

THE AER ACTION PLAN – AFEO 25, A POSITION PAPER

(By Engr. Rocky H.T. Wong – AER Head Commissioner)

- 1.0 **THE SUBJECT:-** The AER Action Plan – AFEO 25, floated up during the assembly of the Mid-term meetings of both the AFEO 25 Governing Board and the ASEAN Engineers Register Commission in Bangkok, 12-13 May, 2007; tasked the AER Head Commissioner to engage the AEM/SEOM/CCS/ACPECC to operationalise the ASEAN MRA on Engineering Services by the use of AFEO’s ASEAN Engineers Register (AER) as the “kick-start” register for ACPE’s

- 2.0 **THE PROPOSAL:-** The AER proposed methodology to implement the relationship among the ACPECC (the ASEAN Designating Authority i.e. the DA with legal authority over the MRA) and the ASEAN Engineers Register (i.e. the AER as the Certified Body, CB for short) to manage and to administer the register for ACPE’s – for and on behalf of the ACPECC, the DA.

- 3.0 **THE PREAMBLE:-** As extracted form the AER letter to the ASEAN Secretary General, ref:IEM/AFEO/0023/2007 of July 20th, 2007:-
 - 3.1 The ASEAN MRA on Engineering Services (CPC 8672) which came into force on 9th December 2005 should be operationalised without further delay such that the instrument can be tested and be fine-tuned in due course to assist in the ASEAN Economic Integration agenda;

 - 3.2 AFTA/AFAS/MRA are for trade, and in the context of AEC – by the ASEAN common market and borderless production base approach, ASEAN stakeholders have vested interest in the implementation of ASEAN economic agreements and the operationalisation of sector-specific MRA;

 - 3.3 Should the newly constituted ACPECC (consisting of officials) come out with a plan to operationalise the MRA by having in place a Register for ACPE’s in two or three years’ time or even later, we the ASEAN Engineering Stakeholders would have lost opportunities. That would not be in the spirit of the Bali Concord II – which was the principal declaration of the MRA.

- 3.4 Now that the MRA has been framed by ASEAN officials at a G to G level, and the ASEAN grass-roots stakeholders have accepted the realities of its existence, why can't stakeholders' own peer-standards centric registration as those of some 1,400 ASEAN Engineers already registered with the AFEO's ASEAN Engineers Register (AER) be used (after audit clearance), as the kick-start register for ACPE's?
- 3.5 It was high-lighted that it will be the same catchment of engineers in all the 10 ASEAN countries who are already AFEO registered ASEAN Engineers on the AER who will (when the MRA is operationalised) also apply, in due course to the ACPECC for ACPE status. But starting from base-zero, it will take time to build up the critical mass necessary to facilitate trade in engineering services as per the processes and procedures as detailed in the MRA. Going by the experience of the AER, it has taken us some 8 to 9 years to build up the critical mass of just over 1,400 ASEAN engineers on the AER; and that too, is by the process of out-reach programmes based on the principle of "inclusion" of all rather than the "exclusion" of some. AFEO/AER believe that for the trade in engineering services to take place, we need willing domestic hosts and willing foreign partners – and the principle of "inclusion" will be the win-win formula. After all, the key to the MRA is that the Host Professional Engineer (who is either an ACPE or otherwise an ACPE-able professional engineer) is the one natural person practicing as the principal submitting person within domestic circumstances!
- 3.6 It is logical to use the ASEAN Engineering Stakeholders' AER as the kick-start register for ACPE's – after audit clearance of the 1,400 or so registered ASEAN engineers; with the audit carried out against the standards as established by the MRA.
- 3.7 Further, the AFEO/AER propose to the ACPECC this:- the ACPECC is the ASEAN Designating Authority (DA) over the MRA; and the AER offers to be the Certified Body (CB) charged by the DA (the ACPECC) to administer the Register for ACPE's/ASEAN Engineers. AFEO/AER over the 8 to 9 years have established a working and workable model for out-reaching to ASEAN-wide stakeholders to apply for ASEAN Engineers status; and the processing of standards based screening of such applications to be registered with the AER. The ACPECC as the DA can audit the AER (the CB) anytime – to ensure MRA standards are met and maintained.

