

Bulletin



Cadastral Surveyors Licensing Board of New Zealand

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Licensing Statistics

LICENCES ISSUED

The following table shows the number of licenses issued, and those that were not renewed during the last three years.

	July 2011 to March 2012	2010/11	2009/10
Renewed	679	691	690
New	11	24	24
Re-applied	9	6	13
Total	699	721	727
Non-renewals	36	32	13

The nine re-applications so far this year include two from surveyors who failed to renew their licences before 30 June; the other seven were candidates who renewed their licenses after letting them lapse for some time.

The 699 licensed surveyors include 48 females and 651 males. The following graphs show the current number of licensed cadastral surveyors by age group, ethnicity and gender.

The Cadastral Surveyors Licensing Board considers that with 187 surveyors in the 30 to 39 year old age group there should be sufficient licensed surveyors to meet demand in the near future. The imbalance in gender and ethnicity appears to be changing as interest in attending the Otago School of Surveying grows from these groups.

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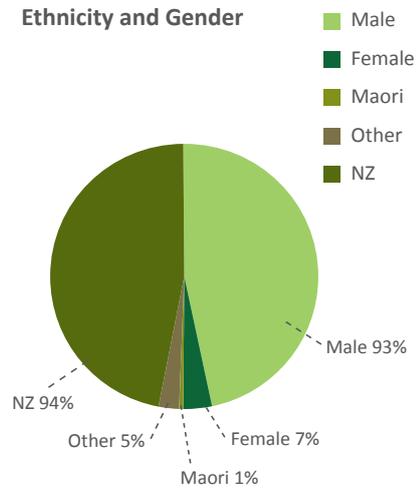
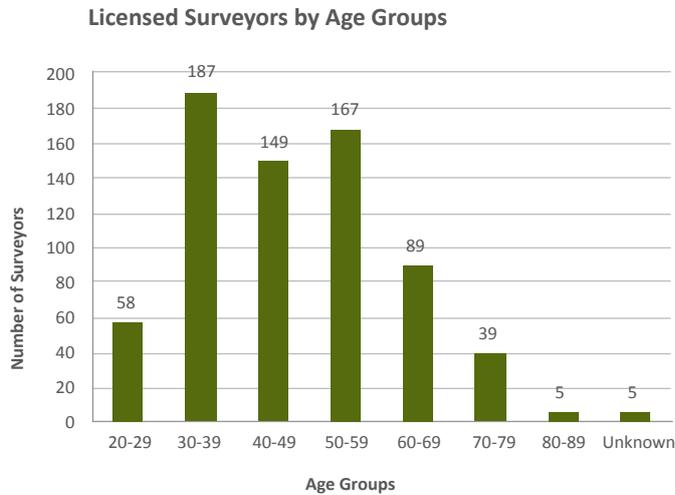
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Accreditation letters

In 2010/11, the Board issued Letters of Accreditation to 18 New Zealand surveyors seeking registration in an Australian State, compared to four in 2009/10 and seven in 2008/09. So far this year the Board has issued 14 Letters of Accreditation.

Acknowledging overseas qualifications

In 2010, the Board assessed two survey degrees from the Philippines, one from France and one from Britain as meeting the standards for licensing. One candidate is now licensed after meeting all the other standards for licensing. Another candidate's qualification from the United States of America was not accepted as meeting the Board's standards.

Licence Cards

The Board is considering the idea of issuing licence cards to surveyors instead of licence certificates. The cards would be of business card size and made of durable material. They would show the surveyor's name, licence number, licence expiry date, and the cardholder's status as a licensed cadastral surveyor. The Board sees this proposal as advantageous, as licensed cadastral surveyors would be able to carry the card with them and easily identify themselves as such. The cost would be about the same as a certificate so there would be no effect on licence fees. The Board will seek surveyor's views on the proposal, possibly through discussion at NZIS and ICS branch meetings, before introducing it. If the Board decides to replace the licence certificate with a licence card, it will likely be in 2013/14.



