

# **ATTACHMENT I**

**to**

**Agenda Item 6 entitled “RECOGNITION ARRANGEMENTS FOR ENGINEERING  
SERVICES IN CARIFORUM”**



**Adopted Regional Policy Framework**



**Regional Policy Framework on the Provision of Professional Services in the  
CARICOM Single Market and Economy (CSME)**

**As adopted by the Thirty-Sixth Meeting of the Council for  
Trade and Economic Development, 2-3 May 2013**

**PREAMBLE**

**The States Parties to the Treaty Establishing the Caribbean Community and Common Market signed at Chaguaramas on 4 July 1973,**

**Recalling the provisions of Article 30(1) of the Revised Treaty which establishes the Caribbean Community, including the CARICOM Single Market and Economy (CSME) viz- **The Right to Provide Services, including Professional Services;****

**Also recalling the provisions of Article 46 of the said Treaty, viz – **Movement of Skilled Community Nationals** and the current decision of the Conference of the Heads of Government with respect to ten categories of persons who are eligible for free movement to seek employment in the CSME;**

**Further recalling the provisions of Article 80 of the Revised Treaty, viz- **Coordination of External Trade Policy;****

**Recognising that harmonisation of policy by all participating Member States is critical to the effective operationalisation of the CARICOM Single Market and Economy (CSME);**

**Also recognising that currently there is no harmonised policy framework for the Provision of Professional Services in the CSME;**

**Further recognising that CARICOM Member States have opened up their Professional Services Market to professionals of third countries under Trade Agreement such as the General Agreement for Trade in Services (GATS) and the CARIFORUM-European Union Economic Partnership Agreement (EPA), without having the requisite policy and regulatory framework;**

**Recognising that CARICOM Nationals could be placed at a disadvantage by the absence of a harmonised policy and regulatory framework;**

**Aware that a Draft Regional Policy on the Provision of Professional Services in the CSME has been prepared;**

**Also aware that this Draft Regional Policy has been subject to consultations among stakeholders in all Member States;**

**Desirous of addressing this deficiency;**

**Approve** the proposals as outlined below as the Regional Policy on the Provision of Professionals Services in the CSME namely -

**(a) Definition of Professional**

**A professional is “a person who in accordance with established protocols for education and training, registration and licensing, ethics, procedures, standards and experience of service, is qualified to provide a service in exchange for fees/payment and becomes liable for the service provided.”**

**(b) Regulation of Professional Services**

- (i) The provision of all professional services must be regulated in the CSME;
- (ii) There will be an independent regulator (**the Council**) established under domestic legislation to regulate each profession. Where this is not feasible, consideration should be given to the creation of an omnibus regulator to regulate either by **clusters of professions e.g. professions supplemental to health or by clusters of Member States (OECS)**;
- (iii) The operations of each Council must be financed through fees and other monies generated by the Council, or where there is a shortfall, through other sources, including the public purse;
- (iv) Professionals should make up the majority of members of the regulator;
- (v) Professionals are encouraged to form and maintain vibrant Associations within each Member State or in clusters of Member States;
- (vi) Member States are to retain the flexibility to determine the structure, size, quorum, and tenure of the Council;
- (vii) The functions and powers of the regulator must be prescribed under domestic legislation; and
- (viii) The functions and powers of the regulator must be harmonised across the CSME.

**(c) Requirements and Procedures for Registration**

- (i) All professionals must be registered in order to practice anywhere in the CSME;
- (ii) The Council in each Member State must keep the register(s) of the professionals under its jurisdiction and these registers are to be made available to the public;
- (iii) All CARICOM Member States must adopt common requirements for registration in order to practice;
- (iv) All CARICOM Member States must adopt common procedures for registration in order to practice;
- (v) All CARICOM Member States must adopt common minimum qualifications for registration in order to practice. These include a Bachelors Degree or its equivalent, and years of experience in the relevant profession;
- (vi) All Member States must adopt procedures to facilitate single registration of professionals; and
- (vii) All eligible third country professionals who satisfy the requirement(s) for registration may be granted registration for the period of contract.

**(d) Requirements and Procedures for Licensing and Re-licensing**

- (i) All professionals must be licensed in order to practice in the CSME;
- (ii) All CARICOM Member States must adopt common requirements for licensing in order to practice;
- (iii) All CARICOM Member States must adopt common procedures for licensing of professionals in order to practice;
- (iv) All CARICOM Member States must adopt common minimum requirements for re-licensing of professionals. These include proof of continuing professional development;
- (v) All eligible third country professionals who satisfy the requirements for licensing or re-licensing may be granted a license to cover the period of contract; and
- (vi) All CARICOM Member States must have common safeguard mechanisms to protect Community nationals.

**(e) Discipline**

- (i) Each Council must establish an independent disciplinary committee to consider matters of discipline and make recommendations to the Council; and
- (ii) The Disciplinary Committee shall comprise experienced professionals.

**(f) Offences and Penalties**

- (i) Offences shall be harmonized within the CSME. For example, persons who practice a profession without being registered and licensed will be deemed as to have committed an offence;

**(g) Other**

**The Council may make regulations to keep the regulatory framework relevant and internationally competitive.**

**INDICATIVE LIST OF SERVICES TO BE INITIALLY COVERED BY THE REGIONAL POLICY**

- Legal services;
- Accounting, auditing and book keeping services;
- Taxation services;
- Architectural services;
- Engineering services;
- Integrated engineering services;
- Urban planning and landscape architectural services;
- Medical and dental services;
- Veterinary services;
- Services provided by midwives, nurses, and para-medical personnel;
- Services provided by pharmacists; and
- Other.

## **ADDITIONAL CATEGORIES**

- Ophthalmology Services
- Optical and Optometry Services
- Physiotherapy Services, Occupational Therapy Services, Speech Therapy Services;
- Services provided by ICT Professionals;
- Teaching Services; and
- Management Consultants.

Caribbean Community (CARICOM)  
Secretariat 25 September 2013