

**NEW BRUNSWICK REGULATORY COLLEGE OF  
MEDICAL RADIATION TECHNOLOGISTS**

**BY-LAWS**

**SEPTEMBER 5, 2025**

**NEW BRUNSWICK REGULATORY COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS**

**BY-LAWS**

**TABLE OF CONTENTS**

	<b>Page</b>
<b>INTERPRETATION AND DEFINITIONS .....</b>	<b>1</b>
<b>1. Interpretation.....</b>	<b>1</b>
Definitions.....	1
Words Importing .....	2
Meaning.....	2
<b>THE COLLEGE.....</b>	<b>2</b>
<b>2. College.....</b>	<b>2</b>
Head Office.....	2
Fiscal Year.....	2
Seal .....	2
Registrar .....	2
Deputy Registrar .....	3
Executive Director .....	3
<b>3. Board of the College.....</b>	<b>4</b>
Board of Directors.....	4
Terms .....	4
Officers .....	4
Appointment of Directors and Officers .....	4
Eligibility.....	6
Vacancy.....	6
Termination or Removal of Directors and Officers .....	7
Meetings of the Board.....	7
Notice of Board Meetings .....	8
Indemnity of Directors and Officers .....	8
<b>4. Duties of Officers.....</b>	<b>8</b>
Chair .....	8
Vice-Chair.....	9
Secretary .....	9
Treasurer .....	9
<b>5. Meetings of the College .....</b>	<b>10</b>

	<b>Page</b>
Annual .....	10
Special .....	10
Notice of Annual and Special Meetings of the College .....	10
Quorum – College and Committees .....	10
Voting at Meetings of the College, the Board or Committees .....	11
Proxy Voting .....	11
Procedure .....	11
Electronic Voting.....	12
<b>6. Committees .....</b>	<b>12</b>
Committees of the College .....	12
<b>REGISTRATION AND AFFILIATION .....</b>	<b>12</b>
<b>7. Registration.....</b>	<b>12</b>
Categories of Registration .....	12
Full Practice Registrants .....	13
Non-Clinical Registrants .....	13
Temporary Emergency Registrants.....	14
Temporary General Registrants .....	14
Provisional Registrants .....	14
Resignation .....	14
<b>8. Affiliation .....</b>	<b>15</b>
Student Affiliates .....	15
<b>9. Fees .....</b>	<b>15</b>
<b>10. Conduct of Registrants .....</b>	<b>16</b>
Rules of Conduct .....	16
<b>11. Continuing Education.....</b>	<b>17</b>
<b>COMPLAINTS AND DISCIPLINE .....</b>	<b>17</b>
<b>12. Complaints Committee .....</b>	<b>17</b>
Term of Complaints Committee .....	17
Vacancy on Complaints Committee .....	17
Complaint Processing .....	18
Referral to Discipline and Fitness to Practise Committee .....	18
<b>13. Discipline and Fitness to Practise Committee.....</b>	<b>18</b>
Term of Discipline and Fitness to Practise Committee .....	19

	<b>Page</b>
Vacancy on Discipline Committee .....	19
Complaint Processing .....	19
<b>GENERAL .....</b>	<b>20</b>
<b>14. General .....</b>	<b>20</b>
Editorial Changes .....	20
Payment of Expenses of Officers, Directors and Committee Members .....	20
Execution of Documents .....	20
<b>LIST OF REVISIONS TO THE BY-LAWS.....</b>	<b>21</b>

# NEW BRUNSWICK REGULATORY COLLEGE OF MEDICAL RADIATION TECHNOLOGISTS

## BY-LAWS

### INTERPRETATION AND DEFINITIONS

#### BY-LAW NO. 1 – INTERPRETATION

##### Definitions

**1.01** In these by-laws and in any regulations made by the Board, unless the context otherwise requires:

“Act” means the *Medical Radiation Technologists Act*.

“Approved Education Program” means a program of medical radiation technology accredited by Accreditation Canada or an equivalent program as assessed by the Registrar.

“Board” means the Board of Directors of the College constituted under Section 9 of the Act.

“College” means the New Brunswick Regulatory College of Medical Radiation Technologists.

“Direct supervision” means supervision by a full practice registrant on the same premises or in close proximity to the individual being supervised such that the individual under supervision may receive direction and guidance without undue delay and can also include supervision at a distance, through electronic means such as interactive video, audio, computer and telecommunications technology where the contact is in real time and interactive.

“Good standing” means a registrant:

- (a) whose rights as a registrant of the College are not under suspension, either as a consequence of disciplinary proceedings or otherwise;
- (b) who is not subject to ongoing complaints or disciplinary proceedings; and
- (c) who maintains the qualifications and standards required for continued registration.

“Prescribed” means prescribed by by-laws or regulations made under the Act.

“Register” means the register kept under subsection 22(1) of the Act.

“Registrant” means a person who is registered with the College.

“Registrar” means the Registrar of the College appointed under subsection 9(2) of the Act.

