
Technical Safety Division: Department of
Labour & Advanced Education – Amusement
Devise Mechanics

Fair Registration Practices Act (FRPA)
Review Report
February 2021

Province of Nova Scotia



EXECUTIVE SUMMARY

Under section 16 of the Fair Registration Practices Act (FRPA), all regulating bodies in Nova Scotia are required to review their registration practices and file a report on the results of the review with the Review Officer. The Review Officer works collaboratively with regulators to gather information in an established report format, to ensure that information on current registration practices is accurately represented, and to identify gaps in registration practices which would result in a regulator action plan to rectify any issues that may have been identified with compliance.

The Review Officer worked with the Technical Safety Division over a period of six months to complete this review. Questions to probe the status of registration practices were posed, the regulator engaged in a process of self-examination and provided written responses to the questions (see Analysis of Registration Practices). Responses were examined by the Review Officer and measured against the standard set forth in the FRPA to identify any gaps in registration practices. Based on this process, the Review Officer has determined that not all registration practices are compliant with the FRPA at this time. As a result, this report includes both an overview of the current registration practices of the Technical Safety Division for Amusement Device Mechanics and an action plan to address some high priority gaps moving forward.

The Technical Safety Division is reviewing the existing Amusement Devices General Regulations (the “Regulations”) of the Amusement Device Safety Act (the “Act”). The Act was repealed with the passing of the new Technical Safety Act in 2008, however the provisions of the new legislation that repeal the Act have not been proclaimed. Therefore, the Act remains in effect. Once the Regulations are appropriately revised for inclusion under the encompassing Technical Safety Act as planned, the provisions repealing the Amusement Devices Safety Act can be proclaimed. This situation may have had an impact on the FRPA review in which findings show a lack of well-defined practices and an absence of publicly available information on registration practices for Amusement Device Mechanics.

The Technical Safety Division used this review process as an opportunity for self-audit and to identify areas for improvement both in the interim and into the future. The regulator has acknowledged the findings and has taken the first step to address areas of non-compliance by developing an Action Plan (see Appendix A). Fourteen plans for action are identified to address practices that are currently not compliant with the FRPA. They are summed up as follows:

- Provide information in a clear and understandable form to individuals, including individuals qualified in another jurisdiction in Canada, as well as those who received their qualifications outside of Canada. This will include clear instructions on what documentation must accompany applications;
- Provide information setting out any fees for registration, even if those fees are \$0;
- Develop 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;
- Provide information about any support provided to applicants during the registration process;

- Develop a policy on how to work with applicants who may require accommodations during the registration process;
- Document all criteria that are used to assess whether requirements for certification have been met;
- Provide information with respect to measures or programs that may be available to assist unsuccessful applicants in obtaining certification, at a later date;
- Develop and document a clearly defined process under which requests for access to records will be considered;
- Establish a process for internal review of the registration decision that is compliant with the FRPA, include timeframes and the provision to provide written decisions with reasons;
- Develop a process 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; and
- Develop a plan and document training provided to individuals who make internal review decisions.

These actions are accompanied by a commitment to increase transparency by ensuring that registration practices are in plain language, fully accessible and available in the public domain. The Technical Safety Division has committed to implementing actions associated with transparency by November of 2021. Since most current registration practices lack clear definition, work on process and policy development is being prioritized and is expected to be complete by June 2021. All other actions will be addressed by February of 2022.

The Technical Safety Division has demonstrated engagement in the FRPA review process and has given every indication that planned actions to rectify areas of non-compliance will be addressed. The FRPA Review Office will look for an update on the Action Plan in February 2022.

Sincerely,



Patricia Mertins
Review Officer, Fair Registration Practices Act (FRPA)

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I: INTRODUCTION

1.1. THE FAIR REGISTRATION PRACTICES ACT

[The Fair Registration Practices Act](#) (FRPA; the Act) applies to 48 [regulatory bodies](#) in Nova Scotia, covering 58 occupations and 21 designated trades. A regulatory body (regulatory authority or regulator) sets the standards and regulates how people practice as members of an occupation. Everyone who practices within a regulated occupation 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 Regulatory 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

The Technical Safety Division of the NS Department of Labour and Advanced Education works with its partners and stakeholders to achieve compliance with safety legislation, regulations, and adopted standards for the work and equipment required for approved fuel installations, electrical installations, boilers and pressure equipment, power engineering, elevating devices, crane operations, and amusement devices. Regulatory compliance is achieved by engaging with stakeholders to set the requirements, promoting education and awareness of the requirements and how to comply, verifying that compliance is being achieved through inspections and other means, and enforcing the rules when required.

To work in a regulated Technical Safety trade or occupation, an applicant may be required to seek authority to engage in the practice of an occupation or use a designation, license, or certification granted by the Technical Safety Division. A link to the Technical Safety Division website can be found [here](#)

The Technical Safety Division (the “Division”) is reviewing the existing Amusement Devices General Regulations (the “Regulations”) of the Amusement Device Safety Act (the “Act”). The Act was repealed with the passing of the new Technical Safety Act in 2008, however the provisions of the new legislation that repeal the Act have not been proclaimed. Therefore, the Act remains in effect. Once the Regulations are appropriately revised for inclusion under the encompassing Technical Safety Act as planned, the provisions repealing the Amusement Devices Safety Act can be proclaimed.

