

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

– Developing a Concept Tailored for the Surveying Profession

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SUMMARY

The paper aims to develop a general understanding of the nature of Mutual Recognition, the challenges we are facing, and the benefits for the world wide surveying community by adopting a FIG policy in this area. The FIG Task Force on Mutual Recognition should be seen as a respond to the globalisation of surveying services, and to the pressures being generated by the WTO agenda which provides a framework for free trade in professional services.

The paper presents a methodology for assessment of professional competence tailored for the surveying profession. The principles and responsibilities are identified and the role of the national surveying organisations is highlighted as the key driver in the process. The final report of the Task Force on Mutual Recognition of Professional Competence will be presented for adoption at the FIG Congress in Washington 2001. This paper presents the key issues to form the FIG approach in this area.

INTRODUCTION

Mutual recognition is perceived by the European Commission as a device for securing the free movement of professionals within the single market place of the EU. For the WTO, the aim is the global marketplace for services, using the process of mutual recognition of qualifications. With these external pressures on surveying professional organisations, it is important that information is available to understand, firstly, how surveyors in different countries acquire their professional qualifications and secondly, the process by which their professional competence is assessed.

The paper will present the approach taken by the Task Force to develop a FIG concept on Mutual Recognition tailored for the surveying profession. The approach is in line with the pressures generated by the WTO, which provides a general framework for free trade in professional services.

The suggested approach is, however, pragmatic by nature. It draws from the common professional identity of the surveying community. Also, it allows each country to retain its own kind of professional education and training because it is based not on the process of achieving professional qualifications but on the nature and quality of the outcome of that process.

THE NATURE OF MUTUAL RECOGNITION

Mutual recognition is a device which allows a qualified surveyor who seeks to work in another country to acquire the same title as that held by surveyors who have qualified in that country, without having to re-qualify.

Mutual recognition is, therefore, a process which allows the qualifications gained in one country (the home country) to be recognised in another country (the host country).

To understand the nature of mutual recognition it is useful to look at the different working situations:

1. Recognition does not relate to the situation of “getting a job”. In general, employment is a matter between the employer and the employee. Getting a work permit in another country may be restricted by national regulations of immigration, but that has nothing to do with recognition of professional qualifications.
2. Recognition may, however, relate to the situation where a foreign employee wants to become a member of the professional organisation in the host country, and thereby enjoy the benefits of being recognised as an equal professional and sharing the same rights e.g. with regard to salary agreements, etc.
3. Recognition becomes even more important when a professional wants to practise – e.g. setting up a company – in the host country. Recognition of professional competence may then represent a vital competitive element in terms of marketing services to the clients.
4. Finally, recognition becomes crucial when a professional wants to practise within a licensed area (typically cadastral surveys) in the host country. The license may be granted by a state agency or by a professional body. In any case, however, the recognition will represent the key itself for working in the regulated area.

Mutual Recognition this way is a device for facilitating an efficient global working place for surveying services. It is a device that WTO has approved to secure globalisation. There are various models currently in use by the surveying organisations to achieve this, including bilateral reciprocity agreement and, as in the EU, a legislative framework.

With these external pressures on surveying professional organisations, it is important that information is available to understand, firstly, how surveyors in different countries acquire their professional qualifications and secondly, the process by which their professional competence is assessed.

The principle has been established and we have the chance to develop a framework that suits the surveying profession. We should take it.

WHY IS IT IMPORTANT?

Globalisation of services is a topical issue and it is on the very top of the international agenda. We need to respond to this challenge and devise the means to ensure global free movement, so that the process reflects the requirements of the surveyor. However, in order to work anywhere in the world, we need to be sure that our professional qualifications will be recognised globally and, to date, that is not happening. Until we have total freedom to practice world wide, and that means recognition of our qualifications by other governments, professional bodies and by international clients, surveyors are not going to be in a position to respond to the global challenge.

