

Certification of Land Surveyors in Norway

Leiv Bjarte MJØS, Norway

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SUMMARY

The Norwegian Association of Surveyors is planning a certification system for our members. The certification will be voluntary and is planned to be introduced in 2008. Members who want to be certified have to apply for certificate and pay an additional fee. The members can apply for a certificate within the fields of land administration, land planning or surveying and mapping. Certified member are obliged to do follow-up studies of a certain size – 40 hours over a period of two years, and to follow the code of ethics defined by the association. The goal of the certification system is to ensure that services are provided at a professional level, to ensure that certified members will follow our code of ethics, and to make the profession more visible within the society. In this paper the background and guidelines for the certification system is described.

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1. BACKGROUND

1.1 Cadastral surveying in Norway

Up to 1980 Norway had a divided system for subdivision of properties and cadastral surveys: in cities and urban areas we had a system of cadastral surveys carried out by municipal surveyors, with high accuracy. In rural areas property subdivisions were carried out by lay men, describing the boundaries without any surveying and mapping. In 1980 a new cadastral law was put into force, introducing cadastral surveys when subdividing properties for the whole of Norway, and the municipalities¹ were assigned the responsibility to carry out the cadastral surveys, as a monopoly task. The cadastral law of 1980 did not introduce specific educational requirements for surveyors undertaking cadastral surveys. Defining the needs for education and skills were the responsibility of the individual municipality. Hence, some municipalities have employed surveyors without any education within the land surveying area.

In the mid 90 s it was recognised that revision of the cadastral law was needed. A law committee presented a draft for a new cadastral law in 1999. The committee proposed several actions to strengthen the quality of the cadastral surveys, and one main action was to introduce licensing of surveyors, and permitting licensed private surveyors with license to do cadastral surveys.

In June 2005 the Norwegian Parliament adopted a new cadastral law introducing licensing of surveyors, and permission for private surveying companies to do cadastral surveys.

The centre-right minority coalition government introducing the new cadastral law lost the September 2005 election. The Labour, Socialist Left and the Centre Party were the winners of the election. One of the issues the winners had agreed on prior to September election in 2005, was to reverse the introduction of private surveyors and continue the municipal monopoly on cadastral surveys.

The new cadastral law was then changed in 2007 regarding the issue of who can do a cadastral survey, and the municipal monopoly will be continued. There will be no licensing or certification of land surveyors conducting cadastral surveys. It will be the responsibility of the municipality to ensure the education and skill of the land surveyor conducting the cadastral survey. We know that some municipalities will have little focus on this matter.

According to the Ministry of Environment, the new cadastral law will be put into force in 2009.

¹ There are 431 municipalities in Norway, with a population varying from 212 inhabitants in the municipality of Utsira, to 560464 inhabitants in the municipality of Oslo.

1.2 Surveying work in Norway requiring authorisation or license

Even if there are no specific legal requirements for a surveyor conducting cadastral surveys, there are other areas of the surveyor field of operations which requires certificate or license:

1. The municipal surveyor does not have legal authority to make a decision if there is a boundary dispute. Boundary disputes have to be brought to the ordinary court or to the land consolidation court. A land consolidation judge is a surveyor educated at the University of Life Sciences at Ås, with 5 years of education. The legal requirement for the land consolidation judge is defined in the land consolidation act.
2. The plan and building act requires license for setting out work according to the law, which means setting out new buildings.

1.3 The Norwegian Association of Surveyors is introducing certification

The Norwegian Surveyors Association has 1100 members. Most members are educated at the University of Life Sciences at Ås. 4,5 - 5 years of university education is required to become a member of the Association.

Only a small number of our members are working within the field of cadastral surveying. Most of our members are civil servants. For the last 10 -20 years we have seen a slightly growing number of our members establishing their own companies offering consultant services to the land owners, land developers and public organisations.

Certification of cadastral surveyors has been an issue in discussions within the surveying profession in Norway for years. The Norwegian Parliament adopted in 2005 a new cadastral law introducing a licensing system for cadastral surveyors. The next Parliament decided to reverse this decision. Consequently we do not expect that there in the near future will be established a licensing system for surveyors within the frames of our legal system.

On this background the Norwegian Association of Surveyors has decided to introduce a certification system for our members.

The purpose of introducing the certification system is to ensure that practitioners are highly competent and practice their profession in accordance with good ethical standards, as well as to set focus on the competence of the certified member of NJKF – The Norwegian Association of Surveyors.

Guidelines for awarding the title ”Certified by Norges Jordskifte kandidatforening” are quoted in Chapter 2 in this paper. The Ethical Guidelines are quoted in Chapter 3.

