

ACTION PLAN -YEAR 2 PROGRESS UPDATE

**NS TECHNICAL SAFETY DIVISION: Amusement Devise Mechanics
DEPARTMENT OF LABOUR SKILLS AND IMMIGRATION**

FRPA Review Officer Comments in red indicate areas where compliance could not be determined based on this progress report and therefore a **3rd progress report is required on or before February 15, 2024.** Full compliance is expected at that time.

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES					
	Action Plan Deadline	Action Plan Progress Update 1	Action Plan Progress Update 2	Action Plan Progress Update 3	Action Plan Progress Update 4
Due Date	2021-01-22	2022-02-15	2023-02-15	2024-02-15	
Actual Completed Date	2021-01-22	2022-03-07	2023-03-06		

ACTION PLAN:

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 6, 7(a), (c), 9(a), 16(3)(a), (b) and (g)				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	1 & 2	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications - ensure that information regarding registration requirements and how requirements are to be met is clear and easily accessible in the public domain through print and electronic media. 	<p>To ensure that current regulatory requirements are clear and in the public domain, the Division will review and update the criteria, qualifications, processes, and required documents required by the Regulations for an applicant to obtain an Amusement Device Mechanic Certificate of Competency (“certificate”), including, but not limited to, proof of relevant work experience, an affidavit from employer verifying competency and training, and proof of successful completion of education, training, and examination approved by the Chief Amusement Device Inspector (“Chief Inspector”). The clear instructions for current and evolving requirements will be made available in the public domain for individuals seeking to obtain from the Chief Inspector an amusement device mechanic certificate of competency for a range of devices (park or midway), or a restricted certificate limiting the mechanic to one device such as a commercial inflatable or waterslide.</p> <p>The Division will create an application form that clearly explains the current regulatory application process, requirements, and timelines with instructions for obtaining a certificate. A complete, updated list of all requirements and documents an applicant must submit will be explained clearly and in plain language in the public domain for an applicant or other interested party on the Labour and Advanced Education (LAE) Technical Safety website, downloadable PDF, and printed hard copy, and in any other manner that ensures transparency, objectivity, impartiality, and procedural fairness as required by the Fair Registration and Practices Act (FRPA).</p> <p>The updated Technical Safety amusement device section (website) contact information will also be made available digitally and hard copy so that applicants and other interested parties can contact the office for assistance or to make an inquiry. An informational update will be sent to Technical Safety amusement device stakeholders to inform them of the updates.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners, known stakeholders, and industry associations to ensure that all information in the public domain is clear, accurate, and consistent.</p>	<p>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance ("Questions 1 & 2")	FRPA Review Officer Comments
<p>Update 1 (Due: Feb 15, 2022)</p>	<p>The Amusement Device Certification Guide to Competency (Guide) for applicants seeking an amusement device certificate of competency (certificate) has been drafted by the Technical Safety Division and is undergoing a plain language review and edit before being posted online in March 2022. The requirements for an applicant to receive a certificate under the <i>Amusement Device Safety Act</i> and General Regulations will appear on the Amusement Device Safety webpage and in the downloadable PDF Guide*, which provides clear instructions to an applicant on the documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, fees (including where this is no fee), and timelines. The Guide clearly identifies Divisional contacts and resources including education, training and experience requirements, decisions timelines including those for an internal review and/or appeal of a decision. Availability of online and classroom training, certification exam dates and locations (virtual and in person sittings) will be updated on the Amusement Device Safety webpage.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Amusement Device Safety webpage. It is expected this information will be in the public domain in March 2022.</p> <p>The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
<p>Update 2 (Due: Feb 15, 2023)</p>	<p>Since Update 1 in 2022, the LSI Amusement Devices: Classifications and Licence Requirements webpage has been updated with current information for an applicant seeking to obtain an Amusement Device Mechanic Certificate of Competency. The webpage outlines the type and scope of work that requires a Certificate; certification requirements (practical hours, recognized training, exam); classification levels; application process with downloadable application form, and exam information with links to online training and exam (restricted certification for inflatable devices only). The webpage also provides an overview of information, process and requirements for recognition of international credentials; transferring qualifications from a Canadian province or territory outside Nova Scotia with a downloadable Application for Amusement Device Mechanic Certificate/Application for Transfer of Certification; application review process information with timelines, fees (no cost for restricted amusement device training course, restricted exam, or renewal); renewal frequency, and address</p>	<p>This "update 2" (which includes the information found through the link provided) demonstrates compliance with all the above FRPA sections cited except for Subsection 7(a), which requires that:</p> <p><i>"7 A regulating body shall provide information ...to individuals ...applying or intending to apply for registration</i></p>

