

Subject to approval at next meeting

Minutes - Official Meeting #8
North American Free Trade Agreement
Manzanillo, Colima, Mexico

November 20, 2002

Sector: Licensed Land Surveyors

Participating Parties: The United Mexican States (UMS)
 The United States of America (USA)
 Canada (Ca)

1. Recognition of the Chair and Opening Remarks.

Ing. Ignacio Marcial Figueroa, Presidente, Federacion de Colegios de Ingenieros Topografos de Los Estados Unidos Mexicanos, (FECITEUM A.C.) called the meeting to order at 5:30 p.m. CST at the Manzanillo Sierra Hotel, in Manzanillo, Colima, Mexico. Mr. Figueroa welcomed all present for the eighth official meeting for the Licensed Land Surveyor Sector under the NAFTA. The Chair read the proposed agenda in Spanish which was translated into English to allow discussion. It was explained that the meeting was being recorded and that each of the three delegations would be provided with a copy of the tape.

2. Roll Call – Establish that a Quorum is present.

It was declared that a quorum was present. Those participating in the discussions were:

United Mexican States:

Ing. Ignacio Marcial Figueroa, Presidente, Federacion de Colegios de Ingenieros Topografos de Los Estados Unidos Mexicanos, (FECITEUM A.C.)

Ing. Lino Solis Lopez, Vice-Presidente, FECITEUM A.C.

Ing. Juan Ignacio Ortiz Altamirano, FECITEUM A.C.

Canada:

Wayne Brubacher, Chair of Canadian Council of Land Surveyors (CCLS) NAFTA Committee.

United States of America:

Robert Prescott, NAFTA Chair, National Society of Professional Surveyors (NSPS)

Malcolm Shaw, NSPS NAFTA Committee

Translators:

Amalia Ochoa and Hebe Alejandra Morales from Colima University, Colima, Mexico

3. Discussion and acceptance of the Rules Governing Meeting No. 8

The Rules presented were the same as those accepted for Meeting #7. Because the rules have not changed since the last meeting, the Chair dispensed with the reading of the rules in Spanish and English (a copy of the rules will be found in Appendix A at the end of these minutes)

Motion No 8 – 1: To accept the Rules Governing the Formal Meeting in Spanish and English as presented without having being read aloud because there are no changes from meeting No. 7.

Moved: Robert Prescott

Seconded: Lino Solís López

for: the USA

for: Mexico

Approved unanimously

4. Translators: Translation shall be provided in the following languages (if necessary)
Spanish, English, and French

Motion No 7 –2: That the requirement for French translation during Meeting No. 8 is hereby waived and that the translator be excused.

Moved: Wayne Brubacher

Seconded: Malcolm Shaw

for: Canada

for: USA

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5. Appointment of person to record and take minutes for the present meeting.

Robert Prescott (USA) was appointed to take minutes for the meeting. The Spanish and French versions of the official minutes will be translated from the English version.

6. Approval of Agenda and addition of items.

The proposed agenda for the meeting was presented.

Motion No 8– 3: that the agenda be approved as presented

Moved: Lino Solís López

Seconded: Robert Prescott

for: Mexico

for: USA

Approved unanimously

7. Recognition of Observers and Guests.

Carolina Chiñas was present as a guest at the meeting.

8. Receiving of Official Minutes.

Motion No 8– 4: That the English language version of the minutes of Meeting No.7 held in Manzanillo, Colima, Mexico, be approved.

Moved: Wayne Brubacher

Seconded: Robert Prescott

for: Canada

for: USA

Approved unanimously

9. Business arising from the minutes of the meeting in Manzanillo, Colima, Mexico

Discussion on issues within the current draft of the MRD

Mr. Wright's concerns under item #15 of Meeting #7 as listed below, were reviewed.

- i. How does a jurisdiction sign on to the MRD?
- ii. When it does, how does a surveying company go about working in another country?
- iii. How does an individual go about working in another country?
- iv. Will a company contact its host jurisdiction for direction?
- v. Should each jurisdiction have an outline that represents a same or similar process as all of the jurisdictions?

A brief discussion took place. Formal discussion was postponed until the USA and Mexico finish the approval process of the MRD.

Old Business

10. Letter of authorization from each nation's government.

Mr. Prescott had previously reported that the United States has received their letter from their trade representative.

