

BUILDING AND INTEGRATION OF POLAND WITH THE EUROPEAN UNION

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Abstract

Strategic aim of Poland is an accession to The European Union. This accession means consolidation of democratic transformations and acceleration of economical development. Possibly full and quick execution of preparing works at building domain is one of conditions of Polish membership in the European Union. Poland has to adopt rules and standards, which are required at EU. It will permit to make polish companies more attractive at international market. We should know, that economical, legal whether political reforms, this is not all what consists on membership at the Union European. We must change internally, become open to the world, to represent dynamism, enterprise, knowledge and culture. We must become more tolerant and be able to communicate with people with different culture whether political orientation, we have to accept this dissimilarity and will find way of dialogue and cooperation.

Keyword: EU(The European Union), Integration With EU, Standardization

1. Introduction

Main aim of Poland is an accession to The European Union, which means consolidation of democratic transformations and acceleration of economical development.

In 1991 year it was signatures "The European Arrangement Instituting Association between Republic of Poland from one side with European Communities and their states members from second side".

One of conditions of Polish membership in EU is shaft execution of adaptation works in building domain. Transformations in Polish building will contribute enlargements of attractively and competition in international markets. Building is not separated domain and in consequence of independent negotiation theme with Brussels. Builder's problems are contained in such groups like social policy and employment, free flow of capital, forwarding and industrial policy like also in such negotiation fields like little and average firms, competition policy whether environmental protection.

2. Building in The European Union

Building matters in The European Union find own reflection in activities driven by The Solid Committee Buildings qualified and steered by representative of European Committee; in composition of The Committee enter representatives of member's states. The Committee remained qualified only for initiating and monitoring basic for buildings of directives, and namely "Directive 89/106 in matter of close relations of laws and executive acts of Member's States in relating to builder's articles".

Building in countries of EU in 1999 year obtained turnover in heights 700 million Euro, this is 9.5% gross national product these of countries, which was produced by 1.9 million of firms, and in this 97% of little firms employing less than 20 workers and in this 93% less than 10 of persons. These little firms assure 11 million workspaces, it is 7.5% total employment in countries of The European Union. At the beginning of 1990s the European building had very hard times. All accessible data show also, that after comparatively good year 1998, in which EU countries reached increase gross national product on level 2.9%, last 2 years with difficulty we can number to good years. Prognosis of European Committee foresee at year 2001

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slight increase of builder's investment, which will not cross threshold 2% of height, but general improvement prognosis of situation would be able to suggest better perspectives. It is necessary to remember, that builder's section is especially sensitive on hesitations of interest rates from regard on its influence on hypothecate and investment loans, and debts of state, and so indirectly on scale of investment of public section. In each building domain situation is more diverse in different countries of EU. Housing building in Germany passes strong recession, which lasts from 1998 year. In Denmark, Belgium, Great Britain and Austria steps out similar situation from regard on withdrawing relief in VAT. Better situations at housing buildings have other countries. Especially good results reached France, thanks building of social flats financed by government and lowering VAT. Quite good results obtained Italy and Holland and Sweden. Much better data are related to non-housing buildings. Initial estimations show that in 1999 it increased about 3,3 % in EU countries. Decisive participation has private investments here. Waited increase is in all countries, only in Eastern Germany it is necessary to count with its fall.

3. Building in Poland

Great builder's firms dominated central planned economy. Fall of communist system in 1989 year contributed break-up of those firms. Comparing employment in hundred greatest builder's firms in 1998 year, where worked about 65 thousand workers, and in 1989 year over 250 thousand, we can notice that employment in large builder's firms decreased from 20% to 8.7%. System changes contributed to open many little and average specialized firms.

In 1999 year we could notice fall about 1% number of workers in averages and large builder's firms, in peculiarities at interesting firms with being raised of buildings instead in interesting firms with oneself realization of objects of civil and water engineering employment came down about 1.7%. Positive element - increase of average salary in relation to year 1997 about 11% gross, this determined 3-4 % more from level of inflation. From halve of 1990s appeared quicker height of salary at building than in other sphere of economy.

The reasons of this height are as follows:

- ▷ increase on application for renovation and modernization work,
- ▷ transformation of possession locals habitable and its modernization caused by rich offer of materials and equipments,
- ▷ privatization of houses and tendency of quicker

modernization.

Building in 1999 year reached also better results in comparison with whole economy. Significant element was greater participation of investment works in whole of works, which increased to 71% in comparison to 68.5% in year 1998.

General structure review of polish builder's works in 1998 year introduces as follows:

- ▷ work of engineering type - over 23% wholes (in this 12% determined roads and bridges),
- ▷ productive and service buildings - about 20%,
- ▷ buildings of public usefulness - over 18% (in this schools - 5%, objects of medical service and social buildings - 4%, administrative buildings - 5%).