“Registration” means the entry of a name of a person in a register under the Act.

“Regulation” means a regulation made by the Board pursuant to subsection 11(3) of the Act.

### **Words Importing**

**1.02** Any words importing the singular number shall include the plural and vice versa and words importing the masculine gender shall include the feminine and neutral genders and vice versa wherever the context so requires.

### **Meaning**

**1.03** Any words used in these by-laws which are defined in the Act shall have the meaning set out in the Act.

## **THE COLLEGE**

### **BY-LAW NO. 2 – COLLEGE**

#### **Head Office**

**2.01** The head office of the College shall be at such place in New Brunswick as may be determined by the Board from time to time. All notifications, notices, correspondence and any other directions shall be made to the College or the Board at the head office.

#### **Fiscal Year**

**2.02** The fiscal year of the College shall terminate on the 31<sup>st</sup> day of December in each year, which date may be changed from time to time by resolution of the Board.

#### **Seal**

**2.03** The corporate seal of the College shall be in such form as the Board may approve from time to time.

#### **Registrar**

**2.04** The Registrar shall fulfill all duties and have all powers of the Registrar set out in the Act and these by-laws, and shall fulfill such other duties as required by the Board from time to time.

**2.05** The Registrar is an appointed officer of the Board and may attend meetings of the Board as a non-voting member. The Registrar may attend meetings of Committees as a non-voting member.

**2.06** The Registrar shall:

- (a) issue a certificate of registration to registrants in such form or forms, including electronic form, as the Board may approve by resolution, to such persons who

have met the requirements of the Act, the regulations and the by-laws, and have paid all required fees;

- (b) issue annually a renewal of registration in such form or forms as the Board may approve by resolution, to such persons who have met the requirements of the Act, the regulations and the by-laws, who have paid all required fees, and have provided satisfactory evidence of having engaged, within the preceding year, in competent practice as a medical radiation technologist in at least one (1) of the specialities in which the registrant is authorized to practice;
- (c) perform all duties and exercise all powers assigned to the Registrar in the Act, the regulations and the by-laws, and perform such other duties and exercise such other powers as may be directed from time to time by the Board;
- (d) deliver to their successor in office all books, papers and other property of the College and Board; and
- (e) act as a signing officer.

**2.07** The Registrar may delegate their authority to the Deputy Registrar and may assign duties and tasks to the Deputy Registrar from time to time, except as limited by the Act.

**2.08** The Registrar shall hold office during the pleasure of the Board.

#### **Deputy Registrar**

**2.09** The Board may appoint a Deputy Registrar, and if appointed, the Deputy Registrar shall be a non-voting officer of the Board and shall hold office during the pleasure of the Board.

**2.10** The Deputy Registrar shall:

- (a) carry out, perform or administer such duties and tasks of the Executive Director and Registrar as the Board may direct from time to time;
- (b) carry out, perform or administer such duties and tasks of the Executive Director and Registrar as the Executive Director or Registrar may direct from time to time, except as limited by the Act; and
- (c) carry out, perform or administer such other duties, functions and tasks as the Board may direct from time to time.

#### **Executive Director**

**2.11** The Board may appoint an Executive Director to carry out such duties as the Board may direct from time to time for the efficient management of the College and to be responsible for the business affairs of the College not otherwise committed to the Board or the officers. The Registrar shall carry out all the duties of the Executive Director until such time as a person is appointed to a separate Executive Director position by the Board.

## BY-LAW NO. 3 – BOARD OF THE COLLEGE

### Board of Directors

**3.01** The Board shall be composed of:

- (a) the Chair;
- (b) the Vice-Chair;
- (c) the Secretary;
- (d) the Treasurer;
- (e) one (1) director appointed by the Minister and nominated by the Board in accordance with the provisions of the Act and the by-laws; and
- (f) subject to the requirement in paragraph 9(1)(a) of the Act, there shall not be less than five (5) registrants, and there shall be such number of directors at large appointed by the Board as is necessary to bring the total number of directors to a maximum of eight (8).

### Terms

**3.02** The term of office for the directors set out in paragraphs 3.01(a) to (f) shall be three (3) years subject to re-appointment.

### Officers

**3.03** The officers of the College shall be the Chair, Vice-Chair, Secretary, Treasurer, Registrar and Deputy Registrar should one be appointed.

### Appointment of Directors and Officers

**3.04** Pursuant to subsection 10(3) of the Act, the members of the Executive Committee of the New Brunswick Association of Medical Radiation Technologists in office when the Act came into force shall continue in office as directors until their successors are appointed pursuant to the by-laws and the regulations.

**3.05** The method of nominating directors and officers and the method of appointing directors and officers shall be as set out in these by-laws, and in the absence of such by-laws, in accordance with the latest edition of *Robert's Rules of Order*.

**3.06** The Chair, Vice-Chair, Secretary and Treasurer shall be appointed by the Board for three (3) year terms from among the members of the Board. The appointment of officers shall take place immediately following the appointment of any new directors. The Chair and the Vice-Chair must have served at least one (1) year on the Board prior to being appointed by the Board to act as the Chair or Vice-Chair.

