# ASEAN FRAMEWORK ARRANGEMENT FOR THE MUTUAL RECOGNITION OF SURVEYING QUALIFICATIONS

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam, Member Countries of the Association of South East Asian Nations (hereinafter collectively referred to as "ASEAN" or "ASEAN Member Countries" or singularly as "ASEAN Member Country");

**RECOGNISING** the objectives of ASEAN Framework Agreement on Services (hereinafter referred to as "AFAS"), which are to enhance cooperation in services amongst ASEAN Member Countries in order to improve the efficiency and competitiveness, diversify production capacity and supply and distribution of services of their services suppliers within and outside ASEAN; to eliminate substantially restrictions to trade in services amongst ASEAN Member Countries; and to liberalise trade in services by expanding the depth and scope of liberalisation beyond those undertaken by ASEAN Member Countries under the General Agreement on Trade in Services (hereinafter referred to as "GATS") with the aim to realising a free trade area in services;

**RECOGNISING** that qualifications is an essential component in assuring professional competence and that ASEAN Member Countries have different levels of development of the surveying profession and the regulatory and institutional frameworks, as well as different qualification standards and requirements in each ASEAN Member Country;

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECR...

**NOTING** that Article V of AFAS provides that ASEAN Member Countries may recognise the education or experience obtained, requirements met, or licenses or certifications granted in another ASEAN Member Country, for the purpose of licensing or certification of service suppliers;

**NOTING** the decision of the Bali Concord II adopted at the Ninth ASEAN Summit held in 2003 calling for completion of Mutual Recognition Arrangements (hereinafter referred to as "MRAs" or singularly as "MRA") for qualifications in major professional services by 2008 to facilitate free movement of professional/skilled labour/talents in ASEAN; and

**DESIRING** to provide a framework to facilitate the negotiations of MRAs on surveying qualifications among ASEAN Member Countries as well as to promote the flow of relevant information and the exchange of expertise, experiences and best practices suited to specific needs of ASEAN Member Countries;

**HAVE AGREED** on this ASEAN Framework Arrangement on the Mutual Recognition of Surveying Qualifications (hereinafter referred to as "this Framework Arrangement") as follows:

## ARTICLE I
## OBJECTIVES

The objectives of this Framework Arrangement are:

1.1 To identify the framework and establish the basis for Competent Authorities to observe while negotiating MRAs between or amongst each other to facilitate the mutual recognition and mobility of Surveying Professionals as it is recognised that ASEAN Member Countries may have different nomenclatures and requirements;

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

1.2 To exchange information in order to promote trust and adoption of best practices on surveying standards and qualifications.

## ARTICLE II
## DEFINITIONS

In this Framework Arrangement, unless the context otherwise requires:

2.1 **Assessment or Evaluation** refers to particular processes for reporting or comparison of achievement against core competencies, criteria, standards, or a benchmark adopted by each Competent Authority or body in each of the ASEAN Member Countries.

2.2 **Competent Authority** refers to the designated government regulatory body or its authorised agency in charge of regulating the practice of surveying services and Registered/Licensed Surveyors as listed in **Appendix I**. Any amendment to this list can be made administratively by the ASEAN Member Country concerned and notified by the Secretary-General of ASEAN to all ASEAN Member Countries.

2.3 **Criteria or Standards** refers to a specification and/or mark of quality which a Competent Authority requires to be met.

2.4 **Home Country** refers to the ASEAN Member Country where the Surveying Professional has qualified and recognised by the Competent Authority of that country.

2.5 **Host Country** refers to the ASEAN Member Country where the Competent Authority of that country recognises a Surveying Professional from another ASEAN Member Country.

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

2.6 **Recognition** refers to acceptance by Competent Authorities of compliance with requirements.

2.7 **Registered/Licensed Surveyor** refers to a Surveyor who has been assessed by a Competent Authority as being competent and legally qualified to engage in or provide surveying services within its jurisdiction. It must be recognised that ASEAN Member Countries may have different nomenclatures and requirements.

2.8 **Registration/Licensing** refers to the process of placing on a register those who have met specified requirements within a jurisdiction by a Competent Authority.

2.9 **Surveying Professional** refers to a Surveyor who has the experience or technical expertise that is assessed as meeting the required criteria determined by a Competent Authority. This experience or technical expertise must be acquired over an aggregate of not less than two years.

