

## CIA Bylaws

*Consolidation Effective as of November 20, 1996*

© 1996 Canadian Institute of Actuaries

Revised November 1997  
Revised June 1998  
Revised November 1998  
Revised June 1999  
Revised July 2000  
Revised July 2001  
Revised December 2001  
Revised January 2003  
Revised November 2003  
Revised July 2005  
Revised July 2006  
Revised October 2006  
Revised January 2007  
Revised July 2007  
Revised June 2012  
Revised July 2012  
Revised July 2013  
Revised July 2014  
Revised September 2016  
Revised July 2017  
Revised July 2018  
Revised July 2019  
Revised January 2020  
Revised July 2021  
Revised July 2022

*Document 222087*

## Table of Contents

Section 1	Interpretation.....	1
Section 2	Corporate Administration.....	6
Section 3	Enrolment, Qualification Requirements, and Professional Continuing Qualification Standards .....	9
Section 3.1	Rights, Privileges, and Obligations.....	14
Section 4	Fellows <i>[repealed]</i> .....	18
Section 5	Associates <i>[repealed]</i> .....	18
Section 5.1	Affiliates <i>[repealed]</i> .....	18
Section 6	Correspondents <i>[repealed]</i> .....	18
Section 7	Annual Dues.....	19
Section 8	Resignation, Suspension, Termination and Reinstatement .....	20
Section 9	Committees, Task Forces and Councils .....	23
Section 10	Institute Meetings.....	29
Section 11	The Board.....	32
Section 11.1	The Actuarial Standards Board <i>[repealed]</i> .....	40
Section 12	Meetings of the Board .....	41
Section 13	Duties of Members of the Board .....	43
Section 13.1	Actuarial Standards Oversight Council <i>[repealed]</i> .....	45
Section 13.2	Actuarial Profession Oversight Board.....	46
Section 14	Executive Committee <i>[repealed]</i> .....	52
Section 15	Organizations Affiliated with or Sponsored by or Operating Under the Auspices of the Institute.....	52
Section 16	Responsibility and Indemnity of Members of the Board and Others .....	52
Section 17	Information.....	53
Section 18	Addition to or Amendment or Alteration of Bylaws, Rules, Regulations or Guiding Principles .....	54
Section 19	Public Statements.....	56
Section 20	Discipline.....	57
Section 21	Compliance .....	95
Section 22	Committee on Review <i>[repealed]</i> .....	96
Section 23	Protective Provisions .....	96
Section 24	Transitional Provisions.....	97

**Section 1  
Interpretation**

**1.01** In these Bylaws, unless the context otherwise requires,

Actuarial Board  
for Counseling  
and Discipline

(1) “Actuarial Board for Counseling and Discipline” means the Actuarial Board for Counseling and Discipline established as an independent entity managed through the American Academy of Actuaries on January 1, 1992;

Actuarial  
Standards  
Board  
“Conseil des  
normes  
actuarielles”

(2) “Actuarial Standards Board” means the Actuarial Standards Board established by the Institute on July 1, 2006 and that, as of January 1, 2020, is overseen by the Actuarial Profession Oversight Board established pursuant to Bylaw 13.2.01;  
**[Adopted July 1/06; Modified Jan. 1/07; Modified Jan. 1/20]**

**[Note: Prior to its repeal on November 20, 1998, “Actuarial Standards Board” meant the Actuarial Standards Board established as an independent entity managed through the American Academy of Actuaries]**

Actuarial  
Standards  
Oversight  
Council  
“Conseil de  
surveillance des  
normes  
actuarielles”

(2.01.1) **[Note: repealed Jan. 1/20]** **[Adopted Jan. 1/07]**

Affiliate  
“affilié”

(2.1) “Affiliate” means, as of January 1, 2003, a person enrolled as an affiliate of the Institute; **[Adopted Jan. 1/03]**

American  
Academy of  
Actuaries

(3) “American Academy of Actuaries” means the American Academy of Actuaries organized under the Illinois General Not for Profit Corporation Act on April 29, 1966;

American  
Society of  
Pension  
Actuaries

(3.1) “American Society of Pension Actuaries” means the American Society of Pension Actuaries founded on October 21, 1966, with registered office in the United States of America;  
**[Adopted Nov. 20/98; Modified July 1/19]**

## *Bylaws*

Associate “associé”	(3.1.1) “Associate” means, as of July 1, 2001, a person enrolled as an associate of the Institute; <b>[Adopted July 1/01; Modified June 1/12]</b>
Board “Conseil d’administration”	(3.2) “Board” means, as of July 1, 2000, the governing body of the Institute, referred to as the Council in section 6 of the <i>Act to Incorporate Canadian Institute of Actuaries</i> , S.C. 1964-65, c. 76. In the present Bylaws, reference to the Board may also include the Former Council where the context so requires; <b>[Adopted July 1/00]</b>
Board Year “année-conseil”	(3.3) “Board Year” means the period between July 1 and June 30 each year, and for any period prior to July 1, 2018, may include reference to the period between the close of two successive Annual General Meetings; <b>[Adopted July 1/00; Modified July 1/18]</b>
Bylaws “statuts administratifs”	(4) “Bylaws” means the bylaws of the Institute as in effect from time to time;
Casualty Actuarial Society	(5) “Casualty Actuarial Society” means the Casualty Actuarial Society founded in 1914, with registered office in the United States of America; <b>[Modified July 1/19]</b>
Colegio Nacional de Actuarios, C.A.	(6) <b>[Note: repealed Nov. 20/98]</b>
Conference of Consulting Actuaries	(6.1) “Conference of Consulting Actuaries” means the Conference of Consulting Actuaries in Public Practice founded in 1949 and named Conference of Consulting Actuaries in 1991, with registered office in the United States of America; <b>[Adopted Nov. 20/98; Modified July 1/19]</b>
Correspondent “correspondant”	(7) “Correspondent” means a person enrolled as a correspondent of the Institute;
Council “Conseil”	(8) <b>[Note: repealed July 1/00]</b>
Criminal Conviction “condamnation au criminel”	(8.1) “Criminal Conviction” refers to any criminal offence, penal offence punishable by incarceration or offences of a 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, or a disciplinary determination of guilt other than a CIA Disciplinary Tribunal decision. <b>[Adopted Sept. 1/16]</b>

## Bylaws

Director “administrateur”	(9) “Director” means a member of the Board who is not an Officer; <b>[Modified July 1/00]</b>
Council Year “année-conseil”	(10) <b>[Note: repealed July 1/00]</b>
Ex officio participant “participant d’office”	(10.01.0) “Ex officio participant” means an individual who, by virtue of his or her position on the Board, the Actuarial Profession Oversight Board, board established by the Institute or jointly established by the Board and the Actuarial Profession Oversight Board, a council, committee, task force or another entity within the Institute, may participate in meetings which are not designated in camera, but shall not be entitled to propose or second motions, shall not be entitled to vote, and shall not count towards the required minimum number of members or towards the quorum for a vote on a particular item of business. <b>[Adopted July 1/18; Modified July 1/19; Modified Jan. 1/20]</b>
Fellow	(10.01.1) “Fellow” means a person enrolled as a Fellow of the Institute; <b>[Adopted June 1/12]</b>
Former Council “ancien Conseil”	(10.1) “Former Council” means the governing body of the Institute, as it existed on or before June 30, 2000, continued under the present Bylaws as the Board; <b>[Adopted July 1/00]</b>
General Meeting “assemblée générale”	(11) “General Meeting” means a general meeting of the Institute which may be held in person or via electronic means, as determined by the Board; <b>[Modified June 1/12; Modified July 1/18]</b>
Guiding Principles “principes directeurs”	(11.1) “Guiding Principles” means the guiding principles of the Institute adopted in March 1993; <b>[Adopted July 1/06]</b>
Institute “Institut”	(12) “Institute” means the Canadian Institute of Actuaries incorporated by the <i>Act to Incorporate Canadian Institute of Actuaries</i> , S.C. 1964-65, c. 76; <b>[Modified July 1/00]</b>
Member “membre”	(13) <b>[Note: repealed June 1/12]</b>

