

Written evidence submitted by the Royal Institute of British Architects (FRE0088)

1. Mutual recognition of professional qualifications as a priority for architects, and the impact of coronavirus on these priorities

- 1.1. A full agreement on the recognition of professional qualifications between the UK and EU continues to be a priority for the UK's architectural sector. The importance of both the EU as an export market – the second largest for architectural services in 2019 – and access to EU talent - who make up one fifth of architects registered with the Architects Registration Board.
- 1.2. This is not just a priority for UK architects. The Architects Council of Europe – who represent architect memberships bodies across the continent – put out a statement in support of an ongoing recognition agreement in 2018. This is recognition that an agreement is of compatible benefit, and also reflects the work that the ACE have initiated to come to agreement with Canada to strike a new MRA. Generally, MRAs on professional qualifications are seen as a tool of beneficial progress in many key markets, which is also why Australia, New Zealand, the United States of America and Mexico have also struck various agreements in recent years, and why MRAs on professional qualification agreements have also been the UK architecture sectors top ask with third country trade agreements.
- 1.3. Coronavirus is impacting on confidence within the UK's architecture sector. Although the full consequences for the UK economy including on jobs and trade are as yet unclear, recovery of the sector will in part be supported by an ability to export. The result of negotiations between the UK and EU on trade will have a significant, long-term impact on the future of architecture. It is in the benefit of the UK's architecture sector that a new barrier is not erected through the absence of an MRA.

2. To what extent did the UK Government consult your sector before publishing its negotiating aims and draft texts?

- 2.1. The RIBA has been well engaged with ongoing discussions on the UK Government negotiating aims and priorities since the 2016 referendum. To that end, it was very welcome that the UK Government listed including a provision for the recognition of professional qualifications as an ambition in its document *The future relationship with the EU: The UK's approach to negotiations*.
- 2.2. However, the RIBA is also aware of the need for the sector to be able to have time to adjust to changes as a result of the future agreement. Lack of an agreement between the UK and EU will impact on the ability for our sector – the vast majority of whom are SMEs – to plan.

3. How does the EU's position on mutual recognition of professional qualifications compare to CETA and the EU-Japan FTA? To what extent are these provisions are unprecedented?

- 3.1. The EU's position on mutual recognition of professional qualifications in relation to the UK is closer in scope to those allowed for under CETA. Under CETA, EU and Canada representative organisations have been able to discuss an MRA agreement, but despite this text having been agreed in 2018, it is yet to be formally ratified.
- 3.2. We are concerned that should the EU and UK agree to take an approach that is in line with CETA - through formally empowering organisations to undertake an agreement, rather than having an formally agreement embedded through an FTA

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both UK and EU architects will face barriers to entry and access while discussions take place.

- 3.3. The UK's call for a full agreement should not be seen as unprecedented given that agreements, as outlined in paragraph 1.2, are the point that many other countries are seeking to reach, and is a priority ask of both the EU architects representatives and UK architects representatives.

4. What would happen if agreement was not reached between the UK and the EU on mutual recognition of professional qualifications?

- 4.1. Research undertaken by Frontier Economics shows that the impact of a 'no deal' found that leaving the EU without an agreement and moving to Most Favoured Nation terms would reduce exports by 30%.¹
- 4.2. Frontier Economics found that the majority of this impact would be due to increases of restrictiveness around movement of people, on areas such as navigating new visa systems and the end of mutual recognition agreements.
- 4.3. Both the UK Government and European Commission have stated that UK and EU/EEA qualified architects that have registered with the relevant competent authorities will continue to have their qualifications recognised after the end of the transition period in a no-deal scenario.
- 4.4. As part of its no-deal planning, the UK Government has ensured the EU/EEA qualified architects whose qualifications are already covered by Annex V of the Recognition of Professional Qualifications Directive that have not yet registered with the Architects Registration Board will continue to be able to do so. This is seen a short-term solution, and the UK Government has committed to undertake a review at a later date.
- 4.5. It will be at the discretion EU competent authorities whether UK qualified architects that have not yet registered will be able to do so on the same basis as they could under the Directive. In a 'no deal' scenario these UK qualified architects will be treated as 'third country nationals' by default.
- 4.6. We welcome that the UK Government has made preparations to allow EU/EEA qualified nationals to have a stable framework for recognition of professional qualifications in the event of a 'no deal' scenario. However, the lack of a reciprocal agreement could potentially hamper trade and discourage EU nationals for studying and qualifying in the UK, as there would be no certainty over status in the future.