2.10 **Surveying Services** refers to one or more of the activities, which may occur either on, above or below the surface of the land or the sea and may be carried out in association with other professionals as defined by the International Federation of Surveyors (FIG), as reproduced in **Appendix II**. For the purposes of this Framework Arrangement, items (i), (j) and (k) of Appendix II and part of item (h) of Appendix II namely the study of social environment in the planning of development in urban, rural and regional areas are excluded.

2.11 **Surveyor** refers to a national of an ASEAN Member Country who has satisfactorily completed an undergraduate (degree) education at a university/college/ institution in a recognised surveying program that is assessed as meeting the required criteria in a disci-

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

pline of surveying services determined by a Competent Authority.

## ARTICLE III
## BASIS OF RECOGNITION

### 3.1 Education

The ASEAN Member Countries agree that an applicant who seeks recognition must have met the educational requirements in effect in the Home Country granting the original recognition at the time that such recognition was granted. Such applicant's educational credentials may be assessed by the Host Country and accepted as having satisfied the educational requirements of the Host Country.

### 3.2 Examinations

(a) ASEAN Member Countries recognise that there may be a need to require the applicants to pass an examination or examinations designed to assure that the applicants have satisfactory knowledge of relevant local and national legislation, standards and practices in the Host Country.

(b) ASEAN Member Countries agree that applicants who have been granted recognition by the Competent Authority of the applicant's Home Country may not be required to complete the entire qualifying examination (if any) in order to qualify for recognition in the Host Country, provided that the educational and other professional requirements of the Host Country are met.

CERTIFIED COPY
asean
DEPUTY SECRETARY-GENERAL, THE ASEAN SECRETARIAT

### 3.3 Experience

(a) ASEAN Member Countries agree that the completion of a minimum period of post graduating surveying experience is a requirement for recognition. The amount and nature of experience required must be equivalent to the experience requirement of the Host Country granting the recognition.

(b) If either the amount or nature of the experience acquired by an applicant in the Home Country does not meet the requirements of the Host Country, the applicant may be permitted to complete prescribed experience in the Host Country before being eligible for recognition in the Host Country.

### 3.4 Recognition Process

(a) ASEAN Member Countries shall ensure that any measure it adopts or maintains relating to the recognition, registration or licensing of a Surveying Professional from another ASEAN Member Country is competency-based and readily accessible or published and does not result in any unnecessary delay nor impose inequitable fees, except as may be reasonably necessary to take into account any cost or exchange rate differentials.

(b) ASEAN Member Countries agree that the registration and/or licensing of Surveying Professionals within its jurisdiction shall be subject to her domestic laws, rules, regulations, national policies, standards and requirements.

CERTIFIED COPY
DEPUTY SECRETARY-GENERAL, THE ASEAN SECRETARIAT
asean

### 3.5 Information and Documentation

(a) The Competent Authorities as listed in **Appendix I** shall make publicly available, information on the particular processes for assessing qualifications including its adopted core competencies, criteria, standards or benchmark.

(b) Applicants may request and obtain the necessary information and documentations outlining the particular processes for assessing qualifications, including adopted competency, criteria, standards or benchmarks, from the Competent Authority of the Host Country.

### 3.6 Discipline and Ethics

The ethical behaviour of Surveying Professionals and the practice of professional surveying in each ASEAN Member Country shall be governed by her existing laws, rules, regulations, by-laws and national policies relevant to govern and regulate discipline and ethical behaviour of Surveying Professionals in that jurisdiction.

### 3.7 International Federation of Surveyors Standards and Guidelines

ASEAN Member Countries acknowledge and agree that the basis of recognition requirements shall be in accordance with the spirit of the standards and guidelines set out by International Federation of Surveyors. The professional competencies and qualifications threshold for the practice of surveying in all ASEAN Member Countries shall be established, maintained and upheld by reference to these standards.

CERTIFIED COPY
DEPUTY SECRETARY-GENERAL, THE ASEAN SECRETARIAT
asean

## ARTICLE IV
## RIGHTS TO REGULATE

4.1 MRAs concluded pursuant to Article 5.2.1 shall not reduce, eliminate or modify the rights, powers and authority of each ASEAN Member Country to set and regulate the necessary laws, rules, regulations, national policies, standards, requirements. ASEAN Member Countries shall undertake to exercise their regulatory powers in good faith in line with the objectives of this Framework Arrangement without creating any unnecessary barriers for recognition in favour of their respective Surveying Professionals.