	<p>change requirements with link to LSI Safety Branch email address. The webpage also has links to the Amusement Devices Safety Act and General Regulations for additional information and requirements.</p> <p>The Guide described in the 2022 update has been drafted by Technical Safety and the public release is delayed to spring 2023. The Guide continues to undergo a plain language review prior to being posted in the public digital domain in spring 2023.</p>	<p><i>[including] ... (a) <u>information about its ... internal review processes; ...</u></i></p>
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 6, 7(a), (c), 9(a), 16(a), (b) and (g)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	3	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information regarding registration requirements and how requirements are to be met by international applicants is clear and easily accessible in the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications 	<p>The process for internationally qualified applicants to gain their certificate as required by the Act and Regulations will be clearly explained and communicated in the public domain through the website and in print. The process, qualifications, and documentation required to validate their past experience, education, training, and qualifications will be clearly listed for the applicant in the public domain.</p> <p>In situations where a prior learning assessment of an international applicant may be required by the Regulations, instructions on the process, timing, and requirements for obtaining an assessment as part of the application process will be clearly explained in the public domain with the Division contact information.</p> <p>The explanation for international applicants will include, but not necessarily be limited to, process instructions, documents, fees, and other valid forms of verification the applicant would need to submit for consideration of equivalency and assessment of prior learning.</p> <p>Should verbal, written, or reading translation services be required by an applicant, the Division will provide information on how to access to the services to facilitate the international application process for applicants who received their qualifications outside of Canada.</p> <p>The Technical Safety Amusement website and printed materials will be updated so that the requirements, processes, and supports are available to the applicant in the public domain, and coordinated with other government departments or agencies that may be involved in the certification and licensing processes.</p>	<p>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 3”)	FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	Technical Safety has identified a recognized third party to assess and verify an applicant’s international credentials, including educational and professional training equivalencies. By engaging the third-party service provider, Technical Safety will ensure that information regarding registration requirements, including complete documentation, for international applicants is clear and easily accessible in the public domain through electronic media and assessed/verified in a timely manner. The Technical Safety Guide and webpage are being updated to make application information publicly available to international applicants. An application form and guide for international applicants has been developed and is undergoing a plain language review. The webpage update is expected to be completed in March 2022.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	The Amusement Devices: Classifications and Licence Requirements webpage has been updated with the information that an applicant from outside Canada may need, including completing a prior learning assessment if the applicant does not meet the practical experience requirements. An international applicants may also need to have their credentials verified by the Chief Inspector, Elevators, Lifts, and Amusement Devices. Technical Safety is working to finalize and implement a process for authenticating foreign credentials for regulated work prior to issuance of a Nova Scotia certification and/or licence. International credential verification policy is undergoing final review for approval and posting in the public domain. International applicants will be provided clear instructions on process and documentation that must accompany an application. Webpage informs applicants that international and transfer applications can take up to 5 weeks to review. It can take longer if more information is needed or if the application form hasn't been filled in correctly. Once an application is approved, international and transfer applicants receive a Certificate of Competency by mail. The Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023.	This “update 2”, along with information found on the website, demonstrates compliance with all the above FRPA sections cited as they pertain to “international applicants”.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 3, 6, 7(a), (c), 9(a), 16(a), (b) and (g)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion

