



Institute  
and Faculty  
of Actuaries

# Disciplinary Scheme

of the Institute and Faculty of Actuaries

1 August 2023

# Disciplinary Scheme of the Institute and Faculty of Actuaries

<b>Contents</b>	<b>Page</b>
Rule 1 - Introduction	4
Rule 2 - Definition of Misconduct	5
Rule 3 - Complaints and Allegations	5
Rule 4 - Liability for Proceedings under the FRC Scheme	6
Rule 5 - Duty to co-operate	7
Rule 6 - Proof of certain matters	8
Rule 7 - Investigations	8
Rule 8 - IFoA request for direct referral to a Disciplinary Tribunal Panel	9
Rule 9 - Transfer to a Capacity for Membership Panel	10
Rule 10 - Interim Orders	10
Rule 11 - Disciplinary Orders	12
Rule 12 - Case Reports	13
Rule 13 - Adjudication Panels	13
Rule 14 - Independent Reviewer	14
Rule 15 - Charges and Disciplinary Tribunal Panels	15
Rule 16 - Capacity for Membership Panels	17
Rule 17 - Readmission to membership	20
Rule 18 - Appeals and Appeals Tribunal Panels	21
Rule 19 - Publication of determinations and orders	22
Rule 20 - Appointments	23
Rule 21 - Service of documents and notices	23
Rule 22 – Hearings and Panels	23
Rule 23 - Correction of errors	24

<b>Contents</b>	<b>Page</b>
Rule 24 - Disclosure of information	24
Rule 25 - Death of a Respondent	24
Rule 26 - Transitional Provisions	24
Rule 27 - Definition of terms used in this Scheme	26

## Rule 1 – Introduction

- 1.1 The Rules of this Scheme are made under Bye-law 59 and shall form part of the Rules of the IFoA. The Rules of this Scheme may be withdrawn, varied, or added to accordingly.
- 1.2 The Disciplinary Committee has the authority to make Regulations as it considers necessary for the implementation of this Scheme.

### Interpretation

- 1.3 This Scheme shall take effect from 1 August 2023. It shall apply to:
- (a) any Complaint received by the IFoA under Rule 3.1 on or after that date; or
  - (b) any Complaint referred to the Head of Disciplinary Investigations under Rule 3.2 by an Executive Officer on or after that date; or
  - (c) any application for readmission to membership under Rule 16.1 made on or after that date.
- 1.4 This Scheme shall be read alongside:
- (a) any Regulations issued by the Disciplinary Committee; and
  - (b) any relevant guidance published by the Disciplinary Committee.
- 1.5 Where there is any conflict or inconsistency between this Scheme, the Regulations and guidance issued by the Disciplinary Committee, this Scheme shall prevail.
- 1.6 This Scheme shall be interpreted and applied in accordance with the principles of natural justice, procedural fairness, and any applicable human rights law.
- 1.7 This Scheme shall be interpreted and applied in accordance with the laws of England and Wales.
- 1.8 In this Scheme:
- (a) The words listed in Rule 27 shall have the meanings defined within that Rule.
  - (b) The words defined in the Bye-laws of the IFoA shall have the same meanings in this Scheme.

### Burden and Standard of Proof

- 1.9 In all proceedings before:
- (a) a Disciplinary Tribunal Panel; or
  - (b) an Appeals Tribunal Panel, where the appeal concerns a determination of a Disciplinary Tribunal Panel,
- the IFoA shall bear the burden of proving, on the Balance of Probabilities, that the Respondent is guilty of Misconduct.
- 1.10 In all proceedings before an Interim Orders Panel and a Capacity for Membership Panel the IFoA shall bear the burden of proving the facts on the Balance of Probabilities.

1.11 In all proceedings before:

- (a) a Capacity for Membership Panel; or
- (b) an Appeals Tribunal Panel, where the appeal concerns a determination of a Capacity for Membership Panel,

the party making the application shall bear the burden of proving on the Balance of Probabilities that the Respondent's capacity to be a Member of the IFoA is significantly impaired as a result of their illness or other relevant health or medical condition, and that the impairment is relevant to the Allegation.

1.12 In all proceedings before a Readmission Panel, the party making the application shall bear the burden of demonstrating that they are a suitable candidate for readmission to membership of the IFoA.

## **Rule 2 – Definition of Misconduct**

2.1 Misconduct means any act or omission or series of acts or omissions by a Member, in their professional or non-professional life, which falls significantly short of the standards of behaviour, integrity, competence or professional judgment which other Members or the public might reasonably expect of a Member.

2.2 Misconduct includes:

- (a) any act or omission, or series of acts or omissions, which took place before the Respondent became a Member;
- (b) any act or omission, or series of acts or omissions, which took place after the Respondent became a Member; and
- (c) any act or omission, or series of acts or omissions, which had taken place while the Respondent was a Member, even if the Respondent was no longer a Member at the time the Complaint(s) were made.

2.3 Misconduct does not include any act or omission, or series of acts or omissions, that a Member has previously disclosed in writing to the IFoA before the Member was admitted to membership.

## **Rule 3 – Complaints and Allegations**

3.1 Every Complaint received by the IFoA shall be referred to the Head of Disciplinary Investigations.

3.2 An Executive Officer of the IFoA may refer a Complaint to the Head of Disciplinary Investigations.

3.3 The Head of Disciplinary Investigations shall assess every Complaint to determine whether it should be:

- (a) accepted as an Allegation for investigation under this Scheme; or
- (b) referred to an Assessment Panel with the recommendation that it is not accepted for investigation under this Scheme.

- 3.4 The Head of Disciplinary Investigations shall assess the Complaint against the criteria set out in the Regulations.
- 3.5 If the Head of Disciplinary Investigations considers that the Complaint does not meet any of the criteria set out in the Regulations, the Complaint shall be accepted as an Allegation. The Allegation will then be dealt with under Rule 7 of this Scheme.
- 3.6 If the Head of Disciplinary Investigations considers that one or more of the criteria are met, they shall refer the Complaint to an Assessment Panel with a recommendation that it is not accepted for investigation under this Scheme.
- 3.7 The Assessment Panel shall consider the referral in private and may either:
- (a) accept the Complaint as an Allegation to be dealt with under Rule 7 of this Scheme; or
  - (b) confirm that the Complaint should not be accepted for investigation under this Scheme.
- 3.8 Where the Assessment Panel confirms the recommendation that the Complaint should not be investigated under this Scheme, the Referrer may give notice requesting a review of the Assessment Panel's determination by a new Assessment Panel.
- 3.9 When giving notice to the IFoA under Rule 3.8, the Referrer shall specify one or more of the grounds for review as set out in the Regulations.
- 3.10 If the new Assessment Panel considers that the ground(s) for review have been established it shall consider the review in accordance with the Regulations.
- 3.11 The new Assessment Panel's decision is final. A further application for review by the Referrer will not be accepted.

