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# Nova Scotia Department of Environment & Climate Change: Pesticide Applicator/Vendor Certification

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## Fair Registration Practices Act (FRPA) Review Report May 2021

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Province of Nova Scotia

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## 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 Nova Scotia Department of Environment & Climate Change are responsible for the registration practices associated with issuing of a certificate of qualification to Pesticide Applicator/Vendors. The Review Officer worked with the Regulator 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 for Pesticide Applicator/Vendors and an action plan to address some high priority gaps moving forward.

This is an initial review of the registration practices for Pesticide Applicator/Vendors. At the beginning of the review there was a lack of awareness regarding requirements of the FRPA, but the Regulator worked with the Review Officer to increase their understanding and participate in the review process. Overall, requirements for registration for applicants in the Nova Scotia stream are transparent, objective, impartial and procedurally fair. Findings showed gaps in registration practices for those in the domestic and international streams and the need for some development and enhancement to some existing practices. Full transparency would be achieved by providing information on registration practices for all streams of applications (Nova Scotia, Domestic, International) in a publicly accessible manner.

The Nova Scotia Department of Environment & Climate Change used this review process as an opportunity for self-audit and to identify areas for improvement. 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). Four 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,
- Develop a process for how to work with applicants who may require accommodations during the registration process,
- Enhance the process for internal review of the registration decision to ensure it is fully compliant with the FRPA, include timeframes and the provision to provide written decisions with reasons.

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 Action Plan includes a commitment to update the Pesticide Applicator/Vendor website by May 2022. The timeline is long as another party is relied upon to do the update. This should not prevent the prioritization of the development and updating of registration practices as noted. Required changes will need to take place as an initial step and implementation can take place prior to the website update. In the interim applicants can use the contact information to obtain any missing details.

The Nova Scotia Department of Environment & Climate Change 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 June 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 47 [regulatory bodies](#) in Nova Scotia, covering over 59 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

Certificates of Qualification are required under the Environment Act and Pesticides Regulations for anyone wanting to sell, use and store commercial and restricted class pesticide products. There are 13 different classes of certificates as defined in the Pesticides Regulation as follows:

- Class I (A) Commercial Vendor
- Class I (B) Domestic Vendor
- Class II Structural
- Class III (A) Forestry
- Class III (B) Greenhouse
- Class III (C) Industrial Vegetation
- Class III (D) Landscape

- Class IV Mosquito and Biting Fly
- Class V Aquatic Vegetation
- Class VI Fumigation
- Class VII Aerial
- Class VIII Agriculture
- Class X Special

There is a National Standard in Canada for provinces to adopt. Nova Scotia does subscribe to this standard. Reciprocity is available to applicators and vendors from outside Nova Scotia if that jurisdiction follows the National Standard. If the other jurisdiction confirms they follow the National Standard and confirm the applicant is certified there and is in good standing, reciprocity is granted to the expiry date of that certificate/license. Any out-of-country applicants will need to demonstrate they meet the Canadian National Standard to be considered for reciprocity. Upon expiry, the applicator or vendor can renew their Nova Scotia certificate by passing the exam. Reciprocity is granted only once because other jurisdictions would not have tested on Nova Scotia legislation.

## 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 Nova Scotia Department of Environment & Climate Change 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).**

Industry professionals submit an application to request to write a specific class exam (as outlined above) and must be at least 18 years of age.

There is a fee to apply – currently the fee is \$66.35. The applicant then writes a 100 question, multiple choice exam to demonstrate they have the knowledge to sell, use and store pesticides in a responsible manner. There are study manuals for the applicant to prepare for exams. Exams are scored in-house. When the applicant obtains a mark of 75% or higher, a certificate is issued to them that is valid for 5 years.

**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
<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class I(A) Commercial Vendor</li> </ul>	<ul style="list-style-type: none"> <li>Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class I(B) Domestic Vendor</li> </ul>	<ul style="list-style-type: none"> <li>Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class II Structural</li> </ul>	<ul style="list-style-type: none"> <li>Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>

	<ul style="list-style-type: none"> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(A) Forestry</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(B) Greenhouse</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(C) Industrial Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(D) Landscape</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class IV Mosquito &amp; Biting Fly</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class V Aquatic Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>

	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VI Fumigation</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VII Aerial</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VIII Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> <li>• Study Manuals are located at: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class X Special</li> </ul>	<ul style="list-style-type: none"> <li>• Classes defined under S.7 the Pesticides Regulations, S.8 describes the application process</li> <li>• Application Form with instructions including reciprocity process</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></li> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
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<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• the respondent’s answer describes the registration requirements and the process for meeting them.</li> </ul> <p><b>Not compliant:</b></p>		

	<ul style="list-style-type: none"> <li>• 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</li> <li>• the respondent's answer does <i>not</i> describe the registration process and the process for meeting them.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

