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346 Panorama Avenue
Bathurst NSW 2795

T: (02) 6332 8238

www.bossi.nsw.gov.au

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In accordance with the *Surveying and Spatial Information Regulation 2017* (the Regulation) Part 3, Division 2, Clause 77(1)(f), the Board of Surveying and Spatial Information (BOSSI, the Board) makes the following determination as to what constitutes general or immediate supervision for the purposes of Section 21(3) of the *Surveying and Spatial Information Act 2002* (the Act).

Variations or exemption applications may be considered on application in writing to the Board.

General or Immediate Supervision Determination

1. Background

'*Supervision*' may be defined as the act, process or function of overseeing, directing or managing work, workers or a project. The supervising surveyor takes full responsibility for the work of the supervised person.

A 'supervising surveyor' means a person who is a registered surveyor and supervises the activities of others in order to fulfil legal and professional responsibilities and obligations.

A supervised person may include:

- an unqualified person who acts under the registered surveyor's direction and assists the registered surveyor in the performance of the registered surveyor's legal and professional responsibilities
- a surveyor's assistant
- a student of surveying
- a candidate surveyor
- other such person as the Board may determine from time to time

A supervised person is a 'worker' as defined in the *Work Health and Safety Act 2011*.

In the land and mining survey context, a supervising surveyor has an important role in guiding the training of future professionals, and also has certain obligations in undertaking the preparation and instruction of any supervised person.

A supervising surveyor must provide appropriate direction to employed persons. Supervision, in terms of the Act and the Regulation, may be through the exercise of 'general supervision' and/or 'immediate supervision' both in the office environment and in the field.

Supervising Surveyors supervising candidates in relation to BOSSI's examinations should refer to the mentoring of candidates in BOSSI's Board Examinations Determination for further information regards their obligations.

This determination is intended to provide guidance to supervising surveyors regarding their role and responsibilities in relation to the supervision of persons.

2. Objectives of supervision of persons by registered surveyors

The supervising surveyor is responsible for ensuring that the supervised person is aware of the importance of the surveyor's role in the following:

- Maintaining the integrity of the cadastre and the high quality of surveys
- Providing professional and high-quality services to the public
- Producing a high-quality survey product prepared in accordance with regulatory requirements

- Ensuring that work is undertaken in a safe and responsible manner pursuant to the *Work Health and Safety Act 2011* and in accordance with other relevant legislation
- A continuing professional responsibility to the wider survey profession

3. Levels of supervision – ‘immediate’ and ‘general’

A supervising surveyor is solely responsible for surveys carried out under their supervision.

A supervising surveyor owes a duty of care in regard to the health and safety at work of the supervised person. This is particularly relevant with respect to a supervised person in the field, even if the supervising surveyor is not present in the field with the supervised person. The supervising surveyor must ensure the provision of information, instruction, training and supervision to the supervised person that is needed for them to work without risks to their health and safety and that of others around them.

A supervising surveyor should exercise a standard of supervision that will ensure the survey reflects their professional responsibilities and complies with relevant legislation.

The extent of supervision required will vary according to the experience, skills and ethics of the supervised person. It is a matter for the supervising surveyor in the circumstances relating to each individual supervised person and each individual project as to the level of oversight required. The supervising surveyor must be confident that the supervised person is capable of carrying out their role at the required level of ability.

For different projects, the same supervised person may require general supervision in one task and immediate supervision in another. The supervising surveyor is responsible for correctly and appropriately allocating or assigning tasks commensurate with the abilities of the supervised person and providing the appropriate level of supervision for each task. In particular, for students of surveying and candidates, this involves an exposure to a broad range of surveys and experience to appropriately prepare them for their future role as a professional surveyor.

The Act refers to ‘immediate’ and ‘general’ supervision.

The information in the following sections is provided for guidance only and is not intended to be an exhaustive list of matters which may be considered by a supervising surveyor in the exercise of the role.

