



Construction Association of New Brunswick

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Hon. Blaine Higgs
Premier of New Brunswick
Po Box 6000
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October 22, 2019

Dear Premier Higgs

The Construction Association of NB is pleading to you for assistance in the advancement of the Legislation for Prompt Payment in the province of New Brunswick. Two years have disappeared since the province of Ontario passed the Legislation for Prompt Payment and the restructuring of the Mechanics Lien Act. These two pieces of Legislations proceeded together to correct the horrendous miss use of the Mechanic Lien Act for the past fifty years in this country and are now actively in use in the Province of Ontario. The Federal Government saw the need to copy this Legislation to assure that contractors, sub- contractors and suppliers were paid expeditiously for doing a fair day's tangible work. It was interpreted from all pre plus post discussions that all provinces would follow Ontario and the Federal governments lead, and initially we were confident New Brunswick was attempting to fulfil its obligation to its construction work force. However, after almost two years that have evaporated we are being informed by the Attorney General's Office that the proposed Legislation will have to be put on hold until a review of other provinces templates, plus Adjudicator's have been trained. This is completely contrary to the objective of the proposed legislation and appears to be stalling tactics that are common practice in our judicial system which we in the construction industry are trying to escape from. We are confident that we can find the sufficient number of adjudicators within government and industry plus the offer to share nationally has presented itself within industry. We at CANB are of the understanding that the Act will take a year to pass the three readings. If this is so, our industry cannot withstand any more delays as it will take another two years to have all the guidelines in place after legislated which we have learned from the proceedings in Ontario. Enough said, message delivered, we need this pushed forward. We thank you in advance for your assistance and look forward to working with your government.

John Landry Executive Director

Cc: President and Chair Robert Carvell P.Eng