APEC ARCHITECT

MEMORANDUM OF COOPERATION ON REGISTERED/LICENSED ARCHITECTS

IN JAPAN AND NEW ZEALAND

TO FACILITATE MOBILITY OF ARCHITECTS IN THE PROVISION OF ARCHITECTURAL SERVICES



Asia-Pacific Economic Cooperation



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ANNEXURE: APEC Architect Operations Manual 2008

THIS MEMORANDUM is made the

14 day of 95/4

2009.

BETWEEN:

THE MINISTRY OF LAND, INFRASTRUCTURE, TRANSPORT AND TOURISM, JAPAN

2-1-3 Kasumigaseki, Chiyoda-ku, Tokyo 100-8918, Japan, in the first part

AND:

THE JAPAN APEC ARCHITECT PROJECT MONITORING COMMITTEE 2-14-1 Kyobashi Chuo-ku Tokyo 104-0031, Japan, in the second part

AND:

NEW ZEALAND REGISTERED ARCHITECTS BOARD

Level 3, Dominion Building, 78 Victoria Street, Wellington, New Zealand, in the third part

AND:

THE NEW ZEALAND APEC ARCHITECT MONITORING COMMITTEE

C/- The New Zealand Registered Architects Board, Level 3, Dominion Building, 78 Victoria Street, Wellington, New Zealand, in the fourth part.

INTRODUCTION

- A. The Ministry of Land, Infrastructure, Transport and Tourism (MLIT) is the government body responsible for establishing and maintaining standards for Kenchikushi in Japan. It has the power to grant the title of 1st-class Kenchikushi in Japan in accordance with Kenchikushi Law.
- B. The Japan APEC Architect Project Monitoring Committee is an independent committee established in Japan in accordance with the APEC Architect Operations Manual with delegated authority of the Central Council to maintain a section of the APEC Architect Register in Japan and to act as a nominating body for the Central Council.
- C. The New Zealand Registered Architects Board (NZRAB) is the national organisation responsible for registering, monitoring and, if need be, disciplining architects in New Zealand.
- D. The New Zealand APEC Architect Monitoring Committee is an independent committee established in New Zealand in accordance with the APEC Architect Operations Manual with delegated authority of the Central Council to maintain a section of the APEC Architect Register in New Zealand and to act as a nominating body for the Central Council.
- E. The participants acknowledge that the primary purpose of this Memorandum is to facilitate APEC Architects to become registered to practice independently in a host economy as defined by reference to the APEC Architects Operations Manual 2008 annexed to this Memorandum and marked with the Letter A and as amended by the Central Council from time to time ('the Manual').
- F. The participants acknowledge that the Japan APEC Architect Project Monitoring Committee and the New Zealand APEC Architect Monitoring Committee have been authorized by the APEC Architect Central Council to operate a section of the APEC Architect Register in their respective economies, and both economies have established and maintain a section of the APEC Architect Register in their respective economies.
- G. The participants acknowledge that each economy shares the recognition that APEC Architects who are on the APEC Architect Register in its economy meet all the requirements for registration/licensure as an Architect of their respective economies in accordance with their mutual commitment to the provisions of the APEC Architect Reciprocal Recognition Framework, subject to the conditions and exceptions set out in this Memorandum.

AFFIRMING their common interest in the implementation and ongoing administration of the APEC Architect Framework in their respective economies **THE PARTICIPANTS HAVE DECIDED** as follows:

1. Definitions

- 1.1 The Definitions detailed in the Manual apply in this Memorandum.
- 1.2 In this Memorandum, unless the contrary intention appears:

"APEC Architect" refers to an Architect whose name appears on the APEC Architect Register in their Home Economy;

"Japanese Participants" means MLIT and the Japan APEC Architect Project Monitoring Committee;

"*New Zealand Participants*" means NZRAB and the New Zealand APEC Architect Monitoring Committee;

"Home Economy" means the economy of permanent residence and primary registration/licensure as an Architect;

"Host Economy" means the economy where it is intended to apply for secondary registration/licensure in compliance with this Memorandum;

"the participants" refers to the Japanese Participants and the New Zealand Participants;

"1st-class Kenchikushi" means a person who is licensed by MLIT to design buildings and supervise construction work etc. in Japan, under the title of 1st -class Kenchikushi;

"New Zealand Architect" means a person who is a New Zealand Registered Architect under the Registered Architects Act 2005 which entitles that person to use the title "Registered Architect" and/or to use the title "architect" when offering or providing architectural services in New Zealand;

"Registration" also means licensure, certification – legal admission to the right to practice as an architect/1st-class Kenchikushi;

"Regulatory authority" means the authority responsible for the registration/licensure or acceptance of persons permitted to offer professional services as an architect/1st-class Kenchikushi.

2. Application of the APEC Architect Framework

- 2.1 The participants decide that the Manual forms part of this Memorandum.
- 2.2 The participants decide that the Manual forms the basis upon which:
 - 2.2.1 the reciprocal acceptance of 1st-class Kenchikushi in New Zealand is to be carried out;
 - 2.2.2 the reciprocal acceptance of New Zealand Architects in Japan is to be carried out;
 - 2.2.3 the mobility of 1st-class Kenchikushi in the provision of architectural services as New Zealand Architects in New Zealand is to be facilitated; and
 - 2.2.4 the mobility of New Zealand Architects in the provision of architectural services as 1st-class Kenchikushi in Japan is to be facilitated.
- 2.3 The participants decide that this Memorandum applies to 1st-class Kenchikushi and New Zealand Architects whose names appear on the APEC Architect Register of each home economy.
- 2.4 The participants decide that nothing in this Memorandum or the Manual is intended to discriminate against an APEC Architect on the basis of the 1st-class Kenchikushi or New Zealand Architect's place of origin or place of education.
- 2.5 The participants decide that this Memorandum will not apply to 1st-class Kenchikushi or New Zealand Architects:
 - . whose home economies are other than the ones of this Memorandum; and
 - . who have obtained registration/licensure by means of a mutual recognition agreement outside the framework of this Memorandum.

