

Policy and Procedures Guideline Regarding the Certificate of Authorization

**the Association of Professional Geoscientists of Nova Scotia
March 2018**

INTRODUCTION

All geoscience work performed in Nova Scotia requires registration / licensure as an individual and in some cases a Certificate of Authorization (CofA) from APGNS.

If an individual or corporate body is or will be practicing geoscience in Nova Scotia, for Nova Scotia, or affecting the public safety, the individual or corporate body must be registered with APGNS.

It is a term and condition of every C of A that the holder has and maintains Professional Practice Liability Insurance and adheres to the Code of Ethics.

The application for a Certificate of Authorization must be completed and submitted to the Registrar along with the required supporting documentation.

The application for a Certificate of Authorization may be approved and have the Certificate issued by the Registrar as per the requirements as set out in the Act and the by-laws and, unless it is resigned or withdrawn, is in effect for the calendar year in which it is issued. The applicant shall submit all forms and payment of the prescribed assessment and annual fee(s), the name(s) and registration information of at least one member in responsible charge or supervision of geoscience activities and professional practice. The applicant shall provide additional information as may be requested and required by the Registrar. The Certificate should be prominently displayed in the place of business of the Certificate holder.

The member in responsible charge and supervising the geoscience activities must be qualified by training and experience in the discipline of geoscience for which they take responsibility.

The purpose of the Certificate of Authorization is to:

- protect the public through regulation of geoscience practice and registration of individual and corporate practitioners;
- identify sole practitioners, corporations and other entities providing geoscience services to or with potential to impact the public in Nova Scotia;
- identify to the public, individuals, sole practitioners or within corporations and other entities that take responsibility for geoscientific work;
- ensure that sole practitioners, corporations and other entities providing geoscience services are qualified and competent to do so;
- ensure that sole practitioners, corporations and other entities providing geoscience services are appropriately insured against professional liability.

To summarize:

- a corporate body or partnership offering, providing or undertaking *i. e.* practicing professional geoscience must have a Certificate of Authorization; the company or partnership employs one or more geoscientists; professional liability insurance is required;
- sole practitioners offering, providing or undertaking *i. e.* practicing professional geoscience under a corporate name must have a Certificate of Authorization; no other geoscientists are employed; professional liability insurance is required; and
- sole practitioners, offering, providing or undertaking *i. e.* practicing professional geoscience in their own name (and not through another business name) is not required to have a Certificate of Authorization; no other geoscientists are employed; professional liability insurance is not required but it is recommended.

There are two categories of Certificate of Authorization available, and each has an initial application assessment fee as well as an annual registration fee as approved in Schedule A of the by-laws:

- Sole practitioner operating under corporate identifier with one practitioner; and
- Corporate with two or more practitioners

RE-INSTATEMENT

An applicant who has held a Certificate within the past five (5) years may submit a request in writing to be reinstated. The Registrar shall provide an application in the approved form to apply for re-instatement.

An applicant for re-instatement of a Certificate shall pay the re-instatement / assessment fee(s) as prescribed in Schedule A and shall pay any outstanding dues owed to the Association.

The Registrar may require an applicant for re-instatement to:

- submit a statement that professional geoscience activities have not been conducted within Nova Scotia during the period that there was not a Certificate in place; and
- subscribe to and abide by the requirements of the Certificate that are in force at the time of making application for re-instatement.

CERTIFICATE

The Registrar shall issue to each company or corporation, partnership or sole practitioner or other entity a Certificate of Authorization in the form approved by Council, signed by the Registrar indicating:

- a) the name of the company or corporation, partnership, or other entity;
- b) the Certificate of Authorization registration number;
- c) the date of registration and expiry (the calendar year); and
- d) the authorization to engage in the practice of geoscience in the Province of Nova Scotia.

NOTIFICATIONS

The registrant designated by the holder of a Certificate shall notify the Registrar in writing within 15 days of ceasing to be in charge of the practice of professional geoscience on the Certificate holder's behalf.

The registrant designated by the holder of a Certificate shall notify the Registrar in writing within 15 days of ceasing to hold responsibility for compliance with the Act and by-laws on the holder's behalf.

The holder of a Certificate shall provide updated contact and any other pertinent information in writing to the Association with the annual renewal.

The Registrar may request updated information in writing of the holder of a Certificate upon receiving notification of change from a person or persons designated to hold responsibility for the practice of professional geoscience or for compliance or at any other time that the Registrar has reason to believe that the holder of the Certificate is not in compliance with the Act and the by-laws or conditions of the Certificate.

In the event that there is a change in the information on the Certificate, the Certificate, if unexpired, shall be surrendered by the holder and a new Certificate issued by the Registrar.

REPLACEMENT

In the event that a Certificate is lost or damaged, the Registrar may issue a replacement Certificate to a holder in good standing upon receipt of a written request from the certificate holder and payment of the fee as set out in Schedule A.

LIABILITY INSURANCE

An applicant for a Certificate of Authorization must provide, to the Registrar, evidence of professional liability insurance. The applicant must maintain in full force and effect at all times a policy of insurance to protect against claims resulting from errors and omissions. The applicant must provide the amounts, terms and conditions and policy number. The Certificate will not be approved or issued without this information.

The insurance coverage should include claims for errors, omissions and negligent acts in the performance of professional services for others. A policy limit for each single claim of not less than \$250,000 and either an aggregate policy limit for all claims of not less than \$500,000 per year, or an automatic policy limit reinstatement feature.

Coverage for liability for errors, omissions and negligent acts arising out of the performance of all services within the practice of professional geoscience offered or provided to the public by the insured subject to such exclusions and conditions and otherwise on such terms as are consistent with normal insurance industry practice from time to time.

A holder of a Certificate shall notify the Registrar in writing and shall inform each current client within ten (10) days of the receipt of the policy of insurance, or any notice of amendment to or cancellation of the policy of insurance, under which the Certificate was issued.

OTHER ASSOCIATIONS

The Registrar may cooperate with the Registrar and/or registration officials in each of the other provincial and territorial geoscience regulatory Associations in establishing and implementing information exchange and transfer procedures for applicants who are registered with such Associations or for certificate holders of the Association who wish to transfer into or be recognized by those Associations.