

Appropriate regulation for enhancing global practice of civil engineering

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Why appropriate regulation is needed? (I)

- Deactivate regional 'reckless' initiatives towards deregulating a profession with justifiable overriding reasons of general interest.
- Ensure a stable framework as primary requisite to implement extra-regional professional mobility under the coverage of WTO's rules or current and future Free Trade Agreements - FTAs
- Identify potential enhancements and procedure streamlining for the current recognition procedures under FTAs in place.

Why appropriate regulation is needed? (II)

- The mechanisms of professional mobility require the active participation of professional chambers as current custodians of public trust.
- National or regional regulations will lack applicability without the committed participation of professional chambers, its opinions' concurrent with the regional professional organizations' - European Council of Civil Engineers, Unión Panamericana de Asociaciones de Ingeniería, together with other interested parties in its debate, implementation and operation.
- Any new regulation on professional issues should be discussed and agreed upon after a thorough evaluation, taking into account intraregional and interregional mobility.

Why appropriate regulation is needed? (III)

- Regional or Global regulations should provide a balanced framework as a primary requirement to implement extra-community professional mobility under the coverage of the current and future Free Trade Agreements of the (FTA).
- All professional recognition regulations in civil engineering should take into account the specific characteristics of this professional sector oriented to public service and highly qualified, with a duty of care towards all users of any infrastructure or public service.

EU Free Trade Agreements in force

- EU-Canada Comprehensive and Economic Trade Agreement
 - Its Chapter 11 creates a framework that would allow Canada to recognise professional qualifications earned in the EU, and vice versa. This would mean professionals on both sides of the Atlantic could practise in each other's territory. CETA leaves it to the relevant authorities or professional bodies in both the EU and Canada to negotiate a proposal on so-called mutual recognition that can then be integrated into CETA.
Professional practice of civil engineering is regulated in Canada through Professional Engineering provincial licensure bodies coordinated under Engineers Canada.
- EU-Mexico Global Agreement
 - EU-CELAC (Community of Latin American and Caribbean States) Summit of 2013 the EU and Mexico agreed to check how to update to the Global Agreement signed back in 2001.
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EU FTAs in force or in negotiation

- EU Australia Partnership
 - Currently being negotiated, EU-Australia would create a framework that would allow Australia to recognise professional qualifications earned in the EU, and vice versa. This would mean professionals on Asia Pacific and EU could practice in each other's territory. TTIP leaves it to the relevant authorities or professional bodies in both the EU and Australia to negotiate a proposal on so-called mutual recognition.
- The Mercosur Free Trade Agreement
- Currently in negotiation, this FTA would provide EU professionals practice in the 6 MERCOSUR countries and vice versa.

Professional practice of civil engineering is regulated in MERCOSUR countries through their respective competent authorities and professional mobility within MERCOSUR is addressed by an specific mobility frame called COMISION DE INTEGRACIÓN DE LA AGRIMENSURA, AGRONOMÍA, ARQUITECTURA, GEOLOGÍA E INGENIERÍA PARA EL MERCOSUR - CIAM

Potential Enhancements to professional mobility (I)

- Professional practice monitoring
 - Professional practice monitoring should be a must regarding professional mobility. Non communication of professional malpractice to monitoring authorities entail negligence by all the stakeholders in the process. Current wording sidelines national registration providing access to the framework by non-registered professionals. Non-registration would entail risks of practice provided by professionals with forbidden or restricted country in their original country or professional returning to their home country once restricted in another host country.
 - Professional chambers role within the EU regulation framework..

Potential Enhancements to professional mobility (II)

- Liability requirements
 - Corresponding liability requirements for health professions should be applicable to civil engineering; cross-border services should require proof of license certificate for professional practice but also proof of liability insurance. Otherwise, not covering such requisites, will provide a breach of recognized professionals who may not be compliant to professional liability according to destination country's rules, an issue which would not happen if requesting cross-border services temporary licensure.

Potential Enhancements to professional mobility (III)

- Regulatory framework courses available through FTA
 - FTA authorities must ensure that professionals practicing in other regions are fully aware of their entitlements, obligations and professional liabilities as well basic regulatory matters regarding the profession. Such courses should be provided by professional chambers on behalf of the above mentioned authorities.

Potential Enhancements to professional mobility (IV)

- Involving Professional chambers in cross-border services
 - The involvement of professional chambers, even when they do not hold competent authority status, should be a must regarding in order to streamline both cross-border services and free establishment procedures. Such involvement would reduce costs and will commit professional chambers in bringing awareness of the existing procedures to registered professional practicing civil engineering “under the radar”.

Thank you

CONTRIBUTIONS WILL BE ALWAYS WELCOME!!!!

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