

THE SURVEY (AMENDMENT) ACT, 1987

No. 4 of 1987

Date of Assent: 28th April, 1987

Date of Commencement: 8th May, 1987

An Act of Parliament to amend the Survey Act

ENACTED by the Parliament of Kenya as follows:—

Short title.

1. This Act may be cited as the Survey (Amendment) Act, 1987.

Amendment
to section 7
of Cap. 299.

2. Section 7 (1) of the Survey Act, in this Act referred to as the principal Act, is amended by deleting paragraphs (b) and (c) and inserting the following—

(b) seven surveyors employed in the public service being licensed surveyors or holders of an East African Land Survey Certificate and who are full members of the Institution of Surveyors of Kenya (Chapter of Land Surveyors) appointed from time to time by the Minister as follows—

(i) two of them on the advice of the Permanent Secretary to the Ministry for the time being responsible for matters relating to land survey;

(ii) four of them on the advice of each of the Permanent Secretaries of the Ministries for the time being responsible for transport, local government, forestry and housing; and

(iii) one of them on the advice of the Vice-Chancellor of the University of Nairobi;

(c) four licensed surveyors in private practice elected by licensed members of the Institution of Surveyors of Kenya (Chapter of Land Surveyors) who shall hold office for two years and shall be eligible for re-election:

Provided that of the four surveyors so elected two shall retire at the end of one year from the date on which they were elected and the order of retire-

ment shall in default of agreement with them, be determined by lot.

3. The principal Act is amended by repealing section 12 and inserting the following—

Replacement
of section 12
of Cap. 299.

Exemptions.

12. Any person who—

- (a) was duly registered as a licensed surveyor in accordance with the provisions of any written law relating to the registration of surveyors in force at any time before the commencement of this Act; or
- (b) is the holder of an East African Land Survey Certificate; or
- (c) has taken a degree in land surveying from a university recognized by the Board, passed the Kenya land law examination and has had not less than two years practical experience with the survey of Kenya or with a licensed surveyor to the satisfaction of the Board; or
- (d) is the holder of a licence to practice as a surveyor in any country which the Minister may, by notice in the Gazette, approve; or
- (e) is the holder of the qualification of Fellow or Professional Associate of the Royal Institute of Chartered Surveyors in subdivision V (Land Surveying); or
- (f) has complied with the provisions of paragraph (b) of section 11 of this Act,

shall, upon the production of such evidence thereof as may be prescribed including evidence of full membership of the Institution of Surveyors of Kenya (Chapter of Land Surveyors), and subject to the provisions of subsection (2) be exempted from the whole examination or from examination in any subject, in accordance with the directions of the Board.

(2) A person holding any of the qualifications mentioned in paragraph (d) or (e) of this section, shall not be exempted from examination unless—

- (a) he satisfies the Board that he has had field experience in land surveying; and
- (b) he carries out to the satisfaction of the Board, a trial survey; and
- (c) he satisfies the Board that he is capable of conducting land surveys in accordance with the provisions of this Act and of any regulations made thereunder.