MINUTES

2006 Annual Meeting of the Professional Practice Commission, International Union of Architects

Meeting Dates: November 4-5, 2006

Meeting Host: The Royal Australian Institute of Architects

Meeting Location: VicUrban Office
Level 12, 700 Collins Street
Melbourne, Victoria, Australia

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Saturday, November 4

1. CALL TO ORDER AND WELCOME

Prof. Zhuang, serving as the Chair, opened the meeting at 9:00 am. Each of the participants then introduced themselves. The List of Participants is appended to the minutes as Appendix 1.

2. ADOPTION OF THE MINUTES OF THE NOVEMBER 11-12, 2005 MEETING

The Minutes of the November 11-12, 2005 annual meeting of the Professional Practice Commission were distributed via e-mail in April 2006 to all attendees at the Washington, D.C. meeting. An Executive Summary of the meeting was prepared and e-mailed to the Commission members not present and the UIA Council. The Minutes were posted on the PPC's web site at www.aia.org/about_uia.

Mr. Prinz noted that on page 4 that the Region I meeting decided the CPD should be dealt within the region by the Architects' Council of Europe.

MOTION: ***Recognizing the clarification by Mr. Prinz, Mr. Peck moved the adoption of Minutes. Mr. Scheeler seconded the motion. The motion was adopted by acclamation. The approved Minutes of the 2005 Annual Meting are appended to these Minutes as Appendix 2.***

3. ADOPTION OF THE PROVISIONAL AGENDA

The Chair noted that the provisional agenda had been circulated with the initial August meeting announcement. Four additional subjects were suggested by the Commission

members and they were included in Agenda Item 17.

Mr. Prinz suggested that at the end of the meeting we discuss what specific communication needs should forward to the Secretary-General as a result of this meeting.

Hearing no further requested revisions to the agenda, the Chair stated that the agenda would be accepted as presented. The Chair noted that certain agenda items would be addressed out of order due to the scheduled arrival of the presenters.

4. REPORT OF THE PROFESSIONAL PRACTICE COMMISSION SECRETARIAT

Introduction: The Chair recognized Mr. Keune to make this presentation.

Presentation: Mr., Keune utilized a power-point presentation summarizing the work of the Commission Secretariat since the 2005 annual meeting. This presentation is appended to these Minutes as Appendix 3.

The key points in this presentation included: a) representation of the PPC on the UIA Joint Oversight Committee on Continuing Professional Development; b) publication of the UIA Accord and Recommended Guidelines; c) preparation of the 2005 Annual Meeting Minutes; d) follow-up actions regarding comments received from UIA member sections on the existing UIA Accord; e) a letter from the UIA President to all UIA member sections concerning their use and application of the UIA Accord and Recommended Guidelines; f) participation in the two UIA Council meetings; g) approval of the Draft Disciplines on the Domestic Regulation of Architects by the UIA Council and subsequent efforts to have them presented by UIA member sections to their World Trade Organization delegations; h) promoting participation in the PPC Drafting Panels; i) maintenance of the PPC web site; j) distribution of the survey form by the UIA secretariat to all member sections inviting their comments on the existing Recommended Guidelines; k) supporting the work of the Drafting Panels; promotion of PPC membership by those UIA member sections not currently represented; and m) collaborative planning with the RAIA for this meeting.

5. REPORT ON THE UIA COL-LEGI d'ARCHITECTES de CATALUNYA (COAC) STANDARD FORMAT FOR REPORTING THE PRACTICE STANDARDS FOR EACH UIA MEMBER SECTION

Introduction: The Chair recognized Mr. Keune to make this presentation on behalf of Mr. Farrando.

Presentation: Mr. Keune noted that the Secretary-General could not attend this meeting due to his being asked by the UIA President to attend a related meeting in Bogotá, Columbia. He did submit a written report which was read by Mr. Keune. This report is included as Appendix 4. The report included: a) a description of the second published edition which is going to press and includes data on 91 countries; b) revisions to the web-

site, i.e. additional navigation menus, etc.; c) commencement in 2007 of another updated survey with the intention to present the results at the next UIA Congress in Turin, Italy.

Discussion:

Mr. Peck suggested that if the technology was available at this meeting that it would be useful to demonstrate for those members who have not visited the site to be introduced to this significant international data base.

6. REPORT ON THE UIA EDUCATION COMMISSION AND THE UNESCO-UIA VALIDATION COUNCIL

Introduction: The Chair introduced Mrs. Cox to make her presentation.

Presentation: With regard to the UIA Education Commission, she recalled that the Commission's membership consists of the Director, two representatives from each of the five UIA regions and a representative of the Professional Practice Commission. Her report is included as Appendix 5.

The Commission has established seven Reflection Groups which are open to any UIA members with an interest in architectural education. The seven groups are: 1) the Application and Implementation of the UNESCO-UIA Charter for Architectural Education coordinated by Mexico in Region III; 2) Environmental Awareness and Sustainable Development coordinated by Hong Kong in Region IV; 3) Teaching Methods and Information Technology coordinated by Italy in Region I; 4) Architectural Research coordinated by Italy in Region II; 5) Professional Internships and Continuing Education coordinated by Egypt in Region V; 6) Presentation of Architectural Study Programs coordinated by China in Region IV; and 7) Teaching Preservation Technology for Architectural Heritage coordinated by Finland in Region I.

A Roundtable on Architectural Education was held in Paris in March 2006. The Commission's Advisory Committee is meeting in Paris on November 19, 2006.

She noted that the Commission was represented at the previously reported meeting held in Washington, DC in May,

She reported that Korea has scheduled a visit by a UIA team to three schools of architecture who have now implemented their first five-year programs. Requests for site visits have also been received from schools in Brazil, Mexico and Kazakhstan and all are in various stages of planning.

Discussion:

Mr. Peck recalled that in the development of a Memorandum of Understanding on Internship Experience there was a suggestion to consider convening a UIA roundtable on the subject. Recognizing that the Education Commission now has a Reflection Group on

Internship, he inquired as to whether of not Egypt might be willing to consider convening such a roundtable.

Mrs. Cox replied that she thought they might be interested. She noted that ARCASIA has an acknowledged interest in this subject as well.

Mr. Mohamed observed that Malaysia and Australia had signed an agreement about four years ago concerning the mutual recognition of internship experience but it was never implemented. He reaffirmed Malaysia's interest in such a program.

Mr. Scheeler suggested that it might be useful for the UIA Education Commission, based on this initiative by the UIA Professional Practice Commission, to consider writing to all of the UIA member sections having existing mandatory internship requirements to: a) ascertain who they are currently addressing internship programs in regard to encouraging, facilitating and recognizing internship experience gained outside their home country; and b) determining if they would be interested in participating in such a roundtable.

Mrs. Cox thought Mr. Scheeler's suggestion was worth pursuing.

Mr. Wright observed that one of the deficits within the UIA is that it does not have representation in the membership by the national registration bodies where they are not also the UIA member national section. It is his view that if the UIA had participation by all registration bodies it could be able to accomplish much more in relation to what we are discussing at this meeting.

Mr. Scheeler observed that he thought it was important for all UIA member sections to invite their registration and accreditation bodies to be part of their deliberations.

MOTION: ***Mr. Scheeler moved that the UIA Professional Practice Commission write to the UIA Education Commission recommending that they write to all UIA member sections having mandatory internship requirements to: a) ascertain if their internship programs encourage, facilitate, and recognize internship experience gained outside of their home country; and b) inquire if they would be interested in participating in a UIA sponsored roundtable on the subject.***

The motion was seconded by Mr. Wright. There being no further discussion, the motion was adopted unanimously.

FOLLOW-UP ACTION: The UIA Professional Practice Commission Co-Directors will address such a communication to the Director of the UIA Education Commission.

Mr. Prinz requested a clarification between what the UNESCO-UIA Validation Council is doing and the activities of the Washington Roundtable on the Validation of Architecture School Accrediting Systems.

Mrs. Cox replied that the UNESCO-UIA Validation Council has two responsibilities: a) to evaluate and recognize national validation systems; and b) to evaluate and recognize individual study programs where there is no national system. The Washington meeting was held to consider the idea of existing national systems being able to recognize one another's systems. This meeting was a first step and the participants agreed that they were prepared to move forward on such a possible recognition system.

Mr. Scheeler stated that the UNESCO-UIA Validation Council was represented at the May meeting as a sovereign organization.

Mr. Prinz noted that no national validation system has yet been accredited by the UNESCO-UIA Validation Council.

Mr. Silcher noted that while Germany did have a public accreditation program operating at the state level, the government has now withdrawn from this role and left it to private organizations. The status of the system varies between the individual states. Based on his experience in Germany, he sees confusion as to whether UNESCO and UIA comes in to validate individual schools and/or the entire national validation system.

Mrs. Cox replied that if there is a national validation system in existence, the UNESCO-UIA would prefer to accredit that system rather than individual schools. What they are currently experiencing is that schools in member sections where there is not an existing national system are inviting the UNESCO-UIA to accredit their schools.

Mr. Bourdrez noted that in the United States the registration body accepts the findings and decisions of the national accrediting system for schools of architecture. It therefore follows that the registration body will accept the accrediting body's decisions if they enter into a system to recognize other national accrediting systems. The present system in the United States used to determine the academic equivalency for foreign applicants for registration is both cumbersome and expensive.

