

An Act Respecting the New Brunswick  
Society of Medical Laboratory Technologists

WHEREAS the New Brunswick Society of Laboratory Technologists Inc. prays that it be enacted as hereinafter set forth;

AND WHEREAS it is desirable, in the interests of the public and the members of the New Brunswick Society of Laboratory Technologists Inc., to continue the New Brunswick Society of Laboratory Technologists Inc. as a body corporate for the purpose of advancing and maintaining the standard of medical laboratory technology in the Province, for governing and regulating medical laboratory technology services provided to the public and providing for the welfare of members of the public and members of the New Brunswick Society of Laboratory Technologists Inc;

THEREFORE, Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

1 This Act may be cited as the “Medical Laboratory Technology Act”.

PART I

INTERPRETATION

2 (1) In this Act, unless the context otherwise requires

“Act” means the Medical Laboratory Technology Act;

“Board” means the Board of Directors of the Society constituted under section 4;

“Court” means a Judge of The Court of Queen’s Bench of New Brunswick;

“Executive Director” means the person holding the office of Executive Director under subsection 9(1);

“Health Professional” means a person who provides a service related to

(a) the preservation or improvement of the health of individuals, or

(b) the diagnosis, treatment or care of individuals who are injured, sick disabled or infirm,

and who is regulated under a private Act of the Legislature with respect to the provision of the service and includes a social worker registered under the *New Brunswick Association of Social Workers Act, 1988*;

“incapacity” means a physical or mental condition or disorder, suffered by a member, of such nature and extent that it is desirable in the interests of the public or the member that the member no longer be permitted to practise medical laboratory technology or that the

member's practice of medical laboratory technology be suspended or subjected to conditions, limitations or restrictions;

"incompetence" means acts or omissions on the part of a member, in the member's practice, that demonstrate a lack of knowledge, skill or judgment, or disregard for the interests of the recipient of the member's services of such a nature and to such an extent as to render the member unfit to carry on the practice of medical laboratory technology or to carry on the practice without conditions, limitations or restrictions;

"medical laboratory technologist" means a person whose name is entered in the register as a medical laboratory technologist;

"medical laboratory technology" means the performance of laboratory investigations relating to the diagnosis, treatment and prevention of disease and the evaluation of their technical validity, on specimens taken from the human body;

"member" means a medical laboratory technologist and a person whose name is entered in the temporary register or in any of the rosters established and maintained pursuant to the Act, bylaws and rules;

"prescribed" means prescribed by bylaws or rules made under the Act by the Board;

"professional misconduct" includes the acts or omissions specified in this Act as constituting professional misconduct;

"register" means the register kept pursuant to paragraph 10(1)(a);

"Registrar" means the person holding the office of Registrar under subsection 9(2);

"registration" means the entry of the name of a person in a register;

"rosters" means the rosters kept pursuant to paragraph 10(1)(d);

"Society" means the New Brunswick Society of Medical Laboratory Technologists continued by section 3;

"specialist" means a medical laboratory technologist whose name is entered in the specialists register and who is the holder of a specialists registration certificate issued pursuant to the Act, bylaws or rules;

"specialists register" means the register kept pursuant to paragraph 10(1)(c);

"temporary register" means the register kept pursuant to paragraph 10(1)(b).

2 (2) The words, initials or expressions "medical laboratory technologist", "laboratory technologist", "lab technician", "lab tech", "medical technologist consultant", "duly qualified medical technologist", "registered laboratory technologist", "RT", "ART", "MLT" and "FCSLT", or any like words, initials or expressions used alone or in combination with other

words or expressions connoting a person recognized by law as a medical laboratory technologist or person entitled to carry on the practice of medical laboratory technology or connoting a member of the Society, when used in any provision of an act of the Legislature or any regulation, rule, order or bylaws made under an act of the Legislature, enacted or made before, at or after the commencement of the Act or when used in any public document, shall be read as including a person whose name is entered in the register or the temporary register as a medical laboratory technologist.

2.1(1) A member who sexually abuses a client commits an act of professional misconduct.

2.1(2) Sexual abuse of a client by a member means

(a) sexual intercourse or other forms of physical sexual relations between the member and the client,

(b) touching, of a sexual nature, of the client by the member, or

(c) behaviour or remarks of a sexual nature by the member towards the client.

2.1(3) For the purposes of subsection (2), “sexual nature” does not include touching, behaviour or remarks of a clinical nature appropriate to the service provided.

2.2(1) A member who, in the course of practising the profession, has reasonable grounds to believe that another health professional has sexually abused a patient or client and who fails to file a report in writing in accordance with subsection (4) with the governing body of the health professional within twenty-one days after the circumstances occur that give rise to the reasonable grounds for the belief commits an act of professional misconduct.

2.2(2) A member is not required to file a report pursuant to subsection (1) if the member does not know the name of the health professional who would be the subject of the report.

2.2(3) If the reasonable grounds for filing a report pursuant to subsection (1) have been obtained from one of the member’s clients, the member shall use his or her best efforts to advise the client that the member is filing the report before doing so.

2.2(4) A report filed pursuant to subsection (1) shall contain the following information:

(a) the name of the member filing the report;

(b) the name of the health professional who is the subject of the report;

(c) the information the member has of the alleged sexual abuse; and

(d) subject to subsection (5), if the grounds of the member filing the report are related to a particular patient or client of the health professional who is the subject of the report, the name of the patient or client.

2.2(5) The name of a patient or client who may have been sexually abused shall not be included in a report unless the patient or client or, if the patient or client is incapable, the patient's or client's representative, consents in writing to the inclusion of the patient's or client's name.

2.2(6) Subsections 2.1(2) and (3) apply with the necessary modifications to sexual abuse of a patient or client by another health professional.

2.2(7) No member filing a report pursuant to subsection (1) shall be subject to any liability as a result thereof unless it is proved that the report was made maliciously.

3 The New Brunswick Society of Laboratory Technologists Inc., a body corporate incorporated by Letters Patent dated May 18, 1984 issued pursuant to the Companies Act, chapter C-13 of the Revised Statutes, 1973, is hereby continued as a body corporate and politic without share capital under the name "New Brunswick Society of Medical Laboratory Technologists" and subject to the Act, has the capacity, rights, powers and privileges of a natural person.

