



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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## Government Notice

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### MINISTRY OF LANDS, RESETTLEMENT AND REHABILITATION

No. 216 1998

#### REGULATIONS RELATING TO PROFESSIONAL LAND SURVEYORS, TECHNICAL SURVEYORS AND SURVEY TECHNICIANS UNDER THE PROFESSIONAL LAND SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY TECHNICIANS' ACT, 1993

The Minister of Lands, Resettlement and Rehabilitation has under section 31 of the Professional Land Surveyors', Technical Surveyors' and Survey Technicians' Act, 1993 (Act No. 31 of 1993) and after consultation with the Council, made the regulations set out in the Schedule.

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## CHAPTER I PRELIMINARY PROVISIONS

### Definitions

1. In these regulations, unless the context otherwise indicates, an expression defined in the Act has a corresponding meaning and -

“chairperson” means the chairperson of the Council or the person acting in his or her stead in terms of section 4(2) of the Act;

“personal supervision” means, in respect of any kind of work reserved under section 31(m) of the Act -

- (a) the personal presence of a professional land surveyor when a technical surveyor or a survey technician or any registered apprentice is surveying beacons and the pointing out to the technical surveyor or the survey technician or the apprentice of those beacons and the inspection of those beacons by the professional land surveyor; and
- (b) the carrying out by the professional land surveyor referred to in paragraph (a) of sufficient reconnaissance to ensure that the required standard of accuracy to the survey is obtained;

“registered person” means a person registered in terms of the Act;

“Surveyor-General” means the Surveyor-General appointed in terms of section 2 of the Land Survey Act, 1993 (Act No. 33 of 1993);

“the Act” means the Professional Land Surveyors’, Technical Surveyors’ and Survey Technicians’ Act, 1993 (Act 32 of 1993);

“the Sectional Titles Act” means the Sectional Titles Act, 1971 (Act No. 66 of 1971);

“unregistered person” means a person not registered in terms of the Act.

## CHAPTER II COUNCIL

### Meetings of the Council

2. (1) The Council shall at its ordinary meeting called in terms of section 9(2) of the Act and at each of its subsequent ordinary meetings fix the date, place and time of the next ordinary meeting, notice of which shall be given to members at least 30 days before the date of the meeting.

(2) The notice referred to in subregulation (1) shall specify the date, place, time and business of the meeting.

(3) Any member desirous of proposing an amendment to these regulations, or of bringing any other matter before the Council, shall forward, at least six weeks before the date on which a meeting is to be convened, a written notice of motion of

the proposed amendment or the matter to the chairperson who shall ensure that such motion is included in the notice convening such meeting.

(4) The agenda for any meeting shall be prepared by the Registrar in consultation with the chairperson, and may contain -

- (a) minutes of the previous ordinary meeting and of any special meeting held in the interim;
- (b) matters arising out of the minutes referred to in paragraph (a);
- (c) the chairperson's report;
- (d) the financial statement of the Council;
- (e) the report of the Registrar;
- (f) an appointment of members referred to in section 3 of the Act;
- (g) a determination of registration and annual fees to be paid by a professional land surveyor, an apprentice land surveyor, a technical surveyor, an apprentice technical surveyor, a survey technician and an apprentice survey technician;
- (h) a determination of honoraria and salaries;
- (i) disciplinary matters;
- (j) reports deferred from previous meetings;
- (k) reports of committees;
- (l) notices of motion transferred from previous meetings;
- (m) new notices of motion; or
- (n) other business.

(5) Except with the unanimous consent of the members present, no business, other than that specified in the notice convening the meeting of the Council shall be discussed or transacted at that meeting.

(6) Any member having a personal interest in a matter to be discussed at a meeting of the Council shall disclose such interest at the commencement of the meeting and shall withdraw from the meeting.

(7) Subject to subregulation (8), all meetings of the Council shall be open to persons registered in terms of the Act, but, except with the consent of the Council, those persons shall not take part in any discussion.

(8) Notwithstanding subregulation (7), if at any meeting of the Council the Council decides to go into committee to discuss any matter, non-members of the Council shall withdraw from the meeting.

(9) Voting on any matter shall be by a show of hands, but if any member so requests the voting shall be by ballot.

(10) A notice of motion may be given to review any ruling of the chairperson made at a meeting of the Council and if the Council resolves the motion in the affirmative, the motion shall constitute an instruction to the Registrar to refer the matter to the Council's legal advisers for an opinion.

(11) Any standing order of the Council may be suspended if at a meeting of the Council a motion to suspend the standing order is resolved in the affirmative by a majority of votes.

(12) The minutes of all meetings and proceedings of the Council caused to be kept in terms of section 9(7) of the Act shall be confirmed by the members and authenticated by the signature of the chairperson as soon as possible after such confirmation.

(13) The minutes of a meeting of the Council shall include a record of -

- (a) the members present;
- (b) such motions, and amendments to motions, as may have been adopted;
- (c) any rulings of the chairperson as to the interpretation of these regulations; and
- (d) at the request of any member, the names of the members voting for and against a motion or any amendment to the motion, unless the voting is by ballot.

(14) Every member shall be supplied with a copy of the draft minutes as soon as possible after the meeting.

### **CHAPTER III COMMITTEES**

#### **Meetings of committees**

3. (1) The chairperson of a committee shall call a meeting of that committee whenever the Council assigns it a function in terms of section 8(1)(b) of the Act.

(2) The chairperson of a committee, or in his or her absence, the person acting as chairperson, shall give every member at least 30 days notice, in writing, of subsequent meetings of that committee.

(3) Regulation 2(5), (6), (9), (12), (13) and (14) shall apply *mutatis mutandis* to committees.

(4) A copy of the minutes of a meeting of a committee shall be submitted to both the chairperson and the Registrar as soon as they have been authenticated.

## CHAPTER IV REGISTRATION

### **Registration of professional land surveyors and apprentice land surveyors**

4. (1) Any person who has complied with the qualifications for registration prescribed in terms of section 15(1) of the Act and who desires to be registered as a professional land surveyor shall first apply for registration as an apprentice land surveyor in the form of Form B prescribed in the Annexure to these regulations.

(2) A person who holds a qualification prescribed under the Act for registration as a professional land surveyor, shall, before he or she may be registered as a professional land surveyor, undertake training, subject to subregulation (3), as a registered apprentice land surveyor for a period and of a nature as prescribed in subregulation (3).

(3) Subject to subregulation (5), the training to be undertaken by a registered apprentice land surveyor shall be training in survey work -

- (a) for a continuous period of not less than 270 working days under the personal supervision of a professional land surveyor who has been practising that profession for at least two years after his or her name has been entered into the register relating to professional land surveyors referred to in section 13 of the Act; and
- (b) the nature of which has been approved by the Council.

