

COMMUNIQUE

MINISTRY OF HOUSING AND LANDS

CADASTRAL SURVEY ACT 2011

As per **Proclamation No. 26 of 2013** the following additional sections of the Cadastral Survey Act 2011 have been proclaimed: Sections **3(2)(b) of Part I, 8 to 11, 12(3)(a), 13 and 14 of Part III, 17, 18, 19(1)(d), 22(1), (2), (3), (4)(b), (4)(c), (6) to (8) of Part IV**. These sections provide for the conduct of land surveys and among others repeal **sections 9 to 18 of the Land Surveyors Act** and will take effect as from **1st July 2013**.

Furthermore, **Proclamation No. 27 of 2013** provides for the application of certain sections of the Cadastral Survey Act 2011 to Rodrigues.

Concurrently, the following Regulations made under the Cadastral Survey Act 2011 will be effective as from **1st July 2013**:

SN	Regulation	
1	Cadastral Survey(Land Surveys) Regulations 2013	GN No. 119 of 2013
2	Cadastral Survey (Land Surveys in Rodrigues) Regulations 2013	GN No. 120 of 2013
3	Cadastral Land Survey (Registration of Memorandum of Survey and Survey report in Rodrigues) Regulations 2013	GN No. 121 of 2013

Appropriate actions required by Stakeholders are as follows:

1. Cadastre Unit

- Process PIN applications
 - Application forms to be correctly filled in
 - Accompanying plans to be in conformity with the Cadastral Survey Act 2011

NB: On-line applications will be available as from January 2014.

2. Surveyors

- PIN will be mandatory in all Survey Reports/Memorandum of Survey/ Division in Kind (DK) prior to registration and also in all Site Plans drawn up in accordance with the provision of the "Registration Duty (Site Plan) Regulations 1991".
- The PIN certificate reference (PCR No.) should be included in all Survey Reports/ Memorandum of Survey/ Division in Kind (DK) and Site plans.
- Survey Reports/ Memorandum of Survey/ Division in Kind (DK) and Site plans should be drawn up as per the Cadastral Survey Act 2011.
- The prescribed geodetic datum and coordinate systems are as follows (Regulations 16 and 17 of GN No. 119 of 2013:
 - Geocentric Datum of Mauritius – GDM 2008
 - Map Grid of Mauritius 2008 - MGM2008
 - Local Grid Mauritius 2012 – LGM 2012
- List of Control Points (Primary and Secondary Networks) in the above datum has been published.

- The following surveys should be referenced in the above prescribed datum and coordinates systems:
 - land acquisition by Government;
 - subdivision among heirs or morcellement into ten (10) or more lots per site;
 - land prescription;
 - all State land surveys; and
 - any plot of land of the extent and type as may be specified in Guidelines issued by the Chief Surveyor.

NB: Survey Plans format will be communicated shortly.

3. Notaries/ Attorneys/ Lending Institutions

- PIN should be extracted from Survey Reports/ Memorandum of Survey/ or Site Plans and included in deeds of sale/ charge/ inscription or memorandum of seizure.
- In the case of direct transfer or transactions not subject to registration duties, where there is no LS plans properly identifying the plot of land, it is **strongly advised** that a PIN be requested for.

4. The Registrar General Department

- To ensure that, prior to registration and transcription (as applicable), PIN is included in
 - Survey Reports
 - Memorandum of Survey
 - Division in Kind (DK)
 - Site plans drawn up in accordance with the provision of the “Registration Duty (Site Plan) Regulations 1991”
- To register only **one original** of Survey Report/ Memorandum of Survey.

5. Local Authorities/ Morcellement Boards

- To request developer/ promoter to establish a permanent network of control marks within the site in case of subdivision among heirs or morcellement into ten (10) or more lots per site to a standard acceptable to the Chief Surveyor.
- In that context, the following details should be discussed with and approved by the Cadastral Unit;
 - the number of survey control marks;
 - the locations and type of the survey control marks;
 - control point numbering; and
 - survey method.

We thank you all for your usual collaboration in this endeavor of introducing a parcel based deed registration system which is one of the corner stone of the land administration and management reform objectives of the Government.

**Cadastre Unit
Ministry of Housing and Lands
12.06.2013**