Amusement Device Mechanic (Mechanic) Certificate of Competency

The Amusement Devices General Regulations (Regulations) made under the *Amusement Devices Safety Act* (Act) define a mechanic as a person who has a working knowledge of the Act, Regulations, and the applicable prescribed safety standards respecting the amusement device(s) on which the mechanic is assigned to work and holds a mechanic certificate of competency issued by the Chief Inspector.

An owner of a licensed amusement device must ensure it is constructed, installed, altered, repaired, maintained, serviced, tested, and inspected daily by a mechanic, or by a person who is directly supervised by a mechanic.

II: ANALYSIS OF REGISTRATION PRACTICES

As per Section 16 of the Act, the registration practices of a regulating body must be reviewed, and a public report produced. The FRPA Office works with regulatory bodies to assess the registration practices against the compliance criteria and develop an Action Plan to help each organization comply with the Act and improve registration practices, if applicable.

The Technical Safety Division: Amusement Devise Mechanic’s responses to the FRPA Review Survey are detailed below, along with the Review Findings determined by the Review Officer in accordance with the Act.

SECTION I: INFORMATION AND REGISTRATION PROCEDURES

This section asks questions about all practices and policies your organization may use to provide information to the applicant 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 the applicant’s request for registration. Documentation examples could include transcripts, certificates, job descriptions, articles, letters of support, and evaluations. All communication to and from the applicant should be clear and understandable to all individuals, including those who may have received their qualifications outside of Canada.

QUESTION 1

Explain/describe, in detail, your registration/application requirements. Please include an overview of the process and a list of all documents (Examples: transcripts, certificates, job descriptions, articles, letters of support, and evaluations) that applicants are required to submit during the registration/application process. If your registration/application process is different for each license type, list the process for each license type in the chart included.

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

RESPONDENT ANSWER

Explain the process of how the requirements for registration/application are to be met by an applicant (if different by licence/certification type, include an outline by each type).

The Chief Inspector may issue a mechanic certificate on receiving a completed application in a form approved by the Chief Inspector from an applicant, together with all of the following:

- (a) documented evidence that the applicant has worked for at least 3 years constructing, installing, altering, repairing, maintaining and servicing amusement devices, for a minimum of 800 hours of work per year;
- (b) an affidavit from the applicant’s employer that verifies that the applicant is competent to carry out their duties as a mechanic, including verification of any practical skills gained from technical training the applicant may have taken;
- (c) proof that the applicant has successfully passed the amusement devices mechanics training courses approved by the Chief Inspector.

For an applicant who constructed, installed, altered, repaired, maintained and serviced amusement devices before the date that these regulations come into force, the Chief Inspector may issue the applicant a mechanic certificate on receiving a completed application in a form approved by the Chief Inspector, together with all of the following:

- (a) documented evidence satisfactory to the Chief Inspector that the applicant has been doing the work described continuously for the 3 years immediately before the date that these regulations come into force, for a minimum of 800 hours of work a year;
- (b) documented evidence satisfactory to the Chief Inspector of the applicant’s practical skills and related technical training;
- (c) proof that the applicant has successfully passed an amusement devices mechanics examination approved by the Chief Inspector.

The formal application form is not published but stored within the departments files and is titled “Application for a Certificate of Competency” which is sent via email when an individual requests it from the department. The application form requires the following information:

- **Section 1:** Name, Address, Contact Information, Birth Date
- **Section 2:** Education, Secondary School, Post-Secondary School, Amusement Device Education
- **Section 3:** Identification of practical experience in construction, maintenance, service, or inspection of various types of Amusement Devices
- **Section 4:** References to attest to your qualifications and technical experience
- **Section 5:** Verification Statement “I am familiar with the Nova Scotia Amusement Devices Safety Act and General Regulations, and understand my obligations stated therein.”
- **Section 6:** Verification Statement and signature “I hereby certify that the information supplied by me on this application form, including any attachments, is true and correct to the best of my knowledge.”

Once an application is approved by the Chief Inspector, a mechanic certificate is issued by the LAE Technical Safety Division in a form approved by the Chief Inspector. A printed certification card is issued by LAE Technical Safety Division to the applicant upon approval.

Despite any other provision in these regulations, a mechanic certificate is not required until 12 months from the date these regulations come into force.

The above section applies to both an Amusement Mechanic and a Restricted Amusement Mechanic (inflatable rides)

The formal application form is not published but stored within the departments files and is titled “Application for a Certificate of Competency” which is sent via email when an individual requests it from the department. The application form requires the following information:

- **Section 1:** Name, Address, Contact Information, Birth Date
- **Section 2:** Education, Secondary School, Post-Secondary School, Amusement Device Education
- **Section 3:** Identification of practical experience in construction, maintenance, service, or inspection of various types of Amusement Devices
- **Section 4:** References to attest to your qualifications and technical experience
- **Section 5:** Verification Statement “I am familiar with the Nova Scotia Amusement Devices Safety Act and General Regulations, and understand my obligations stated therein.”
- **Section 6:** Verification Statement and signature “I hereby certify that the information supplied by me on this application form, including any attachments, is true and correct to the best of my knowledge.”

Once an application is approved by the Chief Inspector, a mechanic certificate is issued by the LAE Technical Safety Division in a form approved by the Chief Inspector. A printed certification card is issued by LAE Technical Safety Division to the applicant upon approval.

