CHARGES FOR TRAVELLING, TRANSPORT AND SUBSISTENCE

1. Travelling: A charge for travelling shall be made at the rate of K20, 000.00 per hour.
2. Transport: A charge for transport shall be made at the prevailing cost of a litre of petrol per kilometer. This charge shall take into account the distance to and from the work from the surveyor's base and distance necessarily traveled in the course of the survey.
3. Examination: A charge for Survey Examination shall be 5% of the basic charge of Survey Fees and shall be borne by the surveyor engaged.
The charges for resubmission of the turned survey shall be 10% of the basic fees.
4. Subsistence: A charge for subsistence shall be 30% of the basic survey charge.
A charge of the prescribed rate for one return journey to the work place of surveyor (for a journey actually made) shall apply to a survey that lasts for a continuance period of at least thirty days.

PART—III

BASIC CHARGES FOR SURVEYS IN SPORADIC GENERAL BOUNDARY SYSTEM

<i>Lot size</i>	<i>Charge</i> <i>K</i>
1 hectare or less ..	30,000
1 ha-5 ha	50,000
5 ha-10 ha	100,000
10 ha-20 ha	200,000
20 ha-100 ha . . .	300,000
100 ha-500 ha ..	500,000
500 ha-1,000 ha ..	750,000
Over 1,000 ha . . .	1,000,000

PART—IV

CHARGES FOR TOPOGRAPHIC SURVEYS

	<i>K</i>
Less than 1 ha	300,000.00
1 ha up to 10 ha	400,000.00 per ha
10 ha or more	500,000.00 per ha
Charges for linear topographic surveys	
Detail picking	30,000.00 per km
Road	45,000.00 per km.
Pipeline or sewage	20,000.00 per km.
Provision of coordinates and levelling data	
Benchmark or Survey Control ..	1000.00 per station
Other charges n topographic survey charges Part II above applies	

PART—V

CHARGES FOR MAPPING PRODUCTS

1. Charges for data products

<i>Description</i>	<i>Unit</i>		<i>Cost (MK)</i>
Aerial Photograph		(a) Local	10,800.00
		(b) Foreign currency	30.00 USD
Imagery	square km		15,000.00
Digital Spatial Data	Megabyte		5,000.00
Photo Mosaic/Overlap			15,000.00

Description	Unit			Cost (MK)
Auto positive Film	Under	12 x 12		8,600.00
Lithographic Film-Negative/positive	Under	12 x 12	per square foot	10,000.00
Film Diapositive				10,000.00
Plain D.P. Forms (S)				5,000.00
Plain D.P. Forms (L)				7,000.00
Printing of D.P.				5,000.00
Computation Forms per 500				10,000.00

2. Charges for Diazo/Sepia Copies

Size				Cost (MK)
A0				8,000.00
A1 Size				5,000.00
A2 Size				4,000.00
A3 Size				3,000.00
A4 Size				2,000.00

3. Charges for printing of maps on Sepia Film

Size/Scale				Cost (MK)
Lake Charts A0 Paper				25,000.00
Printing on A1 paper				20,000.00
Printing on A3 paper				8,000.00
Printing on A0 paper				20,000.00
Printing on A0 Film				25,000.00

4. Charges for printing of Maps

Size			Compilation (MK)	Printing Cost(MK)
A0 Size			25,000.00	40,000.00
A1 Size			20,000.00	30,000.00
A2 Size			15,000.00	10,000.00
A3 Size			10,000.00	8,000.00
A4 Size			8,000.00	5,000.00

5. Charges for Printing Deed Plans and Survey Drawings

Size				Printing Cost(MK)
A4 Size				5,000.00
A3 Size				10,000.00
A1 Size				10,000.00
A0 Size				20,000.00

SECOND SCHEDULE
FIELD BOOK

S.R. NO.

NAME OF SURVEYOR:

GNSS RECEIVERS:

Base Receiver

Type:

Serial Number:

Registration Number:

Rover Receiver

Type:

Serial Number:

Registration Number:

OTHER SURVEY INSTRUMENT

(a) Type:

Serial Number:

Registration Number:

(b) Type:

Serial Number:

Registration Number:

District:

Date of Survey:

THIRD SCHEDULE

CONVENTIONAL SIGNS TO BE USED ON DEED AND WORKING PLANS

Party Wall	Brown	
Pipe Line	Purple	
Plantation	Green	
Power Line	Brown	
Railway Line	Black	
Fences	Brown	