## PART II

### BOARD OF THE SOCIETY

4 (1) A Board of the Society consisting of not less than six directors shall be responsible for the administration of the Act and shall control, govern and manage, or supervise the control, government and management of the business and affairs of the Society and all aspects of the practice of medical laboratory technology.

4 (2) The number of directors, their respective terms of office, the manner of their appointment or election and their qualifications shall be established and governed by the bylaws of the Society and such bylaws may provide for alternate directors, for the filling of vacancies and for the appointment of additional directors.

4 (3) One director, who shall not be a member of the Society, shall be appointed to represent the public and shall be appointed by the Lieutenant-Governor in Council from a panel of not less than three persons nominated by the Board.

4 (4) The powers, duties and operations of the Board are not affected in any way by

(a) the fact that an appointment has not been made pursuant to subsection (3),

(b) the resignation, death or disqualification of a director appointed pursuant to subsection (3), or

(c) the failure, for any reason, of a director appointed pursuant to subsection (3), to attend any meeting of the Board or to participate in the manner contemplated by sections 37 and 38.

5 (1) Unless the Act or bylaws otherwise provide the Board may by resolution make, amend or repeal bylaws regulating the business or affairs of the Society and the practice of medical laboratory technology and without restricting the generality of the foregoing,

(a) governing and regulating

(i) the admission, suspension, expulsion, removal, discipline and reinstatement of members, the conditions precedent and continuing conditions of membership in the Society;

(ii) the registration and renewal, suspension, cancellation, and reinstatement of registration of medical laboratory technologists, including the imposition of limitations, restrictions and conditions on any registration issued or granted pursuant to the Act; and

(iii) the registration or membership of persons having significant experience but not having educational qualifications usually required for registration or membership;

(b) establishing one or more categories of membership and determining the rights, privileges and obligations of the members of each category;

(c) approving or accrediting schools, courses of study or educational programs in medical laboratory technology;

(d) creating and organizing local regions, academies, chapters or other subsections of the Society and governing the management of such subsections;

(e) determining the method of setting fees payable to the Society annually or otherwise, including without limiting the foregoing, fees for admission, membership, registration, insurance and testing or examinations and providing for the collection thereof;

(f) providing for the election or appointment, removal and remuneration of and establishing the powers and duties of officers, officials, employees and agents of the Society or the Board;

(g) creating and governing committees for the carrying out of the business and affairs of the Board and the Society and for regulating and governing the practice of medical laboratory technology carried on by its members;

(h) delegating to officers, officials, employees or committees any of the duties, powers and privileges of the Board, except the power to make, amend or repeal bylaws and the duties, powers and privileges of the Board with respect to appeals set out in Part VI hereof;

(i) fixing and regulating the quorum, time, place, calling, conduct and business of annual, special and general meetings of the Society, the Board and committees

of the Society or the Board, establishing the method of voting by any means and establishing the qualifications of persons entitled to vote thereat;

(j) developing, establishing, maintaining and administering

(i) standards for education programs leading to registration and for continuing education and the participation therein of medical laboratory technologists,

(ii) standards for the practice of medical laboratory technology,

(iii) Rules of Ethics or Conduct for medical laboratory technologists, and

(iv) standards of education and experience for the general or specialized practice of medical laboratory technology, including standards for specialty courses leading to qualification as a specialist;

(k) developing, establishing, prescribing, maintaining, administering and regulating

(i) the education and other qualifications and standards required of students,

(ii) standards for students and the duties, tasks, services and functions that may be performed by students and the conditions under which they may be performed,

(iii) if considered necessary by the Board, methods of and requirements for the registration of students and for the suspension, restriction or cancellation of the same including methods for setting fees or dues payable to the Society by students and providing for the collection thereof, and

(iv) the duties, tasks, services and functions that the students are prohibited from performing;

(l) defining classes of specialists in the various branches of medical laboratory technology and

(i) dividing the specialists register into parts representing the classes of specialists as defined by bylaw,

(ii) prescribing the qualifications required for registration in the specialists register and for the issuance of a specialists registration certificate,

(iii) providing for the renewal, cancellation, suspension, revocation and reinstatement of any registration in the specialists register and the imposition of limitations, restrictions and conditions on any specialist's registration,

(iv) providing for the regulation and prohibition of the use of terms, titles or designations indicating specialization in any branch or field of medical laboratory technology, and

(v) prescribing the duration of registrations in the specialists register;

(m) respecting and governing the management and disposition of trust, charitable or benevolent funds committed to the care of the Society;

(n) setting the fiscal year of the Society, determining the place where the head office of the Society shall be located and the place or places where other offices of the Society shall be located;

(o) determining the aspects, subjects or matters of the business and affairs of the Society and the practice of medical laboratory technology that may be regulated and governed by rules of the Board;

(p) authorizing the making of co-operative or affiliation arrangements with any institution, organization or professional body in any jurisdiction;

(q) respecting and governing such other subjects, matters and things as the Board considers appropriate to administer the Act or to advance or protect the interests of the public, the Society or the members;

and subject to subsection (3) such bylaws shall be valid, binding and effective from the date they are passed by the Board.

5 (2) Any amendment or repeal of a bylaw by the Board shall be made by bylaw.

5 (3) (a) Bylaws relating to matters described in paragraphs (a), (b), (f), (j), (l) and (o) of subsection (1) shall not be effective or be acted upon until confirmed by an ordinary resolution at an annual, special or general meeting of the Society and where a bylaw is amended by ordinary resolution at such meeting it becomes effective in the form in which it is amended;

(b) By-laws relating to

(i) admission of members and the conditions precedent of membership in the Society, described in subparagraph (a)(i) of subsection (1); and

(ii) matters described in subparagraph (a)(iii) and paragraphs (c), (j) and (k) of subsection (1);

shall not be effective or be acted upon until confirmed by the Lieutenant-Governor in Council.

5(4) The Board may, from time to time, in such amounts and on such terms as it considers expedient

(a) borrow money upon the credit of the Society;

(b) issue, reissue, sell or pledge debt obligations of the Society;

(c) charge, mortgage, hypothecate, pledge or otherwise create a security interest in all or any currently owned or subsequently acquired, moveable or immoveable property of the Society, to secure any debt obligation or any money borrowed or other debt or liability of the Society; or

(d) give a guarantee on behalf of the Society to secure performance of an obligation of another person.

5 (5) The Board may from time to time delegate to such one or more of the directors and officers of the Society as may be designated by the Board, all or any of the powers conferred on the Board in subsection (4), to such extent and in such manner as the Board shall determine at the time of each such delegation.

