

Information

for recipients of services provided by persons temporarily registered as members of the Polish Chamber of Civil Engineers in connection with the provision of cross-border services

Pursuant to Article 20a of the Act of 15 December 2000 on professional self-governments of architects and civil engineers, Regional Chambers of Civil Engineers temporarily register on the list of chamber members citizens of European Union (EU) and European Free Trade Association (EFTA) member states with professional qualifications of a civil engineer who lawfully operate in this profession in a member state other than the Republic of Poland.

Temporary registration enables the provision of cross-border services within the scope of the EU and EFTA citizen's professional qualifications.

When processing an application for temporary registration as a member of the Chamber, **professional qualifications are not recognized and , their scope is not defined. Only the possession of professional qualifications of a civil engineer in the country of origin is verified.**

Temporary registration is granted on the **basis of**, among other considerations:

- **declaration of** the EU and EFTA citizen on the intention to provide cross-border services including details of professional activities they intend to perform, if possible, as well as on the insurance or other means of individual or collective protection with regard to professional liability;
- **a certificate** issued by a competent authority of a member state that a citizen of a member state with professional qualifications of a civil engineer is actually and lawfully practicing the profession or activity in that member state, and that at the time of submitting the certificate such a citizen is not prohibited, even temporarily, from practicing the profession or activity;
- **proof** of professional qualifications.

The Regional Chamber of Civil Engineers does not determine the scope of the EU or EFTA citizen's construction qualifications and **does not verify the scope of their third party liability insurance.**

The provision of a cross-border services **is subject to individual evaluation** by the competent council of the regional Chamber **only with regard to the length, frequency, regularity and continuity of the service.**

Temporary registration on the list of Chamber members is confirmed by a certificate specifying the period for which the registration was made, as well as information on the EU and EFTA citizen's declaration of third party liability insurance held.

In connection with the above, recipients of services provided by persons temporarily registered as members of the Chamber of Civil Engineers with respect to the provision of cross-border services are informed that **the professional self-government of civil engineers of the Polish Chamber of Civil Engineers (PIIB) is not responsible for the consequences of false statements made** by the EU or EFTA citizen about their insurance or other means of individual or collective insurance with respect to professional liability.

Using the services of an EU and EFTA citizen temporarily registered as a member of the Chamber, **it is advisable to verify the third party liability insurance they hold, paying particular attention to the**

scope of coverage, the duration of insurance, the amount of the franchise, the sum insured and the territorial scope.

With regard to the scope of professional qualifications and determination of its suitability for the independent technical functions in construction commissioned to be performed, it should be noted that these issues **are not subject to evaluation** as part of the temporary registration as a member of the Chamber.

These issues should be analyzed in detail each time before a decision is made to entrust a particular person with an independent technical function in construction, and by the construction supervision authorities during the performance of these functions.

Failure to hold the necessary construction qualifications while performing an independent technical function in construction is an offense under Article 91(1)(2) of the Construction Law, according to which anyone found to be performing an independent technical function in construction without holding the relevant qualifications or the right to perform an independent technical function in construction is subject to a fine, restriction of liberty or imprisonment of up to one year.