**3.07** One (1) of the Chair and the Vice-Chair must be a registrant of the College.

- 3.08** The terms of office and appointment of officers do not apply to the offices of the Registrar or Deputy Registrar who are appointed by the Board and shall hold office at the pleasure of the Board.
- 3.09** A person eligible for appointment as a director or to hold office of an officer position may be nominated for appointment to the Board. No person may be nominated for more than one (1) director or officer position. Current officers and directors may be nominated for officer or director positions upon the expiration of their current term.

#### Nominations as an Officer

- 3.10** Each nominee for a director or for an officer position shall submit to the Registrar a letter of nomination signed by two (2) other registrants in good standing with the College.
- 3.11** Nominations for officer positions may be submitted thirty (30) days before the Board meeting at which the appointment of officers is to be considered.
- 3.12** Where there is only one (1) nominee for an officer position, that nominee shall be deemed elected by acclamation as long as the nominee meets the requirements for eligibility.
- 3.13** When there is more than one (1) nominee for an officer position, there shall be a vote at the Board meeting for election of the officer. The vote shall be by ballot, with a single round of voting. The candidate with the highest number of votes after a single round of voting shall be elected to the office.

#### Nominations as a Director

- 3.14** A nominating committee consisting of a Chair and three (3) registrants shall be appointed by the Board no later than ninety (90) days prior to the expiration of the Board term for the purpose of nominating candidates for the Board.
- 3.15** A quorum of the nominating committee shall consist of three (3) members of the nominating committee which shall include the Chair.
- 3.16** At least sixty (60) days prior to the expiration of the Board term, the Chair of the Board shall call for applications for any positions on the Board which are expiring. The call for applications shall specify the date for the close of applications.
- 3.17** All such applications shall be in such form as determined by the Board from time to time and shall be received by the Registrar and delivered to the Chair of the nominating committee.
- 3.18** The nominating committee may consider an application from a current director for another term on the Board following the expiration of their current term.
- 3.19** The nominating committee shall consider all expressions of interest together with the eligibility criteria for Board membership as set out in the by-laws and any other such criteria as the nominating committee deems necessary from time to time. The nominating committee shall determine its own procedure with respect to determining nominations to the Board.

- 3.20** The nominating committee shall, by no later than thirty (30) days before the Board meeting at which the appointments of directors are to be considered, submit to the Chair of the Board the names of the nominees who are recommended for appointment by the nominating committee.
- 3.21** The Board shall consider the recommendations by the nominating committee and appoint registrants to fill vacant positions on the Board.
- 3.22** If there are no expressions of interest received by the nominating committee or no one is nominated to fill a vacant position on the Board, the Board may, by resolution, appoint a registrant who is eligible to be appointed to the Board.
- 3.23** All registrants of the College shall be notified by e-mail or other electronic means of any appointments to the Board or to office of the College.

### **Eligibility**

- 3.24** A person is eligible to hold a director or officer position with the College who meets the following criteria:
- (a) must be a full practice registrant or non-clinical registrant in good standing with the College;
  - (b) must be at least nineteen (19) years of age;
  - (c) must be fit to serve on the Board or must not be suffering from a disability or condition which would prevent them from fulfilling their duties as an officer or director;
  - (d) must be an individual and resident of New Brunswick;
  - (e) must not have been convicted of a criminal offence or have been found liable in a civil case, subject to the discretion of the Board to waive this requirement;
  - (f) must not be serving as a committee member, director, officer or employee of the College or of a labour union that represents the registrants of the College;
  - (g) must not have any unresolved complaints or discipline proceedings against them; and
  - (h) must execute such conflict of interest, confidentiality and code of conduct documents as are adopted by the Board from time to time.
- 3.25** All directors must conduct themselves in accordance with any Code of Conduct applicable to members of the Board in such form as adopted by the Board from time to time.

### **Vacancy**

- 3.26** If a vacancy occurs in any office for any reason, the Board shall fill the vacancy, and such person shall hold office for the remainder of their predecessor's term.

- 3.27** If a vacancy occurs on the Board for any reason such that the minimum number of directors as required by the Act is no longer met, the Board shall fill the vacancy and such person shall remain as a member of the Board for the remainder of their predecessor's term.
- 3.28** Upon termination of office, all officers of the College shall promptly surrender all books, seals, monies, and other properties of the College to their successor or to any officer of the College and no later than thirty (30) days after their term of office has expired.