3. Purpose of this Memorandum

- 3.1 The participants decide that the purpose of this Memorandum is:
 - 3.1.1 to facilitate the registration/licensure of a 1st-class Kenchikushi as an New Zealand Architect and a New Zealand Architect as a 1st-class Kenchikushi consistent with the APEC Architect Reciprocal Recognition Framework.
 - 3.1.2 to set out standards, criteria, procedures and measures which:
 - . are assessed on objective and transparent measures, such as professional competence and ability to provide a service;
 - . are not more burdensome than necessary to ensure that the standards of architectural practice are maintained in the Host Economy; and
 - do not constitute an unreasonable restriction on the cross-border provision of any architectural services between Japan and New Zealand.
- 3.2 The participants decide that differences relating to the standards and processes for registration/licensure are to be addressed by reference to the APEC Architect Framework. The participants decide to allow those qualified through the APEC Architect Framework to offer professional services in the host economy under such circumstances that the health, safety and welfare of the public are protected, the architectural culture and heritage are respected, and the relevant laws or regulations of the jurisdiction are observed in relation to the services performed.

4. Reciprocal Acceptance Provisions

- 4.1 Current Registration/Licensure Procedures
 - 4.1.1 In Japan, MLIT regulates the assessment/registration process of 1st-class Kenchikushi based on Kenchikushi Law.
 - 4.1.2 In New Zealand, registration as an architect is the responsibility of NZRAB under the Registered Architects Act 2005.
- 4.2 In Japan, a person who is a 1st-class Kenchikushi may legally and exclusively engage in the design and the superintendence of construction work using the title 1st-class Kenchikushi and may also engage in other related works in accordance with Kenchikushi Law.
- 4.3 In New Zealand, only a person who is registered as an architect may legally provide architectural services using the title 'architect ' or describe him or herself as a "Registered Architect".
- 4.4 The participants decide that the primary qualification for registration/licensure in the host economy pursuant to this Memorandum is to be registered as an APEC Architect in the home economy.
- 4.5 The participants decide that applicants are entitled to obtain registration/licensure in the host economy by satisfying the following conditions:
 - 4.5.1 Registration/licensure in Japan:
 - a) Enroll in the APEC Architects Registry.
 - b) Successfully pass the domain specific test imposed in Japan which will result in the award of the certification of Minister of Land, Infrastructure, Transport and Tourism. This certification evidences that the applicant has met the minimum standards necessary for registration as a 1st-class Kenchikushi.
 - c) Agree to:
 - i) abide by the laws, rules and regulations in Japan;
 - ii) satisfy the requirements to assure the continuing competency imposed in Japan;
 - iii) observe any relevant code of professional conduct, conform to ethical standards of truth, honesty and integrity as the basis for ethical practice including, at a minimum, abiding by the ethical standards in Japan including Kenchikushi Law; and
 - iv) provide any information in accordance with 6.2 of this Memorandum.
 - d) Complete an application form for registration at MLIT or the designated registration body and pay the required fee.

- 4.5.2 Registration/licensure in New Zealand
 - a) Enroll in the APEC Architects Registry.
 - b) Successfully pass the domain specific test imposed in New Zealand which will be followed by a recommendation to the Board of NZRAB that the applicant meets the applicable minimum standards for registration in New Zealand.
 - c) Agree to:
 - i) abide by the laws, rules and regulations in New Zealand;
 - ii) satisfy the requirements to assure continuing competency as imposed by the Registered Architects Act 2005;
 - iii) conform to ethical standards of truth, honesty and integrity as the basis for ethical practice including, at a minimum, abiding by the New Zealand Code of Minimum Standards of Ethical Conduct for Registered Architect as required by the Registered Architects Rules 2006; and
 - iv) provide any information in accordance with 6.2 of this Memorandum.
 - d) Complete an application form for registration and pay the required fee.
- 4.6 The participants decide that fees for the above process should be reasonable and cover the costs only of assessing the applicant.
- 4.7 The participants decide that each economy will make its own arrangement for domain specific assessment and publicize information on such specific examination/assessment.
- 4.8 Nothing in this Memorandum will preclude an applicant from pursuing registration/licensure in a host economy through the exercise of alternative procedures.

5. Implementation

- 5.1 The participants decide that the cooperation under this Memorandum will commence when
 - 5.1.1 MLIT and the Japan APEC Architect Project Monitoring Committee have signed this Memorandum; and
 - 5.1.2 NZRAB and the New Zealand APEC Architect Monitoring Committee have signed this Memorandum.
- 5.2 The Monitoring Committees of both economies will exchange information on the number of applicants who have applied pursuant to the terms of this Memorandum annually.
- 5.3 Both economies resolve to provide to each other with regular reports dealing with matters relating to the implementation of this Memorandum, in addition to the information to be provided in accordance with 5.2 of this Memorandum.

6. Discipline and Enforcement, Disclosure by an Applicant for Registration/Licensure

- 6.1 The participants recognize that
 - 6.1.1 MLIT is responsible for any appropriate disciplinary action within the scope of and in accordance with the provisions under Article 9 and 10 of Chapter 2 and Chapter 10 of the Kenchikushi Law where a 1st-class Kenchikushi fails to fulfill the conditions stated in 4.5.1(c) i)-iii) of this Memorandum; and
 - 6.1.2 NZRAB is responsible for any appropriate disciplinary action within the scope of and in accordance with the provisions under Article 26, Chapter 2 of the Registered Architects Act 2005 where a Registered Architect fails to fulfill the conditions stated in 4.5.2(c) i)-iii) of this Memorandum."
- 6.2 The participants decide that any application for registration/licensure under this Memorandum is required to include the information by the applicants concerning any sanctions that have been imposed against them related to the practice of the 1st-class Kenchikushi/architect in any other country and any APEC economy. The participants acknowledge that the information may be considered by the regulatory authority in the host economy as part of the registration/licensure process.
- 6.3 The participants decide that an application for registration/licensure in the host economy under this Memorandum is required to include the applicant's written permission to distribute and exchange information regarding sanctions between both economies.

7. Immigration and Visa Issues

7.1 The participants decide that registration/licensure in a host economy does not avoid the need to comply with applicable immigration and visa requirements of the host economy.

8. Exchange of Information

8.1 The participants decide to notify each other and provide copies of any major changes in policy, criteria, procedures and programs that might affect this Memorandum.

9. Consultations

- 9.1 The participants will at all times endeavor to have common recognition on the interpretation and implementation of the cooperation under this Memorandum, and will make every attempt through co-operation and consultation to arrive at a mutually satisfactory resolution of any matter that might affect its operation.
- 9.2 A participant to this Memorandum may request in writing consultations with any participants on the other side regarding any actual or proposed measure or any other matter that it considers might affect the operation of this Memorandum. A participant who has received a consultation request should endeavor to reply immediately unless there is good reason for a delay in answer.