Despite any other provision in these regulations, a mechanic certificate is not required until 12 months from the date these regulations come into force.

The above section applies to both an Amusement Mechanic and a Restricted Amusement Mechanic (inflatable rides)

RESPONDENT ANSWER

Please provide the additional information in the grid below (if you have a published document, or even an associated policy, please provide the link to that published document/policy). Documents need to be provided for each license/certification type, if applicable.

OCCUPATION/LICENCE/CERTIFICATION TYPE (ONE ROW PER TYPE)	LIST OF REGISTRATION DOCUMENTS BY OCCUPATION/LICENCE/CERTIFICATION TYPE	LINK TO PUBLISHED DOCUMENT, IF APPLICABLE
• Amusement Mechanic	• An application form is sent to the applicant, but the form is not published (See details above)	•
• Restricted Amusement Mechanic	• An application form is sent to the applicant, but the form is not published (See details above)	•
•	•	•
•	•	•

COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body provides applicants with information about their registration practices, including the registration process and documents that applicants are required to submit during the process; and • the respondent’s answer describes the registration requirements and the process for meeting them. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide applicants with information about their registration practices, specifically, the registration process and documents that applicants are required to submit during the process; or • the respondent’s answer does <i>not</i> describe the registration process and the process for meeting them.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS : REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Response describes requirements for Amusement Device Mechanic but not the Restricted Amusement Mechanic. The second section describes requirements permissible prior to the date regulations came into force. Are these still relevant? Documentation requirements are unclear – what documentation of qualifications must accompany an application? For example: The form implies there is a requirement for secondary, post-secondary and Amusement Device education. What evidence of education is required? The process is not clear. How does the applicant initiate the process? At what stage in the process is the application form submitted? Is training completed before or after submission of the application? To be compliant with the FRPA regulating bodies must have clear information about registration practices, what documentation of qualifications must accompany an application, and an explanation of how the requirements for registration are to be met.</p>

QUESTION 2

How is the registration/application process communicated to the applicant?

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

RESPONDENT ANSWER

Select all that apply:

Paper (hard copy) in the form of a fact sheet/pamphlet or handbook

Available online to download (in the form of a fact sheet/pamphlet or handbook in PDF or another format)

Email

Website

Other: **explain your communication process if not listed above** When an applicant contacts the LAE Technical Safety Division, information is provided verbally and emailed as requested. The application for the certificate of competency contents are outlined in question #1. The application is not currently available online for an applicant to download.

COMPLIANCE CRITERIA

Compliant:

- The regulating body makes requirements for registration available to applicants (they select at least 1 response option); and
- the respondent's answer describes how the requirements for registration are made available to applicants.

Not compliant:

- The regulating body does *not* make requirements for registration available to applicants (they do not select any response options); or
- the respondent's answer does *not* describe how the requirements for registration are made available to applicants.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

Compliant

Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

Applicants must initiate contact with LAE Technical Safety Division to obtain information on requirements for registration. There is no website or information available in the public domain. Applicants should have access to plain language information maintained and made available by the regulating body. Although a Technical Safety rep can be contacted for information, clear and understandable information including the application form, documentation requirements and the registration process is not accessible for applicants. To be

compliant with the FRPA regulating bodies must provide information to applicants in a clear and understandable form, including information on what documentation of qualifications must accompany an application.

QUESTION 3

Is the registration/application process different for applicants who have received their qualifications (Example: education, experience, etc.) outside of Canada? If so, is the different registration/application process documented? Provide a link to the published document, if applicable. (Example: online)

Alignment with FRPA: *Sections 3, 6, 7(a through f) and 16(3)(a)*

RESPONDENT ANSWER

Please provide information in the chart below, with a separate answer per licence/certification type:

LICENSE TYPE	YES/NO	IF YES, EXPLAIN THE DIFFERENCE	PROCESS DOCUMENTED YES/NO	LINK TO PUBLISHED DOCUMENT, IF APPLICABLE
• Amusement Mechanic	• No	•	• No (an application form is sent to the applicant, but the form is not published as noted in Question #1)	•
• Restricted Amusement Mechanic	• No	•	• No (an application form is sent to the applicant, but the form is not published as noted in Question #1)	•
•	•	•	•	•

COMPLIANCE CRITERIA

Compliant:

- The respondent’s answer indicates whether a registration/application process is different (response = “yes” or “no”).
- If there are any differences in the registration/application process for applicants who have received their qualifications outside of Canada (response = “yes”), the respondent describes those differences.

Not compliant:

- The respondent’s answer does *not* indicate whether a registration/application process is different (no response, either “yes” or “no”).
- If there are any differences in the registration/application process for applicants who have received their qualifications outside of Canada (response = “yes”), the respondent’s answer does *not* describe the differences.

REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Response indicates internationally qualified applicants must follow the same registration process and are subject to the same documentation requirements. At the very least an international applicant will have different documents as evidence of their qualification. Could these be assessed for equivalency? An alternative registration process should be available for international applicants, along with any other information pertaining to the differences such as documentation requirements. Could an applicant begin this process outside Canada? What documents would an international applicant need to submit to be considered sufficiently equivalent? Are there any other requirements such as translation? To be compliant with the FRPA regulating bodies are required to provide information in a clear and understandable form to individuals who received their qualifications outside of Canada.</p>

QUESTION 4

Is the registration/application process different for individuals who are registered in another Canadian province/territory?