(4) Subject to subregulation (5), the nature of the training referred to in subregulation (2) shall be subject to approval by the Council, and the Surveyor-General shall exercise control over the training of apprentice land surveyors.

(5) Notwithstanding subregulations (2) and (3) -

- (a) if an apprentice land surveyor has undergone training in non-cadastral survey work not necessarily under the personal supervision of a professional land surveyor, or during the course of practise has undertaken survey work which, in the opinion of the Council, is equivalent to the work referred to in subregulation (3), and proof of training or practise to the satisfaction of the Surveyor-General is given, the Council may exempt that apprentice land surveyor from such portion of the period of training prescribed in subregulation (3)(a) as the Council may determine;
  - (b) the period of training occupied in any category of survey work shall, subject to paragraph (c), be in accordance with such requirements as may be laid down from time to time by the Council; and
  - (c) the period of training in cadastral surveys for a person intending to register in terms of section 13(1)(a) of the Act shall not be less than 135 working days after completion of the academic training of such person.
- (6) The person referred to in paragraph (c) of subregulation (3) shall apply

for registration as an apprentice land surveyor within two months from the date of completion of his or her academic training failing which the period of training shall commence on the actual date of application for registration.

(7) The Surveyor-General may, upon a written request by an apprentice land surveyor, grant a break to him or her in the continuous period referred to in subregulation (3)(a) if in his or her opinion, reasonable grounds for such a break exist.

(8) An apprentice land surveyor shall submit to the Surveyor-General proof of employment during the period of training in the form of a certificate prescribed in Form A in the Annexure to these regulations.

(9) The certificate referred to in subregulation (8) shall be supported by a statement signed by the professional land surveyor and the apprentice land surveyor setting out detailed particulars of the periods and nature of all survey work done by the apprentice land surveyor.

(10) Subject to subregulation (11), the Surveyor-General may dispense with the certificate referred to in subregulation (8), if -

- (a) he or she is satisfied that the professional land surveyor with whom the apprentice land surveyor was employed, unreasonably refuses, or for some reason is not in a position to grant the certificate; and
- (b) if proof, to his or her satisfaction, is given by the apprentice land surveyor to the effect that he or she was actually employed under the personal supervision of the professional land surveyor for the periods during which he or she claims to have been so employed.

(11) The Surveyor-General may, where he or she considers it necessary to do so, require an apprentice land surveyor to undergo such further training as he or she may consider fit and shall refuse to accept a certificate for a shorter period of training less than 45 working days.

(12) Any person who has complied with the qualifications for registration in terms of section 15(1) of the Act and who desires to register as a professional land surveyor in a division of the register provided for in section 13(1)(a) of the Act, shall submit such proof of qualifications as the Council may determine.

(13) An apprentice land surveyor who fails to pass the examination in the laws concerning surveying and related matters, or who fails to carry out an acceptable trial survey, shall be afforded an opportunity of being re-examined or doing another trial survey only after a period of not less than two months after the date of the unsuccessful attempt at the examination or the trial survey.

(14) An apprentice land surveyor who fails to attain a standard acceptable to the Surveyor-General after the second attempt at the examination or the trial survey, shall not be afforded another opportunity of being re-examined or to do another trial survey until the apprentice land surveyor has undergone such further training as the Surveyor-General may determine.

(15) When an apprentice land surveyor complies with the qualifications referred to in section 15(1) of the Act, after obtaining a certificate from the Surveyor-General to that effect, he or she may apply to the Council for registration as a professional land surveyor in the form of Form C prescribed in the Annexure to these regulations, and the Council may register such a person in the appropriate part of the register and cancel his or her registration as an apprentice land surveyor.

(16) In terms of section 31(1)(m) of the Act, the following professional work shall be reserved for professional land surveyors only:

- (a) Any survey for the purpose of preparing any diagram or general plan to be filed or registered in the Deeds Registry or referred to in any manner whatsoever in any other document to be so filed or registered; and
- (b) any survey affecting the delimitation of the boundaries or the location of any beacons of any land registered or to be registered in the Deeds Registry.

(17) For the purpose of this regulation -

“cadastral surveys” means surveys referred to in section 14(2)(a) and (b) of the Act;

“survey work” means -

- (a) survey operations, the nature of which shall be approved by the Surveyor-General; or
- (b) cadastral surveys.

**Registration of technical surveyors, apprentice technical surveyors, survey technicians and apprentice survey technicians**

5. (1) The Council may, on application by any person who has -

- (a) complied with the qualifications for registration as prescribed in terms of section 15(1) of the Act and who has completed training in the form of practical experience for a period of at least 10 years which period includes the period of study and training in such survey work which, in the opinion of the Council, is of sufficient variety and of a satisfactory nature and standard;
- (b) carried out such trial survey as may be set by the Surveyor-General; and
- (c) submitted an application in the form of Form D prescribed in the Annexure to these regulations,

register such person as a technical surveyor in the appropriate part of the register.

(2) The Council may, on application by any person who has -

- (a) complied with the qualifications for registration as prescribed in terms of section 15(1) of the Act;



- (b) carried out such trial survey as may be set by the Surveyor-General; and
- (c) submitted an application in the form of Form D prescribed in the Annexure to these regulations,

register such person as a survey technician in the appropriate part of the register.

(3) The Council may, on application, in the form of Form D prescribed in the Annexure to these regulations, of any person who is registered as a survey technician and who complies with the requirements of subregulations (1)(a) and (b), register that person as a technical surveyor in the appropriate part of the register.

(4) Any person who does not qualify for registration as a technical surveyor or a survey technician, and who wishes to be registered as a technical surveyor or a survey technician shall apply for registration as an apprentice technical surveyor or an apprentice survey technician, as the case may be, in the form of Form E prescribed in the Annexure to these regulations.

(5) A person shall not qualify for registration as a -

- (a) technical surveyor unless he or she has carried out survey work under the personal supervision of a professional land surveyor, a technical surveyor or any other person whom the Council considers suitable: Provided that if that survey work is carried out under the personal supervision of a technical surveyor who is registered under these regulations then, such technical surveyor must have had at least three years experience after such registration.
- (b) survey technician, unless he or she has carried out survey work under the personal supervision of a professional land surveyor, a technical surveyor, a survey technician or any other person whom the Council considers suitable: Provided that if that survey work is carried out under the personal supervision of a technical surveyor or a survey technician who is registered under these regulations, then, such technical surveyor or survey technician must have had at least three years experience after such registration.

