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**Code of professional qualifications
for
Liberal Property Surveyors**

Report
(dynamic)
www.clge.eu/ig-parls

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0. Preamble

This Report is a dynamic explanatory report with national presentations supporting the “Code of professional qualifications of Liberal Property Surveyors” – established by IG-PARLS (Interest Group of Publicly Appointed and Regulated Liberal Surveyors), a fractional and legally non autonomous organization of CLGE.

CLGE is the Council of European Geodetic Surveyors.

The basic purpose and mission of the association is:

- 1) to represent and promote the interests of the geodetic surveying profession in the private and public sector in Europe
- 2) to enhance the development of the profession administratively, educationally and scientifically, to facilitate training, continuous professional development and mutual recognition, and to promote the activities of geodetic surveyors as a highly qualified professionals.

The IG-PARLS especially represent the interests of liberal surveyors within CLGE who are entrusted with public missions in the field of property guarantee by their country due to high professional qualifications assuming personal responsibility and liability, economic independence, high ethics and security for the customers and society.

The multiplicity of public laws, legal effects and private rights relating to land and property calls for comprehensive technical and legal knowledge on the part of members of the profession of Liberal Property Surveyors.

To assure a common European professional level and a high level of protection of ownership rights in legal issues related to land and property and work executed by the profession in public or private service, this Code defines and recommends necessary professional qualifications and prerequisites as well as business and disciplinary requirements. The present “Code of professional qualifications of Liberal Property Surveyors” is developed and adopted with the aim of assuring a common European professional level to the tasks related to legally regulated cadastral work (in the field of real property formation, modification and registration), property and land management activities, executed by the profession of Liberal Property Surveyors. The Code lists requirements and recommendations for the professional performance, by defining necessary high standards of professional requirements, educational qualifications and other professional prerequisites and skills – all adopted by consensus by IG-PARLS.

The major part of this code defines the requirements and standards for surveyors carrying out similar tasks in relation to land and property under State employment.



The “Code of professional qualifications of Liberal Property Surveyors” renews parts of “Multilateral Accord” issued by GE (Geometer Europas) in 2004 and adopted by CLGE/IG-PARLS by the merger of CLGE and GE in 2010.

1. The Profession – Liberal Property Surveyors

1.1 Characteristics of the Profession

Due to the different national organization of legal systems of cadastre, property and land management (consisting of legislation, state structures, roles and responsibilities, data structure and actors involved) it is not possible to give an exact description of a Liberal Property Surveyor covering the profession in all CLGE member countries or IG-PARLS member countries. But there are common overall characteristics of the Liberal Property Surveyors, binding the profession together at a European level.

The characteristics of surveyors entrusted with technical and cadastral work concerning legal systems of cadastre, property and land management can, in general, be described by the following professional profile and common professional identity of surveyors.

Fig. 1 The common professional profile of Liberal Property Surveyors

Fundamentally the professional work of Liberal Property Surveyors is associated to property development and based on legal and geographic spatial knowledge about “the location”.

“The location” must be interpreted very broadly from the exact fixed point, to the boundary mark, to the land parcel and to larger geographic areas.

The surveyor’s work unfolds in a variety of technical, legal, planning, economic and design disciplines. They are all primarily based on handling specific legislation and managing localized geographic spatial data (geodata). This broad professional profile also provides excellent skills for handling interdisciplinary problems.

Depending on the professional role and function of the surveyor, the value-added activity, to varying degrees, consists of land management, development, advisory functions and government in relation to the professional and business core areas – property, location, geodata.

The following description of the function of the Liberal Property Surveyors is based on the general characteristics of the profile of the surveying profession.

1.2 The public function and professional role

The Liberal Property Surveyors acting in the cadastral process, are basically entrusted with official authority. They have the professional authority to

perform a number of special tasks either representing the a public authority, or acting on behalf of a public authority or in cooperation with a public authority.

Bearing in mind that the actual tasks frequently require a combination of publicly appointed surveyors and regulated liberal surveyors, the two professional types of Liberal Property Surveyors acting in the cadastral process can be characterized as follows:

The Publicly Appointed Liberal Surveyors represent the state in the cadastral process or act “on behalf of the state” in the cadastral process.

The Regulated Liberal Surveyors act under a more or less restrictive public legal regulation in the cadastral process.

