
Association of Professional Geoscientists of
Nova Scotia

Fair Registration Practices Act (FRPA)
Review Report
October 27, 2022

Province of Nova Scotia

EXECUTIVE SUMMARY

The Association of Professional Geoscientists of Nova Scotia (APGNS) is specifically named in the *Fair Registration Practices Act* (FRPA or “the Act”) as a “regulating body” that is subject to the Act. Section 6 of the Act summarizes the “Duty” of each “regulating body”, including APGNS, as follows:

Duty of regulating body

6 *A regulating body has a duty to carry out registration practices that are transparent, objective, impartial and procedurally fair.*

The Review Officer, appointed under Section 13 of the Act and under the authority provided for under Sections 14 and 16 of the Act, facilitated a FRPA Review, which was initiated on May 3, 2022, and resulted in this Final Report. The purpose of this FRPA Review at the outset was:

- 1) to determine the current compliance status with the FRPA; and
- 2) if areas of non-compliance are identified, to facilitate a path back to compliance through the requirement to develop an Action Plan containing specific actions and completion dates as well as the requirement of progress reports on that Action Plan until compliance is achieved.

The current compliance status was determined based on APGNS’s responses to 12 review questions, as well as corroborating information on APGNS’s website (www.geoscientistsns.ca). Upon review of this information, the following areas of non-compliance were identified:

- 1) “Internal Review Process” (...the process for unsuccessful applicants to appeal registration decisions.)
- 2) “Internal Review Training” (...the training required for those reviewing registration decisions.)

Consequently, APGNS prepared an Action Plan (Appendix A of this report). The review questions, APGNS’s responses, areas of non-compliance and corresponding actions and timelines to address them are detailed in this Final Report.

A progress update on this Action Plan (Appendix A) from the APGNS is required by October 19, 2023. This progress report will be posted to the FRPA website (<https://novascotia.ca/lae/fair-registration-practices/>).

As required under Subsections 16(8) of the Act, another review will be conducted on APGNS’s registration practices within 5 years of the date of this Final Report.

The collaboration and cooperation of the Association of Professional Geoscientists of Nova Scotia throughout this review process is gratefully acknowledged.

Sincerely,



Frank Reinhardt
Review Officer, Fair Registration Practices Act (FRPA)

TABLE OF CONTENTS

EXECUTIVE SUMMARY	ii
TABLE OF CONTENTS	iii
1. INTRODUCTION	1
1.1. THE FAIR REGISTRATION PRACTICES ACT	1
1.2. OVERVIEW OF THE REGULATING BODY	1
2. QUANTITATIVE DATA - 2021	2
3. FRPA REVIEW QUESTIONS, RESPONSES, AND COMPLIANCE ASSESSMENTS	3
3.1: INFORMATION AND REGISTRATION PROCEDURES	3
3.2: ASSESSMENT CRITERIA AND COMMUNICATION OF DECISION PROCESSES	12
3.3: INTERNAL REVIEW/APEAL PROCESS	13
4. ACKNOWLEDGEMENTS:.....	16
APPENDIX A: ACTION PLAN.....	17

1. INTRODUCTION

1.1. THE FAIR REGISTRATION PRACTICES ACT

[The Fair Registration Practices Act](#) (FRPA; the Act) applies to 49 [regulatory bodies](#) in Nova Scotia, covering over 62 occupations and 21 trades. A regulatory body (regulatory authority or regulator) sets the standards and regulates how people practice as members of an occupation or trade. Everyone who practices within a regulated occupation or trade must register with the regulatory body.

The FRPA mandates that regulating bodies carry out registration practices that are transparent, objective, impartial and procedurally fair. Section 16(2) of the FRPA states: “Every regulating body shall review its registration practices in accordance with this Section and shall file a report on the results of the review with the Review Officer for the reporting period.” This review process is to occur as per the Act and if items are deemed to be noncompliant with the FRPA, an Action Plan is required to be completed by the regulating body. The intent of the Action Plan is to identify how the items of noncompliance are progressing to ensure compliance, fairness, and transparency, as required by the Act.

1.2. OVERVIEW OF THE REGULATING BODY

Name of Regulating Body:	Association of Professional Geoscientists of Nova Scotia
Review Questions Due:	2022-08-17
Date Submitted:	2022-07-19

APGNS regulates geoscience practice through the registration of individual and corporate practitioners.