(6) The period of training for qualification or practical survey work for a person who wishes to be registered under this regulation shall be determined by the Council in each individual case except where the candidate has obtained a diploma from a polytechnic or college recognised in the Republic of Namibia or any other polytechnic or college recognised in terms of section 15(1) of the Act.

(7) If a person was issued with the diploma referred to in regulation (6) before the commencement of these regulations, a professional land surveyor, a technical surveyor or a survey technician registered in terms of the Act or such other person whom the Council considers suitable may issue a certificate stating that the applicant has received suitable training in survey work under his or her supervision.

(8) Proof of employment of the applicant shall be in the form of Form A prescribed in the Annexure to these regulations.

(9) The Surveyor-General shall, with the concurrence of the Council, set a trial survey for a person seeking registration as a technical surveyor, an apprentice technical surveyor, a survey technician or an apprentice survey technician.

(10) If a person referred to in subregulation (9) fails to attain a standard acceptable to the Surveyor-General he or she shall not be afforded an opportunity to do another trial survey until after a period of not less than two months after the date of the unsuccessful attempt at the trial survey.

(11) If a person fails to attain a standard acceptable to the Surveyor-General after doing another trial survey in terms of subregulation (10) he or she shall not be afforded another opportunity to do a trial survey until he or she undergoes such further training as the Surveyor-General may determine.

(12) When an apprentice technical surveyor or an apprentice survey technician complies with the requirements referred to in section 15(1) of the Act, the Council may, on application in the form of Form F prescribed in the Annexure to these regulations, cancel the registration of such person as an apprentice technical surveyor or an apprentice survey technician, as the case may be, and register him or her as a technical surveyor or a survey technician in terms of section 17 of the Act.

(13) A person registered under these regulations shall take an oath or affirmation in relation to the practising of the profession or calling in the form of Form G prescribed in the Annexure to these regulations.

## **CHAPTER V REGISTER AND MATTERS RELATING TO REGISTRATION**

### **Register**

6. (1) The Registrar shall, in terms of section 13(1) of the Act, keep and maintain a register of persons who are deemed to qualify for registration in terms of section 15(5) of the Act and all other persons whose applications for registration under section 16 of the Act have been accepted by the Council.

(2) As soon as possible after the commencement of these regulations, the Registrar shall, in respect of any person referred to in subregulation (1) and upon payment by that person of such registration and annual fees as may be determined by the Minister in terms of section 31(h) of the Act, enter in the register the particulars referred to in section 13(1) of the Act: Provided that the persons referred to in section 15(5) of the Act shall not be liable to pay registration fees.

(3) The date of the first registration of any person in terms of the Act shall be the date the Registrar receives the documents prescribed in terms of these regulations, together with the registration and annual fees: Provided that in the case of persons referred to in section 15(5) of the Act the date of the first registration shall be the date of commencement of the Act.

(4) The Registrar shall not enter in the register any particulars in respect of any qualifications unless he or she is satisfied that the person claiming to possess those qualifications actually possesses them.

(5) Any entry in the register which is proved to the satisfaction of the Council to have been made erroneously or through fraudulent misrepresentation or under circumstances which amount to a contravention of the law, shall under authority of the Council, be deleted or amended in the register.

(6) Whenever any entry in respect of any person has been deleted or amended in terms of subregulation (5), the Registrar shall, within seven days of such deletion, notify the person concerned in writing transmitted by registered post to his or her registered address.

(7) Any certificate of registration issued in accordance with the Act shall be deemed to be cancelled from the date upon which the registration of the person to whom it was issued is cancelled by the Council in terms of section 19(1) of the Act.

(8) The Registrar shall, from time to time, upon the authority of the Council, cause copies of the register to be printed, published and issued upon payment of such fees as the Council may determine.

#### **Application for registration**

7. (1) A person referred to in section 15(5)(a) and (b) of the Act who wishes to apply for a certificate of registration in terms of section 15(5) of the Act, shall do so in the form of Form H prescribed in the Annexure to these regulations.

(2) An application in terms of subregulation (2) shall be accompanied by the registration and annual fees determined in terms of section 31 of the Act.

(3) Subject to subregulations (4) and (5), a person shall, in addition to the application forms required by subregulations (1) and (2) and the fees submitted in terms of subregulation (3), submit to the Registrar such proof of qualifications, certificates of practical experience or other documents as would indicate proof of his or her acceptance for registration.

(4) Notwithstanding subregulation (3), but subject to subregulation (6) where any certificate or document referred to in subregulation (4) has been lost or destroyed, a person may provide written confirmation by a competent authority to the effect that such certificate or document was issued to him or her.

(5) Notwithstanding subregulation (3), the register kept for persons referred to in subregulation (1) by -

- (a) the Central Council of Land Surveyors established in terms of the Land Surveyors' Registration Act, 1950 (Act No. 14 of 1950); or
- (b) the South African Council for Professional and Technical Surveyors established by the Professional and Technical Surveyors' Act, 1984 (Act No. 40 of 1984) of South Africa,

immediately prior to the commencement of the Act, shall be deemed to be sufficient proof of the suitability of any such land surveyor for registration as a professional land surveyor in terms of the Act.

(6) When the Registrar is satisfied that the applicant qualifies to be registered, the Registrar shall enter in the Register his or her name and such other particulars as are referred to in section 23 of the Act and issue to him or her a certificate of registration in Form I attached to these regulations.

### **Registered address**

8. (1) Every person who wishes to be registered in terms of the Act shall submit to the Council together with his or her application form, an address of the place at which he or she normally practises, and which shall be entered in the register by the Registrar.

(2) A person registered in terms of the Act shall not have more than one registered address and shall not change such address until 60 days after he or she has given to the Council written notice, of the intention to change and, of the new address.

(3) The Council may, on the written application made to it by a person referred to in subregulation (2), accept a shorter period of written notice.

(4) The 60 days period referred to in subregulation (2) shall not apply to the change of office premises in the same town or metropolitan area.

(5) For the purpose of determining fees for distance travel, a registered person shall regard his or her registered address as his or her headquarters and shall not use any address other than that registered with the Council, for his or her practise.