#### **Rule 4 – Liability for Proceedings under the FRC Scheme**

- 4.1 All Members may be subject to disciplinary proceedings under the FRC Scheme, regardless of whether the Misconduct took place before or after the commencement of the FRC Scheme.

##### **Referral of Cases to the Conduct Committee of the FRC**

###### *Referral by an IFoA Executive Officer*

- 4.2 An Executive Officer of the IFoA may, before referring a Complaint to the Head of Disciplinary Investigations under Rule 3.2, refer a Complaint to the Conduct Committee.

###### *Referral Prior to an Investigation*

- 4.3 The Head of Disciplinary Investigations and the Chair of the Pool of Investigation Actuaries may, after an Allegation has been referred to them under Rule 7.1, refer an Allegation to the Conduct Committee.

###### *Referral During an Investigation*

- 4.4 At any stage after an investigation has commenced under Rule 7.2, but before the investigation has been completed under Rule 12.1, the Case Manager may send an Allegation to the Head of Disciplinary Investigations and the Chair of the Pool of Investigation Actuaries who shall consider whether it is appropriate for referral to the Conduct Committee.

### *Referral by an Adjudication Panel*

- 4.5 An Adjudication Panel may, before making any determination under Rule 13.3, refer any Allegation to the Conduct Committee.

### **Call In of Cases by the Conduct Committee of the FRC**

- 4.6 At any stage before:

- (a) the Adjudication Panel makes a determination under Rule 13.3; or
- (b) the Respondent notifies the Case Manager that they wish to proceed directly to a Disciplinary Tribunal Panel hearing under Rule 12.2,

the Conduct Committee may issue a written notice to the IFoA, notifying them that it has decided to call in a case for investigation under the FRC Scheme.

### **Enforcement of FRC Findings, Sanctions and Costs**

- 4.7 Any final finding made, sanction imposed, and/or costs awarded by the Conduct Committee shall be enforced as if it had been made under this Scheme.

## **Rule 5 - Duty to co-operate**

### **Co-operation with the consideration of a Complaint**

- 5.1 Every Member or former Member who is subject to a Complaint under Rule 3.1 or 3.2 has a duty to co-operate fully and promptly with the consideration of the Complaint.
- 5.2 Failure or partial failure of a Member or former Member to comply with the duty under Rule 5.1 may be brought as a Complaint against them.

### **Respondent's Duties**

- 5.3 Every Respondent has a duty to co-operate fully and promptly with the consideration of any Allegation, any investigation and/or any proceedings under this Scheme and/or the FRC Scheme.
- 5.4 Every Respondent has a duty to comply with any undertaking, determination, outcome, order, sanction and/or costs order imposed under this Scheme.
- 5.5 Every Respondent has a duty to comply with any undertaking, determination, outcome, order, sanction and/or costs order imposed under the FRC Scheme.
- 5.6 Every Respondent shall treat as confidential all information that is not in the public domain and which is provided in the course of any preliminary inquiry, investigation, or proceeding by:
- (a) the IFoA under this Scheme; or
  - (b) the FRC under the FRC Scheme.
- 5.7 Failure or partial failure of a Respondent to comply with the duties in this section may be brought as a Complaint or an Allegation of Misconduct against the Respondent.

## Member Duties

- 5.8 Every Member (who is not the Respondent) has a duty to co-operate fully and promptly in respect of the consideration of any Complaint, any Allegation, any investigation and/or any proceedings under this Scheme.
- 5.9 Every Member (who is not the Respondent) has a duty to co-operate fully and promptly with the Conduct Committee in respect of the consideration of any complaint, any investigation and/or any proceedings under the FRC Scheme.
- 5.10 A Member (who is not the Respondent) shall treat as confidential all information that is not in the public domain and which is provided in the course of any preliminary inquiry, investigation, or proceeding by:
- (a) the IFoA under this Scheme; or
  - (b) the FRC under the FRC Scheme.
- 5.11 Failure or partial failure of any Member or former Member (who is not the Respondent) to comply with the duties in this section may be referred as a Complaint against the Member or former Member.

## Rule 6 – Proof of certain matters

- 6.1 Where a Respondent:
- (a) has been the subject of a judgement or determination arising from civil proceedings before a court of competent jurisdiction; and/or
  - (b) has been convicted of a criminal offence before a court of competent jurisdiction; and/or
  - (c) has been the subject of an adverse final determination by an actuarial regulatory body which is a full member of the International Actuarial Association,
- the findings of fact made in those proceedings shall be conclusive proof of those facts, under this Scheme.
- 6.2 Where a Respondent has been the subject of:
- (a) an adverse final determination; and/or
  - (b) judgment; and/or
  - (c) a disqualification order
- by any regulatory body in the exercise of its statutory and/or regulatory function, other than where Rule 6.1 applies, the findings of fact made in those proceedings shall amount to Prima Facie evidence of those facts, under this Scheme.

## Rule 7 – Investigations

- 7.1 Once an Allegation of Misconduct has been accepted for investigation under Rules 3.5 or 3.7, the Head of Disciplinary Investigations shall refer the Allegation to the Chair of the Pool of Investigation Actuaries.

- 7.2 If not referred to the Conduct Committee under Rule 4.3 a Case Manager will be assigned to the case. One or more members of the Pool of Investigation Actuaries may also be assigned.
- 7.3 During an investigation, the Case Manager may request and/or accept any written undertaking from the Respondent.
- 7.4 During an investigation, the Convener of Adjudication Panels may suspend an investigation following an application by the Case Manager and/or Respondent.

## **Rule 8 - IFoA request for direct referral to a Disciplinary Tribunal Panel**

- 8.1 At any stage before an Adjudication Panel considers an Allegation under Rule 13.1, if the Case Manager is satisfied that the criteria set out in the Regulations are met, they may request to refer the Allegation directly to a Disciplinary Tribunal Panel.
- 8.2 The Case Manager shall notify the Respondent of their intention to refer the Allegation directly to a Disciplinary Tribunal Panel.
- 8.3 After receiving the Case Manager's notification under Rule 8.2, the Respondent shall either:
  - (a) agree to the Allegation being referred directly to a Disciplinary Tribunal Panel; or
  - (b) not agree to the Allegation being referred directly to a Disciplinary Tribunal Panel.
- 8.4 If the Respondent agrees to the Allegation being referred directly to a Disciplinary Tribunal Panel:
  - (a) a Case Report (under Rule 12) shall not be prepared by the Case Manager;
  - (b) the Case Manager shall prepare a Charge in accordance with Rule 15;
  - (c) Rule 13 and Rule 14 shall not apply to the case; and
  - (d) the Charge shall then be considered by a Disciplinary Tribunal Panel under Rule 15.
- 8.5 If the Respondent does not agree to the Allegation being referred directly to a Disciplinary Tribunal Panel, the Case Manager may apply to the Convener of Adjudication Panels for the Allegation to be referred directly to a Disciplinary Tribunal Panel.
- 8.6 The Convener of Adjudication Panels shall decide whether the Allegation should be referred directly to a Disciplinary Tribunal Panel.
- 8.7 If the Convener of Adjudication Panels decides that the Allegation should be referred directly to a Disciplinary Tribunal Panel, the process in Rule 8.4 applies.
- 8.8 If the Convener of Adjudication Panels decides that an Allegation should not be referred directly to a Disciplinary Tribunal Panel, the Case Manager shall prepare a Case Report as detailed in Rule 12.1.
- 8.9 The decision of the Convener of Adjudication Panels shall be final and cannot be appealed.

