

## LICENSED SURVEYORS.

4° GEO. VI., No. XVI.

No. 16 of 1940.

**AN ACT to amend the Licensed Surveyors Act, 1909.**

[Assented to 12th November, 1940.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the *Licensed Surveyors Act Amendment Act, 1940*, and shall be read as one with the Licensed Surveyors Act, 1909 (No. 25 of 1909), hereinafter referred to as the principal Act.

Amendment  
of s. 3 of  
the principal  
Act.

2. Section three of the principal Act is amended by inserting after the definition of "Board" the following definition:—

"Institute" means the Institution of Surveyors of Western Australia Incorporated.

Amendment  
of s. 4 of  
the principal  
Act.

3. Section four of the principal Act is repealed and the following new section inserted in lieu thereof:—

4. (1) The Land Surveyors' Licensing Board as constituted under the principal Act is hereby reconstituted and shall consist of—

(a) The Surveyor General, who shall be *ex officio* a member of the Board and the chairman thereof.

(b) Three members appointed by the Governor on the nomination of the Surveyor General, one at least of whom shall be a licensed surveyor.

(c) Two members, who shall be licensed surveyors, appointed by the Governor on the nomination of the Institute.

(2) The members of the Board, other than the Surveyor General, shall go out of office on the thirty-first day of December in every year but shall be eligible for reappointment and shall be deemed to hold office until the appointment of their successors.

(3) The Governor may, on the recommendation of a majority of the members of the Board, remove any member other than the Surveyor General, from the Board.

(4) Whenever a vacancy occurs on the Board by reason of the removal, death, or resignation of any member other than the Surveyor General, the Governor shall, after nomination, appoint a member to fill the vacancy. If the member whose seat has become vacant was nominated by the Institute, the person to fill the vacancy shall be nominated by the Institute, and, if by the Surveyor General, he shall be nominated by the Surveyor General.

(5) Whenever the Surveyor General or the Institute neglects or omits to nominate for appointment—

(a) on or before the first day of December in every year the members of the Board whom the Surveyor General or the Institute, as the case may be, is entitled under the provisions of paragraph (b) or of paragraph (c) of subsection (1) of this section to nominate for the then ensuing year;

(b) within one month from the date of the removal, death, or resignation of a member of the Board, a person whom the Surveyor General or the Institute, as the case may be, is entitled under the provisions of subsection (4) of this section to nominate to fill the vacancy caused thereby,

The Governor may appoint as members or a member of the Board for the then ensuing year, or to fill such vacancy, the persons or person nominated by a majority of the existing Board.

(6) All nominations for membership of the Board shall be in writing.

(7) All appointments of members shall be notified in the *Government Gazette*.

Citation of  
principal Act  
as amended.

4. The principal Act as amended by this Act may be cited as the Licensed Surveyors Act, 1909-1940.

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