A Quick Guide to Licensing as a Cadastral Surveyor

The purpose of this article is to convey in simple terms the Board's requirements for applying for a licence given that there are different experience and qualification circumstances.

There are four categories of surveyors seeking a licence from the Board:

- Graduates from the National School of Surveying at Otago University
- Surveyors with overseas academic qualifications and experience
- Surveyors who have had a licence that has lapsed
- Surveyors with a current licence they want to renew.

The process for getting new licences varies according to the category the applicant falls into.

GRADUATES FROM THE NATIONAL SCHOOL OF SURVEYING AT OTAGO UNIVERSITY

The Board has accredited the components of the New Zealand Institute of Surveyors (NZIS) membership admissions processes that are relevant to cadastral surveying as meeting the Board's requirements for a licence. In practice, a person who has passed the NZIS Cadastral Law examination and its admissions panel interviews, including the cadastral interview, can apply to the Board for a licence. Applicants in this category should use the form entitled "An Initial Licence." These applicants will:

- Have a BSurv that includes the required cadastral survey papers
- Have at least two years relevant work experience
- Have documented completed projects
- Be able to demonstrate they understand survey laws and regulations.

If a person in this category has not applied for a licence from the Board within three years of completing the above requirements they will need to show the Board that they are currently competent when they do seek a licence. They can do this by showing recent New Zealand cadastral survey experience similar to the requirements of a person whose licence has lapsed.

If a person is not interested in membership of the NZIS he or she will still need to pass the NZIS Cadastral Law examination, and the admission panel interviews. However the engineering, planning experience and knowledge components of the standard NZIS processes are somewhat reduced in accordance with the Board's standards for licensing.

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SURVEYORS WITH OVERSEAS ACADEMIC QUALIFICATIONS AND EXPERIENCE

People in this category come from a variety of situations and each is treated on its own merits.

Applicants in this category should use the "Other Qualifications" form. The assessment for surveyors with overseas qualifications involves the Board:

- Checking the academic qualifications against its standards
- Reviewing the applicant's experience and contacting the referees. It is likely an applicant will need relevant New Zealand experience, and in many cases applicants will also be required to pass the NZIS Cadastral Law examination. They may also choose to utilise the relevant NZIS professional admissions process
- In some cases conducting its own projects review and interview process.

Surveyors who are licensed or registered as cadastral surveyors in an Australian state will be issued a New Zealand licence under the reciprocity agreement between the New Zealand and Australian Boards.

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SURVEYORS WHO HAVE HAD A LICENCE THAT FOR SOME REASON HAS LAPSED

Applicants in this category need to use the form entitled “Expired Licence – Application from previously licensed surveyors.” Applicants in this category include people whose license has lapsed and those who were registered surveyors under the old Act who have not held a licence. All applicants in this category will need to:

- Demonstrate to the Board they have had New Zealand cadastral survey experience within the last three years
- Provide referees who can attest that they are currently competent.

If it is more than three years since the applicant has had New Zealand-based cadastral experience, it is likely the Board will require the person to work for a licensed surveyor for a short period to gain current experience.

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SURVEYORS WISHING TO RENEW THEIR CURRENT LICENSES

The “annual renewal” process is usually automatic, relying on the surveyor certifying that they currently meet the Board’s competency standards. In some circumstances where the Board has reason to question a surveyor’s current competence, it may look at their application for renewal in detail. Occasionally surveyors are asked to provide evidence of their current competence and meet the Board before a licence is issued.

FURTHER INFORMATION

A detailed understanding of the requirements for obtaining a licence can be found at www.cslb.org.nz/qualifications.cfm on the Board website. Alternatively, applicants may phone the Board secretary for advice.

Professional Misconduct Hearings

In the time since Bulletin 3 was issued in October 2010, the Board has received six complaints of professional misconduct. Two resulted in hearings and four were not accepted. The Surveyor-General laid one complaint; the other five were from members of the public.