5 (6) It is not necessary for a bylaw to be passed in order to confer any particular power on the Society or the Board.

6 (1) Unless the Act or bylaws otherwise provide, the Board may by resolution make any rules not contrary to the bylaws regulating any of the aspects, subjects or matters of the business or affairs of the Society and the practice of medical laboratory technology as may be governed by bylaw and any such rule shall be valid, binding and effective from the date of the resolution of the Board until amended or repealed by an ordinary resolution at an annual, or special or general meeting of the Society called for the purpose of considering the same.

6 (2) Any amendment or repeal of a rule by the Board shall be made by a rule.

7 No act or thing done in reliance on, or right acquired under or pursuant to, a bylaw or rule that is subsequently repealed or amended shall be prejudicially affected by such repeal or amendment.

8 The Regulations Act, chapter R-7 of the Revised Statutes, 1973 does not apply to the Society or any bylaw, rule or resolution made by the Society or the Board but all the bylaws and rules of the Society or the Board shall be available for inspection by any person at the head office of the Society at all reasonable times during business hours, free of charge.

- 9 (1) The Board may appoint an Executive Director of the Society who shall hold office during the pleasure of the Board.
- 9 (2) The Board shall appoint a Registrar who must be a medical laboratory technologist and who shall hold office during the pleasure of the Board.
- 9 (3) The Executive Director shall at all times be subject to the directions of the Board.
- 9 (4) The offices of Registrar and Executive Director may both be held by one person at the same time.
- 9 (5) There shall be an executive committee of the Board composed of members of the Board, that, between meetings of the Board or at such other times as may be prescribed, may carry out any of the duties and exercise any of the powers and privileges of the Board, except the duties, powers and privileges in Part VI hereof, and the executive committee shall carry out such other duties as may be assigned to it from time to time by the Board, the bylaws or the rules.
- 9 (6) The number of members of the executive committee, their respective terms of office, the manner of their appointment or election and their qualifications shall be established and governed by the bylaws.

### PART III

#### REGISTRATION AND MEMBERSHIP

- 10 (1) The Registrar shall keep or cause to be kept
- (a) a register in which shall be entered the name and address of every person who has met the qualifications for registration as a medical laboratory technologist pursuant to the Act, bylaws and rules;
  - (b) a temporary register in which shall be entered the name and address of every person who is permitted to use the designation medical laboratory technologist and to carry on the practice of medical laboratory technology in the Province under such circumstances, conditions, limitations and restrictions and for such temporary and limited periods of time as are set out in the bylaws and rules;
  - (c) when directed by the bylaws, a specialists register in which shall be entered the name, address, qualifications and specialty of every medical laboratory technologist who is entitled to be registered in the specialists register pursuant to the Act, bylaws or rules; and
  - (d) rosters of members in which shall be entered the name and address of every person who is entitled to membership in any category of membership established by the bylaws, other than persons whose names are entered in the register or the temporary register.

10 (2) The register may be divided into such parts as may be prescribed in which shall be entered the names of persons qualified pursuant to the bylaws and rules for such classifications and levels of registration or membership as may be prescribed.

11 (1) Any person whose name is entered in the register as a medical laboratory technologist, subject to any conditions, limitations or restrictions set out in the person's certificate, the bylaws or rules, shall be entitled to hold herself out as a medical laboratory technologist, to use the designations "medical laboratory technologist", "MLT" or any other words, letters or abbreviations indicating that the person is a medical laboratory technologist and is entitled to carry on the practice of medical laboratory technology in the Province.

11 (2) Any person whose name is entered in the temporary register as a medical laboratory technologist shall be entitled to the privileges and rights in subsection (1) in the Province for such limited period of time, in such circumstances and subject to such conditions, limitations and restrictions as may be prescribed.

11 (3) Any person who is enrolled as a student in an approved school, course of study or educational program in medical laboratory technology may perform the tasks, duties and functions constituting part of the student's course of study, subject to such conditions, limitations and restrictions as may be prescribed.

11 (4) A person whose name is entered in a roster shall be entitled to such rights and privileges and shall be subject to such obligations, conditions, limitations and restrictions as may be prescribed.

11 (5) Any medical laboratory technologist whose name is entered in the specialists register as a specialist and who has complied with the terms and conditions of the bylaws and rules shall be entitled to enjoy the rights and privileges set out in subsection (1) and to practise the specialty or specialties for which the specialist is registered and no other specialties, subject to any conditions, limitations or restrictions as may be prescribed or set out in the specialist's registration certificate and to use such names, designations and titles in connection with the specialist's practice as may be prescribed.

11 (6) No medical laboratory technologist shall practise as a specialist or hold herself out as a specialist except in accordance with the Act, bylaws and rules.

12 (1) The Registrar shall remove or cause the removal of the name of any person from the register, the temporary register, the specialists register or one or more of the rosters, who fails to meet or maintain the qualifications and standards for entry in such register or rosters.

12 (2) The registration of a medical laboratory technologist shall terminate and cease to have effect when the medical laboratory technologist's name is removed from the register.

13 (1) Every person who engages a person as a medical laboratory technologist and every agency or registry that procures employment or work for a person as a medical laboratory technologist

(a) shall ensure at the time of engagement or employment, and if such engagement or employment is continuing, once each year thereafter, that the person is the holder of a current certificate of registration issued pursuant to the Act and bylaws and is not engaged to perform duties and functions contrary to any conditions, limitations or restrictions imposed on the person's registration; and

(b) where a person's engagement as a medical laboratory technologist is terminated because of dishonesty, incompetence or incapacity, shall forthwith report the matter to the Society and provide a copy of the report to the person whose engagement is terminated.

13 (2) No person making a report pursuant to paragraph (1)(b) shall be subject to liability as a result of making such a report unless it is proved that the report was made maliciously.

14 (1) The Registrar shall issue or cause to be issued annually or at such other times as may be set out in the rules a certificate of registration or a validation seal to be affixed to a previously issued certificate to persons whose names are entered in the register, specialists register or temporary register, and each such certificate or validation seal shall remain the property of the Society, shall state the date on which it expires and any conditions, limitations or restrictions imposed on the registration of the person in respect of whom the certificate or validation seal is issued.

14 (2) No person shall be entitled to have their name entered in the register, specialists register or temporary register or to receive a certificate or validation seal unless such person

(a) has paid all applicable prescribed fees, and

(b) has satisfied the requirements for registration as may be prescribed.