Geoscience Profession Act

Geoscientists (Geologists, Environmental Geoscientists, and Geophysicists) "geoscience" means the performing of any activity that requires the application of the principles of the geological sciences, and that concerns the safeguarding of public welfare, life, health, property or economic interests, including, but not limited to:

1. investigations, interpretations, evaluations, consultations or management aimed at the discovery or development of metallic or non-metallic minerals, rocks, nuclear or fossil fuels, precious stones or water resources; or
2. investigations, interpretations, evaluations, consultations or management relating to geoscientific properties, conditions or processes that may affect the well-being of the general public, including those pertaining to the preservation of the natural environment; and
3. geoscience education, instruction and teaching geoscience to a student at an educational institution or university.

2. QUANTITATIVE DATA - 2021

Quantitative data is collected from regulating bodies each year by way of a data survey. The following is a copy of the information provided by the *Association of Professional Geoscientists of Nova Scotia*, covering the year 2021, in fulfillment of the quantitative reporting requirements under Section 15 of the FRPA:

Total Practicing Members*:	178
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* As of December 31, 2021

Applications				
	Decisions Rendered in 2021 ¹		In Progress at end of 2021 ¹	Received in 2021
	Successful	Unsuccessful ²		
New	7	0	14	6
Interprovincial	11	0	0	11
International	0	0	0	0

1. Regardless of when the applications were received.

2. Excludes Withdrawn Applications.

Internal Reviews Conducted in 2021*:	0
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*Reviews of unsuccessful registration decisions conducted at the request of unsuccessful applicants.

Provinces of Origin of Interprovincial Applicants:	
Ontario	8
Quebec	2
Newfoundland and Labrador	1
Total	11

3. FRPA REVIEW QUESTIONS, RESPONSES, AND COMPLIANCE ASSESSMENTS

As per Section 16 of the Act, the registration practices of a regulating body must be reviewed, and a public report produced. The FRPA Program works with regulatory bodies to assess the registration practices against the compliance criteria. The Association of Professional Geoscientists of Nova Scotia responses to the FRPA Review questions are detailed below, along with the review findings determined by the Review Officer in accordance with the Act.

3.1: INFORMATION AND REGISTRATION PROCEDURES

This section assesses how and what information is provided to applicants during the registration process. The registration process includes the actions required to be taken by individual applicants, and any documentation required to be submitted, which will be used to assess an application for registration.

QUESTION 1 (REGISTRATION OF NEW APPLICANTS)

Explain, in detail, the requirements for registration of New Applicants, who do not have international credentials (subject of Question 2) and are not licenced in other Canadian Jurisdictions (subject of Question 3). Requirements include: 1) qualifications; 2) a list of the documentation an applicant must submit; and 3) the registration process and how requirements are met. If there are steps (such as an exam or experience requirement) that take place as a part of the registration process, please include. Also, explain how this information is communicated to applicants. Include a link(s) to information published in the public domain.

Alignment with the FRPA: Section 7(c), 9(a), 16(3)(a), (b) and (g)

RESPONDENT ANSWER	Use the chart provided to identify each type of license issued (practising). In the rows below identify the documentation required, a step-by-step overview of the registration process, and how information is communicated for each type of license issued.	
	A. LICENSE TYPE	Professional Geoscientist, (P.Geo.)
	QUALIFICATIONS (LIST)	Academic training, work experience, professional and character references; successfully complete the National Professional Practice Exam (NPPE)
	DOCUMENTATION (LIST)	Academic transcripts, confidential references, work experience diaries
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	Submit an application along with documents, pay the fees, review and recommendations by Admissions Board, confirmed by Council
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	Email, telephone, personal interview, regular mail; the application process and results are considered PRIVILEGED AND CONFIDENTIAL ; they are not publicly available; information will be shared with the applicant; others only on written authorization
	B. LICENSE TYPE	License to Practice (LTP)
	QUALIFICATIONS (LIST)	Equivalent to P.Geo. issued to a non-resident of NS
	DOCUMENTATION (LIST)	Confirmation of registration by a similarly constituted Canadian professional regulator
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	Confirmation of registration status from home association; approved by Registrar
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	Email, telephone, personal interview, regular mail
	C. LICENSE TYPE	Member in Training (MIT)
	QUALIFICATIONS (LIST)	Must have completed the academic requirements; MIT status allows the applicant to legally work on geoscience projects under supervision by a P.Geo.
	DOCUMENTATION (LIST)	Academic transcripts, work experience diaries, pass the NPPE