Mr. Wright questioned who validates the validatators. He observed that the system in the United States is inclusive because it includes practitioners, educators, regulators and students. He recommended that a model be developed for what constitutes a validation panel. There are tested examples what have been in operation for many years that should be reviewed. Such a model would be immensely helpful for those considering establishing a validation panel.

Mr. Parken observed that the structural and political systems for registration and accreditation vary among the UIA member sections. In countries such as the United Kingdom, because of the existing systems in place, there are conflicts between the professional body and the registration authority over the validation of schools of architecture. He sees the real challenge as getting the right people sitting at the negotiating table. He noted that both Australia and New Zealand are currently engaged with the Commonwealth Association of Architects to have their national accreditation

systems accepted by the CAA because that will bring them within the established CAA system.

7. REPORT ON THE MAY 2006 ACCREDITATION/VALIDATION ROUNDTABLE CONFERENCE, WASHINGTON, DC, USA

Introduction: The Chair recognized Mr. Scheeler to make this presentation.

Presentation: Mr. Scheeler utilized a power-point presentation to summarize what took place at the May 2005 meeting in Washington, DC. This presentation is included as Appendix 6. The report included: a) the 27 invited representatives; b) there was consensus on proceeding with the development of an international protocol to provide for the mutual recognition of established national accreditation/validation systems for schools of architecture; c) the conference web site, www.collaboration.aia.org/aid; and d) the appointment of a committee chaired by Mexico which will develop the agenda for the next meeting to be hosted by Canada in Ottawa, Ontario in May 2007.

All of the national regulatory documents for the accreditation/validation of schools of architecture from the participating countries are now available in one place at this web site.

UNESCO and the UIA developed the proposed model protocol which was presented at this meeting.

Discussion:

Mr. Parken noted that there is already such a working international model agreement that applies to the engineering schools known as the "Washington Accord." It was interesting to him how relatively uniform the thinking around the table was at this first-ever meeting. He emphasized that the focus was only on architectural education. It was recognized that architectural registration is another matter. Should this protocol be adopted, it is then envisioned that other countries who will establish national accreditation/validation systems may then wish to voluntarily express their interest in formally joining the protocol.

Mr. Peck inquired as to whether this described process represents a change for the UIA in moving from accrediting/validating individual university programs to that of accrediting/validating national systems.

Mr. Scheeler responded noting that the Washington meeting focused only on national systems, the UNESCO-UIA program is still looking at individual university programs. The UNESCO-UIA Validation Council will be addressing this at their next meeting later this month.

Mr. Prinz observed that it is not clear to him as to the role of the UNESCO-UIA Council when it comes to accrediting/validating national systems. He is not aware that they have

yet been invited to review any national system. He sees the goals and potential results of the Washington meeting as being much more specific and thus potentially providing a substantial benefit to architectural students in being able to have their education and degree recognized outside their own country.

Mr. Scheeler responded that there is not yet a clear definition. UNESCO and the UIA are still in the process of following the system approved at the UIA General Assembly in Istanbul. UNESCO and the UIA are participating in exploring the potentials represented by the Washington meeting.

Mr. Balbir noted that there is confusion and questions coming forward at regional meetings concerning the UNESCO-UIA system and that represented by the Washington meeting. He recommended that a clarifying document come forward that can be used to explain to those universities who are not closely involved with the UNESCO-UIA system or the Washington meeting.

Mr. Wachi observed that while this Commission had developed the Accord Policy on Accreditation/Validation/Registration and the accompanying recommended guideline, it was the responsibility of the UIA Education Commission to address the implementation of the UNESCO-UIA system approved at the last UIA General Assembly. From his perspective in Japan, the UIA needs to make it clear if they are accrediting/validating individual university programs and/or national systems.

Mr. Mohamed inquired as to how the success of the existing Washington Accord has been measured as it applies to the national systems for accrediting/validating schools of engineering. As a signatory to the Washington Accord are the engineering programs in one country automatically recognized by another signatory country?

Mr. Scheeler indicated that the engineering accreditation/validation systems for all signatory countries to the Washington Accord are recognized by all signatory bodies.

Mr. Peck expressed his view that while this Commission initiated the work on validation/accreditation through the Accord Policy and Recommended Guideline, it was now the responsibility of the UIA Education Commission and the UNESCO-UIA Validation Council to carry out the policies and program that had been approved by the UIA Council and the UIA General Assembly. He sees no useful purpose in this Commission having an extended debate on what it the primary responsibility of other UIA bodies.

Mr. Keune observed that this agenda item is meant to be a report to the PPC on what other related UIA bodies are doing and not to act on these reports.

Mr. Wright noted that within the European Union there are a variety of accreditation/validation systems. It is difficult to have one particular model. They do have reciprocity through the Qualifications Directive. He is doubtful as to whether this UNESCO-UIA system will work except perhaps for developing countries that do not

have any national system.

Mr. Scheeler responded that in his view the most vulnerable element of the profession are the students. In a globalizing environment they increasingly face the potential of not having their academic credentials recognized outside their home country. It is the responsibility of a mature profession to protect the young and to put in place a system that allows them to have their academic credits be transferable.

Mr. Wright responded by noting that the UIA does not have the power or authority to impose anything on anyone. He views the accreditation/validation process as essentially a political process. The UIA should focus on encouraging states to develop and put into place their own systems that could be based on an aspirational model developed by the UIA.

Mr. Prinz stated his view that while here may be a system within the European Union, he sees the issue as being how the EU systems will be recognized by other countries throughout the world. While he recognizes the long term significance of a protocol among established accreditation/validation systems, he still has concerns regarding UNESCO and UIA going about accrediting individual schools and systems without an adequate basis of standards on which to base their determinations.

Mr. Parken emphasized that the 2006 Washington meeting focused on education and did not address the subject of mutual recognition agreements among accreditation/validation/registration systems.

Mr. Wright stated his view that based on his experience he has more confidence in signed mutual recognition agreements between like national bodies and that are based in codified law.

8. REPORT ON THE OCTOBER 2006 FIRST MEETING OF THE UIA JOINT OVERSIGHT COMMITTEE ON CONTINUING PROFESSIONAL DEVELOPMENT

Introduction: The Chair recognized Mr. Keune.

Presentation: Mr. Keune reported that Ms. Maples was not able to attend this meeting. She had represented this Commission at the first meeting of the UIA Joint Oversight Committee for Continuing Professional Development held in Paris in October. He had not yet received her report on this meeting.

Mr. Prinz who attended this meeting offered a few observations concerning this meeting. The meeting included a discussion of: a) the UIA establishing a system to recognize existing national CPD programs; b) the provision of a formal label to programs so recognized; c) the potentials of generating revenue for the UIA from the program; d) the work of the Spanish member section in developing standards for recognition of existing systems; e) the issue of having CPD credits recognized outside the home country; f) the

process and procedure for the UIA identifying, evaluating and recognizing professional body, public and private corporate CPD providers; g) using the UIA Congress as a resource for providing CPD credits; and h) the method and techniques the members of UIA member sections may be suing their CPD participation to enhance their professional resumes and marketing materials.

Discussion:

Mr. Wachi inquired as to intended implementation schedule.

Mr. Prinz indicated that the intended program will be discussed at the next UIA Bureau and Council meetings. The final program will have to have the approval of the UIA General Assembly.

Mr. Parken viewed it being very important that the business plan was going to have to establish the UIA CPD "brand" as a recognizable and sought after item by CPD providers in order to make it meaningful.

Mr. Balbir inquired as the whether the issues raised by he participants in the 2005 Paris Roundtable on CPD, held after the Istanbul General Assembly, were being addressed by the Joint Committee. He noted that while there was a summary of the points raised at that meeting, there has not been any feedback on any specific actions on these points. The only detailed statement received concerned the withdrawal of the AIA from serving as the program administrator. He suggested that such communication was important prior to the next UIA General Assembly.

Mr. Prinz responded that not all of the points raised at the Paris meeting were addressed by the Joint Committee at this first meeting. The meeting minutes will indicate those points that were addressed.

Mr. Mohamed noted that in some countries such as Malaysia, the CPD program is administered by the registration authority and not the professional body. Did the Joint Committee envision having CPD credits given by the professional body recognized by the registration body?

Mr. Prinz responded that this was discussed as a part of the varying approaches but not in specific detail.

9. REPORT OF THE DRAFTING PANEL FOR THE STUDY OF RECOMMENDATIONS ON ARCHITECT-CLIENT AGREEMENTS

Introduction: The Chair introduced Mr. Prinz to make the second presentation of this Drafting Panel.

Presentation: Mr. Prinz utilized a power point presentation which is appended to these Minutes as Appendix 7. He reminded the Commission that the primary two intents of

this work were: a) to develop a recommended legal document that would facilitate international practice; and b) to provide a service document for architect members of UIA member sections that illustrates the commitment of the UIA to enhancing their practice. He noted that modes of existing architect-client agreements had been collected from UIA member sections. He has also focused on one international document that is utilized in international practice by many architects, even though it has been developed for use by engineers - the International Federation of Consulting Engineers (FIDIC) consultant-client agreement and the accompanying "White Book Guide". The latest edition of the White Book Guide was issued last month.