Action required	4	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about registration requirements and how requirements are to be met by applicants who received their qualification outside NS but within Canada is clear and easily accessible in the public domain through print and electronic media. - ensure that information about registration requirements and how requirements are to be met by applicants registered in another Canadian jurisdiction are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications 	<p>Technical Safety will update digital and print information in the public domain to clearly explain the process and criteria for an applicant from another province or territory to obtain a Nova Scotia amusement mechanic certificate under the provisions of the Canadian Free Trade Agreement (the “CFTA”). This will include an amusement device mechanic application and transfer and verification process for licences/certificates held in other Canadian jurisdictions. Compliance with the CFTA is required by NS Technical Safety for the applicant and their educational, qualification and/or practical experience equivalencies. Under the CFTA a license and/or certification should be granted on the basis of the applicant’s current certification, without requirement for additional material assessment, training, or experience This will be clearly explained in plain language in the public domain.</p> <p>Where a license/certificate does not exist for their originating jurisdiction within Canada and the applicant is looking to apply for an amusement mechanic certificate of competency, a process will be developed to evaluate past experience, training, and qualifications. The process will be communicated to industry and be available for access in the public domain in a clear manner that ensures transparency, objectivity, impartiality, and procedural fairness as required by the FRPA.</p> <p>The development of such an evaluation process will require a review of other Canadian jurisdictions to determine how individuals are regulated in their originating jurisdiction and integrate aspects that will allow FRPA requirements to be met.</p>	<p>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>
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	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 4”)	FRPA Review Officer Comments
<p>Update 1 (Due: Feb 15, 2022)</p>	<p>The Technical Safety webpage will be updated to fully and clearly inform applicants who received their qualification from another Canadian province or territory. The Guide provides clear instructions to an out-of-province applicant on all documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, and timelines. The Guide clearly identifies Divisional contacts and resources, education, training, and certification/qualification equivalencies for out-of-province applicants in accordance with the Canadian Free Trade Agreement and decisions timelines including those for an internal review and/or appeal of a decision.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

	The Division is working with Communications Nova Scotia to finalize and post all required public information, Guide, and forms on the existing Amusement Device Safety webpage. It is expected this information will be in the public digital domain in March 2022.	
Update 2 (Due: Feb 15, 2023)	Amusement Devices: Classifications and Licence Requirements webpage has been updated with the information for applicants from another Canadian province or territory seeking to transfer their credentials if they hold a valid certificate of competency that is equivalent to the classification level being sought for Nova Scotia. Applicants may need to have application information and credentials verified by the Chief Inspector, Elevators, Lifts, and Amusements. Webpage has a downloadable Application/Transfer for Amusement Device Mechanic Certificate . The Guide has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023. The Guide will include information for qualified applicants from another Canadian province or territory.	This “update 2” (which includes the information found through the link provided) demonstrates compliance with all the above cited FRPA sections as they pertain to “interprovincial applicants”.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(f), 16(3)(d)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	5	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information setting out any fees for registration is clear and easily accessible in the public domain through print and electronic media. 	Technical Safety will create an updated application form that clearly explains the regulatory application process and timelines with instructions for obtaining a certificate and a complete list of all requirements and documents an applicant must submit will be explained clearly and in plain language online for an applicant. The online information will identify all application fees, or the absence of, and payment options.	<p>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 5”)	FRPA Review Officer Comments
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Update 1 (Due: Feb 15, 2022)	The Division is working with Communications Nova Scotia to update all Amusement Device Mechanic certification fee(s) and related information in the Guide, application forms and on the existing Amusement Device Safety webpage(s). This includes service(s) for which there is no fee. It is expected this information will be in the public digital domain in March 2022.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	Amusement Devices: Classifications and Licence Requirements webpage has been updated with a Fee heading, which clearly states there is no cost for the (restricted amusement device) training course, exam, certificate or renewal.	This “update 2”, along with information found on the website, which lists the required fees for registration, demonstrates compliance with all the above FRPA sections cited.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 9(b), 16(3)(c)				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	6	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - document guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant’s control 	Technical Safety will develop a process to accept alternative information when the required documents cannot be obtained by the applicant and submitted with the application for reasons beyond the applicant’s control. Examples of these alternatives could be a sworn affidavit or notarized statement in lieu of the original required document. The list of required documents and acceptable alternatives will be clearly listed, as well as the updated processes to follow when original documents cannot be obtained. This information will be made clearly available in the public domain.	June 1, 2021 – process and document development. Nov 1, 2021 – publishing to public domain (including print/website etc.)

