An Act Respecting
The New Brunswick Veterinary Medical Association
VETERINARIANS ACT

Preamble

s. 1 Citation

PART I
INTERPRETATION

s. 2 (1) Definitions
Act
animal
animal health auxiliary
approved school
Association
Canadian Veterinary Medical Association
client
conditional register
Council
corporations register
Court
Executive Director
incapacity
incompetence
licence
member
prescribed
previous act
professional corporation
professional misconduct
register
Registrar
roster
specialist
specialists register
student
veterinarian
veterinary education program
veterinary facility
veterinary medicine, practice of
veterinary medicine

(2) Interpretation of terms in public documents

s. 3 Continuation of Association and Corporate Powers
PART II
COUNCIL OF THE ASSOCIATION

s. 4 Composition of Council
s. 5 Bylaws
s. 6 Rules
s. 7 Effect of Repeal of Bylaws or Rules
s. 8 Inspection of Bylaws and Rules
s. 9 Executive Committee
s. 10 Executive Director and Registrar

PART III
REGISTRATION AND MEMBERSHIP

s. 11 Register, Conditional Register, Roster, Corporations Register, Specialists Register
s. 12 Entitlement to Practise
s. 13 Animal Health Auxiliaries
s. 14 Specialists
s. 15 Removal of Name from registers or roster
s. 16 Veterinarians From Other Jurisdictions
s. 17 Employers' Responsibilities
s. 18 Licences
s. 19 Proof of Facts by Certificate

PART IV
PROFESSIONAL CORPORATIONS

s. 20 Application of Act to Professional Corporations and use of Titles
s. 21 Corporate Requirements
s. 22 Relationship of members to Professional Corporations
s. 23 Ethical considerations respecting Professional Corporations

PART V
OFFENCES AND ENFORCEMENT

s. 24 Violation of Condition, Limitation or Restriction
s. 25 Prohibition Against the Practice of veterinary medicine by Non-veterinarians
s. 26 Filing False Information
s. 27 Penalties
s. 28 Injunction Against Members, Animal Health Auxiliaries
s. 29 Injunction Against Non-members
s. 30 Exemptions
s. 31 Limitation on Prosecution of Offences
s. 32 Separate Offences
PART VI
DISCIPLINE

s. 33 Definitions
s. 34 Grounds for Complaint
s. 35 Complaints Committee
s. 36 Discipline Committee
s. 37 Subpoena Power
s. 38 Suspension for Conviction of Criminal Offence
s. 39 Rights of Member Being Investigated

PART VII
APPEALS

s. 40 Eligibility for Appeal
s. 41 Record on Appeal
s. 42 Procedure on Appeal to Council
s. 43 Decisions on Appeal to Council
s. 44 Appeal to the Court
s. 45 Record on Appeal to the Court
s. 46 Procedure on Appeal

PART VIII
GENERAL

s. 47 Costs
s. 48 Power to Act as Trustee
s. 49 Conduct of Meetings by Telephone
s. 50 Decisions by Resolutions in Writing
s. 51 Limitation of Actions
s. 52 Limitation of Liability for the Association, Councillors and Employees
s. 53 Notice Provisions

PART IX
TRANSITIONAL

s. 54 Existing Members Automatically Registered
s. 55 Repeal of Previous Act
s. 56 Effect of Act

FORMS

Form A Form of Judgment for Costs
An Act Respecting The New
Brunswick Veterinary Medical Association

Assented to April 27, 1990

WHEREAS The New Brunswick Veterinary Medical Association 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 veterinary profession, to continue The New Brunswick Veterinary Medical Association as a body corporate for the purposes of advancing and maintaining the standard of veterinary medicine in the Province, governing and regulating those offering veterinary care and providing for the welfare of members of the public and the profession;

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 "Veterinarians Act".

PART I

INTERPRETATION

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

"Act" means the Veterinarians Act;

"animal" means a living being of the animal kingdom other than a human being;

"animal health auxiliary" means a person who has completed a course of formal study or training approved by the Council, whose name is entered in the prescribed animal health auxiliaries register and who is entitled to perform under the direction or supervision of a veterinarian the duties, tasks and functions which are prescribed, subject to such conditions, limitations and restrictions as are prescribed;

"approved school" means a course of study or school of veterinary education approved by the Canadian Veterinary Medical Association and the Council or as may be prescribed;

"Association" means the New Brunswick Veterinary Medical Association continued by section 3;

"Canadian Veterinary Medical Association" means the Canadian Veterinary Medical Association incorporated by An Act to incorporate the Canadian Veterinary Medical Association, 1948, 11 & 12, George VI, chapter 87 Statutes of Canada, as amended, and its successors;
"client" means the owner of an animal or the person having custody or control of an animal;

"conditional register" means the register kept under paragraph 11(l)(b);

"corporations register" means the register kept under paragraph 11(1)(d);

"Council" means the Council of the Association 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 section 10;