*Bylaws*

Offence “infraction”	(14) “Offence” means any violation of the Bylaws, standards of practice or rules of professional conduct of the Institute;
Officer “dirigeant”	(15) “Officer” means a person holding the office of President, President-elect, or Immediate Past President; <b>[Modified July 1/00; Modified July 1/01; Modified July 1/19]</b>
Professional Continuing Qualification Standard	(15.1) “Professional Continuing Qualification Standard” means a requirement for continued enrolment in the Institute, applicable to all or a portion of all Fellows, Associates, or Affiliates, known as Qualification Standards prior to January 1, 2020, established pursuant to Section 3; <b>[Adopted Jan. 1/20]</b>
Respondent “intimé”	(16) “Respondent” means a Fellow, Associate or Affiliate with respect to whom information has been given, or against whom a complaint has been laid or a charge has been filed; <b>[Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]</b>
Society of Actuaries	(17) “Society of Actuaries” means the Society of Actuaries founded in 1949, with registered office in the United States of America; <b>[Modified July 1/19]</b>
Standards of Practice “normes de pratique”	(17.1) “Standards of Practice” means the standards of practice of the Institute in all areas of actuarial practice as in effect from time to time, adopted or amended prior to July 1, 2006 by the Practice Standards Council or by the Former Council of the Institute in accordance with the Bylaws, or adopted or amended on or after July 1, 2006 by the Actuarial Standards Board pursuant to procedures established by the Actuarial Standards Board; <b>[Adopted Jan. 1/07]</b>
Student “étudiant”	(18) <b>[Note: repealed June 1/12]</b> <b>[Modified July 1/01]</b>
Voting Member “membre votant”	(19) “Voting Member” means a Fellow or an Associate who is entitled to voting rights pursuant to Section 3.1. <b>[Adopted June 1/12; Modified Sept. 1/16]</b>

*Bylaws*

- Gender                    **1.02** (1) Words importing female persons include male persons and words importing male persons include female persons.
- Number                    (2) Words in the singular include the plural, and words in the plural include the singular.
- Parts of speech and Grammatical forms                    (3) Where a word is defined, other parts of speech and grammatical forms of the same word have corresponding meanings.
- Time limits and Holidays                    **1.03** (1) Where the time limited for doing an act under the Bylaws expires or falls on a Saturday, Sunday or statutory holiday, the act may be done on the next day that is not a Saturday, Sunday or statutory holiday.
- Computation                    (2) In computing the number of days between two events stipulated in the Bylaws, the day on which the first event happens is not counted, but all other days, including the day on which the second event happens are counted.

**Section 2  
Corporate Administration**

***Seal***

Corporate seal      **2.01** The corporate seal of the Institute shall be such as the Board may approve from time to time by resolution.      **[Modified July 1/00]**

***Head Office***

Location of head office      **2.02** The head office of the Institute shall be in the city of Ottawa in the province of Ontario.

***Monies and Investments***

Payment of money      **2.03** All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by any person, and in such manner as the Board may designate from time to time by resolution.      **[Modified July 1/00]**

Receipt of money      **2.04** All monies received by the Institute shall be duly deposited to the credit of the Institute in a chartered bank or trust company appointed for such purpose by the Board.      **[Modified July 1/00]**

Investments      **2.05** The funds of the Institute may be invested by the Board in accordance with a written Statement of Investment Policy adopted by the Board by resolution each Board Year.      **[Modified Nov. 20/98; Modified July 1/00]**

Lodging of investments      **2.06** Shares and securities owned by the Institute shall be held in trust in the name of the Institute by a chartered bank or trust company, or shall be held in any other manner designated for such purpose by the Board.      **[Modified Nov. 20/98; Modified July 1/00]**

***Fiscal year***

Fiscal year      **2.07** The fiscal year of the Institute shall terminate on such date as the Board may determine from time to time by resolution.      **[Modified July 1/00]**



***Contracts, documents or instruments in writing***

- Signature authority      **2.08** (1) Contracts, documents or instruments in writing requiring the signature of the Institute may be signed by any two members of the Board, at least one of whom shall be an Officer. All contracts, documents or instruments in writing so signed shall be binding upon the Institute without any further authorization or formality.  
**[Modified Nov. 20/98; Modified July 1/00]**
- Signature by a designate      (2) In addition, the Board is authorized to appoint from time to time by resolution any person, on behalf of the Institute, either to sign contracts, documents and instruments in writing generally or to sign specific contracts, documents or instruments in writing.  
**[Modified July 1/00]**
- Facsimile signature      (3) The Board may authorize by resolution the use of a facsimile signature of any person authorized to sign on behalf of the Institute.  
**[Modified July 1/00]**
- Corporate seal      (4) The corporate seal of the Institute may, when required, be affixed to contracts, documents or instruments in writing signed in accordance with this Bylaw.

***Assignments, transfers, conveyances, etc.***

- Signature authority      **2.09** (1) In particular, without limiting the generality of the foregoing, any two members of the Board, at least one of whom shall be an Officer, are authorized to sell, assign, transfer, exchange, convert or convey any and all shares, stocks, bonds, debentures, rights, warrants or other securities owned by or registered in the name of the Institute and to sign and execute under the corporate seal of the Institute or otherwise all sales, assignments, transfers, exchanges, conversions, conveyances, powers of attorney and other instruments that may be necessary for the purpose of selling or conveying any such shares, stocks, bonds, debentures, rights, warrants or other securities.  
**[Modified Nov. 20/98; Modified July 1/00]**
- Signature by a designate      (2) In addition, the Board is authorized to appoint from time to time by resolution any person, on behalf of the Institute, to perform, either generally or specifically, any of the transactions described in Bylaw 2.09(1).  
**[Adopted Nov. 20/98; Modified July 1/00]**

### **Remuneration**

Reimbursement of expenses    **2.10** The Board may establish from time to time by resolution guidelines and procedures for the reimbursement of travel and other expenses to any person undertaking services on the Institute's behalf.    **[Modified March 25/98; Modified July 1/00; Modified July 1/06; Modified Jan. 1/07; Modified July 1/19]**

Reporting to the Board    **2.11** All amounts paid pursuant to Bylaw 2.10 shall periodically be reported to the Board and recorded in its official proceedings.    **[Modified July 1/00]**

### **Executive management**

Executive Director    **2.12** The Board shall appoint an Executive Director and may appoint any other executives, who may be, but need not be, Fellows.    **[Modified July 1/00; Modified June 1/12]**

Delegation    **2.13** Except such matters as by law must be dealt with by the Board or by the Voting Members in a General Meeting, the Board may delegate to such executives part of its power and authority to direct and manage the affairs and business of the Institute and to employ and discharge agents and employees of the Institute under the authority of the Board.    **[Modified Nov. 20/98; Modified July 1/00; Modified June 1/12]**

