Institute and Faculty of Actuaries

Disciplinary Tribunal Panel Regulations

Disciplinary Committee

Version 1.2

1 November 2026

Disciplinary Tribunal Panel Regulations

A. These Regulations shall be read alongside:

   (a) the Disciplinary Scheme of the IFoA; and

   (b) any relevant guidance published by the Disciplinary Committee.

B. Where there is any conflict or inconsistency between the Disciplinary Scheme and these Regulations, the Disciplinary Scheme shall prevail.

C. Where there is any conflict or inconsistency between these Regulations and guidance, these Regulations shall prevail.

D. With regard to the applicability of these Regulations:

   (a) Any Complaint or application for readmission to membership received by the IFoA shall be considered under the version of these Regulations in force at the time the Complaint or application for readmission to membership is received by the IFoA.

   (b) In the event these Regulations are amended after a Complaint or application for readmission to membership has been received by the IFoA:

      (i) the Respondent or Applicant may provide written consent to the IFoA for the Complaint/application for readmission to membership to be considered in accordance with the most recent version of these Regulations, otherwise

      (ii) the version of the Regulations in force at the time the Complaint or application is received shall be applied to the extent that it is possible to do so, having regard to the need to ensure the fair and just determination of the case, otherwise the most recent version of the Regulations shall apply.

E. These Regulations shall be interpreted and applied in accordance with the principles of natural justice, procedural fairness, and any applicable human rights law.

F. The Rules contained in these Regulations are inserted for convenience of reference only. They shall not be considered a part of the Regulations.

Referral of Allegation to Disciplinary Tribunal Panel

Rule 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 and Pre-Hearing Procedure

Rule 15.2 Where an Allegation has been referred to a Disciplinary Tribunal under Rule 15.1, the IFoA shall prepare and serve a Charge as detailed in the Regulations.

1. The Charge prepared under Rule 15.2 shall set out the formal allegations against the Respondent.

2. The Charge shall state:

   (a) the acts, omissions or other conduct alleged to have been committed by the Respondent;

   (b) the provisions of the Scheme, the Actuaries' Code and/or other obligations alleged to have been breached by the Respondent; and

   (c) that the matters alleged amount to Misconduct within the meaning of Rule 2.

3. The Charge may contain alleged Misconduct which was not in the initial Allegation and/or Case Report, if:

   (a) the alleged Misconduct is not or has not been the subject of a separate investigation by the IFoA; and

   (b) the Respondent is given a proper opportunity to answer the additional matters in the Charge.

4. After the IFoA has prepared the Charge, it shall, as soon as is reasonable, serve:

   (a) the Charge and supporting documentation on the Secretary and the Respondent; and

   (b) any relevant case management documentation on the Respondent.

5. Once the Secretary has received the Charge they shall arrange for a Disciplinary Tribunal Panel to be appointed as soon as is reasonable. The Disciplinary Tribunal Panel shall be appointed in accordance with the Appointments Regulations.

Rule 15.3	The Respondent shall prepare and serve written grounds of defence in accordance with the Regulations.

6. Once the Respondent has been served the Charge, if not intending to make an admission of Misconduct they shall serve their written grounds of defence under Rule 15.3, along with any completed case management forms, on:

   (a) the Secretary; and

   (b) the IFoA.

7. The documents detailed in Regulation 6 shall be served by the Respondent no later than 28 days from the date the Charge was served on them. The time to serve the written grounds of defence may be extended if:

   (a) the IFoA and the Respondent agree to an extension; or

   (b) the Convener or Deputy Convener of the Disciplinary Tribunal Panels or the chair of the Disciplinary Tribunal Panel (where appointed) directs that the time be extended.

Amendments to Charge or Grounds of Defence following Service

Rule 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.

8. Under Rule 15.4, the IFoA may amend the Charge after it has been served on the Respondent under Rule 15.2, if:

   (a) the Respondent is given a proper opportunity to answer any new matters arising from the amendment; and

   (b) the IFoA serves the amended Charge on the Respondent and Secretary no later than 28 days before the Disciplinary Tribunal Panel final hearing.

9. Under Rule 15.4 the Respondent may amend any grounds of defence after they have been served under Rule 15.3, provided that any amendments are served on the Secretary and the IFoA no later than 28 days before the Disciplinary Tribunal Panel final hearing.