### **Termination or Removal of Directors and Officers**

- 3.29** A director or officer may be terminated or removed from their position in any of the following circumstances:
- (a) they no longer meet the eligibility requirements set out in by-laws 3.24 and 3.25;
  - (b) they submit a written resignation to the Chair or the Registrar;
  - (c) they are absent from three (3) meetings of the Board in any twelve (12) month period, which absences are in the opinion of the Board without just cause;
  - (d) they resign as a registrant of the College, or such registration is otherwise terminated;
  - (e) they become incapacitated or die during their term; or
  - (f) they are removed from either with or without cause by a resolution adopted by a two-thirds (2/3) majority vote of the Board, provided that:
    - (i) written notice of the intent to consider removal is given to all directors and the officer or director in question at least ten (10) days in advance of the meeting;
    - (ii) the officer or director is given the opportunity to respond to the proposed removal, either in writing or by addressing the meeting prior to the vote;
    - (iii) at the same meeting, another qualified person may be elected by the directors in the place of the director or officer who has been removed. The person so elected shall hold office for the remainder of the existing term of the removed director; and
    - (iv) the meeting is held in accordance with the procedures set out in these by-laws regarding meetings of the Board.

### **Meetings of the Board**

- 3.30** Meetings of the Board shall be held at least three (3) times yearly, at any time or place determined by the Chair.
- 3.31** Additional meetings of the Board shall be determined by the Chair or shall be held on the written request of two (2) members of the Board, at any time or place determined by the Chair, and no later than thirty (30) days following receipt of such written request by the

Chair. Any such meetings of the Board may be held, in whole or in part, by video, telephone or any electronic means approved by the Board.

- 3.32** The Board and any committee of the Board or the College may conduct meetings by telephone or other communication facilities provided that a notice of meeting by telephone or other communication facilities has been given not less than three (3) days before the date of such meeting or such notice has been waived. The minutes of any action, decision, order or determination taken or made by a meeting held by telephone or other communication facilities shall be made part of the minutes of the Board or committee, as the case may be.

### **Notice of Board Meetings**

- 3.33** Subject to by-law 3.34, notice of the time and place of Board meetings shall be given to each Board member not less than ten (10) days before the date of such meeting and such notice may be mailed, delivered or sent by any electronic means approved by the Board.
- 3.34** Notwithstanding the foregoing, a meeting of the Board may be held at any time or place without formal notice if all directors are present or have waived notice of the meeting.
- 3.35** Notwithstanding the foregoing, a meeting of the Board shall be held each year following the annual meeting and no notice or waiver of notice of such meeting shall be necessary.
- 3.36** Notwithstanding the foregoing, where a meeting of the Board is held, in whole or in part, by video, telephone or any electronic means, notice of the time and place of the meeting shall be on such terms and by such means as the Board deems appropriate.

### **Indemnity of Directors and Officers**

- 3.37** Every director, committee member, agent or officer of the College and their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the College, from and against:
- (a) all costs, charges and expenses whatsoever which such director, committee members, agent or officer sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against them, for or in respect of any act, deed, matters or things whatsoever made, done or permitted by them, in or about the execution of the duties of their office; and
  - (b) all other costs, charges and expenses which they sustain or incur in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by their own willful neglect or default.

## **BY-LAW NO. 4 – DUTIES OF OFFICERS**

### **Chair**

- 4.01** The Chair shall,
- (a) preside at all meetings of the College and Board or the Chair may appoint another person to act as Chair;

- (b) supervise the affairs of the College;
- (c) establish or cause to be established dates of meetings and call special meetings of the College or the Board when necessary;
- (d) act as a signing officer;
- (e) exercise general control and supervision over the business and affairs of the College and act as a representative of the College,
- (f) have a second casting vote in the event of a tie at any meeting at which they preside, and
- (g) perform such other duties as may be delegated to them under the by-laws or by the Board for the efficient management of the College.

#### **Vice-Chair**

**4.02** The Vice-Chair shall,

- (a) assume the duties of the Chair in the Chair's absence or inability to act,
- (b) act as a signing officer, and
- (c) perform such other duties as may be delegated to them under the by-laws or by the Board for the efficient management of the College.

#### **Secretary**

**4.03** The Secretary shall,

- (a) arrange for the maintenance of all records of the College,
- (b) take or provide for the taking and maintaining of minutes for all general, special and Board meetings,
- (c) act as a signing officer, and
- (d) perform such other duties as may be delegated to them under the by-laws or by the Board for the efficient management of the College.

#### **Treasurer**

**4.04** The Treasurer shall,

- (a) present a report and the Annual Financial Statements at the annual meeting of the College,
- (b) act as a signing officer, and
- (c) perform such other duties as may be delegated to them under the by-laws or by the Board for the efficient management of the College.

## **BY-LAW NO. 5 – MEETINGS OF THE COLLEGE**

**5.01** Any meeting of the College can be held in whole, or in part, by video or any electronic means approved by the Board from time to time.

### **Annual**

**5.02** The annual meeting of the College shall be held each year on such date and at such place as the Board may determine.

### **Special**

**5.03** Special meetings of the College may be called:

- (a) by a majority vote of the Board; or
- (b) upon receipt of a written request(s) supported by a minimum of ten percent (10%) of the total College registrants holding a practising licence.