Duties    **2.14** The executives shall conform to all lawful orders given to them by the Board and shall at all reasonable times give to the members of the Board or any of them, all information they may require regarding the affairs of the Institute.    **[Modified July 1/00]**

Discharge    **2.15** Any agent or employee appointed by an executive shall be subject to discharge by the Board.    **[Modified July 1/00]**

Remuneration    **2.16** The compensation, by way of salary or otherwise, of any executive, agent or employee referred to in Bylaws 2.12 to 2.15, shall be as determined by the Officers or by a committee of the Board appointed to this effect and shall be paid out of the funds of the Institute.    **[Modified March 25/98; Modified Nov. 20/98; Modified July 1/00; Modified July 1/13]**

**Section 3**  
**Enrolment, Qualification Requirements, and Professional**  
**Continuing Qualification Standards**

***Enrolment***

- Fellows in 1986     **3.00.1** Any Fellow in good standing on July 1, 1986 is deemed to have met the qualification requirements for Fellow.  
[***Adopted Sept. 1/16***]
- Requirements     **3.00.2** (1) A person who
- (a) makes written application to be enrolled as a Fellow, Associate, Affiliate or Correspondent;
  - (b) pays an admission fee of the amount determined by the Education and Qualification Council, established by the Board pursuant to Bylaw 9.16.1; and
  - (c) meets the qualification requirements prescribed by the Board, pursuant to Bylaw 3.01.1, and which are in effect at the time of application;
- shall become enrolled upon approval of such application by the Education and Qualification Council.     [***Adopted Sept. 1/16; Modified July 1/19; Modified Jan. 1/20***]
- General – Fellow     **3.01** [***Note: repealed Sept. 1/16***]  
[***Modified Jan. 1/00; Modified July 1/00; Modified Jan. 1/03; Modified June 1/12***]

## **Qualification Requirements**

### Qualification Requirements

**3.01.1** The Board shall adopt a Policy on Qualification Requirements that prescribes the requirements for enrolment, pursuant to Bylaw 3.00.2, that shall include the following:

- (a) a description of the specific enrolment requirements for a Fellow, Associate, Affiliate and Correspondent, including the education, examination and other requirements prescribed by the Board, and which also includes an outline of the potential paths to enrolment such as mutual recognition with another actuarial association;
- (b) for Fellow status, a minimum requirement for a defined period of practical actuarial work experience prescribed by the Board;
- (c) the opportunity for conditional approval of an application for enrolment prior to the date on which the applicant expects to meet the qualification requirements. In such a case, the person will become enrolled on the date on which the qualification requirements are met;
- (d) notwithstanding the qualification requirements, the ability for the Education and Qualification Council established pursuant to Bylaw 9.16.1 to, by a vote of at least 75% of all members thereof, modify such conditions for a person for whom, owing to special and unusual circumstances, it is deemed by the Education and Qualification Council that such conditions would be inequitable and unreasonable unless so modified;
- (e) a requirement for a Fellow, Associate or Affiliate applicant to disclose, on his or her enrolment application, whether or not he or she has been the object of a Criminal Conviction.
- (f) a requirement for an Affiliate to be resident in Canada at the time of application; and
- (g) a requirement for a Correspondent to be recognized as a qualified actuary in the country of such person's residence.

**[Adopted Sept. 1/16; Modified July 1/19; Modified Jan. 1/20]**

Disclosure of a Criminal Conviction	<b>3.01.2</b>	A Criminal Conviction disclosed by an applicant pursuant to Bylaw 3.01.1(e) shall be subject to review and assessment by the Professionalism and Credential Monitoring Board established pursuant to Bylaw 13.2.24 with such duties and purposes, pursuant to such procedures, not in conflict with these Bylaws, as the Professionalism and Credential Monitoring Board deems appropriate. The result of the assessment may or may not impact the approval of the application, according to such procedures. <i>[Adopted Sept. 1/16; Modified July 1/19; Modified Jan. 1/20]</i>
Conventional route	<b>3.02</b>	<i>[Note: repealed June 1/12]</i> <i>[Modified Jan. 1/00; Modified July 1/00; Modified Jan. 1/03]</i>
Mutual Recognition Agreement route	<b>3.03</b>	<i>[Note: repealed June 1/12]</i> <i>[Modified Sept. 10/97; Modified July 1/00; Modified Jan. 1/03]</i>
Affiliate route	<b>3.04</b>	<i>[Note: repealed June 1/12]</i>  <i>[Adopted Jan. 1/03]</i>
General - Associate	<b>3.05</b>	<i>[Note: repealed Sept. 1/16]</i>  <i>[Adopted June 1/12]</i>
General - Affiliate	<b>3.06</b>	<i>[Note: repealed Sept. 1/16]</i>  <i>[Adopted June 1/12]</i>
General - Correspondent	<b>3.07</b>	<i>[Note: repealed Sept. 1/16]</i>  <i>[Adopted June 1/12]</i>



Minor amendments

**3.11** Notwithstanding any other Bylaw, the Professionalism and Credential Monitoring Board may proceed to adopt amendments to a Professional Continuing Qualification Standard that are, in its opinion, sufficiently minor so as not to require consultation with Fellows, Associates, and Affiliates, without the endorsement and publication of any draft form of said amendments. **[Adopted July 1/18; Modified July 1/19; Modified Jan. 1/20]**

Monitoring compliance with a qualification standard

**3.12** All Professional Continuing Qualification Standards adopted by the Professionalism and Credential Monitoring Board pursuant to Bylaw 3.08 shall prescribe a process for monitoring compliance with the Professional Continuing Qualification Standard which includes

- (a) a requirement to provide the Fellow, Associate or Affiliate with written notification (warning) of his or her potential non-compliance, within a period of no less than 10 days prior to the date on which he or she could become non-compliant;
- (b) a requirement to provide the Fellow, Associate, or Affiliate with written notification of the determination and consequences of his or her non-compliance with the Professional Continuing Qualification Standard and the process for reinstatement of member privileges, if applicable, pursuant to Bylaw 8.06; and
- (c) a process for appeal by the Fellow, Associate or Affiliate of the determination of his or her non-compliance with the Professional Continuing Qualification Standard.

**[Adopted July 1/18; Modified Jan. 1/20]**

**Section 3.1**  
**Rights, Privileges, and Obligations**

***Rights and Privileges***

- |                                |  |
|--------------------------------|--|
| General                        | <p><b>3.1.1</b> A Fellow, Associate, Affiliate or Correspondent shall be entitled to</p> <ul style="list-style-type: none"><li>(a) attend all General Meetings, unless the meeting is restricted to Voting Members by vote of the Voting Members or by resolution of the Board;</li><li>(b) take part in any discussion at any General Meeting that the Fellow, Associate, Affiliate or Correspondent is entitled to attend;</li><li>(c) receive all publications of the Institute not excepted by the Board for distribution; and</li><li>(d) exercise and enjoy any and all other rights and privileges that the Institute or the Board shall accord. <b><i>[Adopted Sept. 1/16]</i></b></li></ul> |
| Designation – Fellow           | <p><b>3.1.2</b> A Fellow shall be entitled to the privilege of being designated as a Fellow of the Institute. Fellows are authorized to append to their names the initials FCIA (indicating Fellow, Canadian Institute of Actuaries) or FICA (Fellow, Institut canadien des actuaires). <b><i>[Adopted Sept. 1/16]</i></b></p>   |
| Designation – Associate        | <p><b>3.1.3</b> An Associate shall be entitled to the privilege of being designated as an Associate of the Institute. Associates are authorized to append to their names the initials ACIA (indicating Associate, Canadian Institute of Actuaries) or AICA (associé, Institut canadien des actuaires). <b><i>[Adopted Sept. 1/16]</i></b></p>  |
| Identification as an Affiliate | <p><b>3.1.4</b> An Affiliate may only identify himself or herself, or be identified as an Affiliate of the Canadian Institute of Actuaries in any communication where there is reason to believe that the intended recipient of the communication will not be misled as to their qualifications. <b><i>[Adopted Sept. 1/16]</i></b></p>  |



Idem **3.1.5** Notwithstanding Bylaw 3.1.4, Affiliates are not authorized to:

- (a) append to their names “Affiliate, Canadian Institute of Actuaries” or “affilié, Institut canadien des actuaires”; or
- (b) identify themselves or be identified by the initials “ACIA” (indicating Affiliate, Canadian Institute of Actuaries) or “AICA” (indicating affilié, Institut canadien des actuaires).

