



PO Box 23113 Moncton, NB E1A 6S8
Tel: (866) 455-9642 • E-mail: info@nbaslpa.ca
www.nbaslpa.ca

BYLAWS

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**NEW BRUNSWICK ASSOCIATION OF
SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS**

BYLAWS **DEFINITIONS**

In these bylaws and in any rules made by the Executive Council unless the context otherwise requires;

"Act" means the Speech-Language Pathology and Audiology Act;

"Association" means the New Brunswick Association of Speech-Language Pathologists and Audiologist;

"audiology" means the provision or conduct of non-medical assessment and interpretation, evaluation, habilitative, rehabilitative, counseling, guidance and research services relating to auditory function including the planning, direction and conduct of remedial programs designed to restore and improve auditory function and speech reading, the giving of direction for the supply of hearing aids and the sale of hearing aids;

"audiologist" means a person whose name is entered in the register as an audiologist;

"councillor" means a voting member on the Executive Council which includes the President, President-Elect, Immediate Past President, Treasurer, Secretary, Public Representative, and any additional members as appointed or elected by the Executive Council as per Bylaw 9.1 (c);

"Executive Council" means the Executive Council of the Association;

"face-to-face meeting" means those that are conducted in person at a designated location and/or via videoconference at designated locations throughout New Brunswick;

"health professional" means a person who provides a service related to

- (a) the preservation or improvement of the health of individuals, or
- (b) the diagnosis, treatment or care of individuals who are injured, sick, disabled or infirm,

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

"in camera" means portions of a meeting held in private where one or more individuals shall be excused at the discretion of the president or meeting chairperson;

"member" means a speech-language pathologist or audiologist and any person whose name is entered in the temporary register or in any of the rosters established and maintained pursuant to the Act, the bylaws and rules;

"observer" means an individual who is not a voting member;

"officer" means a member who holds the office of President, President-Elect, Immediate and Past President, Secretary, Treasurer, or Registrar;

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

“professional misconduct” includes the acts or omissions specified in the Act entitled “An Act Respecting Health Professionals” (assented to December 19, 1996) as constituting professional misconduct;

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

"Registrar" means the person holding the office of Registrar under section 9 of the Act;

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

"rosters" means the rosters kept pursuant to paragraph 10(1)(c) of the Act;

"rule" means a rule made by the Executive Council pursuant to section 6 of the Act;

“speech-language pathologist” means a person whose name is entered in the register as a speech-language pathologist;

“speech-language pathology” means the provision or conduct of non-medical assessment, treatment, research, counseling, guidance, testing and evaluation services relating to speech, language and communication disorders or conditions including the planning, direction and conduct of remedial programs designed to restore and improve communication efficiency;

"temporary" means the register kept pursuant to paragraph 10(1)(b) of the Act;

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

Any words used in these bylaws or in the rules which are defined in the Act shall have the meaning set out herein.

Where discrepancies between the French and English versions of these Bylaws exist, the English version shall prevail.

BYLAW NO. 1 HEAD OFFICE AND FISCAL YEAR

- 1.1** The head office of the Association shall be at such place as may be determined by the Executive Council from time to time by rule. All notifications, notices, correspondence and any other directions shall be made to the Association or the Executive Council at the head office.
- 1.2** The fiscal year of the Association shall terminate on the 31st day of December in each year, which date may be changed from time to time by resolution of the Executive Council.

BYLAW NO. 2 SEAL

- 2.1** The corporate seal of the Association shall be in such form as the Executive Council may approve from time to time.

BYLAW NO. 3 OFFICERS

- 3.1** The officers of the Association shall be the President, Present-Elect, Immediate Past President, Secretary, Treasurer, and Registrar.
- 3.2**
 - (a) The President-Elect shall be elected annually by the members of the Association at the annual meeting of the Association.
 - (b) The Secretary and Treasurer shall be elected bi-annually in alternating years by the members of the Association at the annual meeting of the Association.
- 3.3** The Registrar shall be appointed by the Executive Council, shall be a speech-language pathologist or audiologist, shall not be a member of the Executive Council of the Association and shall hold office during the pleasure of the Executive Council.
- 3.4** The Immediate Past President shall serve as an officer during the period in which his/her successor remains in office.
- 3.5**
 - (a) The President-Elect shall serve for three consecutive terms following election, as the President-Elect, President and Immediate Past President respectively.
 - (b) The Secretary and Treasurer shall serve for two consecutive years following election.
- 3.6** Subject to section 3.7, if any vacancy in any of the offices of the Association shall occur for any reason the Executive Council shall fill such vacancy and such person shall hold office until his/her successor is elected or appointed.
- 3.7** If a vacancy occurs in the office of President-Elect, the Executive Council shall fill the vacancy and such person shall hold office until the end of the next annual meeting. During that meeting, an election will be held to fill the offices of President and President-Elect.
- 3.8** No officer shall occupy the same office for more than two consecutive terms, except for the Registrar who shall hold office during the pleasure of the Executive Council.

BYLAW NO. 4 DUTIES OF OFFICERS

4.1 PRESIDENT

The President shall.