## **CHAPTER VI PROFESSIONAL MISCONDUCT AND INQUIRIES INTO ALLEGED PROFESSIONAL MISCONDUCT**

### **Professional misconduct**

9. The undermentioned acts and omissions by a person who is or was registered in terms of the Act, shall constitute professional misconduct (in addition to professional misconduct referred to in section 27 of the Act) and which acts and omissions the Council may inquire into in terms of section 25 of the Act:

- (a) Undertaking for execution work of a survey nature for which he or she is inadequately trained or insufficiently experienced;
- (b) performing any survey work undertaken by him or her in an incompetent, reckless or negligent manner;
- (c) using a name with any misleading content for the title and style or name of his or her firm;
- (d) signing, or otherwise identifying as having been issued by him or her or his or her firm, any plan or document of which he or she or his or her firm is not the *bona fide* author;
- (e) failing, without just cause, to comply with the provisions of any survey contract undertaken by him or her;

- (f) advertising services of a survey nature rendered by him or her in a manner which lauds his or her own work, in a manner which is not true and factual or in a manner that is derogatory to the dignity of the profession;
- (g) permitting his or her name to be used in connection with the direct advertisement of any survey equipment or in his or her capacity as a registered person, with any other commodity other than when his or her name appears in an informative article;
- (h) using or allowing to be used any letterhead, account form, receipt form or other document, on which is printed -
  - (i) qualifications which, in the opinion of the Council, are inconsistent with his or her training or experience; or
  - (ii) two or more addresses;
- (i) indicating or permitting a person to indicate on a name plate, panel or letterhead that services such as land surveying or topographical and engineering surveying are rendered at a particular address, unless a person entitled to perform such services in terms of the Act is registered with the Council to practise at such address;
- (j) in any manner canvassing or touting for clients or for any survey work, either personally or through an agent, or to directly or indirectly remunerate any person for recommending him or her to a client or bringing him or her survey work;
- (k) entering, in his or her capacity as a professional land surveyor or technical surveyor, or survey technician, into partnership with a person other than a quantity surveyor, an architect, or a professional engineer, or such other suitably qualified person as may be approved by the Council;
- (l) charging fees for survey services in conflict with those prescribed in terms of section 31(n) of the Act, unless it has been agreed otherwise, in writing, with the client or, in conflict with those prescribed under the Sectional Titles Act;
- (m) in respect of any survey, employing a person -
  - (i) whose name has been removed from the register in terms of the Act; or
  - (ii) who has been suspended from practising in terms of the Act during the period of such suspension;
- (n) allowing an unregistered person to assist him or her by making measurements in the field without exercising proper control;
- (o) (i) permitting an assistant to perform cadastral survey field operations or any other survey field operations without exercising personal supervision in accordance with the provisions of regulation 1;

- (ii) For the purpose of this paragraph, "assistant" means a person not registered in terms of the Act;
- (p) failing to inform the Council, in writing within 60 days, of the reasons for undertaking to perform survey services for remuneration other than as set out in the applicable tariffs of fees referred to in paragraph (m); (l).
- (q) tendering or offering to tender for non-cadastral survey work unless prior to the tender or offer tenders have been invited by, or on behalf of, the person requiring such work to be done: Provided that any tender shall be a *bona fide* tender and shall not be made for the purpose, or as a means, of canvassing or touting for any other survey work;
- (r) superseding another registered person on any survey work which he or she knows, or ought to have known or suspected, had been entrusted to that person without first ascertaining from him or her, in writing, or by any other means satisfactory to the Council, that the services had been terminated and that any fees due to the latter in connection with such work had been paid or secured to his or her satisfaction;
- (s) performing any survey for which payment of fees is required conditionally upon the sale or lease of the land so surveyed;
- (t) unjustifiably casting reflection by word or implication upon the propriety, reputation or skill of any registered person;
- (u) committing any act calculated to bring into contempt or disrepute his or her profession, calling, the Council or any of its officers;
- (v) conducting himself or herself dishonourably in connection with any work performed by him or her or under his or her personal supervision;
- (w) deliberately failing to append his or her name or the name of his or her firm on any plan or document which he or she had prepared as a registered person or for which he or she or his or her firm accepts responsibility;
- (x) granting a certificate in his or her capacity as a registered person unless he or she has satisfied himself or herself that the facts are fully and correctly stated in it;
- (y) (i) while in the salaried employment of any person, other than a professional land surveyor, a firm of professional land surveyors, the Government, a local authority council, an educational institution or a public company, performing for the benefit, or on the instructions, of that person any cadastral survey or undertaking any operation which may be performed by a professional land surveyor in terms of the Sectional Titles Act;
- (ii) For the purpose of this paragraph "local authority council" means a local authority council as defined in section 1 of the Local Authorities Act, 1992 (Act No. 23 of 1992);

- (z) accepting without the consent of the Council, salaried employment for the purpose of performing cadastral surveys or undertaking operations which may be performed by a professional land surveyor in terms of the Sectional Titles Act, which is neither on a permanent basis nor on a full-time basis, and for remuneration considered inadequate by the Council, except if such employment is in the service of another professional land surveyor;
- (aa) competing unfairly with other registered persons;
- (bb) unreasonably delaying the execution or completion of work entrusted to him or her by a client;
- (cc) failing to carry out anything required of a registered person in terms of these regulations:

Provided that nothing contained in paragraphs (a) to (cc) above shall prevent a professional land surveyor, a technical surveyor or a survey technician from -

- (i) placing his or her signature and the name of his or her firm on any document or model prepared by him or her or by his or her firm;
- (ii) displaying a name plate or panels of plain character not larger than 0.2 square metres bearing his or her name or the name of his or her firm and his or her status, outside his or her office and at the entrances to the premises in which his or her office is located;
- (iii) issuing upon request a business card or printed information giving details about his or her practise to prospective clients;
- (iv) advising clients of any change of address or staff of his or her firm or of the dissolution of any partnership or association;
- (v) giving upon request, an estimate of survey costs based on a tariff of fees prescribed or issued by a competent authority;
- (vi) reducing or waiving fees for recognised religious, charitable or other similar registered non-profitable institutions or rendering services free of charge or at a reduced fee to anybody who requires such service in *forma pauperis*;
- (vii) tendering in accordance with the provisions of paragraph (c) for non-cadastral surveys;
- (viii) superseding another registered person, at the request of a client or of the Council, on any survey work entrusted to such person by that client, which has been unreasonably delayed and after such person has failed to reply within three weeks to a written request by the Council to complete the work;
- (ix) permitting his or her name, status, the name of his or her firm, the address and telephone number to be listed in a membership list of an organisation of which he or she is a member;

