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Government Notice

MINISTRY OF LANDS, RESETTLEMENT AND REHABILITATION

No. 249

2004

TARIFF OF FEES CHARGEABLE BY PROFESSIONAL LAND SURVEYORS, TECHNICAL SURVEYORS AND SURVEY TECHNICIANS: PROFESSIONAL LAND SURVEYORS', TECHNICAL SURVEYORS' AND SURVEY TECHNICIANS' ACT, 1993

The Minister of Lands, Resettlement and Rehabilitation has, after consultation with the Namibian Council for Professional Land Surveyors, Technical Surveyors and Survey Technicians, under section 31(1)(n) of the Professional Land Surveyors', Technical Surveyors' and Survey Technicians' Act, 1993 (Act No. 32 of 1993) -

- (a) made the regulations prescribing the tariff of fees as set out in the Schedule; and
- (b) repealed Government Notices Nos. 287 of 30 December 1999 and 134 of 2 August 2002.

SCHEDULE

Basic area fees

1. (1) Subject to subregulations (2) and (3), the fees for the survey of one or more pieces of land included in the same survey, which are surveyed at the same time and do not have more than six boundaries, shall be, according to extent -

- (a) those shown in Table A opposite the relevant number of pieces of land specified in Column 1 and under the extent of the relevant piece or pieces

of land specified in Column 2; or

- (b) those shown in Table B under the relevant number of pieces of land in Column 2 opposite the extent of the piece in Column 1,

and the fee per piece of land which exceeds any number specified in Column 1 of Table A, but not the next higher number so specified, shall be an amount equal to the proportionate fee prescribed for the number which is so exceeded:

TABLE A
Fees for the survey of pieces of land up to 20 000m² in extent

COLUMN 1	COLUMN 2						
Number of pieces of land	Fee for each piece of land according to area in square metres						
	300 and less	301 to 400	401 to 600	601 to 1 000	1 001 to 1 500	1 501 to 4 000	4 001 to 20 000
1.....	N\$ 2401	N\$ 2680	N\$ 2808	N\$ 3005	N\$ 3245	N\$ 3657	N\$ 3705
2.....	1620	1813	1913	2050	2199	2303	2476
3.....	1219	1361	1447	1564	1709	1888	2037
4.....	1257	1196	1278	1383	1506	1642	1760
5.....	1094	1088	1168	1288	1375	1493	1592
10.....	782	893	964	1019	1129	1559	1400
20.....	703	795	854	929	1018	1172	1280
50.....	570	684	748	832	789	1097	1168
100.....	519	647	708	803	887	1060	1138
250.....	446	587	650	748	825	1033	1116
500.....	365	510	575	678	763	1016	1083
1 000.....	309	462	541	634	718	998	1060
Additional for each piece more than 1 000.....	281	420	493	587	669	938	998

TABLE B
Fees for the survey of pieces of land more than 2 ha in extent

COLUMN 1	COLUMN 2					
Areas of pieces of land in hectares	Fee for each piece of land according to number					
	one	two	three	four	five	More Than Five
More than 2 but not more than 5.....	N\$ 4110	N\$ 3010	N\$ 2637	N\$ 2444	N\$ 2329	N\$ 1829
More than 5 but not more than 10.....	4328	3241	2874	2686	2566	2067
More than 10 but not more than 25.....	4544	3480	3119	2928	2812	2314
More than 25 but not more than 50.....	4751	3721	3367	3178	3057	2557
More than 50 but not more than 100.....	4966	3944	4224	3409	3295	2798
More than 100 but not more than 200...	5547	4604	3196	3597	3597	3606

COLUMN 1	COLUMN 2					
Areas of pieces of land in hectares	Fee for each piece of land according to number					
	one	two	three	four	five	More Than Five
More than 200 but not more than 300..	N\$ 6139	N\$ 5181	N\$ 4805	N\$ 3896	N\$ 3896	N\$ 3896
More than 300 but not more than 500...	6711	5639	5298	4191	4191	4191
More than 500 but not more than 750...	7298	6102	5593	4492	4492	4492
More than 750 but not more than 1 000.	7884	6541	5987	4798	4789	7089
More than 1 000 but not more than 1 500.....	8466	6403	6518	4603	6403	6403
More than 1 500 but not more than 2 000.....	9043	6813	8015	6813	6813	6813
More than 2 000 but not more than 3 000.....	9630	7233	7233	7227	7233	7233
More than 3 000 but not more than 5 000.....	10214	7636	7636	7636	7636	7636
More than 5 000 but not more than 7 500.....	10792	8049	8049	8049	8049	8049
More than 7 500 but not more than 10 000.....	11373	8453	8453	8453	8453	8453
More than 10 000.....	N\$493 for every additional 1 000 hectares or part thereof.					