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 6”)	FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	The Guide clearly identifies acceptable alternative document(s) when the original(s) cannot be produced. Successful application is supported by a checklist based on the regulatory requirements outlined in the Guide. Webpage and Guide will	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

	<p>also instruct applicant to contact the Division by phone or email with any questions regarding acceptable alternatives. As inquiries are received, the Division will create and update an FAQ section to assist applicants.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Technical Safety Amusement Device Safety webpage. It is expected this information will be in the public digital domain in March 2022.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	
<p>Update 2 (Due: Feb 15, 2023)</p>	<p>The LSI Amusement Devices: Classifications and Licence Requirements webpage has been updated with current information for an applicant seeking to obtain an Amusement Device Mechanic Certificate of Competency.</p> <p>The Guide has been drafted by Technical Safety and the public release is delayed to spring 2023. The Guide continues to undergo a plain language review prior to being posted in the public digital domain in spring 2023 and will include a section detailing alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 7(e), 16(3)(k)				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	7	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about any support provided to applicants during the registration process is clear and easily accessible in the public domain through print and electronic media. 	<p>Technical Safety will ensure that information about any support provided to applicants during the application process is clear and easily accessible in the public domain through print and electronic media. This will include contact information in order to seek any additional support during the application/registration process for any inquiries relating to coaching, referrals, explanation of registration requirements. Every attempt will be made to ensure clear communication of the process in the public domain but in the event further clarity is required by the applicant the support options will be in place.</p>	<p>Jun 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 7”)	FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	<p>The updated Amusement Device Safety webpage and downloadable Guide will clearly provide an applicant the contact information to request guidance, support and other resources during the application process. Webpage and Guide will instruct applicant to contact the Division by phone or email with any questions regarding the application process and to access to any necessary support, including translation services and access to other government departments. As inquiries are received, the Division will create and update an FAQ section to inform and assist applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution and made available in the future when appropriate.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	The LSI Amusement Devices: Classifications and Licence Requirements webpage provides the Technical Safety Division general inquiry email address safetybranch@novascotia.ca , which is monitored by Information Specialists who respond to inquiries and/or refer the inquiry to the most appropriate person. The Guide due for release in the spring of 2023 will contain clear information about accessible support available to applicants during the registration process.	This “update 2”, along with information found via the link provided, demonstrates compliance with all the above FRPA sections cited.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 16(3)(h)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	8 & 9	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a description of the accommodation practices for applicants which includes: <ul style="list-style-type: none"> - how to request an accommodation - guidelines regarding types of accommodations - ensure that practices are adaptable if a new situation arises 	<p>Technical Safety will develop a policy on how to work with an applicant during the application process that may have a physical or mental disability and requires an accommodation when applying for an amusement device mechanic certificate of competency. The accommodation policy will also be adaptable should a new situation arise, such as translation services.</p> <p>Based on existing government policies, the Division’s adaptable policy will ensure clearly explained, fair, and impartial application processes for all applicants, which will be made available in the public domain.</p>	<p>Oct 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