**[Adopted Sept. 1/16]**

Identification as a Correspondent **3.1.6** A person who is a Correspondent shall not publicize, or knowingly permit publication of the fact that such person is a Correspondent. **[Adopted Sept. 1/16]**

Voting Rights **3.1.7** A Fellow shall be entitled to voting rights. **[Adopted Sept. 1/16]**

Idem **3.1.8** An Associate shall be entitled to voting rights after five years of enrolment as an Associate. **[Adopted Sept. 1/16]**

Idem **3.1.9** An Affiliate shall not be entitled to voting rights. **[Adopted September 1/16]**

Idem **3.1.10** A Correspondent shall not be entitled to voting rights. **[Adopted Sept. 1/16]**

### ***Obligations***

Termination of benefits **3.1.11** The rights, privileges, and benefits that a person may have as a Fellow, Associate, Affiliate or Correspondent shall, if not theretofore terminated pursuant to these Bylaws, become terminated upon termination of enrolment. **[Adopted Sept. 1/16]**

Obligation to disclose **3.1.12 (1)** A Fellow, Associate or Affiliate who is not retired pursuant to a Professional Continuing Qualification Standard established in accordance with Bylaw 3.08, shall disclose to the Executive Director of the Institute, any Criminal Conviction which he or she has been the object of within 30 days following the Criminal Conviction. **[Adopted Sept. 1/16; Modified July 1/21]**

- Obligation to disclose – Transition Period (2) **[Note: repealed July 1, 2021]** **[Adopted Sept. 1/16]**
- Obligation to disclose – Cessation of waiver of dues (3) A Fellow, Associate or Affiliate who is classified as retired pursuant to a Professional Continuing Qualification Standard established in accordance with Bylaw 3.08, and does not disclose a Criminal Conviction pursuant to Bylaw 3.1.12, and who subsequently ceases to be retired, shall
- (a) disclose, to the Executive Director of the Institute, within the 30-day period following the notification to the Institute of his or her intent to cease his or her retirement status, any undisclosed Criminal Conviction which he or she has been the object of, prior to or while retired.
- (b) **[Note: repealed July 1, 2021]** **[Adopted Sept. 1/16]**
- Assessment of a Criminal Conviction **3.1.13** (1) When a Criminal Conviction is disclosed pursuant to Bylaw 3.1.12, the Criminal Conviction shall be assessed by the Professionalism and Credential Monitoring Board, with such duties and purposes, pursuant to such procedures, not in conflict with these Bylaws, as it deems appropriate. **[Adopted Sept. 1/16; Modified Jan. 1/20]**
- Idem (2) Where the outcome of the assessment conducted pursuant to Bylaw 3.1.13 (1) results in the determination that a Criminal Conviction could be a potential Offence, pursuant to Bylaw 1.01(14), the Secretary of the Professional Conduct Board shall be informed pursuant to Bylaw 20.02(1). **[Adopted Sept. 1/16; Modified Jan. 1/20]**

Obligation to  
meet applicable  
qualification  
standards

**3.1.14** A Fellow, Associate, or Affiliate shall meet all applicable Professional Continuing Qualification Standards adopted or revised by the Professionalism and Credential Monitoring Board pursuant to Bylaw 3.08. ***[Adopted July 1/18; Modified Jan. 1/20]***

**Section 4  
Fellows**

***[Note: Section 4 repealed Sept. 1, 2016]***

**Section 5  
Associates**

***[Note: Section 5 repealed Sept. 1, 2016]***

**Section 5.1  
Affiliates**

***[Note: Section 5.1 repealed Sept. 1, 2016]***

**Section 6  
Correspondents**

***[Note: Section 6 repealed Sept. 1, 2016]***





- Non-compliance with a qualification standard **8.02.1** If a Fellow, Associate, or Affiliate does not fulfill the requirements of an applicable Professional Continuing Qualification Standard pursuant to Bylaw 3.1.14, enrolment as a Fellow, Associate, or Affiliate may be suspended in accordance with the process prescribed by the Professionalism and Credential Monitoring Board to monitor compliance with that Professional Continuing Qualification Standard pursuant to Bylaw 3.12, subject to review by the Professionalism and Credential Monitoring Board.  
**[Adopted July 1/18; Modified July 1/19; Modified Jan. 1/20]**
- Becoming a Fellow **8.03** Enrolment of a person as an Associate, Affiliate or Correspondent shall automatically terminate upon the person becoming a Fellow.  
**[Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**
- Discipline **8.04** Enrolment in the Institute as a Fellow, Associate or Affiliate may be suspended or terminated for any cause which is provided in Section 20 with respect to disciplinary matters.  
**[Modified Sept. 10/97; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/18]**
- Correspondent **8.05** Enrolment as a Correspondent may be terminated for any cause in respect of which express provision for termination is not made elsewhere in these Bylaws, if
- (a) a motion is presented at a meeting of the designated council, established by the Board pursuant to Bylaw 9.06, at a time when at least two-thirds of all members thereof are present; and
  - (b) such motion is assented to by all members of the designated council present.
- [Modified July 1/00; Modified June 1/12; Modified July 1/14; Modified July 1/19]**

## ***Reinstatement***

Procedure

**8.06** The designated council, established by the Board pursuant to Bylaw 9.06, on written application of any former Fellow, Associate, Affiliate or Correspondent whose enrolment has been suspended or terminated under the provisions of Bylaws 8.01, 8.02, 8.02.1, 8.04 or 8.05, or under the provisions of former Bylaws that have been revised or replaced, may reinstate such Fellow, Associate, Affiliate or Correspondent subject to such conditions as it may prescribe.