He reviewed the main elements and appendices of these FIDIC documents with the intent of soliciting the views of the Commission as to whether they might serve as the basis of a potential FIDIC document prepared for the use of architects. He recalled that the Drafting Panel had circulated the FIDIC agreement to all UIA member sections represented in the UIA-PPC earlier this year inviting any comments they might have regarding its use experience by individual architects. He received only a few responses.

As an attorney who works regularly with architects he is continually amazed at how many architects enter into commissions without any written agreement with their clients.

With regard to a possible schedule, he noted that FIDIC works on a one-year trial period for revisions to their existing documents. The next FIDIC deadline for submitting comments on their existing documents is September 2007.

He concluded his presentation by referencing the issues that need to be considered by the PPC: a) the degree to which the UIA wishes to revise the existing text; b) the manner in which the UIA wishes to see its logo incorporated ; c) the process and procedure for soliciting the review and comments of the UIA member sections and the five regional architectural associations; d) the procedure and process of affording the five regional organizations the opportunity to endorse the document and be identified with it; e) the schedule going forward, i.e. providing UIA comments by September 2007 or waiting until the next year FIDIC schedule; f) the price at which the document would be sold; g) the payment of any licensing fee; and h) the schedule of developing and presenting a document to the UIA Council for approval.

Discussion:

Mr. Wright recommended that "consultant" as used in the existing FIDIC document be changed to "architect" in a document identified with the UIA.

Mr. Keune suggested that it would be desirable to secure the general endorsement of the UIA Council at their next meeting for this potential collaborative effort before continuing forward and that perhaps a letter or memorandum of understanding/interest be developed between UIA and FIDIC as a basis for the continuing negotiations. He questioned whether it realistic to try to accomplish the proposed outline of tasks by September 2007, especially since the PPC will not meet again until October 2007.

Mr. Peck congratulated Mr. Prinz on this work and report on this very important subject. The existing FIDIC documents are internationally recognized. If we can work on a FIDIC document for architectural services that is acceptable to the UIA, it will have instant recognition and credibility. It would be a major resource for architects and their clients throughout the world.

Mr. Mohamed inquired as to the subject of copyright being addressed in the existing FIDIC document.

Mr. Prinz responded that the FIDIC documents do include the subject of copyright. Further it would be possible to add additional references to existing UIA documents, i.e. the Accord Policy and Recommended Guideline on Copyright.

Mr. Wachi observed that the matter of copyright, liability and indemnity are three key issues with clients in Japan. The copyright has to be a part of the general conditions and not the appendices otherwise it would impact the architect be able to convince the client.

Mr. Wright reported that the ACE Executive Committee at their most recent meeting voted to reluctantly support this UIA FIDIC initiative. Should they support the final proposed document, they would expect to be publicly identified with it. ACE has an interest in developing a European focused model architect-client agreement and has established a working group chaired by Isabelle Moreau. He also suggested that the UIA should be quite strong regarding dispute arbitration. The document should list the alternative forms of arbitration.

Mr. Silcher questioned whether in the graphic layout of the document it would be possible to differentiate between the provisions applicable to both engineers and architects and those applicable just to either engineers or architects. He also observed that architects will see themselves as architects and will not likely be accepting of being identified as consultants.

Mr. Prinz expressed his view that the only major difference between the existing document and one that would be applicable to architects is to be found in the scope of services.

Mr. Wright stated that it is important to retain the identification of, and promotion of the profession of the architect in such a document. This is especially important for the audiences outside of the UIA.

Mr. Scheeler expressed his concern regarding bringing the regional architectural organizations formally into this process. He questioned the ability of all of them to effectively contribute to this process within the likely time schedule. He would prefer that the review and commenting process focus be on the UIA member sections.

Mr. Wright observed that Mr. Scheeler's view did not confirm to the UIA President's

long term view that the UIA will evolve into a confederation of regional organizations and their becoming a physical part of the UIA. The model being advocated by the UIA President is seen in the Architects' Council of Europe.

Mr. Scheeler reiterated his concern is that is unrealistic to think that this can be done on such a schedule.

Mr. Parken sees this as a subject that it is important for the UIA to take a leadership position. There are two clear issues. First is the need for the UIA to invite the five regional organizations to submit their comments and to take them into consideration with those received from the UIA member sections. Second, after the UIA has developed and adopted a position/document with FIDIC to then invite the five regional organizations to endorse the document on their own schedule. They may elect to endorse it or not. If endorsing it they would then be publicly identified with it. He believes no one organization has the right to think that they could veto such a project. The UIA should forge forward with such an important project.

Mr. Balbir questioned if such a document was endorsed by a regional organization did it mean that all of the regional organizations member organizations would also be considered as having endorsed it. He further questioned the time scheduled as being reasonable.

Mr. Keune stated his view that such a FIDIC/UIA project should be viewed from the outset as providing an income stream to the UIA for those copies sold to architects. The UIA's financial condition is acutely in need of additional sources of income.

Mr. Prinz agreed that the financial issue needs further discussion with FIDIC. He observed that it is important to recognize that FIDIC has an established and well functioning system to publish, promote, sell and distribute their documents. These are capacities that the UIA currently does not have.

Mr. Wright while acknowledging that there was consensus that it should move forward that there was also a concern among a number of representatives over the document being identified as a consultant agreement.

Mr. Dubler observed that it is perhaps somewhat arrogant for this Commission to make such a change to an established international document.

Mr. Parken indicated that by changing the scope of services to reflect the work of architects, we are proposing a fundamental change to the document. There will be a process to give comment on the document so that it evolves into an architect-client agreement.

Mr. Peck inquired if this could be considered as a companion to the existing FIDIC document?

Mr. Prinz recommended that the Commission not be too absolute at this point in the process because there are numerous points to be discussed and negotiated with FIDIC, i.e. licensing fees, copyright law, etc. He noted that the existing FIDIC document does not refer specifically to "engineer" but rather to "consultant".

Mr. Wright reiterated his view that it is important in such a document to promote architecture as a creditable profession to a wide audience. "Consultant" could apply to anyone.

Mr. Balbir supported Mr. Wright's position. He observed that in India the architects are currently facing a situation where the national government is awarding contracts for architectural services to individuals identified as consultants.

Mr. Silcher noted that this mode FIDIC document is currently widely recognized throughout the world and thus any modification the UIA may propose to FIDIC should not result in a diminution of this existing acceptance and recognition.

Mr. Wachi supported Mr. Wright's view.

Mr. Obayawat supported the position of Mr. Wright and noted that this was consistent with all of the Commission's documents produced for the UIA.

MOTION: ***Mr. Prinz moved that the Professional Practice Commission support the further development of a common FIDIC model services agreement. In the further negotiations specific attention should be given to the matters of copyright, alternative dispute settlement and the use of the word "architect". Commission members and UIA member sections are expected to give their comments on the proposed document. Further negotiations with FIDIC should be undertaken by the leadership of the Drafting Panel and a status report should be presented to the UIA Council at their next meeting.***

The motion was seconded by Mr. Scheeler.

Mr. Wright observed that it was his view that the use of the word "architect" should be a condition and not a matter of negotiation.

Mr. Prinz responded that if in the course of these negotiations FIDIC was not prepared to accept the proposed identification of the document as applying to architects, we would face the situation of reassessing where we would go from there.

The Chair called the question on the Motion. The motion was adopted with one recorded abstention of Mr. Wright.

FOLLOW-UP ACTION REQUIRED: The Drafting Panel Chair will continue his discussions with the FIDIC representatives based on the discussion, comments and suggestions made at this meeting. The Co-Director and Secretary will report to the UIA

Council at their February 2007 meeting on these developments and seek their further endorsement of this cooperative initiative between the UIA and FIDIC. The continued work of the Drafting Panel will continue based on the schedule outlined in the Chair's presentation.

10. REPORT OF THE DRAFTING PANEL FOR THE STUDY OF RECOMMENDED STANDARDIZED FORMS OF MUTUAL RECOGNITION AGREEMENTS

Introduction: The Chair introduced Mr. Bourdrez to make the presentation.

Presentation: Mr. Bourdrez utilized a power-point presentation which is appended to these Minutes as Appendix 8. He noted that the current proposed MRA is substantially the same as that presented at the 2005 annual meeting. It has been edited to reflect comments made at that meeting. He reviewed the highlights of the document which include: a) the introduction; b) the signatory bodies; c) definitions; d) the identification and description of participating bodies; e) purposes of the agreement; f) reference background framework; g) foundation of mutual recognition; g) other provisions; h) signatures; and i) appendices.

Mr. Bourdrez concluded the presentation stating that he believed it was appropriate for the Commission to approve the document for submission to the UIA Council for adoption.

Discussion:

Mr. Parken inquired if the provisions for recognizing specified terms of professional practice were a new development.

Mr. Bourdrez responded that it had evolved out of the accumulated negotiating experience with Mexico under the North American Free Trade Agreement. The reason is that in Mexico once you have been granted your university degree you are recognized as an architect. Whereas in Canada and the United States it is required that in addition to the degree one has to have an internship experience and to pass an examination. It was in an effort to equalize the three systems.

Mr. Parken observed that under these provisions it may take some individuals a longer time to fulfill the internship experience before they can qualify to take the registration examination and thus a longer period of time to meet the post-licensure experience.