10. If the Charge or the grounds of defence are amended under Rule 15.4 the Disciplinary Tribunal Panel, or the chair of the Disciplinary Panel, may, if they consider it appropriate, suspend the final hearing to allow the IFoA and/or the Respondent sufficient time to address the amendments.

Application to Dismiss the Charge

Rule 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.

11. An application to dismiss the Charge under Rule 15.5 shall be made by the IFoA:

    (a) in writing to the Secretary, if it is made at any time before a final hearing of the Disciplinary Tribunal Panel; or

    (b) orally to the Disciplinary Tribunal Panel, if it is made during a final hearing of the Disciplinary Tribunal Panel.

Rule 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.

12. Under Rule 15.6, the grounds on which the IFoA may apply to have the Charge dismissed are:

    (a) it is in the public interest to dismiss the Charge; and/or

    (b) there is no reasonable prospect of proving the factual matters giving rise to the Charge; and/or

    (c) the factual matters alleged in the Charge could not amount to Misconduct even if they are proven.

13. An application to have the Charge dismissed, whether made in writing or orally, shall:

    (a) set out the reasons why the IFoA is seeking to have the Charge dismissed;

    (b) provide any relevant evidence in support of the application; and

    (c) set out the public interest considerations associated with the withdrawal of the Charge.

14. If a written application is made to have the Charge dismissed, the application shall be served on the Respondent and the Secretary. The Secretary shall then arrange a preliminary hearing of the Disciplinary Tribunal Panel in accordance with the procedures set out at Regulations 37 - 51.

15. Any application to withdraw a Charge, whether in writing or orally, shall be determined by a full panel of the Disciplinary Tribunal Panel.

Rule 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.

16. Under Rule 15.7 the Disciplinary Tribunal Panel shall determine, by simple majority, whether the Charge should be dismissed. The Disciplinary Tribunal Panel shall dismiss the Charge where:

    (a) it is in the public interest for the Charge to be dismissed; and/or

    (b) there is no reasonable prospect of proving the factual matters giving rise to the Charge; and/or

    (c) the factual matters alleged in the Charge could not amount to Misconduct even if they are proven.

17. The Disciplinary Tribunal Panel shall provide written reasons for their determination. The Disciplinary Tribunal Panel shall serve notice of their determination on the Respondent and the IFoA, as soon as is reasonable.

Dismissal of the Charge by the Disciplinary Tribunal Panel

Rule 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.

18. Where the Disciplinary Tribunal Panel is considering whether to dismiss the Charge under Rule 15.8, it shall allow sufficient time for both parties to make written submissions and/or indicate whether they wish to make oral submissions on the proposed dismissal.

19. At the discretion of the Disciplinary Tribunal Panel, or where one or both of the parties wishes to make oral submissions, a preliminary hearing of the Disciplinary Tribunal Panel will be arranged by the Secretary in accordance with the procedures set out at Regulations 37 - 51. Otherwise the Disciplinary Tribunal Panel may determine whether to dismiss the Charge based on the papers and any written submissions made by the parties.

20. Any decision to dismiss the Charge under Rule 15.8 shall be determined by a full panel of the Disciplinary Tribunal Panel.

21. The Disciplinary Tribunal Panel shall determine, by simple majority, whether the Charge should be dismissed.

22. The Disciplinary Tribunal Panel shall provide written reasons for their determination. The Disciplinary Tribunal Panel shall serve notice of their determination on the Respondent and the IFoA, as soon as is reasonable.

Dismissal of the Charge- Application for Costs

23. Where a Charge is dismissed under Rules 15.7 or 15.8 either party may make a written application for costs. Any application for costs must be served on the Secretary within 14 days of the date of the Disciplinary Tribunal Panel's determination being served.

24. If the Secretary receives an application for costs under Regulation 23, a preliminary hearing shall be arranged to consider the application in accordance with the procedures set out in Regulations 37 - 51.

25. The Disciplinary Tribunal Panel shall provide written reasons for their determination in respect of the costs application. The Disciplinary Tribunal Panel shall serve notice of their determination on the Respondent and the IFoA as soon as is reasonable.