"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 veterinary medicine or that the member's practice of veterinary medicine be suspended or subjected to conditions, limitations or restrictions;

"incompetence" means acts or omissions on the part of a member, in the member's professional duties, including the care of an animal, that demonstrate a lack of knowledge, skill or judgment, or disregard for the welfare of an animal or animals or the welfare or interests of a client of such a nature and to such an extent as to render the member unfit or unsafe to practise veterinary medicine or to practise veterinary medicine without conditions, limitations or restrictions or to such an extent as to warrant the making of an order adverse to the member under Part VI of the Act;

"licence" means a licence issued under section 18, the bylaws and the rules;

"member" means a veterinarian and any person whose name is entered in the conditional register or in any of the rosters established and maintained under the Act, bylaws and rules;

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


"professional corporation" means a corporation the name of which is entered in the corporations register;
"professional misconduct" means a serious digression from established or recognized professional standards or rules of practice of the profession of veterinary medicine, including established or recognized standards or rules of practice respecting clients;

"register" means the register kept under paragraph 11(l)(a);

"Registrar" means the person holding the office of Registrar under section 10;

"roster" means a roster kept under paragraph 11(l)(c);

"specialist" means a veterinarian whose name is entered in the specialists register and who is the holder of a specialists licence issued under the Act, being a veterinarian having completed a training program and examination approved by the Canadian Veterinary Medical Association and the Council or as may be prescribed;

"specialists register" means the register kept under paragraph 11(l)(e);

"student" means a person enrolled in studies at an approved school;

"veterinarian" means a person whose name is entered in the register kept under paragraph 11(l)(a);

"veterinary education program" means a veterinary medicine education program approved by the Council and includes such education programs as may be required as qualifications for the practice of veterinary medicine or the specialties thereof or for the continued practice of the same or for registration under the Act;

"veterinary facility" means a building, land or vehicle or other facility or any combination of them used or intended to be used as a place in or from which to engage in the practice of veterinary medicine;

"veterinary medicine" or the "practice of veterinary medicine" means any professional service usually performed by a veterinarian and includes

(a) the diagnosis or treatment of, and the prescribing, treating and operating for the prevention, alleviation or correction of any injury, disease, pain, deficiency, deformity, defect, lesion, disorder or condition of or to an animal, including the prescribing, dispensing, treating with and administering of x-rays, anaesthetics, drugs and medicines in connection therewith;

(b) ova and embryo collection from an animal;

(c) pathological examination of an animal;

(d) the actions, matters and things listed in subsection 25(2);
(e) the giving of advice with respect to any of the foregoing for money or other reward;

(f) any specialty of veterinary medicine;

(g) the veterinary procedures performed by an animal health auxiliary; and

(h) without limiting the foregoing, the diagnosis or treatment of, and the prescribing, treating and operating for the prevention, alleviation or correction of any injury, disease, pain, deficiency, deformity, defect, lesion, disorder or physical condition of, to, in or from any animal tooth or associated structures or tissues, including the prescribing, dispensing, treating with and administering of x-rays, anaesthetics, drugs and medicines in connection therewith and the replacement, improvement or supplementation of any animal tooth.

2 (2) The words "veterinarian," "duly qualified veterinarian," "licensed veterinarian," "veterinary surgeon," "veterinary," "doctor of veterinary medicine" and the initials "D.V.M." and "D.M.V." 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 veterinarian or person entitled to practise veterinary medicine or any specialty thereof or connoting a member of the veterinary profession in the Province, 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, the conditional register, the corporations register or the specialists register.

3 The New Brunswick Veterinary Medical Association continued by the previous act is hereby continued as a body corporate and politic without share capital under the name "New Brunswick Veterinary Medical Association", and subject to the Act, has the capacity, rights, powers and privileges of a natural person.

PART II

COUNCIL

4 (1) A Council of the Association consisting of not less than six councillors shall control, govern and manage, or supervise the control, government and management of the business and affairs of the Association and all aspects of the practice of veterinary medicine.

4 (2) If the bylaws of the Association so provide, one councillor, who shall not be a member of the Association, or a former veterinarian, 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 Council.
4 (3) The number of councillors, 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 Association and such bylaws may provide for alternate councillors, for the filling of vacancies, for the appointment of the councillor mentioned in subsection 4(2) hereof and for the appointment of additional councillors to represent the public.

4 (4) If the bylaws require the appointment of a councillor under subsection 4(2), the powers, duties and operations of the Council are not affected in any way by

(a) the fact that an appointment has not been made under subsection 4(2), or

(b) the resignation of a councillor appointed under subsection 4(2), or

(c) the failure of a councillor appointed under subsection 4(2), to attend any meeting of the Council or to participate in the manner contemplated by sections 49 and 50.