10. Term of the cooperation under this Memorandum

- 10.1 The participants to the Memorandum decide that they will, at least every five (5) years, review and update the status of implementation and report on the effectiveness of the Memorandum, and recommend changes where appropriate.
- 10.2 The participants decide that the cooperation under this Memorandum may be terminated by any participant by giving to the other participants at least six (6) months prior written notice. A participants' leave from the Memorandum will not affect a status of the APEC Architects to practice in a host economy obtained through the cooperation under this Memorandum.
- 10.3 The participants decide that the cooperation under this Memorandum will be automatically terminated if the Monitoring Committee in either economy ceases to be authorized by the APEC Architect Central Council to operate an APEC Architect Register.

The Ministry of Land, Infrastructure, Transport and Tourism of Japan

(signature) *Livoto Jumi* Hiroto Izumi, Director-General, Housing Bureau

The Japan APEC Architect Project Monitoring Committee

(signature) Jeanholo make

Fumihiko Maki, Chair

(signature)

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SIGNED. day of JULY 2009.

NZRAB: New Zealand Registered Architects Board

(signature)

Ron Pynenburg, Chair

(signature)

Prof. Gordon Holden, Board Member

The New Zealand APEC Architect Monitoring Committee

(signature) Ron Pynenburg, Chair

ANNEXURE



Asia-Pacific Economic Cooperation

APEC Architect Operations Manual

2008

APEC Architect Operations Manual

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GLOSSARY OF TERMS

- Accreditation: Also validation the granting of approval/recognition to a course or program of study, which has been tested to produce results of an acceptable standard against set criteria.
- Authorisation: Approval granted by the Central Council to a Monitoring Committee to maintain a section of the APEC Architect Register
- **Benchmark Criteria:** Agreed standards by which other standards can be measured.
- **Central Council:** The joint governing body of the APEC Architect project composed of nominees of Monitoring Committees of participating economies, with ultimate responsibility for a range of matters, including the approval of Monitoring Committees, strategic directions and administrative arrangements.
- **Consensus:** Agreement without dissent.
- **Domain Specific** Competencies or knowledge related to conditions of professional practice specific to an economy
- **Home Economy** Economy of permanent residence and primary registration/ licensure as an architect.
- Host Economy: Economy of secondary registration/licensure as an architect.
- **Monitoring Committee:** Independent committee formed by a participating economy, with delegated authority of the Central Council to maintain a section of the APEC Architect Register in its economy and to act as nominating body for the Central Council
- Participating Economy: An APEC economy with an authorised Monitoring Committee
- **Recognition:** Also professional recognition acceptance by a regulatory authority of compliance with requirements.
- **Registration:** Also licensure, certification legal admission to the right to practise as an architect.
- **Regulatory Authority:** Authority responsible for the registration/licensure or recognition of persons permitted to offer professional services as an architect. **Note:** In economies with multiple domestic jurisdictions, the 'regulatory authority' referred to in these Briefing Notes is taken to be the national organisation composed of representatives of regional jurisdictions to formulate national standards and procedures for the professional recognition of architects. It is understood that the ultimate legal decision for the application of these standards rests with the individual jurisdictions.

APEC Architect Operations Manual

FOREWORD

Asia Pacific Economic Cooperation (APEC) is an international forum composed of twentyone member economies that have undertaken to act collectively to promote economic and technical cooperation within the Asia-Pacific region. Its purpose is "to sustain the growth and development of the region for the common good of its peoples". APEC builds on WTO General Agreement on Trade and Services (GATS) principles for the progressive liberalisation of trade in services through the reduction of regulatory restrictions, leading to reciprocal agreements between member economies where appropriate.

The APEC Architect project is an initiative of the APEC Human Resources Development Working Group (HRDWG), one of a number of sectoral groups established to implement APEC programs. The project was endorsed by the HRDWG at its year 2000 meeting in Brunei as a direct response to the Group's strategic priority of facilitating mobility of qualified persons by developing a means for the mutual recognition of skills and qualifications.

A Steering Committee was formed by the APEC economies participating in the project to develop a mechanism by which current restrictions on the professional recognition of architects from other economies would be reduced or removed. Through the positive commitment of those involved, and fruitful negotiation in the intervening period, a set of principles and an operational framework for the creation of an APEC Architect Register has been agreed by all participants. Registration as an APEC Architect provides evidence of the achievement of professional standards that may satisfy some, or all, of the requirements for the recognition of architects by host APEC economies

This Manual sets out the organisational structure of the APEC Architect framework and the rules and criteria that underpin its operation. The contents of the Manual are subject to continued scrutiny by the APEC Architect Central Council, which jointly manages the project, to ensure its currency and continued response to changes that develop in the practice of architecture. It is a document that will continue to evolve as it is tested, reviewed and amended as necessary.

The GATS identifies four modes of service provision, of which the third, 'establishment of a commercial presence', and the fourth, 'the presence of natural persons', are those that are essentially addressed by the APEC Architect framework. However the project will have relevance for all means by which architectural services are exported.

APEC is a cooperative association between regional economies; it is not bound by treaty. Although participating economies are guided by APEC objectives and the GATS principles that inform them, decisions taken by the Central Council are reached by consensus, they do not place a mandatory obligation on any economy.

Member Economies of the APEC Architect Central Council 2006 Australia, Canada, People's Republic of China, Hong Kong China, Japan, Republic of Korea, Malaysia, Republic of Mexico, New Zealand, Republic of the Philippines, Singapore, Chinese Taipei, Thailand, United States of America

1. THE APEC ARCHITECT FRAMEWORK AN OVERVIEW

APEC Architect participating economies acknowledge the public benefit of the mobility of architects in the provision of architectural services, the positive value of cultural diversity and the mutual benefits of cooperation in developing a framework to facilitate these goals.

Purpose

The aim of the APEC Architect framework is to establish a mechanism to facilitate the mobility of architects for the provision of architectural services throughout the APEC region by reducing current barriers to the export of professional services. Its central function is to maintain a Register of APEC Architects who have fulfilled common elements of the education and training requirements for professional recognition in participating economies and are currently registered/licensed as architects, and who have a proven record of professional experience as registered practitioners.