Notice of the Disciplinary Tribunal Panel Final Hearing

26. After the period for the Respondent to serve their written grounds of defence set out in Regulation 7 has passed, the Secretary shall schedule a final hearing of the Disciplinary Tribunal Panel.

27. The Secretary shall serve the notice of final hearing on the Respondent and the IFoA. Both parties shall be given a minimum of 28 days' notice of the final hearing.

28. After the notice of the final hearing has been served on the parties:

    (a) the Respondent shall advise the Secretary and the IFoA, within 14 days of the date of service, whether they will attend the final hearing; and

    (b) the IFoA and the Respondent shall provide to the Secretary and to the other party, no later than 21 days before the date of the final hearing, any additional documents they will be relying on during the final hearing.

29. If a point of law has been identified by the IFoA and/or the Respondent, both parties shall provide written submissions on the point of law to the Secretary and each other, no less than seven days before the date of the final hearing.

30. Both parties may agree to change the dates for service of any documents under Regulations 28 and 29. If the parties are unable to reach agreement, an application may be made by either party to the chair of the Disciplinary Tribunal Panel who will decide whether or not any service date shall be changed.

Procedure for all Disciplinary Tribunal Panel Hearings

31. Regulations 32 to 36 apply to all hearings conducted by a Disciplinary Tribunal Panel or chair of a Disciplinary Tribunal Panel, including all preliminary and final hearings.

32. The Disciplinary Tribunal Panel may appoint an individual from the Pool of Legal Advisers to assist it in matters of law or procedure. Once appointed, the Legal Adviser may give legal advice. Any advice given in private must be made available to the parties and included in the record of the hearing.

33. The Disciplinary Tribunal Panel has the power to determine its own conduct and procedure in holding hearings. The Disciplinary Tribunal Panel has the discretion to give any directions, change any time limits, suspend any hearings, and/or accept any written undertakings from the Respondent. The Disciplinary Tribunal Panel may depart from these Regulations in matters of procedure if it considers that there are good reasons to do so.

34. The Disciplinary Tribunal Panel shall consider all documents placed before it to be authentic unless the authenticity of a document is challenged by the Respondent or the IFoA. If there is a challenge about whether a document is authentic, the Disciplinary Tribunal Panel shall consider representations from both parties. The Disciplinary Tribunal Panel may then give whatever weight it thinks appropriate to the contents of the document.

35. The IFoA and the Respondent may be legally represented at a Disciplinary Tribunal Panel hearing. The Respondent may also be represented by a Member or any other person. The chair or the Disciplinary Tribunal Panel may exclude any person from the hearing if they are disrupting the proceedings.

36. The chair of the Disciplinary Tribunal Panel may make any case management directions they consider appropriate in advance of the hearing.

Preliminary Hearings

Notice of Preliminary Hearing

37. The Respondent or the IFoA can make a written application for a preliminary hearing, or the chair of the Disciplinary Tribunal Panel may require the parties to appear at a preliminary hearing if the chair considers it appropriate to do so.

38. Any application by the Respondent or the IFoA to convene a preliminary hearing shall be made in writing to the Secretary and shall include details of the matters they wish considered at a preliminary hearing.

39. The chair of the Disciplinary Tribunal Panel shall determine whether the preliminary hearing should be determined by the chair alone or by a full panel of the Disciplinary Tribunal Panel.

40. The Secretary shall serve notice of the date of the preliminary hearing on the Respondent and the IFoA. Both parties shall be given no less than 14 days' notice of the preliminary hearing.

41. After the notice of the date of the preliminary hearing has been served on the parties, the parties shall advise the Secretary, within seven days of the date of the notice, whether they wish to make oral submissions at the preliminary hearing.

42. The parties must provide any written submissions that they would like to be considered at the preliminary hearing to the Secretary and the other party no later than seven days before the date of the preliminary hearing.

Preliminary Hearing Procedure

43. All references to “chair of the Disciplinary Tribunal Panel” in Regulations 44 - 51 shall be taken to mean:

    (a) the chair of the Disciplinary Tribunal Panel; or

    (b) the full Disciplinary Tribunal Panel,

    depending on the determination made by the chair of the Disciplinary Tribunal Panel under Regulation 39.

44. If neither party wishes to make oral submissions at the preliminary hearing, the chair of the Disciplinary Tribunal Panel shall consider the preliminary application in private, based on the written submissions provided by the parties.

