

# Medical Radiation Technologists Act

CHAPTER 280 OF THE REVISED STATUTES, 1989

*as amended by*

1990, c. 34; 2012, c. 48, s. 34



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CHAPTER 280 OF THE REVISED STATUTES, 1989  
amended 1990, c. 34; 2012, c. 48, s. 34

**An Act Respecting Medical Radiation  
Technologists in Nova Scotia**

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**Short title**

**1** This Act may be cited as the *Medical Radiation Technologists Act*.  
R.S., c. 280, s. 1.

**Interpretation**

**2** In this Act,

- (a) “Association” means the Nova Scotia Association of Medical Radiation Technologists;
- (aa) “by-laws” means the by-laws made under this Act;
- (b) “Canadian Association” means The Canadian Association of Medical Radiation Technologists;
- (c) “Council” means the Council appointed under this Act;
- (d) “medical radiation technologist” means a person who practises medical radiation technology as a radiographic technologist, a radiation therapy technologist or a nuclear medicine technologist;
- (e) “medical radiation technology” means the act, process, science or art of carrying out on humans for medical purposes the technical aspects of radiation-diagnosis or radiation-therapeutics;
- (ea) “nuclear medicine technologist” means a medical radiation technologist who is registered as a member of the Canadian Association in

the discipline of nuclear medicine and who utilizes radionuclides, radiopharmaceuticals and radiation detecting devices in the practice of medical radiation technology;

(eb) “radiation therapy technologist” means a medical radiation technologist who is registered as a member of the Canadian Association in the discipline of radiation therapy and utilizes radiating emitting devices in the practice of medical radiation technology;

(ec) “radiographic technologist” means a medical radiation technologist who is registered as a member of the Canadian Association in the discipline of radiography and utilizes radiating emitting devices in the practice of medical radiation technology;

(f) “register” means the register kept under this Act;

(g) “Registrar” means the Registrar appointed by the Council;

(h) *repealed 1990, c. 34, s. 1.*

R.S., c. 280, s. 2; 1990, c. 34, s. 1.

### **N. S. Society of Medical Radiation Technologists**

**3** (1) The Nova Scotia Society of Radiological Technicians incorporated pursuant to the provisions of the *Societies Act* in the year 1958 is hereby continued as a body corporate under the name of Nova Scotia Society of Medical Radiation Technologists with the powers hereinafter expressed.

(1A) Notwithstanding subsection (1), on, from and after the coming into force of this subsection, the body corporate referred to in subsection (1) shall be known as the Nova Scotia Association of Medical Radiation Technologists.

(1B) No rights, obligations or liabilities of the Nova Scotia Society of Medical Radiation Technologists are in any way affected by subsection (1A) and those rights, obligations and liabilities continue to be vested in and to be binding upon it by the name “Nova Scotia Association of Medical Radiation Technologists”.

(1C) A reference in an enactment or in a document, including a deed, lease, will, trust or indenture, to the Nova Scotia Society of Medical Radiation Technologists or the Nova Scotia Society of Radiological Technicians, shall, as regards any subsequent transaction, matter or thing, be held and construed to be a reference to the Nova Scotia Association of Medical Radiation Technologists.

(2) The members of the Association shall consist of such persons as are now and shall hereafter, pursuant to this Act, become members thereof and whose names shall be entered upon the Association’s register.

(3) The head office of the Association shall be at the City of Halifax or such other place as the Council decides. R.S., c. 280, s. 3; 1990, c. 34, ss. 2, 3.

**4** *repealed 1990, c. 34, s. 4.*

**Acquisition and alienation of property**

**5** The Association may acquire and hold real and personal property and may alienate, mortgage, lease or otherwise charge or dispose of the same or any part thereof. R.S., c. 280, s. 5; 1990, c. 34, s. 3.

**Objects**

**6** The objects of the Association are to

- (a) increase the knowledge, ability and competence of its members;
- (b) improve the standards of the practice of medical radiation technology so as to ensure that the public at all times receives the services of proficient and competent medical radiation technologists of high ethical standards; and
- (c) do such lawful things as are incidental or conducive to the attainment of such objects. R.S., c. 280, s. 6; 1990, c. 34, s. 3.