***[Modified July 1/00; Modified July 1/01; Modified Jan. 1/03;  
Modified June 1/12; Modified July 1/14; Modified July 1/18;  
Modified July 1/19]***



**Section 9**  
**Committees, Task Forces and Councils**

***Appointment of committees and task forces***

Appointment by the Board    **9.01**    (1) [**Note: repealed Jan. 1/20**]  
[**Modified Nov. 20/98; Modified July 1/00**]

Idem                            (2) [**Note: repealed Jan. 1/20**]  
[**Adopted Nov. 20/98; Modified July 1/00; Modified July 1/01;**  
**Modified June 1/12; Modified July 1/19**]

Idem                            (2.1) The Board shall appoint a Governance and Nominations  
Committee, with such powers as may be necessary or convenient for  
the purposes for which this committee is appointed and which shall  
oversee the election of the Officers and Directors pursuant to Bylaw  
11.05.                            [**Adopted Nov. 1/03; Modified July 1/18**]

Idem                            (3) The Board may appoint such committees or task forces, with  
such powers as may be necessary or convenient for the purposes for  
which these committees or task forces are appointed.  
[**Adopted July 1/00**]

Idem                            (4) A committee or task force appointed by the Board shall  
consist of such persons as are considered by the Board to be  
qualified to serve on the committee or task force.  
[**Adopted July 1/00**]

Appointment by the President    **9.02**    (1) [**Note: repealed Nov. 1/03**]

Idem                            (2) The Board, or the Voting Members present at a General  
Meeting, may instruct the President to appoint such other  
committees or task forces, with such powers as may be necessary or  
convenient for the purposes for which these committees or task  
forces are appointed.            [**Adopted July 1/00; Modified June 1/12**]

Idem (3) A committee or task force appointed by the President shall consist of such persons as are considered by the President to be qualified to serve on the committee or task force.  
**[Adopted July 1/00]**

Appointment **9.03** **[Note: repealed July 1/00]**

Composition **9.04** **[Note: repealed July 1/00]**

Appointment by the chair of the Tribunal Panel **9.05** The chair of the Tribunal Panel established pursuant to Bylaw 13.2.26 shall appoint a Committee of Adjudication in accordance with Bylaw 11.14, with such powers as may be necessary or convenient for the purposes for which this committee is appointed. This committee shall consist of such persons as are considered by the chair of the Tribunal Panel to be qualified to serve on the committee.  
**[Adopted July 1/00; Modified July 1/19; Modified Jan. 1/20]**

#### ***Establishment of Councils***

Establishment by the Board **9.06** (1) In addition to the Councils established in Section 9 of these Bylaws, the Board may establish one or more councils, for such duties and purposes as may be prescribed by the Board.  
**[Adopted July 1/00; Modified July 1/14; Modified July 1/19; Modified Jan. 1/20]**

Idem (2) The Board shall adopt a Policy on Councils that prescribes the duties and purposes, not in conflict with these Bylaws, of each council that is established pursuant to Section 9.  
**[Adopted July 1/14; Modified July 1/19; Modified Jan. 1/20]**

Composition **9.07** Each council shall consist of not less than six members or more than 15 members, including a chair and a vice-chair. The members of a council shall be appointed annually by the Board. No Officer shall sit as a member of a council. Each council shall include not more than two Directors.  
**[Adopted July 1/00; Modified Oct. 29/01; Modified July 1/13; Modified July 1/19]**

Chair and vice-chair	<p><b>9.08</b> Each council shall have a chair and a vice-chair, who shall be appointed annually by the Board. No person shall serve as chair for more than three consecutive years. No person shall serve as vice-chair for more than three consecutive years.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified Nov. 1/03; Modified July 1/18; Modified July 1/19; Modified July 1/22]</i></b></p>
Ex officio participants	<p><b>9.09</b> The Executive Director shall sit as an ex officio participant on each council.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified July 1/01; Modified Oct. 29/01; Modified Jan. 1/03; Modified July 1/18; Modified July 1/19; Modified Jan. 1/20]</i></b></p>
Quorum	<p><b>9.10</b> The quorum of a council for a vote on a particular item of business is 50% of the number of members thereof who have not declared themselves to be in a conflict of interest in respect of that item.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified July 1/19]</i></b></p>
Meetings	<p><b>9.11</b> Members of a council may hold meetings in person or by such methods of communication as the council may select from time to time by resolution. Unless otherwise provided, every decision of a council shall be taken by at least a majority of the members present at the meeting. In the event of a tie, the chair of the meeting does not have a casting vote, and the motion is considered to be defeated.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified July 1/01; Modified July 1/18; Modified July 1/19; Modified Jan. 1/20]</i></b></p>
Records	<p><b>9.12</b> A council shall designate one of its members to ensure that proper records of the council are kept.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified July 1/19]</i></b></p>
Committee or task force	<p><b>9.13</b> A council may appoint such committees or task forces as it may deem necessary or convenient for the performance of its duties. Subject to Bylaw 9.15, such committees or task forces may be provided with such powers as may be necessary or convenient for the purposes for which they are appointed.</p> <p style="text-align: right;"><b><i>[Adopted July 1/00; Modified July 1/19]</i></b></p>

Idem **9.14** A committee or task force appointed by a council shall consist of such persons as are considered by the appointing council to be qualified to serve on the committee or task force.

**[Adopted July 1/00; Modified July 1/19]**

Idem **9.15** All actions taken by committees and task forces appointed by a council shall be subject to review and approval by the appointing council.

**[Adopted July 1/00; Modified July 1/19]**

Annual report to the Board **9.16** The chair of a council must make an annual report to the Board on the activities of the council. The chair of a council shall also report to the Board at any time upon the request of the President or the Board.

**[Adopted July 1/00; Modified July 1/19]**

### ***Education and Qualification Council***

Establishment **9.16.1** The Education and Qualification Council is hereby established by the Institute.

**[Adopted Jan. 1/20]**

Duties and Purpose **9.16.2** The Education and Qualification Council shall have such powers and duties not in conflict with these Bylaws, as set out in the Policy on Councils, to

- (a) develop and enforce the Institute’s qualification requirements;
- (b) develop and maintain the Institute’s education system; and
- (c) develop, deliver and manage the Institute’s education and continuing education programs to advance the knowledge of candidates and members.

**[Adopted Jan. 1/20]**

### ***Member Services Council***

Establishment **9.17** **[Note: repealed July 1/14]**

**[Adopted July 1/00]**

Duties and purpose 9.18 **[Note: repealed July 1/14]**  
**[Adopted July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Composition and performance of duties 9.19 **[Note: repealed July 1/14]**  
**[Adopted July 1/00]**

#### ***Eligibility and Education Council***

Establishment 9.20 **[Note: repealed July 1/14]**  
**[Adopted July 1/00]**

Duties and purpose 9.21 **[Note: repealed July 1/14]**  
**[Adopted July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Composition and performance of duties 9.22 **[Note: repealed July 1/14]**  
**[Adopted July 1/00]**

#### ***Practice Standards Council***

Establishment 9.23 **[Note: repealed July 1/06]**  
**[Adopted July 1/00]**

Duties and purpose 9.24 **[Note: repealed July 1/06]**  
**[Adopted July 1/00; Modified Nov. 22/01; Modified Jan. 1/03]**

Composition and performance of duties 9.25 **[Note: repealed July 1/06]**  
**[Adopted July 1/00; Modified Nov. 22/01]**

Due process required to adopt Standards of Practice 9.25.1 **[Note: repealed July 1/06]**  
**[Adopted Nov. 22/01]**

