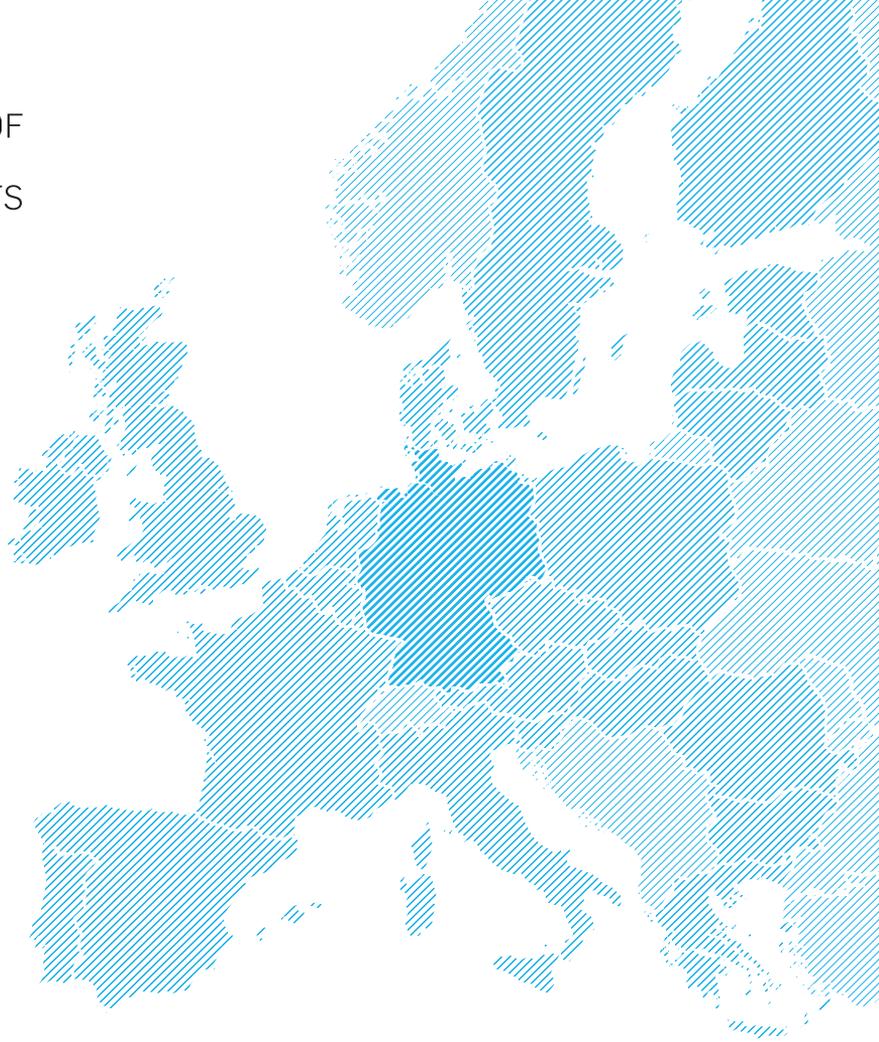


FEDERAL  
CHAMBER OF  
GERMAN  
ARCHITECTS



EUROPEAN  
POLICY  
POSITIONS  
2014–2019

# EUROPEAN POLICY POSITIONS 2014–2019

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## QUALITY ASSURANCE IN ACCESS TO AND PRACTICE OF THE PROFESSION

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The built environment affects people's everyday lives and is a testament to the development of our society. Greater awareness of quality in planning and construction, collectively termed "building culture", is therefore necessary. In 2007, the Leipzig Charter instituted a commitment to a sustainable European city. These principles should be upheld in all relevant European policy areas. To ensure a holistic approach to building culture, key quality requirements in architecture and urban planning must also be harmonised at the legislative level. In particular, this applies to regulations governing the awarding of contracts, cultural policy, the EU's sustainability strategies and not least the regulation of the profession in the internal market. Given these needs, the building culture must be strengthened at European level by focussing on the following:

We welcome the completion of the internal market and the elimination of existing barriers, in particular for small and medium-sized businesses. Statutory regulations governing access to the architects' profession and the right to practise as an architect exist in all EU states, as their services have a significant impact on the safety and welfare of the population. As one of the liberal professions, architects are also bound by the definition recognised by the European Court of Justice: "Members of the liberal professions, by virtue of their particular vocational qualifications, provide on a personal, solely responsible and professionally independent basis intellectual services in the joint interests of their client and of society."