			Applicants who may require an accommodation will be provided access to contact information and instructions for requesting an accommodation in digital, print, and any other form (audio), that the applicant may require.	
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	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 8 & 9”)	FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	<p>The Technical Safety Division is identifying existing government policy on support for an applicant who may have a physical or mental disability and requires an accommodation when applying for an amusement device mechanic certification.</p> <p>The Technical Safety Division is committed to ensuring that its public registration information including accommodation requests and guidelines, application requirements, and public services are developed, maintained, and adapted as required by the <i>Provincial Accessibility Act</i>, and the Accessibility Directorate’s Access by Design 2030: Achieving an Accessible Nova Scotia.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	Update delayed to 2024-02-01. Policy will be finalized and guidelines to be posted with a description of the accommodation practices for applicants, including how to request an accommodation and type. Applicant Guide has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023. Guide will be drafted, posted, and maintained to ensure accessibility and inclusivity for applicants by providing information on accommodation practices and access to resources and supports for applicants. Policy and Guide updates to be reflected on webpage with links to available government resources and supports for applicants.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(a), (d), 16(3)(b) and (i)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	10 & 11	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document all criteria that are used to assess whether requirements for certification have been met 	A complete list of the criteria for meeting the requirements of registration/application defined by the Act and Regulations will be transparently provided by the Division for individuals applying for the amusement device mechanic certificate of competency.	<p>June 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

		<ul style="list-style-type: none"> - ensure that information is clear and easily accessible in the public domain through print and electronic media. 	<p>The developed list will clearly outline the criteria used to evaluate and determine that the applicant has met requirements for certification. The standard that the applicant must attain to be successful may include requirements for education, approved training programs and/or competencies, expectations of experience hours, testing/exam scores and required knowledge levels, etc.</p> <p>The applicant will have a clear picture of the evaluation criteria to allow them to fully describe and include relevant information that will maximize opportunity for a successful application.</p> <p>In situations where a third-party trainer could be involved the Division will also ensure that formal agreements are in place to ensure that fair assessment practices are being upheld.</p>	Feb 1, 2022 – Establishing formal agreements with 3 rd party trainers.
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	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 10 & 11”)	FRPA Review Officer Comments
<p>Update 1 (Due: Feb 15, 2022)</p>	<p>The Guide for applicants seeking certificate has been drafted by the Technical Safety Division and is undergoing a plain language review and edit before being posted online in March 2022. The requirements for an applicant to receive a Certificate of Competency (Certificate) under the <i>Amusement Device Safety Act</i> and General Regulations will appear on the Amusement Device Safety webpage and in the downloadable PDF Guide*, which provides clear instructions to an applicant on the documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, fees (including where this is no fee), and timelines. Availability of online and classroom training, certification exam dates and locations (virtual and in person sittings) will be updated on the Amusement Device Safety webpage. The Guide clearly identifies Divisional contacts and resources including education, training and experience requirements, decisions timelines including those for an internal review and/or appeal of a decision.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Amusement Device Safety webpage. It is expected this information will be in the public domain in March 2022.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

	<p>The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>The Technical Safety Division continues to identify North American third party providers of training for large scale amusement device operations (midways) and specific devices such as waterslides. Approved training providers, including those delivered online, will be clearly listed on the Amusement Device Safety webpage. Because no training is being delivered on behalf of the Province of Nova Scotia, no third-party agreement has been required.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	
<p>Update 2 (Due: Feb 15, 2023)</p>	<p>LSI Amusement Devices: Classifications and Licence Requirements webpage has been updated with current information for an applicant seeking to obtain an Amusement Device Mechanic Certificate of Competency. The page outlines the type and scope of work that requires a Certificate; certification requirements (practical hours, recognized training, exam); classification levels; application process with downloadable application form, and exam information with links to online training and exam (restricted certification for inflatable devices only). The webpage also provides an overview of information, process and requirements for recognition of international credentials; transferring qualifications from Canadian province or territory outside Nova Scotia with downloadable Application for Amusement Device Mechanic Certificate/Application for Transfer of Certification from another province or territory; application review process with timelines, fees (no cost for restricted amusement device training course, restricted exam, or renewal); renewal frequency, and address change requirements with link to LSI Safety Branch email address. The webpage also has links to the Amusement Devices Safety Act and General Regulations for additional information and requirements.</p> <p>The Guide described in the 2022 update has been drafted by Technical Safety and the public release is delayed to spring 2023. The Guide continues to undergo a plain language review prior to being posted in the public digital domain in spring 2023.</p>	<p>This “update 2” (which includes the information found through the link provided) demonstrates compliance with the above noted “<i>Areas of non-compliance to be addressed</i>”.</p>