<b>QUESTION 2</b>	
<p>How is the registration/application process communicated to the applicant?</p> <p>Alignment with FRPA: <i>Sections 7(c), 9(a) and 16(3)(g)</i></p>	
<b>RESPONDENT ANSWER</b>	<p><b>Select all that apply:</b></p> <p><input checked="" type="checkbox"/> Paper (hard copy) in the form of a fact sheet/pamphlet or handbook</p> <p><input checked="" 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 checked="" type="checkbox"/> Website</p>

	<p><input checked="" type="checkbox"/> Other: <b>explain your communication process if not listed above</b> The applicant can contact staff to ask questions/gain information about the process. <a href="#">Pesticide Applicator   Pests and Pesticides   Nova Scotia Environment</a>, <a href="#">Permits and Forms   Resources   Nova Scotia Environment</a>. These pages include a link for study materials and office locations. The application forms have instructions for their completion.</p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body makes requirements for registration available to applicants (they select at least 1 response option); and</li> <li>• the respondent’s answer describes how the requirements for registration are made available to applicants.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> make requirements for registration available to applicants (they do not select any response options); or</li> <li>• the respondent’s answer does <i>not</i> describe how the requirements for registration are made available to applicants.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

### 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
	<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class I(A) Commercial Vendor</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class I(B) Domestic Vendor</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class II Structural</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>

	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(A) Forestry</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(B) Greenhouse</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(C) Industrial Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(D) Landscape</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>

		applicant does not qualify for reciprocity, they will need to pass the NS exam.		
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class IV Mosquito &amp; Biting Fly</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<ul style="list-style-type: none"> <li>• The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard.</li> </ul>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class V Aquatic Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VI Fumigation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VII Aerial</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the</p>	<ul style="list-style-type: none"> <li>• Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>

			applicant does not qualify for reciprocity, they will need to pass the NS exam.		
	<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class VIII Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.	<ul style="list-style-type: none"> <li>Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
	<ul style="list-style-type: none"> <li>Pesticide Certificate of Qualification – Class X Special</li> </ul>	<ul style="list-style-type: none"> <li>Yes</li> </ul>	The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.	<ul style="list-style-type: none"> <li>Yes, process is described in the application form</li> </ul>	<ul style="list-style-type: none"> <li><a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></li> </ul>
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<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>The respondent’s answer indicates whether a registration/application process is different (response = “yes” or “no”).</li> <li>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.</li> </ul> <p><b>Not compliant:</b></p>				

	<ul style="list-style-type: none"> <li>• The respondent’s answer does <i>not</i> indicate whether a registration/application process is different (no response, either “yes” or “no”).</li> <li>• 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 <i>not</i> describe the differences.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p> <p>The application form does not reference a process for those who have been certified/qualified for the same occupation in another country. The reciprocity process described is for certification granted in another province, not out-of-country. It sounds like an internationally qualified applicant would first have to meet the national standard and provide evidence of that to receive reciprocity. Are there any other requirements for the internationally qualified such as language or 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)*

<b>RESPONDENT ANSWER</b>	<b>Please provide a separate answer per licence/certification type:</b>		
	<b>LICENSE TYPE</b>	<b>YES/NO</b>	<b>IF YES, EXPLAIN THE DIFFERENCE</b>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class I(A) Commercial Vendor</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>

	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class I(B) Domestic Vendor</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class II Structural</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(A) Forestry</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(B) Greenhouse</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(C) Industrial Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class III(D) Landscape</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class IV Mosquito &amp; Biting Fly</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>

	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class V Aquatic Vegetation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VI Fumigation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VII Aerial</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class VIII Agriculture</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>• Pesticide Certificate of Qualification – Class X Special</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>	<p>The applicant will need to provide a copy of their exam mark and date and copy of their certificate. A request will be sent to the regulatory authority that issued to certificate to confirm the certification, that the applicant is in good standing, and that that authority’s standards are equivalent to the Canadian National Standard. If the applicant does not qualify for reciprocity, they will need to pass the NS exam.</p>
	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
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<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The respondent’s answer describes a registration/application process, that is <i>not</i> aligned with the CFTA, for applicants who have received their qualifications or are already registered outside of Nova Scotia.</li> </ul>		
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>		
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p> <p>The process described is not aligned with the CFTA. Requesting an exam mark is an additional material requirement not permitted under the CFTA. Licensure is based on evidence of a certificate in good standing. In addition, granting NS license on the remaining years of a certificate is not in compliance with CFTA. If the applicant meets all requirements, they must be issued a 5-year license just like any NS first time applicant. Further explanation is required regarding “equivalent to the Canadian National Standards”. 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).</p>		

