

**APPENDIX**  
**MECHANISMS FOR THE IMPLEMENTATION OF THE**  
**TRI-NATIONAL MUTUAL RECOGNITION AGREEMENT**  
**FOR INTERNATIONAL PRACTICE**

**Guanajuato, Gto, Mexico**  
**October 4, 2008**

**1.0 RULES AND PROCEDURES TO MONITOR AND ENFORCE**

**1.1 Council for Tri-National Practice of Architecture**

- 1.1.1 The Council for Tri-National Practice of Architecture (CTPA) is established to facilitate the implementation of this Agreement, to oversee administrative processes, and to monitor the performance of all parties who have agreed to be bound by the terms and conditions of this Agreement to ensure, insofar as it may, that any issues or disagreements arising hereunder are resolved promptly and in a manner consistent with the intent of this Agreement.
- 1.1.2 The Council will also monitor the Tri-National processes in an effective and nondiscriminatory manner, and continue information exchange by whatever means are considered most appropriate, including regular communication and sharing of information.
- 1.1.3 The Council for Tri-National Practice of Architecture shall maintain regular contact and meet annually or as often as required in order to effectively perform its duties and assist in the resolution of disputes.
- 1.1.4 Each Council for Tri-National Practice of Architecture country must be represented by a minimum of two (2) and a maximum of five (5) Officers/Members/Representatives appointed by each organization. The organizations are the Federación de Colegios de Arquitectos de la República Mexicana (FCARM) in Mexico, the National Council of Architectural Registration Boards (NCARB) in the US, and the Committee of Canadian Architectural Councils (CCAC) in Canada.

**1.2 Meetings**

- 1.2.1 At Council meetings a representative of the host organization shall serve as Chair. Hosting shall be on a rotating basis: Mexico, Canada, US.
- 1.2.2 Meeting locations and dates shall be proposed by the hosting organization, subject to agreement by the others.
- 1.2.3 The host organization is responsible for location hotel and meeting room arrangements, catering, dinner reservations, Agenda, Minutes and, shall provide translation services when needed.
- 1.2.4 Face-to-face meetings and draft agenda require two-month notice.
- 1.2.5 Minutes must be prepared and distributed within two months.

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1.3 Expenses

- 1.3.1 Each organization is responsible for their travel, hotel and miscellaneous expenses for its attendees. The host organization shall make rooming arrangements for each attendee to be individually charged.
- 1.3.2 Lunches during the meeting day are the responsibility of the host organization.
- 1.3.3 Dinners during the meeting are paid by the meeting host organization and back billed to the others, proportionately.
- 1.3.4 In the case of jointly appointed task force or committee, each organization shall assume responsibility for its appointees.

1.4 Finances

- 1.4.1 There are no dues.
- 1.4.2 Each organization is responsible for its own expenses.

**2.0 MECHANISMS FOR DIALOGUE AND ADMINISTRATIVE CO-OPERATION**

The Council for Tri-National Practice of Architecture will put in place mechanisms and procedures, which will include:

- 2.1 Establishing the standards of professional competency as defined in step 3 dossier that must be met by architects in the three countries who wish to avail themselves of this agreement.
- 2.2 Establishing the rules and procedures necessary for the application, evaluation and monitoring of the provisions in this Agreement. Members of the Council for Tri-National Practice of Architecture shall maintain regular contact and hold meetings annually or as often as required to review the implementation and effectiveness of the agreement.
- 2.3 Acting as an information source in each participating jurisdiction so that architects can be informed about registration/licensing requirements and sanctions that might be applied in accordance with this document.
- 2.4 Establishing communication mechanisms so that architects within the participating jurisdictions will understand the rights and obligations they will have to meet when they are granted a license or registration to practice their profession in a foreign country.
- 2.5 A means to resolve differences in interpretation of the mechanisms for the implementation of this agreement. Any proposed changes or irreconcilable disputes must be presented to the original signatories for resolution.
- 2.6 An appeals process for applicants, as determined by the signatories of this agreement.
- 2.7 Additional tasks as determined by the Tri-national Council.