ALIGNMENT WITH THE FRPA	OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES
<i>Sections 8(d) and 16(3)(k)</i>	

Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	13	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - consider opportunities that might be available to support future success such as referral to a relevant training program, practice exam, etc. - provide information with respect to measures or programs that may be available to assist unsuccessful applicants in obtaining certification, at a later date 	<p>For applicants who are informed that their application for certification was unsuccessful, there will be a process developed by Technical Safety to provide the additional information, supports, and referrals necessary for an application to become successful in the future.</p> <p>The instructions and supports available to unsuccessful candidates will be made available in the public domain, digitally and in print. The process will be clear on available contacts, description of the supports available, and how/where such supports may be offered.</p> <p>Information, supports, and referrals provided by Technical Safety will be transparent and coordinated with government and industry partners to provide the applicant with the best opportunity to succeed on their next application.</p>	<p>Jun 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 13”)	FRPA Review Officer Comments
<p>Update 1 (Due: Feb 15, 2022)</p>	<p>In March 2022, the Technical Safety webpage will clearly outline the information, supports, and referrals necessary for an unsuccessful amusement device mechanic certificate applicant to succeed. The digital Guide will contain more detailed instructions and supports available to unsuccessful candidates.</p> <p>In the case of an unsuccessful application, contact will be made with the applicant by the Registrar, Chief Amusement Device Inspector, or other representative of the Technical Safety Division in writing by mail or e-mail to communicate the decision that the application was unsuccessful, providing the reasons, and the same information, support(s), and training referral(s) to remedy the area(s) that caused the application to be unsuccessful that are listed on the webpage and detailed in the guide.</p> <p>Information, supports, and referrals provided by the Division will be coordinated/linked with government and industry training partners to provide the applicant with the best opportunity to access resources succeed on their next application.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
<p>Update 2 (Due: Feb 15, 2023)</p>	<p>Delayed to 2023. Guide will clearly outline the information, supports, and referrals necessary for an unsuccessful amusement device mechanic certificate applicant to succeed. Currently no amusement-specific training program being offered or exam for (full) amusement device mechanic certification required in NS. Applicants demonstrate they meet the</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

	certificate qualifications by submitting any educational training program taken outside NS and detailed practical experience in the Application for Amusements Mechanic Certificate Competency.	
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(a), 10(1)(2)(4) and 16(3)(m)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	14 & 15	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a clearly defined process for an internal review of the registration decision which includes: <ul style="list-style-type: none"> - procedures - timeframes - opportunities the applicant has to provide new information and to make submissions in support of their position (e.g. documented evidence, hearing, etc.) - ensure that information on the internal review process is clear and easily accessible in the public domain through print and electronic media - document the timeline and process by which an applicant who has been denied registration is informed about the procedures and time frames for the internal review. 	<p>The existing Act and Regulations do not have provisions for an applicant to seek and receive an internal review or appeal of a decision made by the Chief Inspector. Provisions for an internal review by the Administrator of the Technical Safety Act will be applicable to the amusement device mechanic certificate once the Regulations are included under the Technical Safety Act.</p> <p>The short-term action will be to develop and implement a transparent process for review of application decisions and make that clearly known and accessible in the public domain for applicants who wish to appeal decisions. The process will include descriptions of process and how to request a review, parties involved, timelines, and how review decisions are communicated expected.</p>	<p>Jun 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 14 & 15”)	FRPA Review Officer Comments
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Update 1 (Due: Feb 15, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Amusement Device Safety webpage and in the Guide.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022. Guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 12 and 16(3)(j)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	16	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - develop and document a clearly defined process under which requests for access to records will be considered, including: - the process by which an applicant may make a request - any limitations with regards to access - any fees associated with the request 	The Division will develop a clear process for which a request by an applicant for access to their records will be considered. The options available, the request process, timelines, limitations to access, associated fees, and possible outcomes will be made transparently available in the public domain, digitally and in print.	Jun 1, 2021 – process and document development. Nov 1, 2021 – publishing to public domain (including print/website etc.)

