Institute and Faculty of Actuaries

General Disciplinary Regulations

Disciplinary Committee

Version 1.5

1 November 2026

General Disciplinary Regulations

A. These Regulations shall be read alongside:

(a) the Disciplinary Scheme of the Institute and Faculty of Actuaries; 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.

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Section A: Complaints and Allegations

Making a Complaint

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

A1. Any person, body or company may make a Complaint to the IFoA about the conduct of a named Member or former Member.

A2. The IFoA shall acknowledge receipt of the Complaint and that it is being assessed for investigation under the Scheme.

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

A3. Before making a Complaint under Rule 3.2, the Executive Officer of the IFoA shall consider whether the Complaint should be referred to the Conduct Committee under Rule 4.2.

Assessment of a Complaint by the Head of Disciplinary Investigations

A4. The Head of Disciplinary Investigations may notify the Member or former Member that the Complaint has been received and shall be assessed.

Rule 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.
Rule 3.4	The Head of Disciplinary Investigations shall assess the Complaint against the criteria in the Regulations.

A5. Under Rule 3.4, the Head of the Disciplinary Investigations shall assess the Complaint against the following criteria:

(a) the Complaint could not amount to Misconduct even if the facts are proven; and/or

(b) there is no reasonable prospect of proving the matter giving rise to the Complaint; and/or

(c) the matter giving rise to the Complaint should be considered by another body and/or court before being reassessed under Rule 3.3.

Outcome of Assessment by Head of Disciplinary Investigations

Rule 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.
Rule 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.

A6. When assessing the Complaint under Rules 3.5 and 3.6, the Head of Disciplinary Investigations shall record their assessment of the Complaint in writing. The assessment shall set out the reasons, with reference to the criteria, for either accepting the Complaint or referring it to an Assessment Panel.

A7. The Head of Disciplinary Investigations shall make a recommendation on the referral within seven days of the day it was referred, unless there is a good reason for delay. Good reasons for delay may include the need to obtain additional information under Regulation A8. If an assessment of the Complaint is not completed within seven days, the Head of Disciplinary Investigations shall provide reasons for the delay in their written assessment.

A8. As part of their assessment under Regulation A5, the Head of Disciplinary Investigations may, if considered necessary, carry out preliminary enquiries. As part of these preliminary enquiries, the Head of Disciplinary Investigations may:

(a) request that the Referrer provide further information;

(b) request that the Member or former Member who is the subject of the Complaint provide further information;

(c) obtain advice regarding relevant legal or actuarial matters; and/or

(d) request relevant information from any other Member or individual.

A9. Where there is more than one Complaint against the same Member or former Member in respect of the same instance of alleged Misconduct, all the Complaints shall be considered together by the Head of Disciplinary Investigations.

A10. Where a Complaint contains separate instances of alleged Misconduct, the Head of Disciplinary Investigations shall assess the entire Complaint. The Head of Disciplinary Investigations shall decide to accept the entire Complaint for investigation under the Scheme or refer the entire Complaint to an Assessment Panel. The Head of Disciplinary Investigations may not accept some elements of a Complaint for investigation but refer others.

Acceptance of the Complaint by the Head of the Disciplinary Investigations

A11. Once a Complaint has been accepted by the Head of Disciplinary Investigations for investigation under the Scheme under Rule 3.5, the Complaint shall be referred to as an Allegation and dealt with under Rule 7 of the Scheme. The Member or former Member (now the Respondent) and the Referrer shall be advised.

Recommendation to the Assessment Panel by the Head of Disciplinary Investigations

A12. If it is recommended that a Complaint is not accepted for investigation under the Scheme under Rule 3.6, the Head of Disciplinary Investigations shall send a copy of the Complaint, their written recommendation and any relevant material to an Assessment Panel, via the Secretary, for consideration. The Member or former Member and the Referrer shall be advised.

A13. Once the written recommendation has been received by the Secretary, they shall arrange for the appointment of an Assessment Panel in accordance with the Appointments Regulations.

Rule 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 the Scheme.

A14. In considering the Complaint under Rule 3.7, and the recommendation of the Head of Disciplinary Investigations, the Assessment Panel shall apply the criteria in Regulation A5.

A15. The Assessment Panel shall decide unanimously whether the Complaint should be accepted for investigation under the Scheme or not accepted. If the Assessment Panel is unable to reach a unanimous decision, the Complaint shall be accepted for investigation in accordance with Rule 7 and the Investigation section of these Regulations.

