Institute and Faculty of Actuaries

Capacity for Membership Regulations

Disciplinary Committee

Version 1.2

1 November 2026

Capacity for Membership 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.

Consent Orders

Rule 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.

Rule 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.

Rule 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.

Consideration by Case Manager of Need for Consent Order

1. In considering, for the purpose of Rule 16.2, whether the case may be resolved through a Consent Order, the Case Manager must be satisfied that it is in the public interest to do so. They shall consider any relevant guidance and the following factors:

   (a) the nature and evidence of the Respondent's illness or other relevant health or medical condition and its impact on their current capacity to hold membership of the IFoA;

   (b) the nature of the Allegation, its seriousness and the likelihood of further alleged Misconduct occurring;

   (c) the connection between the Allegation and the Respondent's illness or other relevant health or medical condition;

   (d) the investigative steps taken by the Case Manager to date;

   (e) any treatment or medical care that the Respondent is receiving for their illness or other relevant health or medical condition; and

   (f) any other relevant matters.

2. When considering the public interest at Regulation 1, the Case Manager may take into account any expert medical reports or any other relevant evidence.

3. If a Case Manager considers that the case could be resolved by way of a Consent Order, they shall write to the Respondent to inquire whether the Respondent would agree, in principle, to a Consent Order. The Respondent must serve a written response on the Case Manager within 14 days, stating whether they would agree in principle to a Consent Order.

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

Preparation and Service of Consent Order

Rule 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.

5. Where the Respondent agrees in principle to a Consent Order, the Case Manager shall prepare a proposed Consent Order. The proposed Consent Order shall include:

   (a) a summary of the relevant facts;

   (b) the details of the Allegation(s) against the Respondent;

   (c) details and evidence of the Respondent's illness or other relevant health or medical condition and its impact on their current capacity to hold membership of the IFoA;

   (d) the proposed outcome(s) under Rule 16.1; and

   (e) any other relevant matters.

6. The Case Manager shall serve a copy of the proposed Consent Order on the Respondent. The Respondent shall serve a written response on the Case Manager within 14 days of the date it was served on them. The Respondent's written response must:

   (a) state whether or not they agree to resolve the case by way of the proposed Consent Order, including that the factual matters in the Allegation are proved; and

   (b) provide any comments, documents and/or additional information on the proposed Consent Order that the Respondent wishes the Case Manager to consider before finalising the proposed Consent Order.

Rule 16.5	If the Respondent does not agree to the proposed Consent Order, the case shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.
Rule 16.6	If the Respondent agrees to the proposed Consent Order, the Case Manager shall submit the proposed Consent Order to a Capacity for Membership Panel for approval.

7. If the Respondent states that they do not agree to the proposed Consent Order under Rule 16.5, the case shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.

8. If the Respondent states that they agree to the proposed Consent Order under Rule 16.6, the Case Manager shall consider the Respondent's written response, together with any comments, documents and/or additional information provided. The Case Manager shall then, at their discretion, make any appropriate amendments and serve the proposed Consent Order on the Respondent, and:

    (a) if the Respondent agrees with the terms of the proposed Consent Order, they shall sign it and serve it on the Case Manager within 14 days of the date it was served on them; or

    (b) if the Respondent does not agree with the terms of the proposed Consent Order, the case shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.

9. Once the Case Manager receives a copy of the signed proposed Consent Order under Regulation 8(a), they shall, as soon as is reasonable, serve the proposed Consent Order on the Secretary.

Approval of the Consent Order by Capacity for Membership Panel

Rule 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.
Rule 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.

10. Once the Secretary has received a signed copy of the proposed Consent Order, they shall arrange for a Capacity for Membership Panel to consider the proposed Consent Order as soon as is reasonable. The Capacity for Membership Panel shall be arranged in accordance with the Appointments Regulations.

11. The Capacity for Membership Panel shall consider the proposed Consent Order, and any other relevant information provided by both parties, in private.

12. In deciding whether to approve the proposed Consent Order under Rule 16.7, the Capacity for Membership Panel shall consider whether it is in the public interest to approve the proposed Consent Order. When determining whether it is in the public interest to do so, the Capacity for Membership Panel shall consider the factors at Regulation 1.

13. The Capacity for Membership Panel may, at any time, suspend its consideration of a proposed Consent Order and request any further relevant information, via the Secretary, from:

    (a) the Case Manager; and/or

    (b) the Investigation Actuary (if appointed); and/or,

    (c) the Respondent; and/or

    (d) any medical expert; and/or

    (e) any other source it considers to be relevant.