**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)*

<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p><b>If yes, explain the process of how this information is communicated.</b></p> <p>Noted on the application form. Required fees are set through the Fee regulations: <a href="https://novascotia.ca/just/regulations/regs/envfees.htm">https://novascotia.ca/just/regulations/regs/envfees.htm</a></p> <p><b>Insert a website link of where this information is communicated, if applicable.</b></p> <p>The fee is prescribed on the certificate application form: <a href="https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf">https://www.novascotia.ca/nse/pests/docs/PesticideCertificationApplicationForm.pdf</a></p> <p><b>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.</b></p> <p>\$66.35</p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body provides applicants with information on any fees for registration; and</li> <li>• the respondent’s answer states any fees charged for registration, even if the fees are not applicable or \$0.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> provide applicants with information on any fees for registration; or</li> <li>• if fees are charged for registration, even if the fees are not applicable or \$0, the respondent’s answer does <i>not</i> state the fees.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <input checked="" type="checkbox"/> Compliant <input type="checkbox"/> Not compliant

<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>
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**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)*

<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  <b>If yes, please explain the process:</b>  <p>For out-of-province applicants, they should always be able to get required documentation from the government regulator in their home jurisdiction. If they can not, we would look at the specific situation to resolve the matter.</p> <p>In-province applicants need to write and pass the exam, so no additional supporting documentation is required. In-province applicants that submit continuing education training points to renew their certification, submit course receipts. If they do not have course receipt, NS Environment verifies our own course records as an alternative to documentation.</p>
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<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• the respondent’s answer describes any such alternative information.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> advise applicants on alternative information that applicants may provide when they cannot obtain documentation of their qualifications for reasons beyond their control; or</li> <li>• the respondent’s answer does <i>not</i> describe the alternative information.</li> </ul>
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<b>REVIEW FINDINGS</b>	<b>To be completed by the FRPA Review Office:</b> <input checked="" type="checkbox"/> Compliant <input type="checkbox"/> Not compliant
<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>

### 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)*

<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> When required <p><b>If yes or when required, what types of support are provided to applicants during the registration/application process?</b>  An application response letter is returned to the client listing any missing information. The contact noted in the letter is available for questions or if an explanation is required. Assistance is provided for information noted on the department's website. Here is the link to the Training resource page:  <a href="https://www.novascotia.ca/nse/pests/applicatortraining.asp">https://www.novascotia.ca/nse/pests/applicatortraining.asp</a></p> <p>French translation services are available through Acadian Affairs as well as other services that can be accessed through the Public Service Commission, Communications Nova Scotia, and Health Canada. The applicant must be able to read and comply with pesticide labels which are only available from Health Canada in the two official languages: French and English. The Department maintains a list of staff fluent in both languages and are utilized internally to assist with any language accommodations needed.</p>
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<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The respondent’s answer includes information about any support they provide to applicants during the registration process.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The respondent’s answer does <i>not</i> describe any support they provide to applicants during the registration process.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

## 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/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)**

Province of Nova Scotia has an Accessibility Act and an implementation plan <https://novascotia.ca/accessibility/>. Nova Scotia Department of Environment offices are currently accessible but other improvements continue to be made as well. There is a report on the recent review and an accessibility Policy. If an applicant raises accommodation requirements during the exam process, will be open to discuss the applicant’s concerns and will make every modification depending on the nature of the request.

Pesticide labels are legal documents that it is a bona fide job requirement that applicators and vendors read and follow label directions. There could be someone with literacy, learning disability or similar limitation that would not allow them to become certified. These would be accommodated as much as possible based on the specific person’s challenge. There are resources in Human Resources and Communications Nova Scotia that can be accessed to assist with accommodation efforts.

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

**If N/A, please explain why this is not applicable to your registration/application process / practices?**

**COMPLIANCE CRITERIA**

**Compliant:**

- The respondent’s answer includes a description of any existing accommodation policies for applicants with a physical or mental disability.

**Not compliant:**

- The respondent’s answer does *not* describe any existing accommodation policies/processes for applicants with a physical disability or mental disability.

<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p> <p>The response refers to provincial Accessibility Act, but no policy specific to the Pesticide Applicator Certification process. A documented guideline would be for ‘qualified’ applicants who may need some accommodation through the certification process (accessibility to an exam site, more time writing the exam, etc.) The guideline is not intended to be a means for applicants to bypass skills required to perform the job such as reading and understanding labels. To be complaint with the FRPA regulating bodies must have a description of existing accommodation practices for applicants with a physical or mental disability.</p>

<b>QUESTION 9</b>	
<p>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)</p> <p>Alignment with FRPA: <i>This is to provide additional information and identify if there are areas that the FRPA Review Officer may be able to assist, if applicable</i></p>	
<b>RESPONDENT ANSWER</b>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><b>If yes, explain how and what steps would be taken to adapt this policy.</b></p> <p><b>If no, what would occur with that applicant if the policy/process could not be adapted?</b></p>

<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• NA</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• NA</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input type="checkbox"/> NA</p> <p><input type="checkbox"/> NA</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p> <p>When developed, ensure that the policy is adaptable to other situations.</p>

## 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**

Yes

No

**If yes, how/where is this documented (Example: in an internal policy)?**

Communicated on website: <https://www.novascotia.ca/nse/pests/applicatorcert.asp> The criteria is to pass the exam with a mark of 75% or above.

