

This reflects Al, Bob, Malcolm and Dick's comments.

**Draft Minutes - Official Meeting #5  
North American Free Trade Agreement**

Oaxaca, Mexico October 28, 2000

*Sector: Licensed Land Surveyors*

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

1. Recognition of the Chair and Opening Remarks.

Ingeniero Braulio Mercado Gutierrez, Chair of the FECITEUM NAFTA Committee called the meeting to order at 10:38 am **C.D.T.** at the Hotel Fortin Plaza, in Oaxaca, Mexico. Ing. Mercado welcomed all present for the fifth official meeting of the land surveyor representatives of the three countries and read the Agenda into the record. A minor correction respecting translators was made to the Spanish version. 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. It was declared that a quorum was present.

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

Those participating in the discussions were:

United Mexican States

Ing. Braulio Mercado Gutierrez, Presidente, Federacion de Colegios de Ingenieros Topografos de Los Estados Unidos Mexicanos, (FECITEUM A.C.)

Ing. Ignacio Marcial Figueroa, FECITEUM A.C.

United States of America

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

Rita Lumos, NSPS

Malcolm Shaw, NSPS

Luis A. "Al" Flores, NSPS

Canada

Richard Wright, Immediate Past President, Canadian Council of Land Surveyors (CCLS)

Wayne Brubacher, Chair of CCLS NAFTA Committee.

3. Discussion and acceptance of the Rules Governing Meeting No. 5

Ing. Gutierrez read the proposed Rules Governing Meeting #5 and asked for discussion. The Rules presented were generally the same as those accepted for Meeting #4 except Rule 12. Ing. Mercado read the Rules in Spanish. Al Flores read Rule 12 in English. The Rules for Meeting No. 5 are attached as Appendix "A".

**Motion No 5 - 1** *Approved unanimously.*

to accept the Rules Governing the Formal Meeting in Spanish and English as presented

Mover: Malcolm Shaw  
for USA

Secunder: Richard Wright  
for Canada

**Motion No 5 – 1a** *Approved unanimously.*

to accept the Rules in all languages incorporating the corrections.

Mover: Ignacio Marcial Figueroa  
for Mexico

Second: Al Flores  
for the USA

4. Translations: English to Spanish and Spanish to English  
English to French and French to English

Ing. Mercado announced that Al Flores would provide the Spanish/English translation. Ing. Mercado stated that Sonja Brubacher the French translator was present and inquired if anyone required that service. There being no need, the French translator was excused.

**Motion No 5 –2** *Approved unanimously.*

That the requirement for French translation during Meeting No. 5 is hereby waived and that the translator be excused.

Mover: Wayne Brubacher  
for the Canada

Second: Robert Prescott  
for USA

5. Appointment of person to record and take minutes for the present meeting.  
Wayne Brubacher 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 5 – 3** *Approved unanimously.*  
that the agenda be approved as presented

Mover: Richard Wright  
for Canada

Second: Al Flores  
for USA

7. Recognition of Observers and Guests.  
There were no observers and guests present at the meeting.

8. Receiving of Official Minutes from the Formal Meeting No. 4 at Ottawa, Canada.

The English version of the minutes for meeting No. 4 was received. The Spanish minutes were prepared by Ing. Lino Solis Lopez but were not available at the meeting. The Spanish and French **minutes** for Meeting No. 4 in Ottawa will be presented for acceptance at the next Official Meeting.

**Motion No 5 – 4** *Approved unanimously.*  
that the English minutes of Meeting No.4 held in Ottawa be approved as presented

Mover: Wayne Brubacher  
for Canada

Second: Rita Lumos  
for the USA

9. Business arising from the minutes

Ing. Mercado addressed several items of business arising from the minutes of the previous meeting **which were raised by Richard Wright..**

- a) Item 10.f, Mtg. 4. Comments about the definitions in MRD6 are expected from Mexico by Dec. 31, 2000.

b) Item 10.g. Mtg. 4, to be done by Dec. 31. The information that was lacking from the power-point presentation was added before the formal meeting. At least one more slide was added dealing with the key elements of the MRD, such as fairness and the acceptance of a license from another jurisdiction. Information from each country identifying the committee's right to represent its Association will be added. The Mexico Committee received its authority through its charter upon incorporation of the Federacion. The CCLS Committee's orders come from its Board of Directors' Motion D-96-16. NSPS relies upon its letter from the Office of the US Trade Representative. Mexico is to supply incorporation information by Dec. 2000.

c) Item 12 Mtg. 4. Wayne Brubacher said that he did not have a complete list of signed minutes and motions in three languages from the first four meetings. Each country will need these to forward to its own government with the MRD. He will compile the list for circulation and send it out to the committees asking each to indicate what they had or what was missing. We will exchange documents so each country has a complete set from Meeting 1 forward. This should be completed by Dec. 31, 2000.