**5.04** Upon receipt of a written request in accordance with by-law 5.03(b), the Board shall call a special meeting of the College within thirty (30) days.

**5.05** No matter shall be discussed at any special meeting of the College apart from that specified in the notice.

### **Notice of Annual and Special Meetings of the College**

**5.06** Notice of annual or special meetings of the College shall be mailed or sent by any electronic means approved by the Board or delivered to each registrant of the College at their last known address in New Brunswick at least thirty (30) days before the holding of the meeting and the notice shall designate the time and place of such meeting.

**5.07** In the case of a special meeting of the College, such notice shall specify the nature of the proposed business to be transacted, and no other business shall be transacted at such meeting or any adjournment thereof.

**5.08** Notwithstanding the foregoing, where an annual or special meeting is held, in whole or in part, by video, telephone or any electronic means, notice of the time and place of the meeting shall be on such terms and by such means as the Board deems appropriate and shall be subject to such rules as the Board may make from time to time.

### **Quorum – College and Committees**

**5.09** The quorum for meetings whether held in person or by video, telephone or any electronic means shall be in the case of,

- (a) the College – a majority of members in good standing who are in attendance,

- (b) the committees – unless otherwise provided in the Act, the regulations or the by-laws, a majority of the members of the committee or such lesser number as the Board may approve from time to time.

### **Voting at Meetings of the College, the Board or Committees**

- 5.10** Unless otherwise provided by the Act, the regulations or the by-laws, voting on any question at any meeting of the College, the Board or any committee shall be determined by the majority of votes cast on such question.
- 5.11** Voting at all meetings of the College shall be by show of hands unless ten (10) members present in person request a secret ballot in which case the Chair of the Board shall appoint three (3) scrutineers for the purposes of taking the secret ballot.
- 5.12** Subject to by-law 5.15, voting rights at meetings shall be one (1) vote per member.
- 5.13** Voting at all meetings of the College, Board or any committee may be by e-mail or any electronic means approved by the Board, and the vote of the majority of voting persons, in person, by video, telephone or other electronic means shall be the act of the College, the Board, or committee, at such a meeting and shall be subject to by-laws as the Board may make from time to time with respect to the method of voting at such meetings.
- 5.14** In the event of a tie vote, the Chair shall have a second casting vote.

### **Proxy Voting**

- 5.15** A registrant may, by means of a written proxy, appoint a proxy holder to attend and act at the annual or any special meeting of the College, in the manner and to the extent authorized by the proxy, whether relating to specific or non-specific business items.
- 5.16** All proxies shall be in the form approved by the Board from time to time and shall be filed with the Registrar prior to the meeting at which the proxy is to be used.
- 5.17** Proxies shall be valid only for the meeting as specified in the proxy.
- 5.18** A proxy holder must be a registrant of the College. No one (1) registrant will be allowed to carry more than five (5) proxy votes.

### **Procedure**

- 5.19** Subject to the by-laws and regulations, the procedure at meetings of the College, any committees of the College and the Board and any committees of the Board shall be governed by the latest edition of *Robert's Rules of Order*.
- 5.20** If within one (1) hour of the time appointed for the annual or special meeting of the College a quorum is not present, the Chair shall, in the case of an annual meeting, call another meeting for such time and place and subject to such notice requirements as the Chair shall determine and, in the case of a special meeting, the meeting shall be dissolved.
- 5.21** At any meeting, at the discretion of the Chair, the rules of order may be suspended to facilitate discussion.

## **Electronic Voting**

- 5.22** Notwithstanding the provisions of by-law 5.11, and any other provision of the by-laws, in addition to voting in person or by proxy at a meeting of the College in accordance with the by-laws, voting on any question at a meeting of the College and voting for the election of any officer or director of the College may be conducted by a system of online voting approved by the Board by resolution from time to time.

## **BY-LAW NO. 6 – COMMITTEES**

### **Committees of the College**

- 6.01** The Board shall maintain the following standing committees:
- (a) Complaints Committee,
  - (b) Discipline and Fitness to Practise Committee,
  - (c) Credentials Committee.
- 6.02** The Board shall establish, maintain and appoint such other ad hoc committees as it deems necessary.
- 6.03** Unless otherwise expressly provided, the Board may fill any vacancy on any committee, and any person appointed to fill such a vacancy shall hold office until their successor is appointed.
- 6.04** Except as otherwise expressly provided, the Board may, from time to time, appoint an additional member or members to any committee.

## **REGISTRATION AND AFFILIATION**

### **BY-LAW NO. 7 – REGISTRATION**

- 7.01** All certificates of registration and all renewals of registration, in such forms as the Board may approve, shall be and remain the property of the College and shall be returned to the College immediately upon demand by the Registrar.

### **Categories of Registration**

- 7.02** There shall be the following five (5) categories of registration in the College:
- (a) full practice registrant,
  - (b) non-clinical registrant,
  - (c) temporary emergency registrant,

- (d) temporary general registrant, and
- (e) provisional registrant.