A16. The Assessment Panel shall make a written record of their assessment. The written record shall set out the reasons for their decision, with reference to the criteria. The Assessment Panel shall provide their written decision to the Head of Disciplinary Investigations within seven days.

A17. Where the Complaint contains separate instances of alleged Misconduct, the Assessment Panel shall assess the entire Complaint. The Assessment Panel shall decide to accept or not to accept the entire Complaint for investigation under the Scheme. The Assessment Panel may not accept some instances of alleged Misconduct for investigation but not accept others.

A18. At any stage the Assessment Panel may appoint an individual from the Pool of Legal Advisers to assist it in any matters of law or procedure. Once appointed, the Legal Adviser may give legal advice to the Assessment Panel.

Assessment Panel decision that Complaint should be investigated under the Scheme.

A19. If the Assessment Panel accepts the Complaint for investigation under the Scheme, it shall be referred to the Head of Disciplinary Investigations as an Allegation to be investigated in accordance with Rule 7. The Member or former Member (now the Respondent) and the Referrer shall be advised.

Assessment Panel decision that Complaint should not be investigated under the Scheme.

A20. If the Assessment Panel confirms that the Complaint should not be investigated under the Scheme, the Head of Disciplinary Investigations shall, as soon as is reasonable:

(a) advise the Referrer that the Complaint will not be investigated under the Scheme, and that there is a right to review (under Rule 3.8);

(b) advise the Member/former Member who is the subject of the Complaint that the Complaint against them will not be investigated under the Scheme, and that the Referrer has a right to review (under Rule 3.8); and

(c) provide the written decision of the Assessment Panel to:

(i) the Referrer; and

(ii) the Member/former Member who was the subject of the Complaint.

Review by new Assessment Panel

Referrer's notice requesting review of initial Assessment Panel determination

Rule 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.
Rule 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.

A21. As well as setting out the relevant ground(s) for the review, the Referrer's notice under Rules 3.8 and 3.9 should include any supporting documentation. The notice shall be served on the Head of Disciplinary Investigations within 14 days of the determination being served.

A22. When giving notice to the Head of Disciplinary Investigations, the Referrer shall specify one or more of the following grounds for the review:

(a) that the initial Assessment Panel's determination was manifestly unreasonable or wrong in law; and/or

(b) that there was injustice because of a serious procedural error or other irregularity which may have affected the initial Assessment Panel's determination; and/or

(c) that there is significant and relevant new evidence that has come to light, which was not previously available and could not reasonably have been made available before the initial Assessment Panel's determination.

A23. If notice is provided under Rule 3.8, and the ground(s) for review have been specified under Rule 3.9, the Secretary shall arrange for the appointment of a new Assessment Panel in accordance with the Appointments Regulations. No member of the new Assessment Panel shall have sat on the Assessment Panel which made the initial determination not to accept the Complaint for investigation under the Scheme.

Determination of new Assessment Panel

A24. The new Assessment Panel shall first consider, in private, whether the ground(s) for the review have been established.

Grounds for review not established

A25. If the ground(s) are not established, the new Assessment Panel shall confirm the initial Assessment Panel's determination that the Complaint should not be accepted for investigation under the Scheme. No further review of that Complaint is permitted.

A26. The Head of Disciplinary Investigations shall:

(a) provide the Referrer with a copy of the new Assessment Panel's decision; and

(b) inform the Member/former Member that the ground(s) were not established and provide the Member/former Member with a copy of the new Assessment Panel's decision.

Grounds for review established

Rule 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.

A27. Under Rule 3.10, if the ground(s) for review have been established, the new Assessment Panel shall then review the initial Assessment Panel's determination in private. The new Assessment Panel may:

(a) confirm the initial Assessment Panel's decision not to accept the Complaint for investigation under the Scheme; or

(b) decide that the Complaint should be accepted for investigation under the Scheme.

A28. The new Assessment Panel shall make its decision with reference to the criteria in Regulation A5.

A29. The new Assessment Panel shall make a written record of their assessment.

Outcome of Assessment Panel determination

A30. If the new Assessment Panel confirms the initial Assessment Panel's decision that the Complaint should not be accepted for investigation under the Scheme, the Head of Disciplinary Investigations shall:

(a) provide the Referrer with a copy of the new Assessment Panel's decision; and

(b) inform the Member/former Member that the Complaint made against them was again not accepted for investigation under the Scheme and provide the Member/former Member with a copy of the new Assessment Panel's decision.