	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	Submit application and pay the fees; review and recommendation by Admissions Board; complete and document work experience; successfully complete the NPPE
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	Email, telephone, personal interview, regular mail
	D. LICENSE TYPE	Certificate of Authorization (CofA)
	QUALIFICATIONS (LIST)	A corporate body who offers, provides or undertakes geoscience work in NS; must have a registered P.Geol. in a supervisory position
	DOCUMENTATION (LIST)	Proof of liability insurance for sole practitioners
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	Submit an application; reviewed and approved by Registrar
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	Email, telephone, personal interview, regular mail
REVIEW FINDINGS	Compliance Criteria:	Compliant? (YES/NO)
(To be completed by the FRPA Review Officer)	Requirement that the regulating body:	
	• provides information about its registration practices in a clear and understandable form;	YES
	• explains the qualifications required for registration;	YES
	• identifies documentation of qualifications that must accompany an application;	YES
	• explains the registration process and how requirements for registration are to be met;	YES
	• explains how information is communicated; and	YES
• provides information in a publicly accessible manner.	YES	
Comments, to be completed by the FRPA Review Officer:		
Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS's website (www.geoscientistsns.ca) on August 12, 2022.		

QUESTION 2 (REGISTRATION OF INTERNATIONAL APPLICANTS)

Do you have a registration process for applicants who have international qualifications? If so, describe the process and include a list of the documentation an applicant must submit. How is information on the registration process communicated to applicants with international qualifications? Include a link(s) to information published in the public domain.

Alignment with the FRPA: *Section 7(c), 9(a) and 16(3)(b), (g)*

RESPONDENT ANSWER Use the chart provided to identify each type of license issued (practising). In the rows below identify the documentation required, a step-by-step overview of the registration process, and how information is communicated for each type of license issued.

A. LICENSE TYPE	Professional Geoscientist (P.Geo.)
DOCUMENTATION (LIST)	Same as for Canadian educated applicants; may require academic validation by third-party evaluator
REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	same
COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	same

If you do not have a process, please explain.

REVIEW FINDINGS	Compliance Criteria:	Compliant? (YES/NO)
(To be completed by the FRPA Review Officer)	Requirement that the regulating body:	
	• provides information about its registration practices in a clear and understandable form to individuals who received their qualifications outside Canada;	YES
	• identifies documentation of qualifications that must accompany an application;	YES
	• explains the registration process and how requirements for registration are to be met;	YES
	• explains how information is communicated; and	YES
	• provides information in a publicly accessible manner.	YES

Comments, to be completed by the FRPA Review Officer:

Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS’s website (www.geoscientistsns.ca) on August 12, 2022.

QUESTION 3 (REGISTRATION OF INTERPROVINCIAL APPLICANTS)

Do you have a registration process for applicants who are registered/licensed in another jurisdiction in Canada (Interprovincial applicants)? If so, describe the process and include a list of the documentation an applicant must submit. How is information on the registration process communicated to applicants who are Interprovincial applicants? Include a link(s) to information published in the public domain.

Alignment with FRPA: *Sections 3, 7(c), 9(a) and 16(3)(b), (g)*

Interprovincial applicants: applicants who are currently registered/licensed in another jurisdiction in Canada, in accordance with the Canadian Free Trade Agreement (CFTA).

RESPONDENT ANSWER	Use the chart provided to identify each type of license issued (practising). In the rows below identify the documentation required, a step-by-step overview of the registration process, and how information is communicated for each type of license issued.	
	A. LICENSE TYPE	License to Practice LTP
	DOCUMENTATION (LIST)	Confirmation of registration in another jurisdiction; offered to a qualified applicant not resident in NS; approved by the Registrar
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	As above
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	As above
	B. LICENSE TYPE	Professional Geoscientist (P.Geo.)
	DOCUMENTATION (LIST)	Confirmation of registration in another professional geoscience regulatory association; offered to a qualified applicant on residence in NS; approved by the Registrar
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	As above
COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	As above	
REVIEW FINDINGS	Compliance Criteria: Requirement that the regulating body:	Compliant? (YES/NO)
	<ul style="list-style-type: none"> identifies documentation of qualifications that must accompany an application; 	YES