### **Full Practice Registrants**

- 7.03** Full practice registrants shall be those persons whose names are entered in the register, who have complied with the requirements of the Act, the regulations and the by-laws, have paid all required fees and filed such completed forms as required by the Board from time to time.
- 7.04** Full practice registrants may practise one or more of the following specialties of medical radiation technology in which the full practice registrant is authorized to practise:
- (a) radiologic technology,
  - (b) radiation therapy,
  - (c) nuclear medicine, and
  - (d) magnetic resonance.
- 7.05** Full practice registrants shall be entitled, subject to the Act, the regulations and the by-laws:
- (a) to receive notice of, attend and participate in meetings of the College, and to receive copies of any publications issued by the College;
  - (b) upon appointment, to hold office and to nominate persons to hold office in the College;
  - (c) upon appointment, serve on committees of the College;
  - (d) to the right to vote; and
  - (e) to full registration rights.
- 7.06** All new applicants for registration shall provide all information as set out in the Act, the regulations and the by-laws and required in such forms, as are approved by the Board from time to time and shall comply with such requirements as may be prescribed.

### **Non-Clinical Registrants**

- 7.07** Non-clinical registrants shall be those persons whose names are entered in the register, who have complied with the regulations and the by-laws, have paid all required fees and filed such completed forms as required by the Board from time to time.
- 7.08** Non-clinical registrants shall be those persons who do not engage in the clinical practice of medical radiation technology, but educate students, manage employees or carry out other non-clinical roles in one or more of the specialities.

- 7.09 Non-clinical registrants shall be those persons who meet all requirements of the Act, regulations and by-laws with respect to full practice registrants.
- 7.10 Non-clinical registrants shall be entitled to the same rights as full practice registrants with the exception of clinical practice.

### **Temporary Emergency Registrants**

- 7.11 Temporary emergency registrants shall be those persons whose names are entered in the temporary emergency register, who have complied with the requirements of the Act, the regulations and the by-laws, and have paid all required fees.
- 7.12 Temporary emergency registration shall be issued in accordance with subsections 18(6) and 18(7) of the Act.
- 7.13 With respect to rights in the College, temporary emergency registrants shall be entitled to receive notice of and attend meetings of the College and to receive copies of any publications issued by the College.
- 7.14 Temporary emergency registrants shall have no voting or other rights at meetings of the College except as otherwise provided herein and shall not be eligible for nomination to any office of the College.

### **Temporary General Registrants**

- 7.15 Temporary general registrants shall be those persons whose names are entered in the temporary general register, who have complied with the requirements of the Act, the regulations and the by-laws, and have paid all required fees.
- 7.16 Temporary general registrants shall be entitled to the same rights in the College as temporary emergency registrants.

### **Provisional Registrants**

- 7.17 Provisional registrants shall be those persons whose names are entered in the provisional register, who have complied with the requirements of the Act, the regulations and the by-laws, and have paid all required fees.
- 7.18 Provisional registrants shall be entitled to the same rights in the College as temporary emergency registrants.

### **Resignation**

- 7.19 A registrant may resign in good standing by a resignation submitted in writing to the College, provided that all indebtedness of the registrant to the College has been paid in full. A registrant who has not practised on or after January 1<sup>st</sup> and whose resignation is received within thirty (30) days of January 31<sup>st</sup> in any year shall not be liable for the annual fees with respect to amounts due during the renewal period for that year.

### **BY-LAW NO. 8 – AFFILIATION**

**8.01** There shall be the following categories of affiliations in the College:

- (a) student affiliation.

#### **Student Affiliates**

**8.02** Student affiliates shall be those persons who are enrolled in an Approved Education Program in New Brunswick and have paid all prescribed fees.

**8.03** Student affiliates who are completing an Approved Education Program may carry out such tasks and functions as are necessary for the completion of such program, under the direct supervision and direction of a full practice registrant, subject to the requirements, conditions, restrictions and limitations as determined by the Registrar from time to time.

**8.04** Student affiliates shall be entitled to:

- (a) receive notice of and attend meetings of the College and to receive copies of any publications issued by the College; and
- (b) serve, upon appointment, on committees of the College in accordance with the by-laws and regulations.

**8.05** All new applicants for student affiliation shall submit a completed application in such form as approved by the Board from time to time and shall provide evidence satisfactory to the Registrar of current enrolment in an Approved Education Program.

**8.06** Student affiliation shall be renewed annually. Applicants for renewal of student affiliation shall file with the Registrar a completed renewal application in such form as approved by the Board from time to time and shall provide evidence satisfactory to the Registrar of continuing enrolment in an Approved Education Program.

### **BY-LAW NO. 9 – FEES**

**9.01** Annual registration fees for registrants and student affiliates shall be in such amounts as may from time to time be determined by a resolution of the Board.

**9.02** The Board may from time to time determine all other fees, dues and assessments for all other matters, including annual fees for other categories of registration or affiliation and initial admission or registration fees, late filing fees, examination fees and administrative fees of any kind payable by any category of registration by an ordinary resolution of the Board.