## Rule 9 - Transfer to Capacity for Membership Panel

- 9.1 The Case Manager or the Respondent may apply to transfer a case to a Capacity for Membership Panel at any time:
- (a) after an Allegation has been accepted for investigation under Rule 3.5 or 3.7(a); and
  - (b) before:
    - (i) a Disciplinary Orders Panel approves a Disciplinary Order under Rule 11;
    - (ii) an Adjudication Panel issues a determination under Rule 13; or
    - (iii) a Disciplinary Tribunal Panel issues a determination under Rule 15.
- 9.2 An application to transfer a case to a Capacity for Membership Panel under Rule 9.1 shall be made to:
- (a) an Adjudication Panel; or
  - (b) a Disciplinary Tribunal Panel.
- 9.3 The Adjudication Panel or Disciplinary Tribunal Panel can:
- (a) grant the application; or
  - (b) refuse the application.
- 9.4 The Adjudication Panel or Disciplinary Tribunal Panel shall grant the application to transfer to a Capacity for Membership Panel if it is satisfied that the criteria set out in the Regulations are met.
- 9.5 If the Adjudication Panel or Disciplinary Tribunal Panel refuses the application to transfer to a Capacity for Membership Panel under Rule 9.3:
- (a) the case shall continue in accordance with the Rules of this Scheme as if an application had not been made under Rule 9.1, and
  - (b) any further application to transfer will only be accepted at the discretion of the Convener of Adjudication Panels or Convener of Disciplinary Tribunal Panels.
- 9.6 An Adjudication Panel or Disciplinary Tribunal Panel may transfer a case to a Capacity for Membership Panel without an application being made under Rule 9.1 if it is satisfied that the criteria set out in the Regulations are met.
- 9.7 Where a case is transferred to a Capacity for Membership Panel by an Adjudication Panel or Disciplinary Tribunal Panel under Rule 9.4 or 9.6:
- (a) the Capacity for Membership Panel shall consider the case as soon as is reasonable; and
  - (b) that Adjudication Panel or Disciplinary Tribunal Panel shall stand down.

## Rule 10 - Interim Orders

- 10.1 An Interim Order is an order which:
- (a) imposes any condition on the Respondent's practice;
  - (b) suspends any Certificate held by the Respondent; or
  - (c) suspends the Respondent from membership of the IFoA.
- 10.2 The Case Manager may apply for an Interim Order at any time between the date:
- (a) an Allegation has been accepted for investigation under Rule 3.5 or 3.7(a); and
  - (b) an Adjudication Panel has made a final determination under Rule 13.3, a Disciplinary Tribunal Panel has made a determination under Rule 15, or the Capacity for Membership Panel has imposed an order under Rule 16.
- 10.3 In considering an Interim Order application, the Interim Orders Panel can either:
- (a) dismiss the application; or
  - (b) make an Interim Order.
- 10.4 The Interim Orders Panel shall impose an Interim Order if a majority of the Interim Orders Panel members are satisfied that the criteria set out in the Regulations have been established.
- 10.5 Unless an Interim Order is renewed by a further hearing of an Interim Orders Panel, it will no longer have effect:
- (a) after six months or when any period set out in the Interim Order expires, whichever is shorter;
  - (b) if it is amended or cancelled by an Interim Orders Panel under Rule 10.6 or by a Disciplinary Tribunal Panel or Capacity for Membership Panel under Rule 10.8;
  - (c) once an Adjudication Panel has made a determination to dismiss the case under Rule 13.3;
  - (d) once the Respondent has accepted an Adjudication Panel invitation under Rule 13;
  - (e) once a Disciplinary Tribunal Panel has made a determination under Rule 15; or
  - (f) once a Capacity for Membership Panel has made a determination under Rule 16.
- 10.6 Where an Interim Orders Panel has imposed an Interim Order on the Respondent, the Case Manager or the Respondent may, at any time, apply to the Interim Orders Panel, to:
- (a) renew an Interim Order which would otherwise expire;
  - (b) make an alternative Interim Order; or
  - (c) amend or cancel an Interim Order,
- 10.7 A Disciplinary Tribunal Panel or Capacity for Membership Panel may also impose an Interim Order.

- 10.8 Where a Disciplinary Tribunal Panel or Capacity for Membership Panel has imposed an Interim Order on the Respondent, or where that Panel is considering a case where an Interim Orders Panel has previously imposed an Interim Order, the Case Manager or the Respondent may apply to that Panel to:
- (a) renew an Interim Order which would otherwise expire;
  - (b) make an alternative Interim Order; or
  - (c) amend or cancel an Interim Order.
- 10.9 The Interim Orders Panel shall not make an order for costs to be paid by any party to an Interim Order application.
- 10.10 The Respondent may appeal the making, amendment or renewal of an Interim Order by giving notice to the Appeals Assessor under Rule 18.
- 10.11 The IFoA may appeal any Interim Order determination by giving notice to the Appeals Assessor under Rule 18.

## **Rule 11 - Disciplinary Orders**

- 11.1 A Disciplinary Order is an order which states the Respondent committed Misconduct and imposes one or more of the following outcomes against them:
- (a) a reprimand; and/or
  - (b) a fine, up to the maximum amount specified in the Regulations; and/or
  - (c) a period of education, retraining and/or supervised practice; and/or
  - (d) if the Respondent is no longer a Member at the time the Case Manager is proposing the Disciplinary Order, exclusion from membership of the IFoA up to maximum period of five years.
- 11.2 The Case Manager may propose that an Allegation is resolved by way of a Disciplinary Order at any time between:
- (a) an Allegation being accepted under Rule 3.5 or 3.7(a); and
  - (b) the Case Report being submitted to the Adjudication Panel under Rule 12.3.
- 11.3 Before proposing a Disciplinary Order under Rule 11.2, the Case Manager must consider:
- (a) the criteria set out in the Regulations; and
  - (b) any relevant guidance issued by the Disciplinary Committee.
- 11.4 If the Case Manager considers, under Rule 11.3, that a Disciplinary Order should be proposed, they shall prepare and serve a proposed Disciplinary Order on the Respondent.
- 11.5 If the Respondent rejects the proposed Disciplinary Order, the Allegation shall continue to be investigated by the Case Manager under Rule 7.
- 11.6 If the Respondent accepts the proposed Disciplinary Order, the Case Manager shall submit the proposed Disciplinary Order to a Disciplinary Orders Panel for approval.