A31. If the new Assessment Panel decides that the Complaint should be accepted for investigation under the Scheme, it shall be referred to the Head of Disciplinary Investigations, as an Allegation to be investigated in accordance with Rule 7. The Member or former Member (now the Respondent) and the Referrer shall be advised.

No Further Application for Review Available

Rule 3.11	The new Assessment Panel's decision is final. A further application for review by the Referrer will not be accepted.

Section B: Duty to co-operate

Co-operation with the consideration of a Complaint

Rule 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.
Rule 5.2	Failure or partial failure of a Member or former Member to comply with the duties under Rule 5.1 may be brought as a Complaint against them.

B1. Under Rule 5.1 all Members or former Members shall co-operate fully and promptly in relation to any Complaint about any conduct that occurred while they were a Member, while the Head of Disciplinary Investigations considers, under Rule 3.3, whether the Complaint should be accepted as an Allegation for investigation under the Scheme.

B2. The requirements of Rule 5.1 also apply to conduct occurring before they became a Member if it was not disclosed it in writing to the IFoA before admission.

B3. All former Members shall co-operate fully and promptly regardless of their membership status at the time the Complaint was referred to the IFoA.

B4. If a Member or former Member fails or partially fails to comply with Rule 5.1 the IFoA will consider whether a Complaint should be brought about their non-compliance. This will be carried out by an Executive Officer in accordance with Rule 3.2.

Respondent's Duties

Rule 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.
Rule 5.4	Every Respondent has a duty to comply with any undertaking, determination, outcome, order, sanction and/or costs order imposed under this Scheme.
Rule 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.
Rule 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.
Rule 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.

B5. Once a Complaint has been accepted for investigation, it is known as an Allegation. From then on the Member or former Member subject to the Allegation is known as a Respondent.

B6. All Respondents shall co-operate fully and promptly regardless of their membership status when they become subject to an Allegation.

B7. Under Rule 5.3 a Respondent shall co-operate fully and promptly in the consideration of any Allegation, any investigation and/or proceedings under the Scheme or the FRC Scheme.

B8. Under Rules 5.4 and 5.5 a Respondent shall comply with any undertaking, determination, outcome, order, sanction and/or costs imposed under the Scheme or the FRC Scheme.

B9. If a Respondent fails or partially fails to comply with Rules 5.3, 5.4, 5.5 and 5.6 the IFoA/Case Manager will consider whether a Complaint/Allegation should be brought about their non-compliance. Further detail about failure or partial failure to comply is at Regulations B14 – B19.

Duties of Members who are not a Respondent

Rule 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.
Rule 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.
Rule 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.
Rule 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.

Co-operation with the IFoA

B10. The duty of co-operation under Rules 5.1, 5.3 and 5.8 includes (but is not limited to) a duty to co-operate fully and promptly with any investigation or request by:

(a) the Head of Disciplinary Investigations;

(b) the Case Manager;

(c) the Investigation Actuary (if assigned);

(d) any barrister, advocate or solicitor instructed by the Case Manager to undertake the investigation;

(e) any legal or expert advisor instructed by the Case Manager to assist in the investigation; and/or

(f) any other person instructed by the Case Manager to assist in the investigation.

B11. The duty to co-operate fully and promptly shall include (but is not limited to) providing all oral and written information and/or evidence requested by anyone detailed in Regulation B10 above. However:

(a) the requirement to disclose information and/or documentary evidence does not include any document or information which is the subject of legal professional privilege;

(b) a Respondent, Member or former Member cannot be compelled to provide information or evidence which might incriminate them or expose them to penalties imposed by law.

Co-operation with the Conduct Committee of the FRC

B12. The duty of co-operation with the FRC under Rules 5.3, 5.5 and 5.9 includes (but is not limited to):

(a) providing the Conduct Committee and its representatives with any relevant information or documentation requested; and/or

(b) attending any meeting requested by the Conduct Committee or its representatives; and/or

(c) attending to and completing any other request by the Conduct Committee or its representatives.

B13. The duty to co-operate with the FRC may include (but is not limited to) providing all oral and written information and/or evidence requested by anyone detailed in Regulation B12 above. However:

(a) the requirement to disclose information and/or documentary evidence does not include any document or information which is the subject of legal professional privilege;

(b) a Respondent, Member or former Member cannot be compelled to provide information or evidence which might incriminate them or expose them to penalties imposed by law.

