

Process of Professional Practice and Public Service Delegation

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SUMMARY

The OGE (French society of surveyors) wish to contribute to the debate initiated at a world-scale about the topic:

- The stagnation of the developing countries
- A general opposition throughout the world to ultra-liberalism as a model
- The alternative offered by the delegation of the public service for the profession of surveyor

We, in Europe, lay claim to present and promote an alternative concept to ultra-liberalism which hurt the consciences, as it has been proved by the popular reactions that took place in DAVOS and PORTO ALLEGRE.

We are going to analyse shortly the professional practices of surveying either with ultra-liberalism or with a delegation of the public service.

I As far as setting up is concerned ...

In an ultra-liberalist system, the training-level required is often medium; in France and Belgium it is at least a GCSE (16 or 17 years old) whereas in English speaking countries, there is a general level equivalent to university degree without any rules to account for it.

With a delegation of the public service, the training-level required is now a doctoral degree plus two years of professional practice (baccalauréat + 5 years + 2 = 22 or 23 years old).

Surveying teaching is being standardized at the time in Europe, inside the frame of the European Community. It aims at building a unified model with the help of the association of European engineer (FEANI). It is really important for the training-level to be guaranteed as a mission that involves a delegation from the State and related to private property, one of the main Right of Man.

The European Community is also cooperating with professional surveyors and the European Council of Liberal Professions (CEPLIS) at the moment presided over by Bernard BOUR, a surveyor. This cooperation aims at promoting a system really adapted to the expectations of the professionals in the interest of the clients, both consumers and landowners.

II Procedures of setting up...

In the ultra-liberalist concept, these procedures are strictly limited to the registration in a commercial court if the setting up has the statute of society.

In the professions with a delegation of the public service, registration is taken in charge either by a State administration or by an internal organisation held under the supervision of the government, which also allows the supervision of professional practice for registration. It consists in a light procedure : first, to check that the surveyor applying has never been condemned and that he really has the training-level required.

In some organizations, there is sometimes also a restricted intake, but it is not the case in France.

We have to notice that the OGE has been conceived and created in 1946, after the Second World War, to help the reconstruction throughout the country (at that developing) by a guaranteed income for professionals, which enabled them to live in any area in the country, not only in big towns. The requirements for the creation was the will to carry out national and regional development including secluded areas.

III Control of surveying practices

In a liberal scheme, the only one thing that is important is the guarantee for a result. This notion of guarantee is linked with the implementation of the concept “ability to satisfy the client’s expressed or non-expressed needs”.

The first penalty for non-conformity with the client’s expectations is an economic sanction, when the client employs another surveyor.

The second penalty is the deterioration of the reputation of the surveyor. When a client is satisfied, he tells 2 or 3 other clients about it, but when he is not, he tells 7 or 8 potential clients and the surveyor’s business dilapidates.

Eventually if there are more important disputes, they are examined and judged by civil courts.

In the scheme of a delegation of the public service or a profession supervised by the government, there is a control on the surveying practices.

The services are standardized by a rule book for services which rules the “art” of surveying, and the professional organisation checks that the instructions are really respected. When they are not, there can be penalties.

There may be a simple warning or a reprimand, a suspension or even being struck off from the register if the faults are really serious.

We have to notice that a procedure of penalty may prove to be more efficient than the penalty in itself or the penalty imposed by a civil court. That’s why the control of the practice supervised by the professional organisation in charge of the delegation of the public service are more efficient.

IV Perverse side-effects

In an ultra-liberal scheme, the guarantee for results is reached through:

- adopting standards
- joining the concept of quality like ISO9000 2000 that allows the surveyor to progress by adaptation and amendment every time there is a dysfunctionment.

We have to notice that the controls made by the bodies with a delegation of the public service correspond to the external audit in the concept of quality.

Another negative side-effect is the effect of concentration. With ultra-liberalism, the pre-supposed “the economy kills the evil” has corollaries such as the concentration of important economic structures that are mainly located in big towns. On the opposite at a local level, there are no more professionals and they are impelled to pay travelling expense, a situation that aggravate the economical difference between towns and country. This phenomenon has an influence on the national and regional development.

The ban on practice in the ultra-liberalist concept is consecrated by the bankruptcy, including self-depreciation even if the professional practice is excellent.

In a situation of delegation of the public service, we may regret that the situation of monopoly that could lead to a guaranteed income may have as a consequence to secure too much the surveyor, certain of his monopoly, and could neglect to improve his own level by acquiring new techniques and methods to stick to the evolution of the society in which he works. That’s why the OGE has introduced in its requirements a formal duty for personal training and to be freely involved in train-funding process for his colleagues.

Personal training is performed at 3 levels:

- be well-informed thanks to professional reviews,
- participate in professional meetings of information and exchange with other professionals or with other institutions
- follow a compulsory training of 40 hours per year

Consequently, a professional surveyor is present in most local areas.

By analogy with human body, a net with dense little veins can irrigate the whole of the human body whereas big arteries can not.

The ban on practice in the conception of delegation of the public service is consecrated by the professional organisation with a delegation of the public service. As a consequence, the management and administration of business practice is made closer to the surveyor in practice. It is acknowledged that the closer the decisions are to the citizens, the better they are!

CONCLUSION

As a conclusion for that differential analysis of the concepts of ultra-liberalism and delegation of the public service, we can take over the parable of the mad cow, which is the only result of ultra-liberalism and the only guarantee for a result.

For a cow to produce more milk, it has to be overfed: grasses and hay are not enough, so ensilage is used, and as ensilage is not enough, flours are made out of dead sheep. And as vitamins and proteins in dead sheep are destroyed at firing, they are not fired any more. The result obtained by ultra-liberalism in the feeding of cows is the occurrence of mad cows.

We don't want surveyors to eat flour made with dead animals for them to produce better. Instead of ultra-liberalism and its extremes, the control of the practices will be enough for the surveyors.

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