45. If one or both parties wish to make oral submissions at the preliminary hearing, the chair of the Disciplinary Tribunal Panel shall consider any written submissions and hear the oral submissions.

46. The preliminary hearing to consider the oral submissions will be held in private, unless the chair of the Disciplinary Tribunal Panel directs that all or part of the preliminary hearing should be held in public.

47. The powers available to a chair of the Disciplinary Tribunal Panel at a preliminary hearing include:

    (a) the adjournment of the final hearing;

    (b) the joining of separate Charges against a Respondent;

    (c) allowing Charges against two or more Respondents to be heard at the same final hearing;

    (d) ordering one party to disclose certain documents to the other before the final hearing;

    (e) making any directions regarding the evidence to be presented at the final hearing;

    (f) making any directions regarding special measures or reasonable adjustments to be taken for a witness or a Respondent at the final hearing;

    (g) making any directions regarding whether a hearing should be conducted in private or public; and/or

    (h) making any other directions required to ensure proceedings are fair at the final hearing.

48. In exercising their powers under Regulation 47, the chair of the Disciplinary Tribunal Panel:

    (a) shall not order the disclosure of information and/or documentary evidence which is the subject of legal professional privilege;

    (b) shall not compel a Respondent to provide information or evidence which might incriminate the Respondent or expose them to penalties imposed by law; and

    (c) shall ensure that disclosure of relevant documents only be ordered where it is fair in the circumstances to do so.

49. Where an application from either party is being considered at a preliminary hearing the chair of the Disciplinary Tribunal Panel may:

    (a) grant the application; or

    (b) refuse the application; or

    (c) grant/refuse the application, subject to conditions imposed.

50. The chair of the Disciplinary Tribunal Panel shall provide written reasons for their determination to grant or refuse an application.

51. Once a determination or directions have been made by the chair of the Disciplinary Tribunal Panel, the written determination and/or directions shall be served on the Respondent and the IFoA as soon as is reasonable.

Interim Orders

52. Under Rule 10.7, a Disciplinary Tribunal Panel may impose an Interim Order on the Respondent following an application by the IFoA or by the Disciplinary Tribunal Panel acting on its own.

53. Any Interim Order hearing before a Disciplinary Tribunal Panel shall proceed in accordance with Regulations 14 - 25 of the Interim Orders Regulations if it is a hearing in private without oral submissions, Regulations 26 - 32 of the Interim Orders Regulations if it is an oral hearing, or Regulations 33 - 38 of the Interim Orders Regulations if it is an oral hearing proceeding in the Respondent's absence.

Final Hearing

54. The Disciplinary Tribunal Panel should conduct a final hearing in public in accordance with the procedures set out in Regulations 32 - 36. The chair or the Disciplinary Tribunal Panel may decide to hold all or part of a hearing in private if there is good reason to do so.

55. The Respondent or the IFoA may be legally represented at a Disciplinary Tribunal Panel final hearing. The Respondent may also be represented by a Member or any other person.

56. The Disciplinary Tribunal Panel may permit a Respondent to amend their grounds of defence within the 28 days prior to the final hearing or at the final hearing where it is in the interests of justice to allow it.

57. The IFoA may apply to the Disciplinary Tribunal Panel to amend the Charge within the 28 days prior to the final hearing or at the final hearing. The Disciplinary Tribunal Panel shall grant the application where:

    (a) it is in the interests of justice to allow the amendments; and

    (b) the Disciplinary Tribunal Panel is satisfied that the Respondent will not be substantially prejudiced in presenting their defence if the proposed amendments are made.

58. If the application to amend under Regulation 56 and/or Regulation 57 is granted, the Disciplinary Tribunal Panel may suspend the final hearing for a time that is reasonably necessary to allow the IFoA and/or the Respondent to address the amendments.

Order of Proceedings

Rule 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.
Rule 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.
Rule 15.11	If the Disciplinary Tribunal 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.