Failure or Partial Failure to Co-operate and/or Comply by a Respondent

Further Allegations of Misconduct in relation to a Respondent's failure to co-operate or comply

B14. Where a Respondent fails or partly fails to:

(a) Co-operate with any duty under Rule 5.3 during an investigation; or

(b) Comply with any Interim Order imposed under Rule 10; or

(c) Comply with a written undertaking agreed with the Case Manager under Rule 7.3

then under Rule 5.7 the Case Manager shall consider whether a further Allegation of Misconduct should be brought against the Respondent about the failure or partial failure to co-operate or comply.

B15. Where the Case Manager considers that a further Allegation of Misconduct should not be brought against the Respondent, the investigation shall continue in accordance with the Scheme.

B16. Where the Case Manager considers that a further Allegation of Misconduct should be brought against the Respondent, the Case Manager shall refer the matter to the Head of Disciplinary Investigations. The Head of Disciplinary Investigations shall decide whether it is in the public interest for a further Allegation of Misconduct to be brought against the Respondent about their failure or partial failure to co-operate or comply.

B17. Where the Head of Disciplinary Investigations decides that:

(a) It is in the public interest for a further Allegation to be brought, a further Allegation shall be added to the existing investigation against the Respondent, and the investigation shall continue under the Scheme; or

(b) It is not in the public interest for a further Allegation to be brought, the investigation shall continue under the Scheme.

Complaints in relation to a Respondent's failure to comply

B18. Where a Respondent fails or partially fails to comply with:

(a) An undertaking accepted by a Disciplinary Tribunal Panel under Rule 15.15; or

(b) An undertaking accepted by a Capacity for Membership Panel under Rule 16.26; or

(c) a Disciplinary Order; or

(d) a determination of an Adjudication Panel, following its acceptance under Rule 13.5; or

(e) a determination of a Disciplinary Tribunal Panel; or

(f) an outcome of a Capacity for Membership Panel

then the IFoA shall consider whether a Complaint should be made under Rule 3.2 about the failure or partial failure to comply.

Failure or Partial Failure to Co-operate and/or Comply by any other Member

B19. Under Rule 5.11, the IFoA shall consider whether a Complaint should be made under Rule 3.2 against a Member (who is not the Respondent) about the failure or partial failure to comply with any duty in Rules 5.8 - 5.10.

Section C: Proof of certain matters

Rule 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.

Rule 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.

C1. In a hearing before any panel under the Scheme:

(a) where a Respondent has been convicted of a criminal offence, the facts relating to that conviction may be proved by a copy of the certificate or memorandum of conviction, and a copy of any final judgment, ruling or determination in relation to the conviction;

(b) the finding and sanction of any tribunal or body exercising a statutory or regulatory function may be proved by a record of the finding and sanction; and

(c) the judgment or determination of any civil court may be proved by a certified copy of the judgment or determination.

Section D: Investigations

Rule 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.

D1. The Head of Disciplinary Investigations shall also refer the Allegation to the Chair of the Pool of Investigation Actuaries if an Allegation of Misconduct has been accepted for investigation by a new Assessment Panel under Regulation A27.

Appointment of an Investigation Actuary

D2. After an Allegation has been referred to the Chair of the Pool of Investigation Actuaries under Rule 7.1 or Regulation D1, the Head of Disciplinary Investigations and the Chair of the Pool of Investigation Actuaries shall decide whether the Allegation should be referred to the Conduct Committee under Rule 4.3 of the Scheme. If they cannot agree, the Chair of the Pool of Investigation Actuaries shall have the final decision.

D3. Where the Head of Disciplinary Investigations and the Chair decide that it is appropriate to make a referral to the Conduct Committee, they shall refer the Allegation to the Conduct Committee under Rule 4.3 of the Scheme.

Rule 7.2	If not referred to the Conduct Committee of the FRC 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.

D4. Under Rule 7.2 the Head of Disciplinary Investigations shall assign a Case Manager, who shall carry out an investigation into the Allegation, and the Chair of the Pool of Investigation Actuaries may assign one or more Investigation Actuaries from the Pool of Investigation Actuaries to assist the Case Manager in their investigation. They shall have regard to the nature and complexity of the case when determining whether an Investigation Actuary should be assigned.