- (x) furnishing the following information on his letterhead:
  - (aa) The name under which the firm operates, which name shall consist of proper names or such other name as may be approved by Council, and may include the names of present registered persons in the firm and the names of present partners with whom partnerships may be formed: Provided that a previous name of the firm may be used and that the name of a past partner may be retained in the name of the firm;
  - (bb) a description of the service which may be rendered, such as land surveying, town planning, township planning, topographical and engineering surveying, mine surveying, sectional title surveying, photogrammetrical surveying, and property valuation.
  - (cc) a list of names of the partners in the firm and the names of registered assistants: Provided that where such partners or assistants operate from another office of the firm, the address and telephone number of such office may be given on the letterhead;
  - (dd) the address of the office, being the registered address of the registered person operating from that office;
  - (ee) the postal, telex, telegraphic and electronic address of the office;
  - (ff) the fax and telephone numbers of the office and the home telephone numbers of the partners whose registered addresses are in the town or metropolitan area where such office is situated;
  - (gg) his or her residential address in addition to his registered address;
- (xi) placing his or her name or the name of his or her firm in any advertisement which he or she has inserted on behalf of his or her client in the legal or tender columns of a newspaper;
- (xii) publishing in respect of any practice or organisation offering survey services, the following kinds of advertisements:
  - (aa) Once only in any publication, notices of commencement of practice and notices of change of address or partnership or company or close corporation;
  - (bb) Advertisement for staff, provided that the frequency or prominence of such advertisement is not such as to give the appearance that an attempt is being made solely or partly to bring the activities of the professional land surveyor or



- technical surveyor or the survey technician or the firm concerned to the notice of the public;
- (cc) a detailed entry in any directory approved by the Council; or
  - (dd) an announcement in the press that the practise is responsible for the survey work in connection with any structure illustrated in the same issue: Provided that such advertisement shall be modest in size and presentation and shall not contain any comparatives, superlatives, or testimonials;
- (xiii) distributing brochures or pamphlets describing his or her experience and capabilities;
  - (xiv) sending to the media articles, or being interviewed, about his or her work or about surveying topics of general interest, and allowing his or her work to be displayed in exhibitions: Provided that he or she shall give no monetary or other consideration for the publication, broadcasting, telecasting or exhibition of his or her work, but shall be permitted to participate in any surveying exhibition for which a charge is made to offset the expense of the exhibition or subsequent publication;
  - (xv) appearing in a documentary film relating to survey and in the course of which mention is made, in so far as it is reasonably necessary for the purpose of the film, of the words "professional land surveyor", "technical surveyor" or "survey technician", of the name of the person concerned or of the name of his or her firm;
  - (xvi) exhibiting his or her name on the site of a survey in such format of the notice boards as may be approved by the Council; or
  - (xvii) commissioning or employing a public relations consultant or similarly designated person to carry out all or any such aspects of his or her public relations policy as may be permitted within the context of these regulations.

### **Inquiries into Alleged Professional Misconduct**

**10.** (1) In the event of alleged professional misconduct on the part of any person who is or was a person registered in terms of the Act being reported to the Council, the matter shall be referred to the chairperson who shall address the body or the person making the complaint or allegation, in writing, calling upon it or him or her to furnish an affidavit detailing in concise terms the specific acts complained of or alleged.

(2) On receipt of the affidavit referred to in subregulation (1), the chairperson shall forward a copy of the affidavit to the person against whom the complaint or allegation is made, (in these regulations referred to as "the accused") calling upon him or her to submit to the chairperson, within 21 days from the date of receipt of the

affidavit, a written explanation verified by affidavit in answer to the complaint or allegation, and warning him or her that any explanation given by him or her may be used in evidence should an inquiry take place.

(3) On receipt of the explanation referred to in subregulation (2), or if no explanation is received from the accused, a committee consisting of the chairperson, the vice-chairperson, and a senior professional land surveyor in the service of the Government who is a member of the Council shall consider the complaint or allegation and the explanation, if any, and if, in the opinion of the committee the statements furnished do not disclose *prima facie* proof of professional misconduct, the chairperson shall immediately advise both the complainant and the accused of that fact, in writing.

(4) If the committee referred to in subregulation (3) considers that the statements furnished disclose *prima facie* proof of professional misconduct, the chairperson shall advise the members accordingly and shall issue a summons in the form of Form J prescribed in the Annexure to these regulations, addressed to the accused.

(5) The summons referred to in subregulation (4) shall be served on the accused by a member of the Council or a person authorised by the Council by delivering a copy of such summons -

- (a) to him or her in person; or
  - (b) at his or her usual or last known place of residence or place of employment or business to a person apparently over the age of sixteen years and apparently residing or employed there.
- (6) The summons referred to in subregulation (4) shall be accompanied by -
- (a) a copy of these regulations and of such affidavits and other documents as the chairperson considers fit; and
  - (b) a schedule of other documents in the possession of the chairperson which may be used as exhibits at the inquiry, and the accused shall be entitled, prior to the inquiry, to examine the exhibits and, if he or she so desires, to make copies of them.

(7) A return by the person who served the summons that service thereof has been effected in terms of subregulation (5) shall be *prima facie* proof of such service.

(8) Whenever the complainant or the accused requests the chairperson, in writing, that any person be summoned to give evidence on his or her behalf, or whenever the accused requires the presence of the complainant or any person giving evidence on behalf of the complainant for purposes of cross-examination, the chairperson shall, if he or she considers that such person, or any other person, is a relevant witness summon such person to appear before the council to give evidence.

(9) The fees payable to witnesses summoned under subregulation (8) shall be according to the tariff in criminal cases in Magistrates' courts and shall be payable by the Council.

**Procedure at inquiries**

**11.** (1) At an inquiry convened in terms of these regulations the procedure set out in subregulations (2) to (15) shall be followed.

(2) When the complainant appears, whether personally or through a legal practitioner -

- (a) the chairperson shall read the summons addressed to the accused and shall table proof of proper service of the summons;
- (b) evidence shall be given by or on behalf of the complainant in support of the complainant;
- (c) and after all the evidence available to the complainant has been led or placed before the inquiry, the accused, or the legal practitioner representing him or her shall be invited to give or lead evidence in answer to or in rebuttal of the complaint; and
- (d) and after all the evidence has been led on behalf of the complainant and the accused, each party, either personally or through a legal practitioner, may address the Council.

(3) When no complainant appears -

- (a) the chairperson shall read the summons addressed to the accused and shall table proof of proper service of the summons;
- (b) the chairperson shall read to the Council the affidavit submitted by the complainant and shall table any documents or other evidence submitted in support of the affidavit, but no statement made by any person shall be tabled, unless it is in the form of a properly sworn or affirmed affidavit;
- (c) the accused shall be asked whether he or she accepts the evidence referred to in paragraph (b) or if he or she desires to cross-examine the person whose affidavit has been tabled and if the accused has no objection to the evidence and does not wish to cross examine that person, he or she shall sign a statement to that effect, but if he or she desires to cross-examine any person whose affidavit has been tabled, the affidavit shall not be admitted in evidence, unless the deponent appears before the Council and submits himself or herself to cross-examination by or on behalf of the accused: Provided that where any part of the evidence tabled is a properly certified copy of a record of a court of law, such copy shall be accepted as prima facie proof of the proceedings of such court;
- (d) and after all the evidence on behalf of the complainant has been led or placed before the inquiry, the accused shall be invited to lead evidence in answer to or rebuttal of the complaint; and
- (e) and at the conclusion of the evidence led by or on behalf of the accused, the accused shall be invited to address the inquiry, either personally or through a legal practitioner.