There is no doubt that the market for the services of surveyors is worldwide. There is no human activity, which does not involve the use of land, in its broadest sense, and, increasingly, our clients have international interests. Pressure is also being generated by the WTO, which provides the framework for free trade in professional services and surveying, as a profession needs to respond. The FIG task force on Mutual Recognition of Qualifications should be seen as such a respond to globalisation of surveying services.

It is argued that mutual recognition of qualifications is the best process to be adopted if the free movement of professionals is to be achieved efficiently and effectively. This should be undertaken at the level of professional institutions. It should not be introduced with the force of government. The whole process should be underpinned by efficient communication between organisations which recognise both the areas of professional activities undertaken by their members and the quality of the output of each of these organisations' professional qualifications.

The task force aims to review the concept of mutual recognition of qualifications within the world wide surveying community and to develop a framework for introduction of standards of global professional competence in this area.

HOW DOES IT WORK?

The principle of mutual recognition of professional qualifications requires certain pre-conditions as described by WTO when introducing the disciplines applied for the accountancy sector (WTO, 1997):

- degree-level entry to the profession in both countries;
- appropriate regulation of the profession in the “host” country;
- a corresponding profession i.e. where a substantial number of professional activities practised in the “home” country comprise the profession as practised in the “host” country;
- an adaptation mechanism to make up for any deficiencies in the content and scope of the professional education and training of migrants; and
- A willingness on the part of the host country and its bodies which award professional qualifications/licenses to accept the principle of mutual recognition, to respect the quality of professional education and training in other countries and to trust the professionalism of migrants.

These principles may be seen as an implementation of the GATS (Article VI: 4) that seek to ensure:..... That measures relating to qualification requirements and procedures, technical standards and licensing requirements do not constitute unnecessary barriers to trade in services...“ and, to this end, the Council for Trade in Services shall develop ‘disciplines’ “.... to ensure that such requirements are:

- based on objective and transparent criteria, such as competence and the ability to supply the service;
- not more burdensome than necessary to ensure the quality of the service;
- In the case of licensing procedures, not in themselves a restriction on the supply of the service”. (Honeck, 1999 pp. 1-2).

Mutual recognition agreements are identified as the most common way to achieve mutual recognition of qualifications, allowing for the reconciliation of “. . . differences in education, examination standards, experience requirements, regulatory influence and various other matters, all of which make implementing recognition on a multilateral basis extremely difficult.” (WTO, 1997). Bi-lateral mutual recognition agreements are perceived as interim devices until a global system of mutual recognition of qualifications based on the above Article can be achieved by the imposition by law of a series of ‘disciplines’ which will apply to all professions.

ADVANTAGES OF REGULATORY DISCIPLINES

There is value in creating regulatory disciplines in professional services because they help ensure greater transparency, predictability and irreversibility of policies both for trading partners and domestic producers. By providing greater opportunity for domestic users to obtain world-class services at internationally competitive prices, regulatory disciplines have the potential for enhancing domestic productivity and efficiency, as well as increasing the scope and quality of services locally available.

For small- and medium-sized firms in both developing and developed countries, regulatory disciplines would help to ease and expand their cross-border trade, they will be able to form regional networks and thereby expand their activities and improve their ability to compete locally with larger international firms. The creation of disciplines will accelerate international regulatory harmonisation.

In turn, the concept of mutual recognition should lead to enhancement of professional competence based on the need for adapting to professional standards and codes of conduct adopted in different countries.

THE FIG APPROACH

There is an attraction in developing and extending the principle of mutual recognition of professional qualifications. Mutual recognition allows each country to retain its own kind of professional education and training because it is based, not on the process of achieving professional qualifications, but on the nature and quality of the outcome of that process.

Mutual recognition assumes an appropriate process of pre-qualification education and training and encourages dialogue between professional organisations in each country in order to investigate the nature of the professional activities, the professional qualifications, and the details of pre- and post-qualification education and training. It therefore concentrates, not on the process of qualification, but on the outcome of that process.

