



THE QUANTITY SURVEYORS REGULATIONS 1969

ARTHUR PORRITT, Governor-General

By his Deputy
RICHARD WILD

ORDER IN COUNCIL

At the Government House at Wellington this 8th day of September 1969

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Quantity Surveyors Act 1968, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Quantity Surveyors Regulations 1969.

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Interpretation—In these regulations, unless the context otherwise requires,—

“The Act” means the Quantity Surveyors Act 1968:

A reference to a numbered form is a reference to a form so numbered in the Schedule to these regulations.

PART I—REGISTRATION OF QUANTITY SURVEYORS

3. Register of Quantity Surveyors—(1) The register referred to in section 12 of the Act shall be kept in accordance with form 1.

(2) The entries in the register shall be made in the order in which the directions to make the entries given under section 16 of the Act are received by the Registrar.

(3) The Registrar shall also keep (either bookwise or by means of a loose-leaf or card system) an alphabetical index of the names of the persons entered in the register, and that index shall be deemed to be a part of the register.

(4) The qualifications by virtue of which a person is registered shall be sufficiently indicated by a reference in abbreviated form to the statutory provision creating the relevant qualification for registration.

(5) The direction in writing of the Board referred to in section 16 of the Act shall be sufficient if signed by the Chairman and given pursuant to a resolution of the Board.

4. Certificate of registration—The certificate of registration issued under section 17 of the Act shall be in form 2.

5. Inspection of register—Any person may inspect the register on payment of the fee prescribed in regulation 17 (3) hereof.

6. Copy of particulars in register—Any person may, on payment of the fee prescribed in regulation 17 (4) hereof, obtain a copy, certified under the hand of the Registrar, of the particulars entered in the register in respect of any person.

7. Application for registration—Every application for registration of a quantity surveyor shall be in form 3, and shall be provided by the Registrar.

8. Notice of refusal of application for registration—When the notice of refusal referred to in subsection (2) of section 16 of the Act is communicated to any person, the Registrar shall therewith communicate the terms of any resolution of the Board setting out its reason for such refusal.

9. Giving of notices—Any notification required by the Act or these regulations to be given to any applicant for registration, whether before or after registration, shall be sufficient if sent by registered-post signed by the Registrar addressed to the applicant at the address stated by him in his application, or any new address notified as hereinafter provided.

10. Return of documents to applicant—Any document submitted with an application for registration may be returned to the applicant by registered-post letter to the address given in the application, or to any new address notified as hereinafter provided.

11. Change of address—Any applicant may, either before or after registration, by writing addressed to the Registrar notify a new address, and the Board may direct an entry of that new address to be made in the register.

PART II—ANNUAL PRACTISING CERTIFICATES

12. Application for annual practising certificate—Every application for an annual practising certificate shall be in form 4, and shall be provided by the Registrar.

13. Form of annual practising certificate—Every annual practising certificate issued under section 37 of the Act shall be in form 5.

14. Certificate as to particulars in annual practising certificate—Any person may, on payment of the fee hereinafter prescribed, obtain a certificate under the hand of the Registrar stating the particulars entered in the annual practising certificate issued to any person.

PART III—CANCELLATION OF REGISTRATION

15. Removal of names from register to be gazetted—(1) The name of every person removed from the register under section 26 of the Act shall be published in the *Gazette*, and the Board may, if it thinks fit, state the ground of such removal.

(2) Such a publication shall take place after the time for appeal under section 27 of the Act has expired, or in case of an appeal, after the decision of the Appeal Tribunal has been given.

16. Certificate of registration to be returned to Registrar—(1) Every certificate of registration issued to any person whose name is removed from the register as aforesaid shall be returned to the Registrar within 1 month from the date of the publication in the *Gazette* of the notification aforesaid.

(2) Every person commits an offence who without just cause fails to return the certificate of registration under subclause (1) of this regulation, and is liable on summary conviction to a fine not exceeding \$10.00.

PART IV—FEES

- 17. Fees**—(1) The fee for application for registration shall be \$25.00.
 (2) The fee for registration shall be \$5.00, which shall be paid before any entry is made in the register.
 (3) The fee for inspection of the register shall be \$1.00 for every name in respect of which the entries are inspected.
 (4) The fee for a certified copy of any entry in the register shall be \$1.00.
 (5) The fee for an annual practising certificate shall be \$10.00.
 (6) The fee for a certificate of the particulars entered in any one annual practising certificate shall be \$5.00.
 (7) The fees prescribed by this regulation shall be payable to the Board.