5 (1) Unless the Act or bylaws otherwise provide, the Council may by resolution make, amend or repeal any bylaws regulating the business or affairs of the Association and the practice of veterinary medicine, 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 to membership in the Association, and

(ii) the registration, licensing and renewal, suspension, cancellation, and reinstatement of registration and licensing of veterinarians and professional corporations, including the imposition of limitations, restrictions and conditions on any registration or licence issued under the Act;

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

(c) creating and organizing local regions, chapters or other subsections of the Association and governing the management of such subsections;

(d) approving schools of veterinary medicine, and establishing terms and conditions for approval or continued approval of such schools, including basic standards of curricula;

(e) determining the method of setting fees payable to the Association annually or otherwise, including without limiting the foregoing, fees for admission,
membership, registration, licensing, 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 of the Council and officers, officials, employees and agents of the Association;

(g) creating and governing committees for the carrying out of the business and affairs of the Council and the Association and for regulating the practice of veterinary medicine;

(h) delegating to officers, officials, employees or committees any of the duties, powers and privileges of the Council, except the power to make, amend or repeal bylaws and rules and the duties, powers and privileges of the Council in Part VII of the Act;

(i) fixing and regulating the quorum, time, place, calling and conduct of annual, special and general meetings of the Association, the Council and committees of the Association or the Council, establishing the method of voting including voting by mail, delegate voting or other means at such meetings and establishing the qualifications of persons entitled to vote thereat;

(j) developing, establishing, prescribing, maintaining and administering standards

(i) for continuing veterinary education and the participation therein of veterinarians,

(ii) for the practice of veterinary medicine,

(iii) of professional ethics, and

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

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

(l) setting the fiscal year of the Association and determining the place where the head office of the Association shall be located;

(m) determining the aspects, subjects or matters of the business and affairs of the Association and the practice of veterinary medicine that may be regulated by rules of the Council;

(n) developing, establishing, prescribing, maintaining, administering and regulating
(i) the educational and other qualifications and standards required of animal health auxiliaries;

(ii) standards for animal health auxiliaries and the duties, tasks, services and functions that may be performed by animal health auxiliaries and the various categories of animal health auxiliaries and the conditions under which they may be performed;

(iii) if considered necessary by the Council, methods of and requirements for the registration or licensing of animal health auxiliaries and for the suspension, restriction or cancellation of the same including methods for setting fees or dues payable to the Association by animal health auxiliaries and providing for the collection thereof;

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

(v) standards for the supervision of animal health auxiliaries; and

(vi) categories of animal health auxiliaries and titles which may be used by animal health auxiliaries in each such category.

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

(i) the educational 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 Council, 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 Association by students and providing for the collection thereof; and

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

(p) defining classes of specialists in the various branches of veterinary medicine 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 specialist's licence;

(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 or licence;

(iv) providing for the regulation and prohibition of the use of terms, titles or designations indicating specialization in any branch or field of veterinary medicine; and

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

(q) establishing, governing and regulating a Peer Review Committee and providing the Committee with such powers as are necessary or desirable including the powers set out in subsection 36(5), paragraph 36 (7) (d) and section 37 to permit it, at the request of the Council, to inquire into and report to and advise the Council in respect of

(i) the assessment and development of educational standards and experience requirements that are conditions precedent to continuing as the holder of a licence issued under the Act,

(ii) the evaluation of desirable standards of competence of persons holding licences issued under the Act,

(iii) any other matter that the Committee from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of veterinary medicine,

(iv) the practice of veterinary medicine generally, and

(v) the practice of any person holding a licence issued under the Act;

(r) governing and regulating the compounding, safekeeping, dispensing and sale, or any of them, of drugs by members and the containers and labelling thereof and the records that shall be kept in respect of such compounding, dispensing and sale;

(s) authorizing the making of agreements or cooperative arrangements and the affiliation with any institution, organization or professional body in any jurisdiction;
(t) developing, establishing, adopting, maintaining and administering rules of professional conduct and the standards of fitness, moral character and conduct of members, students and professional corporations;

(u) regulating and governing advertising by members;

(v) respecting and regulating professional liability insurance for members and professional corporations including requirements of such insurance for all or certain classes or categories of members and professional corporations whether such insurance is provided by or through the Association or otherwise;

(w) establishing one or more categories of veterinary facilities and developing, establishing, prescribing, maintaining and administering standards for veterinary facilities;

(x) defining any terms used in the Act; and

(y) respecting and governing such other subjects, matters and things as the Council considers appropriate to advance or protect the interests of the public, the Association or the members;

and subject to subsection (2) hereof, such bylaws shall be valid, binding and effective from the date of the Council's resolution enacting the bylaw until the bylaw is amended or repealed, after such notice as may be prescribed, by an ordinary resolution at an annual, special or general meeting of the Association, or until it ceases to be effective under subsection (5), and where a bylaw is amended at such a meeting, it continues in effect in the form in which it is amended.

5 (2) Bylaws relating to matters described in paragraphs (1)(a), (b), (c), (e), (f), (i), (j), (m), (n), (o), (p), (q), (r), (t), (u), (v) and (w) shall not be effective or be acted upon until confirmed by an ordinary resolution at an annual, special or general meeting of the Association and where a bylaw is amended by ordinary resolution at such meeting, it becomes effective in the form in which it is amended.