(To be completed by the FRPA Review Officer)	<ul style="list-style-type: none"> explains the registration process and how requirements for registration are to be met; 	YES
	<ul style="list-style-type: none"> explains how information is communicated; and 	YES
	<ul style="list-style-type: none"> provides information in a publicly accessible manner. 	YES
<p>Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS’s website (www.geoscientistsns.ca) on August 12, 2022.</p>		

QUESTION 4 (REGISTRATION PROCESS FEES)

Do you charge a fee for the registration process? If so, describe the fee and explain how this information is communicated to applicants. Include a link to information published in the public domain. If there is a third-party process with associated fees, please explain. Provide a link to any published information.

Alignment with the FRPA: *Section 7(f) and 16(3)(d)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	Describe and explain: An application for registration must include payment of an application assessment fee (one-time), the first year annual registration fee; P.Ge. applicants must pay the professional stamp fee; fees are clearly indicated on the signature page of the application form which is available on the web site (www.geoscientistsns.com). A third party valuator may be require for internationally trained applicants	
REVIEW FINDINGS	Compliance Criteria: Requirement that the regulating body:	Compliant? (YES/NO)
	<ul style="list-style-type: none"> provides information setting out any fees for registration in a clear and understandable form; 	YES
	<ul style="list-style-type: none"> describes the fees even if they are not applicable or are \$0; and 	YES
	<ul style="list-style-type: none"> provides information about fees in a publicly accessible manner. 	YES
<p>Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS’s website (www.geoscientistsns.ca) on August 12, 2022.</p>		

QUESTION 5 (ALLOWANCE FOR ALTERNATIVE DOCUMENTATION)

Are there any situations, where the standard required documentation cannot be reasonably obtained by an applicant, that alternative documentation may be acceptable to the regulating body?

If yes, please detail what alternative documentation may be accepted in what situations and in place of what standard documentation. How is this information communicated to applicants? If available, please provide a link to where this information is published in the public domain.

Alignment with the FRPA: *Sections 7, 9 and 16(3)(c)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please explain: Upon receiving notification from an applicant that they are unable to produce one or more standard documents, the applicant is advised of possible options, if any, for submitting alternative documents. Such alternative documents may be accepted if validated by a third-party valuator and may also require an interview (either in person or virtual).
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REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria (only if there is an allowance for alternative documentation): Requirement that the regulating body:	Compliant? (YES/NO/ N/A)
	<ul style="list-style-type: none"> provides clear and understandable information with respect to acceptable alternative documentation; 	YES
	<ul style="list-style-type: none"> advises applicants on what alternative information may be supplied when they cannot reasonably obtain the standard documentation; and 	YES

Comments, to be completed by the FRPA Review Officer:

Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above.

QUESTION 6 (SUPPORT PROVIDED TO APPLICANTS DURING THE REGISTRATION PROCESS)

Do you provide any support to applicants during the registration process? If so, describe the type of support provided. (Examples: contact information, explanation of registration requirements, translation services, etc.). How is information about supports communicated to applicants? Provide a link(s) to information published in the public domain.

Alignment with the FRPA: *Sections 7(e) and 16(3)(k)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: Direct contact with the Registrar indicated on the application form; telephone, email, physical address; registration requirements are clearly indicated on the APGNS application form as well as on the self-assessment work sheet tool and the academic reference guide; the Geoscience Knowledge and Experience Criteria for Professional Registration in Canada is available as a reference, both on paper and electronically	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria: Requirement that the regulating body:	Compliant? (YES/NO)
	• provides support to the applicant during the registration process;	YES
	• describes the type of support provided to the applicant during the registration process; and	YES
	• provides information about the type of support provided to applicants during the registration process in a publicly accessible manner.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS’s website (www.geoscientistsns.ca) on September 6, 2022.		

QUESTION 7 (ACCOMMODATION POLICIES FOR APPLICANTS WITH A PHYSICAL OR MENTAL DISABILITY)

Do you have a description of existing accommodation policies for applicants with a physical or mental disability? If so, describe how an applicant would request an accommodation and how requests are considered. How do you make this process available to applicants in a transparent, objective, impartial and procedurally fair manner? Include a link(s) to information published in the public domain.