Spring	Purple	
Reference Mark	Black	
River	Purple	
River when Boundary	Boundary in Black, Other in Purple	
Road	Brown	
Roadway, Street or Lane	Brown	
Servitude of Right of Way	Black	
Subterranean Pipe Line	Purple	
Telegraph or Telephone Line	Brown	
Trig. Survey Station	Black	
Dambo	Purple	
Water Furrow	Purple	
Well	Purple	
Windmill	Purple	
Placed Beacons	Black	
Adopted Beacons	Black	
Beacons not Adopted	Black	
Traverse & Survey Station	Red	
Traverse & Survey Station adopted or permanent	Red	
Measured Base	Red	
E.D.M. Line	Red	
Measured Line	Red	
Observed Direction	Blue	
Contours	Brown	
Embankment	Brown	

BEARING SHEET

1	2			3	4	5	6	7	8	9
	o	'	''	'''	''''	'''''	''''''	'''''''	''''''''	'''''''''
	Bluff									
Sanjika	149	41	38	+2	40	43	+03	42	0	40
Lamp	154	48	43	+2	46			48		
Nancholi	196	57	14	+4	20	21	+01	22	0	20
Y 120	234	33	05	+4	09			11	0	09
Michiru	359	49	06	-1	07			09	-3	04
Nyambadwe	96	42	35	+3	38			40	-1	37
							+02			

- 1 Station
- 2 Approx. spheroidal bearing
- 3 t-T
- 4 Approx. plane bearing
- 5 Oriented forward bearing
- 6 Oriented back bearing
- 7 Final correction
- 8 Final plane bearing
- 9 Provisional correction

FIFTH SCHEDULE



MALAWI
DEED PLAN
No.
SCALE 1:1,000

Department of Surveys
Archive Reference

Original Plan No. SD/.....
of
Surveyed.....
by.....

.....Region
.....District
.....Locality
Piece.....
Registry Map.....

SIDES AND BEARINGS			
Beacon	Distance	Bearing	Beacon Description

COORDINATES
(U.T.M.)
E
N

The above figure marked.....
and edged red represents..... Hectares of land

Drawn by.....

Checked by.....

I certify that this deed plan conforms with the Original Plan No. 80.....
approved by the Surveyor General and that numerical data shown above are mutually consistent

Surveyor General
Lilongwe.....20

SIXTH SCHEDULE

REPORT ON SURVEY

Land Surveyor: S.R. No.:

Date of Survey:

Survey:

1. Purpose

- (a) Title (Land Settlement, Public, Township, Railway, etc.).
- (b) New (amended) Title.
- (c) Sub-division, with T.P.O. approval.
- (d) Sub-division with owner's conditions (give particulars).
- (e) Replacement Beacons.
- (f) Servitude (access, irrigation, etc.).
- (g)

2. Method

- (a) Triangulation based on
 - (i) Trig.
 - (ii) Previous survey.
 - (iii) Measured base.
- (b) Traverse based on
 - (i) Trig.
 - (ii) Previous survey (state closure)
 - (iii) Local system.
- (c) Combination of (a) and (b)

3. Computational Basis

- (a) Co-ordinates
 - (i) Trig.
 - (ii) Previous survey.
 - (iii) Local system.
- (b) Bearings
 - (i) Trig.
 - (ii) Previous survey.
 - (iii) Compass.
 - (iv) Scaled.
 - (v) Astro.

4. Found Beacons

- (a) Draw attention to unusual circumstances, e.g., scattered stones, no peg, concreted by owner, fence, post, etc.

- (b) Full details of alignment tests and results of same. State what lines adopted and why.
5. Placed Beacons including replacements
- (a) Computation:
- (i) Fixed on previous survey.
 - (ii) On what line?
 - (iii) How checked?
- (b) Field Work:
- (i) Fixed on main survey.
 - (ii) Direct observation.
 - (iii) Subsidiary traverse.
 - (iv) How checked?
6. Comparison of Data:
- Give Sketch showing original data in Black of Data and Survey Data in Red. Other data may be shown in any other colour except green.
7. Replaced Beacons:
- Give details as for Placed Beacons and state reasons for choice of position. Include sketch especially if complicated, e.g., in Townships.
8. Curvilinear Boundaries:
- (a) Field Control
- (b) Computations
- (i) Taped traverse.
 - (ii) Tachy Traverse.
 - (iii) Aerial photos
 - (iv) Various methods. (State traverse closures.)
9. Unusual Occurrences:
- (a) Field
- Give details of mishaps to flags, instruments, alterations, etc.
- (b) Computations, re-orientations, etc.
10. Conclusion

SEVENTH SCHEDULE
LAND SURVEYORS REGISTRATION BOARD

APPLICATION FOR A LICENCE TO PRACTICE AS A LAND SURVEYOR

TO: The Chairperson

Land Surveyors Registration Board

I, SIM No: apply for a licence or to be considered a candidate to undergo examinations to be awarded a license to practice as a Licensed Surveyor in Malawi.