The National Standards set out:

***Basic Knowledge Requirements for Pesticide Applicators:***

This group of documents outlines the knowledge required to be certified to use pesticides. It is made up of an Applicator Core and 10 Category Specific Modules. The Applicator Core contains information relevant to all pesticide applicators. The Category Specific Modules contain the knowledge requirements specific to defined pesticide certification categories.

***Basic Knowledge Requirements for Pesticide Vendors/Dispensers:***

This group of documents outlines the knowledge required to be certified to sell pesticides. The Vendor/Dispenser Core contains information relevant to the sale of all types of pesticides. The Vendor/Dispenser Module for Commercial and Restricted Pesticides contains additional information related to the sale of those classes of pesticides. The Vendor/Dispenser Module for Domestic Pesticides contains additional information related to the sale of Domestic class pesticides.

***Organization of the Basic Knowledge Requirements:***

The Basic Knowledge Requirements focus on human and environmental protection and are organized into the following ten concepts:

	<ol style="list-style-type: none"> <li>1. General information</li> <li>2. Regulations</li> <li>3. Labelling</li> <li>4. Human Health</li> <li>5. Pesticide Safety</li> <li>6. Environment</li> <li>7. Pest Management</li> <li>8. Application Technology</li> <li>9. Emergency Response</li> <li>10. Professionalism</li> </ol> <p>These Basic Knowledge requirements are then incorporated into the study manuals:</p> <p><a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></p> <p>The exams are based on these Basic Knowledge Requirements.</p> <p><b>If there is a third-party assessor utilized in the process, briefly describe the role of that assessor:</b></p>
<p><b>COMPLIANCE CRITERIA</b></p>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The respondent’s answer describes how/where the criteria for meeting the requirements of registration/application are documented; and</li> <li>• the respondent’s answer describes the role of any third-party assessors.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The respondent’s answer <i>does not</i> describe how/where the criteria for meeting the requirements of registration/application are documented; or</li> <li>• if a third party is used for assessment, the respondent’s answer <i>does not</i> describe the role of the third-party assessors.</li> </ul>
<p><b>REVIEW FINDINGS</b></p>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>

<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>
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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)*

<b>RESPONDENT ANSWER</b>	<p><b>Select all that apply</b></p> <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Paper (hard copy) in the form of a fact sheet/pamphlet or handbook</li> <li><input checked="" type="checkbox"/> Available online to download (in the form of a fact sheet/pamphlet or handbook in PDF or another format)</li> <li><input checked="" type="checkbox"/> Email</li> <li><input checked="" type="checkbox"/> Website</li> </ul> <p><input checked="" type="checkbox"/> Other, <b>explain your communication process if not listed above:</b> Applicants can contact staff by phone or email. Application process: <a href="#">Pesticide Applicator   Pests and Pesticides   Nova Scotia Environment</a></p> <p>Application Instructions and form: <a href="#">PesticideCertificationApplicationForm.pdf (novascotia.ca)</a></p> <p>National Standard and criteria with office contact info: <a href="#">Pesticide Applicator Certification   Pests and Pesticides   Nova Scotia Environment</a></p> <p>Study Manuals: <a href="#">Applicator Training Resources   Pests and Pesticides   Nova Scotia Environment</a></p> <p>Environment Act: <a href="#">environment.fm (nslegislature.ca)</a></p> <p>Pesticide Regulations: <a href="#">Pesticide Regulations - Environment Act (Nova Scotia)</a></p>
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	<p>Activity Designation Regulations: <a href="#">Activities Designation Regulations - Environment Act (Nova Scotia)</a></p> <p>Non-essential Pesticides Control Act: <a href="#">Nova Scotia Legislature - Non-essential Pesticides Control Act (nslegislature.ca)</a></p> <p>List of Allowable Pesticides Regulations: <a href="#">List of Allowable Pesticides Regulations - Non-essential Pesticides Control Act (Nova Scotia)</a></p> <p>Exceptions to Prohibitions on Non-essential Pesticides Regulations: <a href="#">Exceptions to Prohibitions on Non-Essential Pesticides Regulations - Non-Essential Pesticides Control Act (Nova Scotia)</a></p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>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).</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>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).</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

## 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)*

<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <p><b>If Yes, explain the process (Example: written decision, provision of information about the appeal process, etc.):</b></p> <p>The follow-up letter with exam results will explain the process for re-writing the exam or will provide an explanation for why reciprocity is not granted.</p> <p><b>If No, explain why not (Example: registration/applications are always approved, only provided when requested, etc.):</b></p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body provides applicants who are not granted registration with a written decision that includes the reason(s) why.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> provide applicants who are not granted registration with a written decision that includes the reason(s) why.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <input checked="" type="checkbox"/> Compliant <input type="checkbox"/> Not compliant
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