Mr. Wright noted that the post-licensure experience was intended to assure that applicants under such a signed MRA had a body of professional experience of being responsible and in charge of projects.

Mr. Scheeler noted that the NAFTA MRA experience represented the first encounter of the Anglo-Saxon and Napoleonic legal cultural approaches to the recognition of the

professional title of architect. It represented a way of bridging these two significant systems.

Mr. Mohamed inquired if there was a specific period in this model MRA for post-licensure professional experience.

Mr. Bourdrez indicated that there was no specified period. It would be determined by what was negotiated between the parties using this model MRA.

Mr. Balbir noted Appendix 3 which states that this MRA does not require residency in the country. However, in 3.4. in the main body of the text it states the applicants need to adhere with the local requirements pertaining to the practice of architecture. He noted that in countries, such as India, the registration act is limited in application to individuals who are resident in that country. Thus the MRA will not be workable in those countries and thus those UIA member sections could not use it. In the case of India, the Architects Council recommended to the national government that the residency required be part of the national Architects Act.

Mr. Bourdrez responded that in such situations the country could not enter into an MRA. The objective of such an MRA is to facilitate cross border practice. This represents a higher level of agreement than that represented in the existing policy on Practice in a Host Nation.

Mr. Peck reminded the participants that all our documents are aspirational.

Mr. Wright observed that Article 6.4. of the General Agreement on Trade in Services anti-trust issues identifies that licensing procedures should not constitute an unnecessary barrier to trade in services.

Mr. Wachi stated that we represent the profession of architecture. One of the WTO's objectives is to promote free trade and they state that qualifications should not be used as a barrier. He does not see that we have to quote from WTO statements.

Mr. Peck inquired of Mr. Wachi if he was indicating that if one is to be a qualified architect in the jurisdiction one has to be a resident of the jurisdiction.

Mr. Wachi responded indicating that it can be part of the requirement and it is up to the national situation.

Mr. Peck recalled that this subject has been discussed many times in the history of this Commission and we have come to the conclusion that you can be a qualified architect in a jurisdiction without being resident in the jurisdiction.

Mr. Wachi responded that it was his view that we should not rule out the residency requirement at this time.

Mr. Balbir stated that the matter of registration has to be in conformance with national law.

Mr. Peck reiterated that he cannot accept the argument that to be a registered as an architect that you have to be resident in that jurisdiction. It is counter to what is taking place all around the world.

Mr. Silcher observed that countries having a residency requirement do not have to enter into such an MRA. This document, as are all PPC documents, is aspirational.

Mr. Balbir observed that the residency issue in this model MRA, if adopted by the UIA, may cause problems in their having the Indian government accept the UIA Accord.

Mr. Bourdrez observed that this is intended as a model document and if someone did not wish to have this provision in the document they could remove it.

Mr. Prinz observed that architects employ several modes of practice in providing international services. An MRA facilitates recognition of the possibilities of varying modes of practice. The question of residency is left to the architect.

MOTION: ***Mr. Wachi moved that the existing language in Attachment 3.1. be changed to indicate that the competent bodies to this agreement shall, or shall not, require residency. Mr. Balbir seconded the motion.***

Discussion:

Mr. Parken observed that if this language were to be approved by this Commission, it would be putting forward a position that is contrary to provisions in the GATS. Governments who are signatories to the GATS and WTO members could not support such a position.

Mr. Balbir suggested entirely removing Attachment 3.1.

The Chair called the question on the motion. The motion was not adopted with 5 voting in favor and 10 opposed.

MOTION: ***Mr. Mohamed moved to delete Attachment 3.1.from the text. Mr. Wachi seconded the motion.***

The Chair called the question on the motion. The motion was not adopted with 7 in favor and 9 opposed.

Mr. Scheeler, in a point of order, inquired if this document, if approved by the Commission, was to be adopted by the UIA Council and/or the UIA General Assembly.

The Chair responded that it would be submitted to the UIA Council for approval. Under

the approved procedures only changes in the UIA Accord are presented to the UIA General Assembly after being approved by the UIA Council. This proposed model MRA is not a UIA Accord document.

Mr. Wright requested that the clarification ”dossier/certification” be inserted into the text in paragraph 4.5.

MOTION: ***Mr. Scheeler moved that the model MRA be approved with Mr. Wright's modification and forwarded to the UIA Council. Mr. Wright seconded the motion.***

The Chair called the question. The motion was adopted with 11 in favor and 6 abstentions.

FOLLOW-UP ACTIONS: The document will be translated into French. The Co-Director will forward it to the UIA President and UIA Paris Secretariat for inclusion on the UIA Council February 2007 meeting for consideration and approval.

11. REPORT OF THE DRAFTING PANEL FOR THE STUDY OF INCREASING THE PORTABILITY AND RECOGNITION OF REQUIRED PROFESSIONAL INTERENSHIP EXPERIENCE

Introduction: The Chair introduced Mr. Peck, Chair of the Drafting Panel to make this first presentation on the work of the Drafting Panel.

Presentation: Mr. Peck utilized a power-point presentation which is appended to these Minutes as Appendix 9.

As background to this presentation he recalled that the basic objective was to develop a recommended means of allowing graduate architects to secure and have recognized by their home country, a portion of their required internship experience outside of their home country. The system being proposed by the Drafting Panel is a mutual recognition agreement focused on internship. The Drafting Panel conducted a survey among UIA member sections with regard to current internship requirements. The survey results were circulated with the agenda for this meeting. 46 UIA member sections require internship experience. 37 reported that this requirement was compulsory. The bodies controlling/administering the internship experience vary with some using the professional body and some using the regulatory/registration body.

He reviewed the draft of the proposed model MRA between the authorities that control internship. Since the draft was circulated he has not received many critical comments. He requested the receipt of further written comments which could be presented at the 2007 annual meeting for consideration and for the adoption of a recommended document that could be forwarded to the UIA Council. UIA member sections could then promote the awareness and application of this model MRA for the benefit of their graduates in architecture.

He suggested that the Commission also determine where this model MRA would fit within the hierarchy of our documents, i.e. recommended model, note, etc.

Discussion:

Mr. Scheeler noted that we have a Recommended Guideline on Internship. He suggested that this might be considered as an appendix to this guideline.

Mrs. Siola questioned if there are some inconsistencies between the language of this proposed MRA and the terms found in the existing Accord Policy and Recommended Guideline. She would provide Mr. Peck with a written comment on this point.

Mr. Parken questioned if it might be confusing to identify this document as an MRA when the UIA is already using the term MRA as applied to another activity, i.e. registration. He suggested consideration of the term "Memorandum of Understanding (MOU)". He foresees such a document as having multiple parties as signatories. He sees it as being very important that both the professional and regulatory bodies are engaged in signing such a document. Architectural offices will have to be supportive of such process in order to place foreign graduates in qualifying work situations.

Mr. Peck responded that the MRA model came during the initial discussion at the 2005 annual meeting. He does not see the Drafting Panel being wedded to the MRA term.

Mr. Scheeler observed that in a healthy global economy talented architectural graduates are in demand. Thus, he questions the need for architect graduates to be "sponsored".

Mr. Prinz questioned if this might be seen as a potential part of an MRA dealing with registration.

Mr. Bourdrez thinks that is important to keep this as a separate document. Some UIA member sections have a highly structured intern process. In the United States a graduate intern can presently secure only one year of the required three year internship experience in a foreign country. This is an increasing problem in a changing global environment.

Mr. Wright agreed with Mr. Parken's suggestion on the naming issue. He suggested it is important to have a title that clearly distinguishes the two types of agreements.

Mr. Peck in summarizing the discussion stated that it was the Commission's view that an MRA should be identified with agreements between registration authorities, qualification experience and practice for licensing. It is his sense that the Commission would prefer to have this identified as a MOU and that it be identified with the Recommended Guideline on Internship. What we are designing here are agreements between bodies overseeing and administering internship requirements.

The Commission concurred.

Mr. Scheeler views MRAs as being official instruments between government bodies. How the governments get all of the details worked out will vary from country to country.

Mr. Mallilamarl requested clarification regarding the subject of architectural education in 2.1. on page.2.

Mr. Peck responded that this definition is the same that is in the UIA Accord. He noted that in some countries architectural students may begin accumulating their required internship experience prior to being awarded their degree. This language allows the student architect to have this experience recognized in a foreign country.

Mr. Bourdrez noted that some countries do not count university required o-op architectural experience as being also qualified for the required internship experience.

Mr. Scheeler suggested that it might be worthwhile to consider conducting an invitation internship roundtable among those UIA member sections having an established system. Such an event would involve the concerned parties right at the beginning of such a UIA initiative on internship portability.

Mr. Peck questioned if countries would pay to come to such a roundtable event.

Mr. Keune suggested it might be something that could be done in conjunction with the 2008 UIA General Assembly.

Mr. Wright observed that for such MOUs to work effectively there will need to be a model or models for accepted recording systems to document the internship experience.

Mr. Mohamed noted that in Malaysia this proposed MOU would have to be considered in the context of changing architectural education offerings, e.g. 3+2 type degree programs.

FOLLOW-UP ACTIONS: The Co-Director and Secretary will address a communication to the Director of the Education Commission suggesting their consideration of a roundtable on the proposed MOU in conjunction with their Reflection Group on Internship. The Drafting Panel will take into consideration the discussion and comments at this meeting and proceed to prepare a second report to be presented to the Commission at their 2007 annual meeting.