**9.03** All annual fees are due during the annual renewal period of October 1<sup>st</sup> to November 15<sup>th</sup> in each year and the Registrar shall send, or cause to be sent, an overdue notice to any registrant or student affiliate failing to pay their fees by that date.

- 9.04** On or before September 15<sup>th</sup> of each year, the Registrar shall send, or cause to be sent, by mail, electronic communication or otherwise, to each person liable to pay an annual fee, a notice with respect to such fees.
- 9.05** If the registration fees and a completed renewal application in such form as may be determined by the Board from time to time are not received by the Registrar on or before November 15<sup>th</sup> in any year from a registrant or student affiliate, the Registrar shall not consider any renewal application until such time as the applicant has paid such late filing fees as may be determined by the Board from time to time.
- 9.06** If a registrant or student affiliate has not filed the required renewal application, together with the applicable annual fee, by November 15<sup>th</sup> in any year, together with all late filing fees due, the name of the registrant or student affiliate shall be struck from the register and the Registrar shall forthwith send a notice to the registrant or student affiliate, the registrant's employer, if known, notifying them that the registrant is no longer entitled to practise medical radiation technology or to hold themselves out as such.
- 9.07** Registration or affiliation in the College shall expire on January 1<sup>st</sup> of each year unless renewed prior to that date and each person whose registration has expired shall enjoy none of the rights and privileges of a registrant.
- 9.08** Until the conditions in by-law 9.05 and any other requirements for reinstatement set out in the regulations have been met, the registrant or student affiliate cannot be considered for renewal.

## **BY-LAW NO. 10 – CONDUCT OF REGISTRANTS**

### **Rules of Conduct**

- 10.01** The Code of Ethics and the Standards of Practice approved by the Board from time to time are incorporated herein as by-laws by reference and hereafter referred to as the College's Rules of Conduct.
- 10.02** In the case of conflict between the Rules of Conduct and the other provisions of the by-laws, the other provisions of the by-laws shall have precedence.
- 10.03** No registrant shall act or practise or permit anything to be done on their behalf contrary to the Rules of Conduct.
- 10.04** When any registrant
- (a) fails to comply with the Rules of Conduct;
  - (b) does anything or permits anything to be done which is not permitted by the Rules of Conduct; or
  - (c) breaches any provision of the Rules of Conduct; or any combination thereof;

the Registrar shall upon becoming aware of such conduct immediately complete, sign and deliver a complaint with respect to the registrant to the Complaints Committee.

## **BY-LAW NO. 11 – CONTINUING EDUCATION**

- 11.01** The Continuing Education Program Policy approved by the Board from time to time is incorporated herein as a by-law by reference.
- 11.02** All full practice registrants and non-clinical registrants shall comply with the Continuing Education Program Policy as a condition of ongoing registration with the College.

## **COMPLAINTS AND DISCIPLINE**

### **BY-LAW NO. 12 – COMPLAINTS COMMITTEE**

- 12.01** The registrant members of the Complaints Committee shall have at least two (2) years experience as a medical radiation technologist and shall meet all other requirements for eligibility as are determined by the Board from time to time.

#### **Term of Complaints Committee**

- 12.02** The Board shall appoint the members of the Complaints Committee, including the chairperson and vice-chairperson, for renewable terms of three (3) years provided that one (1) member of the first Committee shall be appointed for an initial term of one (1) year and one (1) member of the first Committee shall be appointed for an initial term of four (4) years.
- 12.03** The Board shall appoint the chairperson of the Committee and a vice-chairperson to serve in the place of the chairperson in the event of the chairperson's absence or inability to act at any time. Both the chairperson and vice-chairperson shall be registrants in good standing with the College.
- 12.04** If a member of the Complaints Committee who has participated in the consideration of an ongoing complaint becomes unavailable for any reason to complete the process or participate in the decision before a decision or referral has been made, the remaining member or members of the panel may complete consideration of the complaint and issue a decision.
- 12.05** If the term of a member of the Complaints Committee who has participated in the consideration of an ongoing complaint expires before a decision or referral has been made, the member's term will be deemed to continue but only for the purpose of participating in the decision or referral and for no other purpose.

#### **Vacancy on Complaints Committee**

- 12.06** In the event of a vacancy for any reason, or an inability of a committee member to participate at any time, the Board shall fill such vacancy forthwith for an ad hoc term or for a new three (3) year term or for the unexpired term of the vacated member, as the case may be.