**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)*

<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  <b>If yes, what types of supports/referrals/information do you provide to unsuccessful applicants after a decision has been communicated?</b>  The applicant would be directed to the study manuals on our website or help them find a suitable industry course to prepare for the exam. There is a contact noted in the letter and at the request of the applicant other supports/resources can be explored. If required staff can identify where in the study materials where the focus is required.
<b>COMPLIANCE CRITERIA</b>	<b>Compliant:</b> <ul style="list-style-type: none"> <li>• The regulating body provides, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; and</li> <li>• the respondent’s answer describes any other supports/referrals/information provided to unsuccessful applicants.</li> </ul> <b>Not compliant:</b> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> provide, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; or</li> <li>• if the regulating body does provide any other supports/referrals/information to unsuccessful applicants (response = “yes”), the respondent’s does <i>not</i> describe this supports/referrals/information.</li> </ul>
<b>REVIEW FINDINGS</b>	<b>To be completed by the FRPA Review Office:</b>  <input checked="" type="checkbox"/> Compliant  <input type="checkbox"/> Not compliant
<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>

## 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.**

All communications with the applicant include contact information. In the event the follow-up enquiries are not resolved, the applicant is advised of an appeal process, if applicable. In the case of an appeal, the Policy Division, independent of the original decision maker, administers a formal assessment of the grounds by a trained and experienced Appeal Reviewer. As Set out in the Environment Act (s.137), the applicant has 30 days from the decision date to submit an appeal to the Minister. The Notice of Appeal Form with instructions can be found at:

<https://novascotia.ca/nse/dept/docs/Notice-of-Appeal-Form.pdf> There is a fee of \$108.95 required by regulation at:  
<https://www.novascotia.ca/just/regulations/regs/envfees.htm>

The Notice of Appeal Form is processed following the appeal procedure.

	<p>Policy Division conducts a review of the Notice of Appeal Form. The application file, including all materials reviewed by the initial decision maker, as this material relates/pertains to the grounds of appeal, is assessed by a Reviewer. The assessment in an Appeal Review Report is provided to the Minister. The Minister as set out at s.137(4) of the Act can make one of three decisions – uphold the original decision makers decision by dismissing the appeal; put aside the original decision makers decision by allowing the appeal, or requiring the CoQ to be issued; and thirdly, make a decision the original decision maker could have made by requiring the application process to be undertaken again.</p> <p>According to s.137(3) of the Act, the Minister’s decision is to be communicated in writing within 60 days receipt of the Notice of Appeal Form to the applicant. The letter will detail the reasons for the decision. The Environment Act permits a further appeal to the Supreme Court of Nova Scotia within 30 days receipt of the Minister’s decision. This process is set out in the Statute located here:  <a href="https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf">https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf</a></p> <p><b>If no, what do you do if an internal review/appeal is requested?</b></p>
<p><b>COMPLIANCE CRITERIA</b></p>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• the respondent’s answer includes a description of the internal review process, including how it is communicated to applicants.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> provide an internal review process for applicants who are not granted registration, including opportunities for applicants to make submissions respecting such review; or</li> <li>• the respondent’s answer does <i>not</i> include a description of the internal review process, including how it is communicated to applicants.</li> </ul>
<p><b>REVIEW FINDINGS</b></p>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
<p><b>COMMENTS: REVIEW FINDINGS</b></p>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p> <p>Since the applicant has only 30 days from the decision date to appeal, they should be informed of their right to appeal and the process at the time of decision, not only when a problem arises. The process described does not explain opportunities the applicant has to provide new information and make submissions with</p>

respect to their appeal. To be compliant with the FRPA regulating bodies must provide applicants who are not granted registration with information about the internal review process, including opportunities the applicant has to provide new information and to make submissions with respect to an internal review.

### 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

Yes

No

**If yes, what is the timeframe that an applicant has, to initiate the internal review/ appeal process (in days)?**

In the event of a formal Environment Act appeal, the applicant has 30 days from the decision date to submit an appeal to the Minister. The Notice of Appeals Form with instructions can be found at:

<https://novascotia.ca/nse/dept/docs/Notice-of-Appeal-Form.pdf> .

The applicant can appeal the Minister's decision to the Supreme Court of Nova Scotia (SCNS); the applicant has 30 days from the Minister's decision date to submit an application to the SCNS.

#### COMPLIANCE CRITERIA

**Compliant:**

- 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:**

- The regulating body has *not* established a timeframe within which they must provide applicants with an internal review/appeal; or
- the respondent's answer does *not* include a timeframe.