### **Old Business.**

#### 10 a) Letter of Support.

NSPS had received a letter of support from the U.S. Trade Office in April 1997. Bob Prescott will supply a copy to each of the countries. Wayne Brubacher will follow up with the Department of Foreign Affairs and International Trade (DFAIT) in Canada and report monthly when doing follow up activities as required by Motion 5-7, below. Mexico will continue to pursue the receiving of a similar letter.

b) Curriculum for University Programmes. Wayne Brubacher reported that he submitted the University of New Brunswick and University of Calgary curricula at the previous meeting. He also submitted the list of accredited Universities in Canada and those that may be found acceptable to the Ontario Board in the future. Names and, where available, e-mail addresses were included. He indicated that each has its own Web Page

Ing. Mercado reported that progress was being made bringing the Colegios together. Meetings like the present one, held in Mexico are helping. Mexico has eight Colegios and Braulio will send the curricula for their universities by e-mail by Dec. 31, 2000.

Rita Lumos reported that the U.S. Universities also have Web Pages and she has downloaded several curricula.

c) Glossary of Terms. Richard Wright went through MRD5 to find words suitable for the Glossary. Canadian and U.S. delegates agreed that the definitions were acceptable. Ing. Mercado said that they look very close, but his committee will have to study them and report back. No new terms were suggested at this time.

Bob Prescott asked if either Canada or Mexico had a published Glossary of Terms for Surveying and Mapping. Wayne Brubacher reported that CCLS does not have an official glossary, but several agencies have. These should be assembled and considered for the NAFTA Glossary.

Ing. Mercado stated that all practitioners refer to their study books for definitions.

Robert Prescott agreed to present the committees with a copy of the U.S. Glossary, which should be considered for inclusion in the NAFTA Glossary.

d) Letterhead. Robert Prescott suggested that the issue be tabled for another meeting. Mexico felt that the use of the Mexican flag and national symbols may be an infringement of **National laws regarding the use of flags** and rejected the design that was presented at meeting No. 2. For the purpose of the power point presentation, the banners were revised by removing the flags and symbols. The national colours were preserved and boxes containing the name of each country were substituted. It was decided that this revision would suit as a letterhead design until the subject of redesign comes up again.

e) Discussions or Additional Questions for the Questionnaire. All three committees stated that they had no additional items at this time.

f) Mutual Recognition Document (MRD6) Version 5 as amended between meetings in accordance with directives from Meeting No.4 was discussed off the record. Several changes were made and a new version was printed as MRD6. It was the result of consensus among the Committees and little discussion resulted. Rita Lumos noted that definitions for Schedules A and B were required. Richard Wright agreed to provide and distribute the definitions by Nov. 30<sup>th</sup>, 2000.

**Motion No 5 – 5 Approved unanimously.**

That the Mutual Recognition Document No. 6 (MRD6) be approved by this committee as presented.

Mover: Ignacio Marcial Figueroa  
For: Mexico

Seconder: Rita Lumos  
For: USA

g) Update of Power Point Presentation Robert Prescott made changes as requested respecting the use of flags and national symbols and added slides to accentuate the basic principals of the MRD. Missing references to Mexico were also added. Wayne Brubacher reminded those at the meeting that the presentation will need to be updated as the committees' work proceeds. For example, the historical slide should record Meeting No.5 showing the significant progress that was achieved.

### **New Business**

#### 11. Objectives for this Meeting.

The objectives were already fulfilled by the time this item arose. To summarize:

a) The MRD is now ready for presentation to the countries. The English version of MRD6 was signed by the Canadian and U.S. committees. The Spanish version was almost complete but it required translation for the amendments. If the other members of the Mexican NAFTA Committee approve the English version, the remaining Spanish translations will be done. Ing. Mercado will then sign the English version and circulate the Spanish one for signatures. This is scheduled to be done by Nov. 30<sup>th</sup>, 2000.

b) The Glossary of Terms is complete.

c) Most of the issues in the Questionnaire have been resolved.

The Mexican delegation will review these items

#### 12. Future Meetings

Malcolm Shaw recommended that the meetings should be rotated among the countries. Ing. Mercado agreed that this process gives the Committee members an opportunity to visit the other countries where it is possible to get a better understanding of the practice of surveying in the other jurisdictions. This comment was

applauded by all present. Mr. Prescott suggested that the next NAFTA meeting (Meeting No. 6) could be in Las Vegas, Nevada, USA, in March 2001 and NAFTA Meeting No. 7 would be in Canada if that policy were observed.

13. Miscellaneous

a) Recognition of service to the Committees by Manuela Crossley.

Richard Wright (Canada) proposed that Manuela Crossley be recognized for her help in translating the MRD as well as letters and other documents into Spanish or from Spanish into English. This has proven to be very helpful to the whole process and Mr. Wright hoped that the Chairs of each Committee would sign a citation and approve providing her with a gift. A suitable citation was drawn up and signed by the Committee Chairs from the three nations. A copy is attached as Appendix "B".

b) Schedule of tasks to be accomplished at future meetings.

