



Queensland

# Surveyors Regulation 2024

## Subordinate Legislation 2024 No. 129

made under the

*Surveyors Act 2003*

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## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Surveyors Regulation 2024*.

### 2 Commencement

This regulation commences on 1 September 2024.

## Part 2 Membership of board

### 3 Membership of board—Act, s 12

- (1) This section states requirements for section 12(2) of the Act.
- (2) The board must consist of—
  - (a) 4 cadastral surveyors; and
  - (b) 1 other cadastral surveyor employed in the department; and
  - (c) 1 surveyor with a mining registration endorsement; and
  - (d) 1 other surveyor; and
  - (e) 2 other individuals who represent the interests of the community generally in the conduct and practice of the profession.
- (3) A surveyor may be appointed as a member only if—
  - (a) the surveyor has been registered as a surveyor for periods totalling at least 5 years; and
  - (b) for a surveyor mentioned in subsection (2)(a), (b) or (c)—the surveyor has held the registration endorsement mentioned in that subsection for periods totalling at least 5 years.
- (4) In this section—

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***mining registration endorsement*** means any of the following registration endorsements—

- (a) mining open cut (O);
- (b) mining underground coal (UC);
- (c) mining underground metalliferous (Mining UM).

## Part 3 Registration and registration endorsements

### 4 Criteria for registration as emeritus surveyor—Act, s 36

(1) For section 36(3)(c) of the Act, the criteria prescribed are—

- (a) the individual has been registered as a surveyor under the Act, the repealed Act or a corresponding law—
  - (i) for at least 25 consecutive years; or
  - (ii) for periods the board is satisfied are at least equivalent to the period mentioned in subparagraph (i); and
- (b) the individual has given the board a written statement notifying the board that the individual has retired from surveying practice; and
- (c) if the individual is the cadastral surveyor responsible for the survey quality of a relevant plan of survey—the individual has—
  - (i) authorised another person to take the action mentioned in the *Survey and Mapping Infrastructure Act 2003*, section 32(1) for the survey; and
  - (ii) given the board a copy of the authorisation.

(2) In this section—

***relevant plan of survey*** means a plan of survey that—

- (a) is to be registered under the *Land Act 1994* or the *Land Title Act 1994*; or
- (b) is required for a purpose under the *Mineral Resources Act 1989*.

## **5 Insurance cover—Act, ss 36 and 38**

For sections 36(2)(c)(ii)(A) and 38(2)(c) of the Act, the insurance cover prescribed is professional indemnity insurance for at least \$2m.

## **6 Application for competency assessment—Act, s 44**

For section 44(2) of the Act, the way prescribed is making the application in the approved form.

## **7 Particulars for register—Act, s 68**

- (1) For section 68(3) of the Act, the following particulars for each registrant are prescribed—
  - (a) the registrant's name;
  - (b) the registrant's address (including business and postal addresses);
  - (c) the type of registration held by the registrant;
  - (d) the day the registrant was first registered for the registrant's current type of registration under the Act, the repealed Act or a corresponding law;
  - (e) the day the registrant's registration expires;
  - (f) any registration endorsements held by the registrant;
  - (g) the day any registration endorsements held by the registrant expire;
  - (h) for a registrant that is a corporation—

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- (i) the name of an employee or executive officer of the corporation who holds a registration endorsement as a consulting surveyor; and
    - (ii) if the corporation holds another registration endorsement other than as a consulting surveyor—the name of an employee or executive officer of the corporation who holds the other registration endorsement;
  - (i) if a professional conduct review panel takes disciplinary action against the registrant under section 91 of the Act—details of the disciplinary action;
  - (j) if QCAT takes disciplinary action against the registrant under section 119 of the Act—details of the disciplinary action, other than the details mentioned in section 127(2) of the Act.
- (2) For subsections (1)(i) and (j), the details must be included in the publicly available part of the register for the following period—
- (a) if QCAT imposes a disciplinary condition on the registrant’s registration—the period the disciplinary condition is in force;
  - (b) if a professional conduct review panel or QCAT decides disciplinary action taken against the registrant must be included in the publicly available part of the register for a stated period—the stated period.

## **8 Notice of change in circumstances—Act, s 72**

For section 72(1) of the Act, the following changes in a registrant’s circumstance are prescribed—

- (a) a change of the registrant’s name;
- (b) a change of the registrant’s address (including business and postal addresses);
- (c) a change of a registration endorsement held by the registrant;

- (d) for a registrant that is a corporation—a change of the name of the employee or executive officer of the corporation that is contained in a register under section 7(1)(h)(i) or (ii) for the corporation.

## **Part 4                      Miscellaneous**

### **9                      Title for holder of registration endorsement for cadastral surveys—Act, s 192**

A cadastral surveyor may use the title ‘registered surveyor—land’.

### **10                      Fees**

The fees payable under the Act are stated in schedule 1.

## **Part 5                      Repeal and transitional provisions**

### **Division 1                      Repeal**

#### **11                      Repeal**

The Surveyors Regulation 2014, SL No. 183 is repealed.

### **Division 2                      Transitional provisions**

#### **12                      Definition for division**

In this division—

*repealed regulation* means the repealed *Surveyors Regulation 2014*.

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**13 Membership of board—surveyor directly involved in teaching surveying**

- (1) This section applies if, immediately before the commencement, a member of the board was a surveyor directly involved in teaching surveying.
- (2) Despite section 3 of this regulation, the repealed regulation, section 1A continues to apply until the member's term of office ends as if this regulation had not been made.