(2) For the purposes of Table A, a fraction of a square metre shall be deemed to be a full square metre.

(3) The fees prescribed in subregulation (1) -

(a) shall include, subject to the other provisions of these regulations, the costs of -

- (i) supplying survey records in terms of these regulations;
- (ii) a reasonable amount of additional computation to verify the positions of the beacons of the land under survey;
- (iii) preparing and supplying prescribed reports and certificates;
- (iv) preparing, lodging with the Surveyor-General, and supplying diagrams and general plans in the form and number prescribed for registration: Provided that when a general plan consists of ten or less figures, a fee for such general plan shall be made in terms of regulation 9;
- (v) supplying and erecting new beacons and permanently marking main survey stations;
- (vi) preparing and supplying any agreement regarding beacons as may be required, but shall not include obtaining the signatures of land owners on such agreement;

- (vii) locating and verifying existing beacons, stations and reference marks where such beacons, stations and reference marks have not been destroyed, obliterated or covered;
 - (viii) basing the survey on trigonometric stations and reference marks;
 - (ix) testing the alignment of existing beacons when terminals do not have to be fixed, but excluding replacing beacons on line;
 - (x) placing new beacons on an existing boundary;
 - (xi) pointing out beacons and boundaries in the course of field work;
 - (xii) transport in the course of field work;
 - (xiii) supplying normal labour;
 - (xiv) reasonable time devoted to receiving and perusing instructions for the survey;
- (b) shall, for each piece of land of 20 000 square metres or less which is a regular figure, be the fee prescribed in Table A in subregulation (1), but shall be reduced by 10 per cent for those regular figures exceeding ten in number: Provided that the ten regular figures to which the reduction does not apply are the smallest regular figures;
- (c) shall not be reduced merely for the reason that diagrams are not required for registration;
- (d) shall, when it is necessary to embed the centre-mark of a beacon in concrete, as prescribed, be increased by N\$**94** per beacon;
- (e) shall, when a beacon consists of an iron standard weighing approximately three kilograms per metre or a 20 millimetre iron peg or galvanised iron pipe at least 600 millimetres long, driven in vertically and projecting not more than 150 millimetres above the surface of the ground, be increased by N\$ **109** per beacon;
- (f) shall, when the beacon consists of a solid stone or concrete block, 900 millimetres in length and 225 square centimetres in cross-section, firmly planted in the ground to a depth of at least 600 millimetres, be increased by N\$**265** per beacon;
- (g) shall, when in the survey of rural land two or more witness marks are placed in respect of each beacon, which witness marks shall consist of 10 millimetre iron pegs 450 millimetres long, driven in below the surface of the ground and at a distance of approximately 5 metres from the beacon and along the boundaries meeting at such beacon, be increased by N\$**42** per witness mark;
- (h) shall, in the survey of pieces of land of different areas, be derived for an individual piece of land from its area at a fee which would be applicable if all the pieces were of the same size: Provided that when two or more pieces of land are being surveyed and one or more of such pieces of land exceed 2 hectares in extent and one or more are less than 2 hectares in extent, the fees for one of the larger or largest areas shall be made in accordance with the first column of fees in Column 2 of Table B in subregulation (1);
- (i) shall, for each straight dividing wall of a dwelling which forms a common boundary, be increased by N\$**183** for each abutting erf concerned;