HEARING 1

The complaint by the Surveyor-General was about the surveyor’s certification of a dataset and statements in his survey report. The Board found the surveyor not guilty of professional misconduct and dismissed the complaint.

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HEARING 2

This complaint was brought by a member of the public and related to a survey undertaken in 1993. The complainant made a wide range of allegations about the survey's accuracy and the surveyor's work. Investigations by the Board and others showed most of the allegations to be of no substance, but decided one aspect relating to the positioning of a boundary through an existing dwelling warranted a hearing.

When undertaking the survey the surveyor followed a 1990 scheme plan. However, in the meantime a house was constructed which straddled part of the proposed boundary between two new lots. The surveyor failed to notice this and placed the boundary so it ran through the house. The survey was part of a staged development that was completed prior to the complainant purchasing both affected lots.

The complainant presented various records showing the house existed at the time of the survey.

In his evidence, the surveyor said the boundaries were aligned with the approved scheme plan, which showed indicative house positions. He said it appeared the house had been built in a different position to that shown on the scheme plan, but generally as indicated, and he was not told of this move. He also said the topography of the area made it difficult to appreciate the relationship of the dwelling to the proposed boundary.

The complainant purchased the property knowing the house was over the boundary and subsequently instructed the survey firm to undertake a boundary adjustment survey to rectify the situation.

The Board accepted the evidence that the dwelling existed after 1990 and before 1993. The dwelling was not shown on the 1993 survey plan and the surveyor acknowledged that this was an error.

The term professional misconduct is precisely defined in Schedule 2 of the Act and the Board found that the requirements of clause 1(d) of the schedule were not met in this survey. The Board found the surveyor guilty of professional misconduct, but did not consider any s 39(2) restriction on the use of the surveyor's licence was appropriate. However pursuant to s 39(3) the Board ordered the surveyor to pay the Board \$3000 as a contribution towards the costs and expenses of and incidental to the hearing.

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IMPORTANT ISSUES ARISING FROM THE COMPLAINTS

There are some important matters to note from these complaints:

- i. The surveyor's certification on a dataset applies to the whole dataset and all the supporting documents
- ii. Any error may become the subject of a complaint no matter how long ago it occurred
- iii. Under s 34, a former licensed cadastral surveyor or a registered surveyor under the Survey Act 1986 may still have a complaint laid against them, even if they do not hold a current licence
- iv. Schedule 2 defines professional misconduct precisely. This means that if a member of the public brings a case to the Board and the surveyor is found to have acted in accordance with any clause in schedule 2, then they are guilty of professional misconduct. For less serious breaches the Surveyor-General may just report a significant failure to the Board (s 7(1)(d)), rather than the more serious option of laying a complaint of professional misconduct (s 35). However, when a complaint is received from a member of the public the Board must deal with it as it is presented.

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Notices of Significant Failures

The Surveyor-General advised the Board of significant failures by seven surveyors in accordance with section 7(1)(d) of the Act during the 2010/11 year. One of the steps the Board takes in monitoring these surveyors is a more in-depth review of their applications to renew their licences. This review applies for three years after the Board receives the notice. In some cases, the Board has asked applicants for additional information to confirm their competency before renewing their licence.

Some of the common causes of a significant failure include:

- Failing to apply sufficient accuracy checks
- Showing incorrect relationships between occupation and boundary positions
- Failing to correctly relate new parcel boundaries to existing boundaries
- Incorrectly accounting for apparent conflicts in parcel areas
- Boundary peg positions exceeding witness to boundary mark tolerances
- Describing boundary monuments on the dataset differently from the mark in the ground
- Too much reliance on adopted work for boundary definition when old marks are available nearby
- Failing to correctly examine all relevant documents.

The Board is pleased the number of significant failures reported to it recently has reduced and hopes this trend will continue.

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The address for feedback to the Board is:

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