



THE SURVEYORS BOARD of the NORTHERN TERRITORY

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POLICY RESOLUTION NO 26

Topic	Register of Licensed Surveyors
Subject	Registration of Licensed Surveyors – Definition of “Fit and Proper”
Policy	The Board resolved that a person applying for a Surveyors licence under sections 25, 28(3) or 38 of the <i>Licensed Surveyors Act 1983</i> (the Act) must meet the application requirements set out in section 25(1) including being “Fit and proper” as defined in section 33, to be registered.

Generally, a person who is 'fit and proper' is of good character, ethical, and demonstrates appropriate work behaviours. The Board also acknowledges there is a relationship between “fit and proper” and the requirements for qualification and competency; and that honesty and integrity are crucial attributes to the question “fit and proper”.

For a person to be determined fit and proper, the following need to be considered:

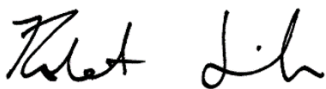
- a) has the person been convicted in the past of a criminal offence or are there any charges pending against them in relation to honesty and integrity (eg: fraud or stealing) within the last 10 years;
- b) has the person been found guilty of an offence, against this Act or any other law in force, whether in the Territory or elsewhere, which in the opinion of the Board, renders them unfit to practise as a licensed surveyor;
- c) has the person's name been removed from a register of surveyors, or like records, kept by a reciprocating board for reasons other than for non-payment of fees or at his or her own request;
- d) is the person mentally capable of carrying out duties of a surveyor;
- e) is the person guilty of:
 - (i) allowing a person, other than a licensed surveyor or a person employed under his or her direct supervision, to practise in his or her name as a licensed surveyor; or
 - (ii) directly or indirectly giving or offering or agreeing to give or offer to a person a valuable consideration for securing or attempting to secure for the licensed surveyor employment or work as a licensed surveyor;
- f) has the person certified to the accuracy of a survey knowing it to be inaccurate;

- g) has the person wilfully or by culpable negligence or through incompetence made, or caused to be made under his or her supervision, a survey that is so inaccurate or defective as to be unreliable;
- h) has the person failed to comply with, a direction given by the Board including but not limited to the Code of Practice for Licensed Surveyors;
- i) has the person's registration been obtained by fraud or misrepresentation in this or any other jurisdiction.

Context In applying this policy and determining its decision, the Board's consideration of these criteria should include the context of:

- Protection of the public interest
- Acceptable community standards
- Any relevant matters that the person did not disclose
- The nature and repetition of any misconduct and evidence of later remorse and rehabilitation
- The person's past behaviour and existing traits relevant to professional practice
- Cautious analysis of the connections between past and future behaviour

ADOPTED in the meeting of 27 May 2024



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Chairperson