In principle, it does not matter how individuals become qualified in their own country; the important fact is that they ARE qualified. It is suggested that this concentration, not on the process of qualification, but on the outcome of the process of qualification is one, which should be emulated by surveyors in the system, which they adopt. In turn, this should lead to an enhancement of the global professional competence of the surveying profession.

The Task Force recommends that this rather pragmatic approach be applied as a general principle for developing a methodology suitable for the surveying profession.

A METHODOLOGY TO ASSESS PROFESSIONAL COMPETENCE

The applicant is of course a fully qualified professional in the home country where the professional qualification was gained. However, it is that individual's competence to work in another country (the host country) which needs to be assessed.

Thus, for the purposes of facilitating professional mobility, it is necessary to recognise and accept the professional status and the competence of the applicant in the home country. For the professional organisation in the host country it is necessary merely to ensure that the applicant is competent to undertake surveying, as practised in that host country. It must be ensured that the applicant is fully aware of and has adapted to the nature and practice of the surveying profession in the host country.

It is therefore necessary for the professional organisation in the host country to establish the nature and level of professional competencies within a range of surveying activities required of a fully-qualified professional in the host country and to assess the applicant against that content and standard of professional competence.

The pre-conditions for managing this process of mutual recognition are as follows:

- An individual must be professional qualified in the home country
- A similar profession must exist in the host country
- A representing organisation must exist in the host country
- Political will must be available to support the process

The process of assessment of professional competence must reflect:

- The nature of the profession in the host country (threshold standards of professional competence)
- The nature of the professional education and training of the surveyor (applicant) up to the point of application
- The professional status of the surveyor (applicant) up to point of application.

A concept tailored for the surveying profession should of course be based on the common professional identity of the surveying community. The surveying profession is sharing a “common culture” and a common educational base. The problems that the programmes are designed to solve are basically the same even if the solutions may be different responding to national societal needs. This “surveying culture” should then be reflected when identifying the threshold standards of professional competence to be fulfilled by the applicant. Once such threshold standards are established, the process of assessing the professional status and competence of an applicant is basically administrative.

SURVEYING ACTIVITIES AND SURVEYING PROFESSIONS

Surveying, as a profession, has developed in different ways and encompassing different surveying activities in different countries, in order to reflect the national needs, which have developed over time. The universal definition of “surveyor” (FIG 1991) is capable of being up-dated to reflect changes in the evolving nature of our professional practices and skills. While a similar range of surveying activities may be undertaken in different countries, there may be differences between the way these activities are grouped as a recognised "profession".

In general, the professional activities are diverse and some activities, which are performed by surveyors in some countries, are denied to surveyors in other countries. Also, some surveying activities are regulated in some countries while not regulated in other countries. Furthermore, there may be a greater need for particular kinds of surveying skills in some countries compared to others. This is proved e.g. in the report on “Enhancing Professional Competencies of the European Surveyors” where major differences were demonstrated in the content and structure of the surveying programmes as well as the professions throughout Europe (Enemark and Prendergast 2001).

The implications of the EU directive and the WTO proposals are, however, that it does not matter **how** individuals achieve professional status, the important point is that they **have** achieved professional status. The only reason to investigate the nature and content of their pre-qualification process is to identify any discrepancy between the professional education and training of the “migrant” with that required of a newly-qualified surveyor in the host country and therefore to establish an adaptation mechanism to make good the deficiency.

In the light of the terms of the EU directive and the implications of the WTO proposals, the ability of surveying professionals to work in other countries must depend on:

- The existence of a “corresponding profession” i.e. the extent to which the academic education and professional training and experience gained in their "home" country matches the surveying activities comprised in the surveying profession in the "host" country to which they seek access; and
- The amount of additional academic and/or professional education, training and experience which they require to demonstrate competence in the range of surveying

activities comprised in the surveying profession in the "host" country to which they seek access.