Abbreviations used in the following guidelines:

NJKF – The Norwegian Association of Surveyors = Norges Jordskifte kandidatforening
Tekna – The Norwegian Society of Chartered Technical and Scientific Professionals.
Membership in Tekna is a prerequisite for membership in NJKF.

TS 7G – Standards
Leiv Bjarte Mjøs
Certification of Land Surveyors in Norway

3/10

2. GUIDELINES FOR AWARDING THE TITLE "CERTIFIED BY NORGES JORDSKIFTEKANDIDATFORENING"

The Guidelines are Passed by the Annual Meeting for Norges Jordskifte kandidatforening (NJKF), 25 Oct 2007

2.1. The title

Norges Jordskifte kandidatforening awards the title "Certified by Norges Jordskifte kandidatforening" with the subtitle "property", "planning" and/or "cartography".

The purpose of the title "Certified by Norges Jordskifte kandidatforening" is to ensure that practitioners are highly competent and practice their profession in accordance with good ethical standards, as well as to set focus on the competence of the certified member of NJKF.

Certified members of NJKF have the right to use the logo of the certification system and use the certification in any marketing.

2.2 Who can be awarded the title

Certified members of NJKF are awarded the title "Certified by Norges Jordskifte kandidatforening" by application, as long as they comply with all of the following criteria:

- a) Have passed the exam at the Norwegian University of Life Sciences (UMB) or previously from the Norwegian College of Agriculture (NLH) or other universities approved by the certification committee.
- b) Are members of Tekna and Norges Jordskifte kandidatforening
- c) Have a minimum of two years of relevant work experience within one of the areas "land administration", "planning" or "surveying and mapping"
- d) Are able to document updated knowledge equivalent to the required post-qualifying education under section 11 for the last 2 years.

2.3 Subtitle

Members of NJKF may be certified in 3 categories; "land administration", "planning" or "surveying and mapping". A single candidate may be certified in more than one category. Approval of the application gives the candidate right to use the title "Certified by Norges Jordskifte kandidatforening" with the subtitle "land administration", "planning" and/or "surveying and mapping".

2.4 NJKF's Certification Committee

For the purpose of considering applications for the title "Certified by Norges Jordskifte kandidatforening" and to renew awarded certificates, the board of NJKF will appoint a Certification Committee. The committee is composed of a leader and 4 members, all with personal substitutes. All members are appointed for 2 years, so 2 or 3 members are replaced in alternate years. The composition of the committee should be arranged so at least one representative from each of the areas "land administration", "planning" and "surveying and mapping" are represented at all times.

2.5 Secretariat

The secretariat for the certification committee is Tekna.

2.6 Certification fee

Members who apply to be certified must pay a certification fee of NOK 2000. The fee is paid in advance, and documentation of payment must be enclosed with the application. The fee may be adjusted annually by the board of NJKF.

Applicants who are not awarded the title must pay an administration fee equivalent to half of the certification fee.

Certified members must pay an annual maintenance fee of NOK 500 to cover the expenses of administration of the arrangement. If the certified member fails to pay the maintenance fee within the closing date, the Certification Committee can decide that the certificate should be suspended. The fee may be adjusted annually by the annual meeting of NJKF.

2.7 Requirements for the application

School certificates, testimonial references and course/post-qualification education certificates must be enclosed with the certification application, documenting that the requirements in section 2 above are met.

2.8 Assessment of the applications

Certification applications are sent to the certification committee's secretariat in Tekna. The secretariat makes a recommendation based on the submitted documentation. Control and final approval of the certification is carried out by the Certification Committee.

Complaints about rejected applications will be processed by the board of NJKF.

2.9 Awarding the certificate

Members awarded the title "Certified by Norges Jordskifte kandidatforening" will receive a certificate signed by the president of NJKF.

2.10 Register of certified members

The secretariat keeps a register of members with the title "Certified by Norges Jordskifte kandidatforening". A list of the certified members is published on NJKF's homepages and in the journal "Meldingsbladet".

2.11 Required post-qualification education

To maintain the certificate, the certified members are required to complete post-qualification education in the form of courses of the equivalent of 40 hours over a two-year period. Documentation of completed courses must be submitted to the secretariat at the end of the two-year period.

The main focus of the course must be within the areas in which the certified member is qualified for certification in accordance with section 2.

The certification committee will publish information about pre-approved professional courses on NJKF's homepages and in "Meldingsbladet". Other courses and courses within administration and leadership may be approved by application.

If the secretariat does not receive documentation of completed post-qualification education, the certified member will receive a notification and a deadline for submitting such documentation will be set. If the certified member does not meet the requirements within the deadline, the Certification Committee may suspend the certificate.