PART V—APPEALS

Appeal Tribunal

- 18. Appointment of assessors**—(1) The assessor to be appointed by the appellant under section 27 of the Act shall be appointed in writing as hereinafter prescribed, and the other shall be appointed in accordance with section 27 of the Act.
 (2) No person shall be capable of acting as an assessor except a quantity surveyor duly registered under the Act.

19. Nominated Magistrate unable to act—(1) If by reason of death, sickness, removal, or any other cause the Magistrate named as provided by regulation 22 hereof is unable to discharge the duties referred to in this Part of these regulations, any other Magistrate may discharge those duties in the place of the Magistrate so named.

(2) If by reason of death, sickness, removal, or any other cause the Magistrate so named as aforesaid is not present at the time and place fixed for the hearing of the appeal, any other Magistrate for the time being present may act in the place of the Magistrate so named, and if no other Magistrate be available, the assessors may from time to time adjourn the hearing of the appeal for such period not exceeding 14 days and to such place as they think fit.

20. Assessor unable to act—If by reason of death, sickness, or any other cause any assessor appointed as aforesaid is not present at the time and place fixed for the hearing of the appeal, then the Board or the appellant, as the case may be, shall either at the time of the hearing or previously thereto make a fresh appointment of an assessor and give notice in writing thereof forthwith to the Magistrate and to the other party, and the Magistrate may adjourn the hearing of the appeal for such time not exceeding 14 days as he thinks fit.

Notices to and by Parties in Respect of Appeals

21. Notice of appeal—Any person wishing to appeal shall give notice to the Registrar in form 6, and shall specify therein the name of the person whom he appoints to act as assessor on his behalf at the hearing of the appeal. An assessor shall not be appointed except with his consent in writing.

22. Information to appellant and Magistrate—Within a period of 21 days after receipt of any such notice of appeal, the Board shall inform the appellant of the name of the Magistrate before whom the appeal will be heard and of the assessor appointed under section 27 of the Act by the other party or parties to the appeal, and shall at the same time forward to that Magistrate a copy of the Board's decision and the notice of appeal therefrom, together with a notice of the appointment of the assessors as aforesaid.

23. Service of notices and documents—Any notice required to be given or document required to be served under this Part of these regulations may be given or served by registered post, and if sent to an appellant may be addressed as provided by regulations 9 and 11 hereof.

Time and Place of Hearing

24. Magistrate to fix time and place of hearing—The Magistrate shall fix a convenient time and place for the hearing of the appeal, such time to be not more than 42 days after the receipt by the Board of the notice of appeal referred to in regulation 21 hereof unless the appellant agrees to an extended time.

25. Notice of time and place of hearing—The Magistrate shall cause at least 7 days' previous notice of that time and place to be given to each assessor, the Board, and the appellant.

Procedure at Hearing of Appeals

26. Evidence before Tribunal—The Appeal Tribunal may, in its discretion, receive any evidence that it thinks fit (whether on oath or otherwise), whether it is otherwise admissible in a Court of law or not.

27. Procedure in matters not provided for—In matters not expressly provided for in the Act or by these regulations, the procedure of the Appeal Tribunal shall be such as the Magistrate determines.

28. Adjournment—The Appeal Tribunal may from time to time adjourn the hearing or consideration or determination of the appeal as it thinks fit.

29. Representation of parties—At the hearing of the appeal the appellant may himself appear or may be represented by counsel or a solicitor or by some quantity surveyor on his behalf, and the Board may be represented by any member thereof or by counsel or a solicitor or by any quantity surveyor appointed by it.

30. Failure of appellant to appear—If the appellant or his representative fails to appear at the hearing, the Appeal Tribunal may determine the appeal in his absence on such evidence as is available. If he appears, the evidence shall be taken in his presence or in the presence of his representative or in the presence of both of them.

31. Decision on appeal—The determination made in respect of an appeal shall be in writing signed by the Magistrate, and a copy of that determination shall be forwarded by the Magistrate to the appellant and to the Board, and the Board shall forthwith give effect to that determination. The Magistrate shall advise the Board whether or not the determination was unanimously arrived at.

