



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 28 July 2011

No. 4763

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## Government Notice

### MINISTRY OF LANDS AND RESETTLEMENT

No. 124 2011

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

Under section 31(1)(n) of the Professional Land Surveyors', Technical Surveyors' and Survey Technicians' Act, 1993 (Act No. 32 of 1993), and after consultation with the Namibian Council for Professional Land Surveyors, Technical Surveyors and Survey Technicians, I have -

- (a) made the regulations prescribing the tariff of fees as set out in the Schedule; and
- (b) repeal Government Notice No. 231 of 29 September 2008.

**A.G !NARUSEB**  
**MINISTER OF LANDS AND RESETTLEMENT**

Windhoek, 7 July 2011

### SCHEDULE

#### Basic area fees

1. (1) Subject to subregulations (2) and (3), the fees chargeable for the survey of 1 or more pieces of land included in the same survey shall be as indicated -

- (a) in Column 2 of Table A directly opposite the relevant number of pieces of land specified in Column 1; or
- (b) in Column 2 of Table B directly opposite the relevant number of pieces of land in 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, is an amount equal to the proportionate fee prescribed for the number which is so exceeded:

**TABLE A**

**FEEES FOR THE SURVEY OF PIECES OF LAND UP TO 20 000 M2 IN EXTENT**

<b>COLUMN 1</b>	<b>COLUMN 2</b>						
Number of pieces of land	Fee for each piece of land according to area in square metres						
	300 or less	301 to 400	401 to 600	601 to 1000	1001 to 1500	1501 to 4000	4001 to 20000
	N\$	N\$	N\$	N\$	N\$	N\$	N\$
1	4788	5346	5600	5996	6471	7296	7391
2	3230	3614	3815	4088	4386	4595	4938
3	2430	2714	2885	3119	3410	3764	4062
4	2132	2384	2547	2756	3003	3273	3510
5	1928	2169	2327	2547	2741	2979	3176
10	1560	1779	1887	2033	2252	2606	2792
20	1401	1602	1700	1851	2031	2337	2553
50	1136	1362	1491	1658	1851	2151	2327
100	1034	1287	1415	1602	1770	2091	2268
250	888	1169	1296	1491	1644	2060	2226
500	720	1014	1148	1350	1526	2025	2157
1 000	615	920	1077	1265	1433	1988	2115
Additional for each piece more than 1000	561	837	981	1170	1332	1871	1988

**TABLE B**

**FEEES FOR THE SURVEY OF PIECES OF LAND MORE THAN 2 HA IN EXTENT**

<b>COLUMN 1</b>	<b>COLUMN 2</b>					
Areas of pieces of land in hectares	Fee for each piece of land according to number					
	one	Two	three	four	five	More than five
	N\$	N\$	N\$	N\$	N\$	N\$
More than 2 but not more than 5	8199	6005	5261	4874	4646	3647
More than 5 but not more than 10	8634	6465	5733	5352	5118	4121
More than 10 but not more than 25	9065	6941	6221	5841	5609	4614
More than 25 but not more than 50	9476	7421	6714	6338	6099	5100
More than 50 but not more than 100	9905	7865	7163	6798	6572	5582
More than 100 but not more than 200	11066	9188	8547	7176	7176	7176
More than 200 but not more than 300	12245	10335	9585	7770	7770	7770
More than 300 but not more than 500	13386	11249	10365	8361	8361	8361

More than 500 but not more than 750	14558	12173	11157	8961	8961	8961
More than 750 but not more than 1000	15728	13049	11943	9552	9552	9552
More than 1 000 but not more than 1 500	16890	12773	12773	12773	12773	12773
More than 1 500 but not more than 2 000	18038	13590	13590	13590	13590	13590
More than 2 000 but not more than 3 000	19211	14427	14427	14427	14427	14427
More than 3000 but not more than 5 000	20375	15233	15233	15233	15233	15233
More than 5 000 but not more than 7 500	21528	16058	16058	16058	16058	16058
More than 7 500 but not more than 10 000	22685	16863	16863	16863	16863	16863
More than 10 000	N\$836 for every additional 1 000 hectares or part thereof					