- (4) When the accused fails without good cause or refuses to appear -
- (a) the chairperson shall read the summons addressed to the accused and shall table proof of proper service of the summons;
  - (b) evidence shall be given or led by or on behalf of the complainant in support of the complainant; and
  - (c) and if no evidence is led or given on behalf of the accused, the complainant shall not, either personally or through a legal practitioner, address the Council.

(5) When neither the complainant nor the accused appears, the Council may either postpone or close the inquiry or may continue the inquiry in the absence of the parties.

- (6) Any person giving evidence at an inquiry shall -
- (a) first be examined by or on behalf of the party by whom he or she is called;
  - (b) may be cross-examined by or on behalf of the other party;
  - (c) may be re-examined by or on behalf of the party by whom he or she is called; and
  - (d) with the permission of the chairperson be questioned by members of the Council after he or she has been examined, cross-examined and re-examined in terms of paragraphs (a) to (c).

(7) A person who, having been summoned under subregulation (4) or (8) to appear before the Council at an inquiry or to give evidence at an inquiry, without reasonable cause -

- (a) fails or refuses to appear before the Council at the specified time and place;
- (b) having appeared before the Council, refuses or fails to answer truthfully any question lawfully put to him or her and to the best of his or her knowledge;
- (c) knowingly makes a false statement or representation to the Council; or
- (d) refuses or fails to produce or surrender to the Council any book, document, record or other evidence in his or her possession,

shall be guilty of an offence, and on conviction be liable to a fine not exceeding N\$1 000 or to imprisonment for a period not exceeding three months, or to both such fine and such imprisonment.

(8) All oral evidence given at an inquiry shall be on oath or affirmation, and if any witness or deponent declines to submit to cross-examination, the Council may

refuse to admit his or her evidence to any document or statement.

(9) When all the available evidence has been led by or on behalf of both the complainant and the accused, the Council shall deliberate on it in committee.

(10) In the event of the accused or any other person obstructing, the proceedings at any inquiry, the Council may adjourn or postpone the inquiry or order the accused or such other person to be removed, and may continue the inquiry in his or her absence.

(11) If the accused is found not guilty of the complaint the Council shall immediately inform the accused of such finding.

(12) If the accused is found guilty of the complaint, the decision of the Council and the penalty imposed by the Council on the accused may be published at the discretion of the Council.

(13) Any order in relation to the costs of the inquiry which the Council may make in terms of section 26(6) of the Act, shall be recoverable from the accused and he or she shall pay those costs within the period stipulated by the Council.

(14) The proceedings of all inquiries shall be preserved by the Council in the form of typewritten minutes, authenticated, after confirmation, by signature of the chairperson as soon as reasonably possible after the inquiry is completed.

(15) A person registered in terms of the Act in the same part of the register as the accused, may attend an inquiry: Provided that the Council shall have the right to exclude any such person and the reasons for such exclusion shall be recorded in the minutes.

## **CHAPTER VII TITLES AND DESIGNATION**

### **Titles and letters of designation**

**12.** (1) A professional land surveyor who is registered in terms of section 13 of the Act may append after his or her name the letters and title "PLS (NAM)" (Professional Land Surveyor, Namibia): Provided that the Council may, from time to time, determine such categories of professional land surveyors and designations as may be considered necessary.

(2) An apprentice land surveyor who is registered in terms of section 13 of the Act may append after his or her name his or her academic qualifications and the title "Apprentice Land Surveyor".

(3) A technical surveyor who is registered in terms of section 13 of the Act may append after his or her name the letters and title "TS (NAM)" (Technical Surveyor, Namibia).

(4) An apprentice technical surveyor who is registered in terms of section 13 of the Act may append after his or her name his or her academic qualifications and the title "Apprentice Technical Surveyor".

(5) A survey technician who is registered in terms of section 13 of the Act may append after his or her name the letters and title "ST (NAM)" (Survey Technician, Namibia).

(6) An apprentice survey technician who is registered in terms of section 13 of the Act may append after his or her name his or her academic qualifications and the title "Apprentice Survey Technician".

## **CHAPTER VIII QUALIFICATIONS**

### **Qualifications required of prospective survey practitioners**

- 13.** (1) A person shall not be registered as -
- (a) a professional land surveyor unless that person holds a degree in land surveying from a university accredited in Namibia or any other university recognised in terms of section 15(1) of the Act.
  - (b) a technical surveyor unless that person holds a Higher national diploma in land surveying from a polytechnic accredited in Namibia or any other polytechnic recognised in terms of section 15(1) of the Act.
  - (c) a survey technician unless that person holds a national diploma in land surveying from a polytechnic accredited in Namibia or any other polytechnic recognised in terms of section 15(1) of the Act.
- (2) A registered person may apply for conversion from one category of practitioners to a higher category after passing examinations set by the Council.
- (3) The syllabus to be followed for the purpose of the examinations referred to in subregulation (2), and the examinations shall be moderated by an academic institution chosen by the Council.

ANNEXURE

**CERTIFICATE OF EMPLOYMENT IN TERMS OF THE  
PROFESSIONAL LAND SURVEYORS', TECHNICAL  
SURVEYORS' AND SURVEY TECHNICIANS'  
ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 4(7))**

I,..... a professional land surveyor practising in the Republic of Namibia, or a technical surveyor or engineer\*, practising in ..... do hereby certify that ..... has been engaged in survey work under my personal supervision for the following periods and performing survey work in the following categories:

Period ..... Category: e.g..

- Cadastral Surveys
- Hydrographic Surveys
- Engineering Surveys
- Topographic Surveys
- Control Surveys, etc.

particulars of which in regard to the time and nature of the work, are annexed.

Dated at ..... on the ..... day of .....

**Signed .....**  
**Professional Land Surveyor, Technical Surveyor, Engineer, etc.\***

\* Delete whichever is not applicable

**FORM B**

**APPLICATION FOR REGISTRATION AS AN APPRENTICE LAND SURVEYOR IN TERMS OF SECTION 16(1) OF THE PROFESSIONAL LAND SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 4(1))**

The Registrar,  
The Namibian Council for Professional  
Land Surveyors, Technical Surveyors  
and Survey Technicians

I, the undersigned (full names)..... of (address)  
..... having  
complied with the requirement of the Professional Land Surveyors', Technical  
Surveyors' and Survey Technicians' Act, 1993 (Act 32 of 1993), hereby apply for  
registration in terms of section 16(1) of the said Act, as an apprentice land surveyor.  
The attached certified copy of the degree or diploma\* certificate issued by the  
University of ..... is submitted by me in support of my application.