- (j) shall, for each staggered dividing wall of a dwelling which forms a common boundary, be increased by N\$368 for each abutting erf concerned;
- (k) shall, for each servitude endorsement on a set of diagrams or general plans, be increased by N\$66;
- (l) shall, for each component clause of a set of consolidated diagrams prepared by a land surveyor, be increased by N\$66;
- (m) shall, when a number of properties represented on separate diagrams are surveyed for subdivisinal or servitude purposes, be increased by N\$303 for the second and each subsequent property so surveyed;
- (n) shall, for the survey of additional boundaries exceeding six in number, be increased by 10 per cent for each of ten such additional boundaries and thereafter by 5 per cent for each further additional boundary: Provided that the line joining an unbeaconed point with an indicatory beacon shall not be deemed to be a boundary for the purpose of these regulations;
- (o) shall, in the survey of more than one piece of land in a township, be increased by 25 per cent for each piece of land -
 - (i) which is larger than 4 000 square metres;
 - (ii) which is entirely surrounded by roads; and
 - (iii) which is not subdivided into erven.

(4) Except as provided in regulations 4 and 10, no fee shall be charged for the survey of any road area for which registration as a separate property is not required and which is created in the survey of one or more pieces of land.

(5) No fee shall be charged for the survey of the outside figure represented on a general plan, unless a diagram of such figure is required for registration, in which case the fees for the outside figure shall be charged as a separate survey.

(6) In the survey of more than one thousand pieces of land of different areas in a township, the fee for the smallest piece of land shall be derived from the lowest tariff of Table A in subregulation (1) applicable to such pieces of land.

Location and replacement of beacons

2. For the location or replacement of beacons of a property in a township, fees shall be charged in terms of either regulation 14 or regulations 1 and 11, whichever is less: Provided that for the survey of a property where abnormal circumstances beyond the control of the land surveyor are present the fees charged in terms of regulation 1 may be increased by a maximum of 85 per cent and that no fees shall be charged in terms of regulation 13.

Official co-ordinate values

3. The fees prescribed in regulation 1(1) shall be reduced by 5 per cent for each beacon to which an official co-ordinate value has been assigned: Provided that -

- (a) no reduction shall be made when it is necessary to re-determine or to verify the position of such beacon;
- (b) the total amount by which such fees are reduced shall not exceed 50 per cent.

Remaining extent

4. If it is necessary to survey the remaining extent of a piece of land being subdivided in order to ascertain its area, all fees prescribed in regulations 1 and 3 shall apply to the area of such remaining extent as if it were one of the subdivisions.

Definition of a given area

5. The fees for computing the position and placing of a beacon to define a given area that exceeds 2 hectares in extent shall be 10 per cent of the fees prescribed in Table B in regulation 1(1).

Connections

6. For each of -

- (a) the two distances between the two suitably situated beacons of the land being subdivided and two beacons of the subdivision, when no rectilinear boundary of a subdivision coincides in whole or in part, with a boundary of the land being subdivided; and
- (b) the lengths of the two sides of the remaining extent along the boundary on either side of the subdivision as well as the co-ordinates of the corresponding terminals and the distances from the aforementioned terminals or from the beacons of the subdivision on that boundary, when a rectilinear boundary of a subdivision coincides in whole or in part with a boundary of the land being subdivided,

the fees for connections shall be charged as indicated for the distance in Table C: Provided that -

- (i) no distance shall be charged for more than once;
- (ii) no fee shall be charged if the desired information can be obtained from a previous survey;
- (iii) the fee shall be charged once only when two or more contiguous subdivisions are surveyed at the same time;
- (iv) no fee shall be charged for connections to terminal beacons, the positions of which can be adopted from previous surveys;
- (v) no fee shall be charged when it is not prescribed that connecting data be shown on a diagram.

TABLE C
Fees for connections

Metres	N\$
50 and less.....	313
More than 50 but not more than 500.....	630
More than 500 but not more than 1 000.....	940
More than 1 000.....	625
Plus N\$33 for every 100 metres or part thereof in excess of 1 000 metres, with a maximum of N\$2729.	

Curvilinear boundaries

7. (1) For surveying the high-water mark of the sea, the fee shall be N\$135 for every 50 metres or part thereof plus an initial fee of N\$276 for each subdivision of the land which is being surveyed and abuts on the high-water mark.