Through the identification of these common aspects of professional recognition, reinforced by a period of professional experience, registration as an APEC Architect defines a level of competence that will satisfy designated registration criteria in other participating economies without further assessment. A host economy may additionally adopt special requirements for the recognition of APEC Architects to address aspects of professional practice specific to that economy, such requirements however must be fully transparent.

Structure

Overall responsibility for operation of the APEC Architect Register rests with a Central Council composed of nominees of independent Monitoring Committees established for this purpose in each participating economy, and authorised by the Central Council to carry out its functions. Policies governing the operation of the APEC Architect Register and strategies adopted for its implementation are determined jointly by the representatives of participating economies appointed to the Central Council.

The APEC Architect Register is divided into sections, each administered by the Monitoring Committee of a participating economy, for the enrolment of architects registered/licensed in that economy who meet APEC Architect criteria. Monitoring Committees are responsible for the management of their respective sections of the Register on behalf of the Central Council.

APEC Architects

An APEC Architect is a person who is registered, licensed or otherwise professionally recognised as an architect in a participating economy, and whose name is enrolled on a section of the APEC Architect Register maintained by that economy. APEC Architects are bound by host economy codes of professional conduct to protect public health, safety and welfare.

The criteria adopted by the Central Council for admission to the APEC Architect Register, and use of the description 'APEC Architect', are based on identification of a common sequence and elements in the education, training and assessment of architects as qualified to provide professional architectural services in the home economy. These consist of:

- an accreditation or recognition procedure for education programs in architecture;
- a minimum period of post-graduate practical experience, with specified requisites;
- fulfilment of registration, licensing or other requirements for full professional recognition,
- a minimum period of professional practice as a registered or licensed architect, with specified requisites.

Architects deemed by the Central Council to fulfil these requirements are eligible for registration as an APEC Architect. To retain their registration, APEC Architects must comply with obligations imposed by their home economies for maintaining professional competence and observing codes of professional conduct. Host economies may choose to impose special requirements for the recognition of APEC Architects for practice in their economies, but any such requirements must be fully transparent. (See p. 8 for further details).

Monitoring Committees

Each participating economy is required to establish a Monitoring Committee to take responsibility for administration of the APEC Architect framework in that economy, after receiving authorisation by the Central Council to do so. Monitoring Committees act with delegated authority from the Central Council to implement its policies and carry out it duties.

The primary duty of a Monitoring Committee is to operate a section of the APEC Architect Register for the enrolment of APEC Architects registered/licensed in that economy. It must confirm that candidates for APEC Architect registration have complied with criteria adopted by the Central Council and assess the professional practice experience they have obtained as registered/licensed architects. Each Monitoring Committee is also responsible for ensuring the continued maintenance of required standards.

Monitoring Committees are the constituent bodies of the Central Council. They must nominate one or more representatives to the Council, with each Monitoring Committee entitled to one vote. They are called upon to contribute from time to time to the administrative and review functions of the Central Council and generally to act as centres of information on all APEC Architect matters, and to promote its purposes.

The decisions taken by the Central Council are reached by consensus and are not binding on the regulatory authority of any participating economy. (See p. 13 for further details).

Authorisation of Monitoring Committees

Newly formed Monitoring Committees wishing to establish a section of the APEC Architect Register must first be authorised by the Central Council to do so. Applications for authorisation must be accompanied by information on the professional recognition/ accreditation systems in place in the economy and details of its proposals for assessment of APEC Architect criteria, and any other information the Council deems necessary. Advice on the structure of the Monitoring Committee and its arrangements for administration of the section of the APEC Architect Register within its economy will also be required. Monitoring Committees that have been granted authorisation may establish a section of the APEC Architect Register. (*See p. 14 for further details*).

Central Council

The Central Council has ultimate responsibility for all matters relating to the APEC Architect framework. The Council comprises at least one representative appointed by the Monitoring Committee of each economy authorised to operate a section of the Register. Non-authorised economies may also be invited to attend Council meetings as non-voting observers. The

Central Council's primary duty is to decide the standards and criteria required for registration as an APEC Architect and to establish operational procedures for management of the APEC Architect Register. These are reviewed periodically by the Council to ensure their continued relevance to the practice of architecture within the APEC region and the effectiveness of the systems employed to assess them. The Council is responsible for the authorisation of Monitoring Committees to maintain a section of the Register and for subsequent review of their continued conformance with APEC Architect registration criteria.

Effective communication with relevant authorities in participating economies, architects and consumers alike, is essential for successful operation of the APEC Architect Register. The provision of information on its objectives and achievements, and promotion of the role it plays in facilitating the mobility of architects within the region are also important functions of the Central Council. (*See p.16 for further details*).

Administrative Provisions

Responsibility for providing administrative services for the APEC Architect Central Council and acting as the project Secretariat is undertaken in rotation by participating economies. The economy performing this role at any time may share its duties with other economies or it may be exempted from them on request. During its term of office, the Secretariat is required to administer all Council business, manage its meetings and coordinate the activities of the independent Monitoring Committees. It acts as a centre of information for the project and maintains the APEC Architect website.

Desired Outcomes – Facilitating the Mobility of Architects

The introduction of the APEC Architect Register has created an effective mechanism for achieving the strategic priority of the APEC Human Resources Development Working Group 'to facilitate the mobility of qualified persons by developing a means for the mutual recognition of their skills and qualifications'. By providing evidence that agreed standards of competence required for professional recognition have been satisfied, APEC Architects may be_exempt from many current restrictions on access to independent practice, such as pre-registration examination and host economy experience, that are normally imposed on architects from other countries. Even though they may still be tested on practice issues specific to the host economy, the savings in time and costs for all involved, architects and regulatory authorities alike, are substantial.

The APEC Architect Reciprocal Recognition Framework, which records the registration / certification requirements of participating economies for the professional recognition of APEC Architects from other economies, may be viewed on the Central Council website at <u>www.apecarchitect.org</u>

Through its identification of common standards of professional competence and the quality assurance systems applied to ensure that they are maintained, the APEC Architect framework provides a reliable and transparent basis for the further negotiation of reciprocal arrangements between APEC economies for the mutual recognition of architects. The APEC goals of progressive liberalisation of access to markets for the provision of professional services will become a reality as the benefits of the APEC Architect framework are recognised and endorsed throughout the Asia Pacific region.