Alignment with FRPA: *Sections 3, 6, 7(a through f) and 16(a)*

RESPONDENT ANSWER

Please provide a separate answer per licence/certification type:

LICENSE TYPE	YES/NO	IF YES, EXPLAIN THE DIFFERENCE
<ul style="list-style-type: none"> Amusement Mechanic 	<ul style="list-style-type: none"> No 	The Chief Inspector may issue a mechanic certificate to an out-of-Province applicant on receiving a completed application in a form approved by the Chief Inspector from the applicant, together with all of the following: <ul style="list-style-type: none"> (a) documented evidence that the applicant has worked for at least 3 years constructing, installing, altering, repairing, maintaining and servicing amusement devices, for a minimum of 800 hours of work per year; (b) documented evidence satisfactory to the Chief Inspector of the applicant’s practical skills and related technical training; (c) proof that the applicant has successfully passed an amusement devices mechanics examination approved by the Chief Inspector.
•	•	•
•	•	•

COMPLIANCE CRITERIA

Compliant:

- The respondent’s answer describes a registration/application process, that is aligned with the CFTA, for applicants who have received their qualifications or are already registered outside of Nova Scotia.

Not compliant:

- The respondent’s answer describes a registration/application process, that is *not* aligned with the CFTA, for applicants who have received their qualifications or are already registered outside of Nova Scotia.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

- Compliant
- Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

Would the process described also work for international applicants? In the process described, what would the documentation requirements be? How do you qualify for the exam? Who administers the exam? What do you have to achieve to be successful? Process and documentation requirements are not clear. There is no process described for those who are certified Amusement Devise Mechanics in another Canadian jurisdiction, as required under the CFTA - certificate should be granted on the basis of the applicant’s current certification, without

requirement for additional material assessment, training or experience. To be compliant with the FRPA regulating bodies must provide information in a clear and understandable form to individuals who have received their qualifications in another jurisdiction in Canada, including those who are already registered in another jurisdiction (CFTA transfers).

QUESTION 5

Are there fees attached to the registration/application process? If so, how is this information communicated to the applicant? (Example: information available on website, paper form, email)

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

RESPONDENT ANSWER

Yes

No

If yes, explain the process of how this information is communicated.

Insert a website link of where this information is communicated, if applicable.

Provide the fee for the registration/application process (linked to your piece of the registration/application process only), as of the date this review is completed.

There is no fee for an amusement mechanic certificate of competency other than the cost of the training. This can fluctuate depending on the education provider or means of delivering the content created by the Technical Safety Division. It is important to note that the LAE Technical Safety Division has the course material but currently there is no education provider for the course offering, due to recent retirements. The content and method for delivery (classroom and/or online) is in development and will be part of the FRPA action plan.

COMPLIANCE CRITERIA

Compliant:

- The regulating body provides applicants with information on any fees for registration; and
- the respondent's answer states any fees charged for registration, even if the fees are not applicable or \$0.

Not compliant:

- The regulating body does *not* provide applicants with information on any fees for registration; or
- if fees are charged for registration, even if the fees are not applicable or \$0, the respondent's answer does *not* state the fees.

REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: No fees are charged, other than those required for training (currently under development). Information on fees for registration, even if they are '0' should be communicated publicly. This information is not currently communicated. To be compliant with the FRPA regulating bodies provide information in accessible manner setting out any fees for registration.

QUESTION 6

Do you have a process to accept alternative information when the required documents cannot be obtained by the applicant, for reasons beyond their control (Example: a sworn statement in lieu of full documentation)?

Alignment with FRPA: *Sections 7(f), 9(b) and 16(3)(d)*

RESPONDENT ANSWER

Yes

No

If yes, please explain the process:

COMPLIANCE CRITERIA

Compliant:

- The regulating body advises applicants on alternative information that applicants may provide when they cannot obtain documentation of their qualifications for reasons beyond their control; and
- the respondent's answer describes any such alternative information.

Not compliant:

- The regulating body does *not* advise applicants on alternative information that applicants may provide when they cannot obtain documentation of their qualifications for reasons beyond their control; or
- the respondent's answer does *not* describe the alternative information.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

Compliant

Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

There is no description of acceptable alternative information to ensure that every application is managed in an impartial way. To be compliant with the FRPA regulating bodies have guidelines that describe expectations regarding documentation and alternatives that would be acceptable when documentation cannot be obtained (high school diploma, technical training certificate, etc.)

QUESTION 7

Do you provide any support to applicants during the registration/application process (Examples: coaching, referrals, explanation of registration requirements)?

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

RESPONDENT ANSWER

- Yes
- No
- When required

If yes or when required, what types of support are provided to applicants during the registration/application process?

When the applicant contacts the office, the information is provided verbally on the application process, requirements for successful approval, and information of training providers. Application form is provided upon request.

COMPLIANCE CRITERIA

Compliant:

- The respondent's answer includes information about any support they provide to applicants during the registration process.

Not compliant:

- The respondent's answer does *not* describe any support they provide to applicants during the registration process.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

- Compliant
- Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

The response indicates that information regarding registration requirements is provided when the applicant contacts the office. Does the applicant have access to contact information? Since training is not currently available, how would an interested applicant be supported? To be compliant with the FRPA regulating bodies provide information about the supports they provide to applicants during the registration process in an accessible manner and at all times.