(2) For surveying both banks of a river in order to determine the middle, the fee shall be N\$189 for every 50 metres of the river or part thereof plus an initial fee of N\$276 for each subdivision of the land, which is being surveyed and abuts on the curvilinear boundary.

(3) For surveying a curvilinear boundary, other than a curvilinear boundary referred to in subregulation (1) or (2), the fee shall be N\$94 for every 50 metres or part thereof in addition to an initial fee of N\$276 for each subdivision of the land which is being surveyed and abuts on the curvilinear boundary.

(4) A land surveyor shall not charge a second time for the survey of a curvilinear boundary if the desired information can be obtained from a previous survey: Provided that any work that may be necessary to enable the land surveyor to use such information shall be charged for in accordance with regulation 14.

Diagrams, endorsements and prints

8. (1) Subject to regulation 1(3)(a)(iv), the fees which shall be charged for the preparation of a diagram are -

- (a) N\$183 for a diagram of six sides or less without co-ordinates and N\$ 9.90 for each additional side above six;
- (b) N\$239 for a diagram of six sides or less with co-ordinates and N\$ 12.97 for each additional side above six;
- (c) for consolidated diagrams the fees prescribed in subregulation (a) or (b), as the case may be, and in addition N\$66 shall be charged for each component clause of the consolidation.

(2) For each servitude endorsement on a diagram or general plan a fee of N\$66 shall be charged.

(3) For providing prints of diagrams suitable for registration a fee of N\$25 per 1 000 square centimetres or part thereof shall be charged.

General plans

9. (1) Subject to regulation 1(3)(a)(iv), the fees which shall be charged for the preparation of a general plan are -

- (a) N\$1 506 for a general plan with any number of figures up to and including ten figures;
- (b) N\$255 for every additional figure up to and including fifty additional figures;
- (c) N\$69 for every additional figure above fifty additional figures.

(2) For providing additional copies of a general plan suitable for registration purposes a fee equal to that of the printing costs plus 50 per cent shall be charged.

Servitudes

10. (1) Subject to regulation 1(3)(a),(d),(e),(f) and (g) and regulations 6,11,12 and 13, the basic fee for the survey of existing visible power line is the amount indicated against the relevant distance in Table D:

TABLE D
Fees for surveying power line

Distance between consecutive bend points of power line in metres	N\$
20 and less	1 192
More than 20 but not more than 50	1 402
More than 50 but not more than 100	1 532
More than 100 but not more than 150	1 533
More than 150 but not more than 250	1 717
More than 250 but not more than 350	1 851
More than 350 but not more than 500	1 995
More than 500 but not more than 750	2 241
More than 750 but not more than 1 000	2 455
More than 1 000 but not more than 1 500	2 788
More than 1 500 but not more than 2 000	3 157
More than 2 000 but not more than 3 000	3 590
More than 3 000 but not more than 4 000	4 060
More than 4 000 but not more than 5 000	4 473
More than 5 000 but not more than 7 500	4 941
More than 7 500 but not more than 10 000	5 601
More than 10 000 but not more than 12 500	6 342
More than 12 500 but not more than 15 000	6 927
More than 15 000 but not more than 20 000	7 671
More than 20 000 but not more than 30 000	8 622
More than 30 000	8 622
	plus N\$827 for every 10 000 metres or part thereof in excess of 30 000 metres.

(2) In the case of two or more adjacent power lines represented on the same servitude diagram, the fee for the survey of each additional line after the first line shall be **N\$165** per bend for calculating the distances only and **N\$343** per bend for calculating the distances and beaconing the power line.

(3) For each property affected by the servitude for which a separate servitude diagram is required, an additional fee of **N\$380** shall be charged.

(4) In respect of all other property beacons necessarily determined during the course of the survey, the fee shall be as for the connection fees according to Table C in regulation 6 for the distance from each such beacon to the nearest power line bend point included in the survey.

(5) (a) The basic fee for the survey of a line to be represented on a separate servitude diagram shall be the fee prescribed in regulation 1 for the area of a square piece of land, one side of which is equal to one quarter of the length of such line: Provided that -

- (i) all other fees and reductions prescribed in these regulations shall apply as if the line represented one or more boundaries of a piece of land; and
- (ii) such length shall be taken as being the distance along such line between the property boundaries for which connecting data are normally considered necessary by the Surveyor-General.