32. Witnesses' expenses—Costs which may be awarded by the Appeal Tribunal may include witnesses' expenses to the appellant or officials of the Board and other witnesses in accordance with the scale of allowances to witnesses set out in the Schedule to the Witnesses and Interpreters Fees Regulations 1969.*

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SCHEDULE

Reg. 3

FORM 1

Register of Quantity Surveyors

Registration No.	Name	Qualifications for Registration	Address	Date of Registration	Ref. No.

Reg. 4

FORM 2

Certificate of Registration

QUANTITY SURVEYORS REGISTRATION BOARD OF
NEW ZEALAND

This is to certify that of, having satisfied the Board that he is entitled to be registered as a quantity surveyor, was on the day of 19..... registered as a quantity surveyor under the Quantity Surveyors Act 1968.

..... Chairman.
..... Registrar.

Reg. 7

FORM 3

Application for Registration

Quantity Surveyors Act 1968

APPLICATION FOR REGISTRATION

To: The Registrar,
Quantity Surveyors Registration Board,
WELLINGTON.

I, [*Insert full name*], of [*Insert full postal address*], [*Insert occupation*], hereby make application for registration under the Quantity Surveyors Act 1968, and I solemnly and sincerely declare as follows:

1. I was born [Insert date of birth] in [Insert country of birth].

2. My educational qualifications (inclusive of primary and post-primary schools, colleges, and technical institutes) are as follows:

Name of School	Location	Type of School, College, etc.	Period From	To	Examination Passed

AND I attach hereto the following documentary evidence in respect of technical qualifications:

3. I have had practical experience in quantity surveying as follows:

Name of Employer	Location	Position Held	Period From	To	Duties

4. I am a member of the following professional bodies:

Name of Institution	Membership Status	Date of Election

AND I attach hereto documentary evidence of my membership.

5. I have passed the following quantity surveying examinations, in which I took the following subjects:

Name of Examination	Date Passed	Subjects

AND I attach hereto the following documentary evidence of the same.

6. For evidence that I am of good character and reputation, reference may be made to the following persons, namely:

Names of Referees	Full Postal Address
(i)
(ii)

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Signature of Applicant:.....

Declared at this day of 19..... before me

Justice of the Peace,
or Solicitor,
or Other person authorised to take a statutory declaration.

Application fee of \$25.00 is enclosed.

Reg. 12

FORM 4

Application for Annual Practising Certificate

To: The Registrar,
Quantity Surveyors Registration Board,
WELLINGTON.

In accordance with section 37 of the Quantity Surveyors Act 1968, I hereby apply for an annual practising certificate in respect of the year ending 31 March 19.....

The prescribed fee of \$10.00 is enclosed, and the required information is as follows:

- 1. Full Name:.....
2. Postal Address of Business:.....
3. Brief summary of positions held and duties since last application:.....

Table with 3 columns: Positions, Dates, Duties

4. Number of Registration Certificate:.....

Signature:.....
Date:.....

Reg. 13

FORM 5

Serial No.

Quantity Surveyors Act 1968
Annual Practising Certificate

ANNUAL PRACTISING CERTIFICATE, 19...../19.....

This is to certify that of who is a registered quantity surveyor, is granted this practising certificate under section 37 of the Quantity Surveyors Act 1968, and is thereby entitled to practise as a registered quantity surveyor for the year ending

- Number of Registration Certificate:.....
Date of Registration:.....
Qualified under:.....
Dated this day of 19.....

..... Registrar.

FORM 6

NOTICE OF APPEAL

To: The Registrar,
Quantity Surveyors Registration Board,
WELLINGTON.

Take notice that I, [Full name], of [Full postal address and occupation] hereby appeal under section 27 of the Quantity Surveyors Act 1968 against the decision of the Quantity Surveyors Registration Board conveyed to me by notice from the Registrar dated the day of 19..... [Here insert "declining my application for registration" or indicate decision of Board appealed against].

The following are the grounds upon which I make my appeal: [Here insert fully the grounds of appeal].

And I do hereby appoint [Name in full], of [Full postal address and occupation] as my assessor for the purposes of this appeal.

Dated at this day of 19.....

.....
Signature of Appellant.

I hereby consent to act as an assessor for the purpose of this appeal:

.....
Signature of Assessor for Appellant.

J. M. K. HILL,

for Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations prescribe the forms, procedure, and fees in connection with the registration of quantity surveyors under the Quantity Surveyors Act 1968, the issue of annual practising certificates, and appeals against decisions of the Quantity Surveyors Registration Board.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 September 1969.

These regulations are administered in the Ministry of Works.