Large influence on height of building assignments performed foreign investments, which in 1998 year exceeded level of 10 millions USD, in comparison to 6,6 millions USD in 1997 year. In 1999 year it was further height of investment.

4. Regulations of builder's market in some countries of EU

In this chapter will be presented rules regulating builder's market in Great Britain, where building is more adapted to directives of The European Union than other European country, Portugal country, which comparatively not long ago entered to The Communities European and Italy, which make possible entry of polish builder's firms before acceptance of Poland to EU.

Great Britain is first country describe in this chapter, principal organ of builder's administration is the Ministry of Environment, Transportation and Regions. Obligatory builder's rules of this country are already fully synchronized with directives of The European Union. Local authorities in regions and villages municipalities hold responsibility for its warnings. In structure frames of local authorities work suitable departments (Local Authority Building Control Department) and inspectors of builder's supervision. In Scotland and Northern Ireland step out a little different but in essential parts they have similar rules. In Great Britain significant part of advisory perform also Royal Institute of British Architects and Royal Architects Board, but both of those institutions do not have supervisory authorizations.

Every builder's undertaking, also extension or reconstruction of existing object, is a subject of acceptance for local authority, and a project has to realize at least

three basic conditions:

- ▷ planning,
- ▷ ecological,
- ▷ historical.

In Great British, building is charged by construction investor of given object to a builder. Contractor marks of principal architect - builder's engineer, who is responsible for realization of whole undertaking investment from moment of project elaboration, its confirmations by local authorities, until returns of object in use to owner.

Project, which was confirmed, determines base of starting construction, which inspection is subject to Building Control Inspector, and it does this in double form:

- ▷ planed each inspection finished of construction phases,
- ▷ not announced inspection ad hoc.

Engineer or architect responsible for course of building has duty to inform inspector about end of following phases. Inspection ad hoc belongs rather to bareness, and its potential threat has in view to extort warnings of builder's rules. After the end of construction and ascertainment by builder's inspector its full concordance with project builder's Local Authorities has to give certificate of end of construction of object (Completion Certificate). This certificate, independently from confirmations of maintenance during construction of all builder's rules, also it has to confirm realization of all requirements relating safeties fire-fighting.

Possibly contentions whether controversies, which can come into being on stage of confirming of builder's project by local authority, decides by The Ministry of Environment, Transportation and Regions.

Great Britain does not have separate rules related to governmental orders (public); those are obligatory, which are published at Official Journal of the European Union. Announcements about tenders are published in British and international press, and an institution coordinating those kinds of problems is The Ministry of Treasure (HM Treasury), which fixes guidelines regarding usage of European regulation by individual governmental agendas of Great Britain.

Second country, which will be described is Portugal. Acceptance of this country to European Communities caused dynamic development of builder's industry. In case of so small country like Portugal, it was extension of market. Simultaneously in trace with aid funds from EU appeared sharp of foreign competition. This forced Portugal

to far going amendments of previous legal solutions regulated to economic activity.

Decree from March 1999 foresees, that leadership of activity in range of executing of public works and civil and engineering buildings will demand registration executed by Institute of Market of Public and Private Works. About registration can contest private businessmen and companies of commercial law, acting according to Portuguese law, or which abode finds in any other state of European economic space, to which belong states of The European Union, Iceland and Liechtenstein. Registration, which is valid 5 years and its prolongation is dependent on joint realization of three conditions:

- ▷ reliabilities and abilities to realization of obligations,
- ▷ technical abilities,
- ▷ economic and financial abilities.

Main customer of builder's works in Portugal is a public section, so participation at market is determined by legislation in range of public orders. Transposition of Portuguese law in this domain to EU rules became perfect only in June 1999 year. Lack of separate units at governmental level interested at regulation and monitoring of public orders is certainly an element of making difficult transparency and accessibility of services market in Portugal.

In builder's tenders can participate private businessmen and companies of commercial law, acting according to Portuguese law, or which abode is found in any state of European builder's space.

In Italy, building problematic, with housing policy - and technical norms, occupies by Segretariato General del CER, as body dealt out in The Ministry of Public Works. It works out among other things directives related to housing buildings, binding Italian regions. In accordance with these directives regions are obliged to elaboration of own housing programmes, in accordance with requirements and needs of region, which has to be accepted by CER.

Realization of builder's undertakings in Italy takes place on the basis of tenders done in accordance with community rules in this range. It means disconnection of Polish firms from participation in tenders. This situation became a note at last official record of Polish Italian Mixed Committee of Economic Cooperation, Industrial and Scientifically Technical from 12 March 1999 year

Until present moment Italy did not sign with any country not belonging to the Union European contracts in domain of testifying of services, and tempo of negotiations is not too quick.