I swear or make affirmation\* that the contents of this application are true and further:

- (a) that I am not according to the law detained as a mentally ill person;
- (b) that I have never been convicted of an offence and sentenced in respect of that offence to imprisonment without the option of a fine;
- (c) that I have never been removed from an office of trust on account of improper conduct;
- (d) that I am not disqualified for registration in terms of the Act or, before the commencement of the Act, was so disqualified in terms of any other law governing the registration of land surveyors;
- (e) that I am or am not\* insolvent, that I have or have not\* assigned my estate for the benefit of my creditors and that I have or have not\* compounded with creditors.

.....	.....	.....
<b>Place</b>	<b>Date</b>	<b>Signature</b>

I certify that before the deponent made the oath or affirmation\* I asked him or her the following questions and wrote down his or her answers in his or her presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the prescribed affirmation\*?  
Answer .....



(iii) Do you consider the prescribed oath or affirmation\* to be binding on your conscience?

Answer .....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration which was sworn to or affirmed\* before me and the deponent's signature was placed thereon in my presence.

.....  
**Commissioner of Oaths**

**Designation (Rank)** .....

**Date** .....

**Place** .....

\*Delete whichever is not applicable

**FORM C**

**APPLICATION FOR REGISTRATION AS A PROFESSIONAL LAND SURVEYOR IN TERMS OF SECTION 16(1) OF THE PROFESSIONAL LAND SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 4(14))**

The Registrar,  
The Namibian Council for Professional  
Land Surveyors, Technical Surveyors  
and Survey Technicians

I, the undersigned (full names), ..... of (address)  
..... hereby apply  
for registration as a professional land surveyor.

I swear or make affirmation\* that the contents of this application are true and further:

- (a) that I am the person mentioned in the accompanying letter signed by the Surveyor-General and on the certified copies of qualifications which I wish to be entered in the Register, which are hereby submitted in support of my application;
- (b) that I am not according to the law detained as a mentally ill person;
- (c) that I have never been convicted of an offence and sentenced in respect of that offence to imprisonment without the option of a fine;
- (d) that I have never been removed from an office of trust on account of improper conduct;
- (e) that I am not disqualified from registration in terms of the Act or, before the commencement of the Act, was so disqualified in terms of any other law governing the registration of land surveyors;
- (f) that I am or am not\* insolvent, that I have or have not\* assigned my estate for the benefit of my creditors and that I have or have not\* compounded with creditors.

.....	.....	.....
<b>Place</b>	<b>Date</b>	<b>Signature</b>

I certify that before the deponent made the oath or affirmation\* I asked him or her the following questions and wrote down his or her answers in his or her presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the prescribed affirmation\*?  
Answer .....

(iii) Do you consider the prescribed oath or affirmation\* to be binding on your conscience?

Answer .....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration which was sworn to or affirmed\* before me and the deponent's signature was placed thereon in my presence.

**Designation (Rank)** .....

**Date** .....

.....

**Commissioner of Oaths**

**Place** .....

\*Delete whichever is not applicable

**FORM D**

**APPLICATION FOR REGISTRATION AS A TECHNICAL SURVEYOR  
IN TERMS OF SECTIONS 16(1) OF THE PROFESSIONAL LAND  
SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY  
TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulations 5(1)(c), (2)(c) and (3))**

The Registrar,  
The Namibian Council for Professional  
Land Surveyors, Technical Surveyors  
and Survey Technicians

I, the undersigned (full names)..... of (address)  
..... hereby apply  
for registration as a technical surveyor.

I swear or make affirmation\* that the contents of this application are true and further:

- (a) that I am the person mentioned in the accompanying letter signed by the Surveyor-General and on the certified copies of qualifications which I wish to be entered in the Register, which are hereby submitted in support of my application;
- (b) that I am not according to the law detained as a mentally ill person;
- (c) that I have never been convicted of an offence and sentenced in respect of that offence to imprisonment without the option of a fine;
- (d) that I have never been removed from an office of trust on account of improper conduct;
- (e) that I am not disqualified for registration in terms of the Act or, before the commencement of the Act, was so disqualified in terms of any other law governing the registration of land surveyors;
- (f) that I am or am not\* insolvent, that I have or have not\* assigned my estate for the benefit of my creditors and that I have or have not\* compounded with creditors.

.....  
**Place**

.....  
**Date**

.....  
**Signature**

I certify that before the deponent made the oath or affirmation\* I asked him or her the following questions and wrote down his or her answers in his or her presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the prescribed affirmation\*?  
Answer .....

(iii) Do you consider the prescribed oath or affirmation\* to be binding on your conscience?

Answer .....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration which was sworn to or affirmed\* before me and the deponent's signature was placed thereon in my presence.

**Designation (Rank)** .....

**Date** .....

.....  
**Commissioner of Oaths**

**Place** .....

\*Delete whichever is not applicable

**FORM E**

**APPLICATION FOR REGISTRATION AS AN APPRENTICE  
TECHNICAL SURVEYOR/AN APPRENTICE SURVEY TECHNICIAN  
IN TERMS OF SECTION 16(1) OF THE PROFESSIONAL LAND  
SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY  
TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 5(4))**

The Registrar,  
The Namibian Council for Professional  
Land Surveyors, Technical Surveyors  
and Survey Technicians

I, the undersigned (full names)..... of (address)  
..... hereby apply  
for registration as an apprentice technical surveyor/apprentice survey technician.

I swear or make affirmation\* that the contents of this application are true and further:

- (a) that I am the person mentioned in the accompanying letter signed by the Surveyor-General and on the certified copies of qualifications which I wish to be entered in the Register, which are hereby submitted in support of my application;
- (b) that I am not according to the law detained as a mentally ill person;
- (c) that I have never been convicted of an offence and sentenced in respect of that offence to imprisonment without the option of a fine;
- (d) that I have never been removed from an office of trust on account of improper conduct;
- (e) that I am not disqualified for registration in terms of the Act or, before the commencement of the Act, was so disqualified in terms of any other law governing the registration of land surveyors;
- (f) that I am or am not\* insolvent, that I have or have not\* assigned my estate for the benefit of my creditors and that I have or have not\* compounded with creditors.

.....  
**Place**

.....  
**Date**

.....  
**Signature**

I certify that before the deponent made the oath or affirmation\* I asked him or her the following questions and wrote down his or her answers in his or her presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the prescribed affirmation\*?  
Answer .....