- 11.7 A Disciplinary Orders Panel shall consider the proposed Disciplinary Order.
- 11.8 In considering the Disciplinary Order the Disciplinary Orders Panel can:
- (a) approve the proposed Disciplinary Order;
  - (b) vary the proposed Disciplinary Order, if the Case Manager and the Respondent both agree to the variation; or
  - (c) reject the proposed Disciplinary Order.
- 11.9 If the Disciplinary Orders Panel rejects the proposed Disciplinary Order under Rule 11.8 (c), or if the Case Manager and Respondent do not both agree to a variation to the proposed Disciplinary Order under Rule 11.8 (b), the Allegation shall continue to be investigated by the Case Manager under Rule 7.
- 11.10 Where the Disciplinary Orders Panel approves or varies a Disciplinary Order under Rule 11.8 (a) and/or (b), the Disciplinary Orders Panel shall impose an order for costs.
- 11.11 The Case Manager or Respondent may, at any time before the Disciplinary Orders Panel makes a decision on the Order under Rule 11.8, withdraw it from the Disciplinary Orders Panel's consideration.
- 11.12 Neither the IFoA nor the Respondent may appeal any decision of the Disciplinary Orders Panel.

## **Rule 12 – Case Reports**

- 12.1 Where any investigation is completed under Rule 7 the Case Manager shall prepare a Case Report and serve it on the Respondent.
- 12.2 After receiving the Case Report, the Respondent may notify the Case Manager that they wish to proceed directly to a Disciplinary Tribunal Panel hearing.
- 12.3 If a Respondent does not notify the Case Manager that they wish to proceed directly to a Disciplinary Tribunal Panel, the Case Manager shall submit the Case Report to an Adjudication Panel.

## **Rule 13 – Adjudication Panels**

- 13.1 An Adjudication Panel shall consider a Case Report submitted in accordance with Rule 12.3.
- 13.2 The Adjudication Panel shall decide, by simple majority, whether a Prima Facie case of Misconduct is established.
- 13.3 In determining whether a Prima Facie case of Misconduct is established under Rule 13.2, the Adjudication Panel can determine that:
- (a) a Prima Facie case of Misconduct is not established and dismiss the case; or
  - (b) a Prima Facie case of Misconduct is established and invite the Respondent to resolve the case in accordance with Rule 13.4; or
  - (c) a Prima Facie case of Misconduct is established and refer the Allegation to a Disciplinary Tribunal Panel under Rule 15.

- 13.4 If the Adjudication Panel makes a determination under Rule 13.3 (b), the Adjudication Panel:
- (a) shall invite the Respondent to accept the Adjudication Panel's finding regarding Misconduct; and
  - (b) may invite the Respondent to agree to the imposition of one or more sanctions:
    - (i) a reprimand; and/or
    - (ii) a fine, up to the maximum amount detailed in the Regulations; and/or
    - (iii) a compulsory period of education, retraining and/or supervised practice; and/or
    - (iv) if the Respondent is no longer a Member at the time the Adjudication Panel makes its determination, exclusion from membership of the IFoA up to a maximum period of five years.
- 13.5 Where the Adjudication Panel makes an invitation under Rule 13.4, the Respondent may either:
- (a) accept the invitation; or
  - (b) reject the invitation.
- 13.6 Where the Respondent rejects or does not respond to an invitation under Rule 13.4, the Allegation shall be referred to a Disciplinary Tribunal Panel.
- 13.7 The Adjudication Panel may make an order for costs against the IFoA or the Respondent.
- 13.8 Neither the Respondent nor the IFoA may appeal the determination of an Adjudication Panel.
- 13.9 The Referrer may apply to the Independent Reviewer for a review of the Adjudication Panel's determination to dismiss a case under Rule 14.
- 13.10 The IFoA may apply to the Independent Reviewer for a review of any Adjudication Panel determination under Rule 14.

## **Rule 14 - Independent Reviewer**

- 14.1 The Independent Reviewer may review a determination of an Adjudication Panel under Rule 13.3 on application by:
- (a) the Referrer; or
  - (b) the IFoA.
- 14.2 Where an Adjudication Panel has dismissed a case under Rule 13.3 (a), the Referrer may apply for a review of an Adjudication Panel's determination under Rule 14.1, subject to the grounds in the Regulations.
- 14.3 The IFoA may apply for a review of any Adjudication Panel's determination, under Rule 14.1, subject to the grounds in the Regulations.
- 14.4 The Independent Reviewer may either:
- (a) accept the application for review; or
  - (b) reject the application.

- 14.5 The Independent Reviewer shall reject the application if they consider there is no arguable and relevant basis that the grounds have been met.
- 14.6 The Independent Reviewer shall accept the application for review if they consider there is an arguable and relevant basis that the grounds have been met.
- 14.7 Where the application for review is accepted under Rule 14.4 (a), the Independent Reviewer shall review the Adjudication Panel's determination.
- 14.8 Following the review under Rule 14.7, the Independent Reviewer may either:
- (a) affirm the Adjudication Panel's determination; or
  - (b) send the case back to an Adjudication Panel for reconsideration.
- 14.9 The Independent Reviewer's decision shall be final and may not be reviewed or appealed by any party.
- 14.10 The determination of an Adjudication Panel which has been accepted for review under Rule 14.6 shall not be subject of any further application for review by the Independent Reviewer.

## **Rule 15 – Charges and Disciplinary Tribunal Panels**

- 15.1 An Allegation may be referred to a Disciplinary Tribunal Panel:
- (a) as a direct referral under Rule 8; or
  - (b) by a Respondent who has chosen to proceed directly to a Disciplinary Tribunal Panel hearing under Rule 12.2; or
  - (c) by an Adjudication Panel, under Rule 13.3; or
  - (d) by a Capacity for Membership Panel under Rule 16.13 or 16.15(d).

### **The Charge**

- 15.2 Where an Allegation has been referred to the Disciplinary Tribunal under Rule 15.1, the IFoA shall prepare and serve a Charge as detailed in the Regulations.
- 15.3 The Respondent shall prepare and serve written grounds of defence in accordance with the Regulations.
- 15.4 The IFoA may amend a Charge and the Respondent may amend any grounds of defence after they have been served, subject to the approval of the Disciplinary Tribunal Panel and in accordance with the conditions set out in the Regulations.

### **Application to Dismiss the Charge**

- 15.5 At any time following the service of a Charge under Rule 15.2 and before a final determination has been issued by a Disciplinary Tribunal Panel under Rule 15.12, the IFoA may apply to have the Charge against the Respondent dismissed.
- 15.6 The IFoA may apply to have the Charge dismissed if it is satisfied that one or more of the grounds set out in the Regulations are met.