(b) when two or more adjacent lines are represented on the same servitude diagram, the fee for the survey of each additional line after the first line shall be 35 per cent of the fee prescribed in paragraph (a).

(6) The fees prescribed in regulation 1 shall apply to the survey involving the beaconing of a servitude area when it is essential to represent such area on a separate

servitude diagram: Provided that, when such area affects more than one contiguous property, each section of such area which is necessarily beaconed shall be considered to be a separate piece of land.

- (7) (a) For a servitude combined with a subdivision and represented on a subdivisional diagram, when such servitude lies outside the boundaries of the subdivision, the fees contemplated in subregulations (5) and (6) shall be charged.
- (b) a servitude combined with a subdivision and represented on a subdivisional diagram shall be considered to be an inherent part of such subdivision when such servitude lies within the boundaries of the subdivision, and the fees prescribed in these regulations shall apply to the survey of such servitude: Provided that all additional beacons necessarily placed to define the limits of the servitude, shall be charged for as if they were additional sides.
- (c) The fees prescribed in regulation 7 shall be charged when the servitude concerned is defined by a curvilinear line.

(8) For servitude surveys for which the Surveyor-General has allowed the same procedures to be adopted which are prescribed for existing visible power line servitudes, the fees to be charged are the fees prescribed in subregulations (1), (2), (3) and (4).

Travelling, transport and subsistence

11. (1) A fee for the forward and the return journey between a land surveyor's headquarters and the site of the survey or from the place where he or she was last employed to such site and onwards to other work shall be charged at a rate of N\$4.95 per kilometre: Provided that -

- (a) such fee shall be charged for only one completed journey with one vehicle, unless substantial reasons exist for additional journeys being made or additional vehicles being used;
- (b) no such fee shall be charged for travelling and transport during the performance of a survey for which a basic fee is charged.

(2) An additional fee shall be charged for the time occupied during the forward and return journeys between the land surveyor's headquarters and the site of the survey for one land surveyor, one technical assistant and labourers being necessarily transported for the performance of the survey and which fee, unless a different prior written agreement has been entered into between the land surveyor and the client, shall be determined -

- (a) in respect of the land surveyor, at a rate of N\$318 per hour; and
- (b) in respect of any technical assistants and labourers, at a rate per hour which is equal to 0,15 per cent of the gross annual remuneration of the technical assistants and labourers involved.

(3) When free accommodation is not provided at the site of the survey, the land surveyor shall charge travelling and transport expenses at the rates prescribed in subregulations (1) and (2) in respect of one forward and one return journey per day between the site of the survey and either -

- (a) his or her headquarters; or
- (b) the nearest suitable accommodation; or
- (c) the free accommodation provided elsewhere by the client:

Provided that -

- (i) the distance for which such fee is charged shall not exceed 300 kilometres per day; and
- (ii) no fees shall be charged in terms of this subregulation for the first day devoted to the survey.

(4) When accommodation is supplied by the land surveyor away from his or her headquarters, he or she may charge N\$518 per day for himself or herself and for each technical assistant, and N\$403 per day for each of his or her labourers, unless a prior written agreement has been entered into between the land surveyor and the client that the land surveyor may recover his or her actual expenses.

Line clearing

12. (1) When it is essential for the performance of a survey that vegetation be cleared, the time necessarily spent by the land surveyor solely on supervising such clearing shall be charged for at a rate of N\$320 per hour: Provided that the land surveyor shall ensure that the clearing is done as economically and expeditiously as possible: Provided further that, whenever practicable, the client shall be afforded the opportunity of having the necessary clearing done and supplying the necessary labour.

(2) The cost of labour supplied by the land surveyor for the clearing may be recovered from the client.

Abnormal circumstances

13. (1) The fees prescribed in Table B in regulation 1(1), in regulation 1(3)(b), (m) and (n) and in regulations 4, 5, 6, 7, 10 and 11(1) shall, in the case of surveys in the registration divisions mentioned in Column 1 below, be increased by the percentages mentioned opposite thereto in Column 2 below:

COLUMN 1 Registration Division	COLUMN 2 Percentage increase
A.....	20%
B.....	35%
D.....	15%
J.....	15%
L.....	15%

(2) In the survey of pieces of land in an existing township, the fees prescribed in Table A in regulation 1(1) shall, for those pieces of land upon which one or more buildings have been erected, be increased by N\$743 or 60% of the relevant fees so prescribed, whichever is less.