- (a) be the Chief Executive Officer of the Association,
- (b) preside at all meetings of the Association and Executive Council,
- (c) supervise the affairs of the Association,
- (d) prepare the agendas of general and Executive Council meetings,
- (e) establish dates of meetings,
- (f) answer correspondence of the Association when required,
- (g) prepare statements and information for the Newsletter,
- (h) announce at the annual meeting the names of the Newsletter Editor or Editors appointed by the Executive Council,
- (i) perform such other duties as may be delegated to him/her under the bylaws or by the Executive Council and for the efficient management of the Association, and
- (j) have a second casting vote in the event of a tie at any meeting at which he/she presides.

4.2 PRESIDENT-ELECT

The President-Elect shall,

- (a) assume the duties of the President in his/her absence or inability to act,
- (b) assume the office of President at the end of term or the resignation of the President, which ever first occurs,
- (c) act as a nomination committee,
- (d) be an ex officio member of all committees,
- (e) coordinate committee reports and ensure that reports are available for all meetings by contacting committee chairperson three weeks prior to Association meetings,
- (f) act as Chairperson of Ad Hoc committees as required, and
- (g) perform such other duties as may be delegated to him/her under the bylaws or by the Executive Council and for the efficient management of the Association.

4.3 SECRETARY

The Secretary shall.

- (a) arrange for the maintenance of all records of the Association,
- (b) arrange for the dissemination of information pertaining to the Association to all members,
- (c) take and maintain minutes of all general and Executive Council meetings,
- (d) be Chairperson of the Membership Committee,
- (e) perform such other duties as may be delegated to him/her under the bylaws or by the Executive Council and for the efficient management of the Association.

4.4 TREASURER

The Treasurer shall,

- (a) collect and disburse the funds of the Association with the approval of the Executive Council,
- (b) present a report and the Annual Financial Statements at the annual meeting,
- (c) prepare and administer the Association Budget,
- (d) be the Chairperson of the Finance Committee,
- (e) be a member of the Training Trust Fund Board, and
- (f) perform such other duties as may be delegated to him/her under the bylaws or by the Executive Council and for the efficient management of the Association.

4.5 PAST PRESIDENT

The Past President shall,

- (a) serve as a consultant to the Executive Council,
- (b) be the Chairperson of the Legislation Committee,
- (c) ensure that amendments to the bylaws are published in the Newsletter or otherwise distributed prior to the meeting at which they are to be voted on, and
- (d) perform such other duties as may be delegated to him/her by the President or the Executive Council for the efficient management of the Association.

4.6 REGISTRAR

The Registrar shall,

- a) issue a certificate of registration to practising members and a certificate and/or written notification of membership to all other members upon admission to membership and from time to time and in such form or forms as the Executive Council may approve by resolution, to such persons who have met the requirements of the Act, bylaws and rules and have paid all required fees,
- (b) issue annually renewal of registration and membership in such form or forms as the Executive Council may approve by resolution, to such persons who have met the requirements of the Act, bylaws and rules and have paid all required fees,
- (c) accurately keep or cause to be kept the register, temporary register and rosters of the Association and shall record or cause to be recorded all information required to be kept in such registers and rosters,
- (d) perform all duties and exercise all powers assigned to the Registrar in the Act, bylaws and rules and perform such other duties and exercise such other powers as may be directed from time to time by the Executive Council, and
- (e) deliver to his/her successor in office all books, papers and other property of the Association and Executive Council.

- 4.7** All certificates of registration, membership and all renewal of membership in such form as the Executive Council has approved shall be and remain the property of the Association and shall be returned to the Association immediately upon demand by the Registrar.

BYLAW NO. 5 PAYMENT OF EXPENSES OF OFFICERS EXECUTIVE COUNCILLORS AND COMMITTEE MEMBERS

- 5.1**
- a) The reasonable out-of-pocket expenses of officers, Executive Councillors and persons acting on committees of the Association, incurred while carrying out business on behalf of the Association shall be paid by the Association subject to such rules as may be prescribed by the Executive Council from time to time.
 - (b) The Executive Council may by resolution approve the payment of a per diem allowance to the Executive Councillor and the member of the Discipline Committee who are not members of the Association.

BYLAW NO. 6 MEETINGS

6.1 ANNUAL

The annual meeting of the Association shall be a face to face meeting held between September 15 and November 15 of each year on such date and at such place(s) as the Executive Council may determine. The Executive Council shall be in attendance in person at the designated primary location.

6.2 SPECIAL

Special meetings of the Association shall be convened by order of the President or on written demand signed by any twenty-five (25) practising members of which a minimum of five (5) will be audiologists and five (5) will be speech-language pathologists at such time and place as may be determined by the President and in no case later than 90 days following receipt of such written demand by the President. Special meetings shall be face-to-face meetings, either in person and/or via videoconference at designated location(s).

6.3 EXECUTIVE COUNCIL

- (a) In-person meetings of the Executive Council shall be held at least three (3) times yearly at any time or place determined by the President.
- (b) Additional meetings of the Executive Council shall be determined by the President or on the written request by two Executive Councilors, at any time or place determined by the President and in no case later than 30 days following receipt of such written request by the President. Additional meetings may be conducted using conference calls and/or videoconference.
- (c) The Registrar of the Association shall be permitted to attend meetings of the Executive Council as an observer.
- (d) The Executive Director of the Association shall be permitted to attend meetings of the Executive Council as an observer.