**Motion No 5 – 6** *Approved unanimously subject to the approval of the whole Mexican Committee and subject to some flexibility in the dates.*

to adopt the following table, as revised,

Milestones for NAFTA Committee MRD

MRD6 signed off by <b>Two</b> NAFTA Committees	Oaxaca
<b>By Canada:</b>	
Update definitions of Schedule A and Schedule B in MRD (Richard Wright)	Nov 30, 2000
Collect complete set of documents with signatures where necessary for each country (Wayne Brubacher)	Dec 31, 2000
Acceptance by CCLS Board of Directors of the committee report for distribution to and acceptance by the Canadian Provincial Associations	Jan 2001
Acceptance by Canadian Provincial Associations	Jan 2001 - Feb 2002
Ratification by CCLS	AGM 2002
<b>By the United States of America:</b>	
Obtain curricula of 4 or 5 U.S. universities, a list of accredited programs, and contact persons at the universities (Rita Lumos)	Dec 31, 2000
Provide exact date of formal meeting in Las Vegas (Bob Prescott)	Jan 15, 2000
Acceptance by NSPS Board of Directors of the committee report for distribution to and acceptance by Affiliates	Mar 2001
Review by State Affiliates	Mar 2001 – Mar 2002
Ratification and acceptance by the NSPS Board Of Directors of the MRD	Mid 2002
<b>By the United Mexican States</b>	
Provide comments on item 10(f) of the Ottawa minutes	Dec 31, 2000
Provide information on incorporation and authorization for Power Point presentation	Dec 31, 2000
Obtain curricula of Mexican universities and contact persons at the universities (Ing. Braulio Mercado)	Dec 31, 2000
Provide Mexican version of minutes for Ottawa meeting	Dec 31, 2000
Study MRD 6 and glossary of terms and provide comments	Nov 30, 2000
Acceptance by FECITEUM A. C. of the committee report for distribution to and acceptance by Colegios	Mid 2001
Review by Colegios	Mid 2001 – Mid 2002
Acceptance FECITEUM A. C. Board of Directors	Mar 2002

<b>All Countries:</b>	
Sent in to Government Agents (CCLS – DFAIT, NSPS – USTR, FECITUEM – SOC-----) Government Agencies consider MRD	Mid-2002
After formal approval Jurisdictions sign on	
Meetings every three years.	

Mover: Robert Prescott  
For: USA

Second: Richard Wright  
for: Canada

c) Appointment of Schedule Coordinator

**Motion No 5 – 7** *Approved unanimously.*

That the appointment of a Schedule Coordinator for the period of time until the next meeting be done. The Schedule Coordinator will be Wayne Brubacher

Mover: Robert Prescott  
for the USA

Second: Ignacio Marcial Figueroa  
for Mexico

14. Time and Place of next meeting. Rita Lumos invited the committees to hold the next NAFTA meeting (Meeting No. 6) in Las Vegas, Nevada, USA, in March 2001. Richard Wright and Wayne Brubacher expressed the opinion that NAFTA Meeting No. 7 can be in Canada. The USA committee will inform the other committees of a firm date at least 60 days before the meeting date. Rita Lumos felt that there would not be a problem with getting hotel rooms.

All those present agreed that this meeting schedule is acceptable.

**Motion No 5 – 8** *Approved unanimously.*

that the next meeting shall be hosted in Las Vegas, Nevada, USA in March 2001 and that a representative of the host country be the Chair of the meeting.

Mover: Rita Lumos  
for the USA

Second: Richard Wright  
for Canada

Chair Ing. Braulio Mercado concluded the meeting with words of appreciation and goodwill to all for the hard work and in spite of differences, we were able to come to agreement on the issues.

On behalf of the U.S. Committee Robert Prescott thanked Ing. Mercado for hosting the meeting and the hospitality that was shown to all of us.

Richard Wright also thanked the host on behalf of the Canadian Committee for the hospitality shown to the delegates and to the family members of the delegates who traveled to Oaxaca with them.

There being no further business, the meeting was adjourned at 12:50 p.m. C.D.T.

**Accepted and confirmed as correct:**

**The United Mexican States**

\_\_\_\_\_  
By:  
Federacion de Colegios de Ingenieros Topografos  
de Los Estados Unidos Mexicanos, A.C.

\_\_\_\_\_  
Date

**United States of America**

\_\_\_\_\_  
By:  
The National Society of Professional Surveyors

\_\_\_\_\_  
Date

**Canada**

\_\_\_\_\_  
By:  
The Canadian Council of Land Surveyors

\_\_\_\_\_  
Date

**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. 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.

APPENDIX "B" (Separate .pdf file)