#### REVIEW FINDINGS

**To be completed by the FRPA Review Office:**

Compliant

	<input type="checkbox"/> Not compliant
<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>

<b>QUESTION 16</b>	
<p>Do you have a process for which an applicant can request access to records from the registration/application?</p> <p>Alignment with FRPA: <i>Sections 12(4), 16(3)(j) and 16(3)(n)</i></p>	
<b>RESPONDENT ANSWER</b>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p><b>If yes, please describe the process, and include the associated fees, for the individual to obtain the records from the applicant’s file.</b> (Examples: application forms, reference letters, transcripts, criminal background checks, certificates of professional conduct, proof of good standing in another jurisdiction, etc.)</p> <p>The department maintains a process for Information Access and Privacy. This process is located here:</p> <p><a href="https://novascotia.ca/nse/dept/info.asp">https://novascotia.ca/nse/dept/info.asp</a></p> <p>Requests for information are all subject to the Freedom of Information and Protection of Privacy Act (FOIPOP.) Some information, however, may be obtained through Routine Access. This policy is designed to provide persons with an opportunity to obtain certain categories of records without having to submit a formal FOIPOP application. While records disclosed through this policy are not considered to be actively in the public domain, they may be disclosed in full or with minimal severing of some information in keeping with the provisions of the FOIPOP Act. Information obtained under this process is free of charge. The link to the Routine Access Policy is here:</p> <p><a href="https://novascotia.ca/nse/dept/routinedisclosure.asp">https://novascotia.ca/nse/dept/routinedisclosure.asp</a> This link has a sub-link to directly email a request for access to routine records or records the applicant may consider their own. There is also contact information if the applicant has questions or is unsure of how/what records are available by any of the information access processes noted here.</p>

	<p>Section 10 of Environment Act (Act) requires the establishment of an Environmental Registry where records are kept and made available to the public subject only to FOIPOP. The Environmental Registry process is here: <a href="https://www.novascotia.ca/nse/erms/">https://www.novascotia.ca/nse/erms/</a></p> <p>The link to the Act is here: <a href="https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf">https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf</a></p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body has a process under which requests for access to records are considered; and</li> <li>• the respondent’s answer provides a description of the process.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> have a process under which requests for access to records are considered; or</li> <li>• the respondent’s answer does <i>not</i> provide a description of the process.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

<b>QUESTION 17</b>	
<p>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?</p> <p>Alignment with FRPA: Sections 10(5) and 16(3)(n)</p>	
<b>RESPONDENT ANSWER</b>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

## 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 Minister is not the original or initial decision maker. The authority to issue a certificate of qualification has been delegated to other staff. The link to the Procedure for Ministerial Appointments is below. This Policy sets out the process for persons delegated/appointed under Legislation administered by NSE. This legislative framework applies to all certificates of qualification administered by the department.

Section 64(1) is the issuing provision under the Environment Act for certificates of qualifications, and delegations and appointments are set out at section 17 and 21 of the Environment Act: <https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf>

	<p>The Notice of Appeal Form instructs the applicant to mail or email the completed form directly to the Minister. Policy Division conducts a review of the Notice of Appeal Form. The application file, including all materials reviewed by the initial decision maker, as this material relates/pertains to the grounds of appeal, is assessed by a Reviewer. The assessment in an Appeal Review Report is provided to the Minister; the Minister can then allow, dismiss, or make a decision the administrator could have made when deciding on the appeal as set out at section 137 of the Environment Act.</p> <p>The Appeal Procedure ensures no one who acted as a decision-maker in respect of a registration decision acted as a decision-maker in an internal review. The Notice of Appeal Form and the Appeal Procedure Pursuant to s.137 of the Environment Act are here:</p> <p><a href="https://novascotia.ca/nse/dept/docs/Notice-of-Appeal-Form.pdf">https://novascotia.ca/nse/dept/docs/Notice-of-Appeal-Form.pdf</a></p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>
<b>REVIEW FINDINGS</b>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<b>COMMENTS: REVIEW FINDINGS</b>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

**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)*

<p><b>RESPONDENT ANSWER</b></p>	<p><b>Explain how the results are provided and if the results include reasons (also include how the timeframe is written and communicated to the applicant):</b></p> <p>In a formal appeal under the Environment Act (Act), according to s.137(3) of the Act, the Minister’s decision is to be communicated in writing to the applicant within 60 days receipt of the Notice of Appeal Form. The letter will detail the reasons for the decision. An example of a decision letter is found here: <a href="https://novascotia.ca/nse/issues/docs/Alton-Appeal-6.pdf">https://novascotia.ca/nse/issues/docs/Alton-Appeal-6.pdf</a></p> <p>The Minister as set out at s.137(4) of the Act can make one of three decisions – uphold the original decision makers decision by dismissing the appeal; put aside the original decision makers decision by allowing the appeal, or requiring the CoQ to be issued; and thirdly, make a decision the original decision maker could have made by requiring the application process to be undertaken again. The Environment Act permits a further appeal to the Supreme Court of Nova Scotia within 30 days receipt of the Minister’s decision. This process is set out in the Statute here: <a href="https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf">https://www.nslegislature.ca/sites/default/files/legc/statutes/environment.pdf</a></p> <p>The process is further supported by The Appeal Procedure Pursuant to s.137 of the Environment Act</p>
<p><b>COMPLIANCE CRITERIA</b></p>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The internal review decision maker provides applicants with a written decision that includes reasons and a timeframe.</li> </ul> <p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The internal review decision maker does <i>not</i> provide applicants with a written decision that includes reasons and a timeframe.</li> </ul>
<p><b>REVIEW FINDINGS</b></p>	<p><b>To be completed by the FRPA Review Office:</b></p>