QUESTION 8

Do you have a policy and/or process on how to work with an applicant during the registration/application process that may have a physical or mental disability and requires an accommodation when registering/applying? If applicable, please provide a link to your policy and/or process. This is for the registration/application process only and not a workplace accommodation.

Alignment with FRPA: *Section 16(3)(h)*

Note: A physical or mental disability includes any persons with a disability (consisting of a physical, cognitive, or mental impairment), that presents a persistent barrier to securing and/or retaining work. For more information visit the following links to the applicable Government of Nova Scotia legislation:

https://nslegislature.ca/legc/bills/62nd_3rd/3rd_read/b059.htm

<https://nslegislature.ca/sites/default/files/legc/statutes/human%20rights.pdf>

Examples of accommodations for this purpose can include, but is not limited to:

- Assistance in completing application forms
- Provision of additional time provided to complete exams
- Provision of an application in braille
- Provision of audio-visual equipment
- In person meetings/interviews/hearings
- Other accommodations such as paper color, larger font, etc.

**RESPONDENT
ANSWER**

Yes

No

N/A

If yes, provide a description of the policy/process? (if you have a link to a published policy/process, please include in your response)

If no, what would the process be if an accommodation were to be required?

	<p>The Technical Safety Division adheres to the applicable provincial and federal legislation, as well as the policies and processes of the Nova Scotia Public Service on how to work with an applicant during the registration/application process who may have a physical or mental disability and requires an accommodation when registering/applying.</p> <p>If N/A, please explain why this is not applicable to your registration/application process / practices?</p>
<p>COMPLIANCE CRITERIA</p>	<p>Compliant:</p> <ul style="list-style-type: none"> The respondent's answer includes a description of any existing accommodation policies for applicants with a physical or mental disability. <p>Not compliant:</p> <ul style="list-style-type: none"> The respondent's answer does <i>not</i> describe any existing accommodation policies/processes for applicants with a physical disability or mental disability.
<p>REVIEW FINDINGS</p>	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
<p>COMMENTS: REVIEW FINDINGS</p>	<p>Comments, to be completed by the FRPA Review Office:</p> <p>The answer refers to applicable provincial and federal legislation as well as policies and processes of the NS Public Service but does not describe any existing accommodation policies/processes for applicants with a physical or mental disability. Ensuring impartial registration practices for all applicants and compliance with the FRPA requires that the regulating body document a description of the accommodation practices (how to request and guidelines pertaining to types of accommodations) they make available to applicants.</p>

QUESTION 9

Is your accommodation policy and/or process adaptable if a new situation arises? (Example: translation was not covered in the policy, but a request for an alternate language was requested)

Alignment with FRPA: *This is to provide additional information and identify if there are areas that the FRPA Review Officer may be able to assist, if applicable*

RESPONDENT ANSWER

Yes

No

If yes, explain how and what steps would be taken to adapt this policy.

If no, what would occur with that applicant if the policy/process could not be adapted?

Consideration would be given to the applicant's circumstances and disability and the application of the provincial policy would be adapted to ensure that the processes are fair, transparent, objective, impartial, and procedurally fair for that individual or group

COMPLIANCE CRITERIA

Compliant:

- NA

Not compliant:

- NA

REVIEW FINDINGS

To be completed by the FRPA Review Office:

NA

NA

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

The written description, when developed, should be adaptable if a new situation arises.

SECTION II: ASSESSMENT CRITERIA AND COMMUNICATION OF DECISION PROCESSES

This section will explore assessment practices and how these practices are communicated to an applicant. An assessment measures an applicant’s skills, knowledge, qualifications, and credentials against the standard that must be met by your regulating body to be granted a licence/certification. Information on the criteria (Examples: exam material, competency information, work experience, requirements, etc.) used for assessment, how that information is communicated to the applicant, and how final registration/application decisions are provided will be requested in this section.

QUESTION 10

Are the criteria for meeting the requirements of registration/application documented? (Examples: exam marks, work experience requirements). If a third-party assessor is used for assessment, please describe their role in the space provided.

Alignment with FRPA: *Sections 16(3)(b) and 16 (3)(i)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, how/where is this documented (Example: in an internal policy)? The criteria for meeting the requirements of the application are described in Question #1. These are documented and reviewed/approved by the Chief Inspector. If there is a third-party assessor utilized in the process, briefly describe the role of that assessor:
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none"> • The respondent’s answer describes how/where the criteria for meeting the requirements of registration/application are documented; and • the respondent’s answer describes the role of any third-party assessors. Not compliant: <ul style="list-style-type: none"> • The respondent’s answer <i>does not</i> describe how/where the criteria for meeting the requirements of registration/application are documented; or • if a third party is used for assessment, the respondent’s answer <i>does not</i> describe the role of the third-party assessors.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: Response refers to requirements described in question 1. Criteria used to assess applications are different from the requirements for certification. How does the decision-maker determine that the applicant has met requirements for certification? This would be the standard that the applicant must attain to be successful. For example: level of high school required, approved training programs and/or competencies, expectations in relation to experience such as areas of expertise and hours specific to each category of expertise, exam score and required knowledge, etc. There is no reference to a third-party assessor. As referenced in a previous response, if a training provider is contracted in the future, there will be a third party involved. To be compliant with the FRPA regulating bodies must have in place transparent and objective assessment criteria to determine eligibility for registration including benchmarks for all requirements of registration.
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QUESTION 11

How are the criteria that you use to assess the requirements for registration/application made available to applicants?

