

Act No. 56, 1902.

An Act to consolidate enactments relating to SURVEY MARKS.
Survey Marks, official landmarks, and beacons.
[3rd September, 1902.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Survey Marks Act, 1902." Short title.

2. The Act sixteenth Victoria number fifteen is hereby repealed. Repeal.

3. (1) In the conduct of official surveys made by the direction Private surveyors and other persons not to use official survey marks.
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 16 Vic. No. 15, s. 1.
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 ten pounds.

4. (1) If any person wilfully obliterates, removes, or defaces Penalty for unauthorised defacement or destruction of survey marks, landmarks, or beacons.
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 ten Ibid. s. 2.
pounds.

(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 he may desire to remove in fencing, clearing, or otherwise improving such land.

5. Penalties under this Act may be sued for and recovered Recovery of penalties.
summarily before any two justices in petty sessions by any person Ibid. ss. 1, 2.
authorised in that behalf by His Majesty's Attorney-General.