



# Current European Developments

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Regional cooperation for sustainable and consolidated

European perspective of engineering organizations in the Western Balkans



## **European Commission: ECEC Public Procurement Package**

- focuses on the definition of priority areas for improvement
- the implementation of a voluntary ex-ante assessment of large infrastructure projects by the EC
- the enhancement of professionalization of public buyers

## **European Parliament**

- currently prepares own - initiative report on Public Procurement Package

## **European Council of Engineers' Chambers /ECEC WG Public Procurement**

- currently prepares a paper on the importance of quality based public procurement of Engineering Services.

## **European Economic and Social Committee**

- recommends promoting the use of the "most economically advantageous tender" in particular in the case of intellectual services
- recommends that chambers and/or professional bodies play a role in providing protection and support in regard to the full participation of SMEs

## The legal situation in Europe

- The EU Procurement Directive in Art 22 (4) **allows** Member States to legally implement the mandatory use of BIM for public contracts – several Member States have already done this or are about to do so
- If they do so, they have to provide **non-discriminatory access**
- **But:** There is no legal force to implement the mandatory use of BIM for public contracts

## European Council of Engineers' Chambers /ECEC WG BIM

In preparation: ECEC Political Position Paper on BIM

- Definition of status and importance of BIM for engineering services
- Basic requirements for the successful use of BIM
- Definition of BIM in public tenders
- **Open BIM as the most essential criterion to keep the market open for SMEs**

*Addressed to politicians / procuring authorities on national and European level*

## European Council of Engineers' Chambers /ECEC WG BIM

In preparation: ECEC Roadmap BIM- the key topics

- Industry acceptance
- Standardization
- The impact of BIM on engineering fees
- BIM Training / BIM Certification – the Role of professional Chambers
- Copyright, authorship and BIM legislation

The European Commission believes in realizing the economic potential of regulated professions **by enforcing the single market through the reduction of national professional regulation**

### **Different measures:**

- Country specific recommendations (European Semester)
- Peer review of the implementation of the services directives
- Transparency initiative based on the Professional Qualifications Directive
- Infringement procedures against national professional regulations
- **Services Package:** on 10 January 2017 the European Commission presented a number of legislative proposals related to provision of services and regulated professions
- ...

***The Services Package Proportionality test - EC proposed a proportionality test before adoption of new national professional regulation:***

After the trilogue negotiations a compromise text was agreed in April 2018

***Services E-Card – the EC presented a proposal for a Directive and a proposal for a simplified electronic procedure with the aim to facilitate cross border registration / establishment:***

After a lot of criticism from Member States and other stakeholders the proposal was rejected by the European Parliament in April 2018, currently no further approaches will be taken

***Reform recommendations for regulation in professional services – the EC presented what forms of national professional regulation it regards as obstacles to the free provision of services:***

The so-called „Danti“ report was adopted by the European Parliament on 18 January and includes numerous important positive elements for regulated professions

## **The concept of Common Training Principles for Engineers**

- introduced by Directive 2013/55/EU that amended Directive 2005/36 EC on the recognition of professional qualifications
- offers the possibility to extend the mechanism of automatic recognition to new professions on the basis of commonly agreed training principles in shape of either a common training framework (Article 49a) or of a common training test (Article 49b).

The objective of Common Training Principles is to allow more professionals to move across Member States by enlarging the scope of qualifications subject to automatic recognition.

## The current status of Common Training Principles for Engineers

- ECEC project on CTP for Engineers was finalized in January 2017 **without** a common agreement but with ECEC recommendations for further procedures
- European Commission since 2017 fully occupied with services package – official confirmation in autumn 2017 that *“for the time being, no further action is planned in this regard from the side of the Commission”*.
- Currently also no expansion of the professional card to Engineering professions / No services e-card
- ECEC fulfills all legal requirements to submit a proposal for a CTF to the European Commission: There will be a strategic decision at the ECEC GAM in November 2018 if a further approach will be initiated

## **ECEC recommendations (January 2017):**

**Short-term approach** that would mean the implementation of a “pilot project” in a smaller number of countries that is very closely based on the current system of architects’ automatic recognition:

- the requirement of academic education (Level 6/7)
- a description of minimum curricula requirements and
- the implementation of a notification system for engineering educations

**Long-term approach** with a working group with a broad presentation of Member States

- on the development of common definitions for all forms of training (theoretical/practical); on the question of a description of the activities a civil engineer should be able to do a definition and
- on an evaluation procedure for assessing the “equivalence” of learning outcomes especially in regard to the compensation of academic training

# DISCUSSION

- European Developments in regard to Public Procurement
- European Development in regard to BIM
- European Developments connected to national professional regulation
- European Developments connected to professional recognition / mobility