

FACT SHEET

Surveyors Amendment Bill 2023

The purpose of the *Surveyors Amendment Bill 2023* is to amend the *Surveyors Act 2002* to rectify two issues impacting its effective operation and to postpone the automatic repeal of the subordinate *Surveyors Regulations 2014* for up to two years to accommodate the consideration of important national initiatives during its review.

The Bill amends the *Surveyors Act 2002* to:

- remove the requirement that a non-registered person undertaking a survey of legal interests in real property must always be directly supervised by a registered land surveyor, and provide for the Surveyor-General to prescribe the effective supervision of a non-registered person undertaking such surveys, including the duties of the non-registered person, in Survey Directions; and
- allow for all disciplinary orders to be published in the Surveyors Register, and in any form the Director of Consumer Affairs thinks fit, with orders that are not a suspension or cancellation of registration required to be removed from publication after a period of three years.

The amendments are generally considered to be minor and noncontentious and have received strong support from the land survey profession.

The Bill also postpones the Regulations repeal date from 10 December 2024 to 10 December 2026. The Regulations are due to be automatically repealed as a consequence of section 11(2) of the *Subordinate Legislation Act 1992*, which provides for the systematic repeal of regulations over a rolling 10-year period to ensure they are fully examined and either updated or repealed.

The Regulations primarily deal with the post-graduate qualification, training and accreditation of land surveyors, and to meet the requirements of mutual recognition schemes the Tasmanian Regulations must be consistent with the agreed national approach. The national coordinating committee ensuring common standards for land surveying competency has commenced an initiative to harmonise and modernise training and accreditation requirements in support of a federated approach to competency accreditation. It is not envisaged that this initiative will deliver outputs until late 2024, which will preclude the inclusion of this essential body of work in the review of the Regulations if the automatic expiry date of 10 December 2024 is not altered.

The Bill allows for replacement of the current Regulations before 10 December 2026 if circumstances warrant but providing for the postponement in this Bill circumvents the potential need to introduce a separate postponement Bill in 2024.