59. Unless the Disciplinary Tribunal Panel determines otherwise, the order of proceedings at a final hearing shall be as follows:

(a) the Disciplinary Tribunal Panel will consider any preliminary applications, including:

(i) an application to amend the Charge in accordance with Regulation 57;

(ii) an application to amend the grounds of defence in accordance with Regulation 56;

(iii) an application by either party that the Disciplinary Tribunal Panel hold all or part of the hearing in private;

(iv) an application to proceed in the Respondent's absence; and/or

(v) any other application that the Disciplinary Tribunal Panel considers appropriate;

(b) the Respondent will be invited to indicate which particulars of the Charge they admit or deny;

(c) the IFoA shall inform the Disciplinary Tribunal Panel of the background to the Charge;

(d) the IFoA shall present evidence in support of the Charge, including calling witnesses to give evidence in relation to any relevant matter;

(e) the Respondent may call witnesses to give evidence in relation to any matter relevant to their defence;

(f) either party may cross examine the other party's witnesses;

(g) the parties may present closing submissions to the Disciplinary Tribunal Panel;

(h) the Disciplinary Tribunal Panel shall decide, by simple majority, whether the factual matters alleged in the Charge have been proved, in whole or in part, and, if so, whether the Respondent has committed Misconduct within the meaning of Rule 2;

(i) where the Disciplinary Tribunal Panel determines that the factual matters have not been proved, or determines that the factual matters have been proved in whole or in part but there has been no Misconduct, the Charge shall be dismissed;

(j) where the Disciplinary Tribunal Panel determines that the Respondent has committed Misconduct, the Disciplinary Tribunal Panel shall consider submissions from the parties on sanction, including hearing witness evidence, before determining:

(i) that no sanction is appropriate; or

(ii) that a sanction or sanctions should be imposed;

(k) the Disciplinary Tribunal Panel will communicate its determination on sanction orally to the parties, with the written determination to follow;

(l) where the Disciplinary Tribunal Panel has:

(i) made an oral decision on sanctions; or

(ii) dismissed the Charge;

the parties may make submissions to the Disciplinary Tribunal Panel regarding:

(i) the appropriate level of costs to be imposed (if any); and/or

(ii) any exceptional circumstances that should be considered by the Disciplinary Tribunal Panel regarding publication of its written determination.

60. During the final hearing the Disciplinary Tribunal Panel may:

(a) question the parties or invite further submissions from the parties;

(b) direct a party to provide further evidence or information in order to assist them in their determination of the case;

(c) question any witnesses called by the parties;

(d) admit any new evidence if it is reasonable and in the interests of justice to do so. The Disciplinary Tribunal Panel shall determine the appropriate weight to place on such evidence;

(e) accept any written undertaking from the Respondent.

61. In reaching its determination, the Disciplinary Tribunal Panel shall not take into account any previous correspondence with and/or proceedings about the Charge involving:

(a) an Assessment Panel under Rule 3 and/or

(b) an IFoA request for direct referral to a Disciplinary Tribunal Panel under Rule 8; and/or

(c) a Disciplinary Orders Panel under Rule 11; and/or

(d) an Adjudication Panel under Rule 13; and/or

(e) an Independent Reviewer under Rule 14: and/or

(f) a Capacity for Membership Panel under Rule 16.

62. Where the factual matters in the Charge are in dispute, the IFoA shall bear the burden of proving the facts on the Balance of Probabilities.

63. The final hearing may be recorded and/or transcribed at the discretion of the chair of the Disciplinary Tribunal Panel.

Rule 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.

64. In determining sanction under Rule 15.12 the Disciplinary Tribunal Panel shall take into account the sanctions guidance issued by the Disciplinary Committee.

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

65. Any award of costs made by a Disciplinary Tribunal Panel under Rule 15.13 shall take into account the costs guidance issued by the Disciplinary Committee.

Determination of the Disciplinary Tribunal Panel

66. The Disciplinary Tribunal Panel shall give written reasons for its determination, including any determination on costs and/or publication.

67. The Disciplinary Tribunal Panel's written determination shall be served, as soon as is reasonable, on:

(a) the Respondent;

(b) the Referrer;

(c) the IFoA; and

(d) the Disciplinary Committee.

68. A determination of the Disciplinary Tribunal Panel, including any sanctions imposed, shall be effective on the day it is made.

69. Subject to Regulation 78, any fine and/or cost order imposed by a Disciplinary Tribunal Panel shall be paid within 28 days of the date of the determination, unless the parties agree to a later payment date.

