



INTERNATIONAL ACTUARIAL ASSOCIATION
ASSOCIATION ACTUARIELLE INTERNATIONALE

Template for IAA Professionalism Committee Survey on Discipline Issues

This is a template to help you prepare your responses. Please use the online tool to submit your responses by clicking:

https://www.surveymonkey.com/r/IAA_Discipline_Issues_Survey

Q1: Please provide your contact information:

Name: Michel Simard

Organization: Canadian Institute of Actuaries

Geographical location(s) of your organization: Canada

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Questions 2 and 3 relate to the purpose of your professional disciplinary system.

Q2: What does your association consider to be the purpose of your professional disciplinary system? Please select all those that apply.

- Public interest
- Trust in the profession
- Reputation of the profession
- Punishment of individuals
- Identification of regulatory issues and/or training needs
- Identification of regulatory trends
- Statutory obligation
- Warning communication to membership

- To address needs of complainer
- Safety net for regulatory regime
 - Other (please specify
 - Enforce rules and regulations.
 - To serve as an example to others to follow the rules.
 - Govern by the rules of natural justice (duty to act fairly).
 - Promotion and maintenance of professionalism.

Q3: Please identify, from those selected (in Q2), which you consider to be the primary purpose of discipline, and why.

1. Public interest (CIA guiding principle number one), which is promoted by enforcement of our rules and standards and by the maintenance of professionalism (a true profession cannot exist without discipline).

Questions 4 and 5 relate to the scope of your professional disciplinary system.

Q4: Please outline the geographical scope of your association's discipline process. Include some information about how your association manages members who work in more than one country, and/or who have more than one association membership.

Our discipline process has a worldwide jurisdiction on CIA Fellows, Associates, or Affiliates.

A CIA Fellow, Associate, or Affiliate practising in a foreign jurisdiction shall comply with the accepted actuarial principles and practices of the jurisdiction for which the work is performed, provided that the rules of professional conduct of the CIA be complied with at all times.

We are also handling disciplinary matters concerning members of organizations with which we have entered into a bilateral agreement regarding such members' practice or professional conduct in Canada. The location(s) of the member's practice in each case is determined by the ultimate purpose(s) of the member's work, as determined by the facts and circumstances of the case. In Canada, the ultimate purpose(s) of a member's work is determined by whether the work is performed pursuant to the legal or regulatory requirements of Canada or whether it is intended for use in Canada.

Q5: Please outline the extent to which your ethical codes include consideration of issues beyond technical competence issues by listing the most frequent areas of investigation under your disciplinary scheme. For example, does your system investigate member criminal convictions and/or ethical conduct at all times (including when working in a non-actuarial capacity and outside of the workplace environment).

Our rule of professional conduct number one is to the effect that a member shall act honestly, with integrity and competence, and in a manner to fulfil the profession's responsibility to the public and to uphold the reputation of the actuarial profession. Therefore, our Committee on Professional Conduct (CPC) is empowered to investigate on conduct issues as well as on technical issues.

The most frequent areas of investigation, apart from technical compliance with standards, include conflict of interest and cooperation (either with the discipline process or with other actuaries).

Since September 1, 2016, an applicant for CIA membership has to declare any criminal conviction; a CIA member who is not fully retired must disclose, to the Executive Director of the Institute, any criminal conviction which he/she has been the object of on or after September 1, 2016, within 30 days following the criminal conviction. As a transitional measure, members have until July 1, 2017, to disclose any criminal conviction which he or she has been the object of prior to September 1, 2016.

Criminal conviction refers to any criminal offence, penal offence punishable by incarceration, or offences of similar nature for which an individual is convicted, found guilty of or pleads guilty to, and for which he or she has not been granted a record suspension (formerly a pardon), or a disciplinary determination of guilt other than a CIA Disciplinary Tribunal decision.

Upon receipt of a written disclosure of a criminal conviction from a member or a new applicant to the Institute, the CIA Committee on Professionalism (PROF), with administrative assistance from the CIA Head Office, undertakes the review and assesses the criminal conviction, in order to determine if, in the public interest, any further action should be taken on the part of the CIA (i.e., referral to the Committee on Professional Conduct (CPC)).

Questions 6–9 relate to how you communicate information about your professional disciplinary system.

Q6: How do you raise awareness of the professional disciplinary system that you operate to members? Tick all those that apply.

- Publish your process
- Publish determinations, sanctions or outcomes
- Seminars
- Published guidance (formal and informal)
- Training and/or education
- Other (please specify)
 - Candidates to our Associate designation are required to attend a professionalism workshop that includes training on the discipline process.

Q7: Please explain which of these (from Q6), in your experience, is/are most effective to members and why?

- Training and education (professionalism workshop provides a very good base and we have a continuing professional development (CPD) requirement of four hours to be specifically dedicated to professionalism every two years).

- Publish determinations, sanctions, and outcomes (this definitely acts as a deterrent on one side and allows membership to better understand the process and its various outcomes).

Q8: How do you raise awareness of the professional disciplinary system that you operate to the public? Tick all those that apply.

- Publish your process
- Publish determinations, sanctions or outcomes
- Seminars
- Published guidance (formal and informal)
- Training and/or education
- Other (please specify)

Q9: Please explain which of these (from Q8), in your experience, is/are most effective to the public and why?

- Publish your process (allows the public to understand the disciplinary rules of engagement).
- Publish determinations, sanctions, or outcome (ensures the transparency of the process and contributes to maintain trust in the profession).

Q10: Is there anything else that you would like to learn more about in relation to professional discipline?

- Investigation by a designated officer vs. investigation by a committee.
- Right to be assisted by counsel vs. right to be represented by counsel.
- How to balance the requirement for fairness with decision-making economy in a professional disciplinary environment.
- Confidentiality vs. cooperation with disciplinary authority (investigation and tribunal).

Thank you for taking the time to complete this survey.