Draft of proposed Standard of Practice	<b>9.25.2</b> <i>[Note: repealed July 1/06]</i> <i>[Adopted Nov. 22/01; Modified Jan. 1/03]</i>
Adoption of Standard of Practice	<b>9.25.3</b> <i>[Note: repealed July 1/06]</i> <i>[Adopted Nov. 22/01; Modified Jan. 1/03]</i>
Minor amendments	<b>9.25.4</b> <i>[Note: repealed July 1/06]</i> <i>[Adopted Nov. 22/01; Modified Jan. 1/03]</i>
Idem	<b>9.25.5</b> <i>[Note: repealed July 1/06]</i> <i>[Adopted Nov. 22/01]</i>
Review by the Board	<b>9.26</b> <i>[Note: repealed July 1/06]</i> <i>[Adopted July 1/00]</i>
<b><i>Practice Council</i></b>	
Establishment	<b>9.27</b> <i>[Note: repealed July 1/14]</i> <i>[Adopted July 1/06]</i>
Duties and purpose	<b>9.28</b> <i>[Note: repealed July 1/14]</i> <i>[Adopted July 1/06]</i>
Composition and performance of duties	<b>9.29</b> <i>[Note: repealed July 1/14]</i> <i>[Adopted July 1/06]</i>
<i>Ex officio</i> member	<b>9.29.1</b> <i>[Note: repealed July 1/14]</i> <i>[Adopted Jan. 1/07]</i>
Due process required to adopt practice-related material other than Standards of Practice	<b>9.30</b> <i>[Note: repealed July 1/14]</i> <i>[Adopted July 1/06]</i>

**Section 10**  
**Institute Meetings**

- Annual General Meetings      **10.01** (1) An Annual General Meeting shall be held each Board Year.  
[*Modified Sept. 10/97; Modified July 1/00;*  
*Modified July 1/18; Modified July 1/19*]
- Additional General Meetings      (2) Additional General Meetings may be convened by order of the Board, President or the President-elect, or at the written request of five percent or more of the Voting Members.  
[*Modified July 1/00; Modified July 1/01; Modified June 1/12;*  
*Modified July 1/18*]
- Date, time, and place or means by which a General Meeting will be held      **10.02** (1) The date, time, and place or means by which a General Meeting will be held shall be as determined by the Board, subject to the requirement that the General Meeting be held within 90 days after the order or the written request is made. [*Modified Sept. 10/97;*  
*Modified July 1/00; Modified July 1/18*]
- Notice      (2) A notice stating the date, time, and place or means by which a General Meeting will be held and the general nature of the business to be transacted, including all questions to be submitted to the Voting Members for confirmation, shall be given to each person entitled to attend such meeting, or entitled to notice thereof, not less than 14 or more than 75 days before the date of the meeting.  
[*Modified Sept. 10/97; Modified Oct. 29/01; Modified July 1/18*]
- Omission      (3) The accidental omission to give notice of any General Meeting to, or the non-receipt of any notice by, any person entitled to the notice shall not invalidate any resolution passed or any proceedings taken at such meeting. [*Modified Sept. 10/97*]

Voting at a meeting held in person      **10.03** (1) Except as provided in Bylaw 10.04, every question submitted to any General Meeting which is held in person shall be decided in the first instance by a show of hands and, in the event of a tie, the chair shall, both on a show of hands and at a recording of the number of votes in favour of and opposed to a motion, have a casting vote in addition to the vote the chair has as a Voting Member.

**[Modified March 25/98; Modified Nov. 1/03; Modified July 1/06; Modified June 1/12; Modified July 1/18; Modified July 1/19]**

Voting at a meeting held via electronic means      (1.1) Every question submitted to any General Meeting which is held via electronic means shall be decided, pursuant to Bylaw 10.04, by the number of votes submitted by proxy, in favour of and opposed to a motion, and in the event of a tie, the chair shall have a casting vote in addition to the vote the chair has as a Voting Member.

**[Adopted July 1/18; Modified July 1/19]**

Declaration of chair      (2) At any General Meeting held in person, unless a recording of the number of votes in favour of and opposed to a motion is demanded, as provided in Bylaw 10.03(4), a declaration by the chair that a resolution has been carried or carried unanimously or by any particular majority, or lost or not carried by a particular majority shall be conclusive evidence of the fact.

**[Modified Sept. 10/97; Modified July 1/18; Modified July 1/19]**

Choosing of chair      (3) At any General Meeting, if the President is absent, or is unable or refuses to act as chair, the President-elect or failing the President-elect, the Immediate Past President shall take the chair. If all Officers are absent, or are unable or refuse to act as chair, the Voting Members present at the meeting shall choose another member of the Board as chair, and if no member of the Board is present or if all the members of the Board present decline to take the chair, then the Voting Members shall choose one of their number who is a Fellow to be the chair.

**[Modified July 1/00; Modified July 1/01; Modified June 1/12; Modified July 1/19]**



- Recording of the number of votes (4) At any General Meeting held in person a recording of the number of votes in favour of and opposed to a motion may be demanded by a minimum of 25 Voting Members present in person and it shall be taken during the meeting in such a manner as the chair shall direct. **[Modified Sept. 10/97; Modified July 1/01; Modified June 1/12; Modified July 1/18; Modified July 1/19]**
- Proxies **10.04** Voting by proxy may be permitted only for the purpose of conducting a vote on a matter that pursuant to the Bylaws may be dealt with by the Voting Members at a General Meeting and only in accordance with procedures established by the Board, the terms of which shall not otherwise be in conflict with these Bylaws. **[Modified Nov. 1/03; Modified July 1/06; Modified June 1/12]**
- Quorum **10.05** (1) The number of Voting Members present to constitute a quorum shall be 100 for any Annual General Meeting and 50 for any other General Meeting. **[Modified June 1/12]**
- Quorum and notice required (2) Subject to Bylaw 10.02(3), no business shall be transacted at any General Meeting unless
- (a) the requisite quorum is present at the commencement of such business; and
  - (b) the requisite notice with respect to the meeting has been given to the persons entitled thereto.
- [Modified Sept. 10/97]**

**Section 11  
The Board**

***Requirements and Terms of Office of Members of the Board***

Membership	<b>11.01</b> (1) The Board shall consist of the Officers and 12 Directors, all elected or appointed as provided in this Section. <b>[Modified July 1/00; Modified Nov. 1/03; Modified July 1/06; Modified Jan. 1/07; Modified July 1/18]</b>
Membership – Reserved Director Position	(2) At least one Director shall be within seven years of having obtained Fellowship. <b>[Adopted July 1/18]</b>
Membership – Majority of Fellows	(3) At least seven Directors shall be Fellows. <b>[Adopted July 1/18]</b>
<i>Ex officio</i> participant	11.01.1 The Executive Director shall sit as an ex officio participant on the Board. <b>[Adopted July 1/19]</b>
Eligibility for election	<b>11.02</b> (1) To be eligible for election or appointment as an Officer, a person must be a Fellow who has not admitted guilt and accepted a recommendation of sanction pursuant to Bylaw 20.05 or been found guilty of an Offence by a Disciplinary Tribunal or an Appeal Tribunal in the last five years, and who has not been charged by the Professional Conduct Board pursuant to Bylaws 20.04(1)(c) or 20.04(1)(d) at the time of eligibility for election. <b>[Modified Nov. 20/98; Modified July 1/00; Modified June 1/12; Modified July 1/18; Modified Jan. 1/20]</b>

Idem (1.1) To be eligible for election or appointment as a Director, a person must be a Voting Member who has not admitted guilt and accepted a recommendation of sanction pursuant to Bylaw 20.05 or been found guilty of an Offence by a Disciplinary Tribunal or an Appeal Tribunal in the last five years, and who has not been charged by the Professional Conduct Board pursuant to Bylaws 20.04(1)(c) or 20.04(1)(d) at the time of eligibility for election.  
**[Adopted July 1/18]**

Idem (2) No Director whose term of office has not expired is eligible for election to the same office. No President shall be eligible for election to the same office for a second term or to any other office.  
**[Adopted July 1/00; Modified July 1/19]**

