

# Survey Marks Act 1902 No 56

[1902-56]



New South Wales

## Status Information

### Currency of version

Repealed version for 7 July 1999 to 24 June 2003 (accessed 18 November 2024 at 23:20)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by the [Surveying Act 2002 No 83](#), sec 37 (c) with effect from 25.6.2003.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 25 June 2003

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# Survey Marks Act 1902 No 56



New South Wales

An Act to consolidate enactments relating to Survey Marks, official landmarks, and beacons.

## **1 Name of Act**

This Act may be cited as the *Survey Marks Act 1902*.

## **2 Repeal**

The Act sixteenth Victoria number fifteen is hereby repealed.

## **3 Private surveyors and other persons not to use official survey marks**

- (1) In the conduct of official surveys made by the direction or under the authority of the Government, the distinguishing mark to be used by the surveyors appointed or licensed by the Government to conduct the same shall be in the form of a broad-arrow, which mark shall not be used by private surveyors or other persons not authorised in that behalf by the Government.
- (2) Every person who makes or uses such mark in marking any boundary or so as to appear to indicate a boundary of any land, except in the conduct of an authorised official survey, shall, for every such offence, be liable to a penalty not exceeding 0.5 penalty unit.

## **4 Penalty for unauthorised defacement or destruction of survey marks, landmarks or beacons**

- (1) If any person wilfully obliterates, removes, or defaces any such survey mark as aforesaid, or any landmark or beacon which has been erected by or under the direction of an officer of the Survey Department, or by a surveyor licensed by the Government, such person shall for every such offence be liable to a penalty not exceeding 0.5 penalty unit.
- (2) Nothing herein contained shall render the owner or occupier of any land liable to any penalty for the removal of any tree thereon upon which any such mark has been made which the owner or occupier may desire to remove in fencing, clearing, or otherwise improving such land.

## **5 Recovery of penalties**

Penalties under this Act may be sued for and recovered summarily before a Local Court by any person authorised in that behalf by His Majesty's Attorney-General.