

## SURVEY DECREE 1970



## ARRANGEMENT OF SECTIONS

*Section*

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| <p>1. Surveyors Licencing Board continued in being.</p> <p>2. Regulations.</p> <p>3. Publication of grant, etc. of surveyor's licence.</p> | <p>4. Saving of certain licences.</p> <p>5. Citation, application and repeal.</p> <p>Schedule—Enactments affected.</p> |
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## Decree No. 32

[13th May 1970]

Commencement.

THE FEDERAL MILITARY GOVERNMENT hereby decrees as follows:—

1.—(1) There shall continue to be a Surveyors Licencing Board (in this Decree hereafter referred to as "the board") charged with the duty of—

Surveyors  
Licencing  
Board  
continued  
in being.

(a) providing for examinations to be taken by applicants for licences to practise the profession of surveying;

(b) granting licences to persons found by any such examination to be duly qualified or to persons who satisfy the board that they are otherwise duly qualified as entitled to registration as surveyors pursuant to regulations under this Decree; and

(c) performing any other functions prescribed for the board by the Survey Act or this Decree.

(2) The board shall consist of the following members that is to say—

Cap. 194.

(a) the Director of Federal Surveys who shall be chairman of the board;

(b) six persons appointed by the Commissioner, each of such persons being the holder of the post of Surveyor-General or Chief Surveyor in any State of the Federation; and

(c) four licensed surveyors appointed by such body as the Commissioner may designate as being in his opinion representative of licensed surveyors in Nigeria; and

(d) one member appointed by the Commissioner from each university or school appearing to the Commissioner to be engaged in the training of persons seeking to become surveyors.

(3) A person appointed as a member of the board by virtue of sub-section (2) (b) above shall hold office for a period of two years and shall not be eligible for re-appointment until a period of two years has elapsed since he ceased to be a member of the board.

(4) A person appointed as a member of the board by virtue of sub-section 2 (c) or (d) above—

(a) may resign his office by notice in writing to the Commissioner ;

(b) may be removed from office by the Commissioner for misbehaviour or for inability to perform the functions of his office ;

(c) shall, unless he previously resigns or is removed from office, hold office for such period not exceeding three years as may be specified in his instrument of appointment ; and

(d) shall, on ceasing to hold office, be eligible for re-appointment.

(5) The quorum of the board shall be five, and the validity of any proceedings of the board shall not be affected by any vacancy in the membership of the board or by any defect in the appointment of a member.

(6) For the avoidance of doubt it is hereby declared that any person (including the Director of Federal Surveys) who is a member of the board immediately before the day when this Decree comes into force shall on its coming into force continue to be such a member and hold office for the balance of his term under any appointment made pursuant to any enactment repealed by this Decree.

#### Regulations.

2.—(1) The board may make regulations generally for the purposes of the examination of persons seeking to be licensed as surveyors in Nigeria and without prejudice to the generality thereof regulations may be made—

(a) for appointment of unpaid staff for the more efficient discharge of the functions of the board aforesaid ;

(b) for the appointment from time to time by the board aforesaid of examiners and for their remuneration ;

(c) for the enrolment of pupil surveyors ;

(d) for prescribing fees and forms and for the examination and licensing thereafter of pupil surveyors as surveyors under this Decree ;

(e) for prescribing any other matter or thing which the Survey Act or this Decree requires or authorises to be prescribed.

(2) In so far as they provide for payment of fees or any variation or exemption, regulations when made shall be submitted for approval by the Federal Commissioner charged with responsibility for the profession of surveying, and if approved they shall thereafter be published in such manner as the Commissioner may direct, so however that if published thereafter only in the Federal Gazette, the fact that they are so published shall be sufficient evidence of the giving of the direction to that effect.

(3) Nothing in this section shall be construed or have effect to authorise the grant of a licence to any person who—

(a) fails to satisfy the board as to his entitlement ; or

(b) if otherwise eligible for a licence, fails to pay the prescribed fee.

3. The board shall cause to be published in the Federal Gazette notice of the grant of a licence under this Decree; and where a surveyor's licence (whether or not granted under this Decree) is cancelled, suspended, or restored, notice thereof shall likewise be published in that Gazette.

Publication of grant, etc. of surveyor's licence.

4. Any licence to practise as a surveyor granted before 12th October 1964 being the date of commencement of the Survey Act 1964 and continued in force by virtue of section 2 of that Act shall, notwithstanding the repeal of the enactment by this Decree, continue in force, and the licence may be dealt with as if granted under and for the purposes of this Decree.

Saving of certain licences.  
1964 No. 25.

5.—(1) This Decree may be cited as the Survey Decree 1970 and shall be read as one with the Survey Act.

Citation, application and repeal.

(2) This Decree shall apply throughout the Federation.

(3) The enactments referred to in the Schedule to this Decree are hereby repealed to the extent there mentioned.

#### SCHEDULE

Section 5 (3)

##### ENACTMENTS AFFECTED

<i>Chapter etc.</i>	<i>Short Title</i>	<i>Extent of repeal</i>
194	Survey Act	In Part I and in the definition of "the Board" in section 2 the words from "established" to the figure "3"; all Part II; and in Part IV section 37.
1964 No. 25	Survey Act 1964	The whole Act.

MADE at Lagos this 13th day of May 1970.

MAJOR-GENERAL Y. GOWON,  
*Head of the Federal Military Government,  
Commander-in-Chief of the Armed Forces,  
Federal Republic of Nigeria*