

Policy on Licensing and Licensing Appeals for Licensed Professional Planners in Nova Scotia

1. Application for Licensure

- 1.1 The Licensed Professional Planners Association of Nova Scotia (LPPANS) is the regulatory body for the practice of professional planning in Nova Scotia.
- 1.2 In order to be recognized as a Licensed Professional Planner, an individual is required under the *Professional Planners Act* and the By-Laws of LPPANS to be registered with the Association.
- 1.3 All applications for membership with LPPANS shall be evaluated by the LPPANS Board of Directors.
- 1.4 All applicants must meet the qualifications as outlined on the LPPANS website:
<https://lppans.ca/applicants/application-process/> .
- 1.5 Applications for registration as a Candidate may be refused for any of the following:
 - a. failure to pay required fees and dues;
 - b. failure to provide required documents; or
 - c. failure to meet the criteria for Candidate membership (e.g., not having a job in planning).
- 1.6 Applications for full licensing may be refused for any of the following:
 - a. failure to pay required fees or dues;
 - b. failure to complete mandatory Continuous Professional Learning;
 - c. failure to meet the national competency standards, as assessed through the Candidate process;
 - d. failure to abide by the Professional Code of Conduct;
 - e. failure to abide by the Code of Ethics;
 - f. failure to abide with a disciplinary decision of the Board;
 - g. currently being the subject of an active Professional Code of Conduct complaint; and
 - h. currently being the subject of an active Professional Code of Conduct disciplinary process.
- 1.7 All decisions shall be communicated in writing to the applicant via the email address provided by the applicant.
- 1.8 A person who is dissatisfied with a decision of the Board of the Licensed Professional Planners Association of Nova Scotia, respecting entry into the Association as a Licensed Professional Planner or a Candidate Member, may appeal the decision to the Association's Registration Appeal Committee.
- 1.9 The Notice of Appeal to the Registration Appeal Committee must be filed in writing with the Registrar within thirty (30) calendar days of the decision that is being appealed.
- 1.10 The date set for the appeal hearing must be no longer than ninety (90) calendar days following receipt by the Registrar of the written Notice of Appeal.

- 1.11 The Registration Appeal Committee has thirty (30) calendar days, from the date of the closing of the appeal hearing, to finalize the written decision.
- 1.12 The Appellant shall receive written notice of the decision within seven (7) calendar days from the end of the 30-day period identified in Section 1.11.

2. Composition of the Registration Appeal Committee

- 2.1 The Board must appoint a Registration Appeal Committee to hear and determine appeals respecting registration, licensing, or other matters relating to entries into the Register.
- 2.2 The Board must appoint a Chair and may appoint a Vice-chair of the Registration Appeal Committee.
- 2.3 The Registration Appeal Committee must be composed of at least three (3) persons.
- 2.4 The Vice-chair must act as Chair in the absence of the Chair.
- 2.5 A quorum of the Registration Appeal Committee is a majority of its members.
- 2.6 The Registration Appeal Committee shall be appointed by the Board of LPPANS, through an open call to the current membership.
- 2.7 The following criteria shall guide the appointment of members to the Registration Appeal Committee:
 - a. Must be a Licensed Professional Planner or a retired professional planner in Nova Scotia;
 - b. Not be a current member of the Board of Directors or have held membership on the Board of Directors within the last 2 years;
 - c. Confirm that they do not have a conflict of interest in conducting the review, and there are no circumstances which could lead to a reasonable allegation of bias, conflict of interest, or lack of independence;
 - d. Sign a confidentiality agreement with LPPANS, which states that information will not be disclosed to other parties, other than those with a vested interest in the review decision;
 - e. Sign an attestation indicating that they have reviewed all background reference and training materials pertaining to the internal review process; and
 - f. Sign an attestation indicating that they were not involved in the original registration process or decision pertaining to the Appellant.

3. Registration Appeal Procedure

- 3.1 A Notice of Appeal to the Registration Appeal Committee must be filed in writing, with the Registrar, within thirty (30) calendar days after notice of the Registrar's decision that is being appealed.
- 3.2 On receipt of a Notice of Appeal, the Registration Appeal Committee shall:
 - a. set a date for the hearing of the appeal; and
 - b. serve written notice of the date, time, and place of the hearing of the appeal on the Appellant and the Registrar.



The date set for the hearing of an appeal must be no later than ninety (90) calendar days following receipt of the written Notice of Appeal.

4. Registration Appeal Committee Powers and Decision

4.1 The Registration Appeal Committee may:

- a. Direct the Registrar to grant membership to the Appellant; with or without conditions;
or
- b. Dismiss the appeal.

4.2 A person who has been refused a licence either on initial application or renewal or who has been subject to disciplinary sanction may appeal the refusal or sanction to the Nova Scotia Court of Appeal, as per the conditions outlined in the [Professional Planners Act](#).

Schedule A

Internal Process for Reviewing an Appeals of a Registration Decision

Procedural Details

In the case of an appeal or review of a registration decision, the following steps will be followed:

1. An appellant will provide to the LPPANS Office a written request for a review or appeal of the registration decision. Reasons for the request and any supporting documentation must be provided at this time. Contact information including address, phone number, and email address are also required.
2. Prior to the formal review, LPPANS will provide the Registration Appeal Committee with the Appellant's complete application, the application review checklist, and any relevant information pertaining to the Registration process with LPPANS.
3. The review of the appeal is scheduled.
4. The review of the appellant's application will be held by the Registration Appeal Committee. The Committee will base its decision on a full review of the initial decision, the information in the Appellant's record, the written request for review, and any additional documentation provided by the Appellant.
5. The Registration Appeal Committee will notify the Appellant of its review decision in writing, with reasons that explain the basis for the decision. The relevant regulators (Registrar, LPPANS administrative staff, PSB) will also be informed of the decision.

The parties to an appeal before the Registration Appeal Committee are the Board and the Appellant.

An appeal to the Registration Appeal Committee is limited to the matters set out in the Notice of Appeal filed with the Registrar.

The procedures of the Registration Appeal Committee must be consistent with the requirements of the Fair Registration Practices Act.

Please note: No individual who acted as a decision maker in the initial registration decision will act as a decision maker in the review.

Preparation

LPPANS has the following expectations of the members of the Registration Appeals Committee:

- Interactions with the Appellant should be limited to the gathering of information and queries as required to understand the information being provided;
- Appeal process must be carried out objectively and fairly;
- Committee members need to be aware of procedures for ensuring fairness, impartiality, privacy, and completeness of the review process;
- Committee members must not be biased and must not be seen to be biased;
- Committee members must confirm prior to accepting the review engagement that they do not have a conflict of interest in conducting the review; and
- Committee members shall be capable of making an overall assessment of the individual application and the assessment process.



Training Program

Members of the Registration Appeal Committee must review and become knowledgeable of the following documents:

- An outline of the current application and assessment process;
- Framework for decision making;
- Professional Planners Act; and
- Fair Registration Practices Act.