



Western Australia

Standard Survey Marks Act 1924

Compare between:

[16 Nov 2006, 02-b0-03] and [01 Jan 2007, 02-c0-06]

Standard Survey Marks Act 1924

An Act to enable the Surveyor General to erect standard survey marks, to provide for their protection, and for other purposes incidental thereto.

1. Short title

This Act may be cited as the *Standard Survey Marks Act 1924*¹.

2. Interpretation

In this Act —

“Authorised land officer” has the meaning given by the *Land Administration Act 1997*.

“Survey Mark” means any cairn, beacon, structure, post, peg, block, plug, tube, pipe, spike, pole, or other mark of whatsoever material composed, placed, sunk, or set up as a standard survey mark by the authority of the Surveyor General or, after the commencement of section 46 of the *Acts Amendment (Land Administration) Act 1987*¹, of an authorised land officer under the powers contained in this Act.

“Surveyor” means a surveyor licensed under the *Licensed Surveyors Act 1909*.

[Section 2 amended by No. 126 of 1987 s. 46; No. 14 of 1996 s. 4; No. 31 of 1997 s. 141.]

3. Standard surveys may be made

An authorised land officer may cause a standard survey to be made in any locality for the purpose of establishing standard survey marks.

s. 4

Plans representing all such surveys shall be retained ~~in~~by the ~~Department of~~Western Australian Land Administration ²Information Authority established by the *Land Information Authority Act 2006 section 5* and certified copies supplied to the Registrar of Titles, the ~~Under Secretary for~~chief executive officer of the department principally assisting in the administration of the *Public Works* ³*Act 1902*, and the local government.

[Section 3 amended by No. 126 of 1987 s. 47; No. 14 of 1996 s. 44; No. 60 of 2006 s. 159.]

4. Powers to enable standard surveys and erecting survey marks

An authorised land officer, or any surveyor specially authorised by him, —

- (a) may enter and re-enter from time to time upon any land, or any public or private road, street or way, with such assistants as he thinks fit, for the purpose of making a standard survey;
- (b) may take materials from, or dig and bore into any land, road, street or way, so as to ascertain the nature of the soil, and may mark building, wall, or fence for the purpose of making a standard survey;
- (c) may fix or set up thereon or therein any standard survey mark which he considers advisable; and
- (d) may do all things necessary for carrying out such survey in accordance with any regulations in force for the time being, or for any inspection, renewal, repair, or alteration of any standard survey mark.

[Section 4 amended by No. 126 of 1987 s. 48.]

5. Local governments to be notified of intention to place survey marks

Whenever practicable, reasonable notice shall be given by an authorised land officer, or any surveyor authorised by him, to the local government of the intention to place standard survey marks in the roads, streets, or ways of any district.

[Section 5 amended by No. 126 of 1987 s. 49; No. 14 of 1996 s. 4.]

6. Survey marks to be preserved

- (1) When, under the powers contained in this Act, the Surveyor General or, after the commencement of section 50 of the *Acts Amendment (Land Administration) Act 1987*¹, an authorised land officer has caused standard survey marks to be placed in any road, street, or way for the permanent marking of the survey thereof so that the position of the corner of any road, street, or way may be readily found for the alignment of such road, street, or way, or for the purpose of locating the position of any allotment, or for any other purpose, the local government for the time being shall protect and preserve such standard survey marks as aforesaid, and shall not destroy, mutilate, deface, alter, or take away any such marks as aforesaid without the written authority of an authorised land officer.
- (2) Every person who, without the authority of an authorised land officer, destroys, mutilates, defaces, takes away, or alters the position of any standard survey marks, or who obstructs any surveyor in carrying out any standard survey, shall be liable on summary conviction to a penalty not exceeding \$40.

[Section 6 amended by No. 113 of 1965 s. 8(1); No. 126 of 1987 s. 50; No. 14 of 1996 s. 4.]

s. 7

7. Regulations

The Governor may make regulations for the purposes of this Act.

[8. *Omitted under Reprints Act 1984 s. 7(4)(f).*]

Notes

- ¹ This is a compilation of the *Standard Survey Marks Act 1924* and includes the amendments made by the other written laws referred to in the following table-^{1a}. The table also contains information about any reprint.

Compilation table

Short title	Number and year	Assent	Commencement
<i>Standard Survey Marks Act 1924</i>	8 of 1924	25 Nov 1924	25 Nov 1924
<i>Decimal Currency Act 1965</i>	113 of 1965	21 Dec 1965	s. 4-9: 14 Feb 1966 (see s. 2(2)); balance: 21 Dec 1965 (see s. 2(1))
<i>Acts Amendment (Land Administration) Act 1987</i> Pt. X	126 of 1987	31 Dec 1987	16 Sep 1988 (see s. 2 and <i>Gazette</i> 16 Sep 1988 p. 3637)
Reprint of the <i>Standard Survey Marks Act 1924</i> as at 13 Feb 1989 (includes amendments listed above)			
<i>Local Government (Consequential Amendments) Act 1996</i> s. 4	14 of 1996	28 Jun 1996	1 Jul 1996 (see s. 2)
<i>Acts Amendment (Land Administration) Act 1997</i> s. 141	31 of 1997	3 Oct 1997	30 Mar 1998 (see s. 2 and <i>Gazette</i> 27 Mar 1998 p. 1765)
Reprint-2: The <i>Standard Survey Marks Act 1924</i> as at 5 Sep 2003 (includes amendments listed above)			
<u><i>Land Information Authority Act 2006</i> s. 159</u>	<u>60 of 2006</u>	<u>16 Nov 2006</u>	<u>1 Jan 2007 (see s. 2(1) and <i>Gazette</i> 8 Dec 2006 p. 5369)</u>

^{1a} — On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

Provisions that have not come into operation

Short title	Number and year	Assent	Commencement
<i>Land Information Authority Act 2006</i> s. 159 ⁴	60 of 2006	16 Nov 2006	To be proclaimed (see s. 2(1))

² ~~At the time this reprint was prepared the former Department of Land Administration was known as the Department of Land Information.~~

³ ~~Now the chief executive officer assisting the Minister responsible for the administration of the *Public Works Act 1902*.~~

⁴ ~~On the date as at which this compilation was prepared, the *Land Information Authority Act 2006* s. 159 had not come into operation. It reads as follows:~~

“

~~159. Standard Survey Marks Act 1924 amended~~

~~(1) The amendments in this section are to the *Standard Survey Marks Act 1924*.~~

~~(2) Section 3 is amended by deleting “in the Department of Land Administration and certified copies supplied to the Registrar of Titles, the Under Secretary for Public Works” and inserting instead—~~

“

~~by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5 and certified copies supplied to the Registrar of Titles, the chief executive officer of the department principally assisting in the administration of the *Public Works Act 1902*~~

”

”