The profession must be regulated to protect consumers and ensure that members of the profession are qualified, thus ensuring the quality of the credence goods they supply. Moreover, this is in the interests of controlled, sustainable development of architecture and urban planning. For this reason, Germany and many other EU Member States have a well-established statutory regulation system in the form of appropriate and interlinked regulations that do justice to the far-reaching responsibilities of architects and urban planners, as well as statutory quality targets. The responsibilities of the architect are greater in Germany than in almost all other European countries: from preliminary studies through to permits and construction planning, they are

also usually involved in the tender and public procurement process, as well as being the main party responsible for project management.

As part of the European Commission initiative to evaluate the national regulations governing access to the profession, the Federal Chamber of German Architects together with the architects' chambers of the Länder are lobbying for the preservation of the existing and functional system in Germany. The system places the burden of responsibility on the architects and at the same time reduces the burden for the state. Compulsory membership of the professional association with corresponding protection of the job title is an efficient way of guaranteeing the correct qualifications, professional supervision and a mandatory system of professional training. Therefore, with a view to ensuring consumer protection, the EU needs to continue to lobby for professional organisation systems for the liberal professions which prove successful in the Member States, and ensure that members of the profession hold the required qualifications.

## ENSURE QUALITY IN HIGHER EDUCATION IN ALL ARCHITECTURAL DISCIPLINES

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One of the main tasks of the Federal Chamber of Architects is to maintain high standards of education for architects, interior architects, landscape architects and urban planners. The architects' chambers of the Länder, as the statutory authorities for recognition of the profession, also support the automatic mutual recognition of certificates and professional qualifications as provided for in the amended Directive on the Recognition of Professional Qualifications (2005/36/EC, as amended by Directive 2013/55/EU of 20.11.2013).

In general, however, the Directive on the Recognition of Professional Qualifications falls short of the globally recognised International Union of Architects' Accord on Recommended International Standards of Professionalism in Architectural Practice. Under this agreement, professional licenses can be issued to an architect with at least 5 years of academic education and a subsequent mandatory 2-year period of practical experience.

The levels of qualification set out in Art. 46 of the Directive are of particular importance to the profession, as they offer a clear, standardised legislative foundation – for a profession which is not internationally harmonised – at least on a European level. However, this only applies to architects in building construction. For this reason, the Federal Chamber of Architects is lobbying for the prompt introduction of a similar European regulation for the disciplines of landscape architecture, interior architecture and urban planning, in order to promote mutual recognition of these disciplines and their mobility in the internal market. The European Higher Education Area must first and foremost be designed to guarantee high quality education in all disciplines. In our view, this means at least four years of education for interior architects, landscape architects, urban planners and architects (civil engineering).

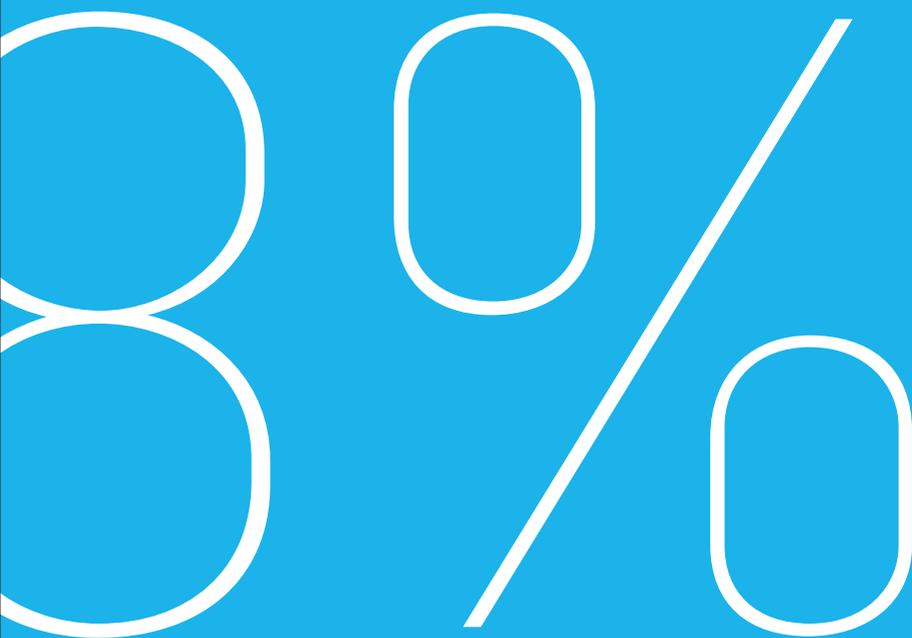
## IMPROVE THE COMPETITIVENESS OF SMALL AND MEDIUM-SIZED EUROPEAN PLANNING OFFICES