Miscellaneous

14. For professional work not provided for elsewhere in these regulations -

- (a) a fee of N\$455 per hour shall be charged: Provided that where an approved society representing professional land surveyors or technical surveyors or survey technicians has set a tariff for the work in question, a fee shall be charged in accordance with such tariff, but such fee shall not exceed N\$455 per hour;

- (b) the following costs shall be recovered:
- (i) N\$4.95 per kilometre in respect of motor transport supplied by the land surveyor during the performance of a survey;
 - (ii) the amount of disbursements for beacon material;
- (c) an amount per hour or part thereof which is equal to 0,15 per cent of the gross annual remuneration of technical assistants and labourers necessarily employed for the work in question shall be charged;
- (d) A fee per day or part thereof shall be charged for appropriate equipment employed for the work and shall be calculated by applying the replacement value of the equipment and current commercial prime lending rates and linearly interpolating the relevant amounts in Table E.

TABLE E
DAILY RATES TO BE CHARGED FOR EQUIPMENT

Replacement	Current Prime Commercial				
Value of Equipment	Lending Rates				
	10%	15%	20%	25%	30%
Daily Rates					
N\$	N\$	N\$	N\$	N\$	N\$
0	0	0	0	0	0
5000	26	29	36	34	37
10000	44	48	59	58	64
15000	66	73	79	86	94
20000	90	96	105	115	125
25000	109	119	132	144	183
30000	129	143	157	172	157
35000	151	166	183	201	218
40000	172	190	210	229	249
45000	194	214	235	257	281
50000	216	237	262	296	312
55000	236	262	288	314	342
60000	258	286	313	343	373
65000	280	309	340	373	405
70000	354	390	429	470	435
75000	322	356	391	428	466
80000	344	379	418	457	497
85000	366	404	409	485	528
90000	386	427	470	513	561
95000	406	450	496	542	590
100000	429	474	521	571	621

105000	517	571	630	720	750
110000	542	601	660	754	822
115000	555	627	720	754	822
120000	593	654	719	787	857
125000	616	681	748	818	893
130000	641	709	779	852	930
135000	667	736	809	885	966
140000	691	763	839	918	1000
145000	716	790	869	951	1036
150000	739	817	897	983	1072
155000	764	845	929	1016	1108
160000	787	871	959	1048	1143
165000	813	899	989	1079	1177
170000	838	925	1017	1146	1250
175000	861	977	1047	1146	1250
180000	886	980	1077	1178	1284
185000	911	1010	1107	1212	1320
190000	937	1033	1137	1213	1355
195000	961	1062	1167	1276	1393
200000	985	1087	1197	1309	1428
205000	1010	1087	1298	1342	1463
210000	1059	1143	1256	1403	1499
215000	1081	1169	1285	1408	1563
220000	1060	1197	1316	1440	1570
225000	1108	1225	1346	1474	1606
230000	1132	1252	1403	1505	1642
235000	1007	1113	1223	1338	1460
240000	1029	1136	1250	1361	1490
245000	1049	1160	1275	1394	1521
250000	1071	1184	1301	1423	1552
255000	1093	1207	1327	1453	1583
260000	1114	1231	1353	1481	1614
265000	1135	1254	1380	1509	1645
270000	1156	1277	1405	1588	1676
275000	1178	1302	1431	1566	1707
280000	1199	1325	1457	1595	1739
285000	1122	1348	1483	1622	1769
290000	1243	1373	1509	1652	1800

295000	1265	1397	1535	1681	1831
300000	1285	1421	1560	1708	1864
305000	1307	1444	1588	1737	1894
310000	1329	1407	1613	1766	1925
315000	1350	1491	1639	1794	1956
320000	1371	1515	1665	1822	1958
325000	1392	1538	1691	1851	2018
330000	1414	1562	1718	1880	2049
