

ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER A75

ANGUILLA SURVEY ACT

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ANGUILLA SURVEY ACT

Power to enter lands

1. (1) It shall be lawful for any surveyor appointed by the Governor, and for any other person acting in aid and under the orders of any surveyor so appointed, to enter upon any land or other premises at all reasonable times in the daytime for the purpose of making any topographical or geological survey of Anguilla, or any part thereof, or any hydrographical survey of the territorial waters thereof, and to make such survey and do all such things as may be incidental to such survey, including the cutting of sightways or traces and the placing or erection of any beacon, post, stone or mark and, in the case of a geological survey, the breaking up of the surface of any part of such land for the purpose of ascertaining the rocks, strata or minerals within or under the same and the taking and carrying away of specimens of the rocks, strata or minerals found therein, but—

(a) no such person shall enter on any land or premises in private occupation for the purpose of exercising the powers conferred by this section unless 3 days prior notice in writing of the intention to exercise such powers has been given by him to the occupier (if any) thereof; and

(b) no entry shall be made in or upon any dwelling house or curtilage thereof without the consent of the occupier, or an order by a Judge of the High Court.

(2) The notice in writing referred to in subsection (1) may be served personally, or by letter addressed to the occupier of the land or premises at his usual or last known place of abode or business, or (if service in any such manner is impracticable) by posting up or affixing the notice in some conspicuous place on the land or premises.

Copy of plan of survey to be lodged

2. Upon the completion of any survey under the provisions of this Act, the surveyor shall send a copy of the plan thereof to the Governor and the Governor shall thereafter send the same to the Registrar of Lands with such directions as he may think fit as to its custody and safe-keeping.

Compensation

3. Compensation shall be payable in any case where actual damage or injury is occasioned to any property by any act or thing done in the execution of this Act and, in the event of any dispute arising as to the amount payable, the amount claimed shall be deemed to be a civil debt and may be recoverable summarily under the provisions of the Magistrate's Code of Procedure Act.

Offences

4. If any person—

(a) wilfully obstructs or hinders in any way any other person exercising the powers conferred by section 1(1);

(b) not being duly authorised to do so, knowingly and wilfully takes away, removes, displaces or alters the situation of any beacon, post, stone or mark which shall be placed or erected under the provisions of this Act; or

(c) not being duly authorised to do so, knowingly and wilfully defaces, mutilates, breaks or destroys any such beacon, post, stone or mark;

he is guilty of an offence against this Act and is liable on summary conviction to a fine of $3,840.

Non-application of Land Surveyors Act

5. The provisions of the Land Surveyors Act shall not apply to any surveyor appointed by the Governor under section 1(1), but notification of any such appointment and the purpose thereof shall be given by publication in the *Gazette*.

Citation

6. This Act may be cited as the Anguilla Survey Act, Revised Statutes of Anguilla, Chapter A75.