14 (3) Any person who was entitled to practise medical laboratory technology or entitled to use any designation indicating membership in a medical laboratory technology association or society under the laws governing or concerning the practice of medical laboratory technology in any other jurisdiction and who has been suspended from or otherwise restricted in or disqualified from practising medical laboratory technology or using any such designation in another jurisdiction by reason of incapacity, professional misconduct, dishonesty or incompetence shall not be entitled to apply for registration or to be registered under the provisions of the Act until such time as the suspension, restriction or disqualification has been removed in the other jurisdiction.

15 A certificate purporting to be signed by the Registrar respecting the records of the Society or the registration of a person is, without proof of the Registrar's appointment, authority or signature, admissible in evidence in any proceeding as prima facie proof of the facts set out in the certificate relating to the registration of that person or lack thereof and any condition, limitation or restriction in respect of the registration of that person.

#### PART IV

## OFFENCES AND ENFORCEMENT

16 (1) Except as provided in the Act, bylaws or rules, no person other than a person whose name is entered in the register or the temporary register shall

(a) publicly or privately, whether or not for hire, gain or hope of reward hold herself out in any way as being a medical laboratory technologist or as being entitled to practise medical laboratory technology;

(b) assume or use any title, name, designation,

initials or description, including those referred to in the Act, that could lead the public to believe that person is a member of the Society or a medical laboratory technologist; or

(c) practise medical laboratory technology.

16 (2) Any person authorized to practise medical laboratory technology or hold herself out as a medical laboratory technologist or specialist under the provisions of the Act who practises medical laboratory technology in violation of any condition, limitation or restriction imposed upon the person's registration or membership or who fails to inform her employer of any such condition, limitation or restriction commits an offence.

17 Any person who knowingly furnishes false, or misleading information in or in respect of any application made under the Act, bylaws or rules or in any statement or return required to be furnished under the Act, bylaws or rules, commits an offence.

18 (1) A person who violates any provision of the Act commits an offence and is liable on summary conviction to a fine not less than

(a) \$500 for a first offence;

(b) \$1,000 for a second offence; or

(c) \$2,000 for a third or subsequent offence

or to imprisonment for a term not exceeding six months, or both.

18 (2) All fees, fines and penalties payable under the Act shall be paid to the Society and belong to the Society.

18 (3) Any information to be laid under the Act may be laid by the Registrar of the Society or any member of the Society authorized by the Board.

18 (4) The Board may institute and carry on or authorize any person to institute or carry on the prosecution of any offence under the Act.

19 Where a member or former member or an applicant for registration does or attempts to do anything contrary to the provisions of the Act, bylaws or rules, the doing of such thing may be restrained by an injunction of The Court of Queen's Bench of New Brunswick at the instance of the Board acting in the name of the Society.

20 Where any person other than a person described in section 19 does or attempts to do anything contrary to the provisions of the Act, the doing of such thing may be restrained by an injunction of The Court of Queen's Bench of New Brunswick at the instance of the Board acting in the name of the Society.

21 (1) No prosecution by the Society or any other person for an offence under the Act shall be commenced after the expiration of one year from the date of the last act that is part of the alleged offence.

21 (2) Where a violation of any provision of the Act continues for more than one day, the offender is guilty of a separate offence for each day that the violation continues.

21 (3) For the purposes of the Act, proof of the performance of one act in the practice of medical laboratory technology on one occasion is sufficient to establish that a person has engaged in the practice of medical laboratory technology.

#### EXEMPTIONS

22 Nothing in the Act applies to or prevents

(a) the practice of medicine by a person authorized to carry on such practice under the provisions of the Medical Act;

(b) the practice of dentistry by a person authorized to carry on such practice under the provisions of the New Brunswick Dental Act, 1985;

(c) the practice of nursing by a person authorized to carry on such practice under the provisions of the Nurses Act;

(d) the practice of speech-language pathology or audiology by a person authorized to carry on such practice under the provisions of the Speech-Language Pathology and Audiology Act;

(e) the practice of a medical radiation technologist by a person authorized to carry on such practice under the provisions of the Medical Radiation Technologists Act;

(f) the carrying out of specific tasks constituting part of the practice of medical laboratory technology by persons authorized under the bylaws of the Society and under the supervision and control of a medical laboratory technologist;

- (g) the carrying on of any occupation, calling or profession by a person authorized to carry on such occupation, calling or profession by any public or private act of the Legislature;
- (h) the carrying out of laboratory investigations by members in good standing of the Canadian Society of Clinical Chemists;
- (i) the carrying out of laboratory investigations by members in good standing of the Canadian College of Microbiologists, with training or certification in clinical microbiology;
- (j) the carrying out of laboratory investigations by scientists with a university degree at the Masters or Doctorate level with in depth clinical knowledge in their field of laboratory medicine;
- (k) the carrying on of the occupation of a pathology assistant under the supervision of a pathologist authorized to practise medicine under the provisions of the Medical Act; or
- (l) the carrying out of blood gas measurements by medical perfusionists or respiratory technologists authorized to carry out such measurements.

## PART V

### DISCIPLINE

23 In this Part “complaint” means any complaint, report or allegation in writing and signed by the complainant regarding the conduct, actions, competence, character, fitness, health or ability of a member and “member” includes former member, and any person whose name is or was entered in any register or roster of the Society.

24 (1) The Board shall cause an investigation to be carried out by the Complaints Committee of every complaint received, if the complaint in substance alleges that a member

- (a) has been guilty of
  - (i) professional misconduct;
  - (ii) conduct unbecoming a member including any conduct that might adversely affect the standing or good name of the profession or the Society;
  - (iii) incompetence;
  - (iv) conduct demonstrating that the member is unfit or incapable to practise medical laboratory technology;
  - (v) any conduct in breach of the provisions of the Act, bylaws or rules;

(vi) dishonesty; or

(vii) any habit rendering the member unfit or incapable of carrying on the practice of medical laboratory technology; or

(b) is suffering from any ailment or condition rendering the member unfit or incapable of carrying on the practice of medical laboratory technology.

24 (2) All complaints against a member received by the Society or the Board shall be delivered forthwith by the Registrar to the Chairman of the Complaints Committee and a copy of the same shall immediately be forwarded to the member.

24 (3) The Board shall maintain a standing committee known as the Complaints Committee, which in this section is referred to as the "Committee."