The meeting temporarily adjourned at 4:45 pm.

Sunday, November 5

The meeting reconvened at 9:15 am with Mr. Keune serving as the Chair. He expressed the Commission's appreciation to our hosts for the reception at City Hall and the dinner at the Melbourne Club.

12. REPORT OF THE DRAFTING PANEL FOR THE STUDY OF A GUIDELINE FOR THE DEVELOPMENT OF ARCHITECT FEES

Introduction: The Chair introduced Mr. Silcher, Chair of the Drafting Panel to make the first presentation on the work of the Drafting Panel.

Presentation: Mr. Silcher presented the Drafting Panel's first report. He utilized a power-point presentation which is appended to these Minutes as Appendix 10.

Discussion:

Mr. Wright cited a section of the new ACE Code of Conduct which made clear how a fee may be developed. He observed that the basis for a fee determination should not be on the building project's floor area but rather on the complexity of the building project. Further, he noted that in the United Kingdom tenders for public projects have to include overhead cost and the overhead cost has to be based on full documentation of the past three years. Historical data can be used from similar past projects to document the time a project will require and then you need to demonstrate your level of profit. Architects need to recognize that their firms need to be profitable in order for them to grow.

Under European competition rules historical data is not recognized by public authorities as independent if one pays for it. Based on his experience in Europe, the UIA will need to be very careful in the language it uses in any recommendations to their member sections. He believes that there is a very significant social/ethical dimension to what architects do and that the fees architects develop and apply should reflect that condition.

He regards this work as hugely important and encourages the active engagement of all Commission members. This work should contribute to forming a basis where UIA member sections can go back to their national competition authorities and work to convince them that many of their current approaches are wrong.

It is vitally important that this subject be introduced into the schools of architecture in order that the students understand that for architects to survive they need to be profitable.

Mr. Silcher in direct response stressed, that he widely agrees with the content of Mr. Wright's intervention but with one exemption. For the determination of the architect's fees a parameter for the size of the project cannot be neglected and this parameter cannot be the construction cost. So floor area or/and volume of the project seem appropriate parameters to use beside the projects complexity. He also emphasized that it is very important for architects to consistently and properly document records showing how many hours they spend on their projects. If they are not doing so, UIA member sections should be providing advice and guidance in this are to young architects wishing to establish their own offices.

Mr. Wachi observed that Japan does have a government sponsored recommended fee schedule. However, clients tend to view it as the maximum fee scale and negotiation often begins there. This scale is very useful because the client is comfortable knowing that it is a scale developed by the government.

Mr. Silcher observed that in Germany the architect's fee schedule is set by public law not by the professional body. The data on which it is based is collected in a two year survey done by an independent expert working directly for the Ministry of Economics.

Mr. Mohamed noted that in Malaysia there are mandatory minimum fee scales for architects. These scales also represent the minimum level of service to be provided by the architect. Since so many architects do not use the scale, there is a debate taking place as to whether it should be continued. It is recognized that sustaining such mandatory schedule in an increasingly free market system will be difficult. There is also recognition among architects that others, such as project managers, are not bound by such a scale. Due to increasing concerns among client groups about architects being able to get buildings approved on schedule, building surveyors are becoming increasingly engaged in architectural project management. He sees it as very important that the UIA be able to provide recommendations to member sections in this area.

Prof. Zhuang observed that within China because of the growing size of the architectural market there are major government concerns over the determination of architect design fees. In large part this is being generated by the increasing numbers of foreign architectural firms collaborating with domestic design institutes. Historically the Chinese system is based on a gross area basis and this does not conform to the many different systems used by foreign firms now working in China.

Mr. Obayawat observed that the professional body in Thailand maintains a recommended fee schedule. The government fee of 1.75 % is the same no matter the size or complexity of the project. Public and private projects are treated separately. Architects in Thailand wish to change the existing schedule and would welcome UIA recommendations in this area. For private projects there are six categories of buildings ranging from 3 to 10 % fee for each category. There is also a current debate as to whether the fees for engineering services should remain within the architect's fee or be treated separately.

Mr. Silcher observed that such rigid percentage fees can prevent architects with major economic problems if a particular building type is: a) larger and low complexity, or b) small and highly complex.

It is his view that this Commission should pursue this subject along two strategies. First on an intellectual level in making it clear to society the imperative of what the outcome of what an architect is doing for the public welfare. Second is to give guidance to architects on the procedure and process of developing a fee. A key element of this second strategy revolves around developing, maintaining and applying a system of a recorded data base of what they do in the course of a project. The existence of mandatory fee schedules does not encourage architects to keep such records. In a changing public policy environment

where open competition is become increasingly required, architects are going to have to adjust in order to compete, survive and grow.

The Chair inquired as to the status of fee schedules in the other UIA member sections present.

Mr. Parken reported that Australia for twenty years had a professional, non-mandatory fee guide which just recently has been withdrawn as a result of a process with the Australian government's Competition Policy Commission. The RAIA is developing a bottom-up fee calculation recommendation to assist members in arriving at a project fee based on increasingly complex services and actual costs. This system has to be such that it is useful to large, medium and small firms.

Mr. Dubler stated that France eliminated the fee schedule in 1986 as a result of changes in public law. However, subsequently the French Order of Architects was fined 1 million francs for employing what was determined by the court to be an illegal recommendation related to the subject of fees.

Mrs. Siola reported that Greece has a mandatory fee schedule which closely resembles that found in Germany. It is reviewed on an annual basis according to the changes in the national cost of living index. It serves as a minimum base and architects can negotiate with clients for higher amounts. As a member state of the European Union the future of this present system within Greece may be in doubt.

Mr. Lam reported that Hong Kong had a professional body developed mandatory fee schedule which was changed about ten years ago to a recommended fee schedule. It serves as a basis for discussions with both public and private clients. Negotiations for public projects consist of both a technical and a project cost. Problems are encountered in arriving at the percentage to be used in the technical portion.

Mr. Balbir stated that India has a government prescribed fee scale. However, even the government does not always adhere to this scale. With increasing numbers of public projects, many are now being awarded to other forms of consultancies that do not adhere to the government scale. These other consultancies in turn then retain the professional services of architects. It is important that the architects do not lose their position as the leader of the building design team.

Mr. Wachi noted that the JIA had a recommended fee scale which was eliminated some ten years ago. The Ministry of Construction does have a fee scale which is well done because it is comprehensive in terms of building types, labor costs, professional costs, etc. It serves as a good benchmark.

Mr. Lee stated that Korea formerly had a recommended fee scale developed by the Ministry of Construction that was used by the architects. However, the Korean Free

Trade Commission sued the architectural assembly on the basis that they had violated the fair trade law. Korea welcomes the Commission addressing this subject.

Mr. Ahmed reported that Nigeria has a government issued fee scale based on a percentage of the total project cost. As stated by other Commission members, architects in Nigeria experience problems in having the government adhere to this scale. He welcomes the UIA developing recommended guidelines to better enable member sections to address this issue in a changing global economic environment.

Mrs. Grigoryeva reported that Russia has a government issued fee scale. The Union of Russian Architects has revised their recommended scale this past October. One document deals with calculations and the second addresses the building types.

Mr. Scheeler stated that there are no public or private fee scales in the United States. In 1971 the United States Department of Justice determined that all professions had to adhere to the existing federal anti-trust laws. As a result the AIA has revised all of their member service documents, especially in the area of fiscal management of firms and in the content of all of their recommended model contract documents.

Mr. Wright recounted the example of the University of London being contracted to develop and conduct an in-depth investigation of the number of person hours required by everyone involved in the planning, design and construction supervision of a private office building in London. This kind of research has been discussed by ACE and it is their recommendation that each ACE member section should be initiating such research. This type of independent research could be done on a country by country basis by an independent entity. It is hoped that the findings would be recognized and accepted by the EC Competition Authority. It is recognized that the development of a model for such research undertakings would be most helpful. Such a research program should be considered by the Drafting Panel.

He further noted that a number of the Scandinavian countries have person hour fee scales.

Mr. Peck noted that information on UIA member section fee schedules is available on the COAC web site. During his career he has experienced much of what has been shared this morning. He observed that the general trend has been a movement from having mandatory or recommended fee schedules to a situation where they are forbidden. He believes that the UIA positions should be that: a) the UIA should accept the idea of established fee schedules for architectural services is a thing of the past; and b) to recognize that there are consumers and providers and that in order to achieve a relationships between both that they need guidance. Therefore, he suggests producing a guideline to both providers and consumers on the principles effecting the calculation and agreeing upon architectural fees. The UIA member section could then go into the necessary detail to back-up such recommendations.

Mr. Prinz observed that Germany has a Building Cost Information Center that collects comprehensive information on only new buildings. Collecting data for rehabilitation or

heritage building projects is much more complicated and is not being done by this Center.

Mr. Parken believes it is important for the UIA to promote good principles and these should include: 1) the need for a written agreement between the client and the architect; 2) recognition of the importance of the quality of design; and 3) the role of the architectural profession in issues related to climate change.