### 3.0 MECHANISMS FOR APPLICATION

- 3.1 The point of contact for information for Mexico: FCARM; for the USA: NCARB; for Canada: RAIC.
- 3.2 Procedures for processing applications shall be drafted by October 2008, tested on initial applications in Spring 2009, and finalized by June 2009.
- 3.3 Once established and operational, actual applications shall be processed within a reasonable period of time from receipt of a completed application.
- 3.4 Documentation forms to be used by local jurisdictions to certify an applicant's registration/licensure status shall be in uniform format and in English, Spanish and French as developed from time to time.

### 4.0 LICENSING REQUIREMENTS/PROCEDURES OTHER THAN QUALIFICATIONS

- 4.1 Residency Requirements: Competent Bodies represented by the Parties to this agreement shall not require applicants to take up residency.
- 4.2 Proof of Good Standing: Applicants for registration shall be required to produce evidence of good standing.
- 4.3 Professional Liability Insurance: Where required applicants for registration shall produce evidence of Professional Liability Insurance as required by the host Competent Body.
- 4.4 Local Requirements and Language: Applicants shall comply with local regulations for the practice of architecture in the host Competent Body. The nature and extent of the demonstrations to be required by the host Competent Body, for showing that the Foreign Architect has acquired local knowledge of the codes, laws and other matters applicable to the Practice of Architecture, shall be done in the common and technical language of that Jurisdiction.
- 4.5 Relevant Laws & Regulations: Applicants for registration in any Jurisdiction shall be fully responsible for complying with the laws and regulations of that Jurisdiction.
- 4.6 On-going Verification of Competence: Where compliance with a prescribed number of hours of Continuing Professional Development (Continuing Education) is a requirement for registration, applicants will agree to provide evidence of compliance as and when required.
- 4.7 Regulations Relating to Nationality: Only nationals of the countries represented by the parties shall be beneficiaries of this agreement.
- 4.8 Compliance with Host Jurisdiction's Ethics: Applicants shall comply with host jurisdiction's code of professional conduct and/or ethics.

### 5.0 TRANSPARENCY

- 5.1 Conditions for entry to and expulsion from jurisdictional registers shall be made publicly available.

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## 6.0 RECIPROCITY





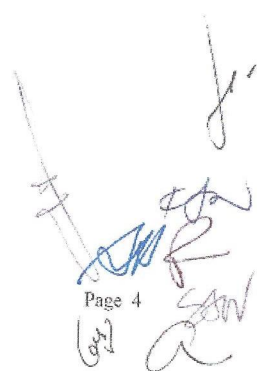

- 6.1 Mechanisms for the implementation of this agreement must maintain the principle of reciprocity. The Parties shall, to the extent possible, encourage the incorporation of their jurisdictions to accept and implement this Agreement, with a view to achieve universal acceptance in the future.
- 6.2 Incorporation of new jurisdictions shall be notified during future meetings of the CTPA.

## 7.0 REVISION OF AGREEMENT

- 7.1 The agreement is ongoing, subject to periodic review by the Signatories.

## 8.0 NOTICE OF TERMINATION

- 8.1 If any Signatories wish to terminate this Agreement, it will inform the other Signatories of this decision by giving 12 months notice in writing.

  
  
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## APPLICATION PROCESS

### STEP 1: ELIGIBILITY

- 1.1 To be eligible for Tri-National benefits through this process an Architect must meet the requirements of paragraph 4.5 of the MRA.

### STEP 2: APPLICATION

The applicant must:

- 2.1 File an application and pay required fees; and
- 2.2 The applicant shall secure a written statement from their Competent Body stating that the applicant either has no record or notice of a disciplinary action or if such record exists, describing such action and its current status. This statement must be sent directly to the point of contact for information of the applicant's home jurisdiction.