On this basis, it is necessary for the surveying professional organisations in each country to identify which surveying activities are comprised within their surveying professions. By comparing such a list of surveying activities with those of which the surveying applicant is qualified and experienced, any lacking competence of the applicant can be identified. Such deficiencies can (e.g. as stated in the EU Directive) be remedied by either by an aptitude test (examination) or a period of supervised work experience.

PROFESSIONAL COMPETENCE

Effectively, what is required by the WTO disciplines as well the EU directive is an assessment of the professional competence of an applicant (called a "migrant" in the EU Directive). According to the current interpretation of the Directive, the standard against which that professional competence should be assessed is that required of a newly qualified surveyor in the host member country. This, however, may cause great difficulties. The Task Force recommends that this interpretation be changed to follow the more pragmatic approach as presented in this paper.

Despite the fact that professional competence of the surveyor is fundamental to the ability to practice freely across national boundaries, it is interesting to consider certain characteristics of the surveyor as an individual. It should also be noted that the definition of a surveyor (FIG, 1991) starts by identifying the surveyors as "..... A professional person with the academic qualifications and technical expertise to practise the science of measurement; to assemble and assess land and geographic related information; to use that information for the purpose of..."

"Professional competence" is, however, extremely hard to define, although it is something with which all surveyors are familiar. It is suggested (Kennie *et. al.*, 2000) that for newly-qualified surveyors "professional competence" combines knowledge competence, cognitive competence and business competence with a central core of ethical and/or personal behaviour competence:

- *knowledge competence*: defined as "the possession of appropriate technical and/or business knowledge and the ability to apply this in practice";
- *cognitive competence*: defined as "the abilities to solve using high level thinking skills technical and/or business related problems effectively to produce specific outcomes;
- *business competence*: defined as "the abilities to understand the wider business context within which the candidate is practising and to manage client expectations in a pro-active manner"; and
- *Ethical and/or personal behavioural competence*: which is the core to the other three parts; defined as "the possession of appropriate personal and professional values and behaviours and the ability to make sound judgements when confronted with ethical dilemmas in a professional context.

The model above recognises that different areas of surveying practice tend to place different weighting on these elements, thus for some areas of surveying practice, business competence may be a larger or smaller component of the whole. However, the ethical and/or personal behavioural competence is identified as a vital component, which can also be defined as the defining characteristic of a true “professional” with all that entails.

What is ignored within the current interpretation of the EU Directive is the fact that the individual being assessed for this purpose is both a professional in the country which awarded the original surveying qualification and a practitioner. The Directive does not recognise the elements of specialisation or expertise, which an applicant may have developed over a number of years practice. It is, therefore, suggested that a pragmatic approach should be taken which ensures that the applicant can demonstrate the adaptation of existing surveying skills to a new working environment. This should include adaptation of new ethics and codes of practice, together with a broad understanding of the other surveying activities that affect the profession in the host country.

It is suggested that it should be for the professional organisation in the home country to assure other professional organisations of the professional standing of applicants (migrants). This should include such matters as the nature of the surveying profession pursued by the applicant and their component activities, and the level of the applicant's professional qualification in the home country.

Once this has been done, it is not for the professional organisation in the host country to challenge the status and professional integrity of the applicant. Their role is merely to assess that professional status against an objective list of threshold standards for the home country, including that the individual presumably is prepared to observe the professional ethics and codes of practice it requires.

THE ROLE OF PROFESSIONAL ORGANISATIONS

There is a major role for the professional organisations, which award surveyors their surveying qualifications in the process of mutual recognition. It is recognised that there are different roles undertaken by professional organisations. For the purposes of this Task Force, the term "professional organisations" is defined by their functions rather than by their names. “Professional organisations” then means organisations at country or sub-state level which:

- award professional qualifications; and/or
- award practising licenses; and/or
- regulate the conduct and competence of surveyors; and/or
- Represent surveyors and their interests to external bodies including national governments.