D5. If more than one Investigation Actuary has been assigned, the Chair of the Pool of Investigation Actuaries shall appoint one of the Investigation Actuaries to be lead Investigation Actuary.

D6. The Head of Disciplinary Investigations shall advise the Case Manager whether an Investigation Actuary (or Actuaries) has been assigned and who they are.

D7. At any time during an investigation, the Chair of the Pool of Investigation Actuaries, may:

(a) replace an existing Investigation Actuary; and/or

(b) replace the lead Investigation Actuary; and/or

(c) assign additional Investigation Actuaries to assist the Case Manager in their investigation.

Service of the Allegation on the Respondent

D8. The Head of Disciplinary Investigations shall provide the following, in writing, to the Respondent:

(a) a copy of the Allegation;

(b) a copy of the Scheme and Regulations;

(c) the name(s) of the Investigation Actuary (and other Investigation Actuaries, if assigned); and

(d) the name and contact details of the Case Manager.

D9. The Head of Disciplinary Investigations shall provide these documents as soon as is reasonable.

Investigation of the Allegation

D10. The Allegation shall form the basis of the investigation by the Case Manager into the alleged Misconduct.

D11. At any stage after an investigation has commenced, but before an investigation has been completed under Rule 12.1, the Case Manager (and Investigation Actuary, if assigned), may send an Allegation to the Head of Disciplinary Investigations and the Chair of the Pool of Investigation Actuaries for referral to the Conduct Committee under Rule 4.4.

D12. During the investigation the Case Manager may also:

(a) investigate any additional conduct of the Respondent which comes to the notice of the Case Manager and which may amount to Misconduct; and/or

(b) carry out the investigation together with the investigation into any other Allegation made against the same Respondent.

D13. In carrying out the investigation under Regulation D4, the Case Manager may:

(a) require from the Respondent and/or any Member copies or originals of documents relevant to the investigation; and/or

(b) require from the Respondent and/or any Member an explanation of any information or documents relevant to the investigation; and/or

(c) require any information from the Respondent and/or any Member in relation to matters relevant to the investigation; and/or

(d) request any information they consider relevant from:

(i) the Referrer; and/or

(ii) the Respondent; and/or

(iii) any Member; and/or

(iv) any other relevant source.

(e) request the following individuals to attend, in person or virtually, at a specified time and place to answer any relevant questions or provide any relevant information:

(i) the Referrer; and/or

(ii) the Respondent; and/or

(iii) any Member; and/or

(iv) any other relevant individual.

D14. Under Regulation D13:

(a) The requirement to disclose information and/or documentary evidence does not include any document or information which is the subject of legal professional privilege.

(b) The Case Manager may not compel a Respondent to provide information or evidence which might incriminate the Respondent or expose them to penalties imposed by law.

(c) The Respondent may be legally represented at an interview or meeting with the Case Manager. They may also be represented by a Member or any other person.

(d) The Referrer or any other relevant individual may be legally represented at an interview or meeting with the Case Manager. They may also be represented by a Member or any other person.

(e) Neither the Respondent nor their representatives shall be present during an interview or meeting between the Case Manager and any other individual unless the Case Manager has agreed to their attendance.

(f) The Investigation Actuary may be present at any interview or meeting.

D15. The Case Manager may:

(a) instruct a barrister, advocate or solicitor to assist in the preparation of any documentation relating to the investigation, including the Case Report; and/or

(b) receive any legal or other expert advice about any matter relevant to the investigation.

D16. If the Respondent fails or partially fails to co-operate fully with the investigation, the Case Manager will consider whether a further Allegation of Misconduct should be brought under Rule 5.

Written Undertakings Received during an Investigation

Rule 7.3	During an investigation, the Case Manager may request and/or accept any written undertaking from the Respondent.

D17. If the Respondent fails or partially fails to co-operate fully with any undertaking under Rule 7.3, the Case Manager will consider whether a further Allegation of Misconduct should be brought under Rule 5.

Suspension of investigation

Rule 7.4 During an investigation, the Convener of Adjudication Panels may suspend an investigation following an application by the Case Manager and/or Respondent.

D18. If either the Case Manager or the Respondent want the investigation of an Allegation to be suspended, under Rule 7.4, they must make a written application to the Convener of Adjudication Panels, via the Secretary. The application must set out reasons.