Mr. Silcher concluded by noting that the discussion evidenced: a) the importance of good documentation; b) a grounding of the intellectual basis for the work of architects; c) recognition of consumer protection; and d) the need for quality in what is finally produced by the architect for the client. The focus of the guideline should be on the role of the UIA member section, rather than individual architects, to enable them to better service their members.

FOLLOW-UP ACTIONS: The Drafting Panel will take into consideration the discussion, comments and recommendations of the meeting and return to the 2007 Commission with a revised document and recommendation.

13. REPORT ON ACTIONS WITH THE WORLD TRADE ORGANIZATION REGARDING THE UIA COUNCIL ENDORSED "DRAFT DISCIPLINES ON DOMESTIC REGULATION IN THE ARCHITECTURAL SECTOR"

The Chair briefly reviewed the background to this document as recommended at the Commission's 2005 annual meeting. Following that meeting the Australian model for engineers was edited by Mr. Keune and circulated to the Advisory Group for review and comment. Based on the comments received a second edition was prepared and presented to the UIA Council at their June 2005 meeting. The UIA Council endorsed the document and encouraged the Commission to seek UIA member sections who could enlist the interest of their national WTO representatives to forward the document to the WTO's Working Party on Domestic Regulation for consideration.

The Chair noted that subsequent to the UIA Council endorsing the document a request had been received to add a reference to codes of ethics and conduct to the document. The Chair read the proposed change to be made on Page 4 in the paragraph dealing with "Licensing Requirements" – "...continuing professional development requirements and *codes of ethics and conduct* with which an architect must compile."

In consultation with the UIA President this was viewed as a minor change and it was not necessary to return the document to the UIA Council should the Commission approve the change.

Mr. Prinz questioned if this language was a requirement for licensure. He noted that if variance from the historical approach between pre and post registration.

Mr. Peck noted that the entire paragraph refers to both securing and maintaining license.

MOTION: ***Mr. Wright moved adoption of the modification. Mr. Peck seconded the motion. There being no further discussion, the motion was approved unanimously.***

The revised document is appended to these Minutes as Appendix 11.

The Chair reported that the UIA President, a member of the Mauritius WTO delegation, offered to, and has since secured the commitment of that delegation to forward it to the WTO. However it has been requested that other larger member states of the WTO also join Mauritius in this effort. Therefore, the Chair is seeking expressions of interest from other Commission members to do so.

The Commission's discussion evidenced that the following member sections would be willing to request such action by their WTO representatives: ACE, Australia, Germany, Hong Kong, Malaysia, Thailand, United Kingdom and the United States.

FOLLOW-UP ACTIONS: The Chair will revise the document and forward the revised document to the UIA President. In his report to the February 2007 UIA Council he will inform them of the change. He will forward the document to all of the Commission members who expressed a willingness to share it with their WTO representatives.

14. REPORT ON THE PUBLICATION OF THE UIA ACCORD AND RECOMMENDED GUIDELINES

The Chair as a follow-up to his Secretariat report asked if the Commission, in view of the discussions at this meeting, still supported the publication of the existing UIA Accord and Recommended Guidelines in their existing form.

Mrs. Cox urged that the publication proceed as planned. She was concerned about any further delays.

The Chair noted that the Advisory Committee recommended that the UIA Accord policies be numbered along with the Recommended Guidelines.

15. REPORT ON THE LETTER TO UIA MEMBER SECTIONS CONCERNING THE USE AND APPLICATION OF THE UIA ACCORD AND RECOMMENDED GUIDELINES

The Chair recalled the motion adopted at the 2005 annual meeting. Mr. Peck subsequently drafted a letter which was forwarded to Mr. Keune. The letter was held by him assuming that there would be a published version of the UIA Accord and Recommended Guidelines to accompany this letter to the Presidents of the UIA member sections. However, since the publication was not available, he forwarded the draft letter to the UIA President in September. As of this date he does have confirmation that the letter has been sent.

Mr. Prinz suggested that consideration be given to preparing a two-page, bullet point

summary of the key policy points in the Accord to go with such a letter. He questions if the recipients would read the entire UIA Accord and all of the Recommended Guidelines. He noted that in Germany they promote awareness of these documents by: a) stressing their importance to improving selected elements of current national policies and/or practices; and b) having them serve as a base to facilitate and enhance international practice by their members.

FOLLOW-UP ACTION: The Chair will make inquiry of the UIA President as to whether the proposed letter has been sent and consult with him regarding the proposed summary statement.

16. REVIEW, DISCUSSION AND ACTION ON SUGGESTED CHANGES TO THE CONTENTS OF THE EXISTING UIA ACCORD RECOMMENDED GUIDELINES BASED ON REPONSES TO THE UIA MEMBER SECTION SURVEY

The Chair noted that the Commission's approved work program called for this survey as a basis for the possible revisions to the Recommended Guidelines in order to keep them current. The proposed survey form was shared with the UIA Council at their June 2006 meeting. Following that meeting a request was made of the UIA Secretariat to forward it to all UIA member sections. Based on comments received at this meeting the Chair is not certain that it was distributed to all UIA member sections.

There has only been one response and that was from the United Kingdom. He called on Mr. Pritchard and Mr. Wright to review the comments forwarded by the Royal Institute of British Architects. They noted that these suggestions represented the RIBA's views and not necessarily their personal views. There was not time to submit them in the form requested on the survey form.

1. Recommended Guideline on Accreditation/Validation/Recognition: It is questioned if it is necessary to treat validation records as being confidential.

Mrs. Cox stated her view that some validation reports need to be treated as confidential.

Mr. Prinz suggested revising the language to read that there might be a need to treat some validation reports as confidential.

2. Recommended Guideline on Practical Experience/Training/Internship: Point 4 should recognize that electronic web-based systems now exist for documenting and sharing such required records.

The Commission concurred with editing it to reflect this condition.

3. Recommended Guideline on Demonstration of Professional Knowledge and Ability: The language in the policy statement and that used in the "Introduction" need clarification in regard to practical experience and university courses.

Mr. Peck questioned the value of the second sentence in the third paragraph since it is confusing when viewed against the policy.

It was the consensus of the Commission to strike the sentence.

4. Registration/Licensing/Certification: Modify the last sentence to read"...on such basis as would be acceptable to or required by the registration agency."

The Commission concurred with this recommendation.

5. Procurement: Mr. Wright recalled that the document needs serious revision in view of what is being presented and discussed at this meeting. The U.K. Construction Industry Council was the originator of the QBS document that was adopted by Australia and then served as the basis for the UIA Recommended Guideline on Procurement. The CIC subsequently commissioned a new study and revised the document which has been published and is available on their web site. He recommended that this revised document be considered by the Commission as a basis for revising this UIA Recommended Guideline.

The Commission concurred with this recommendation.

6. Ethics and Conduct: Mr. Wright suggested that the existing document should be reconsidered in the context of the recent experience within ACE in responding to the EU Directive on Services in the Internal Market. The ACE used the UIA Accord and Recommended Guideline adopted in Beijing as the basis for their work on the ACE code. The UIA document was reordered, extensions were made to existing provisions and there were new additions such as one related to global warming. The result was a legal document that could be applicable in both Anglo-Saxon and Napoleonic law countries.

Mr. Scheeler observed that for the Commission to consider the ACE document, it would need to be presented in a form which indicated the changes from the existing UIA document.

Mr. Wright concurred but noted that this presented a challenge due to the substantial amount of changes. He suggested that the best way to do this would in the form of a chart which would identify the changes in the two documents together with the new modifications.

Mr. Peck concurred with this suggestion and thought it was important that such a presentation be available well in advance of the Commission’s next meeting since it represents such a key document.

Mr. Wright agreed to prepare such a chart and have it circulated by the Commission secretariat to the entire Commission.

Mr. Parken noted that the RAIA had used the UIA related documents as a basis for revisions to their code of conduct documents. However they separated the enforceable legal requirements and the aspirational goals. This revised document was reviewed and accepted by the Australian Competitive Commission.

Mr. Prinz observed that a judge in an instance where there is no existing national code of conduct could refer to a UIA document as an international point of reference and interpretation.

Mr. Wright, based on the discussions at this meeting, looked at both the UIA and ACE documents for references to the matter of responsible project control. Finding no such reference in either set of documents, he indicated that he will be adding a recommended reference to this subject.

The Chair observed that it was important for the Commission members to see all of the proposed revisions in writing in order that they might consider them and prepare any comments they wished to make.

Mrs. Siola concurred noting that for many members who do not have English as their first language, it is necessary for them to have adequate time to review any proposed documents.

7. Continuing Professional Development: In view of what has been taking place with regard to this subject, the existing UIA language in the Recommended Guideline is minimal. The guideline should be revised to make it more aspirational.

Mr. Prinz concurred with this suggestion noting that it would need to be coordinated with other ongoing UIA initiatives.

The Commission concurred with this suggestion.

8. Scope of Practice: It is recommended that the document be revisited to include references to project flow elements such as: a) project briefs, b) building contracts, c) post-occupancy evaluation. It also needs to reflect alternative methods of project delivery.

9. Practice in A Host Nation: The language in 2.1. set forth requirements for registration that are not that different for full registration and this language may need to be reviewed.

10. Roles of Professional Bodies: There is a need to bring additional clarity to this Recommended Guideline beyond the listing of everything professional bodies might do.