15.7 In considering the IFoA's application to dismiss the Charge under Rule 15.6, the Disciplinary Tribunal Panel can:

- (a) grant the application and dismiss the Charge; or
- (b) refuse the application.

### **Dismissal of the Charge by the Disciplinary Tribunal Panel**

15.8 At any time following the service of a Charge under Rule 15.2, if the Disciplinary Tribunal Panel considers the Charge does not disclose a Prima Facie case of Misconduct, the Disciplinary Tribunal Panel may dismiss the Charge.

### **Order of Proceedings**

15.9 At the conclusion of the Disciplinary Tribunal Panel final hearing, the Disciplinary Tribunal Panel shall determine, by a simple majority, whether the factual matters in the Charge against the Respondent are proved, in whole or in part.

15.10 If the Disciplinary Tribunal Panel considers that the factual matters in the Charge against the Respondent are proved in whole or in part under Rule 15.9, it shall then consider whether the Respondent has committed Misconduct.

15.11 If the Disciplinary Panel considers that the factual matters in the Charge against the Respondent are not proved under Rule 15.9 or that the Respondent has not committed Misconduct under Rule 15.10, then the Charge will be dismissed.

15.12 If the Disciplinary Tribunal Panel determines that the Respondent has committed Misconduct under Rule 15.10, the Disciplinary Tribunal Panel shall:

- (a) determine that no sanction is appropriate; or
- (b) impose one or more of the following sanctions:
  - (i) reprimand the Respondent;
  - (ii) order the Respondent to pay a fine;
  - (iii) suspend any Certificate of the Respondent;
  - (iv) withdraw any Certificate of the Respondent;
  - (v) order the Respondent to complete a period of education, retraining and/or supervised practice;
  - (vi) impose conditions on the Member's continued membership of the IFoA;
  - (vii) exclude the Respondent from holding any Certificate for any period it thinks appropriate, up to a maximum of five years;
  - (viii) suspend the Respondent from membership of the IFoA for any period it thinks appropriate, up to a maximum of two years;
  - (ix) expel the Respondent from membership of the IFoA for any period it thinks appropriate, up to a maximum of five years; and/or

- (x) exclude the Respondent, who is no longer a Member of the IFoA, from membership of the IFoA for any period it thinks appropriate, up to a maximum of five years.

15.13 The Disciplinary Tribunal Panel may make an award of costs against the Respondent or the IFoA as it considers appropriate.

15.14 The Respondent or the IFoA may appeal the determination of a Disciplinary Tribunal Panel by giving notice to the Appeals Assessor under Rule 18.

15.15 The Disciplinary Tribunal Panel may accept any written undertaking from the Respondent at any time following referral under Rule 15.1.

## **Rule 16 – Capacity for Membership Panels**

### **Consent Orders**

16.1 A Consent Order is an order, approved by a Capacity for Membership Panel, providing for one or more of the following outcomes:

- (a) dismissing the case, with no further action being taken;
- (b) suspending the Respondent's membership of the IFoA for a specified period, up to a maximum of two years;
- (c) imposing conditions on the Respondent's membership for a specified period, up to a maximum of two years; and/or
- (d) continuing the case in accordance with this Scheme as if a transfer to a Capacity for Membership Panel had not been made under Rule 9.4 or 9.6.

16.2 The Case Manager may invite the Respondent to agree to resolve the case through a Consent Order between the date:

- (a) a case has been transferred to a Capacity for Membership Panel under Rule 9.4 or 9.6; and
- (b) a final determination has been reached by the Capacity for Membership Panel.

16.3 Before proposing that a case be resolved by way of a Consent Order under Rule 16.2, the Case Manager shall have regard to the public interest in accordance with the Regulations.

16.4 If the Case Manager considers that a Consent Order should be proposed, they shall prepare and serve a proposed Consent Order on the Respondent in accordance with the Regulations.

16.5 If the Respondent does not agree to a Consent Order, the case shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.

16.6 If the Respondent agrees to a Consent Order, the Case Manager shall submit the proposed Consent Order to a Capacity for Membership Panel for approval.

16.7 A Capacity for Membership Panel shall consider the proposed Consent Order and can:

- (a) approve the Consent Order;
- (b) approve a variation of the proposed Consent Order, if the Case Manager and the Respondent both agree to the variation; or
- (c) reject the proposed Consent Order.

16.8 Where the Capacity for Membership Panel approves or varies the Consent Order under Rule 16.7(a) or (b), the Capacity for Membership Panel shall set a date for a review hearing of the Consent Order.

### **Hearing of the Capacity for Membership Panel**

16.9 A Capacity for Membership Panel shall consider any case transferred by an Adjudication Panel or Disciplinary Tribunal Panel under Rule 9.4 or Rule 9.6.

16.10 In considering a case under Rule 16.9 the Capacity for Membership Panel shall first determine whether the factual matters in the Allegation are established, in whole or in part.

16.11 If the Capacity for Membership Panel does not find that the factual matters in the Allegation are established in whole or in part, it shall dismiss the case.

16.12 If the Capacity for Membership Panel finds that the factual matters in the Allegation are established in whole or in part, the Capacity for Membership Panel shall consider:

- (a) whether the Respondent's current capacity to hold membership of the IFoA is significantly impaired by reason of illness or other relevant health or medical condition; and
- (b) whether the Respondent's impairment is directly relevant to the Allegation.

16.13 If the Capacity for Membership Panel considers that one or more of the conditions in Rule 16.12 do not apply they shall order that the case be continued in accordance with this Scheme as if a transfer to the Capacity for Membership Panel had not been made under Rule 9.4 or 9.6

16.14 If the Capacity for Membership Panel considers that:

- (a) the Respondent's capacity to hold membership is significantly impaired by reason of illness or other relevant health or medical condition; and
- (b) the Respondent's impairment is directly relevant to the Allegation,

the Capacity for Membership Panel shall order one or more of the outcomes in Rule 16.15.

16.15 Under Rule 16.14 the Capacity for Membership Panel shall make an order containing one or more of the following outcomes:

- (a) ending proceedings with no further action;
- (b) suspending the Respondent's membership of the IFoA for a specified period, up to a maximum of two years;
- (c) imposing conditions on the Respondent's membership for a specified period, up to a maximum of two years; and/or

- (d) referring the case, in whole or in part, back to continue in accordance with this Scheme as if a transfer to the Capacity for Membership Panel had not been made under Rule 9.4 or 9.6.

16.16 Where the Capacity for Membership Panel makes an order under Rule 16.15, the Capacity for Membership Panel shall also set a date for a review hearing of the order imposed.

16.17 The Capacity for Membership Panel shall not make an order for costs to be paid by any party to a Capacity for Membership hearing.