	<input checked="" type="checkbox"/> Compliant  <input type="checkbox"/> Not compliant
<b>COMMENTS: REVIEW FINDINGS</b>	<b>Comments, to be completed by the FRPA Review Office:</b>

<b>QUESTION 20</b>	
Have the decision-makers for the internal review/appeal process received training on how to conduct an internal review/appeal?	
Alignment with FRPA: <i>Sections 11 and 16(3)(p)</i>	
<b>RESPONDENT ANSWER</b>	<input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No  <p><b>If yes, explain what training is required for the decision makers for internal reviews/appeal:</b></p> <p>In the case of an appeal, the Policy Division, independent of the original decision maker, administers a formal assessment of the grounds by a trained and experienced Appeal Reviewer. The Reviewer receives training on the Appeal Procedure Pursuant to s.137 of the Environment Act, the Environment Act and Regulations governing the administrator’s role in making decisions involving approvals and Certificates of Qualifications. Training/qualification includes the requirement for having 10 years experience administering administrative/quasi-criminal law enforcement and participating in an adjudicative process. The appeal review process relies on subject matter experts in Sustainability &amp; Applied Science Division who are interviewed by the Reviewer on the process employed to administer Pesticide Applicator certifications. The Appeal Review Report, assessing the applicant’s complaint, is provided to the Environment Minister, appointed by the Lieutenant Governor, the final decision maker on an internal review. The Minister receives training relating to his/her responsibilities under the Act.</p>
<b>COMPLIANCE CRITERIA</b>	<p><b>Compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body provides training to individuals who make internal review decisions; and</li> <li>• the respondent’s answer describes the training.</li> </ul>

	<p><b>Not compliant:</b></p> <ul style="list-style-type: none"> <li>• The regulating body does <i>not</i> provide training to individuals who make internal review decisions; or</li> <li>• the respondent’s answer does <i>not</i> describe the training.</li> </ul>
<p><b>REVIEW FINDINGS</b></p>	<p><b>To be completed by the FRPA Review Office:</b></p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
<p><b>COMMENTS: REVIEW FINDINGS</b></p>	<p><b>Comments, to be completed by the FRPA Review Office:</b></p>

### 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 Pesticide Applicator/Vendors:

- Website improvements: [Pesticide Applicator Certification | Pests and Pesticides | Nova Scotia Environment](#) . Review information currently posted on this webpage to ensure accuracy. Step 2 in the process strongly recommends that applicants complete a training course prior to the exam, but there is no information about how to obtain that course. Number 9 on the application form describes the current reciprocity process. When this process is revised as per the Action Plan, make this information more accessible by creating a section or separate link on the certification webpage.

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: Website Design Best Practices Checklist). 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 Nova Scotia Department of Environment & Climate Change 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: June 18, 2021

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

X J. Towers

Disclaimer: Any suggestion, comment or non-mandatory references to actions are recognized as being taken under advisement only for the purposes of this acknowledgment.

## 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:** Nova Scotia Department of Environment & Climate Change – Pesticide Applicator/Vendor Certification

**INFORMATION ON REGISTRATION PRACTICES AS OF:** 2020-12-01

### 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
<b>Due Date</b>	2021-03-22	2022-06-08	Click or tap to enter a date.	Click or tap to enter a date.	Click or tap to enter a date.
<b>Actual Completed Date</b>	2021-05-20	Click or tap to enter a date.			

### ACTION PLAN:

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	FRPA Review Officer Comments
<b>Action required</b>	3	Areas of non-compliance to be addressed in an action plan are as follows: - ensure that information regarding registration requirements and how requirements are to be met	<ul style="list-style-type: none"> <li>Update the application process to ensure instructions including accompanying documentation and all requirements for applicants</li> </ul>	<ul style="list-style-type: none"> <li>May 2022*</li> </ul> *CNS advised of delays for website	Information for applicants in the international stream should be accessible. Process information should include the options (NS pathway or another jurisdiction that follows the National Standard), whether