## **Complaint Processing**

**12.07** Upon receiving a complaint as defined in section 34 of the Act, the chairperson of the Complaints Committee shall:

- (a) appoint a panel of three (3) members of the Complaints Committee to consider the complaint in accordance with subsection 33(5) of the Act;
- (b) cause the Registrar to:
  - (i) notify the registrant in writing that a complaint has been received by the Complaints Committee and that the Complaints Committee will consider the complaint;
  - (ii) forward a copy of the complaint and any reports, documents and evidence received respecting the complaint to the registrant;
  - (iii) request the registrant state their preferred language;
  - (iv) request the registrant provide a written submission to the Complaints Committee with respect to the complaint within thirty (30) days of receiving notice of the complaint;
  - (v) request and obtain such reports, documents and evidence in writing as the chairperson considers necessary for the purpose of the Complaints Committee and prepare and deliver to the Complaints Committee such reports, documents and evidence in writing; and
  - (vi) upon completion of such preliminary matters deemed necessary by the chairperson or Registrar, set a date for the first meeting of the Complaints Committee and notify the registrant of the said date, which notice shall be accompanied by copies of all reports, documents and evidence delivered to the Complaints Committee under (ii) above and shall be given at least fourteen (14) days prior to the meeting.

## **Referral to Discipline and Fitness to Practise Committee**

**12.08** If the Complaints Committee has referred a complaint to the Discipline and Fitness to Practise Committee, it shall submit or cause to be submitted to the Discipline and Fitness to Practise Committee all reports, documents and evidence submitted to the Complaints Committee together with the report of the determination by the Complaints Committee.

## **BY-LAW NO. 13 – DISCIPLINE AND FITNESS TO PRACTISE COMMITTEE**

**13.01** None of the members of the Discipline and Fitness to Practise Committee (hereinafter referred to as the “Committee”) shall be a director of the College or a member of the Complaints Committee.

**13.02** The registrant members of the Committee shall have at least three (3) years experience as a medical radiation technologist and shall meet all other requirements for eligibility as are determined by the Board from time to time.

#### **Term of Discipline and Fitness to Practise Committee**

**13.03** The Board shall appoint the members of the Committee, including the chairperson and the vice-chairperson, for terms of three (3) years provided that two (2) members of the first Committee shall be appointed for initial terms of two (2) years and the Board may establish staggered terms.

**13.04** The vice-chairperson shall serve in place of the chairperson in the event of their absence or inability to act at any time.

**13.05** If a member of the Committee who has participated in the consideration of an ongoing complaint becomes unavailable for any reason to complete the process or participate in the decision before a decision or referral has been made, the remaining member or members of the panel may complete consideration of the complaint and issue a decision.

#### **Vacancy on Discipline and Fitness to Practise Committee**

**13.06** In the event of any vacancy for any reason on the Committee, or an inability of a committee member to participate at any time, the Board shall fill such vacancy forthwith for an ad hoc term or for a new three (3) year term, as the case may be.

#### **Complaint Processing**

**13.07** Upon receiving a referral from the Complaints Committee, the chairperson of the Committee shall:

- (a) appoint a panel of three (3) members of the Committee to consider and investigate the complaint. Each panel shall consist of the chairperson or the vice-chairperson, one (1) public member and one (1) other member of the Committee who is a registrant;
- (b) cause the Registrar to:
  - (i) notify the registrant in writing that a complaint has been received by the Committee and that an investigation is being conducted;
  - (ii) request and obtain such information, documents, evidence and things as the chairperson considers necessary for the purposes of the Committee and prepare and deliver to the Committee such information, documents, evidence and things; and
  - (iii) set a date for the first hearing of the Committee and notify the registrant of the said date in accordance with the provisions of subsection 40(2) and section 41 of the Act.

**13.08** In the event that the Committee issues a reprimand, the reprimand shall remain in the file of the registrant for a minimum period of two (2) years following the issuance of the reprimand, or for a period that has been determined by the Committee.

- 13.09** It is the duty of a registrant against whom a complaint is made to appear at all hearings, but in the event of non-attendance, the Committee, upon proof of mailing or service of notice of such hearing, may proceed in the same way as though the registrant was in attendance.

## **GENERAL**

### **BY-LAW NO. 14 – GENERAL**

#### **Editorial Changes**

- 14.01** Whenever amendments are made to the by-laws or regulations, consequential editorial changes may be made to the by-laws or regulations by the Board, as required.

#### **Payment of Expenses of Officers, Directors and Committee Members**

- 14.02** The reasonable out-of-pocket expenses of officers, directors, employees, and registrants of the College acting on committees of the College, incurred while carrying out business on behalf of the College, shall be paid by the College subject to such terms as may be determined by the Board from time to time.
- 14.03** The Board may by resolution approve the payment of a per diem allowance to the directors and the members of the Complaints and Discipline and Fitness to Practise Committees who are not registrants of the College.

#### **Execution of Documents**

- 14.04** Notwithstanding any other provision of the by-laws or regulations, the Board may communicate with or provide notice to registrants or any other person by any means, electronic or otherwise, as the Board may approve from time to time.
- 14.05** Cheques, e-transfers and other financial instruments may be signed by such officers, directors and employees of the College as may be determined by resolution of the Board from time to time.

**LIST OF REVISIONS TO THE BY-LAWS**

Initial Date of Publication: 2025-10-29

<b>Date of Revision</b>	<b>Numbers of Revised Sections</b>