6.4 NOTICE OF ANNUAL, GENERAL AND SPECIAL MEETINGS OF THE ASSOCIATION

- (a) Notice of the time and place of annual, or special meetings of the Association shall be mailed or delivered by electronic means to each member of the Association using his/her most recent contact information on file at NBASLPA's Head Office at least 21 days before the date of the meeting.
- (b) In the case of a special meeting of the Association, 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.

6.5 NOTICE OF EXECUTIVE COUNCIL MEETINGS

- (a) Notice of the time and place of Executive Council meetings shall be given to each Executive Councillor not less than ten (10) days before the date of such meeting.
- (b) Notwithstanding the foregoing, a meeting of the Executive Council may be held at any time or place without formal notice if all Executive Councillors are present or have waived notice of the meeting.
- (c) Notwithstanding the foregoing, a meeting of the Executive Council shall be held each year following the annual meeting.

6.6 QUORUM - - ASSOCIATION, EXECUTIVE COUNCIL, COMMITTEES

The Quorum for meetings shall be in the case of,

- (a) The Association – fifteen (15) speech-language pathologists and audiologists in good standing,
- (b) The Executive Council – four (4) Executive Councillors, provided that at least two (2) of the President, President-Elect and Secretary shall be present, and
- (c) Committees - unless otherwise provided, a majority of the members of the Committee.

6.7 VOTING

- (a) Unless otherwise provided by the Act, bylaws or rules, voting on any question at any meeting of the Association, the Executive Council or any committee shall be determined by the majority of votes cast on such question.
- (b) Subject to paragraph 6.7(c). voting at all meetings of the Association shall be by show of hands unless ten (10) practising members present in person request a secret ballot in which case the President shall appoint three (3) scrutineers for the purposes of taking the secret ballot.
- (c) Voting for the election of officers shall be by secret ballot in accordance with the provisions of section 6.9 and such rules which may be made by the Executive Council.

6.8 PROCEDURE

- (a) Subject to the bylaws and rules the procedure at meetings of the Association and the Executive Council shall be governed by the latest edition of Robert's Rules of Order.
- (b) If within half an hour of the time appointed for the annual general or special meeting of the Association a quorum is not present the President shall in the case of an annual meeting call another meeting for such time and place and subject to such notice requirements as he/she shall determine and in the case of a special or general meeting the meeting shall be dissolved.
- (c) At any meeting at the discretion of the President the rules of order may be suspended to facilitate discussion.

6.9 ELECTIONS

- (a) Only practising members shall be eligible to stand for office.
- (b) The election of Officers shall be held at the annual meeting of the Association by a secret ballot of practising members present in person or represented by proxy issued in accordance with the rules. A majority vote of the ballots cast by practising members shall be sufficient to elect.
- (c) A call for nomination shall be made at the meeting preceding the annual general meeting. A call for nominations will also be placed in the Newsletter.
- (d) Nominations will be accepted up to and including six weeks in advance of the meeting.

- (e) Nominees for President-Elect must have a minimum of two (2) years work experience in either speech-language pathology or audiology.
- (f) Each nominee shall consent, either verbally or in writing to the President-Elect to allow his/her name to stand on a ballot.
- (g) The President-Elect will prepare a ballot for election of officers containing the names of all consenting nominees at the time of the election at the annual meeting.
- (h) The President-Elect will make a call for ballots and assign two (2) members to count the ballots.
- (i) The President-Elect will announce the election results.

BYLAW NO. 7 **EXECUTION OF DOCUMENTS AND ACCOUNTING**

- 7.1** Contracts, documents, or other instruments in writing requiring the signature of the Association may be signed by the President, the President-Elect, the Immediate Past President, the Registrar, the Treasurer and the Secretary or any two of them, and the corporate seal may be affixed thereto and all contracts, documents and instruments in writing so signed shall be binding upon the Association without further authorization or formality. The Executive Council shall have power from time to time by resolution to appoint any officer or officers on behalf of the association either to sign contracts, documents and instruments in writing generally or to sign specific contracts, documents or instruments in writing.
- 7.2** The accountant of the Association shall be appointed annually by the Executive Council and shall be a chartered accountant or certified general accountant.
- 7.3** The Executive Council shall cause to be kept proper records and accounts of all transactions of the Association.
- 7.4** A copy of the Annual Financial Statements, approved by the Executive Council and prepared by the accountant shall be available to each member at the annual meeting.

BYLAW NO. 8 **FEEES**

- 8.1** Annual membership fees for practising, non-practising, and provisional members shall be in such amounts as may from time to time be determined by a resolution of the Executive Council, which resolution shall be confirmed by an ordinary resolution at the annual meeting of the Association.
- 8.2** The Executive Council may from time to time determine all other fees, dues and assessments for all other matters including annual fees for other categories of membership and initial admission or registration fees payable by any category of membership by an ordinary resolution of the Executive Council.
- 8.3** Membership in the Association shall expire on December 31st of each year unless renewed prior to that date and each person whose membership has expired shall enjoy none of the rights and privileges of a member.