24 (4) The Committee shall be composed of medical laboratory technologists and none of the Committee members shall be a director of the Society or a member of the Discipline Committee.

24 (5) The quorum, number of Committee members, their terms of office, qualifications and the manner of their appointment shall be established and governed by the bylaws and the bylaws may regulate the procedures, functions and operations of the Committee and may permit the establishment of panels of the Committee to act for and to carry out and exercise all the duties and powers of the Committee.

24 (6) The Board shall appoint one of the members of the Committee to be the Chairman of the Committee.

24 (7) The Committee shall

(a) consider and investigate all complaints delivered to it, and

(b) perform such other duties as may be assigned to it by the Board, the bylaws or rules.

24 (8) The Committee shall consider only written evidence and in this section the term evidence includes any documents or things which may be presented to the Committee.

24 (9) The Committee may engage such persons it considers necessary including legal counsel to assist it in the consideration and investigation of complaints and shall, subject to the bylaws and rules, determine its own rules of procedure.

24 (10) The Committee may, subject to such restrictions and procedures as may be prescribed, attempt to informally mediate and resolve a complaint.

24 (11) Any member against whom a complaint has been made shall be entitled to

(a) prompt notice that a complaint has been received by the Committee or that the Board has caused an investigation to be commenced by the Committee and a copy of the complaint;

(b) copies of all reports, documents and evidence presented to the Committee in writing concerning the complaint, other than privileged documents; and

(c) at least fourteen days' notice of the first meeting of the Committee called to consider the complaint, which notice shall be accompanied by copies of all reports, documents and evidence in writing concerning the complaint, other than privileged documents, then in the possession of the Committee, and the opportunity after such notice to submit to the Committee in writing any explanation, evidence, documents or representation the member may wish to make concerning the complaint or investigation.

24 (12) After reviewing all the evidence presented to it, the Committee shall determine whether the complaint warrants further consideration and may

(a) dismiss the complaint, or

(b) refer the complaint to the Discipline Committee.

24.1(1) Where the Complaints Committee refers a complaint to the Discipline Committee and where the Complaints Committee considers the actions necessary to protect the public pending the conduct and completion of proceedings before the Discipline Committee in respect of a member, the Complaints Committee may, subject to subsection (2), make an interim order

(a) directing the Registrar to impose specified conditions, limitations and restrictions upon the member's registration, or

(b) directing the Registrar to suspend the member's registration.

24.1(2) No order shall be made by the Complaints Committee under subsection (1) unless the member has been given

(a) notice of the Complaints Committee's intention to make the order, and

(b) at least ten days to make written representation to the Complaints Committee in respect of the matter after receiving the notice.

24.1(3) Where the Complaints Committee takes action under subsection (1), the Committee shall notify the member of its decision in writing.

24.1(4) An order under subsection (1) continues in force until the matter is disposed of by the Discipline Committee, unless the order is stayed pursuant to an application under subsection (5).

24.1(5) A member against whom action is taken under subsection (1) may apply to The Court of Queen's Bench of New Brunswick for an order staying the action of the Complaints Committee.

24.1(6) If an order is made under subsection (1) by the Complaints Committee in relation to a complaint referred to the Discipline Committee, the Association and the Discipline Committee shall act expeditiously in relation to the complaint.

25 (1) The Board shall maintain a standing committee known as the Discipline Committee, which in this section shall be referred to as the "Committee."

25 (2) The Committee shall be composed of medical laboratory technologists and at least one person who is not a member shall be appointed to represent the public by the Lieutenant-Governor in Council and none of the Committee members shall be a director of the Society.

25 (3) The quorum, number of Committee members, their terms of office, qualifications and the manner of their appointment shall be established and governed by the bylaws and the bylaws may regulate the powers, procedures, functions and operations of the Committee and may permit the establishment of panels of the Committee to act for and to carry out and exercise all the duties and powers of the Committee.

25 (4) The Board shall appoint one of the members of the Committee to be the Chairman of the Committee.

25 (5) The Committee, and the Board when acting pursuant to Part VI, shall conduct its proceedings in accordance with its own rules of procedure and may do all things and engage such persons including legal counsel it deems necessary to provide for the ~~investigation~~, hearing and consideration of any complaint or appeal and in no case is the Committee or the Board bound to follow the technical rules of evidence or procedure applicable in judicial proceedings.

25 (6) The Committee shall

~~(a) consider and investigate complaints referred to it, and~~

(a) conduct a hearing with respect to a complaint referred to it from the Complaints Committee, and

(b) perform such other duties as may be assigned to it by the Board.

25 (7) The Committee shall

(a) consider the complaint, hear the evidence, ascertain the facts and make a decision with respect to the merits of each complaint as to whether the member is guilty of a matter described in paragraph 24(1)(a) or is suffering from an ailment or condition described in paragraph 24(1)(b), in such manner as it deems fit;

(b) if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, require the member in respect of whom a complaint is made to submit to physical or mental health examinations by such qualified person or persons as the Committee may designate and if the member fails to submit to any such examination the Committee may without

further notice suspend the member's registration and membership until the member does so;

(c) if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, require the member in respect of whom a complaint is made to undergo such clinical or other examinations as the Committee may designate in order to determine whether the member has adequate skill and knowledge to practise medical laboratory technology and if the member fails to undergo any such examination the Committee may without further notice suspend the member's registration and membership until the member does so; and

(d) if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, require any member to produce records and documents in the member's possession or custody or under the member's control or in the possession or custody or control of any corporation of which the member is a director, officer or shareholder, and if the member fails to produce such records and documents the Committee may suspend the member's registration and membership until the member does so, unless the member is prohibited by law from producing such records and documents.

25 (8) After reviewing all of the evidence presented to it the Committee may as part of its decision with respect to the merits of any complaint

(a) order that the member's registration or membership be suspended for a specific period of time during which the member's name shall be removed from the register, the specialists register, the temporary register or any roster in which the member's name may be entered;

(b) order that the member's registration or membership be suspended pending the satisfaction and completion of such conditions as may be ordered by the Committee;

(c) order that the member's registration or membership be revoked and the member's name be removed from the register, the specialists register, the temporary register or any roster in which the member's name may be entered;

(c.1) where a member's registration or membership is ordered to be revoked, specify a period of time before which the member may not apply for reinstatement;

(d) order that conditions or limitations be imposed on the member's registration, membership or practice and so inform the member's employer, if any;

(e) issue a reprimand;

(f) dismiss the complaint;

(g) impose such fine as the Committee considers appropriate, not exceeding \$1,000 to be paid by the member to the Society for the use of the Society and such fine may be recovered by the Society by civil action for debt;

(h) order that the imposition of any penalty be suspended or postponed for such period of time and upon such terms and conditions as the Committee deems appropriate;

(i) attempt to resolve informally any complaint if the Committee deems it appropriate; or

(j) make such other order as it deems just, including without limitation, an order combining two or more of the orders set out in paragraphs (a) to (h).