At first appeared, that it will be important to present

situation at Belgian market from regard on abode of authorities of The European Community. However this is so little market, that does not have greater meanings, and authorities of this country have sharp control of employment policy.

5. Standardization at building in Poland and in The European Union

5. 1. Introduction

Until 31 of December 1993 year usage of Polish Standards and trade standards were obligatory in Poland. From the day 1 of January 1994 year came into force of five laws resolved by Polish Parliament from 3 of April 1993 year:

- ▷ Law about creation of Main Office of Measures,
- ▷ Law about measures,
- ▷ Testing law
- ▷ Law about researches and certification,
- ▷ Law about standardization.

Introduction of above mentioned laws into a life caused principal changes in legal system in Poland related to metrology, researches, certification and standardization. It became abolished Polish Standardization Committee, Measures and Qualities, instead of qualified remained:

- ▷ Main Office Of Measures central state administration organ proper for cause of measures,
- ▷ Polish Center of Researches and Certification state organizational unit, which realizes part of national research organization and certification,
- ▷ Polish Standardization Committee state organizational unit, which coordinates standardization activity in Poland.

New organizational structure of Polish Standardization Committee and leadership manner of works modeled are on activities of The European Committee Standardization (CEN) and the International Standardization Organization (ISO). This permits for unification of on mastics for each work stages, common subject classification of subject matter, the same system of numeration and appointing of connected standards. Usage of identical procedures is necessary from regard on notification of Polish Standards in frames of cooperation with ISO/IEC and accession of Poland to World Trade Organization (WTO).

Nowadays organizational elements of National Standardization System are:

- ▷ Polish Standardization Committee (PSC)–state organ, which is not a part of state administration.
- ▷ Committee Office institutional executive organ of PSC. Office makes up essential, inquiry and administrative system back,
- ▷ Problem Standardization Committees joint executive organ of PSC leading with standardization works or programming and planning, working out and coordinate projects of standards.

5. 2. Standardization in Poland

In standardization laws, national standards are Polish Standards appointed by symbol PN. Till now existing trade standards surrender to transformation into Polish Standards or are withdrawn. Institutional standards are documents, which arrange activity of firm and should be treated as other technical obligatory documents at its sphere.

Polish Standards are created at forum of Problem Standardization Committee, which are responsible for final content. However law warrants possibility of influence for conduct contained in standard across general inquiry. General inquiry relies familiar, that PSC informs at own publishers about projects of Polish Standards, and every interested can notify their own attentions. Inquiry is directed to authorities of state administration and select specialists. Problem Standardization Committee examines all attentions from general inquiry.

Usage of Polish Standards is voluntary. However ministers responsible for each economic departments are entitled to introduce on way of orders selected standards to obligatory usage. It has place especially when standards refer:

- ▷ protection of life, health, properties, safety of work and uses,
- ▷ environmental protection,
- ▷ articles ordered by state organs.

Usage of standards is also obligatory if those standards became qualified in laws.

Law about standardization introduces division of competence:

- ▷ PSC institutes standards,
- ▷ principal organ of state administration order its usage if acknowledge this for advisable.

Obtainments of authorizing certificate, which authorized to marks of article with sign of concordance PN determines first step into introductions of quality system management

with accordance to standard ISO 9000. It places producer in very privileged position in relation to competition.

In accordance with decisions of law about researches and certification, national and imported articles may be able to create threat or which serve to saving lives, health and environment are subject of notifying obligatory for certification on safety sign "B". Estimation base of these articles are Polish Standards introduced to obligatory usage and proper legal rules.

Certification units work out estimation criterions of articles based on requirements definite in standards of article having on attention decision of directive No 89/106/EEC about matter of close relations of legislation, rules and administrative decisions related to builder's articles.

5. 3. European standardization

At European standardization system consist national standardization organizations and regional standardization organizations:

- ▷ European Standardization Committee (CEN),
- ▷ European Committee of Electro-technical Standardization (CENELEC),
- ▷ European Institute of Telecommunication Standardization (ETSI).

Especially strong relationships reach between CEN and CENELEC, which formed common presidential group and common rules of standards creation.

European standardization organizations assemble of 18 national standardization organs member's countries of European Communities and EFTA. They work in cooperation with The European Commission and EFTA Secretariat. This cooperation qualifies directive of The European Unions Committee 89/189/EEC containing duties of member's countries relating to deliver information about obligatory and voluntary standards and agreement between Committee of The European Union and EFTA countries.