Alignment with the FRPA: *Section 6, 16(3)(h)*

Reference: [Human Rights Act \(nslegislature.ca\)](http://nslegislature.ca)

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe: APGNS policies regarding applicants with physical or mental disabilities are posted on the Association web site and are available on request from the Registrar; an applicant may submit a request for special or particular consideration, along with appropriate and applicable back-up / supporting information; approval by the Registrar in consultation with Council where applicable.	
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REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria:	Compliant? (YES/NO)
	Requirement that the regulating body:	
	• has a description of existing accommodation policies for applicants with a physical or mental disability;	YES
	• has a clear process for applicants to request an accommodation and understand how requests will be considered; and	YES
	• provides a description of accommodation policies in a publicly accessible manner.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS's website (www.geoscientistsns.ca) on September 6, 2022.		

QUESTION 8 (ACCESS TO REGISTRATION RECORDS)

Do you have a documented process by which an applicant can request access to their registration records? If so, describe how an applicant can make this request, any exclusions to information that can be provided, and any fees that may apply. Include a link(s) to any published information, if available.

Alignment with the FRPA: *Sections 12(1) through (5) and 16(3)(j)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
	If yes, describe: All registration files are considered confidential and privileged. Information will only be shared with a third part on written authorization. An applicant or registrant request can be made to the Registrar as outlined in the by-laws of the Association. The registration information will be made available at the APGNS office.	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria:	Compliant? (YES/NO)
	Requirement that the regulating body:	
	• has an established process by which an applicant can make a request in writing for access to their registration records; and	YES
	• describes how an applicant can make a request, any exclusions to information that can be provided and any fees that may apply.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS's website (www.geoscientistsns.ca) on September 6, 2022.		

3.2: ASSESSMENT CRITERIA AND COMMUNICATION OF DECISION PROCESSES

This section assesses how the regulating body evaluates applications and how this process, including registration decisions, are communicated to applicants.

QUESTION 9 (ASSESSMENT CRITERIA)

Explain, in detail, the criteria used by the regulating body to assess if an applicant has met requirements to be registered/licensed. (Examples: competencies, pass marks, experience standards, etc.) Also, explain how this information is communicated to applicants. Provide a link(s) to information published in the public domain.

If there is a third-party assessor involved in the process, describe their role in the space provided.

Alignment with the FRPA: *Section 7(d), 16(3)(b) and (i)*

RESPONDENT ANSWER	<p>Explain the criteria used for assessment and how the information is communicated: As per the Geoscience Profession Act and the by-laws, applications are compiled and reviewed by the Registrar; once all components (application, cover letter, transcripts, references, work record, etc.) are compiled the application is submitted to the Admissions Board for review and recommendation to Council for final approval. The information is available on the website and is communicated to the applicant by email, telephone, personal communication as appropriate.</p> <p>Is a third party involved in the assessment process?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, name the third-party(s) and describe their role:</p>	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria: Requirement that the regulating body:	Compliant? (YES/NO)
	• describes all criteria used to assess whether the requirements for registration have been met;	YES
	• explains how information is communicated;	YES
	• provides information in a publicly accessible manner; and	YES
	• describes the role of third-party assessors (if applicable).	N/A

Comments, to be completed by the FRPA Review Officer:

Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS's website (www.geoscientistsns.ca) on September 6, 2022.

QUESTION 10 (COMMUNICATING REGISTRATION DECISIONS)

Explain how you communicate registration decisions to applicants who are: a) successful; and b) not granted registration. Include the approximate length of time required to issue a registration decision, who makes the decision, and what information is provided with each type of decision.

Alignment with the FRPA: *Sections 8(b), (c), (d), 16(3)(l) and (m)*

RESPONDENT ANSWER	Explain the registration decision communication process:	
	a) Successful applicants: regular mail letter; electronic email where appropriate; registration packages are sent by mail; as soon as possible after the final decision is reached by the Council and all necessary registration requirements have been met; less than 1 week	
	b) Applicants not granted registration: regular mail letter and/or email as applicable; as soon as possible after the final decision is reached by Council; less than 1 week	

REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria:	Compliant? (YES/NO)
	Requirement that the regulating body:	
	• explains the process they use to communicate registration decisions, and the timeframe;	YES
	• provides written decisions to all applicants;	YES
	• provides applicants with reasons when registration has not been granted;	YES
	• provides information on programs/services available to support the future success of applicants, if applicable; and	YES
	• provides a description of the internal review process to applicants who are not granted registration.	YES

Comments, to be completed by the FRPA Review Officer:
 Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, could be verified from the information provided above and the information found on APGNS’s website (www.geoscientistsns.ca) on September 6, 2022.

