

Report to CCLS Board of Directors

Of: NAFTA Official Meeting No. 6

By: Wayne Brubacher, Chair. CCLS NAFTA Committee.

Date: March 19, 2001

Place: Las Vegas, Nevada, U.S.A.

The 6th Formal NAFTA Meeting

Robert Prescott, Chair of the NSPS NAFTA Committee called the meeting to order at 2:00 pm P.S.T. and read the proposed Rules Governing Meeting #6. The following new rule was added: "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, and henceforth this section will become official, replacing the previous item once it has been signed."

There were many observers and guests present at the meeting.

The English language version of the minutes for meeting No. 5 was accepted but the Spanish minutes were not available. The French minutes for Meeting No. 4 in Ottawa and Meeting No. 5 in Oaxaca were presented for acceptance.

Motion No 6 – 5 to amend the Mutual Recognition Document No. 6 (MRD 6) was approved unanimously.

- a. That the words "and corporations" and "or corporations" where they appears in PART 1. GENERAL, 1. PREAMBLE be removed.
- b. That the definition for the word "jurisdiction" be revised as follows:
"Jurisdiction" means
 - a. a state or territorial surveying licensing board in the United States of America.
 - b. a provincial professional surveying association in Canada referred to as either an association, a corporation, or an ordre and which also means the Association of Canada Land Surveyors (ACLS)
 - c. and a state or federal licensing board in the United Mexican States.

- c. That Schedule "B" be revised as follows:

<i>Schedule B</i>		
COUNTRY	COUNTRY	COUNTRY
USA	CANADA	UMS
JURISDICTIONS	JURISDICTIONS	JURISDICTIONS
STATE BOARDS	ASSOCIATIONS	COLEGIOS
50 +/- State Affiliates listed	10 <u>Provincial and one professional surveying association listed</u>	37 States listed

Motion No 6 - 8 to amend the Mutual Recognition Document No. 6 (MRD 6) was also approved unanimously.

Moved that the draft MRD6 be revised on sheet 3 of 9 in the following manner:
Under the definition for “practice of land surveying”, item d. and e. be combined and that the word “includes” be changed to “including” and the following be inserted after “including”, “but not limited to”, and that items f. g. and h. be re-lettered e. f. and g.

Milestones for NAFTA Committee MRD

By Canada:	
Acceptance of MRD by Canadian Provincial Associations	Jan 2001 - Feb 2002
Ratification of MRD by CCLS	AGM 2002
Obtain Letter of Support from Federal Government.	June 2001
By the United States of America:	
Acceptance by NSPS Board of Directors of the committee report for distribution to and acceptance by Affiliates	Mar 2001
Review of MRD by State Affiliates	Mar 2001 – Mar 2002
Acceptance and ratification by the NSPS Board Of Directors of the MRD	Mid 2002
By the United States of Mexico:	
Provide information on incorporation of FICITEUM A.G.	May 15,2001
Obtain curricula of Mexican universities and contact persons at the universities (Ing. Braulio Mercado)	May 15, 2001
Provide Spanish version of minutes for Ottawa and Oaxaca meetings.	Apr. 15, 2001
Study glossary of terms and provide comments	Sept., 2001
Review of MRD by Coligios	Mid 2001 – Mid 2002
Obtain Letter of Support from Federal Government.	June 2001
Acceptance and ratification of MRD by FECITEUM A. C. Board of Directors	Mar 2002
All Countries:	
Collect complete set of documents with signatures where necessary for each country	May 15 th , 2001
Sent in to Government Agents (CCLS – DFAIT, NSPS – USTR, FECITUEM – SE) Government Agencies consider MRD	Mid-2002
After formal approval Jurisdictions sign on	
Meetings every three years.	
Correspond with other NAFTA Committees regarding the Notice of Motion by Canada	30 days before Meeting No. 7

The countries were reminded that a letter of authorization or comfort letter from each nation’s government was outstanding except for the USA. I advised the meeting that a meeting is planned for mid April with Canadian government officials where the request

would be renewed. The Canadian Government previously adopted a “show us” attitude. The progress with the Mexicans and the NSPS culminating in a draft MRD should be adequate. Mexico promised a letter forthwith.

I introduced a Notice of Motion to amend the MRD to take into account those professionals holding Certificates of Registration under the Land Surveyors Act in Ontario as follows: “That the proposed amendment submitted by Wayne Brubacher be studied and that comments be forwarded to him prior to the next Formal Meeting. The motion shall be brought to the 7th Formal NAFTA Meeting.”

Notice of Motion

Submitted by Wayne Brubacher, Canada

To be made at the next (7th) formal NAFTA Meeting.

Moved by:

Seconded by:

That the MRD be amended by adding the following definition:

License Part 2: Without limiting the generality of the following, a license under Part 2 shall mean any license, permit, certificate, registration, certificate of registration and any other document or instrument which authorizes the person named thereon to practice surveying or land surveying as defined under this section. The acceptance of any such license for the purpose of Part 2, shall be under neither more nor less favourable terms and conditions than those of the host jurisdiction.

License Part 3: Without limiting the generality of the following, a license under Part 3 shall mean any license, permit, certificate, registration, certificate of registration and any other document or instrument which authorizes the person named thereon to practice surveying or land surveying as defined under this section. Each jurisdiction is obliged to examine the process of granting such a license before signing Schedule B to the MRD. Any licensee who is permitted to practice under this section and who holds a license from a NAFTA jurisdiction that is a signatory to Schedule B becomes qualified upon the execution of Schedule B by the host jurisdiction except as follows:

- a) a licensee who is the subject of a complaint and is under investigation.*
- b) a licensee who is charged with any professional offense that would reasonably be considered to be a threat to the safety and well-being of the public.*
- c) a licensee who has been found guilty of any professional offense referred to above.*
- d) A licensee whose character is such that he or she would not be granted a license to practice surveying or land surveying in the host jurisdiction.*
- e) A licensee who does not satisfy the immigration requirements of the host country.*

It was determined that the next meeting shall be hosted in Guanajuato or Colima, in November 2001 and that the representative from Mexico be the Chair of the meeting. The Mexican representative shall confirm the time and place of the meeting.

The purpose of the 7th meeting will be to deal with additional proposed amendments provided by the jurisdictions of the three countries. The CCLS NAFTA Committee will

consider CCLS member comments as they come in and feed comments back to the Canadian jurisdictions so that we have a pan-Canadian wording as our version for Mexico this fall. Other comments, such as those from British Columbia and New Brunswick who will not have had time to respond will still be considered. I am certain that ten jurisdictions can come to an agreement before fifty US jurisdictions can.