



CONSEJO GENERAL  
DE LA ARQUITECTURA TÉCNICA  
DE ESPAÑA

## FRAMEWORK AGREEMENT

FOR THE MUTUAL RECOGNITION OF PROFESSIONAL  
QUALIFICATIONS



## **PREAMBLE**

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In accordance with the efforts being made by European institutions to implement the European unity project and to make it a reality, through the effective freedom of movement of persons, services and capital, simultaneously and in parallel thereto, the relationship between the Danish Association of Building Experts, Managers and Surveyors (Konstruktørforeningen "KF") and the Spanish General Council of Technical Architecture ("CGATE") has continued to be developed, within the context of the recognition of professional qualifications as provided for under Directive 2005/36/EEC.

In light of the foregoing relationship, this Framework Agreement is hereby formalised between the two aforementioned institutions in order to streamline and simplify the procedures for the mutual recognition of professional qualifications as provided for under the aforementioned Directive 2005/36/EEC and to promote the free movement of members of both institutions between their respective countries.

Accordingly,

## **PARTIES**

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As the first party, Mr José Antonio Otero Cerezo, Chairman of the SPANISH GENERAL COUNCIL OF TECHNICAL ARCHITECTURE, with its head offices situated at Paseo de la Castellana, 155, 1º, 28046 Madrid, Spain;

And as the other party, Mr Gert Johansen, Chairman of KONSTRUKTØRFORENINGEN, with its head offices situated at Ny Kongensgade, 15, 2 sal, 1472 Copenhagen K, Denmark.

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## **WHEREAS**

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The foregoing institutions, which are represented by the aforementioned persons, each within their respective legal capacities and legal ambit, are strongly committed to contributing to the effective application of Directive 2005/36/EEC, and accordingly to contribute to the removal of obstacles for the free movement of persons and services in accordance with the Treaties of the European Union, and in any event in accordance with the provisions of applicable European and State legislation.

The abovementioned removal of obstacles implies, for the citizens of the Member States, the right to exercise a profession, either as a sole trader or as an employee of any third party, within a Member State of the EU other than that where the academic and professional qualifications have been obtained.

Signature

Both institutions consider that it is necessary to assert their identity within the international context, which constitutes the reason why they have decided to form part of European professional organisations, in order to expand the professional horizons of their members, as well as to exchange information and knowledge with their colleagues in other countries.

The commitments and obligations assumed pursuant to this Framework Agreement shall constitute minimum commitments and obligations, and accordingly both parties shall be obliged to perform their commitments and obligations within the scope of their respective ambits, without prejudice to the enhancements or modifications that may be introduced through subsequent developments that may be agreed to between both parties.

And in light of the foregoing, the represented institutions hereby formalise this Framework Agreement, subject to the following clauses:

## **CLAUSES**

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**One** • The purpose of this Agreement is to establish and govern the terms and conditions for the management and resolution of the procedures for the mutual recognition of professional qualifications between the members of the "Konstruktørforeningen" (Bygningskonstruktør mak.) of Denmark, and the members of the Spanish "Technical Architecture Colleges", which are hereby represented by the "Spanish General Council of Technical Architecture", without prejudice to the powers of the competent authorities of each respective country.

**Two** • Considering that in order to exercise the profession of Technical Architect in Spain it is necessary to have obtained the corresponding university degree (Technical Architecture Degree -3 years of post-secondary school studies - in the previous system, and corresponding Bachelor's Degree - 240 ECTS credits and four years of post-secondary school studies - after the adaptation of the Spanish university system to the European Higher Education Area).

Considering that the profession of Technical Architect is a regulated profession in Spain, in accordance with Directive 2005/36/EEC.

Considering that this bilateral Agreement shall be applicable only to members of the Danish association "Konstruktørforeningen" that hold the academic qualification of "Bygningskonstruktør".

Considering that the competent Spanish authority for the recognition of professionals of other Member States, such as Technical Architects, is the Ministry of Public Works, and in light of the fact that the abovementioned Ministry habitually requests a report from the CGATE in the procedures that are managed in order to enable other European professionals to exercise the profession of Technical Architect in Spain.