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 16”)		FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for access to applicant records consistent with existing Provincial policy.		As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

	Once finalized, the policy, procedures, timelines, and fees will be clearly outlined in the public domain, including forms on the existing Technical Safety Amusement Device Safety webpage and in the Guide.	
Update 2 (Due: Feb 15, 2023)	Delayed to 2023. Update to be provided prior to February 1, 2024. Applicant can request access records by contacting general inquiry email on webpage.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 10(5) and 16(3)(n)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	17 & 18	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document the process that is used to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision - include in the description of the internal review process a statement to the effect that no one who acted as a decision maker in a registration decision may act as a decision maker in an internal review of the same decision 	<p>The existing Act and Regulations do not have provisions for an applicant to seek and receive an internal review or appeal of a decision made by the Chief Inspector. Provisions for an internal review by the Administrator of the Technical Safety Act will be applicable to the amusement device mechanic certificate once the Regulations are included under the Technical Safety Act.</p> <p>The short-term action will be to develop and implement a transparent process for review of application decisions and make that clearly known and accessible in the public domain for applicants who wish to appeal decisions. The process will include descriptions of process and how to request a review, parties involved, timelines, and how review decisions are communicated expected.</p> <p>The process design will ensure that no one who acted as a decision-maker in an application decision may act as a decision-maker in an internal review of the same decision. A description of the internal review process and a statement clarifying that no one who acted as a decision maker in an application decision may act as a decision maker in an internal review of the same decision will be accessible in the public domain.</p>	<p>Jun 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 17 & 18”)	FRPA Review Officer Comments
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<p>Update 1 (Due: Feb 15, 2022)</p>	<p>Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews.</p> <p>Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Amusement Device Safety webpage and in the Guide.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
<p>Update 2 (Due: Feb 15, 2023)</p>	<p>Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.</p> <p>Delayed to 2023: Guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 10(3)</i>				
Action required	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
	19	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons - the internal review process describes the timeframe for a decision to be communicated to the applicant 	<p>The Division will develop a process and set timelines for communicating a written internal review decision and supporting reasons to the applicant in accordance with the Act, Regulations and the FRPA. The process will be made available in the public domain (digital and print) and will clearly state the timeframes for the applicant to submit a review request, the review process, and decision to be communicated to the applicant. This process will also tie-in with the process for applicants to receive additional support as outlined in the Action Plan for Question 13.</p>	<p>Jun 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>

	<p align="center">Regulator Action Plan updates for above noted Areas of non-compliance (“Question 19”)</p>	<p align="center">FRPA Review Officer Comments</p>
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Update 1 (Due: Feb 15, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Amusement Device Safety webpage and in the Guide.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 15, 2023)	Guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons and the timeframe for a decision to be communicated to the applicant. Internal policy and guidelines for applicants being developed in 2023.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 11, 16(3)(p)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	20	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review. - develop a plan and document training provided to individuals who make internal review decisions 	The Division will outline the process and seek out and complete appropriate training for an internal review process for the decision-maker.	September 30, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 20”)		FRPA Review Officer Comments
Update 1 (Due: Feb 15, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the <i>Technical Safety Act</i> Administrator, who will conduct internal reviews.		As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

	Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Amusement Device Safety webpage and in the Guide.	
Update 2 (Due: Feb 15, 2023)	<p>Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022</p> <p>Delayed to 2023: Guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:



Name (print): _____Jeff Dolan, Executive Director_____

DATE: 2023-03-28