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

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

(a) 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 often 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;
  - (xv) the replacement value of equipment;
- (b) are, 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 are 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) may not be reduced merely for the reason that diagrams are not required for registration;
  - (d) when it is necessary to embed the centre-mark of a beacon in concrete, as prescribed, are increased by N\$159 per beacon;
  - (e) 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, are increased by N\$191 per beacon;
  - (f) 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, are increased by N\$449 per beacon;
  - (g) 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, are increased by N\$71 per witness mark;
  - (h) in the survey of pieces of land of different areas, are 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 are made in accordance with the first column of fees in Column 2 of Table B in subregulation (1);
  - (i) are, for each straight dividing wall of a dwelling which forms a common boundary, increased by N\$311 for each abutting erf concerned;
  - (j) are, for each staggered dividing wall of a dwelling which forms a common boundary, increased by N\$624 for each abutting erf concerned;
  - (k) are, for each servitude endorsement on a set of diagrams or general plans, increased by N\$113;
  - (l) are, for each component clause of a set of consolidated diagrams prepared by a land surveyor, increased by N\$113;
  - (m) are, when a number of properties represented on separate diagrams are surveyed for subdivisional or servitude purposes, increased by N\$513 for the second and each subsequent property so surveyed;

- (n) are, for the survey of additional boundaries exceeding six in number, 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 is not deemed to be a boundary for the purpose of these regulations;
- (o) are, in the survey of more than one piece of land in a township, 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 is 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 is 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 is 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 is derived from the lowest tariff of Table A in subregulation (1) applicable to such pieces of land.

#### **Location and replacement of beacons**

2. (1) For the location or replacement of beacons of a property in a township, fees are charged in terms of either regulation 1, 11 or 14, whichever is the lesser.

(2) 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 fee is charged in terms of regulation 13.

#### **Official co-ordinate values**

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

- (a) no reduction is made when it is necessary to redetermine 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 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 are 10 per cent of the fees prescribed in Table B in regulation 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 are charged as indicated for the distance in Table C: Provided that -

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

**TABLE C**

### FEES FOR CONNECTIONS

Metres	N\$
50 and less	624
More than 50 but not more than 500	1254
More than 500 but not more than 1 000	1875
More than 1 000	1875 plus N\$63 for every 100 metres or part thereof in excess of 1 000 metres, with a maximum of N\$6260

## Curvilinear boundaries

7. (1) For surveying the high-water mark of the sea, the fee is N\$230 for every 50 metres or part thereof plus an initial fee of N\$468 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 is N\$321 for every 50 metres of the river or part thereof plus an initial fee of N\$468 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 is N\$159 for every 50 metres or part thereof in addition to an initial fee of N\$468 for each subdivision of the land which is being surveyed and abuts on the curvilinear boundary.

(4) A land surveyor may 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 is charged for in accordance with regulation 14.

### Diagrams, endorsements and prints

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

- (a) N\$311 for a diagram of six sides or less without co-ordinates and N\$17 for each additional side above six;
- (b) N\$405 for a diagram of six sides or less with co-ordinates and N\$23 for each additional side above six;
- (c) for consolidated diagrams the fees prescribed in paragraph (a) or (b), and in addition N\$113 is charged for each component clause of the consolidation.

(2) For each servitude endorsement on a diagram or general plan, a fee of N\$113 is charged.

(3) For providing prints of diagrams suitable for registration a fee of N\$42 per 1 000 square centimetres or part thereof is charged.

### General plans

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

- (a) N\$2553 for a general plan with any number of figures up to and including ten figures;
- (b) N\$432 for every additional figure up to and including fifty additional figures; and
- (c) N\$117 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 is 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	2 331
More than 20 but not more than 50	2 798
More than 50 but not more than 100	3 054
More than 100 but not more than 150	3 240

More than 150 but not more than 250	3 425
More than 250 but not more than 350	3 686
More than 350 but not more than 500	3 978
More than 500 but not more than 750	4 469
More than 750 but not more than 1 000	4 895
More than 1 000 but not more than 1 500	5 561
More than 1 500 but not more than 2 000	6 297
More than 2 000 but not more than 3 000	7 160
More than 3 000 but not more than 4 000	8 096
More than 4 000 but not more than 5 000	8 922
More than 5 000 but not more than 7 500	9 854
More than 7 500 but not more than 10 000	11 172
More than 10 000 but not more than 12 500	12 648
More than 12 500 but not more than 15 000	13817
More than 15 000 but not more than 20 000	15371
More than 20 000 but not more than 30 000	17 199
More than 30 000	17 199 plus N\$1649 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 is N\$279 per bend for calculating the distances only and N\$582 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\$644 is charged.

(4) In respect of all other property beacons necessarily determined during the course of the survey, the fee is 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) The basic fee for the survey of a line to be represented on a separate servitude diagram is 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 -

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

(6) 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 is 35 per cent of the fee prescribed in subregulation (5).

(7) The fees prescribed in regulation 1 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 is considered to be a separate piece of land.

(8) 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), (6) and (7) are charged.



(9) A servitude combined with a subdivision and represented on a subdivisional diagram is 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 apply to the survey of such servitude: Provided that all additional beacons necessarily placed to define the limits of the servitude, is charged for as if they were additional sides.