- 8.4** On or before the 1st day of November in each year the Registrar shall send, by mail or otherwise, to each person liable to pay an annual fee, a notice with respect to such fees.
- 8.5** All annual fees are due on December 1st in each year and the Registrar shall send an overdue notice to any member failing to pay his/her fees by that date.
- 8.6** If the membership or registration fees and a completed renewal application in such form as may be prescribed by the rules are not received at the office of the Registrar on or before December 1st in any year from a member the Registrar shall not consider any renewal application until such time as the applicant has paid such late filing fees as may be set by the Executive Council from time to time.
- 8.7** If a member has not filed the required renewal application together with the applicable annual fee by December 31st in any year, together with all late filing fees due, the name of the member shall be struck from the register or the roster and in the case of practising or provisional members the Registrar shall forthwith send a notice to the member's employer, if known, notifying him/her that the member is no longer entitled to practice as a speech-language pathologist or audiologist or to hold himself/herself out as such.

BYLAW NO. 9 EXECUTIVE COUNCIL

- 9.1** (a) The Executive Council shall be composed of no less than six councillors which shall include:
- (i) the President;
 - (ii) the President-elect;
 - (iii) the Immediate Past President;
 - (iv) the Treasurer;
 - (v) the Secretary; and
 - (vi) at least one Public Representative, pursuant to the Act, Part II 4(3), who is appointed by the Lieutenant-Governor in Council.
- (b) The Executive Council must include at least one councillor who is a speech-language pathologist, and one who is an audiologist,
- (c) The Executive Council may appoint or elect additional members as it may from time to time deem necessary.
- 9.2** (a) Subject to section 9.3 the term of office of all Executive Councillors, whether appointed or elected, shall commence and be effective immediately following the meeting at which they are elected.
- (b) The term of office for the Public Representative shall be two years.
- (c) The term of office for additional members mentioned in 9.1 (c) shall be two years.
- (d) The method of nominating Executive Councillors and the method of holding and conducting elections of Executive Councillors shall be as set out in the rules from time to time.
- 9.3** (a) If any vacancy on the Executive Council occurs, the Executive Council may fill such vacancy.

- (b) Any person appointed to fill a vacancy shall hold office until his/her successor whether appointed or elected, commences his/her term of office.
- (c) If any Executive Councillor fails to attend three consecutive meetings of the Executive Council without valid cause after being duly advised of the holding of such meetings, the Executive Council may declare his/her position to be vacant and may appoint another person to fill the vacancy so created.

9.4 Pursuant to section 6 and paragraph 5(1)(1) of the Act the Executive Council may by resolution make, amend or repeal rules regulating any aspect, subject or matter of the business and affairs of the Association and the practice of speech-language pathology and audiology as may be governed by bylaw, including such appeals, subjects or matters described in paragraphs 5(1)(a) to (n) inclusive of the Act and any such rule shall be valid, binding and effective from the date of the resolution of the Executive Council until amended or repealed by an ordinary resolution at an annual or special meeting of the Association called for the purpose of considering the same.

- 9.5**
- (a) Bylaws shall be made, amended and repealed in accordance with the provisions of the Act,
 - (b) No motion for the repeal or amendment of a Bylaw at the instance of a member pursuant to the Act shall be considered at an annual, special or other meeting of the Association unless a Notice of Motion in writing signed by the proponent of the motion and setting out the exact wording of the proposed motion has been given to the Association not later than 60 days prior to the date of the meeting at which the motion is to be considered. Such Notice of Motion shall be forwarded to the members by the Association at least 25 days prior to the meeting at which it is to be considered.

9.6 The Executive Council and any committee of the Executive Council or the Association 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 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 Executive Council or committee, as the case may be.

9.7 INDEMNITY OF EXECUTIVE COUNCILLORS AND OFFICERS

Every Executive Councillor, committee member, agent or officer of the Association and his/her 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 Association, from and against;

- (a) all costs, charges and expenses whatsoever which such Executive Councillor, committee members, agent or officer sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against him/her, for or in respect of any act, deed, matters or things whatsoever made, done or permitted by him / her, in or about the execution of the duties of his/her office;
- (b) all other costs, charges and expenses which he/she sustains or incurs in or about or in relation to the affairs, thereof, except such costs, charges or expenses as are occasioned by his/her own willful neglect or default.

BYLAW NO. 10 **COMMITTEES**

- 10.1** The Executive Council may appoint from time to time committees that it considers appropriate or necessary to accomplish the objectives of the Association.

The following categories of committee are established by the Executive Council pursuant to the Act:

- (a) Standing; and
- (b) Special or Ad Hoc.

- 10.2** Standing Committees - The following standing committees are established pursuant to the Act:

- (a) Complaints Committee; and
- (b) Discipline Committee.

- 10.3** The Complaints Committee shall be appointed in accordance with the provisions of the Act and bylaws with respect to such committee.

- 10.4** The Chairperson of the Discipline Committee and the members thereof shall be appointed in accordance with the provisions of the Act and bylaws with respect to such committee.

- 10.5** Special or Ad Hoc Committees – The Chairperson and all members of special or ad hoc committees shall be appointed by Council as it may from time to time deem necessary, with terms of reference.

- 10.6** The Executive Council shall establish, maintain and appoint such other committees as it from time to time deems necessary or expedient.

- 10.7** Unless otherwise expressly provided, the Executive Council may fill any vacancy on any committee and any person appointed to fill such a vacancy shall hold office.