Complete or partial waiver of the requirements for post-qualification education may be granted the certified member by application including an explanation, for example in cases of

- a) Illness or leave
- b) If the certified member during the period has had a position and performed particularly qualified work, where the requirements of professional updating and expertise have been particularly well met.

Applications for waiver of the requirements for post-qualification education are assessed by the Certification Committee.

2.12 Ethical guidelines

Certified members have an obligation to operate in line with the ethical guidelines for certified members of Norges Jordskifte kandidatforening, approved by Norges Jordskifte kandidatforening 25 October 2007, see attachment 1.

2.13 The Board of Complaints

Any breach of the NJKF's ethical guidelines may be challenged before the Board of Complaints. Complaints about certified members are assessed by the Certification Committee, which is the Board of Complaints. The Board of Complaints may also assess cases of breaches of the ethical guidelines on their own initiative.

2.14 Processing complaints in the Board of Complaints

Complaints about certified members should be filed to the secretariat of the certification arrangement, who will prepare the case for the Board of Complaints. The complaint must include a description of the specific circumstance to be evaluated.

The complainant as well as the defendant is allowed a full overview of the case documents and reasonable time to reply to these.

When the Board of Complaints decides that the case is sufficiently detailed, they will come to a decision. The Board of Complaints come to their decision, which along with the grounds must be in writing. Both parties will be notified in writing about the decision.

The decision of the Board of Complaints may dismiss the complaint, reprimand the certified member, order a correction, recommend a price reduction, suspend the certificate or a combination of these.

If the orders of the Board of Complaints are not met, the certificate of the defendant will be suspended.

2.15 Reviewing the decisions of the Board of Complaints

The decisions of the Board of Complaints may be challenged before the board of NJKF.

The complaint should be filed to the Certification Committee, who forwards the complaint to the board of NJKF for final processing.

2.16 Changing the guidelines

These guidelines are approved by NJKF's general assembly. Changes in the guidelines may be approved by the board after a recommendation from the Certification Committee.

3. ETHICAL GUIDELINES FOR CERTIFIED MEMBERS OF NORGES JORDSKIFTEKANDIDATFORENING (NJKF)

The Ethical Guidelines are Passed by the Annual Meeting for Norges Jordkifte kandidatforening (NJKF), 25 Oct 2007

3.1 Purpose

Members certified by NJKF must contribute to a serious and professional reputation for the profession and the industry. These guidelines are prepared as part of this work, and as part of the conditions to achieve and keep the title "Certified by Norges Jordskiftekanidatforening".

3.2 Legal framework

Certified members shall perform their work according to Norwegian law and the regulations which applies at any time within their field of work.

3.3 Professional integrity

Certified members must:

1. Update and further develop their own competence to ensure the quality of their work.
2. Give professionally well-funded recommendations and choose professionally justifiable solutions in the execution of their work.
3. Work towards professionally well-funded and objective criteria in matters of compensation or when valuing property.
4. Avoid relations that may influence their own objectivity in relation to employers, suppliers or parties in cases with which the candidate work.
5. Share their knowledge with colleagues to ensure that the result for the employer is as good as possible.

3.4 Relations to customers, suppliers and partners

Certified members must act in line with good business practice.

When estimating fees, the fee must be justifiable according to the commission and the work performed by the certified member.

3.5 Confidentiality

Information of personal and/or private character as members certified by Norges Jordskiftekanidatforening receive through their work, must be treated as confidential. Certified members must require that colleagues, employees or partners who receive knowledge of such information through their work must comply with the same professional secrecy.

3.6 Social responsibility

Certified members must promote solutions that contribute to the resources being exploited optimally and productively.

Certified members must emphasize the consideration of nature and the environment when performing their work.

3.7 Respect and equality

Certified members must show respect for fellow human beings irrespective of gender, life situation, culture and ethnic origin.

Certified members must make necessary human considerations and contribute to a good working environment by being open, honest and tolerant.

Certified members must respect other professions and areas of responsibility and approve of their work.

3.8 Breaching the guidelines

A breach of these guidelines may be brought before the Board of Complaints in Norges Jordskifte kandidatforening. Further provisions about such complaints are determined by "Guidelines for awarding the title 'Certified by Norges Jordskifte kandidatforening'" approved 25 October 2007.

4. CONCLUSION REMARKS

It is the goal of the Norwegian Association of Surveyors to implement the certification arrangement in 2008. Certification arrangements within the field of surveying under the auspices of a professional organisation have no traditions in Norway. We have not carried out any investigations to find out how many of our members who will apply for a certificate. We expect that primarily it will be members working in the private sector who will have benefit from a certificate, as a certificate will be a "guarantee" for the quality of the services to the customer. We are very eager to see how the certification system is welcomed by our members.

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BIOGRAPHICAL NOTES

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