Termination

The APEC Architect Central Council will operate for so long as it is acceptable and desirable to participating economies.

2. REGISTRATION AS AN APEC ARCHITECT

A candidate for registration as an APEC Architect must be currently registered / licensed or otherwise professionally recognised as an architect in the economy that maintains the section of the APEC Architect Register to which application for admission is made. Architects must demonstrate to the appropriate Monitoring Committee that they have completed an accredited /recognised program of architectural education, fulfilled pre-registration experience requirements, have practised for at least seven years as registered/licensed architects and satisfied any additional requirements, all in accordance with criteria determined by the Central Council. Architects may only be enrolled on the section of the APEC Architect Register in their home economy, unless otherwise provided by this Manual.

(Note: APEC Architect Registration applies only to individual persons, not to architectural practices or firms)

The statement on the '*Competence of an APEC Architect*' at 2.3 describes the scope of practice and the skills and knowledge required of an APEC Architect.

2.1 APEC ARCHITECT REGISTRATION CRITERIA

The following set of principles satisfies Central Council criteria for admission to the APEC Architect Register and the right to use the description 'APEC Architect'.

1. Architectural Education

Educational Benchmark Statement

Education as an architect shall comprise at least four years of full time study. The education must be of university level, with architecture the principal component. It must maintain a balance between theoretical and practical aspects of architectural training and lead to the acquisition of the skills and knowledge necessary to underpin the required competence of an APEC Architect. Structured experiential learning, determined by the regulatory authority economy to be the equivalent of full-time architectural study as described above, would also satisfy the APEC Architect education requirements.

Common Elements of Architectural Education Programs

The core subject areas in an accredited/recognised program of architectural education are:Design, as the predominant subject

- Design, as the predominant subjected
- Technology and Environmental Science
 - Social, Cultural & Environmental Studies, and
- Other subject areas within architectural educational programs may include:
- Related Studies

Professional Studies.

• General Education.

Accreditation / Recognition Procedure for Educational Programs in Architecture

Processes incorporating the following principles of good governance will satisfy the accreditation/recognition criteria for educational programs for an APEC Architect.

The accrediting/recognising body should:

- have authority and, where appropriate, legal status and be transparent, independent and publicly accountable.
- have a structured process for the approval of qualifications and compliance with agreed standards.

The Central Council agrees to respect the accreditation/recognition procedures of each participating economy.

2. Fulfilment of Period of Pre-registration or Pre-licensing Experience for Recognition as an Architect in a Home Economy

Applicants for registration as an APEC Architect must have completed a prescribed period of practical pre-licensure or pre-registration diversified experience, as defined by the home economy, for a minimum period equivalent to a total of 2 years.

3. Fulfilment of Registration / Licensing Requirements for Recognition as an Architect in a Home Economy

The purpose of this criterion is, in the first instance, to establish eligibility for registration as an APEC Architect, not for registration in another economy.

Fulfilment of registration/licensing requirements for recognition as an architect in a home economy is accepted as meeting this criterion for an APEC Architect.

4. Professional Practice as a Registered / Licensed Architect

Applicants for registration as an APEC Architect must satisfy the home economy Monitoring Committee that they have completed a minimum period of professional practice of 7 years; after initial registration/licensure as an architect in any participating economy. This experience must be gained in all of the following categories of architectural practice:

- Preliminary studies and preparation of brief
- Contract Documentation

• Design

Administration

At least 3 years of that period must have been undertaken as an architect:

- with sole professional responsibility for the design, documentation and contract administration of buildings of moderate complexity;
- OR in collaboration with other architects, as an architect in charge of and professionally responsible for a significant aspect of the design, documentation and/or contract administration of complex buildings.

Practice Jurisdiction

Professional practice that satisfies the above requirements undertaken in any economy may be accepted by the relevant Monitoring Committee.

Currency of Practice

To ensure competence, APEC Architect candidates who have not practised in a position of professional responsibility within for the preceding two years are subject to a requirement to undertake a program of professional development or fulfil other prescribed conditions to be admitted to the APEC Architect Register.

2.2 ENTITLEMENT TO REGISTRATION

1. Admission to the APEC Architect Register

Candidates for registration as an APEC Architect must apply to the Monitoring Committee of their home economy to determine their eligibility for enrolment on that economy's section of the Register. In addition to details on education, training and professional recognition in any APEC jurisdiction, candidates will be required to submit a report on their post registration / licensure professional experience, outlining the categories of practice in which it was undertaken and the level of their involvement.

APEC Architects must also agree to be bound by the code of professional conduct of their home economy and of any jurisdiction in which they practice.

Particulars of APEC Architects to be recorded on the Register include:

- name and business address;
- home economy or jurisdiction in which the architect is registered/licensed; and
- any other economy in which the architect is registered/licensed.

The registration numbers assigned to APEC Architects by Monitoring Committees are preceded by the following abbreviations of the name of the home economy:

Australia	AU	Republic of Mexico	MX
Canada	CA	New Zealand	NZ
People's Republic of China	CN	Republic of the Philippines	PH
Hong Kong, China	HK	Singapore	SG
Japan	JP	Chinese Taipei	CT
Republic of Korea	KR	Thailand	TH
Malaysia	MY	United States of America	US

Applications for admission to the APEC Architect Register are dealt with in a timely manner and will not normally exceed three months for completion. On admission to the Register, APEC Architects are issued with a Central Council Certificate of Registration by the home economy Monitoring Committee and an APEC Architect Identification Card bearing the architect's name, name of home economy and date and currency of APEC Architect registration. On request, Monitoring Committees also provide relevant information to the regulatory authorities of other participating economies for registration purposes.

2. Maintaining APEC Architect Registration

APEC Architect registration is to be renewed on payment of an administration fee to a Monitoring Committee at intervals no greater than two years. Registration details are to be reviewed and renewed on application to practise in a host economy.

Renewal of registration is subject to compliance with home economy regulatory authority or Monitoring Committee requirements to undertake programs of continuing professional development, or fulfil other tests of current competence. The Monitoring Committee may impose conditions on architects who have not practised in a position of professional responsibility during the preceding two years.

The registration of an APEC Architect will be cancelled if the architect ceases to be registered /licensed in the designated home economy. The registration of APEC Architects found, subject to due process, to be in breach of the code of professional conduct of either their home economy, or a host economy, may be suspended by their home economy Monitoring Committee.