3.3: INTERNAL REVIEW/APEAL PROCESS

Section 10 of the Act requires that regulating bodies provide unsuccessful applicants with a clear process to appeal a registration decision. Section 11 requires that those involved with reviewing registration decisions receive training on conducting such reviews. This section assesses compliance with these requirements.

QUESTION 11 (INTERNAL REVIEW PROCESS)

Do you have a documented internal review process for applicants who disagree with the registration decision?

If yes, describe the process including:

- time frames throughout the process; and
- opportunities available to the applicant to provide new information and make submissions with respect to their internal review; and
- how internal review decisions are communicated to applicants and what information is included with the decision; and
- a statement that no one who acted as a decision-maker in respect of a registration decision can act as a decision-maker in an internal review of that decision; and
- if available, provide a link to this information published in the public domain.

Alignment with the FRPA: *section 7(a) and 10, 16(3)(m) and (n)*

Internal review: a rehearing, reconsideration, review or appeal or other process provided by a regulating body in respect of the merits of a registration decision, regardless of the terminology used to describe the process.

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <p>If yes, explain:</p> <p>If no, explain why not: Under the current Geoscience Profession Act, an applicant may request a review of the decision be undertaken by the Registrar and the Admissions Board, however, there is no official, independent appeal process identified; however, under the proposed revisions to the Geoscience Profession Act, and the new Geoscience Practice Regulations, decision making powers are established for the Admissions Board and it also establishes an appeal process and a Registration Appeal Committee.</p>
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REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria:	Compliant? (YES/NO)
	Requirement that the regulating body:	
	• has a documented internal review process;	NO
	• describes time frames associated with the internal review process;	NO
	• describes opportunities the applicant has to provide new information and make submissions with respect to their internal review;	NO
	• describes how internal review decisions are communicated to applicants and what information is included with the decision;	NO
	• ensures that no one who acted as a decision-maker in respect of a registration decision can act as a decision-maker in an internal review; and	NO
	• provides information on the internal review process in a publicly accessible manner.	NO

Comments, to be completed by the FRPA Review Officer:
 Section 10 of the FRPA requires that regulating bodies provide unsuccessful applicants with an internal review process and specifies the requirements of that review process. As per the response above, APGNS does not offer such an internal review process. Therefore, APGNS is non-compliance with Section 10 of the FRPA and is required to submit an action plan to bring this area into compliance. Pursuant to Subsection 16(12), it is expected that APGNS will be able to demonstrate compliance within one year.

Provided establishing an internal review process that meets the requirements of Section 10 of the FRPA can be done without conflicting with current legislation, these pending amendments must not be a source of delay.

QUESTION 12 (INTERNAL REVIEW TRAINING)

Have the decision-makers for the internal review received training on conducting on an internal review? If so, describe the training.

Alignment with the FRPA: *Sections 11 and 16(3)(p)*

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please describe: As noted above, there is no internal review. Once the revised Geoscience Profession Act is
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REVIEW FINDINGS (To be completed by the FRPA Review Officer)	Compliance Criteria: Requirement that the regulating body:	Compliant? (YES/NO)
	<ul style="list-style-type: none"> ensures that internal review decision-makers have received training on conducting an internal review; and 	NO
	<ul style="list-style-type: none"> describes the training. 	NO

Comments, to be completed by the FRPA Review Officer:
 Section 11 of the FRPA requires that:
“A regulating body shall ensure that individuals acting as decision- makers in internal reviews receive training on conducting on an internal review.”

As per the response above, APGNS does not meet this requirement. Therefore, APGNS is required to submit an action plan that will put APGNS on a scheduled path to compliance with Section 11. Pursuant to Subsection 16(12), it is expected that APGNS will be able to demonstrate compliance within one year.

Provided meeting the requirements of Section 11 can be done without conflicting with APGNS’s current legislation, the pending amendments to APGNS’s legislation should not be a source of delay.

4. ACKNOWLEDGEMENTS:

The *Association of Professional Geoscientists of Nova Scotia* hereby declares that the information contained in this report is a true and accurate representation of its agrees to take action to address items of non-compliance as per the following Action Plan (Appendix A).