- 10.8** Except as otherwise expressly provided the Executive Council may from time to time appoint an additional member or members to any committee.

- 10.9** The Executive Council may make rules respecting the duties, conduct and proceedings of committees.

BYLAW NO. 11 **COMPLAINTS**

- 11.1** The Complaints Committee shall be composed of one person appointed by the Executive council, in accordance with the provisions of section 24.3 of the Act who shall not be

- (a) an Executive Councillor, or
- (b) a member of the Discipline Committee

- 11.2** (a) The Executive Council shall appoint the Complaints Committee for a term of three (3) years.

- (b) The member of the Complaints Committee shall have at least five (5) years' work experience in his/her respective field.

- (c) The member of the Complaints Committee shall have two references who can attest to the member's reputation for demonstration of fair and just conduct and respect for confidentiality.
- (d) The member of the Complaints Committee shall provide a letter of good standing from present association and, if applicable, past professional associations.
- (e) In the event of a vacancy for any reason, the Executive Council shall fill such vacancy forthwith with a new three (3) year term.

11.3 The Executive Council shall where:

- (a) a member of the Complaints Committee is the subject of a complaint
- (b) a member of the Complaints Committee is in a conflict of interest position as defined in the Rules
- (c) a member of the Complaints Committee is unable for any reason to fulfill his/her duties and responsibilities within 60 days;

designate another member who is determined to be a member in good standing to act as the Complaints Committee.

11.4 The Executive Council shall where the Registrar is the subject of a complaint designate another member who is determined to be a member in good standing, to carry out the duties of the Registrar with respect to that complaint.

11.5 Upon receiving a complaint, in writing signed by the complainant, the Complaints Committee shall cause the Registrar to:

- (a) notify the member in writing that a complaint has been received by the Complaints Committee and that an investigation will be conducted;
- (b) forward a copy of the complaint to the member and request the member to state his/her language preference;
- (c) advise the member that he/she may make a written submission to the Complaints Committee with respect to the complaint within 30 days after receiving the notice.

11.6 The Complaints Committee shall conduct a preliminary investigation, request and obtain such information, documents, evidence and things as he/she considers necessary for the purpose of the Committee.

11.7 After the Complaints Committee has made a determination under subsection 24.7(1) of the Act, the Complaints Committee shall forward to the Executive Council, the member and the Complainant against whom a complaint has been made, a copy of its signed decision dismissing the complaint or referring the complaint to the Discipline Committee.

11.8 The Complaints Committee shall, in accordance with subsection 24.7 (2) send a copy of its Decision to the member against whom a complaint has been made, and the Complainant by registered or certified mail.

BYLAW NO. 12 DISCIPLINE

12.1 Discipline Committee

The Discipline Committee (hereinafter referred to as the "Committee") shall be composed of

- (a) two (2) speech-language pathologists;
- (b) two (2) audiologists;
- (c) one (1) person who is not a member of the Association;

and none of whom shall be Executive Councillors of the Association or members of the Complaints Committee.

- 12.2**
- (a) The Executive Council shall appoint the members of the Committee, including the Chairperson and the Vice-Chairperson, for terms of two years provided that two (2) members of the first Committee shall be appointed for initial terms of three years.
 - (b) The Executive Council shall appoint the Chairperson of the Committee and a Vice-Chairperson to serve in the place of the Chairperson in the event of his/her absence or inability to act at any time.
 - (c) In the event of any vacancy for any reason on the Committee the Executive Council shall fill such vacancy forthwith for the unexpired term of the vacated member.
 - (d) Each of the speech-language pathologists and audiologists who are members of the Committee shall have at least two (2) years work experience in their respective fields.

12.3 Upon receiving a complaint in writing signed by the complainant, the Chairperson of the Committee shall:

- (a) if he/she deems it advisable, 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, the committee member mentioned in 12.1 (c) and one (1) other member of the Committee;
- (b) cause the Registrar to:
 - (i) forward a copy of the complaint to the member and request the member to state his/her language preference;
 - (ii) request and obtain such information, documents, evidence including all documents considered by the Complaints Committee and things as he/she considers necessary for the purposes of the Committee and prepare and deliver to the Committee such information, documents, evidence and things; and
 - (iii) upon completion of such preliminary matters deemed necessary by the Registrar, set a date for the first hearing of the Committee and notify the member of the said date in accordance with the provisions of paragraph 27(1)(e) of the Act.