		<p>by <b>applicants who received their qualifications outside of Canada</b> is clear and easily accessible in the public domain through print and electronic media.</p> <ul style="list-style-type: none"> <li>- provide clear instructions on what documentation must accompany applications</li> </ul>	<p>outside of Canada are provided.</p> <ul style="list-style-type: none"> <li>• Update the website information with clear and readily accessible instructions and required documentation for applicants seeking reciprocity.</li> <li>• The Department has contacted the Labour Mobility Coordinator for assistance and advice.</li> </ul>	<p>changes due to Covid response.</p>	<p>an applicant could begin the process outside Canada, what the requirements are (including documentation), and contacts to obtain more information about meeting the National Standard should they choose to follow that pathway.</p> <p>A process could be developed before May 2022. If website changes are expected to be delayed, provide contact information to address questions for now.</p>
<b>Update 1</b>					
<b>Update 2</b>					
<b>Update 3</b>					
<b>Update 4</b>					

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
<b>Action required</b>	4	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> <li>- ensure that information about registration requirements and how requirements are to be met by <b>applicants who received their qualification outside NS but within Canada</b> is clear and</li> </ul>	<ul style="list-style-type: none"> <li>• Update the application process to ensure instructions including accompanying documentation and all requirements for applicants in another Canadian jurisdiction are provided.</li> </ul>	<ul style="list-style-type: none"> <li>• May 2022*</li> </ul> <p>*CNS advised of delays for website changes due to Covid response.</p>	<p>Information for applicants qualified in another jurisdiction should be accessible. A streamlined process must be offered to those with valid certification from another jurisdiction. Information should include the application process, documentation requirements and the process for renewal in Nova Scotia (exam). Good to consult with</p>

		<p>easily accessible in the public domain through print and electronic media.</p> <ul style="list-style-type: none"> <li>- ensure that information about registration requirements and how requirements are to be met by <b>applicants registered in another Canadian jurisdiction</b> are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media.</li> <li>- provide clear instructions on what documentation must accompany applications</li> </ul>	<ul style="list-style-type: none"> <li>• Update the website information with clear and readily accessible instructions and required documentation for applicants seeking reciprocity.</li> <li>• The Department has contacted the Labour Mobility Coordinator for assistance and advice.</li> </ul>		<p>the Labour Mobility Coordinator before finalizing the process.</p> <p>A process could be developed before May 2022. If website changes are expected to be delayed, provide contact information to address questions for now.</p>
<b>Update 1</b>					
<b>Update 2</b>					
<b>Update 3</b>					
<b>Update 4</b>					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 16(3)(h)</i>					
	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"> <li>- document a description of the accommodation practices for applicants which includes:</li> <li>- how to request an accommodation</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and document a description for adaptive accommodation practices for applicants requesting physical or mental accommodations.</li> </ul>	<ul style="list-style-type: none"> <li>• May 2022*</li> </ul> <p>*CNS advised of delays for website changes due to Covid response.</p>	<p>A template policy that can be used as a guideline to develop a description of accommodation practices and advise applicants how to make such a request can be found on the Fair Registration Practices website: <a href="#">Fair Registration Practices -</a></p>

		<ul style="list-style-type: none"> <li>- guidelines regarding types of accommodations</li> <li>- ensure that practices are adaptable if a new situation arises</li> </ul>	<ul style="list-style-type: none"> <li>• Information on accommodation practices will be clear and accessible on our website.</li> </ul>		<a href="https://www.novascotia.ca">Resources for Regulatory Bodies   novascotia.ca</a>  A description could be developed before May 2022. If website changes are expected to be delayed, provide contact information to address questions for now.
<b>Update 1</b>					
<b>Update 2</b>					
<b>Update 3</b>					
<b>Update 4</b>					

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
<b>Action required</b>	14	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> <li>- document a clearly defined process for an internal review of the registration decision which includes: <ul style="list-style-type: none"> <li>- procedures</li> <li>- timeframes</li> <li>- opportunities the applicant has to provide new information and to make submissions in support of their position (e.g. documented evidence, hearing, etc.)</li> </ul> </li> <li>- ensure that information on the internal review process is clear</li> </ul>	Ensure the current appeal process with the procedure, timelines and submission requirements is clearly defined, documented and accessible on our website. <ul style="list-style-type: none"> <li>• The reasons for denying certification will be provided in writing and will include the availability of a review/appeal and a description of the above process. Communication will include a link to the Notice of Appeal Form.</li> </ul>	<ul style="list-style-type: none"> <li>• May 2022*</li> </ul> * <i>CNS</i> advised of delays for website changes due to Covid response.	To be completed by the Review Officer A reasonable plan to address the current gap in registration practices. Using the current process ensure that a plain language process is available for applicants in an accessible manner.  A plain language process could be developed before May 2022 and appended to any applications that are denied. If website changes are expected to be delayed, provide a link to the Notice of Appeal form and contact information to address questions for now.

		<p>and easily accessible in the public domain through print and electronic media</p> <ul style="list-style-type: none"> <li>- 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.</li> </ul>				
<b>Update 1</b>						
<b>Update 2</b>						
<b>Update 3</b>						
<b>Update 4</b>						