#### **Review of an Order**

16.18 Before the review date set under Rule 16.8 or 16.16, or on application from the IFoA or the Respondent under Rule 16.19, a Capacity for Membership Panel shall conduct a review of:

- (a) any Consent Order approved by the Capacity for Membership Panel under Rule 16.7;
- (b) any order imposed on a Respondent under Rule 16.15; or
- (c) any Consent Order or order imposed which has been the subject of a previous review under Rules 16.18 to 16.25.

16.19 The IFoA or the Respondent may apply to a Capacity for Membership Panel to review any Consent Order approved under Rule 16.7, any order imposed under Rule 16.15, or any Consent Order or order imposed which has been the subject of a previous review under Rules 16.18 to 16.25, if satisfied that the criteria set out in the Regulations apply.

16.20 When carrying out a review under Rule 16.18, where the Respondent's capacity for membership is no longer impaired the Capacity for Membership Panel may:

- (a) confirm the existing Consent Order or order imposed by a Capacity for Membership Panel;
- (b) vary the terms of the existing Consent Order or order imposed; or
- (c) cancel the existing Consent Order or order imposed, in whole or in part, with either immediate effect or to take effect at any time up to the expiry date of the existing Consent Order or order imposed.

16.21 In addition to Rule 16.20, where the Respondent's capacity for membership is no longer impaired and they have not complied with the Consent Order or order imposed by a Capacity for Membership Panel, the Capacity for Membership Panel must also refer the Respondent's non-compliance to the IFoA.

16.22 Where under Rule 16.20 (a) or (b) the Capacity for Membership Panel confirms or varies an existing Consent Order or order imposed by a Capacity for Membership Panel, the Capacity for Membership Panel shall set a date for a further review hearing of the Consent Order or order.

16.23 When carrying out a review under Rule 16.18 where the Respondent's capacity for membership remains impaired and they have complied with the Consent Order or order imposed by a Capacity for Membership Panel, the Capacity for Membership Panel may:

- (a) confirm the existing Consent Order or order imposed;
- (b) vary the terms of the existing Consent Order or order imposed;

- (c) cancel the existing Consent Order or order imposed, in whole or in part, with either immediate effect or to take effect at any time up to the expiry date of the existing Consent Order or order imposed or;
- (d) replace the Consent Order or order imposed with a new order imposing any outcome or outcomes provided for under Rule 16.15.

16.24 In addition to Rule 16.23, where the Respondent's capacity for membership remains impaired and they have not complied with the Consent Order or order imposed by a Capacity for Membership Panel, the Capacity for Membership Panel shall refer the Respondent's non-compliance to the IFoA if it is in the public interest to do so.

16.25 Where under Rule 16.23 (a) or (b) the Capacity for Membership Panel confirms or varies an existing Consent Order or order imposed by a Capacity for Membership Panel or, under Rule 16.23 (d), replaces the Consent Order or order with a new order, the Capacity for Membership Panel shall also set a date for a further review hearing of the Consent Order or order.

16.26 A Capacity for Membership Panel may accept any written undertaking from the Respondent at any time following referral of a case under Rule 9.4 or Rule 9.6.

16.27 The IFoA or the Respondent may appeal the determination/outcome of a Capacity for Membership Panel by giving notice to the Appeals Assessor under Rule 18.1.

## **Rule 17 - Readmission to membership**

### **Application for Readmission**

17.1 A former Member (the Applicant) who has been expelled or excluded from membership of the IFoA under this Scheme, or any earlier version of it, or the FRC Scheme may apply to the IFoA to be readmitted to membership in accordance with the Regulations.

17.2 Once an application under Rule 17.1 has been received, the IFoA shall assign a Case Manager to make necessary inquiries in relation to the application for readmission.

17.3 The Case Manager shall serve a Readmission Application Report, in accordance with the Regulations, on:

- (a) the Applicant; and
- (b) the Readmission Panel.

17.4 The Applicant may submit representations to the Readmission Panel.

### **The Readmission Panel**

17.5 In considering the application for readmission, the Readmission Panel can:

- (a) grant the application for readmission;
- (b) grant the application for readmission, but impose conditions on membership for a specified period; or
- (c) reject the application for readmission.

- 17.6 Where the application for readmission is granted under Rule 17.5(a) or (b), the Applicant shall be readmitted to membership of the IFoA.
- 17.7 Where the application for readmission is rejected under Rule 17.5(c), the Applicant may not make any further application for readmission within:
- (a) one year from the date of the Readmission Panel's determination under Rule 17.5; or
  - (b) any other period specified by the Readmission Panel.
- 17.8 The Readmission Panel shall not make an order for costs to be paid by any party to an application for readmission.
- 17.9 The Applicant or the IFoA may appeal a determination of the Readmission Panel in accordance with Rule 18 and the Regulations.

## **Rule 18 – Appeals and Appeals Tribunal Panels**

### **Leave to Appeal – General**

- 18.1 The Respondent or the IFoA, and for the purposes of 18.1(d) the Applicant, may seek to appeal:
- (a) a final determination of an Interim Orders Panel;
  - (b) a final determination of a Disciplinary Tribunal Panel;
  - (c) an order of a Capacity for Membership Panel; and/or
  - (d) a final determination of a Readmission Panel.
- 18.2 The Respondent, the IFoA or the Applicant shall apply to an Appeals Assessor for leave to appeal a determination/order under Rule 18.1.
- 18.3 The Respondent, the IFoA, or the Applicant may apply for leave to appeal on one or more grounds set out in the Regulations.
- 18.4 Any determination/order by a panel under appeal shall continue to be in force until the appeal is determined, subject to Rule 18.5.

### **Leave to Appeal – Costs**

- 18.5 The IFoA or the Respondent may seek to appeal:
- (a) the order or refusal of an order for costs by a Disciplinary Tribunal Panel; and/or
  - (b) the amount of any costs order imposed by a Disciplinary Tribunal Panel.
- 18.6 The IFoA or the Respondent may apply for leave to appeal a costs order on the grounds set out in the Regulations.

### **Leave to Appeal – Determination by the Appeals Assessor**

- 18.7 The Appeals Assessor shall determine, in accordance with the Regulations, whether there is an arguable basis for the ground(s) of appeal in the Notice of Appeal.

18.8 If the Appeals Assessor determines there is not an arguable basis for the ground(s) of appeal, they shall refuse leave to appeal.

18.9 If the Appeals Assessor determines there is an arguable basis for the ground(s) of appeal, an Appeals Tribunal Panel shall be convened to consider the appeal.

### **Appeals Tribunal Panel**

18.10 In determining an appeal against a determination of an Interim Orders Panel or a Disciplinary Tribunal Panel the Appeals Tribunal Panel shall, by simple majority:

- (a) affirm, vary or revoke any determination of the relevant panel; and/or
- (b) substitute its own determination for the determination made by the relevant panel; and/or
- (c) make any other order that it considers appropriate.