70. The IFoA shall publicise the details of the Disciplinary Tribunal Panel's determination as soon as is reasonable, subject to any conditions on publication imposed by the Disciplinary Tribunal Panel in its determination. This shall be in accordance with any relevant guidance issued by the Disciplinary Committee.

Proceeding in Absence

71. If a Respondent fails to attend or be represented at a hearing, the Disciplinary Tribunal Panel shall decide whether it is in the interests of justice to proceed in their absence.

72. It is in the interests of justice to proceed in the Respondent's absence if the Disciplinary Tribunal Panel is satisfied that:

    (a) all reasonable steps have been taken to serve notice of the time and date of the hearing on the Respondent, in accordance with Regulation 27; and

    (b) it is fair to do so, taking into account the circumstances of the case.

73. The Disciplinary Tribunal Panel may suspend hearings if there is good reason to do so. Examples of a good reason may include the Respondent's ill health or a serious injury.

74. Where the Disciplinary Tribunal Panel has decided that a hearing should take place in the Respondent's absence, this must be clearly recorded and fully explained in their determination.

75. If the Disciplinary Tribunal Panel decides not to proceed in the Respondent's absence, the Disciplinary Tribunal Panel shall suspend the hearing and set a later date for the hearing. In setting the later date, the Disciplinary Tribunal Panel shall have regard to:

    (a) the reason why the Respondent did not attend (if known);

    (b) the length of time before the Respondent is available to attend in future; and

    (c) the public interest in the proceedings being concluded as soon as possible.

Failure to Comply with the Disciplinary Tribunal Panel's Determination

76. Failure or partial failure by the Respondent to comply with a determination of a Disciplinary Tribunal Panel shall be referred to the IFoA. The IFoA will consider whether a Complaint should be brought under Rule 5.

Appeal against a Disciplinary Tribunal Panel Determination

Rule 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.

77. If the Respondent or the IFoA appeal the determination of a Disciplinary Tribunal Panel under Rule 15.14, the notice of appeal must be served on the Secretary and the other party within 28 days of the Disciplinary Tribunal Panel's written determination being served.

78. The appeal shall proceed in accordance with Rule 18 and the Appeals Regulations.

79. Where the Disciplinary Tribunal Panel's determination is appealed:

    (a) the Disciplinary Tribunal Panel determination on Misconduct and the sanctions imposed (except for financial penalties and order of costs) continue to be in force until the appeal is decided; and

    (b) the Disciplinary Tribunal Panel determination on financial penalties or costs ordered shall be paid:

        (i) within 28 days of the date the Appeals Assessor has refused leave to appeal; or

        (ii) in accordance with the determination of the Appeals Tribunal Panel.

Undertakings

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

Definitions

Term	Meaning
Adjudication Panel	A panel referred to in Rule 13 of this Scheme.
Actuaries' Code	The ethical Code of Conduct that all members of the IFoA must adhere to.
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.
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 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.
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.
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.
Disciplinary Committee	The Disciplinary Committee of the IFoA or its successor.
Disciplinary Orders Panel	A panel referred to in Rule 11 of this Scheme.
Disciplinary Tribunal Panel	A panel referred to in Rule 15 of this Scheme.
IFoA	The Institute and Faculty of Actuaries.

Term	Meaning
Independent Reviewer	The person referred to in Rule 14 of this Scheme.
Interim Order	An order as defined by Rule 10.1 if 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.
Pool of Legal Advisers	A pool of Legal advisers appointed by the Regulatory Appointments Committee to provide independent legal advisory support to panels.
Prima Facie	Upon initial examination there appears to be sufficient evidence.
Referrer	A person, body or company making a Complaint alleging that a Member or former Member has committed Misconduct.
Regulations	Any regulations issued by the Disciplinary Committee.
Regulatory Appointments Committee	The Regulatory Appointments Committee of the IFoA or any successor body.
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.

Document control

Version	Date of publication	Overview
1.0	1 August 2023	To support Disciplinary Scheme effective 1 August 2023.
1.1	1 November 2023	To clarify the version of the Regulations that will apply to a Complaint or application.
1.2	1 November 2026	To clarify the process for extending the time to serve written grounds of defence, update references following changes to the Interim Order Regulations, make minor changes to the structure and correct a typo.



Institute and Faculty of Actuaries

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