(iii) Do you consider the prescribed oath or affirmation\* to be binding on your conscience?

Answer .....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration which was sworn to or affirmed\* before me and the deponent's signature was placed thereon in my presence.

.....  
**Commissioner of Oaths**

**Designation (Rank)** .....

**Date** .....

**Place** .....

\*Delete whichever is not applicable

**FORM F**

**APPLICATION FOR REGISTRATION AS A SURVEY TECHNICIAN IN  
TERMS OF SECTION 16(1) OF THE PROFESSIONAL LAND  
SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY  
TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 5(11))**

The Registrar,  
The Namibian Council for Professional  
Land Surveyors, Technical Surveyors  
and Survey Technicians

I, the undersigned (full names)..... of (address)  
..... hereby apply  
for registration as a survey technician.

I swear or make affirmation\* that the contents of this application are true and further:

- (a) that I am the person mentioned in the accompanying letter signed by the Surveyor-General and on the certified copies of qualifications which I wish to be entered in the Register, which are hereby submitted in support of my application;
- (b) that I am not according to the law detained as a mentally ill person;
- (c) that I have never been convicted of an offence and sentenced in respect of that offence to imprisonment without the option of a fine;
- (d) that I have never been removed from an office of trust on account of improper conduct;
- (e) that I am not disqualified for registration in terms of the Act or, before the commencement of the Act, was so disqualified in terms of any other law governing the registration of land surveyors;
- (f) that I am or am not\* insolvent, that I have or have not\* assigned my estate for the benefit of my creditors and that I have or have not\* compounded with creditors.

.....  
**Place**

.....  
**Date**

.....  
**Signature**

I certify that before the deponent made the oath or affirmation\* I asked him or her the following questions and wrote down his or her answers in his or her presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the prescribed affirmation\*?  
Answer .....



(iii) Do you consider the prescribed oath or affirmation\* to be binding on your conscience?

Answer .....

I certify that the deponent has acknowledged that he or she knows and understands the contents of this declaration which was sworn to or affirmed\* before me and the deponent's signature was placed thereon in my presence.

.....  
**Commissioner of Oaths**

**Designation (Rank)** .....

**Date** .....

**Place** .....

\*Delete whichever is not applicable

**FORM G**

**OATH OR AFFIRMATION IN RELATION TO THE PRACTISING OF  
PROFESSION OR CALLING IN TERMS OF THE PROFESSIONAL  
LAND SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY  
TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 5(12))**

I, the undersigned (full name)..... do  
solemnly and sincerely swear or affirm\* that I will discharge the duties of a

.....

carefully and without partiality, fear, favour or affection, and will conform to all  
regulations and rules defining those duties which are now in force, or shall hereafter  
be established by competent authority.

.....  
**Place**

.....  
**Date**

.....  
**Signature**

I certify that before the deponent made the oath or affirmation\* I asked him or her  
the following questions and wrote down the answers in his or presence:

- (i) Do you know and understand the contents of this declaration?  
Answer .....
- (ii) Do you have any objection to taking the prescribed oath or making the  
prescribed affirmation\*?  
Answer .....
- (iii) Do you consider the prescribed oath or affirmation\* to be binding on  
your conscience?  
Answer .....

I certify that the deponent has acknowledged that he or she knows and understands  
the contents of this declaration which was sworn to or affirmed\* before me and the  
deponent's signature was placed thereon in my presence.

.....  
**Commissioner of Oaths**

**Designation (Rank)** .....

**Date** .....

**Place** .....

\*Delete whichever is not applicable

**FORM H**

**APPLICATION FOR A CERTIFICATE OF REGISTRATION AS A  
PROFESSIONAL LAND SURVEYOR IN TERMS OF  
SECTION 15(5)(a) OR (b) OF THE PROFESSIONAL  
LAND SURVEYORS', TECHNICAL SURVEYORS' AND  
SURVEY TECHNICIANS' ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 7(1))**

The Registrar,  
The Namibian Council for  
Professional Land Surveyors,  
Technical Surveyors and  
Survey Technicians

I, the undersigned, (full names)..... of (address)  
.....  
..... and  
registered as a land surveyor in terms of section 15(5)(a) or (b) of the Professional  
Land Surveyors', Technical Surveyors' and Survey Technicians' Act, 1993, hereby  
apply for a certificate of registration as a professional land surveyor in terms of  
section 17(4) of the Professional Land Surveyors', Technical Surveyors' and Survey  
Technicians' Act, 1993 (Act 32 of 1993).

.....  
**Place**

.....  
**Date**

.....  
**Signature**

**FORM I**

**NAMIBIAN COUNCIL FOR PROFESSIONAL LAND SURVEYORS,  
TECHNICAL SURVEYORS AND SURVEY TECHNICIANS  
CERTIFICATE OF REGISTRATION IN TERMS OF THE  
PROFESSIONAL LAND SURVEYORS', TECHNICAL  
SURVEYORS' AND SURVEY TECHNICIANS'  
ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 7(6))**

This is to certify that (full name).....  
was registered as a ..... on the ..... day ..... of  
..... in accordance with the provisions of the Professional Land Surveyors'  
and Technical Surveyors' Act, 1984, and is entitled to carry on his or her profession  
or calling in any part of the Republic of Namibia in terms of the said Act and the  
Rules framed under it.

Issued under the Seal of the Council

.....  
**Chairperson**

.....  
**Registrar**

**Registration Number:**

**FORM J**

**FORM OF SUMMONS TO ACCUSED IN TERMS OF THE  
PROFESSIONAL LAND SURVEYORS', TECHNICAL  
SURVEYORS' AND SURVEY TECHNICIANS'  
ACT, 1993 (ACT NO. 32 OF 1993)  
(Regulation 10(4))**

**TO:** .....  
.....  
.....

You are hereby summoned to appear at ..... upon the .....  
day of ..... 19.... at ..... before a committee of inquiry of  
the Namibian Council for Professional Land Surveyors, Technical Surveyors and  
Survey Technicians when the following charge, which has been preferred against  
you, will be considered .....

Should you fail to appear, the committee of inquiry may consider and deal with the  
charge in accordance with the relevant rules.

Should you desire your affidavit, dated ..... or any further written  
communication which you may make to constitute your explanation or defence, please  
notify me to that effect as soon as possible, and not later than ..... but  
you are hereby warned that any such communication may be used in evidence.

A copy of the relevant rules is enclosed

Given under the hand of the Chairperson of the Council, this ..... day of  
..... 19.....

.....  
**Chairperson**

**Namibian Council for Professional Land Surveyors, Technical Surveyors and  
Survey Technicians**