Mr. Wachi observed that this discussion highlights the need to call upon the past Chairs of the relevant Drafting Panels to revisit their subjects and documents that have been adopted by the Commission and approved by the UIA Council.

The Chair inquired if it would be useful to circulate the Survey Form on the Existing Recommended Guidelines to all UIA member sections and to set forth a schedule for the receipt of responses before the Commission's 2007 annual meeting.

Mr. Wachi responded indicating that the process should take as long as it is necessary to accomplish the task and should not be tied to a schedule between now on the Commission's next meeting.

Mrs. Siola stated that is important to keep in mind that the UIA Accord and Recommended Guidelines were prepared as aspirational documents. They were not intended to serve as precise current practice documents.

Mr. Peck stated that based on the discussions certain of the Recommended Guidelines require immediate attention. In the next round revision the Drafting Panel is starting with an existing document on which to base any revisions or the addition of new material.

FOLLOW-UP ACTIONS:
1. Mr. Wright will prepare a chart describing the existing UIA and ACE code of conduct documents. It will also specify the new additions to the ACE document. It will be circulated to the Commission members by the Commission Secretariat.
2. The Survey Form on the UIA Recommended Guidelines will be circulated to all of the UIA member sections inviting their review and comments.
3. The three priority Recommended Guidelines in need of revision are: a) Ethics and Conduct. b) Scope of Practice, and c) Procurement.
Second tiers meriting further consideration are: a) Roles of Professional Bodies, and b) Continuing Professional Development.
4. The original Drafting Panel Chairs for the three priority Recommended Guidelines agreed to reassume the role of Chair/Co-Chairs - Ethics and Conduct: John Wright; Scope of Practice: Shinjiro Wachi; and Procurement: Michael Peck and John Wright.
5. These Drafting Panel subjects will be included on the agenda for the 2007 Annual Meeting.

Mr. Pritchard noted that in the course of reviewing the Recommended Guidelines, the RIBA noted several points within the existing UIA Accord policies that also merit reconsideration: a) additions to the definition of the practice of architecture; b) changes in the minimal requirements for architectural education; and c) the definition of procurement needs to revisited.

Mr. Wachi suggested that the RIBA comments dealing with the UIA Accord policies needed further development and resubmission using the format included with the Commission Survey Form on the UIA Accord Policies before they could be properly considered by the Commission.

Mr. Balbir reaffirmed the position that we should proceed with the publication of the Accord and Recommended Guideline as they presently exist.

Mr. Wright suggested that the review of the existing Recommended Guidelines should be completed first and then there should be a further review of the Accord Policies to be sure they are both in full agreement.

Mr. Parken suggested that the Commission consider setting a schedule for the systematic review of the UIA Accord and Recommended Guidelines, e.g. a review every five years.

Mrs. Cox suggested that we might consider publishing only the UIA Accord at this time and holding off on the Recommended Guidelines until they are revised.

MOTION: ***Mr., Peck moved that the UIA Accord and Recommended Guidelines in their present form be published as soon as possible in light of the offer of financial support from the AIA. Mr. Wachi seconded the motion. There being no further discussion the motion was adopted unanimously.***

MOTION: ***Mr. Peck further moved that if the UIA is unable to arrive at a set of new graphic standards that this publication be done in the existing UIA graphic format as soon as possible. The motion was seconded by Mr. Ahmed. There being no further discussion the motion was adopted unanimously.***

FOLLOW-UP ACTIONS: The Chair will confirm with the Secretary-General the status of the revised UIA graphic standards and proceed accordingly.

17. REVIEW AND DISCUSSION OF PROPOSED NEW SUBJECTS TO BE ADDRESSED BY THE COMMISSION

The Chair noted that the initial meeting announcement and the provisional agenda provide for Commission members to suggest additional agenda items. Four subjects were suggested.

17.1. INTEGRATED PRACTICE

Introduction: The Chair recognized Mr. Lyon, President of the Royal Australian Institute of Architects.

Presentation: Mr. Lyon presented his reflections on the subject of integrated practice from the perspective of Australia. His presentation is appended to these Minutes as Appendix 12.

Discussion:

Mr. Prinz observed that within Germany there is currently an ongoing review and discussion of building information models. The providers of computer software programs have agreed to provide one, rather than multiple, BIM programs. However, it is still difficult to get the architects to use it. They know it is there and affordable and there are many educational programs to promoted it. The architects are behind the engineers and contractors who have generally accepted it and have been engaged with it from an early stage. He thinks is necessary for the UIA to become an advocate for architects to embrace this system.

Mr. Wright noted that this process has been embraced in the United Kingdom since 1998. The national government now expects that all public architectural projects will be delivered in this way. The European Union as a whole has lagged behind. The system has its origins in the design and construction of off-shore oil systems and in the Toyota management systems. Based on his experience, it requires a sustained educational effort

especially for the construction industry. He noted that FIDIC has extensive experience in this area.

Mr. Peck stressed that this system affords the opportunity for design by architects to be made the most important part of the building process. It moves architects and design to a leading role in construction projects. He regards it as an essential program for the UIA to focus on.

Mr. Scheeler responded that this Commission should be planning an approach to the subject.

Mr. Wright noted that in using this system you cannot procure on the basis of the lowest price. The client gets greater value in the final building. There is no need for the UIA to invent the process. There is a wealth of existing data already available on proven applications.

Mr. Peck observed that this points to the need for revisiting the existing Recommended Guideline on Procurement.

Mr. Mohamed supports the statements made. However, he observed this system is viewed as a threat because it is being promoted by project managers. He sees it as a challenged to get architects to move away from the conventional procurement systems. He suggested that it will be necessary to change aspects of the education system in order that students become knowledgeable about these new systems.

Mr. Wachi noted that in Japan such an initiative began some ten years ago by the general contractors. It failed because it was not a unified approach. He stressed that this has since become a global initiative.

Introduction:

The Chair recognized Mr. Wachi to make a presentation on this subject.

Presentation: Mr. Wachi used a power point presentation which is included as Appendix 13. It focused on three award winning building projects done using BMI integrated practice and on the 2005 meeting of national professional body presidents at the June 2005 AIA National Convention in Los Angeles, California.

Discussion:

The Chair noted that it was the sense of the Advisory Group that it was essential that this Commission bring this subject to the attention of the UIA.

Mr. Zhuang noted that the first seminar on this subject within China was recently held in Beijing. This seminar made it evident that because of the diverse array of users of such a system that it requires a very high quality of computer software and hardware. He

questioned how the UIA would approach the subject of different companies producing varying BMI computer programs. He noted that the costs associated with keeping current with such systems are not inconsequential.

Mr. Wachi responded that the concept between alliances that he referenced is that all computer program vendors are sharing Industry Foundation Classification (IFC). The IFC system allows the transfer of data among different programs. We are in a transitional period where the available software is becoming ever faster.

Mr. Parken noted that no one software provider should dominate the system. As this Commission approaches this subject it should address basic principles. He suggest that these should include: a) recognition that is a holistic building system; b) that there needs to be open source dialogue to allow all computer systems to be able to communicate with one another using the IFC standard; c) we should not be wedded to one vendor¹s software; and d) we support inter-operability on objective based data. Technology is evolving very rapidly. The big issues are related to the framework between the players involved. It is important for the architects to move to the center of this technology or face the situation where they are players on the outside. It has the potential to change the entire system. Increasingly clients are aware of this new technology and some are already demanding that their architects use it. They are very conscious of the costs associated with delays due to errors and omissions.

For architects and this Commission there are major questions: a) where will they sit in this system; b) the need for education; c) contractual arrangements; d) risk sharing; e) insurance; f) who will own the data, etc. The Commission and the UIA need to give guidance to the profession on this new opportunity.

Mr. Silcher observed that this subject generates reflection on the architect's role and what it means about the process of creating architecture. While it can be viewed as an interesting tool, he questions its role in creating architecture.

Mr. Peck observed that without the availability of this technology the work of leading architects such as Frank Gehry would not be achievable in a built form. He sees this technology as being a great asset to freeing up the design process to be much more creative.

Mr. Parken observed that this technology has reached the point of being able to build models which are integral to not only the architect's design of a building but also to explaining the design to clients. The whole system allows architects to design in ways they have never been able to in the past.

Mr. Balbir stated that it is the responsibility of the UIA to bring these new systems to the attention of educators and professional bodies.

The Chair, reflecting on the presentations and discussion, questioned if the Commission believes that this subject rises to the level of an Accord Policy and a Recommended

Guideline.

Mr. Peck stated that he saw this as a system of delivering architecture that is radically different from what has existed. This Commission needs to be sure it has access to practitioners who are actively working with these new systems in order that we might fully understand the full range of issues involved. He suggested that the Commission should have a workshop on this subject.

Mr. Mohamed noted that the Commission did produce a policy and recommended guideline on the subject of project delivery. What we have been discussing is one form of project delivery. There are other systems. He suggests integrating this with our existing documents.

Mr. Silcher expressed the view that this new system is so different from what we have had to date that it could not be treated as just another project delivery system.

Mrs. Soh stated that it is affecting the fundamental way in which architecture has been traditionally practiced and it clearly merits the attention of this Commission and the UIA. We need to take the long view.

Mr. Wright observed that in his view the Frank Gehry model operates at a different level. There are others working in the integrated process without this particular model. He agrees that what we should take the long view of the subject.