18.11 In determining an appeal against an order of a Capacity for Membership Panel, the Appeals Tribunal Panel shall, by simple majority:

- (a) affirm, vary or revoke any order of the Capacity for Membership Panel; and/or
- (b) substitute its own order for any order made by the Capacity for Membership Panel; and/or
- (c) make any other order that it considers appropriate.

18.12 In determining an appeal against a determination of a Readmission Panel, the Appeals Tribunal Panel shall, by simple majority:

- (a) affirm the refusal or granting of the application;
- (b) allow the appeal and grant or refuse readmission; or
- (c) remit the application to a Readmission Panel for rehearing, if it is in the interests of justice to do so having regard to new evidence provided.

18.13 In determining an appeal made against a decision by a Disciplinary Tribunal Panel in relation to costs, the Appeals Tribunal Panel shall, by simple majority:

- (a) affirm, vary or revoke the Disciplinary Tribunal Panel's decision in relation to costs; and/or
- (b) substitute the amount of costs awarded with its own decision on the amount of costs to be awarded; and/or
- (c) make any other order that it considers appropriate in relation to costs.

18.14 The party who served the Notice of Appeal may, at any time before the Appeals Tribunal Panel has made its decision, withdraw their appeal. This shall be done in accordance with the Regulations.

18.15 The Appeals Tribunal Panel may make an award of costs against any party in respect of any appeal under this Rule as it considers appropriate.

## **Rule 19 - Publication of determinations and orders**

- 19.1 Subject to Rule 19.2, the IFoA shall publish the following matters in accordance with any guidance issued by the Disciplinary Committee:
- (a) the making, cancellation, or amendment of an Interim Order;
  - (b) the making of a Disciplinary Order;
  - (c) the final determination of an Adjudication Panel following the Respondent's acceptance of an Adjudication Panel invitation under Rule 13.4;
  - (d) any final determination of a Disciplinary Tribunal Panel;
  - (e) any final determination of an Appeals Tribunal Panel;
  - (f) any final determination of a Readmission Panel;
  - (g) any order of a Capacity for Membership Panel;
  - (h) notice of any hearings to be held under this Scheme, with the exception of Adjudication Panel hearings.
- 19.2 The relevant panel, the chair of the relevant panel, the Convener of Adjudication Panels or the Convener of Disciplinary Tribunals may direct that the matters in Rule 19.1 should not be published, in whole or in part.

## **Rule 20 – Appointments**

- 20.1 Members of the following panels shall be appointed from the Disciplinary Pool in accordance with the Regulations:
- (a) an Assessment Panel;
  - (b) an Interim Orders Panel;
  - (c) a Disciplinary Orders Panel;
  - (d) an Adjudication Panel;
  - (e) a Disciplinary Tribunal Panel;
  - (f) a Capacity for Membership Panel; and
  - (g) an Appeals Tribunal Panel.
- 20.2 Members of a Readmission Panel shall be appointed in accordance with the Regulations.

## **Rule 21 - Service of documents and notices**

- 21.1 Any document or notice required to be served on a relevant person under this Scheme or any Regulation must be served as detailed in the Regulations.

## **Rule 22 – Hearings and Panels**

22.1 Meetings and hearings under this Scheme and Regulations can be held virtually or in person.

22.2 All panels shall decide their own procedures in hearings in accordance with the Regulations.

22.3 During any proceedings before:

- (a) an Assessment Panel;
- (b) an Interim Orders Panel;
- (c) a Disciplinary Orders Panel;
- (d) an Adjudication Panel;
- (e) a Disciplinary Tribunal Panel; and
- (f) an Appeals Tribunal Panel,

the relevant panel may, in its discretion, consider and deal with matters involving more than one Respondent.

## **Rule 23 - Correction of errors**

23.1 Where a written determination or order made by any panel under this Scheme contains an accidental error or omission, an application to correct the accidental error or omission may be made by any party to the proceedings. The application will be considered as detailed in the Regulations.

23.2 Where a written determination or order made by any panel under this Scheme contains an accidental error or omission, the panel itself may, of its own motion, amend the wording of its own written determination or order for the purpose of making the meaning and intention clear.

## **Rule 24 - Disclosure of information**

24.1 The IFoA may disclose any information in relation to any Complaint, Allegation, referral, investigation, hearing or procedure under this Scheme to a third party in the exercise of its legal or regulatory function.

24.2 Any disclosure under Rule 24.1 shall be made in accordance with:

- (a) the IFoA Privacy Policy; and
- (b) any relevant data protection legislation.

## **Rule 25 - Death of a Respondent**

25.1 Where a Respondent dies before the conclusion of any investigation and/or any proceedings under this Scheme, the investigation and/or proceedings shall be terminated. No further action shall be taken under this Scheme in respect of that Respondent.

## Rule 26 - Transitional Provisions

26.1 As set out in Rule 1.3:

- (a) any Complaint received by the IFoA under Rule 3.1 on or after 1 August 2023; or
- (b) any Complaint referred to the Head of Disciplinary Investigations by an Executive Officer under Rule 3.2 on or after 1 August 2023; or
- (c) any application for readmission to membership under Rule 17.1 made on or after 1 August 2023

shall be considered under this version of the Scheme.

26.2 If:

- (a) any Complaint was received by the IFoA under Rule 3.1 before 1 August 2023; or
- (b) any Complaint was referred to the Head of Disciplinary Investigations by an Executive Officer under Rule 3.2 before 1 August 2023,

the Complaint shall be dealt with under the version of the Disciplinary Scheme in force at the time the Complaint was received.

26.3 Where Rule 26.2 applies to a Complaint, the IFoA shall apply the former version of the Disciplinary Scheme to the extent that it is possible to do so otherwise this Scheme shall apply.

26.4 Even where Rule 26.2 applies to a Complaint, the Respondent may provide written consent to the IFoA for the Complaint to be considered in accordance with this version of the Scheme.

26.5 Where the Respondent has provided written consent under Rule 26.4, the IFoA shall deal with the Complaint in accordance with this version of the Scheme.