25 (8.1) Where the Committee makes an order under subsection (8), it may, by order, do one or more of the following:

(a) direct the Registrar to give public notice of any order by the Committee that the Registrar is not otherwise required to give under this Act; or

(b) direct the Registrar to enter the result of the proceeding before the Committee in the records of the Society and to make the result available to the public.

25 (9) Notwithstanding any other provision in the Act, if at any time a member admits in writing any allegation in a complaint alleging a matter set out in subsection 24(1), and the member waives in writing the right to any other or further hearing or proceedings pursuant to this Part, the Committee may agree to cancel all hearings or proceedings and may

(a) agree to accept the member's resignation on such terms and conditions as the Committee may specify, or

(b) make any order, finding or decision that may be made pursuant to sections 25 or 35.

26 (1) Upon the application of

(a) any party to a hearing by the Discipline Committee or the Board,

(b) the Chairman of the Discipline Committee or a member of the Board, or

(c) counsel for the Society, the Discipline Committee or the Board,

and on payment of any fees prescribed, the Registrar may sign and issue writs of subpoena ad testificandum or subpoena duces tecum in prescribed form for the purpose of procuring and compelling the attendance and evidence of witnesses and the production of things relating to matters in question before the Discipline Committee or the Board.

26 (2) The proceedings and penalties in the case of disobedience to any writ of subpoena issued hereunder shall be the same as in the case of disobedience of a Summons to Witness in civil cases in The Court of Queen's Bench of New Brunswick.

26 (3) The testimony of witnesses shall be taken under oath or solemn affirmation which any member of the Discipline Committee or the Board is authorized to administer.

26 (4) The burden of proof in all proceedings before the Discipline Committee or the Board acting pursuant to Part VI shall be the balance of probabilities.

~~27 (1) In all proceedings before the Discipline Committee or the Board acting pursuant to Part VI, the member against whom a complaint has been made or in respect of whom an investigation has been commenced~~

~~(a) may present evidence or make representations in either English or French;~~

~~(b) may be represented by legal counsel, at the member's own expense;~~

~~(c) shall be entitled, subject to paragraph 30(b), to a full right to examine, cross-examine and re-examine witnesses in accordance with the rules of procedure established by the Discipline Committee or the Board, as the case may be;~~

~~(d) shall be entitled to receive copies of all documents presented to the Discipline Committee or the Board in connection with the complaint or investigation unless such documents are privileged by law;~~

~~(e) shall be entitled to at least fourteen days' written notice of the date of the first hearing of the Discipline Committee or the Board; and~~

~~(f) shall receive prompt notice of and a copy of the decision rendered.~~

27 (1) In all proceedings before the Discipline Committee or the Board acting pursuant to Part VI, the member against whom a complaint has been made and the complainant

(a) may present evidence or make representations in either English or French;

(b) may be represented by legal counsel, at their expense;

(c) shall be entitled, subject to paragraph 30(b), to a full right to examine, cross-examine and re-examine witnesses in accordance with the rules of procedure established by the Discipline Committee or the Board, as the case may be;

(d) shall be entitled to receive copies of all documents presented to the Discipline Committee or the Board in connection with the complaint unless such documents are privileged by law;

(e) shall be entitled to at least fourteen days' written notice of the date of the first hearing of the Discipline Committee or the Board; and

(f) shall receive prompt notice of and a copy of the decision rendered.

27 (2) Subsection 21(1) does not apply to any discipline proceeding under Part V or Part VI of the Act.

27 (3) Any person whose registration, right to practise or membership is revoked, suspended, subjected to conditions, limited or restricted shall without demand forthwith deliver to the Registrar any certificate of membership or registration or validation seals issued under the Act to such person.

## PART VI

### APPEALS

28 (1) If,

(a) a complainant is dissatisfied with a decision of the Complaints Committee or the Discipline Committee, or

(b) a member against whom a complaint has been made is dissatisfied with a decision of the Discipline Committee, or

(c) an applicant for registration or reinstatement of registration is dissatisfied with a decision made by the person or body empowered by bylaw to make such decision with respect to the application,

such person may, by serving a written notice of appeal on the Registrar within thirty days of the date on which notice of the said decision is mailed to the last known address of such person, appeal the decision to the Board.

28 (2) Any notice of appeal given under the provisions of this section shall set forth the grounds of appeal and shall state the relief sought.

29 (1) In any appeal under the Act the Registrar shall obtain a transcript or such other record as exists of the evidence presented to the committee, person or body from whom the appeal is taken and shall prepare and present to the Board a record on appeal consisting of the transcript or such other record as exists, all exhibits and the order or other document evidencing the decision being appealed.

29 (2) The Registrar shall provide the appellant and any other person entitled by the bylaws to participate in the appeal with a copy of the record on appeal upon payment by the appellant or such other person of the costs and disbursements of producing such copy.

30 On appeal the Board may

- (a) adjourn the proceedings or reserve the determination of the matters before it, and
- (b) upon granting special leave, and only where it is shown that such evidence was not previously available, receive further evidence.

31 After reviewing the record on appeal and hearing the evidence or argument presented the Board may

- (a) draw inferences of fact and make any finding, decision, determination or order that in its opinion ought to have been made;
- (b) vary the decision appealed from;
- (c) refer the matter to the Discipline Committee or the person or body from whom the appeal is taken as the case may be for further consideration and decision;
- (d) confirm the decision appealed from; or
- (e) make such decision or order as it may deem appropriate.

32 (1) Any party to an appeal to the Board may appeal from the decision or order of the Board by a written notice of appeal on any ground of appeal that involves a question of law alone to the Court within thirty days of the date on which notice of the Board's decision or order is mailed to the last known address of such party, or within such further time not exceeding sixty days as may be allowed by the Court.