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¹ <https://www.architecture.com/-/media/gathercontent/core-cpd/additional-documents/ribaglobaltalentglobalreachreportpdf.pdf>



Committee on the Future Relationship with the European Union

House of Commons, London, SW1A 0AA

Email: freucom@parliament.uk Website: <https://committees.parliament.uk/committee/366/committee-on-the-future-relationship-with-the-european-union/>

2 July 2020

Mr Alan Vallance
Chief Executive
Royal Institute of British Architects

Dear Mr Vallance,

The House of Commons Committee on the Future Relationship with the European Union is inquiring into the progress of the negotiations between the UK and the EU. Under normal circumstances, the Committee holds regular oral evidence sessions in Westminster. However, measures to prevent the spread of the coronavirus make this difficult.

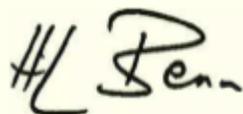
The Committee is keen to gather as much evidence as possible to inform its deliberations so I am writing to you to ask whether you would be willing to help us with our work by making a written submission. We welcome general responses to our [call for evidence](#), which was published on 4 March. We also hope that you would be willing to answer some of the more specific questions set out below on the mutual recognition of professional qualifications. Submissions need not address every bullet point and can include other matters that you think are relevant to the negotiations and should be drawn to the attention of the Committee.

- What are the key priorities of your members and your sector in general regarding mutual recognition of qualifications in the negotiations between the UK and the EU? Has the Covid-19 pandemic changed any of these priorities? What might be the consequences of a deal which does not meet these priorities?
- To what extent did the UK Government consult your sector before publishing its negotiating aims and draft texts? How well does what the Government has proposed meet its needs? What further provisions would you have advised the Government to seek?
- How do the UK and the EU's positions in the negotiations compare with regard to mutual recognition of professional qualifications? On which areas are the UK and EU's aims farthest apart? Where do their positions align? What is your assessment of the level of technical detail the negotiators have grappled with on this topic to date?
- How does the EU's position on mutual recognition of professional qualifications compare to that which it held in negotiations on CETA with Canada and the EU-Japan FTA? To what extent are these FTAs suitable precedents for a UK/EU deal?
- To what extent is the UK seeking provisions on mutual recognition of professional qualifications unprecedented in existing free trade agreements? What would be the advantages and disadvantages of agreeing these provisions for each party? Why might agreeing such provisions prove difficult?
- How is responsibility for, and competence over, professional qualifications divided between the European Union, national governments, and trade associations and professional bodies? To what extent does this complicate the mutual recognition of professional qualifications aspect of the UK/EU future relationship negotiations? What impact might it have on the implementation of any future deal?
- To what extent have you engaged with your counterparts in EU Member States to progress mutual recognition of qualifications on a bilateral basis, outside the framework of a future UK/EU agreement; and if you have, what progress has been made?
- Could you sketch out a possible compromise between the UK and the EU on mutual recognition of professional qualifications and how it might be achieved?

- Based on the parameters set out by the UK and EU draft legal texts, could reaching an agreement with the EU restrict the UK's ability to pursue a free trade agreement covering mutual recognition of professional qualifications with third countries? If so, how?
- What would happen if agreement was not reached between the UK and the EU on mutual recognition of professional services? What would be the international legal baseline they would fall back on? What would be the consequences of this for your members and your sector in general?
- What implications could other provisions of a future UK/EU agreement have on your members and your sector in general (for example, those related to cross-border trade in services or labour mobility)?
- Is it clear what your members and employers in your sector must do to prepare for the end of the transition period? How much progress have been made on preparations so far? Do SMEs face any additional challenges?
- What provisions exist in the Ireland/Northern Ireland Protocol on mutual recognition of professional qualifications? How might the all-island economy be affected by the UK leaving the transition period with different forms of UK/EU future relationship?

The Committee staff will be happy to discuss the inquiry, any issues raised, or the process for submitting written evidence. You can contact them at freucom@parliament.uk.

Yours,

A handwritten signature in black ink, appearing to read 'H Benn'.

Hilary Benn
Chair of the Committee