- 12.4** When the Committee has made a determination, decision or order pursuant to subsection 25(8) of the Act the Committee shall forward to the Executive Council, the member against whom the complaint was made and the complainant a report of its determination, decision or order, signed by the members of the Committee concurring therein.
- 12.5** Each panel of the Committee shall constitute a quorum and shall act for, carry out and exercise all the duties and powers of the Committee.
- 12.6** (a) Both the complainant and the member against whom a complaint is made have the right to be represented at any hearing by legal counsel, at their own expense.
- (b) The Committee shall make such record of the evidence presented to it in such manner and form as it deems expedient and the Committee shall not in any case be obligated to keep or prepare a verbatim transcript of evidence.
- (c) It is the duty of the member 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 member were in attendance.
- 12.7** When the Discipline Committee has made a determination, decision or order pursuant to subsection 25(8) of the Act or a decision respecting an application under subsection 12.8 hereof the Committee shall notify any persons, including the public generally, as it deems expedient or necessary, of its determination, decision or order in such manner and form as it deems expedient.
- 12.8** Reinstatement
- (a) The Discipline Committee or a panel thereof shall consider all applications for reinstatement of registration, membership or right to practice after revocation or suspension and all applications for removal or alteration of conditions, restrictions or limitations imposed on a member's registration, membership or right to practice (hereinafter collectively referred to as "sanctions") and shall make such investigations and conduct such hearings it deems necessary for the consideration of such applications.
- (b) A panel of the Discipline Committee appointed to consider an application under subsection 12.8 (a) shall be appointed in the manner set out in subsection 12.3(a) with such modifications as are necessary.
- 12.9** No application under section 12.8 may be made to the Discipline Committee within twelve (12) months from the date on which sanctions were imposed or within twelve (12) months from the date of the determination of any previous application under subsection 12.8
- 12.10** The Discipline Committee shall determine its own rules of procedure with respect to applications made under section 12.8
- 12.11** (a) The Discipline Committee shall not consider any application made under section 12.8 unless:
- (i) the application is in writing and is signed by the applicant;
- (ii) the application sets out the grounds of the application, the remedy or order sought and the remedial measures taken by the applicant;

- (iii) the applicant has paid all fees determined by the Executive Council by resolution from time to time; and
 - (iv) the applicant has complied with any requirements set out in the rules with respect to such applications.
- (b) The Discipline Committee may dismiss the application made under section 12.8 or may make such decision, order or determination as it deems appropriate.
- (c) When the Discipline Committee has made a decision, order or determination with respect to an application under section 12.8 the Committee shall forward to the Executive Council and the applicant a copy of its decision, order or determination signed by the members of the Committee concurring therein.

BYLAW NO. 13 RULES OF CONDUCT

- 13.1** (a) The Association hereby adopts the Code of Ethics of Speech-Language & Audiology Canada as the Rules of Conduct of the Association and incorporates the same herein as bylaws by reference.
- (b) In the case of conflict between the Rules of Conduct and the other provisions of the bylaws, the other provisions of the bylaws shall have precedence,
- 13.2** No member shall act or practice or permit anything to be done on his/her behalf contrary to the Rules of Conduct.
- 13.3** When any member
- (a) fails to do anything required by 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 member to the Complaints Committee.

BYLAW NO. 14 REGISTRATION AND MEMBERSHIP

14.1 CATEGORIES OF MEMBERSHIP

There shall be the following two (2) registers and one (1) roster used for the categories of membership in the Association:

- (a) register used for:
 - Practising Members
- (b) temporary register used for:
 - Temporary Members
 - Provisional Members
- (c) non-practising roster used for:
 - Non-practising Members

14.2 PRACTISING MEMBERS

- (a) Practising Members shall be those persons whose names are entered in the register, who shall comply with the requirements of the Bylaws, Rules, and any agreement of which the Association is a signatory, and who have paid all required fees.
- (b) Practising Members shall be entitled, subject to the Bylaws and Rules:
 - (i) to receive notice of, attend and participate in meetings of the Association and to receive copies of any regular bulletins or publications issued by the Association;
 - (ii) to hold office, upon election or appointment, and to nominate persons to hold office in the Association;
 - (iii) to serve on committees of the Association;
 - (iv) to the right to vote, and
 - (v) to full membership rights;
- (c) Practising Membership shall be renewed annually in accordance with the Bylaws and the Rules.
- (d) Practising Members are required to comply with the Continuing Education Program as set forth in the Rules.
- (e) Upon application for change to Non-practising Member status, Practising Members must comply with the requirements set forth in the Rules to be granted Non-Practising member status.
- (f) Upon application for return to Practising Member status, Non-practising Members must comply with the requirements set forth in the Rules to be granted Practising Member status.
- (g) Practising Members shall have such other qualifications as may be set out in the Rules.

14.3 TEMPORARY MEMBERS

- (a) Temporary Members shall be those persons whose names are entered in the temporary register, who shall comply with the requirements of the Bylaws, Rules, and any agreement to which the Association is a signatory, and who have paid all required fees.
- (b) Temporary Members shall be those persons who are registered in another regulated jurisdiction in Canada, who have been approved by the Association to provide short-term audiology or speech-language pathology services for a specific purpose as a Courtesy Registrant as described in the Rules.
- (c) Temporary Members shall be entitled:
 - (i) to the right to practice as set out in the Act, Bylaws, and Rules; and
 - (ii) to receive notice of and attend meetings of the Association and to receive copies of any regular bulletins or publications issued by the Association.
- (d) Temporary Members shall have no voting rights or other rights at meetings of the Association except as otherwise provided herein and shall not be eligible for nomination to any office of the Association or participation on committees.

- (e) Registration in the temporary register shall be issued at such intervals and subject to such conditions, limitations, and restrictions as may be set out in the Rules. Temporary Membership will not be renewed annually, although reapplication may be made after the expired interval as set out in the Rules.