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In order to promote the professional practice of the members (mak) of "Konstruktørforeningen" in Spain, the "Spanish General Council of Technical Architecture" within the exercise of the powers thereof, as provided for under Spanish legislation, hereby undertakes to afford special treatment to the "Konstruktørforeningen" applicants for their recognition as Technical Architects, and accordingly undertakes to:

- a) Issue a favourable report before the Ministry of Public Works in respect of the applications presented by the members of the "Konstruktørforeningen" which shall be considered to be equivalent to the Spanish degree of Technical Architect, whenever the applicants hold a university degree in the building field resulting from at least three years of higher education, in accordance with Spanish regulation for the implementation of 2005/36/CE directive.
- b) The favourable report of the "Spanish General Council of Technical Architecture" shall not require any aptitude test or supervised professional practice period.
- c) The "Spanish General Council of Technical Architecture" hereby undertakes to provide and facilitate all necessary advisory services to all of the members of the "Konstruktørforeningen", in relation to the procedures, documentation and other requirements for the professional qualifications recognition procedures in Spain.
- d) After the applicant has obtained recognition from the Ministry, the applicant may request to be registered as a member of one of the "Colegios Oficiales" by presenting the recognition document issued by the Ministry, and shall have the same responsibilities and rights as Spanish nationals.
- e) In all cases, the professionals may continue to be registered members of the <sup>40</sup>"Colegio Oficial" provided that they pay their fees and comply with the Rules of Conduct and Professional Competency Regulations of the "Association and of the Spanish General Council of Technical Architecture".

The procedure to be followed for the acceptance of a "Bygningskonstruktør mak" as a Technical Architect full member, shall be governed by the following rules:

(To be verified with the Ministry. For example:)

- 1) The "Bygningskonstruktør mak" shall file an application at the Ministry, attached in the annex to this Agreement, and that shall include the following documentation:

Identification card that states the complete personal particulars of the applicant.

The academic diploma of the "Bygningskonstruktør". Bachelor in Architectural Technology and Construction Management.

Details of the syllabus, which must state the subjects and the corresponding study load thereof.



Certificate that substantiates professional experience, which must state the functions and the country where the aforesaid experience has been obtained.

- 2) All of the documentation must include the corresponding sworn translation into the Spanish language.

**Three** • Considering that the "Konstruktørforeningen" is a professional association that represents Building Experts in Denmark and that the aforementioned profession is not a regulated profession in that country, pursuant to Directive 2005/36/EC.

In order to promote and enable the professional practice of Technical Architects as "Bygningskonstruktør mak" in Denmark, the "Konstruktørforeningen" hereby undertakes to accept as full members all of the European citizens that hold the Spanish university degree of Technical Architect or the corresponding Bachelor's Degree and that enables the holder thereof to exercise the profession of Technical Architect and that, furthermore, are members of one of the "Associations" of Technical Architects that form part of the "Spanish General Council of Technical Architecture".

The procedure to be followed for the acceptance of a Technical Architect as a full member of the "Konstruktørforeningen" shall be governed by the following rules:

1. The registered Technical Architects shall file a registration application before the "Konstruktørforeningen" together with the following documentation:

Technical Architecture Degree or corresponding to Bachelor's Degree Programme of Architectural Technology and Construction management.

Details of the syllabus, which must state the subjects and the corresponding study load thereof.

Certificate from the "Spanish General Council of Technical Architecture" that substantiates that the applicant is registered at a "Association" of Technical Architects that forms part of the "Spanish General Council of Technical Architecture".

2. All of the abovementioned documentation must include the corresponding sworn translation into Danish or English.
3. The "Konstruktørforeningen" hereby undertakes to accept and register the applicant as a full member of its Association within a maximum period of four months as from the date of filing of the application together with all of the documentation set out under paragraphs 1) and 2) hereinabove.
4. The "Konstruktørforeningen" hereby undertakes to provide and facilitate all necessary advisory services to all of the applicant members of the "Spanish General Council of Technical Architecture".







**konstruktør  
foreningen**



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**Four** • This Framework Agreement shall have a term of three years and shall enter into force as from 10 of March 2016. This Framework Agreement shall be automatically extended for periods of one year, except any express notification of either of the parties that objects to said renewal within the period of sixty calendar days prior to the expiry thereof.

In witness thereof, both parties, as represented, hereby execute this Framework Agreement, in duplicate copies which together constitute a single document in Madrid on 10 of March 2016.

Mr. Gert Johansen  
Chairman of KONSTRUKTØRFORENINGEN

Mr. José Antonio Otero Cerezo  
Chairman of CGATE