By using this definition, some countries may have more than one “professional organisation”. For example, in Denmark, cadastral surveying can only be undertaken by surveyors who have a masters-level diploma (bac + 5), who have undertaken three years of relevant professional work experience and who have then been granted a license by

the National Survey and Cadastre (under the Ministry of Housing) (Enemark, 2001). In the United Kingdom (UK), The Royal Institution of Chartered Surveyors (RICS) assesses the quality of academic education through its system of accrediting diplomas (bac + 3), and implements a system of assessing relevant professional work experience (there is no licensing system for surveyors in the UK).

In order to achieve the free movement of professionals, judgements need to be made on the nature of the individual's professional qualification and experience which is gained in the home country in the light of the nature of the profession as practised in the host country.

The organisation to which the individual applies for recognition in the host country needs sufficient information, firstly, to recognise the nature, scope and quality of the professional qualification held by the individual and, secondly, to verify its accuracy. This requires a high level of effective and efficient communication from the professional organisation in the home country to the professional organisation in the host country, which includes:

- details of the professional qualification held;
- details of the nature of the particular surveying profession to which the individual's professional qualification gives access; and
- Confirmation of the status of the individual's qualification (e.g. membership level, outstanding fees, expulsion from the organisation).

Ideally, this could be based on a simple questionnaire. Each professional organisation should also have a procedure which requests and deals with request for the above information as a basis for processing applicant's request for mutual recognition, in an efficient and effective manner.

Ultimately, it will be for the professional organisation to establish what, if any, additional professional education and/or training is necessary before a particular applicant is able to practice within the host country in the light of the threshold standards applied.

The role of professional organisations is vital if free movement of professionals through the mutual recognition of qualifications is to be achieved.

BARRIERS AND HURDLES TO IMPLEMENTATION

There are major issues of principle (not the least of which is that of mutual recognition itself) which professional organisations on behalf of their own countries need to embrace and embrace with commitment. However, professional associations are frequently held back by bureaucracy and by potential conflict of views between ministry rules with which professional organisations do not always agree. Thus appropriate ministries should be included in any discussions on mutual recognition processes.

There are, however, a number of principles which should be observed, and these include the absence of any form of discrimination against any individual surveyor simply because qualification has been earned in another country. Indeed, this is stated within

the WTO disciplines proposed (WTO, 1997 and 1998a). Assuming that the professional organisations which represent surveyors and which monitor their qualifications fulfil their responsibilities fairly and professionally, there should be little problem in administering the process of mutual recognition of qualifications.

Similarly, it will be necessary to ensure that practising licenses, are awarded solely on the basis of professional competence to practice in that country and not on any basis which discriminates against those who are professionally training and experienced in another country.

However, it is recognised that we are all products (to a greater or lesser extent) of our national and professional backgrounds and the various cultural influences, which affect how we work and why we undertake our professional activities in the way we do. In order to achieve any kind of dialogue, these differences, particularly those in professional practice, and those which affect inter-personal relationships, need to be investigated, understood and respected.

The most obvious barrier to the free movement of surveyors is language. However, this is a barrier, which can be overcome. Access to learning different languages is normally dependent on individual efforts, and, initially, on the national primary and secondary education systems, which can provide either a very positive or rather negative lead. Language skills are of course vitally important to permit international communication and genuine understanding of the rich variety of professional and personal life-styles. However, there is also the matter of culture which permeates our national or regional societies and which comprises a series of unwritten and often unconscious rules of conduct, professional practice and of perceiving relationships. Failure to understand and observe the cultural norms of other people can result in confusion, hurt and, at worse, perceived insult. There is evidence that culture divides us, both as individuals (as the products of our nation's upbringing) and also as surveyors (as the products of our professional background).

In order to ensure the mutual recognition of professional qualifications, cultural differences need to be recognised in order to understand and accept that surveyors in different countries have different perceptions as to the nature of professional practice and the routes to professional qualifications.

Overall, ignorance and fear are of course the main barriers, which may hinder mutual recognition at a worldwide scale. However, with improved communication and understanding these barriers should disappear.