(10) The fees prescribed in regulation 7 are charged when the servitude concerned is defined by a curvilinear line.

(11) 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 is charged at a rate of N\$8.39 per kilometre: Provided that -

- (a) such fee is 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 is charged for travelling and transport during the performance of a survey for which a basic fee is charged.

(2) An additional fee is 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, is determined -

- (a) at a rate of N\$539 per hour in respect of the land surveyor; or
- (b) at a rate of 0,15 per cent, per hour, of the gross annual remuneration in respect of a technical assistant or labourer.

(3) When free accommodation is not provided at the site of the survey, the land surveyor must 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 -

- (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 does not exceed 300 kilometres per day; and
- (ii) no fees may 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\$878 per day for himself or herself and for each technical assistant, and N\$683 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 is charged for at a rate of N\$543 per hour: Provided that -

- (a) the land surveyor must ensure that the clearing is done as economically and expeditiously as possible;
- (b) whenever practicable, the client must 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 and subregulation 3(b), (m) and (n) of regulation 1, regulations 4, 5, 6, 7, 10 and 11(1) are, in the case of surveys in the registration divisions mentioned in Column 1 below, increased by the percentages mentioned opposite thereto in Column 2 below:

COLUMN 1	COLUMN 2
Registration Division	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, for those pieces of land upon which one or more buildings have been erected, are increased by N\$1260 or 60% of the relevant fees so prescribed, whichever is the lesser.

### Miscellaneous

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

- (a) a fee of N\$771 per hour is 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 is charged in accordance with such tariff, but such fee shall not exceed N\$771 per hour;
- (b) the following costs must be recovered:
  - (i) N\$8.39 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 or labourers necessarily employed for the work in question is charged;
- (d) a fee per day or part thereof is charged for appropriate equipment employed for the work and is 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 Value of Equipment	Current Prime Commercial Lending Rates				
	10%	15%	20%	25%	30%
Daily Rates					
	N\$	N\$	N\$	N\$	N\$
0	0	0	0	0	0
5000	22	24	27	29	32
10000	44	48	53	58	64
15000	66	73	80	87	95
20000	88	97	106	117	127
25000	110	121	133	146	159
30000	131	145	160	175	191
35000	153	169	186	204	222
40000	175	194	213	233	254
45000	197	218	240	262	286
50000	219	242	266	291	318,
55000	241	266	293	320	349
60000	263	291	319	350	381
65000	285	315	346	379	413
70000	307	339	373	408	445
75000	329	363	399	437	476
80000	351	387	426	466	508
85000	373	412	452	495	540
90000	394	436	479	524	572
95000	416	460	506	553	603
100000	438	484	532	583	635
105000	460	508	559	612	667
110000	482	533	586	641	699
115000	504	557	612	670	730
120000	526	581	639	699	762
125000	548	605	665	728	794
130000	570	630	692	757	826
135000	592	654	719	787	858
140000	614	678	745	816	889

145000	636	702	772	845	921
150000	657	726	798	874	953
155000	679	751	825	903	985
160000	701	775	852	932	1016
165000	723	799	878	961	1048
170000	745	823	905	990	1080
175000	767	847	932	1020	1112
180000	789	872	958	1049	1143
185000	811	896	985	1078	1175
190000	833	920	1011	1107	1207
195000	855	944	1038	1136	1239
200000	877	968	1065	1165	1270
205000	899	993	1091	1194	1302
210000	920	1017	1118	1223	1334
215000	942	1041	1144	1253	1366
220000	964	1065	1171	1282	1397
225000	986	1090	1198	1311	1429
230000	1008	1114	1224	1340	1461
235000	1030	1138	1251	1369	1493
240000	1052	1162	1278	1398	1524
245000	1074	1186	1304	1427	1556
250000	1096	1211	1331	1456	1588
255000	1118	1235	1357	1486	1620
260000	1140	1259	1384	1515	1651
265000	1161	1283	1411	1544	1683
270000	1183	1307	1437	1573	1715
275000	1205	1332	1464	1602	1747
280000	1227	1356	1490	1631	1779
285000	1249	1380	1517	1660	1810
290000	1271	1404	1544	1690	1842
295000	1293	1429	1570	1719	1874
300000	1315	1453	1597	1748	1906
305000	1337	1477	1624	1777	1937
310000	1359	1501	1650	1806	1969
315000	1381	1525	1677	1835	2001
320000	1403	1550	1703	1864	2033
325000	1424	1574	1730	1893	2064
330000	1446	1598	1757	1923	2096
335000	1468	1622	1783	1952	2128
340000	1490	1646	1810	1981	2160
345000	1512	1671	1836	2010	2191
350000	1534	1695	1863	2039	2223