14. After considering the proposed Consent Order, the Capacity for Membership Panel can approve, vary or reject the proposed Consent Order.

15. The Capacity for Membership Panel shall provide written reasons for its decision under Rule 16.7.

16. If the Capacity for Membership Panel approves the proposed Consent Order it shall be considered a formal finding that the following matters are proved:

    (a) the factual matters in the Allegation;

    (b) that the Respondent's illness or other relevant health or medical condition significantly impairs their current capacity to hold membership; and

    (c) that the Respondent's impairment is directly relevant to the Allegation.

17. The written reasons of the Capacity for Membership Panel and a copy of the Consent Order shall be served on:

    (a) the Case Manager; and

    (b) the Respondent.

18. Where the Capacity for Membership Panel approves the proposed Consent Order with an outcome set out in Rules 16.1(b) or (c), the Capacity for Membership Panel shall also set a date for a review hearing of the Consent Order. The review date must be no later than the date on which any specified periods under Rules 16.1(b) or (c) expire. At a review hearing, the Consent Order shall be reviewed in accordance with Rules 16.18-16.25.

19. If the Capacity for Membership Panel wishes to vary the terms of a proposed Consent Order under Rule 16.7(b), it shall refer the proposed variations to the Case Manager and the Respondent to consider. The Case Manager and the Respondent shall respond to the Capacity for Membership Panel within seven days from the date the proposed variations were served on them.

20. Where the Case Manager and the Respondent agree to the Capacity for Membership Panel's proposed variations, they shall write to the Capacity for Membership Panel confirming their agreement. The Capacity for Membership Panel shall then approve the proposed Consent Order.

21. Where the Case Manager and the Respondent do not agree to the Capacity for Membership Panel's proposed variations, the Allegation shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.

22. If the Capacity for Membership Panel rejects the proposed Consent Order under Rule 16.7(c), the Allegation shall continue to be considered by a Capacity for Membership Panel under Rule 16.9.

23. The IFoA shall publicise the details of the Consent Order as soon as is reasonable, subject to any conditions on publication imposed by the Capacity for Membership Panel in its approval of the Consent Order. This shall be in accordance with any relevant guidance issued by the Disciplinary Committee.

General Procedure for all Capacity for Membership Panels

24. A Capacity for Membership Panel may, at any stage, 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.

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

26. A Capacity for Membership Panel may direct, at any time, that the IFoA and/or the Respondent obtain any evidence, including expert medical evidence, that it considers to be relevant in the proceedings.

27. A Capacity for Membership 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 Capacity for Membership Panel shall consider representations from both parties. The Capacity for Membership Panel may then give whatever weight it thinks appropriate to the contents of the document.

28. At any stage during a hearing the Capacity for Membership Panel may:

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

    (b) direct a party to obtain further evidence or information in order to assist their consideration 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 Capacity for Membership Panel shall determine the appropriate weight to place on such evidence.

29. Where the facts relating to any matter are in dispute, the IFoA shall bear the burden of proving the facts on the Balance of Probabilities.

Proceeding in Absence

30. If a Respondent fails to attend or be represented at a hearing, the Capacity for Membership Panel shall decide whether it is in the interests of justice to proceed in the Respondent's absence.

31. It is in the interests of justice to proceed in the Respondent's absence if the Capacity for Membership 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 36 or Regulations 52-53; and

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

32. The Capacity for Membership 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.

33. Where the Capacity for Membership Panel has decided that a hearing should take place in the Respondent's absence, this must be clearly recorded in the Capacity for Membership Panel's written reasons.

34. If the Capacity for Membership Panel decides not to proceed without the Respondent, the Capacity for Membership Panel shall suspend the hearing and set a later date for the hearing. In setting the later date, the Capacity for Membership Panel shall have regard to:

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

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

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

Hearing of the Capacity for Membership Panel

Rule 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.

Notice of Hearing

35. The Secretary shall arrange for a Capacity for Membership Panel to be appointed to hear a case as soon as is reasonably possible after the case has been transferred under Rule 9.4 or Rule 9.6. The Capacity for Membership Panel shall be arranged in accordance with the Appointments Regulations.

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

37. After notice of the 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 wish to attend the hearing in person; and

    (b) the IFoA and the Respondent shall serve on the Secretary, no later than seven days before the date of the hearing, any written submission or documents they will be relying on during the hearing.