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Over 80 per cent of architects' offices in Germany and the other EU Member States have between one and four employees and are therefore defined as micro-enterprises pursuant to Commission Recommendation 2003/361/EC. The competitiveness of these architects' offices with their high quality standards should be enhanced. They reflect a broad-based and thus flexible company structure which should be strengthened so that they can react successfully to fluctuations in economic activity whilst continuing to provide a quality service. At the same time, they provide examples of cultural diversity and help promote regional architecture as a special quality characteristic of the "Europe of the Regions". This is why we welcome the provision of EU funds for SMEs. However, these funds can currently only be accessed through a laborious, decentralised process, which acts as a significant barrier for micro-enterprises such as planning offices.

We call on the EU to argue for the recognition and protection of efficient European business structures, such as that of the German and European architecture and planning offices, since they enjoy a good reputation worldwide and are able to compete. The trend towards bigger, less quality-conscious corporate structures driven by financial considerations poses a threat to their existence. Recent lessons learned from other sectors show that the dissolution of long-established and competitive business structures does not lead to more growth and employment per se. Indeed, it often has the opposite effect.

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of architects practising their profession in Germany are active abroad

## INTEGRATE QUALITY ASSURANCE INTO PUBLIC PROCUREMENT AND DESIGN COMPETITIONS

As a cross-sectoral instrument, European public procurement law is too broad-based for the awarding of freelance planning contracts, in particular with respect to good design quality and design competitions. For this reason, the Federal Chamber of Architects is arguing for the principle of separating planning and construction work in public procurement to be universally upheld. This ensures the independent monitoring of construction work. In a market characterised by significant information asymmetry, this is of paramount importance in order to protect the interests of the client with regard to quality and cost efficiency. Contracts for architects must therefore be consistently separate to contracts for construction work.

Design competitions are normally the best way of ensuring quality when procuring architectural services, as they offer the client a comparison of the best solutions by providing information on the costs of construction and subsequent building operation costs for the individual construction project along with specialist consultation. To this end, the public procurement criteria enshrined in European public procurement law need to include a clearer reference to quality, and the public procurement criteria relating to price should be better defined to allow for a comprehensive cost efficiency analysis. This applies to both public procurement within the framework of a design competition and the negotiation of

contracts without a planning competition. The “price” of architectural services plays a secondary role in the overall analysis of investment costs and the life-cycle costing of a building. If the “price” of the architectural service is low, this can even lead to higher building and operation costs. In contrast, a high-quality, cost-effective plan from the start ensures cost-effective and resource-efficient construction in the long-term.

In addition, the awarding of public contracts to SMEs based on the aforementioned structure of German and European architects’ offices should be facilitated. The qualifying criteria for SMEs to participate in public tenders must be set out in such a way that the client can use the services on offer to their full potential, but the process does not place undue burden on the client. Thus, the criteria for participating in the tender should not have a disproportionate relationship to the company, e.g. company turnover, but should be increasingly quality-based with respect to the actual project and construction work.

Most common countries where  
German architects are practising abroad

11,2%

Switzerland

11,1%

Austria

6,4%

France

6,3%

Luxembourg

4,9%

Italy



## ENABLE BETTER LEGISLATION THROUGH INCREASED TRANSPARENCY

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Legislation should be limited to what is necessary and must be rooted in practice. With respect to new legislative initiatives, information and reporting duties must be delimited, consultations must be held in a user-friendly manner and chambers and associations must be involved at an early stage in order to be able to directly incorporate information from business concerning the practical relevance of the application of legislation. Properly scheduled consultations in the key official languages of the EU promote communication and prevent anti-EU sentiment among the relevant parties. The effectiveness of these consultations would be significantly enhanced in view of the legislative purpose.

The Federal Chamber of Architects is advocating for the principle of separating planning and construction work in public procurement to be universally upheld. This ensures the independent monitoring of construction work.