### STEP 3: DOSSIER

- 3.1 Upon completion of their record and confirmation of initial eligibility for certification through the Tri- National process, an applicant must submit a dossier for review by their Home Review Body to determine satisfaction of Step One and to demonstrate competence to independently practice architecture in the host jurisdiction.
- 3.2 The dossier must:
  - 3.2.1 Be prepared in a format specified and submitted electronically;
  - 3.2.2 Contain a resume that outlines the applicant's comprehensive practice experience in the applicants home jurisdiction and lists the significant projects over which the applicant exercised responsible control;
  - 3.2.3 Demonstrate competence for the comprehensive practice of architecture, through graphic and written descriptions of a minimum of three projects appropriately complex to demonstrate competency as indicated below. "Comprehensive Practice" means practice in responsible control.
- 3.3 An Architect in responsible control must be competent to create architectural designs that:
  - 3.3.1 Demonstrate an understanding of the relationship between people and buildings, and between buildings and their environment, and the need to relate buildings and the spaces between them to human needs and scale;
  - 3.3.2 Respond to environmental concerns and address sustainability issues;
  - 3.3.3 Show skill in land-use planning and planning process;
  - 3.3.4 Take account of cultural and social factors.

- 3.4 An Architect in responsible control must be competent to translate a design concept into built form and be able to:
  - 3.4.1 Investigate and interpret design objectives and relevant issues and prepare the brief for a design project;
  - 3.4.2 Advise on project evaluations, feasibility studies and programs;
  - 3.4.3 Evaluate and determine structural, constructional and engineering elements of a building and integrate the advice and design of specialist disciplines into a building project;
  - 3.4.4 Assess the physical influences on buildings and the technologies associated with providing internal conditions of comfort and protection against the climate, and coordinate and integrate services systems to control them;
  - 3.4.5 Meet building users' requirements within the constraints imposed by cost factors and building regulations;
  - 3.4.6 Provide advice on issues of construction, procurement and contract administration;
  - 3.4.7 Generate the documentation and information needed to translate a design concept into a building;
  - 3.4.8 Manage the procurement of buildings, administer contractual arrangements and monitor their construction.
- 3.5 An Architect in responsible control must be competent in the practice of architecture and:
  - 3.5.1 Observe legal and regulatory obligations related to the planning and construction of buildings;
  - 3.5.2 Have adequate knowledge of the industries, organizations and procedures involved in the management and realization of a design project as a building;
  - 3.5.3 Observe the standards of conduct expected of a professional;
  - 3.5.4 Maintain competence in relevant aspects of the practice of architecture.
- 3.6 The applicant must describe the nature of their Responsible Control over each of the projects in each of the areas.

#### STEP 4: INTERVIEW

- 4.1 If there is concern about the dossier meeting all requirements, the applicant may be required to participate in an interview before a committee in the host jurisdiction. The interview will be conducted in the language of the host jurisdiction.
- 4.2 The purpose of the interview may include the confirmation of:
  - 4.2.1 The applicant's responsibility over the development, management and implementation of each submitted project;
  - 4.2.2 The applicant's understanding of the host jurisdictions licensing and professional conduct requirements; and
  - 4.2.3 The applicant's knowledge of the host jurisdictions building codes and laws.

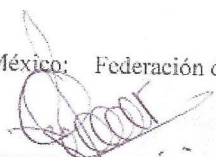
**STEP 5: NOTIFICATION**

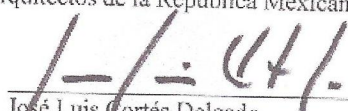
- 5.1 After satisfying all requirements, the applicant will be notified of the committee's decision by the host country competent body. A successful applicant will receive the support of the host national body, through whatever means available, for licensing in the various jurisdictions in that country. Local Competent Bodies within the host country may have additional non-discriminatory requirements.
- 5.2 An unsuccessful applicant will be notified of their deficiencies, and may elect to repeat the application process, including payment of all fees.


The signature of this Appendix is subject to the ratification by the national representatives of the competent bodies.


This agreement of the Implementation Mechanisms is the appendix of the Mutual Recognition Agreement, signed between the Architects of the NAFTA countries in Oaxaca, Mexico on October 7, 2005, and approved by the NAFTA Free Trade Commission on August 14, 2007.

For México: Federación de Colegios de Arquitectos de la República Mexicana, A. C.

  
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For the United States: National Council of Architectural Registration Boards


  
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