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

5 (4) The Council shall cause the text of any bylaw enacted by it to be sent to all members on or before the date that notice of the next annual meeting following such enactment is sent to members or with the notice of any special or general meeting called for the purpose of considering the same and at the next annual meeting following such enactment or at such special or general meeting the bylaw may be confirmed, rejected, repealed or amended by an ordinary resolution.

5 (5) If a bylaw is repealed at a meeting of the Association or if the Council does not send the bylaw to the members as required under subsection (4), the bylaw ceases to be effective and no
subsequent Council resolution making that bylaw or any bylaw having substantially the same purpose or effect is effective until it is confirmed in the manner set out in subsection (2).

6 (1) Unless the Act or bylaws otherwise provide, the Council 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 Association and the practice of veterinary medicine as may be governed by bylaw and any such rule shall be valid, binding and effective from the date of the resolution of the Council until amended or repealed, after such notice as may be prescribed, by an ordinary resolution at an annual, or special or general meeting of the Association called for the purpose of considering the same.

6 (2) Any amendment or repeal of a rule by the Council 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 Association or any bylaw, rule or resolution made by the Association or the Council but all the bylaws and rules of the Association shall be available for inspection by any person at the head office of the Association at all reasonable times during business hours, free of charge.

9 (1) There shall be an executive committee of the Council composed of members of the Council, that, between meetings of the Council 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 Council, except the duties, powers and privileges in Part VII hereof, and the executive committee shall carry out such other duties as may be assigned to it from time to time by the Council, the bylaws or the rules.

9 (2) 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 of the Association.

10 (1) The Council may appoint an Executive Director of the Association who shall hold office during the pleasure of the Council.

10 (2) The Council shall appoint a Registrar who must be a veterinarian and who shall hold office during the pleasure of the Council.

10 (3) The Executive Director shall at all times be subject to the directions of the Council.

10 (4) The offices of Registrar and Executive Director may both be held by one person at the same time.
PART III
REGISTRATION AND MEMBERSHIP

11 (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 veterinarian under the Act, the bylaws and the rules and is thereby entitled to receive a licence to practise veterinary medicine and to engage in the practice of veterinary medicine in the Province;

(b) a conditional register in which shall be entered the name and address of every person who is permitted to receive a licence to practise veterinary medicine in the Province under such circumstances and for such temporary and limited periods of time as are set out in the bylaws and rules;

(c) 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, conditional register, corporations register or specialists register;

(d) a corporations register in which shall be entered the name and address of every professional corporation permitted to carry on the practice of veterinary medicine under the Act, the bylaws or the rules, and the names and addresses of the officers and directors of such corporations; and

(e) a specialists register in which shall be entered the name, address, qualifications and specialty of every veterinarian who is entitled to be registered in the specialists register under the Act, bylaws or rules.

11 (2) The register, conditional register, specialists register and corporations register shall be open for inspection by any person at the head office of the Association at all reasonable times during regular business hours, free of charge, but any officer or employee of the Association may refuse any person access to or the privilege of inspecting the said registers if there is cause to believe that such person is seeking access or inspection primarily for commercial purposes or purposes unrelated to the practice of veterinary medicine by a particular veterinarian.

12 (1) Any person whose name is entered in the register and who has complied with the terms and conditions of the bylaws and rules, subject to any conditions, limitations or restrictions set out in that person's licence, shall be entitled to engage in the practice of veterinary medicine in the Province, to demand and recover in any court of law with full costs of suit, reasonable charges for professional and other services rendered by or on behalf of that person by another person and charges for medicines, materials, appliances or things rendered or supplied and, subject to any conditions, limitations or restrictions set out in the bylaws or rules, is entitled to hold himself out as a veterinarian and use the designation "veterinarian", or "D.V.M." or
"D.M.V."
"Doctor"
"Dr."
any other words, letters or figures indicating that he is a veterinarian and is entitled to practise veterinary medicine.

12 (2) Any person whose name is entered in the conditional register and who has complied with the terms and conditions of the bylaws and rules shall be entitled to engage in the practice of veterinary medicine in the Province for such temporary and limited periods of time and subject to such conditions, limitations and restrictions as may be prescribed.

12 (3) A corporation that has its name entered in the corporations register and that has complied with the terms and conditions of the bylaws and rules, subject to any conditions, limitations or restrictions as may be prescribed or set out in its licence, shall be entitled to engage in the practice of veterinary medicine and to demand and recover in any court of law with full costs of suit, reasonable charges for services performed or rendered on its behalf and in its name by a veterinarian or other person, and its charges for medicines, materials, appliances or things rendered or supplied.

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

12 (5) Any veterinarian whose name is entered in the specialists register and who has complied with the terms and conditions of the bylaws and rules shall be entitled to practise veterinary medicine, to enjoy the rights and privileges set out in subsection (1) and to practise the veterinary specialty or specialties for which he is registered and no other specialties, subject to any conditions, limitations or restrictions as may be prescribed or set out in his licence and to use such names, designations and titles in connection with his practice as may be prescribed.