Alignment with FRPA: *Section 7(a) and (d)*

RESPONDENT ANSWER	<p>Select all that apply</p> <p><input checked="" type="checkbox"/> Paper (hard copy) in the form of a fact sheet/pamphlet or handbook</p> <p><input type="checkbox"/> Available online to download (in the form of a fact sheet/pamphlet or handbook in PDF or another format)</p> <p><input checked="" type="checkbox"/> Email</p> <p><input type="checkbox"/> Website</p> <p><input checked="" type="checkbox"/> Other, explain your communication process if not listed above: When the applicant registers with the divisional clerk for the amusement mechanic training, any further requirements would be identified at that time.</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none">The regulating body provides applicants with a description of the criteria used to assess whether they meet the requirements for registration (they select at least 1 response option). <p>Not compliant:</p> <ul style="list-style-type: none">The regulating body does <i>not</i> provide applicants with a description of the criteria used to assess whether they meet the requirements for registration (they do not select any response options).
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p>

As per question 10, criteria used to assess an application are more specific than the requirements for registration. Information on approved training programs, pass marks, competencies, etc. should be available to applicants in an accessible manner and at all times. To be transparent and compliant with the FRPA the regulating body must provide applicants with a description of the criteria that will be used to determine if they are eligible for registration.

QUESTION 12

Do you have a process for providing the reason(s) why a registration/application is not approved?

Alignment with FRPA: *Sections 8(c) and 10(3)*

RESPONDENT ANSWER

Yes

No

If Yes, explain the process (Example: written decision, provision of information about the appeal process, etc.):

A registration would not be approved if the applicant had an incomplete application, did not meet the minimum work experience requirements, or did not make the required 70% on the test or exam. The decision and reasons would be communicated to the applicant in writing by the Chief Inspector.

If No, explain why not (Example: registration/applications are always approved, only provided when requested, etc.):

COMPLIANCE CRITERIA

Compliant:

- The regulating body provides applicants who are not granted registration with a written decision that includes the reason(s) why.

Not compliant:

- The regulating body does *not* provide applicants who are not granted registration with a written decision that includes the reason(s) why.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

Compliant

Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

QUESTION 13

Do you provide supports/referrals/information to unsuccessful applicants after a decision has been communicated to the applicant? (Examples: referrals to education institutions to gain additional credentials, bridging programs, etc.)?

Alignment with FRPA: *Sections 8(d) and 16(3)(k)*

RESPONDENT ANSWER

Yes

No

If yes, what types of supports/referrals/information do you provide to unsuccessful applicants after a decision has been communicated?

COMPLIANCE CRITERIA

Compliant:

- The regulating body provides, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; and
- the respondent's answer describes any other supports/referrals/information provided to unsuccessful applicants.

Not compliant:

- The regulating body does *not* provide, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; or
- if the regulating body does provide any other supports/referrals/information to unsuccessful applicants (response = "yes"), the respondent's does *not* describe this supports/referrals/information.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

Compliant

Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

Where relevant, regulating bodies must provide unsuccessful applicants with information to enable them to be successful in the future. The answer does not describe any supports/referrals/information provided to unsuccessful applicants such as referral to a relevant training program, a practice exam, etc. To be compliant with the FRPA regulating bodies provide information respecting measures or programs that may be available to assist unsuccessful applicants in obtaining registration at a later date.

SECTION III: INTERNAL REVIEW/APPEAL PROCESS

Section 10 of the Act states “Where a regulating body does not provide 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.” This section focuses on the internal review/appeal process, including opportunities for an applicant to provide new information for a decision and details surrounding the decision-makers involved in the internal review/appeal process. Additionally, information on the training provided to individuals who make internal review/appeal decisions will be required.

QUESTION 14

Do you have a process for an applicant to request an internal review/appeal after a decision has been made on the registration/application? Include how this process is communicated to the applicant.

Alignment with FRPA: *Sections 7(a), 10(1)(2)(4) and 16(3)(m)*

RESPONDENT ANSWER

Yes

No

If yes, explain the internal review/appeal process and how it is communicated.

If no, what do you do if an internal review/appeal is requested?

COMPLIANCE CRITERIA

Compliant:

- The regulating body provides an internal review process for applicants who are not granted registration, including opportunities for applicants to make submissions respecting such review; and
- the respondent’s answer includes a description of the internal review process, including how it is communicated to applicants.

Not compliant:

- The regulating body does *not* provide an internal review process for applicants who are not granted registration, including opportunities for applicants to make submissions respecting such review; or
- the respondent’s answer does *not* include a description of the internal review process, including how it is communicated to applicants.

REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>The response indicates that currently there is no internal review process available for applicants who wish to appeal the registration decision. To be compliant with the FRPA regulating bodies must have a documented internal review process and provide it to applicants who are not granted registration. The process must include a description of opportunities the applicant has to provide new information and to make submissions with respect to an internal review.</p>

QUESTION 15

Do you have a timeframe for applicants to submit a request to initiate an internal review/appeal, after a decision has been issued?

Alignment with FRPA: *Sections 7(a) and 10(1)*

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what is the timeframe that an applicant has, to initiate the internal review/ appeal process (in days)?
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none">• The regulating body has established a timeframe within which they must provide applicants with an internal review/appeal; and• the respondent's answer includes a timeframe. Not compliant: <ul style="list-style-type: none">• The regulating body has <i>not</i> established a timeframe within which they must provide applicants with an internal review/appeal; or• the respondent's answer does <i>not</i> include a timeframe.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of a documented internal review process, there is currently no established timeframe within which applicants are provided with an internal review/appeal. "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."