D19. The Secretary will request representations, within 14 days, from the party who is not making the application.

D20. The Convener of Adjudication Panels will determine whether the investigation should be suspended or not. They shall issue a written determination which includes their reasons.

D21. If the Convener of Adjudication Panels determines that the investigation should be suspended, they shall state how long it should be suspended. The Case Manager shall suspend the investigation until that time.

D22. On application by the Case Manager or the Respondent the Convener of Adjudication Panels may direct that a suspended investigation is resumed earlier than the suspension period set under Regulation D21.

D23. If the Convener of Adjudication Panels determines that the investigation should not be suspended, the investigation shall continue under this Rule 7.

Section E: IFoA request for direct referral to a Disciplinary Tribunal Panel

Rule 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.

E1. The Case Manager may only refer the Allegation directly to a Disciplinary Tribunal Panel under Rule 8.1 if:

(a) they have already considered whether it is appropriate to send the matter to the Chair of the Pool of Investigation Actuaries for referral to the Conduct Committee under Rule 4 and

(b) they are satisfied that it is in the public interest to refer the Allegation directly to a Disciplinary Tribunal Panel.

Intention to refer Allegation directly to a Disciplinary Tribunal Panel

Rule 8.2 The Case Manager shall notify the Respondent of their intention to refer the Allegation directly to a Disciplinary Tribunal Panel.

E2. When notifying the Respondent of their intention to refer the Allegation directly to a Disciplinary Tribunal Panel, under Rule 8.2, the Case Manager shall set out the reasons in support of that intention.

Rule 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.

E3. Under Rule 8.3, the Respondent shall confirm within 21 days, in writing, whether they agree or do not agree to the Allegation being directly referred to a Disciplinary Tribunal Panel.

Respondent agrees to direct referral of Allegation to a Disciplinary Tribunal Panel

Rule 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.

E4. If under Rule 8.3, the Respondent agrees to the Allegation being referred directly to a Disciplinary Tribunal Panel, the Case Manager shall notify the Secretary. The case shall then continue under Rule 14 of the Scheme.

Respondent does not agree to direct referral of an Allegation to a Disciplinary Tribunal Panel.

Rule 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.

E5. The Case Manager's application under Rule 8.5 shall be in writing and served on the Respondent and the Secretary. The application shall include reasons.

E6. The Respondent shall serve any written representations on the Case Manager and the Secretary within 14 days of the application being served on them.

Decision of the Convener of Adjudication Panels

Rule 8.6	The Convener of Adjudication Panels shall decide whether the Allegation should be referred directly to a Disciplinary Tribunal Panel.

E7. In deciding whether the Allegation should be referred directly to a Disciplinary Tribunal Panel under Rule 8.6, the Convener of Adjudication Panels shall take into account the following factors:

(a) whether the Allegation discloses a Prima Facie case of Misconduct;

(b) the seriousness of the issues raised, including whether the Allegation, if proved, would result in a sanction exceeding the level available in an Adjudication Panel's invitation under Rule 13.4(b);

(c) whether there is a realistic prospect of establishing, before a Disciplinary Tribunal Panel, the factual matters giving rise to the Allegation;

(d) the interests of the public and/or the reputation of actuarial profession;

(e) any submissions made by the Respondent under Regulation E6; and

(f) any other relevant circumstances.

E8. The decision of the Convener of the Adjudication Panels shall be in writing.

Rule 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.
Rule 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.

E9. The Secretary shall serve the decision of the Convener of Adjudication Panels on:

(a) the Case Manager;

(b) the Respondent;

(c) the Referrer; and

(d) the Disciplinary Committee.

Rule 8.9	The decision of the Convener of Adjudication Panels shall be final and cannot be appealed.

Section F: Transfer to Capacity for Membership process

Application to Transfer to a Capacity for Membership Panel

Rule 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.

Rule 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.

F1. An application to transfer a case to a Capacity for Membership Panel under Rule 9.2 shall be made:

(a) in writing to an Adjudication Panel or Disciplinary Tribunal Panel, via the Secretary and will be copied to the other party; or

(b) orally at a Disciplinary Tribunal Panel hearing.

F2. An application to transfer shall include evidence of the Respondent's illness or other relevant health or medical condition. The evidence may include:

(a) relevant medical records;

(b) reports from any medical advisor or health professional involved in the Respondent's treatment;

(c) expert evidence regarding the effect of the Respondent's condition on their capacity for membership of the IFoA; and/or

(d) any other relevant evidence.