Mr. Prinz expressed the view that the important element was the integration and bringing together of many interests in the beginning of the design process. There are a number of processes at work in Germany. He suggested that in addressing integrated practice the Commission needs to address the overall picture and then put the individual models into that context.

Mr. Ahmed recommended that the Commission in addressing this subject utilize what is already being done by others. He subscribes to holding a roundtable on the subject.

Mr. Parken noted that the RAIA's April 2007 conference will be focusing on integrated practice, including BMI. He suggested that this might provide a vehicle for such a UIA roundtable.

The Chair inquired as to whether there was an interest by anyone present to assume the lead responsibility in addressing this subject, e.g. a Drafting Panel on Integrated Practice.

Mr. Wachi volunteered to serve as the Chair for a Commission initiative on integrated practice. He stressed that he viewed the approach of creating alliances was important for this subject.

Mr. Peck suggested that it would be useful for Mr. Wachi to provide an initial written definition/outline of what he sees this effort focusing on. He offered to assist him in this

effort.

FOLLOW-UP ACTION: A Drafting Panel on Integrated Practice is being created chaired by Mr. Wachi. Solicitation of Commission members interested in joining the Panel will be made. The Drafting Panel will present their first report at the Commission's 2007 Annual Meeting.

17.2. UIA AS A MEMBER SECTION TRAINING PROGRAM RESOURCE

The Chair referenced the statement circulated as an attachment to the provisional meeting agenda. He noted that the Advisory Group was: a) supportive of the idea; b) stressed that all of the costs would need to be covered by the body requesting the training program; and c) that there would have to be a designated secretariat within the UIA to administer, organize and conduct such a service.

Mr. Parken questioned whether there were the resources within the Commission to take on such a responsibility. He noted the increasing availability of educational and training knowledge and materials online.

Mrs. Cox thinks it is a good idea for those countries that really do need help. While acknowledging that many of the large UIA member sections have increasingly sophisticated on-line services, there are many UIA member sections that do not yet have this capability and need face-to-face training experience.

Mr. Prinz, being familiar with the Libya inquiry, noted that such a request represents a national professional body asking for advice and help in starting from the beginning with regulating the profession. This Commission has gathered and produced a body of information which in many dimensions meets such a need. The UIA should be prepared to use this information and experience to help those requesting such basic assistance. He sees an advantage of beginning with brief, well planned and focused workshops. It would be very positive in showing that the UIA can be supportive of meeting the needs of the profession where it is less-developed. He suggests starting small and creating something that might be called "The UIA Academy."

Mr. Scheeler noted the Commission has already been called upon in the past to assist UIA member sections in Eastern Europe who have had the need to restructure their professional bodies, i.e. Hungary. It is important in doing this that the requesting body define what they are seeking in order that the effort can meet their priority needs.

Mr. Silcher suggested that in providing such services that it is important that those providing the training, if at all possible, have some understanding of the culture of the requesting country. There should be neighboring countries that are well positioned to assist in this way. He cited the example and experience of the architects in West Germany responding to requests from the professionals in the former East Germany.

Mr. Prinz referenced that Germany could possibly benefit from such a UIA program in

terms of their current issues with architectural education.

The Chair summarized the discussion as: a) the Commission being supportive of the concept; b) staring small; c) the receiver pays; d) the requester needs to articulate specific needs; e) if point four is not possible the UIA should be willing to assist them in defining their needs; f) use existing resources in the region if they are available; and g) coordinate involvement of PPC expertise on subjects. The creation and placement of an administrative secretariat needs consideration, definition and creation.

FOLLOW-UP ACTION: The Commission Co-Director will share this response with the UIA President.

17.3. UIA AS A MEMBER SECTION ADVISORY SERVICE RESOURCE

The Chair referenced the statement circulated as an attachment to the provisional agenda. He observed that this subject is very similar to what the Commission had just discussed in regard to the previous subject. The summary discussion of Point 2 was applicable to this subject.

The Commission concurred with this view.

FOLLOW-UP ACTION: The Commission Co-Director will combine this response with that of the previous Agenda Item and will share this response with the UIA President.

17.4. OFF SHORING AND OUTSOURCING OF ARCHITECTURAL SERVICES

The Chair referenced the statement circulated as an attachment to the provisional agenda.

Mr. Scheeler having attended the September 2006 AIA symposium observed that a consensus emerged from those at the symposium that this is a way in which increasing numbers of firms are practicing both domestically and internationally in a changing global economic environment supported by rapid continued changes in communication technology. He noted that a report of the symposium is being prepared by the AIA. Based on this experience he thought it was a subject that this Commission should be aware of.

Mr. Wright concurred that this is a subject the Commission should address. There are ethical dimensions involved, particularly in common law countries as it relates to project involvement.

Mr. Prinz views this matter as more of a concern for individual UIA member sections. He is not yet clear on how the UIA can address this on an international basis.

Mr. Parken observed that it is an emerging practice among Australian firms and that a driving force is found in the cost.

Mr. Silcher observed that this is not only something happening with architects but it is also found in other sectors. He doesn't see how the UIA can become involved.

Mr. Balbir stated that India, being one of the primary locations of where the outsourcing is being done, is finding it increasingly difficult to find young architects for employment in their domestic offices. There is a factor relative to salary differences. He suggested that the subject be included on the next meeting agenda.

The Chair indicated that when available the AIA would provide a citation to the symposium report.

FOLLOW-UP ACTION: The Commission Co-Director will provide a web site citation to the AIA symposium summary. The subject will be included on the 2007 annual meeting agenda.

18. SUMMATION OF THE STATUS OF THE COMMISSION'S WORK PROGRAM

The Chair summarized the actions taken at this meeting and the status of the agenda items. These have been included in the meeting Minutes under the heading of "Follow-up Actions".

As to the specific requested communication needs coming from this meeting to be shared with the UIA Secretary-General, he stated that the action of the UIA Council with regard to the adopted Recommended Mutual Recognition Agreement was the primary item requiring communication to the UIA member sections.

19. 2007 COMMISSION MEETING, SEOUL, KOREA

Introduction: The Chair introduced Mr. Lee to make the presentation.

Presentation: Mr. Lee used a power point presentation which is appended to these Minutes as Appendix 14. The meeting will be held in Seoul, Korea on October 3-5, 2007. It is being held in conjunction with the annual conference of the Federation of Institutes of Korean Architects. The new headquarters of the Korean Institute of Architects will be completed by this date. Hotel rooms have been blocked in two hotels. Further detailed information will be provided to the Commission members in July.

20. OPEN FORUM

Mr. Obayawat commenting on his participation at a first UIA PPC meeting observed that he leaves with an understanding of the differences in architectural practice between many developed and developing countries. Based on recent experience in Thailand, it is increasingly important that foreign architects accepting commissions in Thailand be prepared to do more than just provide conceptual designs. They should be prepared for a more substantial engagement with local architects in terms of sharing new technologies,

building materials and systems, etc. In the process of sharing interests in professional practice it is important to not create situations where there are just rule makers and rule followers.

Mrs. Soh suggested consideration of a chat room space for the use of Commission members to make inquiries and exchange views on matters of current interest in professional practice.

Mr. Peck indicated that the Melbourne architectural tour would depart tomorrow morning from the RAIA offices at 9 am.

21. APPRECIATION TO MEETING HOSTS

The Chair presented a Citation of Appreciation to the Royal Australian Institute of Architects for their hosting this annual meeting and for their active engagement with the Commission since its founding in 1994. The Citation is appended to these Minutes as Appendix15.

22. ADJOURNMENT

The Chair adjourned the meeting at 5:00 pm.

23. APPENDICES

NOTE: These appendices are all available for viewing on the UIA Professional Practice Commission web site at www.aia.org/about_uia. They are found under the heading of "UIA-PPC 2007 Annual Meeting, Melbourne, Victoria, Australia".)

1. List of Participants
2. Minutes of the 2005 Annual Meeting, Washington, DC, USA.
3. 2005-2006 Report of the Co-Director and Secretary.
4. Report of the UIA Col-legi d'Arquitectes de Catalunya (COAC) Standard Format for Reporting the Practice Standards of Each UIA Member Section.
5. Report on the UNESCO-UIA Charter for Architectural Education and the UNESCO-UIA Validation System.
6. Report on the May 2005 Accreditation/Validation Roundtable Conference, Washington, DC, USA.
7. Report of the Drafting Panel for the Study of a Recommendation on Architect-Client Agreements.
8. Report of the Drafting Panel for the Study of Recommended Standardized Forms of Mutual Recognition Agreements.
9. Report of the Drafting Panel for the Study of Increasing the Portability and Recognition of Required Professional Internship Experience.
10. Report of the Drafting Panel for the Study of a Guideline for the Development of Architect Fees.
11. Draft Disciplines on Domestic Regulation in the Architectural Sector.

12. Presentation on Integrated Practice by Carey Lyon, President, RAIA.
13. Presentation on Integrated Practice by Shinjiro Wachi, JIA.
14. Presentation on the 2007 Commission Meeting, Seoul, Korea.
15. Citation to the Royal Australian Institute of Architects.

Submitted by:

Russell V. Keune, FAIA
Co-Director and Secretary
Professional Practice Commission
International Union of Architects
The American Institute of Architects