4. Immediate supervision

In relation to immediate supervision, the supervising surveyor is expected to have a significant level of involvement with the supervised person. This involves but is not necessarily restricted to the following;

- Briefing the supervised person on the purpose and details of their required duties before the supervised person commences their involvement with the survey and associated tasks
- Consultation with the supervised person in regard to the identification and resolution of work health and safety risks in the workplace
- Accompanying the supervised person on site as deemed necessary, particularly at the early stage of the supervised person’s training
- Being present on sufficient occasions to ensure that the supervised person’s questions and issues are able to be addressed expeditiously
- Inspecting the marking and physical aspects of the survey and associated tasks, including but not limited to the field notes, closes, etc.

- Upon completion of work, effecting checks and verification of the supervised persons work as to be confident of the quality and accuracy of the work product supplied. Again, it is noted that the supervising surveyor is solely responsible for the correctness of the surveys undertaken by a supervised person under their supervision and direction
- Discussing all aspects of the survey at the completion of their work

It is a matter for the supervising surveyor to determine on the circumstances of each case when this level or frequency of 'immediate' supervision should be reduced, taking into consideration the demonstrated ability of the supervised person to plan and implement their work program including addressing work health and safety risks and undertaking a leadership role in undertaking the survey.

5. General Supervision

In relation to general supervision, the supervising surveyor continues to be wholly responsible for the work of the supervised person. However, the level of oversight and review is reduced, as compared to immediate supervision, reflecting the supervising surveyor's professional assessment of the knowledge, skill and competency of the supervised person in undertaking the task.

General supervision may involve the following:

- Instruction on the requirements for, and any unusual or difficult aspects of the survey and associated tasks and possible methods of approach, especially if new procedures are involved
- Consultation with the supervised person in regard to the identification and resolution of work health and safety risks in the workplace
- Progress checks of the unusual or complex features of the survey task
- A detailed and comprehensive review of the assignment on completion

Regardless of what level of supervision is exercised, the supervising surveyor should be aware of any risks or circumstances which may not be evident from office examination and deliberations. This may require the supervising surveyor to visit the site.

6. Supervision in the office and in the field

Whether the supervised person is working in the office or the field, it is the role of the supervising surveyor to ensure that the supervised person is appropriately supervised. Any deficiencies in their skills, the quality of their work product, and professionalism (particularly in relation to clients) should be addressed and rectified. The supervising surveyor takes full responsibility for the work of the supervised person undertaken in the course of their supervision.

During the course of their employment, supervised persons should be exposed to a variety of surveys including complex and challenging situations through which they can gain a wide range of experience.

In addition, a supervising surveyor should impress upon the supervised person the importance of:

- Professional presentation and ethical conduct, through both example and instruction, and
- Adherence to, and maintenance of, safe work methods, practices and procedures in the field and in the office environment.

7. Power of entry

Section 18 of the Act provides that a registered surveyor has a power of entry onto land '*together with his or her assistants*'.

Section 26 of the Act provides that, at all times, a person must carry and produce on demand a certificate of authority when exercising power of entry. This Certificate of Authority is issued to registered surveyors or persons authorised by the Surveyor General, in accordance with the Regulation.

An unaccompanied supervised person **does not** have a power of entry under the Act.

In all circumstances where power of entry is exercised, the occupier must be given notice in accordance with Clause 88 of the Regulation. Without this notice, entry onto land may be regarded as trespass.

Power of entry is limited to being for the purpose of carrying out any land or mining survey. Both of these terms are defined in the [dictionary](#) of the Act.

Power of entry is intended to be used only when entry has been refused to the land by the owner or occupier of the land. Power of entry enables surveyors to undertake specific tasks as outlined in the Act. It is not a general right of entry onto land.

Where a surveyor requires entry onto land for any purposes other than a land or mining survey, permission to enter the land must be sought and obtained from the owner or occupier of the land in accordance with civil law.

The Board has published [Power of entry under the Surveying & Spatial Information Act 2002](#) on the BOSSI website to help guide people through the legislation and process.