## Rule 27 – Definition of terms used in this Scheme.

Term	Meaning
Adjudication Panel	A panel referred to in Rule 13 of this Scheme.
Allegation	A Complaint that has been accepted for investigation under this Scheme under Rule 3, or which has been raised, under Rule 5.7, following a Respondent's failure to comply with their duties under Rule 5.
Appeals Assessor	An assessor referred to in Rule 18 of this Scheme.
Appeals Tribunal Panel	A panel referred to in Rule 18 of this Scheme.
Applicant	A former Member who has been expelled or excluded from membership of the IFoA and is applying for readmission to membership.
Appointments Regulations	Regulations issued by the Disciplinary Committee setting out the process for making appointments under this Scheme.
Assessment Panel	A panel referred to in Rule 3 of this Scheme .
Balance of Probabilities	It is more likely than not to be the case based on the available evidence.
Bye-laws	The Bye-laws of the IFoA from time to time.
Capacity for Membership Panel	A panel referred to in Rule 16 of this Scheme.
Case Manager	The person assigned to the management and investigation of an Allegation, all proceedings related to the Allegation or an application for readmission. Another Case Manager can act in place of the assigned Case Manager if they are not available.
Case Report	A report referred to in Rule 12 of this Scheme which sets out the Allegation made against the Respondent and contains the relevant facts and information obtained during the investigation.
Certificate	Any practising certificate issued by the IFoA.
Chair of the Pool of Investigation Actuaries'	The person appointed to chair the Pool of Investigation Actuaries in accordance with the Appointments Regulations.
Charge	A formal document prepared for a Disciplinary Tribunal Panel under Rule 15.2 of this Scheme stating the particulars of the Misconduct allegedly committed by the Member or former Member.

Term	Meaning
Chief Executive of the IFoA	For the purposes of these Rules, the person appointed by the Council for the purpose of nominating Executive Officers.
Consent Order	An order as defined by Rule 16.1 of this Scheme.
Convener of Adjudication Panels	The person appointed to that role in accordance with the Appointments Regulations.
Convener of Disciplinary Tribunal Panels	The person appointed to that role in accordance with the Appointments Regulations
Complaint	A complaint by any person, body or company, or by an Executive Officer, alleging that a named Member or former Member has committed Misconduct.
Conduct Committee	The Conduct Committee of the FRC, established under the FRC's Articles of Association or any successor entity.
Council	The Council of the IFoA.
Deputy Convener of Adjudication Panels	The person appointed to that role in accordance with the Appointments Regulations.
Deputy Convener of Disciplinary Tribunal Panels	The person appointed to that role in accordance with the Appointments Regulations
Disciplinary Committee	The Disciplinary Committee of the IFoA or its successor
Disciplinary Order	An order as defined by Rule 11.1 of this Scheme.
Disciplinary Orders Panel	A panel referred to in Rule 11 of this Scheme.
Disciplinary Pool	The pool from which panels are appointed as referred to in the Appointments Regulations.
Disciplinary Tribunal Panel	A panel referred to in Rule 15 of this Scheme.
Executive Officer	The Chief Executive of the IFoA and any other person nominated by the Chief Executive.
FRC	The Financial Reporting Council Limited, a company limited by guarantee incorporated in England and Wales, number 2486368 and any other body which takes over the functions of the FRC.

Term	Meaning
FRC Scheme	<p>The Actuarial Scheme of the FRC dated 1 January 2021 as amended from time to time by the FRC, or any actuarial scheme issued by any other body which takes over the functions of the FRC.</p> <p>The FRC Scheme was originally adopted by the Accountancy and Actuarial Disciplinary Board (AADB) on 13 September 2007. It was amended with effect from 13 October 2011 and 18 October 2012. It was amended by the FRC on 1 July 2013 and 1 June 2014.</p>
Head of Disciplinary Investigations	The person appointed as Head of the Disciplinary Investigations Team of the IFoA, and any person nominated by the Head of the Disciplinary Investigations Team.
Head of Legal Services	The person appointed as Head of the Legal Services of the IFoA, and any person nominated by the Head of Legal Services
Independent Reviewer	The person referred to in Rule 14 of this Scheme.
IFoA	The Institute and Faculty of Actuaries
Interim Order	An order as defined by Rule 10.1 of this Scheme.
Interim Orders Panel	A panel referred to in Rule 10 of this Scheme.
Investigation Actuary	An actuary who may be assigned to a case from the Pool of Investigation Actuaries under Rule 7 of this Scheme.
Member	A member of the IFoA of any class other than an Honorary Fellow or an Affiliate.
Misconduct	The meaning under Rule 2 of this Scheme.
Notice of Appeal	The notice served on the Secretary and the other party by a party seeking to appeal a determination/outcome under Rule 18 of this Scheme.
Pool of Investigation Actuaries	A pool of Investigation Actuaries appointed by the Regulatory Appointments Committee to assist and support the Case Manager.
Prima Facie	Upon initial examination there appears to be sufficient evidence.
Readmission Panel	A panel referred to in Rule 17 of this Scheme.
Readmission Application Report	The report prepared by the Case Manager under Rule 17.3 of this Scheme setting out the results of the Case Manager's inquiries into the Applicant's application for readmission under Rule 17.
Regulations	Any regulations issued by the Disciplinary Committee.

Term	Meaning
Regulatory Appointments Committee	The Regulatory Appointments Committee of the IFoA or any successor body.
Referrer	A person, body or company making a Complaint alleging that a Member or former Member has committed Misconduct.
Respondent	A Member or former Member whose conduct is the subject of an Allegation or investigation by the IFoA under this Scheme and/or the Conduct Committee under the FRC Scheme.
Rule	A rule of this Scheme.
Rules of the IFoA	The rules of the IFoA from time to time.
Scheme	The Disciplinary Scheme made under Bye-law 59 and forming part of the Rules of the IFoA.
Secretary	The Judicial Committees Secretary of the IFoA.



# Institute and Faculty of Actuaries

**Disclaimer:** This document has been prepared by and/or on behalf of the Disciplinary Committee of the Institute and Faculty of Actuaries (IFoA). The IFoA is the owner/ licensee of any and all intellectual property rights, including copyright in this document and its content is protected by copyright.

You are permitted to view and use this document provided that (i) you do not modify the content in any way; (ii) you do not use this document or any part(s) of it in a misleading context; and (iii) your use of the material is for your own personal information/use and for a non-commercial purpose. Every effort has been made to ensure the accuracy of the information contained in this document but it may be subject to change at the discretion of the IFoA.

## **Beijing**

14F China World Office 1 · 1 Jianwai Avenue · Beijing · China 100004  
Tel: +86 (10) 6535 0248

## **Edinburgh**

Level 2 · Exchange Crescent · 7 Conference Square · Edinburgh · EH3 8RA  
Tel: +44 (0) 131 240 1300

## **Hong Kong**

1803 Tower One · Lippo Centre · 89 Queensway · Hong Kong  
Tel: +852 2147 9418

## **London (registered office)**

1-3 Staple Inn Hall · High Holborn · London · WC1V 7QJ  
Tel: +44 (0) 20 7632 2100

## **Oxford**

Belsyre Court · 1st Floor · 57 Woodstock Road · Oxford · OX2 6HJ  
Tel: +44 (0) 1865 268 200

## **Singapore**

5 Shenton Way · UIC Building · #10-01 · Singapore 068808  
Tel: +65 8778 1784

[www.actuaries.org.uk](http://www.actuaries.org.uk)

© 2021 Institute and Faculty of Actuaries