4.0 **The Methodology** (to effect the Proposal as per Item 3.7 above):-

4.1 The establishment, authority, functions and administration of the ASEAN Chartered Professional Engineer Coordinating Committee (ACPECC) are in accordance to Article 4.3 of the ASEAN Mutual Recognition Arrangement on Engineering Services, Kuala Lumpur, 9th December, 2005.

4.2 **The role of the ACPECC:-** the ASEAN DA over the MRA on Engineering Services shall be:

4.2.1 To designate the AER as the ASEAN Certified Body (CB) to implement and administer ACPECC's policy and directives on the registration of ACPE's and to oversee the operation of the same.

4.2.2 To preside over periodic audits on the AER – the CB, to ensure compliance to the MRA and to the policy and directives of the ACPECC,

4.2.3 To conduct out-reach programmes, with the assistance of the CB, to create awareness and understanding of the MRA,

4.2.4 To carry out periodic review on the relevancy of the Guidelines on Criteria and Procedures, Assessment Statement and other terms and conditions of the MRA in the context of prevailing circumstances.

4.3 **The role of the ASEAN CB (i.e. the AER):-**

4.3.1 The AER will accept the appointment as the designated ASEAN CB for the implementation and administration of ACPECC's policy and directives concerning the registration of ACPE's.

4.3.2 To plan, organize and carry out approved administrative and management processes, for and on behalf of ACPECC, the discharge of the functions as follows:-

4.3.2.1 Facilitating the development and maintenance of authoritative and reliable Registers of ASEAN Chartered Professional Engineers (ACPER);

- 4.3.2.2 Promoting the acceptance of ASEAN Chartered Professional Engineers (ACPEs) in each participating ASEAN Member Country as possessing general technical and professional competence that is substantially equivalent to that of professional engineers registered or licensed in the Country of Origin;
- 4.3.2.3 Developing, monitoring, maintaining and promoting mutually acceptable standards and criteria for facilitating practice by ASEAN Chartered Professional Engineers (ACPEs) throughout the participating ASEAN Member Country;
- 4.3.2.4 Seeking to gain a greater understanding of existing barriers to such practice and to develop and promote strategies to help governments and licensing authorities reduce those barriers and manage their processes in an effective and non-discriminatory manner;
- 4.3.2.5 Through the mechanisms available within ASEAN, encouraging the relevant governments and licensing authorities to adopt and implement streamlined procedures for granting rights to practice to ASEAN Chartered Professional Engineers (ACPEs);
- 4.3.2.6 Identifying and encouraging the implementation of best practice for the preparation and assessment of engineers intending to practice at the professional level; and
- 4.3.2.7 Continuing mutual monitoring and information exchange by whatever means that are considered most appropriate, including but not limited to:
 - (a) regular communication and sharing of information concerning assessment procedures, criteria, systems, manuals, publications and lists of recognized practitioners;

- (b) informing all Professional Regulatory Authorities (PRAs) when it has been notified that an ASEAN Chartered Professional Engineer (ACPE) is no longer qualified to undertake independent professional engineering practice in the Country of Origin, has not complied with the Continuing Professional Development (CPD) policy of the Country of Origin at a satisfactory level, or has seriously violated technical, professional or ethical standards either in the Country of Origin or the Host Country, whereby such violations have led to deregistration or suspension from practice or withdrawal from the ASEAN Chartered Professional Engineers Register (ACPER);
- (c) verifying the operation of the procedures of participating ASEAN Member Countries; and
- (d) observing the open meetings of any Professional Regulatory Authorities (PRAs) and/or commissions responsible for implementing key aspects of these procedures and relevant open meetings of the governing bodies of the participating ASEAN Member Countries.