FIG POLICY STATEMENT

The Task Force recommends that the Bureau at its meeting in Seoul 2001 adopt a policy statement on Mutual Recognition to be included in the final report. A draft for the contents of the final report is presented in the appendix to this paper. The final report will be presented for adoption at the FIG Congress in Washington, 2002. The draft for a FIG Policy Statement on Mutual recognition reads as follows:

“The International Federation of Surveyors (FIG) recognises the importance of free movement of surveyors in a global marketplace. The mutual recognition of professional qualifications provides a means whereby professional qualifications held by individual surveyors can be recognised by individual professional organisations as comparable to those acquired by their own national surveyors.

FIG will promote the principle of mutual recognition of professional qualifications by:

- Encouraging communication between professional organisations to ensure a better understanding of how surveyors acquire their professional qualifications in different countries;
- Developing with professional organisations a methodology for implementing mutual recognition for surveyors;
- Supporting professional organisations where difficulties are identified in achieving mutual recognition, and encouraging debate at national government level in order to remove such difficulties;
- Working with external organisations (such as the WTO) in order to achieve mutual recognition in both principle and practice of professional qualifications for surveyors world-wide.”

FINAL REMARKS

Mutual recognition does not require any country to change the way its surveyors become qualified - either in terms of the process or the standards, which should be achieved. It does, however, require that we recognise qualifications gained from other countries using other processes.

It is not the process, which is tested, nor should it be. It is the quality of the outcome of the process, measured against objective national criteria (threshold standards) which determines whether a surveyor has achieved the appropriate professional education and experience in the “home country” to be recognised in the “host country”.

There are a number of barriers, which hinder mutual recognition at a worldwide scale. Language, national customs and cultures are, however, not true barriers to mutual recognition. Ignorance and fear are the main barriers and yet with improved communication and understanding, these should disappear.

Surveyors have professional skills which are vital for the success of the global marketplace. We need to communicate effectively in order to develop an understanding of the processes and benefits on which mutual recognition can be based. The work of the Task Force has contributed to and furthered the debate.

The principle of mutual recognition has been established and we have the chance to adopt a framework that suits the surveying profession. We should take it.

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BIOGRAPHICAL NOTE

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APPENDIX: DRAFT CONTENTS OF THE TASK FORCE REPORT

Preamble; ToR

- 1. Mutual recognition – what is it and why is it important**
 - The nature of Mutual recognition
 - Enhancing professional competence
 - Facilitating exchange of professional
 - Improving educational and professional standards
- 2. The principles; How does it work**
 - Bilateral agreements
 - Disciplines (WTO)
 - Directives (EU)
- 3. The role of WTO**
 - Globalisation; GATS
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- 4. Advantages of Regulatory Disciplines**
 - Enhancing domestic productivity
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- 5. The role of FIG**
 - Developing a model suitable for the surveying profession
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- 6. The FIG Way - A Pragmatic Approach**
 - The surveying culture
 - The principle of a corresponding profession
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- 7. Surveying Activities and Surveying Professions**
 - The diversity world wide
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 - Cognitive, technical, business, and ethical competence
- 9. The Role of the Professional Organisations**
 - Representing surveyors; Regulating code of conduct
 - Awarding professional Qualifications and/or practising licenses
 - Providing information for the purpose of Mutual Recognition
- 10. Barriers and Hurdles to Implementation**
 - Fear and Protectionism
 - Language and culture
- 11. FIG Policy Statement on Mutual Recognition**

APPENDIX : Five regional case studies of problems and best practice.

- A. Americas**
- B. Europe**
- C. Australia/Pacific**
- D. Africa**
- E. Asia.**

Structured around six questions:

- How can a surveyor get qualified in another state/country ?
- How is the process organised ?
- What is the criteria used to assess applications ?
- What are the problems in both the process and the principle MR ?
- Are there any policy implications of going from one country/state to another ?
- Is the issue of MR recognised politically – What are the benefits/barriers ?