Terms of Office **11.03** Unless the office is vacated earlier,  
(a) each of the President, the President-elect and the Immediate Past President shall hold office for a period of one Board Year; and  
(b) each Director shall hold office for a period of three Board Years.  
**[Modified July 1/00; Modified July 1/01; Modified July 1/19]**

***Election of Members of the Board***

Eligibility for voting **11.04** All Voting Members shall be eligible to vote for members of the Board. Voting by proxy is not permitted.  
**[Modified July 1/00; Modified June 1/12]**

Standing for election **11.04.1** All Voting Members who  
(a) are eligible for election, pursuant to Bylaw 11.02, and  
(b) meet the nomination requirements set forth in the Election Rules of Procedure established by the Elections Committee, pursuant to Bylaw 11.05(1),  
may let their name stand for election to the Board, in accordance with the requirements set out in Bylaw 11.01.  
**[Adopted July 1/07; Modified June 1/12; Modified July 1/18]**

Elections  
Committee

**11.05 (1)** No later than February 25 each Board Year, the Governance and Nominations Committee shall appoint an Elections Committee consisting of at least eight Fellows drawn from various practice areas, geographic locations and levels of experience, which shall have the following duties:

- (a) adopt Election Rules of Procedure, not in conflict with these Bylaws, for the conduct of the election no later than April 8 of such Board Year;
- (b) identify and encourage qualified candidates to allow their name to stand for election, in accordance with Bylaw 11.01 and the Election Rules of Procedure;
- (c) prepare a list of candidates, in accordance with Bylaw 11.04.1, for election to the positions of President-elect and Director, as required, in accordance with the requirements set out in Bylaw 11.01;
- (d) cause one election ballot containing the list of candidates to be made available to each Voting Member no later than May 27 of such Board Year, in accordance with the Election Rules of Procedure;
- (e) once the ballots are counted, contact the candidates with the results of the election;
- (f) prepare a report to the Board following the election, which may include recommendations for improvements to the election process in the future; and
- (g) such other duties as may be prescribed to it by the Board from time to time.

**[Modified July 23/97; Modified March 25/98; Modified July 1/00; Modified July 1/01; Modified Nov. 1/03; Modified July 1/07; Modified June 1/12; Modified July 1/18; Modified July 1/19]**

Idem	<p>(2) No chair or vice-chair of the Tribunal Panel, member of the Board, or Voting Member whose name appears on the election ballot, shall be a member of the Elections Committee.</p> <p style="text-align: center;"><b>[Adopted Nov. 1/03; Modified July 1/07; Modified June 1/12; Modified July 1/18; Modified July 1/19]</b></p>
First ballot	<p><b>11.06</b> (1) <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/00; Modified July 1/01]</b></p>
Contents of first ballot	<p>(2) <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/00; Modified July 1/01; Modified Nov. 1/03]</b></p>
Forwarding to Members	<p><b>11.07</b> <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/00; Modified Nov. 1/03]</b></p>
Counting of votes on the first ballot	<p><b>11.08</b> (1) <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/00; Modified July 1/01; Modified Nov. 1/03]</b></p>
Idem	<p>(2) <b>[Note: repealed July 1/07]</b> <span style="float: right;"><b>[Adopted Nov. 1/03]</b></span></p>
Contents of second ballot	<p><b>11.09</b> <b>[Note: repealed July 1/07]</b>  <b>[Modified July 1/00; Modified July 1/01; Modified Nov. 1/03]</b></p>
Forwarding to Members	<p><b>11.10</b> <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/01; Modified Nov. 1/03]</b></p>
Delays	<p><b>11.11</b> <b>[Note: repealed July 1/07]</b>  <b>[Modified March 25/98; Modified July 1/01; Modified Oct. 29/01; Modified Nov. 1/03]</b></p>
If election not completed	<p><b>11.12</b> If, for any reason, an election is not completed before July 1 of any year, the President-elect shall nevertheless assume office as President, the Immediate Past President shall vacate office and be succeeded by the retiring President, and all Directors shall remain in office until such time as the election is completed.</p> <p style="text-align: center;"><b>[Modified March 25/98; Modified July 1/00; Modified July 1/01; Modified July 1/07; Modified July 1/19]</b></p>

Declaration of those elected      **11.13** After the ballots are counted, the Elections Committee shall declare elected those candidates receiving the highest number of votes in accordance with the Election Rules of Procedure. If any Director whose term of office has not expired is elected an Officer, the Elections Committee shall declare elected, to fill the vacancy so created among the Directors, and to serve for the remainder of the unexpired term, the candidate having the next highest number of votes from among the eligible candidates for Directors.  
[**Modified March 25/98; Modified July 1/00; Modified July 1/01; Modified July 1/07; Modified July 1/19**]

Irregularities in election      **11.14** If a petition signed by at least five Voting Members affirming that there have been irregularities in the election process is delivered by July 7 of any year to the chair of the Tribunal Panel, the said chair shall appoint a committee, to be designated a Committee of Adjudication, which shall consist of not less than five and not more than nine Voting Members (none of whom shall be members of the Elections Committee), who shall be empowered to resolve any irregularities which may be found. The decision of the Committee of Adjudication shall be final and without appeal.  
[**Modified Nov. 20/98; Modified July 1/00; Modified June 1/12; Modified July 1/19**]

#### **Vacancies**

Vacation of Office      **11.15** (1) The office of a member of the Board shall *ipso facto*, if not theretofore vacated, be vacated if such member  
(a) ceases to be a Voting Member;  
(b) resigns the office by notice in writing to the Institute; or  
(c) admits guilt and accepts a recommendation of sanction pursuant to Bylaw 20.05, is found guilty of an Offence by a Disciplinary Tribunal and no notice of appeal has been filed within the specified period for the filing of a notice of appeal, or is found guilty of an Offence by an Appeal Tribunal.  
[**Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Oct. 29/01; Modified June 1/12; Modified July 1/18**]

- Removal from Office (1.1) The Board may declare, by a vote of at least 75% of all members thereof, at a meeting called for the purpose, and following the execution of the process established by the Board, that the office of a member of the Board shall be vacated
- (a) by reason of the incapacity or dereliction of duty of such member;
  - (b) by reason of a finding that such member is likely to bring the Institute or the profession into disrepute; or
  - (c) for any reason that the Board, in its discretion, may determine to be valid. **[Adopted July 1/12]**
- Termination (2) The office of a member of the Board may also be terminated by resolution at any General Meeting if notice of submission of such resolution has been given to the Voting Members not less than 14 days before such meeting. **[Modified July 1/00; Modified June 1/12]**
- Abstain from participating (3) A member of the Board who has been charged by the Professional Conduct Board pursuant to Bylaws 20.04(1)(c) or 20.04(1)(d) shall abstain from participating in Board activities until the charge is dismissed by a Disciplinary Tribunal and no notice of appeal has been filed within the specified period for the filing of a notice of appeal, or until the charge is dismissed by an Appeal Tribunal.  
**[Adopted Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Oct. 29/01; Modified Jan. 1/20]**

Filling of  
vacancies

**11.16** (1) So long as there is a quorum of members of the Board remaining in office, when a vacancy occurs in the membership of the Board, other than by expiration of term of office, or by election of a Director as an Officer, such vacancy shall be filled as follows:

- (a) in the office of the President: by the President-elect for the balance of the current presidential term of office and one further term thereafter;
- (b) in the office of the President-elect: by election at the next general election, at which time both a President and a President-elect shall be elected in accordance with a procedure to be determined by the Elections Committee;
- (c) in the office of both the President and President-elect: by appointment by the Board of one of its members to the position of President, and by election of a Fellow to the position of President-elect, as described in Bylaw 11.16(1)(b);
- (d) in the office of the Immediate Past President: by appointment by the Board from among other past Presidents qualified for such office; and
- (e) in the office of any Director: by appointment by the Board from among those Voting Members qualified for such office.