Order of Proceedings

Rule 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.

Rule 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.

38. Unless the Capacity for Membership Panel determines otherwise, the hearing shall be in private.

39. The IFoA and the Respondent may be legally represented at a Capacity for Membership Panel hearing. The Respondent may also be represented by a Member or any other person.

40. Unless the Capacity for Membership Panel determines otherwise, the order of proceedings at a Capacity for Membership hearing shall be as follows:

    (a) The IFoA shall inform the Capacity for Membership Panel of the background to the case;

    (b) The IFoA may present evidence, including calling witnesses, in relation to the factual matters in the Allegation;

    (c) The Respondent may then present evidence, including calling witnesses in relation to the factual matters in the Allegation;

    (d) Ether party may question the other party's witnesses.

41. If the factual matters in the Allegation are not established in whole or in part, the Capacity for Membership Panel shall dismiss the case under Rule 16.11.

Rule 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.

42. If the necessary factual matters in the Allegation are established under Rule 16.12 the order of proceedings then followed will be:

    (a) The IFoA may present evidence, including calling witnesses, in relation to the matters in Rule 16.12(a) and (b);

    (b) The Respondent may present evidence, including calling witnesses, in relation to the matters in Rule 16.12(a) and (b);

    (c) Either party may question the other party's witnesses.

Rule 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.

Rule 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.

Rule 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 a Capacity for Membership Panel had not been made under Rule 9.4 or 9.6.

Rule 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.

Rule 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.

43. Before making an order under Rule 16.15 the Capacity for Membership Panel will invite the Respondent and the IFoA to make submissions on what outcome(s) might be appropriate.

44. When considering which of the outcome(s) should be contained in an order made under Rule 16.15 the Capacity for Membership Panel shall consider:

(a) the need to protect members of the public, taking into consideration the nature of the Allegation; and

(b) the effect of the outcome(s) on the Respondent.

Order of the Capacity for Membership Panel

45. The Capacity for Membership Panel shall give written reasons for the order made. The Capacity for Membership Panel's written order under Rule 16.15 shall be served, as soon as is reasonable, on:

(a) the Respondent; and

(b) the Case Manager.

46. An order of the Capacity for Membership Panel, including any outcomes imposed, shall be effective on the day the order is made.

47. Where the Capacity for Membership Panel makes an order under Rule 16.15, it shall also set a date for a review hearing of the order. The review date must be no later than the date on which any specified periods under Rules 16.15(b) or (c) expire.

48. At a review hearing, the order shall be reviewed in accordance Rules 16.18-16.25.

49. The IFoA shall publicise the details of the order and/or outcomes imposed by the Capacity for Membership Panel as soon as is reasonable, subject to any conditions on publication imposed by the Capacity for Membership Panel in the order and/or outcomes imposed. This shall be in accordance with any relevant guidance issued by the Disciplinary Committee.

Review of an Order

Rule 16.18 Before any 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 a Capacity for Membership Panel under Rule 16.7; or

(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.

Rule 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.

50. Under Rule 16.19, the IFoA or the Respondent may make a written request to the Secretary for a Capacity for Membership Panel to review any Consent Order or order imposed by a Capacity for Membership Panel if:

(a) there is new information available that is relevant to the Consent Order or order imposed; or

(b) there has been a substantial change in circumstances which justifies an early review of the Consent Order or order imposed; or

(c) there is evidence that the Respondent has failed to comply with the Consent Order or order imposed.

51. The Secretary shall arrange for a Capacity for Membership Panel to be appointed as soon as possible to conduct a review hearing in accordance with the Appointments Regulations.

52. Where the Capacity for Membership Panel is reviewing;

(a) a Consent Order approved under Rule 16.7; or

(b) an order imposed on a Respondent under Rule 16.15; or

(c) an application by the IFoA or the Respondent under Rule 16.19; or

(d) a Consent Order or order imposed that has been the subject of a previous review under Rules 16.18-16.25,

the Secretary shall serve notice of the review hearing on the Respondent and IFoA before the review date specified by the Capacity for Membership Panel under Rule 16.8 or 16.16.

53. Both parties shall be given a minimum of 28 days' notice of the hearing. The IFoA and the Respondent may serve on the Secretary, no later than seven days before the date of the review hearing, any written submissions or relevant documents they wish the Capacity for Membership Panel to consider at the review hearing.

54. A review hearing shall be conducted following the procedures under Regulations 24-34 and, as appropriate to the circumstances of the review, Regulations 38-44.

