



CONSIGLIO NAZIONALE DEGLI INGEGNERI

European Qualified Engineers¹ - Access to the profession in Italy

(February 2009)

I. General Information:

Legal base:

Professional Law 1395/1923 (Safeguard of the title and the professional practise of Engineers and Architects); Royal Decree 2537/1925 (Regulation for the professions of Engineer and Architect); Law 897/1938 (on the legal duty of enrolment to the Register (Albo) for practising in regime of free profession)

Following the reform of the academic courses, which implemented the Bologna Declaration, the Presidential Decree 328/2001 (Modifications and integrations regulating the requirements to the access to the State Exam and relevant test to pursue some professions, as well as the discipline of the relevant regulations) has partly modified the structure of the Register. It is now divided into two sections: A, for the engineers with a Master Degree education (3+2)U and B, for the engineers with a Bachelor Degree education 3U. Both sections are, then, divided into three sectors civil-environmental engineering, industrial engineering and computer/information science engineering.

Legislative Decree 206/2007 transposing the Directive 2005/36/EU on the recognition of professional qualifications

Scope of profession:

Insofar as a professional provides services to the community - in regime of free profession, i.e. assuming at first hand the responsibility for his actions - to protect the citizens, the law requires that such provider has been qualified by the State under certain conditions. The qualification consists of a professional title protected by law. Moreover, the provision of certain services is reserved only to Qualified Engineers enrolled in a Register (Albo) kept by a Provincial Order of Qualified Engineers, and nobody else can pursue them. This is how the profession is regulated in Italy and such services are called regulated activities.

To obtain a professional title, it is mandatory to own the relevant University degree and to have passed the relevant State exam. For Engineering, the Professional titles are consequently different according to the level of the degree (3U or (3+2)U) and the State exam passed. They are:

- “Ingegnere civile-ambientale iunior”
(1st level degree – State exam for section B and Civil and Environmental Sector)
- “Ingegnere industriale iunior”
(1st level degree – State exam for section B and Industrial Sector))
- “Ingegnere dell’informazione iunior”
(1st level degree – State exam for Computer Science Sector)

¹ On the Continent, the term “Qualified Engineer” instead of “Chartered Engineer” seems to be more appropriate

- “Ingegnere civile-ambientale”
(2nd level degree – State exam for section A and Civil and Environmental Sector))
- “Ingegnere industriale”
(2nd level degree – State exam for section A and Industrial Sector)
- “Ingegnere dell’informazione “
(2nd level degree – State exam for section A and Computer Science Sector))

Scope of authorization:

We enclose the translation of Chapter IX of the Presidential Decree 328/2001 ("Profession of Engineer") where the competencies ² associated with the legal qualifications are exactly described. They are therefore different for the different sections and sectors.

Generally, Engineers can practise activities implying the use of advanced, innovative or experimental methodologies, while Junior Engineers can practise only standardized methodologies, and cooperate to the activities carried out by Engineers. Engineers and Junior Engineers are not entitled to the execution of workings.

For instance:

Activities allowed to Civil Environmental Engineer and to Civil Environmental Junior Engineer

<i>Civil Environmental Engineer</i>	<i>Civil Environmental Junior Engineer</i>
<p>planning, design, development, works direction, esteem, inspection, management, evaluation of the environmental impact of the built works and structures, transport and territorial infrastructures, works to safeguard soil and to de-pollute and clean up geotechnical works, civil plants and systems and relevant to environment and territory;</p> <p>activities implying the use of <u>advanced, innovative or experimental methodologies</u> in designs, works direction, esteem and testing of structures, systems and complex, innovative processes;</p> <p>design, management and esteem relevant to works to win, transform and use materials directly or indirectly necessary to the constructions and industries, of the works relevant to transport ways and means, to communication and down-flow, to <u>construction of any kind</u>, to machinery and industrial plants, as well as, in general, to the application of physics, geometrical surveys and esteem.</p>	<p>activities based on the application of science to <u>contribute and cooperate</u> to the activities of designing, working direction, esteem and testing of the built works, public works included;</p> <p>activities implying the use of <u>standardized methodologies</u>, such as planning, works direction and inspection of single set or <u>single components</u> of machinery, plants and systems, as well as <u>simple or repetitive systems and processes</u>.</p> <p>direct and instrumental surveys of technical parameters relevant to machinery and plants;</p>

² Competence means the quality or condition of being legally qualified to perform an act

II Application of the Directive 2005/36/EC transposed in Italy by the Legislative Decree 206/2007

Contact Point and Competent Authority for Engineers

Contact person to get information on the directive 2005/36/EU and receive a first assistance (for all regulated professions)

Mrs Lucia Monaco
Presidenza Consiglio Ministri
Dipartimento per il Coordinamento delle Politiche Comunitarie
Piazza Nicosia, 20
00186 ROMA
Tel.: +39-06-6779.5322
e-mail : lu.monaco@palazzochigi.it

For the profession of Qualified Engineer, the competent authority is the Ministero della Giustizia (Ministry of Justice) which address is:

Ministero della Giustizia
Settore Internazionale Reparto II –
Ufficio III. Direzione Generale della Giustizia Civile
Dipartimento per gli Affari di Giustizia
Via Arenula, 70 – 00186 ROMA

Contact persons: Mrs Emanuela Ronzitti and Mrs Stefania Napoleoni
Telephone 06–68852314
Fax 06–68897350

Receiving hours: Monday and Wednesday from 11h to 13h. Thursdays from 15h to 16h.