F3. In preparing the application to transfer a case to a Capacity for Membership Panel, the Case Manager may carry out any inquiries and/or obtain any relevant information, including requesting the Respondent's consent for disclosure of the Respondent's medical information.

F4. Where an application to transfer a case is made orally at a Disciplinary Tribunal Panel hearing, the Disciplinary Tribunal Panel may suspend its consideration of the case and request:

(a) any relevant medical records or information from the Respondent;

(b) any reports from any medical advisor or health professional involved in the Respondent's treatment;

(c) any expert evidence regarding the effect of the Respondent's condition on their capacity for membership of the IFoA; and/or

(d) any other relevant evidence or information.

Determination of an Application to Transfer

Rule 9.3	The Adjudication Panel or Disciplinary Tribunal Panel can: (a) grant the application; or (b) refuse the application.

Granting an application to transfer

Rule 9.4	The Adjudication Panel or Disciplinary Tribunal Panel shall grant the application to transfer the case to a Capacity for Membership Panel if it is satisfied that the criteria set out in the Regulations are met.

F5. Under Rule 9.4, the Adjudication Panel or Disciplinary Tribunal Panel shall grant the application to transfer a case if:

(a) there is Prima Facie evidence that 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) there is Prima Facie evidence the Respondent's impairment is directly relevant to the Allegation; and

(c) it is in the public interest that the case be transferred to a Capacity for Membership Panel.

F6. The party applying to transfer the case shall provide sufficient evidence to allow the Adjudication Panel or Disciplinary Tribunal Panel to make a decision under Rule 9.4. The evidence shall be provided to the Secretary, and shall be about:

(a) the Respondent's current capacity to hold membership of the IFoA being significantly impaired by reason of illness or other relevant health or medical condition; and

(b) the Respondent's impairment being directly relevant to the Allegation; and

(c) the public interest considerations in favour of the case being transferred to a Capacity for Membership Panel.

F7. Where the application is made under Regulation F1(a), the other party may provide written submissions to the Secretary and the party making the application. The other party shall serve any written submissions on the Secretary and the party making the application no later than seven days before the hearing.

F8. If the Adjudication Panel or Disciplinary Tribunal Panel grants the application to transfer the case under Rule 9.4, the Secretary shall arrange for the appointment of a Capacity for Membership Panel as soon as is reasonable, in accordance with the Appointments Regulations. The Capacity for Membership Panel shall then consider the case in accordance with Rule 16.

Refusing an application to transfer

Rule 9.5 If the Adjudication Panel or Disciplinary Tribunal Panel refuses the application to transfer the case 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.

Other matters relating to determination of application to transfer

F9. The relevant panel shall provide written reasons when deciding whether to grant or refuse the application to transfer under Rule 9.3. The written reasons are to be served on:

(a) the Respondent; and

(b) the Case Manager.

F10. If the Respondent wishes to make a further application to have the matter transferred to a Capacity for Membership Panel after it has been refused under Rule 9.5, they shall apply, in writing, to the Convener of Adjudication Panels or the Convener of Disciplinary Tribunal Panels. The Convener shall have discretion to accept or reject the further application. The Respondent's written application shall contain:

(a) the reason(s) why a further application is being made to have the matter transferred to a Capacity for Membership Panel; and

(b) any relevant documentation or information in support of the further application

F11. If the further application under Regulation F10 is accepted, the process at Regulations F6 - F8 shall be followed.

Transfer of Case on Own Motion by Adjudication Panel or Disciplinary Tribunal Panel

Rule 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.

F12. Under Rule 9.6, an Adjudication Panel or Disciplinary Tribunal Panel may transfer a case if it is satisfied that:

(a) there is Prima Facie evidence that 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) there is Prima Facie evidence the Respondent's impairment is directly relevant to the Allegation; and

(c) it is in the public interest that the case be transferred to a Capacity for Membership Panel.

F13. If an Adjudication Panel or Disciplinary Tribunal Panel decides to consider the transfer of a case under Rule 9.6, the Adjudication Panel or Disciplinary Tribunal Panel may suspend its consideration of the case and request:

(a) any relevant medical records or information from the Respondent;

(b) any reports from any medical advisor or health professional involved in the Respondent's treatment;

(c) any expert evidence regarding the effect of the Respondent's condition on their capacity for membership of the IFoA; and/or

(d) any other relevant evidence or information.