3. Acquired Rights

Should the authorisation of a Monitoring Committee be discontinued for any reason, APEC Architects enrolled in that economy may enrol on a database maintained by the Secretariat for this purpose, for a maximum period of two years. Alternatively they may apply for registration in a host economy and subsequent admission to the section of the APEC Architect Register in that economy.

2.3 THE COMPETENCE OF AN APEC ARCHITECT

The skills and knowledge required for admission to the APEC Architect Register

An APEC Architect must be competent to create architectural designs that:

- satisfy both aesthetic and technical requirements;
- are informed by the history and theories of architecture and the related arts, technologies and human sciences;
- 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;
- respond to environmental concerns and address sustainability issues;
- show skill in land-use planning and the planning process;
- take account of cultural and social factors and demonstrate an understanding of the responsibility of an architect to society;

An APEC Architect must be competent to translate a design concept into built form and be able to:

- investigate and interpret design objectives and relevant issues and prepare the brief for a design project;
- advise on project evaluations, feasibility studies and programs;
- evaluate and determine structural, constructional and engineering elements of a building design and integrate the advice and design of specialist disciplines into a building project;.
- 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;
- meet building users' requirements within the constraints imposed by cost factors and building regulations
- provide advice on issues of construction, procurement and contract administration;
- generate the documentation and information needed to translate a design concept into a building;
- manage the procurement of buildings, administer contractual arrangements and monitor their construction.

An APEC Architect must be competent in the practice of architecture and:

- observe legal and regulatory obligations related to the planning and construction of buildings;
- have adequate knowledge of the industries, organisations and procedures involved in the management and realisation of a design project as a building;
- observe the standards of conduct expected of a professional by the community;
- maintain competence in relevant aspects of the practice of architecture.

3.1 APEC Architect Register

The APEC Architect Register is the means by which the names of architects who have achieved common standards of professional competence are made publicly available.

To ensure that the information it contains is accurate and current, the APEC Architect Register is divided into independent sections established in each participating economy for the enrolment of architects who are registered/licensed in that economy. It consists of a series of decentralised, linked electronic databases, constructed and operated by the Monitoring Committee of each economy. The Monitoring Committee is responsible for maintaining and regularly updating the section of the Register it administers.

The participating economy acting as Secretariat maintains the central APEC Architect domain with hyperlinks to the individual APEC Architect database websites. Each website contains an introductory statement on the APEC Architect framework, information on APEC Architect registration requirements, access to the list of APEC Architects registered in its economy, and to relevant publications and forms for down-loading. Monitoring Committees publish on their websites any special requirements that the home economy places on APEC Architects from other economies.

A standard website format has been adopted by all economies to preserve the uniformity of the APEC Architect Register and provide ready access to the registered particulars of APEC Architects, whilst ensuring the security of the independent Register sections. All information contained on the websites is updated at six month intervals An opportunity is also provided for APEC Architects to indicate their willingness to consider offers of professional alliance with APEC Architects from other economies.

In addition to the links with each economy's APEC Architect database, the Central Council website contains information on the APEC Architect framework, contact details of participating economies, and other relevant matters. Application forms for assessment and registration are also available.

English has been adopted as the common language for exchanging information among APEC economies, although each economy is also free to use the language of the home economy and any other language of choice.

Advice on the registration of APEC Architects may be obtained electronically or from printed records of each section of the Register published annually by Monitoring Committees.

3.2 The Reciprocal Recognition Framework

The Central Council has established a Reciprocal Recognition Framework which identifies participating economies that have adopted the same registration / certification requirements for APEC Architects from foreign economies, thereby establishing a reciprocal basis for the professional recognition of APEC Architects from those economies. In assessing APEC Architects from economies with more restrictive categories of requirements, host economies may impose similar requirements to those of the applicant's economy.

Some APEC Architect participating economies do not yet provide for the independent practice of APEC Architects from other economies but it is understood that they are working towards this objective.

The Reciprocal Recognition Framework may be viewed on the Central Council website at <u>www.apecarchitect.org</u>.

The policies of the Central Council are put into effect by independent Monitoring Committees established in each participating economy for this purpose and authorised by the Central Council to act on its behalf. Their primary responsibility is to manage the section of the APEC Architect Register in that economy, in accordance with Central Council policy and rules of procedure.

4.1 Composition

Whilst the composition of Monitoring Committees is a matter for each economy to decide, the size and balance of its membership will be dictated by the functions it must perform, particularly with regard to evaluation of the qualifications and professional experience of candidates applying for admission to the section of the APEC Architect Register it maintains. Monitoring Committees should be recognised as competent by the authorities responsible for the professional recognition of architects within the economy. Their members are also required to speak authoritatively on the issues of concern to the Central Council and would normally represent appropriate bodies such as the regulatory authority, professional associations and educational institutions in the sponsoring economy.

4.2 Functions

Monitoring Committees, when authorised, carry out the following functions and manage the section of the APEC Architect Register, with delegated authority of the Central Council, for which they are responsible, in accordance with Central Council policy, guidelines and rules of procedure.

Constituent Bodies of the Central Council

Monitoring Committees that have been authorised to maintain a section of the APEC Architect Register are the constituent bodies of the Central Council. Each Monitoring Committee must nominate at least one representative to the APEC Architect Central Council, although there is no restriction on the number of members they appoint. However, it is expected that representatives will be able to speak on behalf of the regulatory authority in their economy.

Each authorised Monitoring Committee is entitled to one vote on the Central Council.

APEC Architect Register

The central duty of an authorised Monitoring Committee is to establish and maintain a section of the APEC Architect Register for the enrolment of APEC Architects registered/ licensed in that economy. It is responsible for the enrolment and periodic renewal of the names of architects on the Register who satisfy APEC Architect criteria, and the removal of the names of those who no longer comply. Each Monitoring Committee must establish, monitor and regularly update the database of the section of the Register for that economy and publish a list of APEC Architects enrolled on that section.

Monitoring Committees issue Certificates of APEC Architect Registration and APEC Architect Identification Cards, and provide advice on registered particulars of APEC Architects, on request.

Assessment of Candidates for Registration

Monitoring Committees must authenticate the architectural education and practical experience of each candidate and certify it as satisfying APEC Architect criteria. They are also required

to evaluate the subsequent seven-year period of professional experience as a registered / licensed practitioner for compliance with APEC Architect requirements in accordance with Central Council guidelines on the information required, to ensure uniformity between economies. Assessments are conducted at least annually and applications dealt with in a timely manner.