55. A review hearing may take place after the date set for review under Rule 16.8, 16.16, 16.22 or 16.25 as long as the Respondent was notified of the date of the review hearing before the date set for review.

56. At a review hearing, the Capacity for Membership Panel shall first determine whether the Respondent's capacity for membership remains impaired.

57. In considering whether the Respondent's capacity for membership remains impaired, the Capacity for Membership Panel may have regard to:

(a) any submissions or relevant documents submitted by the IFoA and/or the Respondent;

(b) any information obtained as a result of the Panel's own inquiries; and/or

(c) any other relevant information.

Capacity for membership no longer impaired

Rule 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.

Rule 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.

Rule 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.

58. Where the Capacity for Membership Panel sets a date for a further review hearing under Rule 16.22 the review date must be no later than the date that any suspension or special conditions specified in the confirmed or varied Consent Order or order expires.

59. At a further review hearing, the Consent Order or order shall be reviewed in accordance with Rules 16.18-16.25

60. Where non-compliance is referred to the IFoA under Rule 16.21 the IFoA will consider whether a Complaint should be brought under Rule 5.

Capacity for membership remains impaired

Rule 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.

Rule 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.

Rule 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 imposed 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.

61. Where the Capacity for Membership Panel sets a date for a further review hearing under Rule 16.25 the review date must be no later than the date that any suspension or special conditions specified in the confirmed, varied or replacement Consent Order or order expires.

62. At a further review hearing, the Consent Order or order shall be reviewed in accordance with Rules 16.18-16.25

63. The Capacity for Membership Panel shall provide written reasons for any decision made at a review hearing under Rule 16.20, 16.23 or 16.24.

64. Where non-compliance is referred to the IFoA under Rule 16.21 or 16.24 the IFoA will consider whether a Complaint should be brought under Rule 5.

65. The IFoA shall publicise the details of the Consent Order or order and/or outcomes imposed by the Capacity for Membership Panel following a review hearing as soon as is reasonable, subject to any conditions on publication imposed by the Capacity for Membership Panel in their determination This shall be in accordance with any relevant guidance issued by the Disciplinary Committee.

Minor amendments to a Consent Order or order

66. If both the Case Manager and the Respondent agree, they may apply to the Secretary to make minor amendments to an existing Consent Order or order imposed by a Capacity for Membership Panel. The Secretary may make such minor amendments, subject to the approval of the Head of Legal Services. Minor amendments mean administrative changes to a Consent Order or order imposed, which would not have a material impact on its intended effect.

Undertakings

Rule 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.

Appeal against a Capacity for Membership Panel Order

Rule 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

67. If the Respondent or the IFoA appeals the order of a Capacity for Membership Panel under Rule 18, the notice of appeal must be served on the Secretary and the other party within 28 days of the order being served.

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

69. Where the Capacity for Membership Panel's order is appealed, the order continues to be in force until the appeal is decided.

Definitions

Term	Meaning
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.
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.
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.
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.
Consent Order	An order as defined by Rule 16 of this Scheme.
Disciplinary Committee	The Disciplinary Committee of the IFoA or its successor.
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
IFoA	The Institute and Faculty of Actuaries.
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.
Pool of Legal Advisers	A pool of Legal Advisers appointed by the Regulatory Appointments Committee to provide independent legal advisory support to panels.

Term	Meaning
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 correct incorrect cross reference, typos and formatting.



Institute and Faculty of Actuaries

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Beijing
Room 512, 5/F Block A Landgentbldg Center · No 20 East Middle 3rd Ring Road · Chaoyang District · Beijing100022
Tel: +86 10 6611 6828

Edinburgh
Spaces · 1 Lochrin Square · 92-94 Fountainbridge · Edinburgh · EH3 9QA
Tel: +44 (0)20 7632 2100

London
16 High Holborn · London · WC1V 7QJ
Tel: +44 (0)20 7632 2100

Malaysia
Arcc Spaces · Level 30, Vancouver Suite · The Gardens North Tower · Lingkaran Syed Putra ·59200 Kuala Lumpur
Tel: +60 12 591 3032

Oxford
Suite 39 · New Barclay House · 234 Botley Road · Oxford · OX2 0HP
Tel: +44 (0)20 7632 2100

Singapore
Spaces · One Raffles Place Mall · #02-01 · Singapore 048616
Tel: +65 8778 1784

www.actuaries.org.uk

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