13 No person shall act as an animal health auxiliary or hold himself out as an animal health auxiliary or perform the duties, tasks, services or functions of an animal health auxiliary, except in accordance with the Act, bylaws and rules.

14 No veterinarian shall practise as a specialist or hold himself out as a specialist except in accordance with the Act, bylaws and rules.

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

16 Any person who was entitled to practise veterinary medicine or entitled to use any designation indicating membership in a veterinary medical association or society under the laws governing or concerning the practice of veterinary medicine in any other jurisdiction and who has been suspended from or otherwise restricted in or disqualified from practising veterinary medicine 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.

17 (1) Every person, other than a client or any person acting on behalf of a client without expectation or hope of monetary compensation, who engages a person as a veterinarian and every agency or registry that procures employment or work for a person as a veterinarian

(a) shall ensure at the time of engagement and at least once each year thereafter if such engagement is continuing, that the person is the holder of a current licence under the Act and is not engaged to perform duties and functions contrary to any conditions, limitations or restrictions imposed on the person's registration or licence or contrary to any conditions, limitations or restrictions imposed on the registration or licence of any professional corporation on behalf of which that person performs services; and

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

17 (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.

18 (1) The Registrar shall issue or cause to be issued annually or otherwise as may be prescribed a licence to practise to persons whose names are entered in the register, conditional register, corporations register and specialists register and each such licence shall state the date on which it expires and any conditions, limitations or restrictions imposed on the registration or licence of the person in respect of whom the licence is issued.

18 (2) No person shall be entitled to receive or to continue to possess a licence or to practise veterinary medicine unless such person

(a) has paid all applicable prescribed fees, and

(b) has satisfied and continues to satisfy the requirements for registration and licensing as may be prescribed.

19 A statement certified under the hand of the Registrar respecting the records of the Association or the registration or licence of any person is admissible in evidence in any proceeding and is prima facie proof of the facts set out in such certificate relating to the registration or non-registration or licensing of any such person and any condition, limitation or restriction in respect of the registration or licence of any such person.
PART IV
PROFESSIONAL CORPORATIONS

20 (1) No corporation shall be entitled to have its name entered in a register or roster other than the corporations register.

20 (2) No professional corporation shall be entitled to vote at any meeting of the Association.

20 (3) All the provisions of the Act, bylaws and rules applicable to a member apply with all necessary modifications to a professional corporation unless otherwise expressly provided.

20 (4) The Council may make bylaws

(a) prescribing the types of names, designations or titles by which

(i) a professional corporation,

(ii) a partnership of two or more professional corporations, or

(iii) a partnership of one or more professional corporations and one or more veterinarians,

may be known, and

(b) regulating the practice of veterinary medicine by professional corporations and requiring the filing of such reports, information and returns the Council considers necessary.

21 (1) The articles of incorporation, articles of continuance or other constating documents of each professional corporation shall not prevent the corporation from

(a) engaging in every phase and aspect of rendering the same veterinary services to the public that a veterinarian is authorized to render; and

(b) having the capacity and exercising the rights, powers and privileges of a natural person as may be necessary or incidental or ancillary to the rendering of veterinary services including without restricting the foregoing, the power

(i) to purchase, lease or otherwise acquire and to own, mortgage, pledge, sell, assign, transfer or otherwise dispose of, and to invest in, deal in or with, real or personal property;

(ii) to contract debts and borrow money, issue and sell or pledge bonds, debentures, notes and other evidences of indebtedness and execute such
mortgages, transfers of corporate property and other instruments to secure the payment of corporate indebtedness as required; and

(iii) to enter into partnership, consolidate or merge with or purchase the assets of another corporation or individual rendering the same type of professional services.

21 (2) The legal and beneficial ownership of a majority of the issued shares of a professional corporation shall be vested in one or more members and shall entitle such member or members to elect all of the directors of the professional corporation.

21 (3) The legal and beneficial ownership of all issued shares of a professional corporation other than those referred to in subsection (2) shall be vested in the persons prescribed.

21 (4) No member who is a shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in a person who is not a member the authority to exercise the voting rights attached to any or all of the member's shares, and every shareholder who does so commits an offence.

21 (5) The practice of veterinary medicine on behalf of a professional corporation shall be carried on by veterinarians or persons whose names are entered in the conditional register.

21 (6) For the purposes of subsection (5), the practice of a veterinarian or person whose name is entered in the conditional register shall be deemed not to be carried on by clerks, secretaries, animal health auxiliaries and other persons employed by the corporation to perform services that are not usually and ordinarily considered by law, custom or practice to be services that may be performed only by a veterinarian.

21 (7) A licence issued to a professional corporation may be revoked, or its renewal withheld, by the Registrar where any of the conditions specified in subsections (1), (2), (3), (4) or (5) no longer exist.