Telephone information: Monday and Wednesday from 9h to 11h, Thursday from 15h to 16h.

III. Provision of cross border services to be provided occasionally and temporarily by Engineers of EU/EEA Member countries and Switzerland (artt. from 9 to 15 of Legislative Decree 206/2007)

Registration procedure:

The provider must send a notification to the Minister of Justice (as article 10 of the Lgs. D. 206/2007. The notification must be sent by the Minister to the Order of Engineers³ which activates an automatic registration of the professional in a special section of the Albo.

The foreign providers must fulfil the following requirements:

- a) Nationality of an EU/EEA country or Switzerland
- b) Authorisation to practice as a Qualified engineer (in the area/areas corresponding to the service he/she asks to supply) in an EU/EEA Member country or Switzerland and establishment in an EU/EEA country or Switzerland
- c) Evidence certifying that, presently, there are not reasons preventing him from pursuing the profession also on a temporary basis.
- d) Formal professional qualification

³ An Order is a Public Body very similar to a Chamber

e) Practice as a qualified engineer for at least two years during the last 10 years, if the profession is not regulated in the country where he/she is established.

The Qualified Engineering providing the service, is obliged to supply the client with the following information/papers:

- a) Register and identification number in this register (if any)
- b) Name and address of the responsible controlling authority in the country of establishment
- c) Professional Order or similar body of which the Qualified Engineer is part of
- d) Professional title / formal qualification and the Member State where the qualification has been obtained
- e) VAT identification number
- f) Details about insurance protection concerning professional liability

Costs of the procedure:

As there is no stable registration, the temporary membership has no costs

Duration of the procedure:

In case of request of an aptitude test (as of article 11 – Preliminary verification), the activity could start not later than three months after the notification; in normal cases after a month.

IV Establishment in Italy by Engineers of EU/EEA Member countries and Switzerland

The contact point and the competent authority are the same than for the supply of services (see II Application.)

Registration procedure:

A Qualified Engineer who is citizen of an EU/EEA country (or is a family member of a person with nationality of an EU/EEA country) or Switzerland and is legally practising as Qualified Engineer in his/her country of origin, can apply for authorization to work as Qualified Engineer in Italy. (artt. from 16 to 25 of Legislative Decree 206/2007)

He/she has to submit the application for recognition of his/her professional title/qualification ay the Ministry of Justice (please see above)

The recognition will be awarded if the professional qualification is adequate (in particular, if the education complies with art. 11. point d) of Directive 2005/36/EC for Qualified Junior Engineers and with art. 11. point e) of Directive 2005/36/EC) for Qualified Engineers.

This will be decided by a Conference of Services where C.N.I. leaves his opinion as concerns the adaptation measures in the cases the qualification is not seen as equivalent to the national ones.

If the applicant's qualification is not seen as equivalent, he/she shall adapt the gap by either a professional training not longer than three years or by a written and oral test. The applicant can choose the adaptation measure he/she prefers. CNI is in charge of organizing and supplying them.

The recognition decree issued by the Ministry, once successfully completed the adaptation measures (if any), enables the holder to enrol to the Register held by the Order of Engineers that have its headquarters in the province in which the professional decides to reside or have his professional domicile

Necessary papers/evidence for the purpose of the recognition

- a) Academic titles;
- b) Documentation certifying the subjects of exams constituting the professional formation of the applicant (certificate listing the exams), as well as the duration of the academic course followed. As concerns the engineering profession, it is advisable to submit a copy of the relevant programmes, and a non-official translation.
- c) Certification of the competent authority of the country where the title to be recognized was awarded, in compliance with article 3 sub 1/d of the Directive 2005/36/EC which inform: if the profession at issue is regulated or not, which are the state subjects or authorities competent for the profession, which activities may be pursued in that country after the formation path followed by the applicant, finally if the applicant holds the requirements provided from the national legislation to exercise the profession. If the profession is regulated, evidence by the competent authority in compliance with article 4, 1/d of the Legislative Decree 9/11/07, n. 206.
- d) If the profession is regulated in the country of origin (if, therefore, it is compulsory to hold specified requirements to have access to the profession or to be enabled to pursue it according to the legislative, regulatory and administrative provisions of the country itself), the evidence awarded by the competent authority certifying that the candidate is qualified to pursue the profession in the country of origin, together with the relevant certificate of enrolment in the professional Order/Chamber/Institution... if such enrolment constitutes fundamental requirement to have access and/or to pursue the profession.
- e) If, instead, the profession is not regulated in the Country of origin (if, therefore, the national system of that country does not require any particular qualification to have access to the profession or to pursue it), the applicant shall demonstrate to have successfully completed the regulated education and training or have at least two years of professional experience during the last ten, with proper certification awarded by the bodies where such experience was carried out. Under the circumstances of free professionals, the activity shall be demonstrated through adequate fiscal certification.
- f) Evidence relevant to the professional activities pursued, together with a description as detailed as possible, awarded by the body where it was carried out. Under the circumstances of free professionals, the activity shall be demonstrated through adequate fiscal certification.
- g) Two revenue stamps of €14,62.
- h) To enclose a copy of the complete documentation submitted.

Costs of the procedure:

Until now, the cost of the translations and of the revenue stamps

Duration of the procedure:

Within at latest three months from the receipt of the application – unless necessary interruptions to acquire further documentation – the Ministry issues a Ministerial Decree either directly recognizing the professional titles, what enables the enrolment in the Albo, or providing for the application and the successful completion of adaptation measures before enrolling in the Albo.

It is then necessary to calculate also the time for the compensation measures (if any)