Mr. Brubacher distributed a letter of authorization from the Minister Foreign Affairs and International Trade, Canada. It was read into the record in English and in Spanish. It is attached as Appendix "B". Ing. Figueroa stated that they are trying to get a letter from the SEP-SE of the Mexican Government in early 2003. Mexico will report on their progress at the next meeting.

Reports of activities within each of the NAFTA Countries

United States

Mr. Prescott reported that he had discussions with the US Trade Representative, Bernie Ascher . He told him that they were working on it and were effectively in agreement with the Canadian MRD7.

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Canada

Mr. Brubacher reported that the CCLS Board of Directors received and approved the MRD6 at Victoria, B.C. Canada in March, 2002 with modifications that reflected the changes from Las Vegas and from the tabled motions made at Manzanillo, (meeting #7). The CCLS Board of Directors were anxious to have the CCLS committee conclude its work. Accordingly, Mr. Brubacher presented MRD6 with the said changes under the heading MRD7. Ignacio Marcial Figueroa from the Mexican Committee, Robert Prescott, Malcolm Shaw and John Abenroth from the NSPS NAFTA Committee, and Wayne Brubacher and Richard Wright from the CCLS International Committee were present during the Victoria meeting. The proposed changes were distributed for review and possible implementation at the next formal NAFTA meeting (Meeting #8).

Mexico

Presidente Ignacio Marcial Figueroa reported that they should have approval from the Colegios in the spring of 2003.

11. Discussion of MRD 6

Mr. Brubacher repeated that he had submitted MRD7 for approval and that the Directors of the Canadian Council of Land Surveyors had approved it. The result was that Canada is basically finished with its work on the MRD and would now wait for the other two countries to reach the same point.

He recommended that the three motions that were tabled at the previous Formal Meeting (#7) should be lifted from the table and dealt with. He recommended further that they should be defeated and that a new motion should be made to approve the same version of the MRD that was approved by the Directors at the CCLS meeting in Victoria.

Motion No 8 – 5: that Motion No 7 – 5 be lifted from the table.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Ignacio Marcial Figueroa
for: Mexico

Approved unanimously.

Motion No 8 – 5A: that Motion No 7 – 5 be defeated.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Lino Solís López
for: Mexico

Approved unanimously.

Motion No 8 – 6: that Motion No 7 – 6 be lifted from the table.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Malcolm Shaw
For: USA

Approved unanimously.

Motion No 8 – 6A: that Motion No 7 – 6 be defeated.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Ignacio Marcial Figueroa
for: Mexico

Approved unanimously.

Motion No 8 – 7: That Motion 7 – 7 be lifted from the table.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Robert Prescott
for: Mexico

Motion No 8 – 7A: that Motion No 7 – 7 be defeated.

Moved by: Wayne Brubacher
For: Canada

Seconded by: Lino Solís López
for: Mexico

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Motion No 8– 7B: that the Mutual Recognition Document No. 6 (MRD 6) be amended as follows:

The text of the Mutual Recognition Document be replaced with the text from Mutual Recognition Document No. 7 (MRD 7) as accepted by the Board of Directors of the Canadian Council of Land Surveyors (CCLS) in Victoria, Canada in March, 2002

Moved by: Wayne Brubacher
for: Canada

Seconded by: Ignacio Marcial Figueroa
for: Mexico

New Business

12. Objectives to completed for future Meetings;

The Table as shown below, **Milestones for NATFA Committees** was reviewed and updated.

Motion No 8 – 8: To adopt the following table:

Milestones for NAFTA Committees

By Canada:	
By the United States of America:	
Copy of MRD to Governors and State Affiliate President and to NCEES President	2002
Acceptance and ratification by the NSPS Board Of Directors of the MRD	2003
By the United States of Mexico:	
Provide information on incorporation of FECITEUM A. C.	March 2003
Obtain curricula of Mexican universities and contact persons at the universities (Ing. Ignacio Marcial Figueroa)	March 2003
Provide Spanish version of minutes for Ottawa meeting.	March 2003
Review of MRD by Colegios	2002 – 2003
Obtain Letter of Support from Federal Government (SEP).	March 2003
Acceptance and ratification of MRD by FECITEUM A. C. Board of Directors	March 2004
All Countries:	
Collect complete set of documents with signatures where necessary for each country	Feb 15 th , 2003
Submit to Government Agents (CCLS to DFAIT, NSPS to USTR, FECITEUM A. C to Federal Government.); Government Agencies consider MRD	Mid-2003
After formal approval Jurisdictions sign on	5 to 20 years
Meetings every three years.	As decided

Moved: Lino Solís López
for: Mexico

Seconded: Malcolm Shaw
for: the USA

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Approved unanimously.