21 (8) Where a professional corporation ceases to fulfil any condition specified in subsections (2), (3) or (4) by reason only of

(a) the death of a member of the Association,

(b) the striking off or other removal, from the register, conditional register or any roster, of the name of a member, or

(c) the suspension or revocation of the licence of a member,

the professional corporation has one hundred and eighty days from the date of the death, striking off, removal, suspension or revocation, as the case may be, in which to fulfill the condition, failing which the Registrar shall revoke the licence of the professional corporation.
21 (9) A corporation to which a licence is issued may practise veterinary medicine in its own name, subject to any conditions, restrictions or limitations as may be prescribed or as set out in its licence.

22 The relationship of a member to a professional corporation, whether as a shareholder, director, officer or employee, does not affect, modify or diminish the application of the provisions of the Act, bylaws or rules to the member.

23 Nothing contained in the Act, bylaws or rules respecting professional corporations shall affect, modify or limit any ethical obligation of a veterinarian.

PART V

OFFENCES AND ENFORCEMENT

24 (1) Any person authorized to practise veterinary medicine or hold himself out as a veterinarian or specialist under the provisions of the Act who practises veterinary medicine in violation of any condition, limitation or restriction imposed upon his registration or licence or who fails to inform his employer of any such condition, limitation or restriction commits an offence.

24 (2) Any professional corporation that breaches or permits the breach of any condition, limitation or restriction imposed upon its registration or licence commits an offence and an officer, director, agent or shareholder who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and liable to the punishment provided for the offence, whether or not the professional corporation has been prosecuted or convicted.

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

   (a) publicly or privately, whether or not for hire, gain or hope of reward, practise or offer to practise veterinary medicine;

   (b) hold himself out in any way as being entitled to practise veterinary medicine; or

   (c) assume any title or description, including those referred to in the Act, that does or could lead the public to believe that person is entitled to practise veterinary medicine.

25 (2) For the purposes of the Act and subsection (1), "veterinary medicine" includes but is not limited to

   (a) the diagnosis and the provision of advice respecting the prevention or treatment of disease or injury of animals;
(b) the prescription, administration or dispensing of a drug, medicine, appliance or application or treatment of any kind for the prevention or treatment of injury or disease of animals;

(c) the performance of a surgical operation upon an animal;

(d) the management of estrous synchronization, superovulation and the collection, evaluation and processing of embryos of animals;

(e) the performance of any manual procedure for the diagnosis of pregnancy, sterility or infertility of animals; and

(f) the certification of the cause of death of an animal.

26 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.

27 (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 $1,000.00 and not more than $2,000.00 for a first offence; to a fine not less than $2,000.00 and not more than $5,000.00 for a second offence; to a fine not less than $5,000.00 for a third or subsequent offence or to imprisonment for a term not exceeding six months, or both.

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

27 (3) Any information to be laid under the Act may be laid by the Registrar of the Association or any member of the Association authorized by the Council.

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

28 Where a veterinarian, member or former member of the Association, a professional corporation, an applicant for registration or an animal health auxiliary does or attempts to do anything contrary to the provisions of the Act or any bylaw or rule made under the authority 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 Council acting in the name of the Association.

29 Where any person other than a person described in section 28 does or attempts to do anything contrary to any section 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 Council acting in the name of the Association.
EXEMPTIONS

30 Nothing in the Act applies to or prevents

(a) treating an animal if the person providing the treatment is the owner of the animal, is a member of the household of the owner of the animal, or is regularly employed in agriculture or domestic work by the genuine owner of the animal;

(b) caponizing and taking of poultry blood samples;

(c) artificial insemination of any species of animal;

(d) the non-surgical implantation of an embryo or embryos;

(e) the castration of male calves, pigs and lambs, the dehorning of cattle, the docking of lambs and pigs, ear notching and hoof trimming of animals;

(f) a person using an animal in research which is carried out using acceptable veterinary procedures and the use of the animal has been approved by an appropriate animal care committee of which at least one member is a licensed veterinarian;

(g) the furnishing of emergency veterinary care or assistance in the case of an emergency, if such aid or assistance is given without hire, gain or hope of reward and no veterinarian is available to provide such care or assistance;

(h) subject to such bylaws and rules as may be prescribed, the provision of veterinary medicine consulting services, by a person entitled to practise veterinary medicine in another jurisdiction, to a veterinarian in New Brunswick if that person does not represent himself as being entitled to practise veterinary medicine in New Brunswick and does not provide services directly to a client;

(i) the administration of non-prescription drugs to an animal; and

(j) the laboratory detection of viral, bacterial, parasitic and other agents in animals.

31 No prosecution by the Association or any other person for an offence under the Act shall be commenced after the expiration of two years from the date of the last act that is part of the alleged offence.

32 (1) 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.

32 (2) For the purposes of the Act, proof of the performance of one act in the practice of veterinary medicine on one occasion is sufficient to establish that a person has engaged in the practice of veterinary medicine.
PART VI

DISCIPLINE

33 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 veterinarian, former veterinarian, member, former member and professional corporation.