Technical Committee CEN is responsible for inspection of standardization work programmes and its realization before administering organ and responsible for procedures, which is Secretariat General.

Groups of technical committees and subcommittees work on standard projects.

At Technical Committee CEN exists 6 council sections:

- ▷ CEN/BTS 1 Building and Civil Engineering,
- ▷ CEN/BTS 2 Mechanics,
- ▷ CEN/BTS 3 Health protection,

- ▷ CEN/BTS 4 Safety at work,
- ▷ CEN/BTS 5 Heating, cooling and ventilation
- ▷ CEN/BTS 6 Transportation and wrappings.

Separated technical sections committees superintend progress of standardization works at each sphere, confirm programmes of works, inspect ranges of works of technical committees, which assure proper co - ordinations in aim of avoidance unnecessary putting of works .

Polish Standardization Committee is a part member of CEN from 1991 year. It has right to participate at works of Technical Committees over standard projects, however it does not have right of voice at confirming its final version. PSC does not have a duty took place Polish Standards by European standards. However Polish Standardization Committee undertook this assignment in relationship with perspective of obtainments full memberships in CEN.

One of the basic conditions of acceptance Poland for a full membership at European Standardization Committee (CEN) is initiation to polish standardization system to European standards EN and withdrawing of Polish Standards discordant with its. Standardization organizations introducing in turn instituted standards EN reached motion, that such conduct makes to put out of order existing systems in given country. Standards relating to buildings are compactly related between each over. Definite in norms technical parameters rated by means of new methods of researches can be completely different.

Most of materials and articles intended for buildings do not possess European standards yet, which would be able to determine base to quality certification of articles. In relationship with this representatives of firms, which produces these articles, simultaneously participate at works of groups of CEN postulated, so that time of elaboration of standards EN to conduct quality certification of articles in accordance with directive 89/106/EEC basing on national standards.

At ISO appointed technical committee TC 176 to "Quality Assurance", which assignment was settlement of standards from this sphere in international scale. Effect of works of this committee was elaboration in 1986 year of terminological norm ISO 8402 and then in 1987 year series of norms ISO 9000 relating to system of quality assurance.

Standards ISO 9000 became accepted without changes by European Standardization Committee (CEN) as European standards series EN 29000, and all European countries committed to obey it in 1987 year.

In Poland appointed Standardization Programmatic

Committee No 6 to "Quality assurance", which mostly occupies quality systems and criteria, which have to answer agreement declarations with standards. This committee initiates relating standards:

- ▷ quality management and quality assurance (standards from series of ISO 9000),
- ▷ quality system in investigative laboratories.

At many, they oriented, that acceptance of pro qualitative policies of management creates real export possibilities. From this regard, these standards are more and more spread applied.

Committee's resolution of The European Union from May 7th, 1985 year instituting "New approach to technical harmonization and standardization" was significant step in direction of acceleration of harmonization processes of technical articles on European market. "New approach" founds peaceable working of legal rules and standards. Came into being system relies on appointing oneself on voluntary European norms in many spheres of legislation European.

Directive "New Approaches" related to builder's articles (89/106/EEC) embraces articles in such range, in which one refer to them basic requirements into builder's objects. Member states of EU acknowledge articles for being suitable to usage in building, when these articles are marked sign CE, what means, that they are in accordance with European harmonized standards or European technical approvals, and with national technical settlements.

Authorized approving individuals of EU member's states give European technical approvals.

6. Conclusion

After constitutional changes in Poland building was found in new situation: free building market and free competition. Work in these new conditions will demand educated graduates, who will possess suitable knowledge.

Second element, which will demand of preparing activities of our buildings it is integration with the European Union. Process of integration extorts on us regard in process of education of new elements, these are e.g. builder's law in the European Union and standards. Unification of legal rules, Poland committed in Association Arrangement with European Communities.

In spite of political changes in 1989 year and integration with the European Union, Polish market becomes so much attractive, that for permanent place go by for it exert greatest builder's firms. This is a result of estimation of development chances and future perspectives of Polish economy.

Reference

1. Konferencja 'Dostosowanie polskich przepisów budowlanych do systemu obowiązującego w Unii Europejskiej, Mragowo May. 2000, Wydawnictwo Instytut Techniki Budowlanej
2. John Murdoch, Will Hughes 'Construction Contracts, Law and management, E & FN Spon, London 1992
3. Ivor H. Seeley 'Civil Engineering Contract Administration and Control , The Macmillan Press Ltd, London 1993.
4. 'Conditions of Contract for Works of Civil Engineering Construction, Federation Internationale des Ingenieurs Conseils (FIDIC), London 1987
5. Phil H.Kleingeld 'Offertes die scoren , Bosch & Keuning, Baarn 1998