## STEM THE FLOOD OF STANDARDS

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Technical regulations and standards have a significant impact on the quality of the overall planning and execution of buildings and infrastructure facilities. European standards regulate building products in particular, but also increasingly planning principles, certification and construction work. They apply to the work of the architect in the performance of their core functions, not only in terms of technical requirements for construction but also increasingly in the area of services, partly through plans to harmonise service provision. In total there are almost 24,000 DIN standard parts which are relevant to the construction industry in Germany, of which around 2,500 standard parts are relevant to architects in the performance of their core functions. Around 90 per cent of the standardisation which tangibly affects the construction industry and architects stems from European or international standardisation projects. The scope and complexity of the standards have increased significantly. In the meantime, the sheer diversity of standardisation procedures and processes is overwhelming.

At the same time, European standards are primarily the instruments of economic operators who agree on standardised rules. Standardisation should primarily focus on technical standardisation and should once again be limited to what is necessary. To this end, it is of particular importance that best engineering practice is considered and no additional bureaucratic hurdles are set up. The European Commission should be selective when issuing direct standardisation mandates to European standardisation organisations. These cannot replace careful legislation and democratic participation. The principle of voluntary application of standards should be retained at European level. We require transparent, public processes and more parliamentary input on the issuing of mandates within the framework of European standardisation. The national principle of delegation must be strengthened in order to allow the affected parties to be involved in the standardization process to at least some extent.



for all office sizes, the primary focus of activity for architects abroad is Europe

## STRENGTHEN THE INTERNATIONAL COMPETITIVENESS OF ARCHITECTS OF ALL DISCIPLINES

Architects from Germany are involved in planning and construction projects beyond national borders. The Federal Chamber of Architects supports the global export of architectural services. Our objective is to facilitate the cross-border exchange of planning services and to increase professional mobility. The positive image of German architects of all disciplines abroad should be promoted, thus creating opportunities for them.

Free trade in services must therefore be strengthened. To safeguard professional opportunities for graduates, certificates must be recognised internationally. At the same time, the Federal Chamber of Architects argues for the current international public procurement thresholds to be raised.

The requirement for micro-construction projects to be put out to international tender does not reflect the market reality of the contracting authority, nor the predominantly medium-sized enterprise architects' offices, and does not add value at any point. If the market is to be opened up, thus ensuring better access to and greater transparency in the area of public construction projects, then the high standards in health and safety and environmental and consumer protection must be maintained.

Our objective is to facilitate the cross-border exchange of planning services and to increase professional mobility.

## ENSHRINE THE QUALITY OF THE BUILT ENVIRONMENT IN REGIONAL POLICIES AND STRUCTURAL FUNDS

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Europe needs vibrant towns offering a high quality of life. They can only uphold their function as cradles of societal change and economic growth if the social balance within and between the towns is maintained, their cultural diversity is allowed to flourish and a high quality environment is created in both design and construction.

Urban development policy is the responsibility of the Member States. In order to promote the urban dimension of the European sustainability strategy and the Europe 2020 growth strategy, the EU should consider the quality criteria of the built environment and the qualifications of the specialists needed to meet these criteria when granting Structural Funds and authorising the corresponding programs and projects.

## A SENSE OF PROPORTION IN ENERGY AND CLIMATE POLICY IN THE INTERESTS OF SUSTAINABLE BUILDING

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The strategic framework for EU climate and energy policies for the period up to 2030 has been defined taking into account the targets and lessons learned from the 20-20-20 strategy which focussed on three objectives: reducing greenhouse gas emissions, increasing energy efficiency and increasing the share of renewables. In our opinion, sustainable and thus resource-efficient construction, both for new buildings and existing stock, is one of the decisive factors in reaching the targets set out in European climate and energy policies.

However, key renovation work on buildings to improve energy efficiency has shown that energy efficiency requirements must be set with a sense of proportion. They must be financially viable, sustainable, non-contradictory and proportionate to other requirements (e.g. fire protection, sound insulation, age-appropriate construction etc.). Sustainable building quality can only be achieved by drawing up a holistic plan and at the same time motivating clients, investors, building owners and users to renovate buildings to save energy.

Simply assessing individual products or buildings is inadequate for the task. We argue that energy efficiency targets and requirements should go beyond the individual building to focus to a greater extent on the built environment, the urban district or the town or municipality itself, for example in the Directive on Energy Efficiency in Buildings (2010/31/EU).

Furthermore, the obligations with respect to control mechanisms applied via certification and qualification systems must be reviewed for proportionality. A stronger focus on the effectiveness of these systems is needed, to avoid hampering their quality-orientated implementation in the design and planning process with increased bureaucracy. Through sustainable architecture, we can and want to make an effective and decisive contribution towards a vital change in the way we use our natural resources.

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