34 (1) Subject to subsection (3), the Council shall upon receiving a complaint cause an investigation to be carried out by the Complaints Committee, if the complaint in substance alleges that a member

(a) has been guilty of

   (i) professional misconduct;

   (ii) conduct unbecoming a member including any unprofessional conduct or any conduct that might adversely affect the standing or good name of the profession or the Association;

   (iii) incompetence;

   (iv) dishonesty;

   (v) conduct demonstrating that the member is incapable or unfit to practise veterinary medicine;

   (vi) any conduct in breach of the provisions of the Act, bylaws or rules; or

   (vii) any habit rendering the member unfit, incapable or unsafe to practise veterinary medicine; or

(b) is suffering from any ailment or condition rendering the member unfit, incapable or unsafe to practise veterinary medicine.

34 (2) All complaints against a member received by the Association or the Council shall be delivered forthwith by the Registrar to the Complaints Committee.

34 (3) No complaint that in substance concerns the amount of the fees or charges of a member shall be referred to or considered by the Complaints Committee but nothing herein shall prevent any person from commencing civil proceedings with respect to fees or charges of a member.

35 (1) The Council shall maintain a standing committee known as the Complaints Committee, which in this section is referred to as the "Committee."
35 (2) The Committee shall be composed of veterinarians and none of the Committee members shall be a councillor of the Association or a member of the Discipline Committee.

35 (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 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.

35 (4) The Council shall appoint one of the members of the Committee to be the Chairman of the Committee.

35 (5) 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 Council, the bylaws or rules.

35 (6) 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.

35 (7) 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.

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

35 (9) 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 Council 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.
35 (10) 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.

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

36 (2) The Committee shall be composed of veterinarians and if the bylaws so require a person or persons who are not members and none of the Committee members shall be a councillor of the Association.

36 (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 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.

36 (4) The Council shall appoint one of the members of the Committee who shall be a veterinarian to be the Chairman of the Committee.

36 (5) The Committee and the Council when acting under Part VII shall conduct their proceedings in accordance with their own rules of procedure, subject to any rules of procedure that may be prescribed, and may do all things and engage such persons including legal counsel it considers necessary to provide for the investigation, hearing and consideration of any complaint or appeal and in no case is the Committee or the Council bound to follow the technical rules of evidence or procedure applicable in judicial proceedings.

36 (6) The Committee shall

(a) consider and investigate complaints referred to it by the Complaints Committee, and

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

36 (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 in such manner it considers appropriate;

(b) if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, without hearing 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 licence 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, without hearing 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 veterinary medicine and if the member fails to undergo any such examination the Committee may without further notice suspend the member's registration and licence until the member does so;

(d) if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, without hearing 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 licence until the member does so, unless the member is prohibited by law from producing such records and documents; and

(e) subject to the bylaws, if the Committee in its absolute discretion at any time after the receipt of a complaint considers it necessary or advisable, without hearing require any professional corporation to submit to an examination of its practice, business, books and records by such person or persons as the Committee may designate and if the professional corporation fails to submit to such examination the Committee may without further notice suspend the professional corporation's registration and licence until it does so.

36 (8) After reviewing all of the evidence presented to it and upon determining whether any action or order should be taken or made the Committee may as part of its decision

(a) order that the member's registration, licence or membership be suspended for a specific period of time during which the member's name shall be removed from the register, conditional register, corporations register or specialists register or any roster in which the member's name may be entered and shall be prohibited from practising veterinary medicine;

(b) order that the member's registration, licence or membership be suspended pending the satisfaction and completion of such conditions as may be ordered by the Committee;
order that the member's registration, licence or membership be revoked and the member's name be removed from the register, conditional register, corporations register, specialists register or any roster in which the member's name may be entered;

(d) order that the member's practice be restricted pending compliance with stipulated conditions in which case the Committee shall notify the member's employer, if any, of such decision;

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

(f) issue a reprimand;

(g) dismiss the complaint;

(h) impose such fine as the Committee considers appropriate not exceeding $5,000.00 to be paid by the member to the Association for the use of the Association;

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

(j) make any one or more of the orders it may make under paragraphs (a) to (i) against any professional corporation of which the member is a director, officer or shareholder;

(k) attempt to resolve informally any complaint if the Committee considers it appropriate; or

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

36 (9) Notwithstanding any other provision of the Act, if at any time a member admits any allegation in a complaint alleging a matter set out in subsection 34(1), and the member waives in writing the right to any other or further hearing or proceedings under the Act, the Committee may

(a) agree to cancel all hearings or proceedings and 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 under sections 36 or 47.

36 (10) Before commencing any investigation into any complaint the Committee may order that security for costs be paid to the Association by the complainant in such amount and on such
terms the Committee considers just and the Committee shall not be obligated to proceed with any investigation until such security for costs is paid.