32 (2) The notice of appeal shall set forth the grounds of appeal and the relief sought and shall be served upon the Registrar, the Clerk of The Court of Queen's Bench of New Brunswick for the judicial district in which the deliberations of the Board were held and upon any other party to the proceedings before the Board.

33 The record on appeal to the Court shall be the record on appeal presented to the Board, a transcript of any new testimony presented to the Board, any other new evidence or exhibits presented to the Board and a copy of the decision or order of the Board.

34 (1) The Court may make any order or decision that the Board may make and may make such order as to costs as may be just.

34 (2) The Rules of Court governing civil appeals to the Court of Appeal of New Brunswick which are not inconsistent with the Act shall apply with such changes as are necessary to appeals to the Court under this Part and the Society shall have standing to appear and participate in any appeals to the Court.

34 (3) Notwithstanding that an appeal to the Board or to the Court may have been instituted in respect of a decision or order, that decision or order shall continue to be valid and binding and no stay of proceedings may be granted prior to the hearing of the appeal.

PART VI.1

INVESTIGATIONS

34.1 In this Part, “member” means a member as defined in section 23.

34.2(1) The Registrar may appoint one or more investigators to investigate whether the acts or conduct of a member constitutes an act or conduct described in paragraph 24(1)(a) or whether member is suffering from an ailment or condition rendering the member unfit or incapable of carrying on the practice of medical laboratory technology if the Complaints Committee has received a complaint about the member and has requested the appointment.

34.2(2) An employee of the Society may be appointed an investigator under subsection (1).

34.3(1) An investigator appointed by the Registrar may at any reasonable time, and upon producing proof of his or her appointment, enter and inspect the business premises of a member and examine anything found there that the investigator has reason to believe will provide evidence in respect of the matter being investigated.

34.3(2) Subsection (1) applies notwithstanding any provision in any Act relating to the confidentiality of health records.

34.3(3) No person shall, without reasonable excuse, obstruct or cause to be obstructed an investigator while the investigator is performing his or her duties under this Act.

34.3(4) No person shall withhold, conceal or destroy, or cause to be withheld, concealed or destroyed, anything that is relevant to an investigation under this Act.

34.4(1) Upon the *ex parte* application of an investigator, a judge of The Court of Queen’s Bench of New Brunswick who is satisfied on information by oath or solemn affirmation that the investigator has been properly appointed and that there are reasonable grounds for believing that

(a) the acts or conduct of the member being investigated constitutes an act or conduct described in paragraph 24(1)(a) or that the member is suffering from an ailment or condition rendering the member unfit or incapable of carrying on the practice of medical laboratory technology, and

(b) there is in a building, receptacle or place anything that will provide evidence in respect of the matter being investigated,

may issue a warrant authorizing the investigator to enter the building, receptacle or place and search for and examine or remove anything described in the warrant.

34.4(2) An investigator entering and searching a place under the authority of a warrant issued under subsection (1) may be assisted by other persons and may enter a place by force.

34.4(3) An investigator entering and searching a place under the authority of a warrant issued under subsection (1) shall produce his or her identification and a copy of the warrant, upon request, to any person at that place.

34.4(4) A person conducting an entry or search under the authority of a warrant issued under subsection (1) who finds anything not described in the warrant that the person believes on reasonable grounds will provide evidence in respect of the matter being investigated may seize and remove that thing.

34.5(1) An investigator may copy, at the expense of the Society, a document that the investigator may examine under subsection 34.3(1) or under the authority of a warrant issued under subsection 34.4(1).

34.5(2) An investigator may remove a document referred to in subsection (1) if it is not practicable to copy it in the place where it is examined or a copy is not sufficient for the purposes of the investigation and may remove any object that is relevant to the investigation, and shall provide the person in whose possession it was with a receipt for the document or object.

34.5(3) An investigator, where a copy can be made, shall return a document removed under subsection (2) as soon as possible after the copy has been made.

34.5(4) A copy of a document certified by an investigator to be a true copy shall be received in evidence in any proceeding to the same extent and shall have the same evidentiary value as the document itself.

34.5(5) In this section, “document” means a record of information in any form and includes any part of it.

34.6 An investigator shall report the results of an investigation to the Registrar in writing and the Registrar shall forward a copy of the report to the Complaints Committee.

## PART VII

### GENERAL

35 (1) The Discipline Committee or the Board may order that the costs of any investigation, proceeding, hearing or appeal pursuant to any provision of the Act, bylaws or rules be paid to any one or more of the Society or the parties, in whole or in part

(a) by the member against whom the complaint was made, except where the complaint is completely dismissed without any other decision, finding or order adverse to that member, or

(b) by the complainant or person at whose request the complaint was made or an investigation was commenced where the Committee or Board is of the opinion that the complaint, investigation or appeal was frivolous, vexatious or malicious, and

may make it a condition of the registration of any member that such costs be paid forthwith.

35 (2) The costs payable under subsection (1) may be taxed by the registrar of The Court of Queen’s Bench of New Brunswick as between solicitor and client on filing with the registrar the order as to costs and on the payment of any required fees, and judgment may be entered for such taxed costs in Form A of the Act with necessary modifications.

35 (3) Before hearing an appeal the Board or the Court may order that security for costs be paid to the Society by the appellant in such amount and upon such terms as the Board or the Court may consider just.

36 For the purposes of the Act, “costs” includes

(a) all legal and other costs, expenses and disbursements incurred by the Society, the Complaints Committee, the Discipline Committee, the Registrar or the Board in relation to an investigation, proceeding, hearing or appeal;

(b) honoraria and expenses paid to members of the Complaints Committee, Discipline Committee, the Registrar or members of the Board in relation to an investigation, proceeding, hearing or appeal; and

(c) the legal costs, expenses and disbursements incurred by any party to an investigation, proceeding, hearing or appeal.

37 The Board and any committee of the Board or of the Society may conduct meetings by telephone or other communication facilities in the manner and on the terms and conditions established by the bylaws or rules and persons participating in a meeting by such means shall be deemed to be present in person at that meeting.

38 A resolution, report, recommendation, decision, finding or order of the Board or any committee of the Board or of the Society in writing signed by all directors or persons entitled to vote on such resolution, report, recommendation, decision, finding or order, or signed counterparts thereof, is as valid as if passed, enacted, determined or made at a meeting of the Board or such committee.