I enclose herewith:

- (1) A statutory declaration;
- (2) Certified copies of educational/professional qualifications;
- (3) A register of approved and major jobs carried out;
- (4) A letter from the supervisor; and
- (5) Evidence of payment of an application fee

My personal particulars are as follows:

- (1) Residential Address:
- (2) Telephone No:
- (3) Cell phone No:
- (4) Email Address:.....

.....
Signature of Applicant *Date*

NB: The candidate is requested to submit the original copies of his transcript, birth certificate, passport or National ID to the Secretary of the Board for verification. Originals will be promptly returned.

LAND SURVEYORS REGISTRATION BOARD

FORM IB

STATUTORY DECLARATION

I,do solemnly and sincerely declare that I will discharge the duties of a land surveyor carefully and without partiality, fear, favour or affection, and will conform to all Regulations defining those duties which are now in force, or shall hereafter be established by a competent authority.

Declared before me at.....
thisday of....., 20...

.....
Commissioner for Oaths

LAND SURVEYORS REGISTRATION BOARD

FORM IC

APPLICATION FOR REGISTRATION AS SURVEYING TECHNICIAN

TO: The Chairperson

Land Surveyors Registration Board

I, SIM NO: having complied with the requirements as provided for in the Land Survey Act 2016 hereby apply to be registered as a Registered Surveying Technician from 1st January to 31st December 20.....

I enclose herewith:

- (1) A statutory declaration;
- (2) Certified copies of Certificates or Diplomas; and
- (3) Evidence of payment of registration fee

My personal particulars are as follows:

- (1) Residential Address:
- (2) Telephone No:
- (3) Cell phone No:.....
- (4) Email address:.....

.....
Signature of Applicant *Date*

NB: The candidate is requested to submit the original copies of his birth certificate, passport or National ID to the Secretary of the Board for verification. Originals will be promptly returned.

LAND SURVEYORS REGISTRATION BOARD

FORM ID

APPLICATION FOR REGISTRATION AS GRADUATE SURVEYOR

TO: The Chairperson

Land Surveyors Registration Board

I, SIM NO: having complied with the requirements as provided for in the Land Survey Act 2016 hereby apply to be registered as a Graduate Surveyor from 1st January to 31st December 20.....

I enclose herewith:

- (1) A statutory declaration;
- (2) Certified copies of educational/professional qualification; and
- (3) Evidence of payment of registration fee

My personal particulars are as follows:

- (1) Residential Address:
- (2) Telephone No:
- (3) Cell phone No:.....
- (4) Email address:.....

.....
Signature of Applicant

.....
Date

NB: The candidate is requested to submit the original copies of his birth certificate, passport or National ID to the Secretary of the Board for verification. Originals will be promptly returned.

LAND SURVEYORS REGISTRATION BOARD

FORM IE

APPLICATION FOR REGISTRATION AS LICENSED SURVEYOR

TO : The Chairperson

Land Surveyors Registration Board

I, SIM NO: having complied with the requirements as provided for in the Land Survey Act 2016 hereby apply to be registered as a Licensed Surveyor from 1st January to 31st December 20.....

I enclose herewith:

- (1) A statutory declaration;
- (2) Copy of license to practice as Land Surveyor;
- (3) Certified copies of educational/professional qualification; and
- (4) Evidence of payment of registration fee

My personal particulars are as follows:

- (1) Residential Address:
- (2) Telephone No:
- (3) Cell phone No:.....
- (4) Email address:.....

.....
Signature of Applicant

.....
Date

NB: The candidate is requested to submit the original copies of his birth certificate, passport or National ID to the Secretary of the Board for verification. Originals will be promptly returned.

LAND SURVEYORS REGISTRATION BOARD

FOJ NI IF

APPLICATION FOR REGISTRATION AS REGISTERED SURVEYOR

TO: The Chairperson

Land Surveyors Registration Board

I, SIM NO: having complied with the requirements as provided for in the Land Survey Act 2016 hereby apply to be registered as a Registered Surveyor from 1st January to 31st December 20.....

I enclose herewith:

- (1) A statutory declaration;
- (2) Certified copies of educational/professional qualification; and
- (3) Evidence of payment of registration fee

(1) Residential Address:

(2) Telephone No:

(3) Cell phone No:.....