37 (1) Upon the application of

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

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

(c) counsel for the Association, the Discipline Committee or the Council,

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 Council.

37 (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.

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

38 The Discipline Committee may without hearing order the suspension of the registration, licence or membership of a member if the Committee has reasonable and probable grounds for believing that the member in question has been convicted of any criminal offence of such kind or type that the Committee is of the opinion that the continued registration or membership of the member in question would immediately affect the good name of the Association or the profession of veterinary medicine or would constitute a danger to the public or the care of animals and upon ordering the suspension the Discipline Committee shall immediately commence an investigation.

39 (1) In all proceedings before the Discipline Committee or the Council acting under Part VII, 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 to a full right to examine, cross-examine and re-examine witnesses in accordance with the rules of procedure established by the Committee or the Council, as the case may be;
(d) shall be entitled to receive copies of all documents presented to the Committee or the Council in connection with the complaint or investigation unless such documents are privileged by law;

(e) shall be entitled to at least 14 days' written notice of the date of the first hearing of the Committee or the Council; and

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

39 (2) Any member whose registration, right to practise veterinary medicine, licence or membership is revoked, suspended, subjected to conditions, limited or restricted shall without demand forthwith deliver to the Registrar any licence or certificate of membership issued under the Act to such person.

39 (3) Section 31 does not apply to any discipline proceeding under Part VI of the Act.

PART VII

APPEALS

40 (1) If,

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

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

(c) an applicant for registration or a licence is dissatisfied with a decision of the Registrar with respect to the application, or

(d) an applicant for reinstatement of registration or a licence is dissatisfied with a decision made by the 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 after the date on which notice of the said decision is mailed to the last known address of such person, and by paying such fees as may be prescribed, appeal the decision to the Council.

40 (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.

41 (1) In any appeal under the Act the Registrar shall, after all prescribed fees have been paid, obtain a transcript or such other record as exists of the evidence presented to the person or body from whom the appeal is taken and shall prepare and present to the Council 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.

41 (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.

42 On appeal the Council may

(a) adjourn the proceedings or reserve the determination of the matters before it for a
future meeting of the Council, and

(b) upon granting special leave, and only where it is shown that such evidence was
not previously available, receive further evidence in the same manner and subject
to the same rules and procedures as apply to the Discipline Committee.

43 After reviewing the record on appeal and hearing the evidence or argument presented the
Council 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 or set aside the decision appealed from;

(c) refer the matter back to the person or body from whom the appeal is taken for
further consideration and decision;

(d) confirm the decision appealed from; or

(e) make such decision or order it considers appropriate.

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

44 (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 Council were held and upon any other party
to the proceedings before the Council.

45 The record on appeal to the Court shall be the record on appeal presented to the Council,
a transcript of any new testimony presented to the Council, any other new evidence or exhibits
presented to the Council and a copy of the decision or order of the Council.
46 (1) The Court may make any order that the Council may make under section 43 and may make such order as to costs as may be just.

46 (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 Association shall have standing to appear and participate in any appeals to the Court.

46 (3) Notwithstanding that an appeal to the Council 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 VIII

GENERAL

47 (1) The Complaints Committee, the Discipline Committee, the Council or, on appeal, the Court, may order that the costs of any investigation, proceeding, hearing or appeal under the Act be paid, 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 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, Council or Court is of the opinion that the complaint or investigation was unwarranted; and

may make it a condition of the registration and licence of any member or professional corporation that such costs be paid forthwith.

47 (2) The costs including disbursements 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 payment of any required fees, and judgment may be entered for such taxed costs in form A of the Act with necessary modifications.

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

48 The Association may act as trustee or custodian of any funds or property that may be committed for any purpose to the care or management of the Association.

49 The Council and any committee of the Council or of the Association 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.

50 A resolution, report, recommendation, decision, finding or order of the Council or any committee of the Council or of the Association in writing signed by all councillors 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 Council or such committee.

51 No action shall be brought against a veterinarian or former veterinarian or professional corporation for negligence, malpractice or breach of contract or otherwise by reason of professional services requested, given or rendered, except within two years from the day when, in the matter complained of, such professional services terminated.

52 Neither the Association, nor the Council, nor any of the committees of the Council or of the Association, nor any member, officer or employee of any of the foregoing bodies 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 under the Act, the previous Act, the bylaws or rules.

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

PART IX

TRANSITIONAL

54 The name and address of every person who at the commencement of the Act is a registered member of the Association under the previous Act and the bylaws made thereunder shall be entered in the register.


56 (1) Nothing in the Act shall affect the powers and duties, tenure of office or terms of remuneration of any councillor or officer of the Association 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.

56 (2) Until repealed, altered or amended under the Act, any bylaw, regulation or rule made or fees prescribed under any enactment repealed by the Act and in force at the commencement of the Act 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 Complaints Committee, the Discipline Committee, the Council, or the Court 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 19 .

__________________________________________
Registrar
The Court of Queen's Bench
New Brunswick