QUESTION 16

Do you have a process for which an applicant can request access to records from the registration/application?

Alignment with FRPA: *Sections 12(4), 16(3)(j) and 16(3)(n)*

RESPONDENT ANSWER

- Yes
 No

If yes, please describe the process, and include the associated fees, for the individual to obtain the records from the applicant's file. (Examples: application forms, reference letters, transcripts, criminal background checks, certificates of professional conduct, proof of good standing in another jurisdiction, etc.)

An applicant is entitled to contact the Technical Safety Registrar for documents pertaining to their personal file only. Depending on the information requested (i.e. internal e-mails and other communications pertaining to the applicant and their file), the applicant may be instructed to make a *Freedom of Information and Protection of Privacy Act* request.

COMPLIANCE CRITERIA

Compliant:

- The regulating body has a process under which requests for access to records are considered; and
- the respondent's answer provides a description of the process.

Not compliant:

- The regulating body does *not* have a process under which requests for access to records are considered; or
- the respondent's answer does *not* provide a description of the process.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

- Compliant
 Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

The answer does not describe an access to personal records process. To be compliant with the FRPA the regulating body shall establish a process under which requests for access to records will be considered.

QUESTION 17

Are the individuals who acted as decision-makers in respect to the initial registration decision different than the decision-makers in the internal review/appeal?

Alignment with FRPA: Sections 10(5) and 16(3)(n)

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none">The respondent's answer states that no one who has acted as a decision maker for a registration decision has also acted as a decision maker in an internal review/appeal. Not compliant: <ul style="list-style-type: none">The respondent's answer does <i>not</i> state that no one who has acted as a decision maker for a registration decision has also acted as a decision maker in an internal review/appeal.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of a documented internal review process, there is currently no statement to say that internal review decision-makers are separate from the initial decision-makers. To be compliant with the FRPA the regulating body will ensure that no one who acted as a decision-maker in respect of a registration decision may act as a decision-maker in an internal review of the same decision.

QUESTION 18

Explain the process that is used to ensure that the initial decision-maker for the registration/application of an applicant is different than the decision-maker in the internal review/appeal process.

Alignment with FRPA: *Sections 10(5) and 16(3)(n)*

RESPONDENT ANSWER	Explain the process: The process is not developed/implemented to ensure that no one who acted as a decision-maker in a registration decision also acts as a decision-maker in an internal review of the same decision.
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none">The respondent's answer explains any process that is used to ensure that the initial decision maker for the registration/application of an applicant is different than the decision maker in the internal review/appeal process. Not compliant: <ul style="list-style-type: none">The respondent's answer does <i>not</i> explain the process (if they have one in place) that is used to ensure that the initial decision maker for the registration/application of an applicant is different than the decision maker in the internal review/appeal process.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of a documented internal review process, there is currently no process to ensure that the initial decision maker is different from the internal review decision maker. To be compliant with the FRPA the applicant must be offered a review of the registration decision that is internal to the regulating body and ensure that internal review decision-makers are different from the original decision-maker(s).

QUESTION 19

How are the results of an internal review/appeal decision communicated/provided to the applicant? (Examples: in writing, email, etc.) Are the reasons included in the results? Do you have a timeframe to provide an internal review/appeal decision, and is the timeframe written and communicated to the applicant?

Alignment with FRPA: *Section 10(3)*

RESPONDENT ANSWER	Explain how the results are provided and if the results include reasons (also include how the timeframe is written and communicated to the applicant): N/A. There is no process developed/implemented for a review/appeal decision.
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none">The internal review decision maker provides applicants with a written decision that includes reasons and a timeframe. Not compliant: <ul style="list-style-type: none">The internal review decision maker <i>does not</i> provide applicants with a written decision that includes reasons and a timeframe.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of an internal review process, there is currently no process to communicate results of an internal review to the applicant. To be compliant with the FRPA regulating bodies ensure that internal review decision makers provide applicants with a written decision that includes reasons within a reasonable time.

QUESTION 20

Have the decision-makers for the internal review/appeal process received training on how to conduct an internal review/appeal?

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

RESPONDENT ANSWER

- Yes
 No

If yes, explain what training is required for the decision makers for internal reviews/appeal:

There is no requirement for a decision-maker to obtain training for such a review/appeal since the process is not currently in place.

COMPLIANCE CRITERIA

Compliant:

- The regulating body provides training to individuals who make internal review decisions; and
- the respondent's answer describes the training.

Not compliant:

- The regulating body does *not* provide training to individuals who make internal review decisions; or
- the respondent's answer does *not* describe the training.

REVIEW FINDINGS

To be completed by the FRPA Review Office:

- Compliant
 Not compliant

COMMENTS: REVIEW FINDINGS

Comments, to be completed by the FRPA Review Office:

In the absence of an internal review process, there is currently no training plan available. FRPA Section 11: A regulating body shall ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review.

III: OTHER NOTES

During the review process areas for improvement in registration practices may be noted that are outside what is required for compliance with the FRPA. Though not mandatory, these practices are noted in this section for consideration by the regulating body.