## ARTICLE V
## GENERAL ACTIVITIES

### 5.1 Confidence Building

ASEAN Member Countries and its Competent Authority shall endeavour to:

5.1.1 Promote acceptable international standards, criteria and best practices to facilitate the effective and efficient delivery of surveying services;

5.1.2 Identify and encourage the implementation of best practise for the preparation and assessment of Surveyors intending to practise at the professional level;

5.1.3 Continually exchange information by whatever means considered most appropriate particularly on the adopted assessment/evaluation processes and the adopted competencies, criteria, standards, or benchmark pertaining to the recognition of surveying qualifications; and

CERTIFIED COPY
asean
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT

5.1.4 Maintain a current listing of all recognised qualifications and be updated of the progress of any MRA on Surveying Qualifications being entered into between or amongst Competent Authorities.

## 5.2 Responsibilities

The Competent Authorities listed in **Appendix I** shall be responsible for the following:

5.2.1 Negotiate and implement subsequent MRA with one or more Competent Authorities as listed in **Appendix I**;

5.2.2 Monitor and regulate the conduct of Surveying Professionals so recognised under any MRAs;

5.2.3 Promote continuing education and professional development;

5.2.4 Maintain best practices including high standards for professional and ethical practise in surveying; and

5.2.5 Exchange information regarding laws, practices and developments in the practise of surveying within its jurisdictions.

# ARTICLE VI
# ADMINISTRATION

## 6.1 Mutual Recognition

ASEAN Member Countries recognise that this Framework Arrangement establishes the basis and procedural arrangements for Competent Authorities to observe while negotiating MRAs. A proposed outline of such MRA is attached as **Appendix III** for reference.

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

## 6.2 Administration

Negotiations of MRAs between or amongst Competent Authorities as well as the implementation of the provisions of this Framework Arrangement shall be held under the auspices of the ASEAN Coordinating Committee on Services or its successor.

## 6.3 Funding

Initiatives undertaken pursuant to this Framework Arrangement shall be funded by the respective ASEAN Member Country undertaking such initiative.

## ARTICLE VII
## AMENDMENTS

7.1 This Framework Arrangement may be amended with the agreement of all ASEAN Member Countries. Such amendment shall be reduced into writing and shall form part of this Framework Arrangement.

7.2 Any amendment made pursuant to this Article shall come into force on such date as may be determined by all ASEAN Member Countries.

7.3 Any amendment to **Appendix I** may be done administratively by the ASEAN Member Country concerned and shall be notified to the Secretary-General of ASEAN who will then notify the other ASEAN Member Countries.



CERTIFIED COPY
DEPUTY SECRETARY-GENERAL, THE ASEAN SECRETARIAT
asean

## ARTICLE VIII
## DISPUTE RESOLUTION

8.1 ASEAN Member Countries shall at all times endeavour to agree on the interpretation and application of this Framework Arrangement and shall make every attempt through communication, dialogue, consultation and cooperation to arrive at a mutually satisfactory resolution of any matter that might affect the implementation of this Framework Arrangement.

8.2 The provisions of the ASEAN Protocol on Enhanced Dispute Settlement Mechanism, done at Vientiane, Lao PDR on the 29 November 2004, shall apply to unresolved disputes upon exhaustion of the mechanism in Article 8.1.

## ARTICLE IX
## FINAL PROVISIONS

9.1 The terms, definitions and other provisions of the GATS and AFAS shall be referred to and shall apply to matters arising from this Framework Arrangement for which no specific provision has been made therein.

9.2 This Framework Arrangement shall enter into force three (3) months after signing by all ASEAN Member Countries.

9.3 This Framework Arrangement shall be deposited with the ASEAN Secretary-General, who shall promptly furnish a certified copy thereof to each ASEAN Member Country.

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
aseau

**DONE** at Singapore, this 19th Day of November in the year Two Thousand and Seven, in a single original copy in the English language.

For Brunei Darussalam:

**LIM JOCK SENG**
Second Minister of Foreign Affairs and Trade

For the Kingdom of Cambodia:

**CHAM PRASIDH**
Senior Minister and Minister of Commerce

For the Republic of Indonesia:

**MARI ELKA PANGESTU**
Minister of Trade

For the Lao People's Democratic Republic:

**NAM VIYAKETH**
Minister of Industry and Commerce

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

For Malaysia:

**RAFIDAH AZIZ**
Minister of International Trade and Industry

For the Union of Myanmar

**U SOE THA**
Minister for National Planning and Economic Development

For the Republic of the Philippines

**PETER B. FAVILA**
Secretary of Trade and Industry

For the Republic of Singapore

**LIM HNG KIANG**
Minister for Trade and Industry

For the Kingdom of Thailand

**KRIRK-KRAI JIRAPAET**
Minister of Commerce

CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

For the Socialist Republic of Viet Nam

**VU HUY HOANG**
Minister of Industry and Trade



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

## Appendix I

## Competent Authority in charge of regulating the practice of surveying services and Registered/Licensed Surveyors (Refer to Article 2.2)

| | |
|---|---|
| Brunei Darussalam | Land Surveyors Board |
| Kingdom of Cambodia | General Department of Cadastre and Geography<br>Ministry of Land Management, Urban Planning and Construction |
| Republic of Indonesia | National Coordinating Agency for Surveys and Mapping |
| Lao People's Democratic Republic | 1. National Geographic Department, Prime Minister's Office<br>2. Department of Housing and Urban Planning, Ministry of Public Works and Transportation |
| Malaysia | Land Surveyors Board<br>Ministry of Natural Resources and Environment |
| Union of Myanmar | Survey Department<br>Ministry of Agriculture and Irrigation |
| Republic of the Philippines | Professional Regulation Commission<br>Board of Geodetic Engineering |



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
ASEAN

| | |
|---|---|
| Republic of Singapore | Land Surveyors Board<br>Ministry of Law |
| Kingdom of Thailand | Council of Engineers |
| Socialist Republic of Viet Nam | Department of Survey and Mapping<br>Ministry of Natural Resources and Environment |



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

## Appendix II

## FIG Definition of the Functions of the Surveyor (As adopted on 23 May 2004)

## (Refer to Article 2.10)

### Summary

A surveyor is a professional person with the academic qualifications and technical expertise to conduct one, or more, of the following activities;

- to determine, measure and represent land, three-dimensional objects, point-fields and trajectories;
- to assemble and interpret land and geographically related information,
- to use that information for the planning and efficient administration of the land, the sea and any structures thereon; and,
- to conduct research into the above practices and to develop them.

### Detailed Functions

The surveyor's professional tasks may involve one or more of the following activities, which may occur, either on, above or below the surface of the land or the sea and may be carried out in association with other professionals.

(a) The determination of the size and shape of the earth and the measurement of all data needed to define the size, position, shape and contour of any part of the earth and monitoring any change therein.



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

(b) The positioning of objects in space and time as well as the positioning and monitoring of physical features, structures and engineering works on, above or below the surface of the earth.

(c) The development, testing and calibration of sensors, instruments and systems for the above-mentioned purposes and for other surveying purposes.

(d) The acquisition and use of spatial information from close range, aerial and satellite imagery and the automation of these processes.

(e) The determination of the position of the boundaries of public or private land, including national and international boundaries, and the registration of those lands with the appropriate authorities.

(f) The design, establishment and administration of geographic information systems (GIS) and the collection, storage, analysis, management, display and dissemination of data.

(g) The analysis, interpretation and integration of spatial objects and phenomena in GIS, including the visualisation and communication of such data in maps, models and mobile digital devices.

(h) The study of the natural and social environment, the measurement of land and marine resources and the use of such data in the planning of development in urban, rural and regional areas.

(i) The planning, development and redevelopment of property, whether urban or rural and whether land or buildings.



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

(j) The assessment of value and the management of property, whether urban or rural and whether land or buildings.

(k) The planning, measurement and management of construction works, including the estimation costs.

In the application of the foregoing activities surveyors take into account the relevant legal, economic, environmental and social aspects affecting each project.



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

## Appendix III

## PROPOSED OUTLINE FOR A MUTUAL RECOGNITION ARRANGEMENT OF SURVEYING QUALIFICATIONS

**(Refer to Article 6.1)**

**Mutual Recognition Arrangement on Surveying Qualifications between <Listing of Competent Authorities Participating in the Arrangement>**

### 1.0 Purpose

The purpose of this MRA is to establish the conditions under which a Surveying Professional in one jurisdiction may have his/her qualifications recognised in another jurisdiction that is a Party to this Arrangement pursuant to the ASEAN Framework Arrangement for the Mutual Recognition of Surveying Qualifications.

### 2.0 Definitions

### 3.0 Terms and Conditions

### 4.0 Terms of Recognitions



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean

## 5.0 Administration of the Arrangement

**IN WITNESS WHEREOF**, the undersigned, being duly authorised by their respective governments, have signed this Mutual Recognition Arrangement on Surveying Qualifications.

**DONE** at ....., on ..... in ..... copies in the English language.



CERTIFIED COPY
DEPUTY SECRETARY GENERAL, THE ASEAN SECRETARIAT
asean