(4) Email address:.....

.....
Signature of Applicant

.....
Date

NB: The candidate is requested to submit the original copies of his birth certificate, passport or National ID to the Secretary of the Board for verification. Originals will be promptly returned.

LAND SURVEYORS REGISTRATION BOARD

FORM IIA

LN

LICENCE TO PRACTICE AS A LAND SURVEYOR IN MALAWI

This is to certify that.....having satisfactorily proved his qualifications as a land surveyor and having been successful in the examination set by the Board, is hereby awarded a license to practice in Malawi as provided for in the Act.

Dated this day of,20.....

.....
BOARD CHAIRPERSON

LAND SURVEYORS REGISTRATION BOARD

FORM IIB

ST-RC No:

CERTIFICATE OF REGISTRATION AS SURVEYING TECHNICIAN

This is to certify that.....having fulfilled the prescribed requirements of the Land Survey Act 2016 to the satisfaction of the Board is hereby registered as Surveying Technician in Malawi and authorized to practice as provided for in the Act.

Dated this day of, 20.....

.....
BOARD CHAIRPERSON

LAND SURVEYORS REGISTRATION BOARD

FORM IIC

GS-RC No:

CERTIFICATE OF REGISTRATION AS GRADUATE LAND SURVEYOR

This is to certify that.....having fulfilled the prescribed requirements of the Land Survey Act 2016 to the satisfaction of the Board is hereby registered as Registered Graduate Surveyor in Malawi and authorized to practice as provided for in the Act.

Dated this day of, 20.....

.....
BOARD CHAIRPERSON

LAND SURVEYORS REGISTRATION BOARD

FORM IID

LS-RC No:

CERTIFICATE OF REGISTRATION AS LICENCED LAND SURVEYOR

This is to certify thatSurvey License No.: having fulfilled the prescribed requirements of the Land Survey Act 2016 to the satisfaction of the Board is hereby registered as Registered Licence Surveyor in Malawi and authorized to practice as provided for in the Act.

Dated this day of, 20.....

.....
BOARD CHAIRPERSON

FORM III

We, the undersigned (a)

1 Owner of (b)

2 " "
 3 " "
 4 " "
 5 " "

and owner of the piece of land under survey called certify that we have inspected the beacons and boundaries common to our said properties as adopted in the survey of the last-named piece of land by Mr./Mrs./Ms (Surveyor).

And we declare that we agree and consent to the positions of the beacons and boundaries as represented and described on the figure appearing on the opposite page, and consent to a deed plan being framed in accordance therewith.

<i>Date</i>	<i>Signature (c) and (d)</i>	<i>Beacons and boundaries indicated on figure on opposite page hereby and agreed to (e)</i>	<i>Witness to signatures (f)</i>

Notes—

- (a) Names in full (these should be clearly written in capital letters).
- (b) Names of contiguous properties.
- (c) Only one signature to be written within each compartment.
- (d) Signature on behalf of estates, companies, municipalities or similar bodies must be duly authenticated by attachment of letters of administration, certified copies of resolutions of boards or councils or other similar documents. Signatures or powers of attorney must be accompanied by the actual powers of certified copies. Original documents will be returned after being noted by Surveyor General.
- (e) Where a river forms the boundary, the left bank, right bank or middle of the river (as the case may be) must be indicated and signed for.
- (f) Two witnesses are required to each signature.

The page containing the figure referred to in the agreement to be headed: Description of Beacons and Figure Representing Land under Survey and Common Beacons and Boundaries of Contiguous Properties; and at the foot the following note to be made:

Note— This page must be signed for by the surveyor performing the survey and the beacons and boundaries must be designated on the figure so as to correspond with the beacons and boundaries agreed to on the opposite page.

A person who intends to carry out an aerial survey of any land in Malawi shall at least thirty (*30) days before the survey is carried out notify the surveyor general in writing on his intention to cause the survey to be made.

The surveyor general shall check any aerial image for quality control before use.

EIGHTH SCHEDULE
LICENCING AND REGISTERING SURVEYORS
FEES

(reg.113)

	K
(1) Registration/renewal fee for surveying technician. .	50,000.00
(2) Registration/renewal fee for graduate surveyor ..	100,000.00
(3) Registration/renewal fee for licensed surveyor ..	200,000.00
(4) Application for a license (examination) ..	200,000.00
(5) Annual license fee	250,000.00

Made this 24th day of July, 2020

(FILE NO.: LHUD/C/1)

K. K. MSUKWA
Minister of Lands