The following was noted during the review of registration practices for Amusement Device Mechanics:

- The regulator indicated that registration reasons and decisions are communicated to applicants by the Chief Inspector. To ensure consistency when communicating registration decisions to an applicant who has not met requirements for registration, it's recommended that an internal document be developed to guide the communication process. It should be noted that this communication must include information and timeframes regarding the internal review/appeal process and should include contact information for further inquiries.

For support with this and other actions associated with the improvement of registration practices, the regulating body may contact the Review Officer for advice, provision of templates, information, research and/or best practice. The FRPA Office can assist with templates and example policies on items that are required for compliance under the Act. (example: Communicating Registration Decisions). Sample policies and templates can be requested from the Review Officer at any time or by visiting the FRPA website: [Resources for Regulatory Bodies | FRPA \(novascotia.ca\)](#)

IV: ACKNOWLEDGEMENTS:

The Technical Safety Division, NS Department of Labour & Advanced Education: Amusement Devise Mechanics hereby declares that the information contained in this report is a true and accurate representation of current registration practices of the organization and agrees to take action to address items of non-compliance as per the following Action Plan.

DATE:

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

X Jeff Dolan, Executive Director, Technical Safety

March 15, 2021

APPENDIX A: ACTION PLAN

Note: The intent of the Action Plan is to identify how the items of noncompliance are going to be corrected before the next review period to ensure compliance, fairness and transparency, as required by the Act.

NAME OF REGULATING BODY: Technical Safety Division, NS Department of Labour and Advanced Education: Amusement Devise Mechanics

DATE SUBMITTED BY REGULATORING BODY: 2021-01-22

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	Click or tap to enter a date.	Click or tap to enter a date.	Click or tap to enter a date.
Actual Completed Date	2021-01-22	Click or tap to enter a date.			

ACTION PLAN:

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 6, 7(a), (c), 9(a), 16(3)(a), (b) and (g)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>	<p>A good plan to address the current gap in registration practices.</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.		
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 6, 7(a), (c), 9(a), 16(a), (b) and (g)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
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>	<p>Current legislation does not outline an alternative registration process, but requirements are sufficiently vague to allow for consideration of equivalencies and alternative proof of experience and/or training. The plan identified will assist those who may have qualified internationally to understand requirements and engage in the licensing process.</p>
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 3, 6, 7(a), (c), 9(a), 16(a), (b) and (g)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
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>	<p>A good plan to address the current gap in registration practices.</p>
Update 1					
Update 2					
Update 3					



Update 4				
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 7(f), 16(3)(d)</i>					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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. 	<p>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>	<p>May 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>	<p>There is currently no fee for an Amusement Devise Mechanic application, but even this information should be communicated in a transparent manner.</p>
	Update 1				
	Update 2				
	Update 3				
	Update 4				



ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 9(b), 16(3)(c)</i>					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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.)	A good plan to address the current gap in registration practices.
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 7(e), 16(3)(k)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>	<p>Access to any translation services that may be provided would also be considered a support.</p>
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 16(3)(h)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>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.</p>	<p>Oct 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p>	<p>The need for translation services would not be considered a disability that requires accommodation. Translation services are a support that the regulating body might provide to any applicant throughout the registration process (as per Q. 7, above). The following information may provide some clarity in planning to move forward with this action.</p> <p>Person with a Disability: An individual with a disability is a person with a physical or mental</p>



				<p>impairment that limits one or more major life activities that the average person in the general population can perform.</p> <p>Reasonable Accommodation: Reasonable accommodation is defined as a modification or adjustment to the application process or the environment that enables a qualified applicant with a disability to be considered for certification that will not:</p> <ul style="list-style-type: none">• cause “undue hardship” to the application or examination process,• bypass occupational requirements, or• compromise accepted safety standards of the profession.
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Update 1					
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 7(a), (d), 16(3)(b) and (i)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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 - ensure that information is clear and easily accessible in the public domain through print and electronic media. 	<p>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> <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>	<p>June 1, 2021 – process and document development.</p> <p>Nov 1, 2021 – publishing to public domain (including print/website etc.)</p> <p>Feb 1, 2022 – Establishing formal agreements with 3rd party trainers.</p>	<p>A good plan to address the current gap in registration practices.</p> <p>Currently there is no third party identified in the process. Any change to this should be reported in the next FRPA Action Plan</p>



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Update 1					
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 8(d) and 16(3)(k)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>	<p>Some research will be required to determine supports that are available and appropriate to the experience and/or training requirements that are now being delineated as part of actions already identified.</p>
	Update 1				
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	Update 4				

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 7(a), 10(1)(2)(4) and 16(3)(m)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>	<p>The interim action will facilitate compliance with the FRPA ensuring that applicants who wish to appeal a registration decision have a process to do so.</p>
Update 1					
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Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 12 and 16(3)(j)</i>					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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.)	A good plan to address the current gap in registration practices.
Update 1					
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 10(5) and 16(3)(n)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>	<p>A good plan to address the current gap in registration practices.</p>
	Update 1				
	Update 2				
	Update 3				
	Update 4				



ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 10(3)					
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	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>The communication of the internal review decision, including timeframes, can be established as part of the internal review process/policy and does not need to be a separate process.</p>
Update 1					
Update 2					
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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	FRPA Review Officer Comments
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	A good plan to address the current gap in registration practices.
Update 1					
Update 2					
Update 3					
Update 4					