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

X  _____

Name (print): DAVID CARTER, P. Geo.

DATE: 2022-11-09

Exec Director
& Registrar.

APPENDIX A: ACTION PLAN

The purpose of this Action Plan is to address the identified areas of non-compliance in accordance to Subsection 16(12) of the [Fair Registration Practices Act](#), quoted here:

Where the Review Officer, based on an assessment of the information provided in a report required under subsection (2), makes a finding that the registration practices of the regulating body are non-compliant with this Act or the regulations, the regulating body shall demonstrate compliance in the manner prescribed by the Review Officer within one year of the finding of non-compliance, unless the Review Officer extends the one-year deadline.

NAME OF REGULATING BODY: Association of Professional Geoscientists of Nova Scotia

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES					
	Action Plan Deadline	Action Plan Progress Update 1			
Due Date	2022-11-14	2023-10-19			
Actual Completed Date	2022-10-19	Click to enter a date.			

ACTION PLAN:

ACTION PLAN – AREA 1:	Response to FRPA Review Question #11: “Internal Review Process”.
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>APGNS does not offer an internal review process as required under Section 10 of the FRPA, quoted here:</p> <p><i>Internal review process</i></p> <p><i>10 (1) Where a regulating body does not grant registration to an applicant, the regulating body shall provide an internal review process within a reasonable time and shall inform the applicant of the internal review process and of the procedures and time frames for the internal review.</i></p> <p><i>(2) A regulating body shall provide an applicant for registration an opportunity to provide new information and to make submissions with respect to an internal review in such manner as determined by the internal review decisionmaker.</i></p> <p><i>(3) An internal review decision-maker shall provide an applicant with a written decision that includes reasons within a reasonable time.</i></p> <p><i>(4) A regulating body may specify how submissions in respect of an internal review are to be submitted.</i></p> <p><i>(5) No one who acted as a decision-maker in respect of a registration decision may act as a decision-maker in an internal review in respect of that registration decision.</i></p>

REGULATOR ACTION PLAN:	Amendments to the Geoscience Profession Act have been drafted and are currently awaiting approval. These amendments would specifically allow for compliance with Section 10 of the FRPA. Once/if these amendments are passed and in force, policies and procedures, as currently detailed in the amendments, will be implemented to specifically comply with Section 10 of the FRPA (quoted above).
INTENDED COMPLETION DATE:	APGNS has no control over the legislative process or its timelines. However, once the Act and Regulations are approved, development and approval of the by-laws will be a priority for Council. The next opportunity to present the revised by-laws to the members of the Association will be at the Annual General Meeting in the Spring of 2023.
Year 1: Action Plan update. Due: 2023-10-19	
FRPA Review Officer Comments	

ACTION PLAN – AREA 2:	Response to FRPA Review Question #12: “Internal Review Training”.
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	APGNS does not offer training for decision-makers involved in reviews of registration decisions as required under Section 11 of the FRPA, quoted here: Training of decision-makers A regulating body shall ensure that individuals acting as decisionmakers in internal reviews receive training on conducting on an internal review.
REGULATOR ACTION PLAN:	The Geoscience Practice Regulations specify that the APGNS Admissions Board has the authority to approve an applicant for professional registration and instruct the Registrar to proceed. APGNS Council has approved the use of the Geoscience Competency Profile with a list of 29 geoscience competencies required at entry-to-practice and Council has also approved the Competency Based Assessment Tool (CBA) for use by the APGNS Admissions Board in the evaluation of an applicant’s competency for professional registration. The other Canadian geoscience regulators have approved the use of the CBA and are in the process of implementing it. The CBA was developed by Engineers and Geoscientists British Columbia (EGBC) in cooperation with Geoscientists Canada and the Constituent Associations, including APGNS, represented by the Registrar, the CGSC Representative and the Chair of the Admissions Board. APGNS has entered into an agreement with Engineers and Geoscientists British Columbia (EGBC) to access the CBA Tool and the training materials. The tool requires APGNS assessors and individual volunteers to be trained using the supplied materials.
INTENDED COMPLETION DATE:	The implementation of the CBA is in progress, and it is anticipated that training will be complete and that the assessment policy and procedure will be fully implemented by the Annual General Meeting to be held in the Spring of 2023.
Year 1: Action Plan update. Due: 2023-10-19	
FRPA Review Officer Comments	