5 AER as the kick-start register for ACPE's:-

- 5.1 As stated in Item 3.6 above, it is logical to ASEAN stakeholders that the ACPECC should use the ASEAN engineers stakeholders' AER as the kick-start register for ACPE's – after audit clearance of some 1,400 or so registered ASEAN Engineers; with the audit to be carried out against the standards as established by the MRA under Article 3.1 “Qualifications to become an ASEAN Chartered Professional Engineer (ACPE)”
- 5.2 The “Guide to the ASEAN Engineers Register” established since the 23rd of March, 1998, and amended over time, with the latest version being established the 30th November, 2006, has a set of criteria for the minimum requirements for an applicant (i.e. any qualified engineer from any of the ten ASEAN Member Countries and is a member of the respective AFEO member-organization i.e. AFEO MO) to be admitted into the ASEAN Engineers Register (AER)

5.3 A comparison of the two sets of standards:

<p><i>The MRA (for ACPE)</i> <i>(Article 3.1 – “Qualifications”)</i></p> <ul style="list-style-type: none"> • completed an accredited engineering degree recognized by the professional engineering accreditation body • possess a current and valid professional registration or licensing certificate to practice engineering • acquired practical and diversified experience of not less than seven (7) years after graduation, at least two (2) years of which shall be in responsible charge of significant engineering work • in compliance with Continuing Professional Development (CPD) policy of the Country of Origin • obtain certification from the Professional Regulatory Authority (PRA) of the Country of Origin with no record of serious violation on technical, professional or ethical standards 	<p><i>The AER (for ASEAN Engineer)</i> <i>(Criteria for minimum....)</i></p> <ul style="list-style-type: none"> • must possess an Engineering Degree recognized by the home country; • must be a full-time member of Engineering Organization or Technological Association in the home country and is licensed to practice engineering in the home country; • must have a minimum of seven (7) years of post-graduate professional working experience in an engineering environment, of which two (2) years of experience involve the responsible charge of significant work; • must maintain his professional development at an acceptable level; and • must agree to be guided by the ASEAN Engineers Code of Practice, which consists of the following:- <ul style="list-style-type: none"> (a) Code of Ethics; (b) Accreditation Procedure; (c) Professional Assessment Examinations; (d) Continuing Professional Development(CPD); and (e) Policy Statement of Design Code and Standards: addressing The Essential Requirements such as Safety, Health, and the Environment for humen, animals, plants and properties.
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- 5.4 A study of the above comparison shows that both sets of standards are aligned, if not already harmonized. With this reality in place, the audit to be carried out of these 1,400 or so registered ASEAN Engineers on the AER can be done readily; facilitated by the AER with the “over-sight” provided by the ACPECC.
- 5.5 An example of the Malaysian case; those IEM members who are registered with the AER as “ASEAN Engineers” will be submitted to the Board of Engineers Malaysia (i.e. BEM) – which is both the Malaysian Professional Regulatory Authority (PRA) as defined in Article 4.1 of the MRA; as well as the Malaysian Monitoring Committee (MC) as defined in Article 4.2. The BEM can provide an audit clearance on those Malaysian “ASEAN Engineers” against the MRA Qualifications to becoming ACPE’s.
- 5.6 Likewise, similar audit exercises could also be carried by the respective PRAs/MCs in all ASEAN Member Countries of respective registered “ASEAN Engineers” in AFEO Member Organizations; besides the IEM.
- 5.7 With audit clearance facilitated by the AER from the various PRAs/MCs via the respective national AFEO-MO-AER NMC, ACPECC will then be able to authenticate those audit-cleared ASEAN Engineers on the AER to be “registerable” as ACPE’s.
- 5.8 A critical mass of these 1,400 or so ASEAN Engineers (and more are awaiting at the “wings” to become “ASEAN Engineers”) will then be the “kick-start” of the ACPER; and the ASEAN MRA on Engineering Services will truly be operationalised.
- 5.9 The MRA after having been operationalised will then be tested and if necessary be fine-tuned to suit the dynamics of market conditions for a truly integrated ASEAN common market and production base as envisaged by the AEC by 2015.

Position Paper prepared by:-

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