**Council**

**7 (1)** There shall be a Council of the Association consisting of

- (a) seven members of the Association who shall be elected at annual meetings of the Association or in such other manner as provided by the by-laws;
- (b) a person appointed by the Governor in Council;
- (c) a member of the Nova Scotia Association of Radiologists appointed by that Association; and
- (d) a person appointed by the Nova Scotia Association of Hospital Organizations.

**(2)** The Council shall, subject to this Act and the by-laws and to the directions of any general meeting of the Association, conduct the affairs and exercise the powers of the Association.

**(3)** When conducting an investigation pursuant to the *Nova Scotia Society of Medical Radiation Technologists By-laws*, N.S. Reg. 78/79, the Council and each member of Council have all of the powers, privileges and immunities of a commissioner appointed pursuant to the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. R.S., c. 280, s. 7; 1990, c. 34, ss. 3, 5; 2012, c. 48, s. 34.

**By-laws**

**8 (1)** The Association may make by-laws respecting the affairs, business or property of the Association, its management, government, aims, objects or interests and, in particular, but without limiting the generality of the foregoing,

(a) respecting the constitution of a discipline committee chosen from the Council which shall have the power to suspend the membership of or expel from the Association any medical radiation technologist who the committee finds has been guilty of unprofessional conduct, incompetence, fraud or misrepresentation in connection with his practice;

(b) regulating the procedure to be followed by the discipline committee in the exercise of its powers;

(c) prescribing the qualifications of persons to be admitted to and registered in the Association and the proofs to be furnished as to education, character and experience;

(d) respecting the admission of members, the maintenance of a register of members and the annual renewal of such registration;

(e) prescribing fees on admission to membership, and annual fees and the imposing of assessments on members.

(2) No by-law or amendment thereto or repeal thereof shall take effect until the same has been approved by the Governor in Council. R.S., c. 280, s. 8; 1990, c. 34, s. 3.

#### Existing practitioner

9 Every person who has practised in the Province as a medical radiation technologist for a period of three years prior to the thirtieth day of March, 1965, shall be admitted to the ~~Association~~ [Society] if he applied to the ~~Association~~ [Society] for such registration within twelve months of that date. R.S., c. 280, s. 9; 1990, c. 34, s. 3.

#### Restricted right to practise

10 (1) No person shall practise medical radiation technology in a hospital or clinic or in the office of a medical or dental practitioner unless

(a) that person is a member in good standing of the Association or of the Canadian Association who has successfully passed all examinations prescribed by the Association or the Canadian Association, respectively, and practises under the direction of a nuclear medicine physician, radiation oncologist or radiologist and uses equipment pertinent to that person's designated discipline and area of practice;

(b) he is registered and licensed under the *Dental Act*;

(c) he is a duly qualified medical practitioner;

(d) he is a student technologist in training in a school for the training of medical radiation technologists approved by the Canadian Medical Association; or

(e) he is a technician employed by a fixed or mobile clinic engaged in detecting tuberculosis.

(2) This Section shall not apply to persons employed in hospitals with less than twenty-five beds or in hospitals where, in the opinion of the Nova Scotia Health Services and Insurance Commission, the nature and amount of medical radiation technology performed is such as not to warrant having a medical radiation technologist on staff. R.S., c. 280, s. 10; 1990, c. 34, ss. 3, 6.

#### Penalty

11 (1) A person who violates any provision of this Act is liable on summary conviction to a penalty of not more than two thousand dollars and in default of payment to imprisonment for not more than six months.

(2) No action or prosecution for a violation of this Act shall be commenced without the leave of the Attorney General having been first obtained. R.S., c. 280, s. 11; 1990, c. 34, s. 7.

#### Certificate as proof

12 A certificate signed or purported to be signed by the Registrar that a person was or was not a member in good standing of the Association is admissible in evidence without proof of the signature or election of the Registrar and is *prima facie* proof of the facts certified. R.S., c. 280, s. 12; 1990, c. 34, s. 3.

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