**14 Insurance cover for existing consulting surveyors**

- (1) This section applies if, immediately before the commencement—
  - (a) a registrant held a registration with a registration endorsement as a consulting surveyor; and
  - (b) the registrant satisfied section 36(2)(c)(ii) or 38(2)(c) of the Act.
- (2) Despite section 5 of this regulation, the repealed regulation, section 3 continues to apply in relation to the registrant until the end of the term of the registration as if this regulation had not been made.
- (3) Subsection (2) stops applying if, before the end of the term of the registration—
  - (a) the registrant stops satisfying section 36(2)(c)(ii) or 38(2)(c) of the Act; or
  - (b) the registration or registration endorsement as a consulting surveyor is cancelled under section 63 of the Act; or
  - (c) the registrant surrenders the registration or registration endorsement as a consulting surveyor under section 67 of the Act.



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**15 Existing applications for registration endorsement, or renewal of registration endorsement, as consulting surveyor**

- (1) This section applies if—
  - (a) before the commencement, either of the following applications was made but not decided—
    - (i) an application for a registration endorsement as a consulting surveyor;
    - (ii) an application for renewal of a registration endorsement as a consulting surveyor; and
  - (b) immediately before the commencement, the applicant satisfied section 36(2)(c)(ii) or 38(2)(c) of the Act.
- (2) Despite section 5 of this regulation, the repealed regulation, section 3 continues to apply in relation to the applicant, as if this regulation had not been made, until the later of the following events to happen—
  - (a) the application is decided;
  - (b) if the application is granted—the end of the term for which the registration endorsement is granted or renewed (the *new term*).
- (3) Subsection (2) stops applying if, before the application is decided, the applicant stops satisfying section 36(2)(c)(ii) or 38(2)(c) of the Act.
- (4) Also, if the application is granted, subsection (2) stops applying if, before the end of the new term—
  - (a) the applicant stops satisfying section 36(2)(c)(ii) or 38(2)(c) of the Act; or
  - (b) the registration endorsement is cancelled under section 63 of the Act; or
  - (c) the registrant surrenders the registration endorsement under section 67 of the Act.

# Schedule 1      Fees

section 10

	<b>Fee units</b>
1 Registration or registration endorsement, for an individual (Act, s 45(1)(c)(i) and (ii))—	
(a) registration as a surveyor—	
(i) application fee	187.20
(ii) registration fee	232.40
(b) registration endorsement as a consulting surveyor—	
(i) application fee	187.20
(ii) registration fee	283.50
(c) registration endorsement, other than as a consulting surveyor—	
(i) application fee	85.05
(ii) registration fee	34.00
(d) registration as a surveying graduate—	
(i) application fee	187.20
(ii) registration fee	187.20
(e) registration as a surveying associate—	
(i) application fee	187.20
(ii) registration fee	170.10
(f) registration as an emeritus surveyor—	
(i) application fee	90.75
(ii) registration fee	nil
2 Registration or registration endorsement, for a corporation (Act, s 45(1)(c)(i) and (ii))—	

	<b>Fee units</b>
(a) registration as a surveyor with a registration endorsement as a consulting surveyor—	
(i) application fee	453.60
(ii) registration fee	993.00
(b) registration endorsement, other than as a consulting surveyor—	
(i) application fee	85.05
(ii) registration fee	34.00
3 Renewal of registration or registration endorsement, for an individual (Act, s 54(2)(c)(ii) and (3))—	
(a) registration as a surveyor—	
(i) registration fee	232.40
(ii) late application fee	85.05
(b) registration endorsement as a consulting surveyor—	
(i) registration fee	283.50
(ii) late application fee	nil
(c) registration endorsement, other than as a consulting surveyor—	
(i) registration fee	34.00
(ii) late application fee	nil
(d) registration as a surveying graduate—	
(i) registration fee	187.20
(ii) late application fee	85.05
(e) registration as a surveying associate—	
(i) registration fee	170.10
(ii) late application fee	85.05
(f) registration as an emeritus surveyor—	
(i) registration fee	nil

	<b>Fee units</b>
(ii) late application fee	nil
4 Renewal of registration or registration endorsement, for a corporation (Act, s 54(2)(c)(ii) and (3))—	
(a) registration fee for registration as a surveyor with a registration endorsement as a consulting surveyor	993.00
(b) registration fee for registration endorsement, other than as a consulting surveyor	34.00
(c) late application fee	283.50
5 Restoration of registration or registration endorsement (Act, s 60(1)(b)(i)) in addition to any fees payable under item 3 or 4	135.90
6 Replacement or duplicate registration certificate (Act, s 78(2)(b))	96.45
7 Assessment fee for an application for assessment of a person's competency (Act, s 44(2))—	
(a) if the assessment involves assessing a professional assessment project—	
(i) lodging the application	187.20
(ii) assessing the project	538.00
(b) if the assessment involves reassessing a professional assessment project—	
(i) lodging the application	187.20
(ii) reassessing the project	340.20
(c) if the assessment involves assessing a person's competence equivalence for registration or registration endorsement as a surveyor—	
(i) lodging the application	187.20
(ii) assessing the person's competence equivalence	964.00

ENDNOTES

- 1 Made by the Governor in Council on 25 July 2024.
- 2 Notified on the Queensland legislation website on 26 July 2024.
- 3 The administering agency is the Department of Resources.

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