14.4 NON-PRACTISING MEMBERS

- (a) Non-Practising Members shall be those persons whose names are entered in the non-practising roster, who shall comply with the requirements of the Bylaws, Rules, and any agreement to which the Association is a signatory, and have paid all required fees.
- (b) Non-Practising Members shall be those persons who are former Practising Members in the Association who have applied for and have been approved for a Non-Practising registration in accordance with Rule 14.4.
- (c) Non-practising members shall be entitled:
 - (i) to receive notice of and attend meetings of the Association and to receive copies of any regular bulletins or publications issued by the Association; and
 - (ii) to serve, upon appointment, on committees of the Association in accordance with the bylaws and rules.
- (d) Non-practising members shall have no voting or other rights at meetings of the Association except as otherwise provided herein and shall not be eligible for nomination to any office of the Association.
- (e) Non-Practising Members shall only use the protected titles of their profession followed by the phrase “(Non-Practising).”
- (f) Non-Practising Members are not required to carry personal professional liability insurance.
- (g) Non-Practising Members are not eligible to practice speech-language pathology or audiology in the province of New Brunswick.
- (h) Non-practising membership shall be renewed annually in accordance with the bylaws and the rules.

14.5 PROVISIONAL MEMBERS

- (a) Provisional Members shall be those persons whose names are entered in the temporary register, who shall comply with the requirements of the Bylaws, Rules, and any agreement to which the Association is a signatory, and have paid all required fees.
- (b) Provisional Membership shall be granted for purposes as deemed appropriate and necessary by the Association. Provisional Members may be subject to a supervised practice period and/or other conditions as set by the Association as a requirement to obtain a Practising Membership.
- (c) Provisional Members shall be entitled:
 - (i) to the right to practice as set out in the Act, Bylaws, including 14.4 (b), and Rules for the period specified by the provisional registration;

- (ii) to receive notice of and attend meetings of the Association and to receive copies of any regular bulletins or publications issued by the Association; and
- (d) Provisional Members shall have no voting rights or other rights at meetings of the Association except as otherwise provided herein and shall not be eligible for nomination to any office of the Association.
- (e) Registration as a Provisional Member shall be issued and renewed at such intervals and subject to such conditions, limitations, and restrictions as may be set out in the Rules.
- (f) No person shall be entitled to have their name entered in the temporary register as a Provisional Member for a period exceeding 24 consecutive months.
- (g) Provisional registration may be revoked by the Registrar should the Provisional Member not meet the conditions for a Practising Membership within the predetermined time frame.

14.9 REGISTRATION QUALIFICATIONS

The qualifications for registration or membership in the Association in existence at the coming into force of these bylaws except to the extent they are inconsistent with the bylaws shall continue to be the qualifications required for registration and membership and shall be deemed to be rules of the Executive Council. The Executive Council may from time to time as it deems necessary or expedient make rules respecting the qualifications for registration and membership.

14.10 RESIGNATION

A member may resign in good standing by a resignation submitted in writing to the Association provided that all indebtedness of the member to the Association has been paid in full. A member whose resignation is received within 30 days of January 31st in any year shall not be liable for the annual fees or late filing fees with respect to amounts due on January 1st of that year.

A former member who has resigned and who is not indebted to the Association may apply for readmission to membership in accordance with the rules provided that a former member who applies for readmission, within 12 months of resignation shall pay all fees, including late filing fees, that would have been due for the preceding year if the member had not resigned.

14.11 NOTIFICATION OF EMPLOYMENT

Any member who changes his place of employment or employment status must notify the Registrar in writing of such change within 30 days thereof.

14.12 REGISTRATION RENEWAL

As part of quality assurance for registration renewal, all practicing members must meet the requirements set out in the Rules for continuing education equivalents and current professional practice activity hours (currency hours).

BYLAW NO. 15 COMMUNICATION HEALTH ASSISTANTS

- 15.1** For the purpose of this bylaw, pursuant to paragraph 22(g) of the Act, communication health assistant will include any person carrying out specific tasks constituting part of the practice of speech-language pathology or audiology under the supervision and control of a speech-language pathologist or audiologist as the case may be.
- 15.2** Prior to engaging communication health assistants, it is essential that the supervising professional be qualified to train and supervise them. The supervising professional shall:
- (a) be a practising or provisional member of the Association; and
 - (b) have a minimum of two (2) years' experience in speech-language pathology or audiology.
- 15.3** The supervising speech-language pathologist or audiologist:
- (a) is responsible and accountable for services delivered by the communication health assistant under that member's direction and supervision in accordance with Bylaw No. 13: Rules of Conduct;
 - (b) must refrain from entering into an employment agreement whereby they clinically supervise the person who employs them (whether in a paid or volunteer capacity) as this presents a conflict of interest (as per the Rules of Conduct);
 - (c) must refrain from assigning activities with a safety risk and/or higher probability of an adverse event, such as those for medically or emotionally fragile (e.g., agitated, labile) patients/clients; and
 - (d) must ensure that the communication health assistant's role and responsibilities have been explained to the patient/client and that the patient/client consented for services delivered by the communication health assistant.
- 15.4** The maximum number of communication health assistants supervised by one professional may vary in relation to:
- (a) tasks assigned to the communication health assistant;
 - (b) time available to provide supervision; and
 - (c) time required of the professional in the direct provision of clinical services.
- 15.5** A supervision plan and documentation on the communication health assistant's performance, including patient/client response, must be completed by the supervising member.
- 15.6** A supervising member who is no longer able to provide supervision or arrange for appropriate supervision must not assign direct patient/client care activities to communication health assistants, given that the supervising member is responsible and accountable for all services delivered to patients/clients (per Bylaw No. 13: Rules of Conduct).

