

REGISTRATIONS OPERATIONAL POLICY

Registrations and Licensing Application Appeals

Introduction

The Nova Scotia College of Pharmacists (NSCP) has a duty to ensure that registration practices are transparent, objective, impartial and procedurally fair. The decision to register an applicant is made in the interest of public safety and based on the fulfillment of various registration requirements, including the applicant's knowledge and ability to practice pharmacy according to the standards of the profession.

Purpose

To outline to registrants and applicants the procedure for appealing a registration decision by the NSCP. This procedure is consistent with the requirements outlined in s.17 of the [Pharmacy Act](#); s. 47, 52, 53 and 54 of the [Registration, Licensing and Professional Accountability Regulations](#), and s. 10 of the [Fair Registrations Practices Act](#).

Appeals to the Registration Appeals Committee

- 1.0 A registrant who has been refused registration or has conditions imposed on their license has a right to appeal a decision as outlined through the provisions of s. 17 of the [Pharmacy Act](#) and s.52 through 54 of the [Registration, Licensing and Professional Accountability Regulations](#).
- 2.0 Notice of an appeal to the Registration Appeals Committee must be filed in writing with the Registrar within 30 days after service of the registration decision that is being appealed, in accordance with s. 87 of the [Pharmacy Act](#). Appeal Fees may apply and are determined by Council.
- 3.0 On receipt of the notice of an appeal, the NSCP Council shall appoint a Registrations Appeals Committee comprised of at least 3 persons, one of whom must be a public representative.

- 4.0 Council shall appoint the chair of the Registration Appeals Committee and may also appoint the vice-chair who will act as chair in the absence of the chair.
- 5.0 The Registrations Appeals Committee shall determine procedures and in so doing shall ensure that the hearings are conducted in accordance with principles of natural justice and procedural fairness, ensuring that registrant has the opportunity to present new information and the right to make submissions. The Registration Appeals Committee reserves the right to request further information from either the registrant or the NSCP.
- 6.0 The Registrations Appeals Committee may dismiss an appeal without a hearing if the criteria for an appeal have not been met or if the appellant has failed to comply with the requests for information or requirements of the Committee.
- 7.0 If an appeal is granted, the appellant shall receive a written notice of the date, time, and place of the appeal hearing, which should be no longer than 90 days after the receipt of the appeal.
- 8.0 The appellant will have the option to choose between an in-person or virtual hearing and may be represented by legal counsel or other representative.
- 9.0 The appeals hearing will be limited to the matter set out in the notice of appeal. Should the appellant wish to appeal a decision related to a registration requirement set out by a third party, for example, the Pharmacy Examining Board of Canada, the appellant must follow the appeals process in place for that organization.
- 10.0 The Registration Appeals Committee shall document, in writing, their decision and the reasons for their decision with recommendations if applicable. A copy of the written decision shall be sent to the Registrar and to the appellant.
- 11.0 The Registrations Appeals Committee may:
 - a) direct the Registrar to register an appellant, with or without conditions;
 - b) direct the Registrar to issue a licence to the appellant, with or without conditions; or
 - c) dismiss the appeal.
- 12.0 The decision of the Registrations Appeals Committee is final.