In the EU context, the public functions, professional roles of the surveyors and the overall market regulation can be described in headings by the following illustration:

Civil Servants <hr/> Article 45	Publicly Appointed <hr/> Article 51	Regulated Profession <hr/> Mutual Recognition	Free Market <hr/> Services
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Fig. 2 The overall market EU-regulation of professions that provide services

The public missions in the field of cadastral, property and land management require trustworthy and reliable legal systems and registers in the European states.

The activities vary according to different European countries but generally include fundamental registration and changes in the cadastral register, property register and land register based on determination of boundaries of property as well as management of property and land rights.

When the Liberal Property Surveyors represent public authority through their activities, society must set requirements for the professional practice. High quality requirements and standards for the profession must be assured through academic education, disciplinary regulations, ethical codes established by national associations, legal authorizations and national regulations. They exercise their activities under their personal responsibility

and in a context of economic independence.

2. Professional qualifications and prerequisites

2.1 Education level

In order to ensure a high professional level of expertise, the educational background of the surveyor must be based on a scientifically high academic education – 3Bachelor + 2Master in surveying science (Surveying & Mapping, Geoinformatics, Land Management, Property Economics).

2.2 Professional practice

To be Publicly Appointed to perform regulated publicly tasks related to cadastral, property and land management, the surveyor must complete and document a number of years of professional practice – 2/3 practical supervised training performing the relevant tasks. The appointment and license is issued by the national authorities upon application and documentation.

2.3 State examinations

Approval of professional skills with or without examination by state/federal board or commission, professional state recognized commission, second state examinations commission (Germany) etc.

2.3 Continuing Professional Development

To ensure a consistently high and updated professional skill level and knowledge, mandatory continuing education is required for the Liberal Property Surveyors. Continuously training must be documented and a certain ECTS-level (modified 20 hours) is also required for continuing appointment or licence.

3. Professional business and disciplinary requirements

3.1 Insurance obligation

To protect customers against financial loss as a result of work carried out by Liberal Property Surveyors and their employees it shall be mandatory for the surveyor to be covered by professional indemnity insurance, which must be personal. The insurance shall be at a sufficiently level.

3.2 Board of appeal

To guarantee the public control and verification of the work carried out by Liberal Property Surveyors and their employees, an independent Public Board, which is appointed by the Minister under the rules of surveying law, has to be established. The surveying Board deals with complaints about practicing surveyors for their professional work. It concerns first and foremost cadastral work. The Board also handles and takes disciplinary decisions concerning malpractice complaints in cases of activities which are, by law, performed by Liberal Property Surveyors.

The Surveying Board assesses the surveyor's work in order to decide whether he has failed to fulfill his obligations to such an extent that there is reason to impose a penalty in the form of a reprimand or a fine or, if special circumstances justify, a public appointment or licence withdrawal.

3.3 Disciplinary board

To ensure high quality standards of the work performed by Liberal Property Surveyors and to protect the consumers, an internal Disciplinary Board must be established, which must be able to handle consumer appeals in

terms of technical quality, price and performance. At the complainant's request, the Board shall hear the case and decide. The Board shall have the power to reprimand a surveyor, to impose fines and to exclude a member from the internal association of liberal surveyors.

3.4 Ethical codes

In order to ensure high ethical standards in the execution of work carried out by Liberal Property Surveyors and their employees, their work must be based on an internal code of ethics fixing the rules for customer contact and contractual work, including information on the work progress and cost overruns.

The ethical codes shall be based on the "Code of Conduct of European Surveyors" issued by CLGE¹.

4. CLGE application of the code

The code primarily applies to nations or organizations in countries where Publicly Appointed, Regulated and Licensed Liberal Surveyors are acting in the field of cadastral, property and land management systems in a public mission – members of IG-PARLS under CLGE.

CLGE may generally use this Code to enhance the development of the profession, to facilitate training, continuous professional development and mutual recognition, and to promote the activities of geodetic surveyors as a highly qualified profession. At the same time it may act as a letter of intent for other nations and organizations in relation to professional performance of cadastral work, property and land management.

¹ <http://www.clge.eu/documents/events/CLGE%20GE%20Code%20of%20Conduct%20for%20European%20Surveyors.pdf>

Enclosure

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