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# Discipline Bulletin



# Report

This is the twenty-seventh periodic report to Members, Associates and Affiliates prepared in accordance with Bylaw 20.12(8). Its primary purpose is to educate and inform all Members, Associates and Affiliates about the disciplinary process and current disciplinary activities. Please send any comments on, or suggestions for improvements in, these reports to me at my Online Directory address. Information in this report regarding specific cases represents the status at September 30, 2008.

## Meetings

Since the last Discipline Bulletin of May 2008, the Committee on Professional Conduct (CPC) held a meeting on July 3, 2008 (Toronto) and October 27, 2008 (Toronto). The committee also held one conference call on October 31, 2008. Future meetings of the CPC have been scheduled for March 9, 2009 (Montreal) and July 7, 2009 (Toronto).

## Disciplinary Costs (\$000) to September 30, 2008

	FY 08-09		FY 07-08	
	Actual	Budget	Actual	Budget
Legal Costs	18	---	218	---
Other Costs	42	---	14	---
Total Costs	123	340	225	245
	Actual		Actual	
Costs Recovered	30		127	
No. of cases reviewed	11		17	

## Cases

### (a) Charges filed and cases completed

Since the last periodic report in May 2008, one case has been completed. A Discipline Notice was distributed in July 2008 with respect to this matter.

### (b) Private admonishment issued

A private admonishment was issued against an individual. In accordance with Bylaw 20.04.1 private admonishments are treated as confidential. Therefore, no further additional details may be provided regarding this case.

### (c) Cases outstanding where charges have been filed

Separate charges were previously filed against two Members of the Institute in connection with the valuation of a pension plan. A Disciplinary Tribunal has been appointed by the Chairperson of the Tribunal Panel, in accordance with Bylaw 20.06(1).

Preliminary motions were filed before the courts preventing the Disciplinary Tribunal from proceeding. A hearing took place before a Judge in early June 2007 and a judgment was rendered in August 2008 dismissing the motions. Therefore, the disciplinary case will now proceed, and arrangements to hear the Charges are being made.

Please note that pursuant to the Bylaws, the Executive Director will publish a Notice to the public and the membership approximately 15 days prior to any hearing before a Disciplinary Tribunal. This notice will include the date, time and place of the hearing.

Anyone who wishes to request more information about the disciplinary process may obtain that information from the Executive Director.

### (d) Other complaints and information

Apart from the cases mentioned in (a), (b) and (c), in the period since the May 2008 report, the CPC has considered seven complaints or other information that might lead to complaints, against eight Members, Associates or Affiliates.

Four new complaints and/or information were received for the CPC's consideration. The CPC is obtaining further information before deciding how to proceed.

In an earlier case, the CPC decided to obtain further information before deciding on how to proceed.

The CPC had previously referred one case to an Investigation Team, whose investigation is still continuing.

In another earlier case, upon reviewing the Investigation Team report and response provided by the member, the CPC decided to dismiss the complaint.

### (e) Summary by Practice Area

The 10 cases set out above may be summarized by practice area as follows:

	Complaints	Individuals
Life	1	2 members
Pension	5	6 members
P&C	1	1 member
Workers' Compensation	0	---
Actuarial Evidence	3	3 members
Other	0	---

**Robert M. Smithen**

Chairperson, Committee on Professional Conduct