Opportunities are provided for individuals to request a review of an adverse judgement.

Maintaining Standards

Monitoring Committees must equally ensure that the required standards continue to be maintained by the architects enrolled on their sections of the APEC Architect Register. To provide assurance that the professional competence of APEC Architects remains at an acceptable level, the Central Council requires confirmation that renewal of registration in the home economy is subject to compliance with professional development requirements or similar tests of continued competence.

Similarly, Monitoring Committees have a duty to monitor the continued compliance of the systems employed for accreditation/recognition of architectural education and the professional recognition of architects in their economies with the standards originally authorised by the Central Council. The procedures adopted by Monitoring Committees for this purpose are subject to periodic review by the Central Council. Monitoring Committees must immediately notify the Council of any changes to professional recognition requirements that might conflict with APEC Architect criteria and policy.

Information and Communication

To ensure transparency of process in facilitating the mobility of architects throughout the APEC region, each Monitoring Committee publishes on its website any requirements that its economy places on APEC Architects from other economies.

At six month intervals Monitoring Committees are required to complete a Council Report on their APEC Architect registration activities and any other significant developments during the period, for circulation to all participating economies. The Secretariat also posts updates of its activities and other relevant information on the Central Council website every three months. Another important function of Monitoring Committees is to promote the benefits of registration as an APEC Architect to members of the profession, both nationally and internationally, and to regulatory authorities and other relevant organisations.

The APEC Architect Secretariat maintains regular dialogue with the APEC Secretariat.

Central Council Obligations

As the constituent bodies of the Central Council, Monitoring Committees act as the point of contact and centre of information for the APEC Architect project in each economy. They have responsibility for promotion of the project, and for the publication and distribution of relevant documents and the provision of advice on all APEC Architect matters to architects, government authorities and other external agencies. Monitoring Committees, or their representatives, also contribute to the administrative and review functions of the Central Council as required.

From time to time participating economies are called upon to act as Secretariat, on a rotating basis, and to provide administrative services for the Central Council for a limited period.

4.4 Termination of Authorisation

A Monitoring Committee may surrender its authorisation to maintain a section of the APEC Architect Register after giving due notice to the Central Council.

AUTHORISATION OF MONITORING COMMITTEES

An APEC economy seeking to operate a section of the APEC Architect Register must first constitute a Monitoring Committee to submit an application to the APEC Architect Central Council, through the Secretariat, for authorisation to do so. (**Note:** In economies with multiple domestic jurisdictions, where applicable, the professional standards and criteria established by national organisations acting as councils of individual regulatory authorities are those to be evaluated for the authorisation of Monitoring Committees.)

4.5. Application for Authorisation

To promote consistency and transparency of process, the Central Council has prepared guidelines on the information to be provided by Monitoring Committees in support of their applications for authorisation to show conformance with APEC Architect criteria. It will require advice on:

- education and practical experience/training requirements for registration/licensure as an architect in that economy;
- the accreditation/ recognition procedures employed to assess them;
- procedures adopted to assess compliance with the required professional practice experience as a registered/licensed architect.

Additional information required by the Central Council will include the composition of Monitoring Committees, the procedures they will employ for management of the section of the APEC Architect Register for which they will be responsible, and the resources available for undertaking these responsibilities. In reaching its decision, the Council will assess the professional recognition criteria and assessment systems in place in the economy applying for authorisation to determine their compliance with APEC Architect criteria. It will also take into account quality assurance provisions adopted by the economy to monitor continued conformance with required standards of competence and of professional conduct.

Economies, authorised to do so, may establish a section of the APEC Architect Register. Economies not authorised to operate a section of the Register will receive guidance on rectifying deficiencies and have the right to reapply.

4.6 Continued Authorisation

Authorised Monitoring Committees, and the procedures they adopt, are subject to periodic review by the Central Council to ensure that they continue to comply with agreed standards. They must immediately notify the Central Council of any material changes in education provision, accreditation/recognition systems and registration/licensure requirements to those which were approved for initial authorisation, or of any other significant developments concerning the professional recognition of architects in their economies that might conflict with Council policy.

A Monitoring Committee whose authorisation has been suspended by the Central Council because it no longer conforms with APEC Architect criteria may, with reason, request an independent review of the decision.

Overall authority for the control and management of the APEC Architect framework rests with the Central Council. It is the responsibility of the Central Council to determine policy and procedures for all matters relating to the APEC Architect Register and to promote its objectives. The Central Council may delegate authority to authorised Monitoring Committees in each participating economy to carry out its functions.

Architects wishing to export their professional services to other economies, and regulatory authorities requiring evidence that they are competent to do so, may turn to the APEC Architect Register to facilitate achievement of these objectives. It is important that the policy adopted by the APEC Architect Central Council and the procedures employed to implement them are readily accessible and equitable to all parties.

5.1 Constitution of the Central Council

The Central Council acts as the joint governing body for the APEC Architect framework and is composed of at least one representative from the Monitoring Committee of each economy authorised to operate a section of the Register. There is no limit to the number of members appointed to the Council by Monitoring Committees but each authorised economy is entitled to only one vote.

To promote the project and extend its benefits, economies that have not yet received authorisation to maintain a section of the APEC Architect Register are also invited by the Council to appoint representatives to attend its meetings as non-voting observers. Although observers are not entitled to take part in the decision making process, this provides an opportunity for them to familiarise themselves with the APEC Architect framework with a view to establishing a Monitoring Committee in their own economy.

5.2 Duties of the Central Council

The Central Council has ultimate responsibility for the operation of each aspect of the APEC Architect framework. Its duties include the following:

Maintenance of the APEC Architect Register:

- determine standards and assessment procedures for admission, renewal and termination of the registration of an APEC Architect;
- oversee and coordinate all sections of the Register operated by independent Monitoring Committees, maintain the APEC Architect website;
- establish and apply governance systems and quality assurance strategies to review and maintain uniformity and compliance with agreed criteria.