13. Discussion of issues from the World Trade Organization (WTO):

A discussion was held on World Trade. It was suggested that our committees may need to deal with this issue in the future. Mr. Brubacher reported that the government representatives in each country dealing with NAFTA are happy and willing to speak to the national associations if invited.

14. Miscellaneous

Mr. Prescott noted that a list of the NAFTA Representatives had been created with their address, phone, and E-mail address. Changes were noted by each representative.

Appointment of Schedule Coordinator

Motion No 8 – 9: That the appointment of a Schedule Coordinator for the period of time until the next meeting be made. The Schedule Coordinator will be Robert Prescott.

Moved: Wayne Brubacher
for: Canada

Seconded: Juan Ignacio Ortiz Altamirano
for: Mexico

Approved unanimously.

15. Location of Next Meeting

After detailed discussion, it was decided to hold the 9th official meeting in Canada at sometime between the dates of March 1st, 2003 and October 31st, 2003 at a place in Canada to be determined by the Canadian Delegation.

Motion No 8 – 10: That the next meeting shall be hosted in Canada, preferably in connection with the Nova Scotia Annual General Meeting in fall of 2003 provided that sufficient progress has been made by Mexico and the USA, and that a representative from Canada will chair the meeting.

Moved: Wayne Brubacher
for: Canada

Seconded: Malcolm Shaw
for: USA

Approved unanimously.

With no more business to discuss,

Motion No. 8 – 11: that the meeting be adjourned (at 6:40 p.m. CST)

Moved: Ignacio Marcial Figueroa
for: Mexico

Approved unanimously

Accepted and confirmed as correct:

The United Mexican States

By: Ignacio Marcial Figueroa
Federacion de Colegios de Ingenieros Topografos
de Los Estados Unidos Mexicanos, A.C.

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United States of America

By: Robert R. Prescott
The National Society of Professional Surveyors

Date

Canada

By: Wayne D. Brubacher
The Canadian Council of Land Surveyors

Date

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APPENDIX "A"

Rules governing the formal meeting.

1. The Chair will be a representative of the organization representing the host country.
2. Proceedings will be tape-recorded. A copy of the tape will be distributed to each party.
3. Participants will pause while speaking to allow translation.
4. The formal meeting may be temporarily adjourned to permit discussion off the record.
5. Each participating country (party) will be allowed one vote but unanimous consent must be reached on each issue.
6. Each party will select one person to be its principal speaker. Other representatives may make additional comments but the chair may limit discussion.
7. Observers may be allowed to speak at the discretion of the chair.
8. Minutes will be taken and provided to each party in English, Spanish, and French. Minutes will not be taken of off-the-record discussions. If unanimity is reached, the formal meeting will be reconvened and the results may be read into the minutes for information or presented as a motion for action.
9. The parties reserve the right to waive the need for a translator in any of the three languages to be present but minutes will be provided in all three languages. The right to waive may be exercised prior to the meeting by mail-in or e-mail consent.
10. The representatives of the parties intend to comply with the requirements of the NAFTA. If any actions of the representatives are not compliant, the remaining actions will be accepted.
11. Minutes will become official when each party has endorsed them. If any section of the minutes is disputed at the meeting at which they are to be approved and cannot be resolved by mail within three months of that meeting, the section will be brought to the next meeting for resolution.
12. If a translation from an approved and signed set of minutes is incorrect and causes a disagreement, it must be presented as a motion of correction at a formal meeting to be discussed, corrected and approved by consensus. Henceforth this section will become official, replacing the previous item once it has been signed.
13. Motions passed shall be numbered by the number of the meeting (Fort Worth = 1, Portland = 2, etc) and starting at 1 for the first motion for each meeting. It shall be the responsibility of the chair to assign the proper number to the motion. (Example: the first motion passed at the Tijuana meeting would be shown as 3-1), the motions of future reunions should be treated the same, for example 4-1, 5-1, etc., following the same order of the reunions.