APPENDIX 1 SPEECH-LANGUAGE & AUDIOLOGY CANADA (SAC) – CODE OF ETHICS

[LINK SAC CODE OF ETHICS](#)

**LIST OF AMENDMENTS, OMISSIONS AND ADDITIONS TO THE BYLAWS OF THE NEW
BRUNSWICK ASSOCIATION OF SPEECH LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS
(NBASLPA)**

Initial Date of Issue: March 19, 1988

Date of Change	Bylaw Number
June 1992	4.02 6.10 10.01
June 1993	4.05 6.03 6.04 10.01 12.01(renumbered to 13.01 in 2000) 13.02(renumbered to 14.02 in 2000) 14.06 (renumbered to 15.06 in 2000)
June 1994	6.01 6.03 6.05 6.09
November 1999	Definitions added – councillor, officer, health professional, professional misconduct 4.01 (d) omitted and (e) to (k) renumbered 4.01 (e) (renumbered to (d) in 2000) 4.02 (d) added 4.02 (e) omitted and (f) to (h) renumbered 4.03 (a), (b) and (c) 4.04 (d) 4.04 (e) added (renumbered (e) and (f) 4.05 (c) added (renumbered (c) to (d)) 4.06 (a) and (b) 4.07 6.01 6.02 6.04 (a) 6.04 (b) added (renumbered (b) and (c) as (c) and (d)) 6.06 (a) and (c) 6.10 (e) added (renumbered (e) to (k)) 10.01 10.02 added 10.03 to 10.07 (former 10.02 to 10.06) 11.0 added Complaints Bylaw 11.01 11.02 12.0 to 15.0 (former 11.00 to 14.0) 13.03 (former 12.03)

	14.02 (e) added (former 13.02) Minister's consent April 17, 2000 14.02 (f) added (former 13.02) Minister's consent April 17, 2000 14.06 (b) (former 13.06)
June 16, 2001	11.01 changed 11.02 added 11.03 added 11.04 added 11.05 added 11.06 added 11.07 added 11.08 added 12.01 (c) changed 12.03 (b) i) removed 12.03 (b) ii), iii),iv) renamed to 12.03(b) i),ii) & iii) respectively 14.02(a) changed 14.03(a) changed 14.04(a) changed
Oct 25, 2003	14.06(d) added 15.02 changed 15.06(b) changed
Nov 5 th , 2004	14.02 iv A B and C changed 14.07i changed
Nov 5 th , 2005	13.01(a) changed and add Code of Ethics as an appendix
Oct 29, 2011	"in camera" definition added "observer" definition added 6.04(d) changed 6.04(e) added 9.05(b) changed
Nov 2 nd , 2012	disclaimer re English-French discrepancies added "in camera" definition changed "face-to-face meeting" definition added 3.07 changed 6.01 changed 6.02 changed 6.04(a) changed (renumbered 6.03 (a) 6.04(b) changed (renumbered 6.03 (b) 6.05(a) changed (renumbered 6.04 (a) 14.02(d)(iv)(C) changed
Sept 19, 2014	CASLPA changed to SAC National Councillor removed Supportive Personnel changed to Communication Health Assistants
October 21, 2016	14.02 (d) AEF adopted as per CAASPR

October 22, 2018	Lay Representative changed to Public Representative The word <u>direct</u> has been omitted from Bylaw 14.05
September 27, 2019	8.08 amended to 8.03 8.04 amended 8.03 amended to 8.05 8.05 amended to 8.06 8.06 amended to 8.07 8.07 change in numbering only to 8.08 8.09 added 14.02 (f) added 15.06 amended 15.07 amended
October 11, 2021	14.02 (e) added 14.02 (e) – former - amended and renumbered to 14.02 (f) 14.02 (f) renumbered to 14.02 (g) 14.03 (a) amended 14.03 (b) amended 14.03 (c) amended 14.03 (d) added 14.03 (d) – former - amended and renumbered to 14.03 (e) 15.02 repealed 15.03 renumbered to 15.02 15.03 added 15.04 (b) amended 15.05 repealed 15.06 repealed 15.07 amended and renumbered to 15.05 15.08 repealed 15.09 repealed 15.10 amended and renumbered to 15.06
June 2022	All bylaws numbered x.01 to x.09 were renumbered x.1 to x.9. For example bylaw 1.01 was changed to 1.1, 1.02 was changed to 1.2, etc. Reason: to align numbering of bylaws and rules.
October 2022	“councillor” amended 3.3 amended 3.8 amended 9.1 amended 9.2 amended 10.1 amended 10.2 added 10.3 numbering 10.4 numbering 10.5 added 10.6 numbering 10.7 numbering 10.8 numbering 10.9 numbering

14.1 amended
14.2 amended
14.3 amended
14.4 amended
14.5 repealed
14.5 added
14.6 repealed
14.7 repealed
14.8 repealed
14.12 added