Establishment of Monitoring Committees:

- determine policy concerning the composition, authorisation and responsibilities of Monitoring Committees;
- assess applications for authorisation of Monitoring Committees to operate a section of the APEC Architect Register, and to hear appeals;
- conduct reviews of registration systems and standards in authorised participating economies to ensure continued compliance;

Oversight of the Reciprocal Recognition Framework

- Regularly review the commitment of participating economies to the nominated categories of registration / certification requirements that they are prepared to offer APEC Architects from other economies;
- ensure that the reciprocal commitments recorded on all websites are accurate and current.

Administration of the APEC Architect Project

- make provision for a Secretariat to administer the business of Council, maintain records and coordinate with Monitoring Committees;
- act as a communications centre to provide information, documentation and advice on all aspects of the project.

5.3 Standards and Criteria for Registration as an APEC Architect

The purpose of the APEC Architect Register is to establish authoritative and reliable evidence of the achievement of common standards of professional competence by the architects enrolled on it. Registration is reserved for experienced practitioners to provide an additional level of assurance to consumers.

The criteria adopted for registration as an APEC Architect are based on a dynamic set of principles that identify common elements of professional recognition in APEC economies and reflect current practice norms. These standards and criteria are incorporated in Council guidelines periodically reviewed by the Central Council to ensure that they remain relevant to international best practice within the profession.

Equally the Council must assure itself that APEC Architect standards are rigorously upheld and uniformly applied by the Monitoring Committees authorised to assess them. Strategies employed by the Council to ensure continued compliance by participating economies with required standards rely on a system of regular reporting and notification of changes to agreed process by Monitoring Committees, supplemented by informal visits and discussions when necessary.

5.4 Information and Communication

An important role for the Central Council is to promote the APEC Architect Register throughout the region and to provide advice and support to governments and regulatory authorities to help streamline recognition procedures for APEC Architects. Understanding current restrictions to the mobility of architects and developing strategies to address them play a significant part in the effective operation of the APEC Architect framework. The Council maintains regular communication between participating economies, and advises architects on the significant benefits that registration as an APEC Architect provides in the export of professional services

While much of the publication and dissemination of Council documents is handled by Monitoring Committees, information provision and promotion of the project remains the responsibility of the Central Council.

5.5 Council Proceedings

Council Meetings: The Central Council meets at least every two years, at a date and venue determined by the members, to review its procedures and criteria, consider applications for authorisation of Monitoring Committees, receive reports from participating economies, and deal with matters arising. Participating economies host the meetings on an alternating basis.

Membership: The selection of members to be appointed to the Council and their terms of office is a matter for decision by Monitoring Committees, within the guidelines established by the Central Council.

Meeting Chair: The Meeting Chair is normally appointed by the Monitoring Committee acting as host for the Central Council general meeting, although this may be varied as required.

Meeting Agenda: To provide an opportunity for all Monitoring Committees to have an input into the topics to be discussed at Council meetings, draft meeting agendas prepared by the Secretariat are circulated for comment to Central Council members, revised and recirculated in the meeting Brief for final adoption by consensus at the start of the Central Council meeting.

Meeting Quorum: The Central Council meeting quorum is two thirds of the Central Council Monitoring Committee membership.

Attendance: Monitoring Committees whose representatives fail to attend three consecutive meetings will be deemed to have withdrawn from the APEC Architect framework and may need to reapply for activation of their authorisation should they wish to continue as participants.

Decision Making: All Central Council decisions in connection with changes to APEC Architect criteria and registration policy, and the authorisation or conditional suspension of Monitoring Committees, require the two-third support of all Central Council member Monitoring Committees for adoption. Council decisions on other matters are arrived at by the consensus of members present. A Monitoring Committee must be represented in order to vote. All decisions requiring voting must be notified in advance of the meeting for pre-circulation with the agenda.

6. ADMINISTRATIVE ARRANGEMENTS – THE SECRETARIAT

To provide an equitable system for sharing the provision of administrative services among economies, Central Council business is conducted by participating economies, which take on the role of Secretariat on a rotational basis. The minimum period for economies to act in this capacity is two years and they may reapply to continue for a subsequent term of office.

The economy acting as Secretariat may delegate any of its functions to another economy by mutual agreement, or participating economies may be exempted from the Secretariat obligation at their request. Alternatively two or more participating economies may undertake the Secretariat role jointly and Monitoring Committees may share Council meeting expenses at the request of the host economy. Budgetary and resource information recorded by Secretariats during their terms in office administering the APEC Architect framework, guide the Council in developing financial strategies.

The Central Council Secretariat is responsible for the conduct of Council meetings and the management of Council records, maintenance of the APEC Architect website and administration of its finances during its term of office. It is also required to arrange for the appointment of Council members, the authorisation of Monitoring Committees and the application of quality assurance provisions from time to time, and to act as a centre of information for all APEC Architect matters.

6.1 Mechanism, Documents and Procedures to Hand Over The Secretariat To Following Economy.

The Following procedures must be complied whenever there is a change of Economy to act as Secretariat for the Central Council in order to have continuity on the administrative duties and responsabilities.

MECHANISM AND PROCEDURE

- Establishment of a meeting date and venue between outgoing and incoming Secretariats.
- The meeting to take place where documents and information is handed out
- To have a written document to be signed by both Secretariats stating information handed over and received, with official date for incoming Secretariat.
- An official communication should be sent to organizations APEC Architect has contact with,
 - By outgoing Secretariat announcing the handover of Secretariat with presentation of Economy to act as new Secretariat as well as its officials.
 - By incoming Secretariat, with contact information.
- An official communication should be sent to APEC Secretariat and Lead Shepherd of HRDWG by Both Secretariats as above.

DOCUMENTS – In printed and/or digital format

- Information package for Incoming Secretariat
 - Secretariat Responsibilities Timetable
 - o Central Council Website information and control
 - o Guidebook on APEC Publications, Websites and Meeting Documents
 - o APEC Protocols (2001 Dest Document)
 - o APEC Logo Guidelines (2007)
 - APEC Publication Guidelines (2007)
 - Contact information of participating economies
 - Contact information of principal international organizations APEC Architect must be in communication with.
 - o Last Meeting Summary
 - o Operations Manual in effect
 - o Basic Financial information
- Documents passed over by past Secretariats
 - o Meeting Summaries.
 - o Operations Manuals
 - Meeting Agendas and Briefing Notes of all past meetings
 - o Surveys 2001, 2002, 2003 2004
 - Basic APEC information
- Others if requested
 - Communications sent
 - Communications received
 - Any other matter