

Policy and Procedure Respecting Review of Registration and Assessment Practices under the Fair Registration Practices Act

**Department of Jobs, Growth and Rural Development
Government of Newfoundland and Labrador**

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1. Purpose and Scope

Pursuant to Section 4 of the [Fair Registration Practices Act](#) (FRPA), scheduled regulatory bodies are under a duty to ensure that registration practices in Newfoundland and Labrador are transparent, timely, and fair.

The Department of Jobs, Growth and Rural Development's (JGRD) Fair Registration Practices Office (FRPO) was established under the FRPA. The Office is responsible for administering the Act and associated regulations and monitors its compliance.

This policy and procedure document outlines how the FRPO receives, assesses, and addresses requests for reviews of registration decisions from individuals who believe a regulatory body has not met its procedural obligations under the FRPA. Examples of potential non-compliance include concerns related to timeliness, transparency, or fairness of the registration process.

Important: The FRPO does not review or overturn individual licensure or registration decisions. It only examines whether the process used by a regulatory body complies with the FRPA.

2. Definitions

For the purposes of this policy and procedure:

Regulatory body means a scheduled regulatory body under the FRPA.

Procedural non-compliance means a failure to meet requirements set out in the FRPA.

3. Principles of Procedural Fairness

Registration practices used by regulatory bodies must ensure applicants:

- Receive a transparent, timely, fair, and unbiased assessment of their application.
- Are provided notice of concerns raised by the regulatory body.
- Have an opportunity to respond to any concerns identified by the regulatory body.

4. Submitting a Request to the FRPO

To submit a request to review a regulatory body's registration decision to the FRPO, individuals must complete the online Consent Form available on the [FRPO website](#). If a request is received via email, the FRPO will include the link to the Consent Form in its email response. The Consent Form will capture the following information:

- The name of the regulatory body and registration process in question.
- Details of the issue, including relevant dates, notices, correspondence, and decisions.
- Any supporting documents.

5. Intake, Completeness Check, and Acknowledgement

Service Standard: 10 Business Days

Upon receiving a request, the FRPO will:

1. Secure all communications and files in an electronic folder. Information is being collected under the authority of section 61(c) of the [Access to Information and Protection of Privacy Act, 2015](#), for compliance purposes. This project/program involves the review of compliance in accordance with the [Fair Registration Practices Act](#) and Regulations.
2. Log the request in FRPO's tracking system.
3. Date-stamp all correspondence and documents.
4. Conduct a completeness check.
5. Acknowledge receipt and confirm completeness via email.
6. If incomplete, request missing information and move the file to "Incomplete – Pending Additional Information." Individuals will have 10 business days to provide the missing information.

6. Consent for Information Sharing

Service Standard: 10 Business Days

Any information that is received will be governed in accordance with the [Access to Information and Protection of Privacy Act, 2015](#), and will only be used for the purpose of a review of compliance in accordance with the [Fair Registration Practices Act](#) and Regulations.

The personal information collected may be exchanged and released to relevant provincial department(s), as well as regulatory bodies for the sole purpose of compliance with the FRPA.

The completed Consent Form will serve as consent to review the concerns in accordance with the [Fair Registration Practices Act](#) and Regulations.

If consent is **not provided**, the FRPO will not proceed and will close the file. The individual will be notified via email.

7. Scope and Assessment

Target Timeline: Approximately 10 business days from receipt of consent. Longer timelines may apply depending on the complexity of the request.

The FRPO will:

- Determine whether the review is within the scope of the FPRO's authority:
 - **In scope:** related to procedural non-compliance under the FRPA.
 - **Out of scope:** related to individual registration outcomes.

If **out of scope**, the FRPO will:

- Notify the individual providing reasons why the review is out of scope.
- Redirect the individual to the regulatory body's internal process, relevant tribunal, or other appropriate agency, as needed.
- Close the file and update tracking system.

If **in scope**, the FRPO will proceed to the next stage.

8. Contacting the Regulatory Body

Service Standard: 5 Business Days

- The Minister of JGRD, or designate, will send formal written notice to the regulatory body, outlining the alleged procedural contravention(s) of the Act.

9. Review of Regulatory Body Response

Service Standard: 15 Business Days

The FRPO will:

- Review the information provided.
- Assess whether the regulatory body's process met FRPA requirements for:
 - Timeliness
 - Transparency (clear criteria, published timelines, communication of concerns)
 - Fairness (notice of concerns, opportunity to respond, unbiased process)

The FRPO may request clarification or additional documentation.

10. Outcomes and Actions

a) Compliance Confirmed

If the regulatory body's processes complied with the FRPA:

- The FRPO will notify the individual that following a review it was deemed that the regulatory body complied with the FRPA. Information regarding the review will be provided.
- The file will be closed.

b) Non-Compliance Identified

If procedural issues are identified:

- The FRPO will seek voluntary remedial action from the regulatory body (e.g., policy/process changes, updated communications, corrected timelines, website updates).
- The FRPO will notify the individual that non-compliance was identified, including the specific reasons and any next steps.
- The FRPO may issue recommendations to the regulatory body and/or brief the Minister on broader issues.
- The FRPO will monitor implementation and close the file once actions are completed or when appropriate steps have been taken.

c) Persistent/Systemic Non-Compliance

If issues persist, the FRPO will escalate in accordance with authority under the FRPA, which may include:

- Formal notice of non-compliance.
- Recommendations for regulatory/legislative review.
- Reporting to the Minister on findings and proposed measures.

11. Monitoring, Training & Quality Assurance

The FRPO will identify patterns of non-compliance across regulatory bodies.