Effect of Transfer of Case to Capacity for Membership Panel

Rule 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.

Reference to Other Relevant Provisions

F14. The provisions regarding Capacity for Membership Panels are at Rule 16 of the Scheme.

Section G: Service of Notices and Documents

Rule 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.

G1. Under Rule 21.1 any notice or document required to be served shall be delivered by:

(a) sending the notice or document by email to the email address recorded in the IFoA's database for the relevant person; or

(b) sending the notice or document by post or courier to the postal address recorded in the IFoA's database for the relevant person; or

(c) sending the notice or document to any other email or postal address nominated in writing by the relevant person for service; or

(d) sending the notice or document to the email address or postal address of the relevant person's nominated representative.

G2. The service of any notice or document under Regulation G1 may be proved by:

(a) providing a copy of the email (and attachments) showing that it was properly addressed to the relevant person, unless a delivery failure notification has been received; or

(b) providing a copy of the letter showing that it was properly addressed, and confirmation of posting issued by or on behalf of the postal operator or delivery service.

G3. The service of any notice or document under Regulation G1 shall be considered to have been served:

(a) on the day it was sent, if the notice or document has been sent by email; or

(b) 48 hours after it was sent, if the notice or document was served by post or courier.

Section H: Correction of Errors

Application to Correct Accidental Errors or Omissions

Rule 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.
Rule 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.

H1. An application under Rule 23.1 may be made by any party to the proceedings within 28 days of the Panel's written determination or order being served.

H2. The application under Rule 23.1 shall:

(a) be served on the Secretary and the other party;

(b) identify the determination or order of the relevant panel;

(c) describe the error or omission made; and

(d) describe the correction required.

H3. An application under Rule 23.1 may be made to correct accidental errors or omissions including;

(a) clerical mistakes;

(b) typographical errors; and/or

(c) errors in the recording of the Panel's decision.

H4. An application under Rule 23.1 may not be used to challenge the Panel's decision.

H5. The Secretary shall refer the application to the relevant panel who will determine whether to grant or reject the application. The relevant panel shall meet in private and consider the application on the papers.

H6. In determining whether to grant or reject the application, the relevant panel shall consider whether it is in the interests of justice to rectify any accidental error or omission. The relevant Panel may, if considered necessary, seek clarification from the parties.

H7. The relevant panel shall provide written reasons for its determination to grant or reject the application.

H8. Once the application is determined, the Secretary shall:

(a) notify the parties of the Panel's decision on the application; and

(b) if granted, serve the amended determination or outcome of the relevant panel on all the parties who had been served with the original determination or outcome.

H9. No appeal shall be made in respect of a determination to grant or reject an application made

under Rule 23.1.

H10. No costs may be awarded in connection with any application under Rule 23.1.

Section I: Transitional Provisions

Rule 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.

Rule 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.

Rule 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.

Rule 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.

Rule 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.

I1 Where Rule 26.5 applies:

(a) the Complaint shall be dealt with from the point in the process that it was transferred to the Scheme; and

(b) any decisions, determinations and appointments made under a former version of the Disciplinary Scheme shall continue to apply; and

(c) the Complaint cannot be transferred back for consideration under a former version of the Disciplinary Scheme.

Definitions

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.
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.
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.
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.
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.
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.
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.

Term	Meaning
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.
FRC Scheme	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. 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.
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.
IFoA	The Institute and Faculty of Actuaries.
International Actuarial Association (IAA)	A worldwide association of local professional actuarial associations.
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 Investigation Actuaries	A pool of Investigation Actuaries appointed by the Regulatory Appointments Committee to assist and support the Case Manager.
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.

Term	Meaning
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	14 September 2023	To clarify the transitional provisions in relation to the Disciplinary Scheme.
1.2	1 November 2023	To clarify the version of the Regulations that will apply to a Complaint or application.
1.3	2 December 2024	To reduce time allowed within which the Referrer can submit a notice requesting review of initial Assessment Panel determination
1.4	1 January 2026	To clarify what information the Referrer must submit for a new Assessment Panel to be appointed to review the initial Assessment Panel's determination.
1.5	1 November 2026	To correct typos, cross-references, formatting, make minor changes to the notification procedure on receipt of new complaints, the procedure for service of the allegation and to clarify the procedure for correction of errors.



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