

CHAPTER 14

MUTUAL RECOGNITION OF PROFESSIONAL QUALIFICATIONS

Article 14.1

Mutual Recognition of Professional Qualifications

1. Nothing in this Chapter shall prevent a Party from requiring that natural persons possess the necessary qualifications and professional experience specified in the territory where the activity is performed, for the sector of activity concerned.
2. The Parties shall encourage the relevant professional bodies or respective authorities for the sector of activity concerned, in their respective territories, to develop and provide recommendations on mutual recognition of professional qualifications to the [Committee] established pursuant to Article X (Specialised Committees). Such joint recommendations shall be supported by an evidence-based assessment of:
 - (a) the economic value of an envisaged arrangement on mutual recognition of professional qualifications (hereinafter referred to as “Mutual Recognition Arrangement”); and
 - (b) the compatibility of the respective regimes, that is, the extent to which the requirements applied by each Party for the authorisation, licensing, operation and certification are compatible.
3. On receipt of a joint recommendation, the [Committee] shall, review its consistency with this Agreement within a reasonable period of time. The [Committee] may, following such review, develop and adopt a Mutual Recognition Arrangement by decision as an annex to this Agreement, which shall be considered to form an integral part of this Chapter¹.
4. An arrangement referred to under paragraph 3 shall provide for the conditions for recognition of professional qualifications acquired in the Union and professional qualifications acquired in Chile relating to an activity covered by Chapter 10 (Investment liberalisation), Chapter 11 (CBTS), Chapter XX (mode 4) and Chapter XX [Digital Trade].
5. The Guidelines for arrangements on the recognition of professional qualifications set out in Annex XX [Guidelines for arrangements on the recognition of professional qualifications] shall be taken into account in the development of the joint recommendations referred to in paragraph 2 and by the [Committee] when assessing whether to adopt such an Arrangement, as referred to in paragraph 3.

¹ For greater certainty, such arrangements shall not lead to the automatic recognition of qualifications but shall set, in the mutual interest of both Parties, the conditions for the competent authorities granting recognition.