39 No action shall be brought against a member or former member for negligence or breach of contract or otherwise by reason of services requested, given or rendered, except within

(a) two years from the day when, in the matter complained of, such services terminated;

(b) two years after the person commencing the action knew or ought to have known the facts upon which the person alleges negligence or breach of contract; or

(c) where the person entitled to bring an action is, at the time the cause of action arises, a minor, a mental incompetent, or a person of unsound mind, one year

from the date when such person becomes of full age, or of sound mind, or as the case may be, whichever is longer.

40 None of the Society, the Board, any of the committees of the Board or of the Society, or any committee or Board member, officer or employee of any of the foregoing bodies or appointee of the Registrar shall be liable for any loss or damage of any kind suffered or incurred by any person as a result of anything done or not done, any proceedings taken, or any order made or enforced by it or them in good faith in the administration of or pursuant to the Act, bylaws or rules.

41 Whenever notice is required or permitted to be made or given pursuant to the Act, bylaws or rules any such notice shall be deemed to have been received five days after the mailing by ordinary mail of any such notice to the last known address of the person to whom it is directed.

41.1 The Registrar shall give public notice of the suspension or revocation of a member's registration as a result of proceedings before the Discipline Committee.

41.2(1) The Registrar shall forthwith enter into the records of the Society

(a) the result of every proceeding before the Discipline Committee that

(i) resulted in the suspension or revocation of a registration, or

(ii) resulted in a direction under paragraph 25(8.1)(b), and

(b) where the findings or decision of the Discipline Committee that resulted in the suspension or revocation of a registration or the direction are appealed, a notation that they are under appeal.

41.2(2) Where an appeal of the findings or decision of the Discipline Committee is finally disposed of, the notation referred to in paragraph (1)(b) shall be removed and the records adjusted accordingly.

41.2(3) For the purpose of paragraph (1)(a), "result", when used in reference to a proceeding before the Discipline Committee, means the Committee's finding and the penalty imposed and in the case of a finding of professional misconduct, a brief description of the nature of the professional misconduct.

41.2(4) The Registrar shall provide a copy of the information contained in the records referred to in subsection (1) to any person who inquires about a member or former member

(a) for an indefinite period if the member or former member was found to have sexually abused a client, and

(b) for a period of five years, or for such longer period as may be prescribed, following the conclusion of the proceedings referred to in subsection (1) in all other cases.

41.2(5) The Registrar, upon payment of a reasonable fee, shall provide a copy of the information contained in the records referred to in subsection (1) that pertain to a member or former member to a person who requests a copy.

41.2(6) Notwithstanding subsection (5), the Registrar may provide, at the Society's expense, a written statement of the information contained in the records in place of a copy.

41.3 The Registrar shall submit a written report annually to the Board containing a summary of the complaints received during the preceding year by source and type of complaint and the disposition of such complaints.

41.4(1) The Society shall undertake measures for prevention of the sexual abuse of clients by its members.

41.4(2) Such measures referred to in subsection (1) shall include

- (a) education of members about sexual abuse,
- (b) guidelines for the conduct of members with clients,
- (c) providing information to the public respecting such guidelines, and
- (d) informing the public as to the complaint procedures under this Act.

41.4(3) Measures referred to in subsection (2) may, where appropriate, be taken jointly with other organizations or associations of health professionals.

41.5(1) The Society shall report to the Minister of Health and Community Services within two years after the commencement of this section, and within thirty days at any time thereafter on the request of the Minister, respecting the measures the Society is taking and has taken to prevent and deal with the sexual abuse of clients by its members.

41.5(2) The Society shall report annually to the Minister of Health and Community Services respecting any complaints received during the calendar year respecting the sexual abuse of clients by members or former members of the Society.

41.5(3) A report under subsection (2) shall be made within two months after the end of each calendar year and shall contain the following information:

- (a) the number of complaints received during the calendar year for which the report is made and the date each complaint was received;
- (b) with respect to each complaint received during the calendar year for which the report is made
  - (i) a description of the complaint in general non-identifying terms,

- (ii) the decision of the Complaints Committee with respect to the complaint and the date of the decision,
- (iii) if complaints are referred to the Discipline Committee, the decision of the committee and the penalty imposed, if any, and the date of the decision, and
- (iv) whether an appeal was made from the decision of the Discipline Committee or the Board and the date and outcome of the appeal; and

(c) with respect to each complaint reported in a previous calendar year, a report on the status of the complaint in accordance with paragraph (b) if the proceedings initiated as a result of the complaint were not finally determined in the calendar year in which the complaint was first received.

## PART VIII

### TRANSITIONAL

42 (1) The name and address of every person who at the commencement of the Act is a member recorded in the membership records of the New Brunswick Society of Laboratory Technologists Inc. shall be entered in the register, the temporary register or one of the rosters as may be designated by the Board.

42 (2) Every person who at the commencement of the Act is employed as a medical laboratory technologist in New Brunswick or was employed as a medical laboratory technologist in New Brunswick at any time within three years preceding that date, is eligible for registration and the name and address of every such person shall, upon application, be entered in the register, the temporary register or one of the rosters as may be designated by the Board.

43 (1) Nothing in the Act shall affect the powers and duties, tenure of office or terms of remuneration of any director or officer of the Society or any committee appointed before the commencement of the Act, or anything done or suffered, or any right, title or interest acquired before the commencement of the Act, or any legal proceedings or remedy in respect of any such thing, right, title or interest.

43 (2) Until repealed, altered or amended pursuant to the Act, any bylaw or rule made or fees prescribed by the New Brunswick Society of Laboratory Technologists Inc. shall, notwithstanding any conflict with the Act, continue in force and have effect as if made under the Act.

FORM A  
IN THE COURT OF QUEEN'S BENCH  
OF NEW BRUNSWICK  
JUDGMENT

(The Discipline Committee or the Board as the case may be) having on the     day  
of     A.D. 19     , ordered that A.B. pay the costs of     on an investigation, proceeding, hearing  
or appeal of a complaint made by C.D. (or that C.D. pay the costs of     on an investigation,  
proceeding, hearing or appeal of a complaint made by the said C.D.); and

The costs including disbursements of (A.B. or C.D. or     as the case may  
be), having been taxed by the Registrar of The Court of Queen's Bench of New Brunswick on  
the     day of     , A.D. 19     ; It is this day adjudged that A.B. or C.D. or     (as the case  
may be) recover from A.B. or C.D. the sum of \$     .

DATED this     day of     , 20     .

Registrar,

The Court of Queen's

Bench of New Brunswick