**[Modified March 25/98; Modified July 1/00; Modified July 1/01;  
Modified June 1/12; Modified July 1/18; Modified July 1/19]**

Serving balance  
of term

(2) In the case of (c), (d) and (e) above, the member appointed or elected to fill the vacancy shall serve for the balance of the current term of the office vacated. Notwithstanding Bylaw 11.02(2), the member appointed to fill the vacancy shall be eligible to be elected to the same office after the balance of the current term of the office vacated has been served.

**[Modified July 1/00;  
Modified Nov. 1/03; Modified June 1/12; Modified July 1/18  
Modified July 1/19]**



Filling of  
vacancies

(3) When a vacancy occurs in the membership of the Board by reason of expiration of term of office, such vacancy shall be filled as follows:

- (a) in the office of the President: by the President-elect;
- (b) in the office of the Immediate Past President: by the retiring President; and
- (c) in the office of Director: by election by the Voting Members, as provided in this Section.

**[Modified July 1/00; Modified July 1/01; Modified June 1/12;  
Modified July 1/19]**

**Section 11.1**  
**The Actuarial Standards Board**

***[Note: Section 11.1 repealed Jan. 1/20]***

**Section 12**  
**Meetings of the Board**

Date, time and place	<p><b>12.01</b> (1) Meetings of the Board shall be held at such dates, times and places as the Board may determine, from time to time by resolution. A meeting of the Board may also be convened by the President or the President-elect, or by any four other members of the Board. Meetings may be held in person or by such methods of communication as the Board may select from time to time by resolution. <b>[Modified July 1/00; Modified July 1/01]</b></p>
Notice	<p>(2) Notice of the date, time and place of any meeting of the Board shall be given to each member of the Board, at least seven days before the appointed time. A member of the Board who becomes such within the period of seven consecutive days immediately preceding the meeting shall be given notice of such meeting as soon as is practicable. Meetings of the Board may be held at any date, time and place without formal notice if all the members of the Board are present, or those absent have waived notice or have signified their consent to the meeting being held in their absence to the President. <b>[Modified July 1/00; Modified July 1/19]</b></p>
Quorum	<p><b>12.02</b> (1) Members of the Board shall act honestly and in good faith with a view to the best interest of the Institute. They shall declare to the Board any situation which places them in a position of conflict of interest in respect of any item of business and shall refuse to participate in that item. <b>[Adopted Nov. 20/98; Modified July 1/00]</b></p>

Item	<p>(2) The quorum of the Board for a vote on a particular item of business is the greater of six and 50% of the number of members of the Board who have not declared themselves to be in a conflict of interest in respect of that item.</p> <p><b>[Note: Bylaw 12.02(2) was revised September 10, 1997 to reflect a quorum of eight. This revision was not confirmed at the November 20, 1997 General Business Session and has therefore lapsed.]</b>  <b>[Modified Nov. 20/98; Modified July 1/00]</b></p>
Voting	<p><b>12.03</b> (1) Unless provided otherwise, questions arising at any meeting of the Board shall be decided by a majority of votes.  <b>[Modified July 1/00]</b></p>
Tie	<p>(2) In the event of a tie, the chair of the meeting shall have a casting vote in addition to the vote the chair has as a member.  <b>[Modified July 1/19]</b></p>
Vacancy	<p><b>12.04</b> The Board may act notwithstanding any vacancy in its membership provided there is a quorum, and the other requisites to the constituting of a meeting of the Board have been met.  <b>[Modified July 1/00]</b></p>
Ex officio members	<p><b>12.05</b> <b>[Note: repealed July 1/18]</b>  <b>[Adopted Nov. 1/03; Modified July 1/06; Modified Jan. 1/07]</b></p>



Committee charged to oversee affairs of the Institute

**13.04** The Board shall appoint a Director who shall serve as chair of a committee of the Board charged to

- (a) ensure that a record of General Meetings and of meetings of the Board is kept;
- (b) ensure that notices of such meetings are sent out;
- (c) ensure that separate rolls of Fellows, Associates, Affiliates and Correspondents are maintained;
- (d) with the approval of the President, conduct the correspondence of the Institute;
- (e) subject to the instructions of the Board, be responsible for all records;
- (f) become custodian of the funds of the Institute;
- (g) ensure that notices of annual dues or other fees are sent out;
- (h) ensure that a full accounting is kept of all receipts and expenditures;
- (i) present at the Annual General Meeting a financial statement, which has been audited by a firm of chartered accountants appointed for that purpose by the Voting Members in accordance with Bylaw 10.03(1) or Bylaw 10.03(1.1); and
- (j) have such other powers and duties as may be assigned from time to time by the Board, the President or the Bylaws.

***[Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/18; Modified July 1/19; Modified July 1/21]***

Treasurer

**13.05** ***[Note: repealed July 1/00]***

The Board may delegate

**13.06** ***[Note: repealed July 1/19]***

***[Modified July 1/00]***

**Section 13.1**  
**Actuarial Standards Oversight Council**

*[Note: Section 13.1 repealed Jan. 1/20]*

**Section 13.2**  
**Actuarial Profession Oversight Board**

Establishment	<b>13.2.01</b> The Actuarial Profession Oversight Board is hereby established by the Institute. <b>[Adopted Jan. 1/20]</b>
Terms of reference and purpose	<b>13.2.02</b> (1) The Actuarial Profession Oversight Board shall have such powers and duties as set out in its terms of reference, not in conflict with these Bylaws, in order to be satisfied that the Institute's professionalism and standard-setting activities and related processes are appropriate and responsive to the public interest. <b>[Adopted Jan. 1/20]</b>
Idem	(2) The Board and the Actuarial Profession Oversight Board shall approve the terms of reference of the Actuarial Profession Oversight Board. <b>[Adopted Jan. 1/20]</b>
Composition	<b>13.2.03</b> (1) The Actuarial Profession Oversight Board shall consist of not less than nine members or more than 15 members, including a chair and vice-chair. <b>[Adopted Jan. 1/20]</b>
Idem	(2) The members of the Actuarial Profession Oversight Board shall be appointed as follows: <ul style="list-style-type: none"><li>(a) A maximum of three members of the Institute shall be appointed by the Board, at least one of which is currently serving on the Board;</li><li>(b) A minimum of six and a maximum of 12 non-members of the Institute shall be appointed by the Actuarial Profession Oversight Board in accordance with a skills matrix approved by the Board and the Actuarial Profession Oversight Board; and</li><li>(c) The chair of the Actuarial Profession Oversight Board shall not be a member of the Institute. <b>[Adopted Jan. 1/20]</b></li></ul>
<i>Ex officio</i> participant	<b>13.2.04</b> The Executive Director shall sit as an <i>ex officio</i> participant on the Actuarial Profession Oversight Board. <b>[Adopted Jan. 1/20]</b>



Committees and Task Forces	<p><b>13.2.05</b> (1) The Actuarial Profession Oversight Board may appoint such committees or task forces, as it may deem necessary or convenient for the performance of its duties. Subject to Bylaw 13.2.05 (3), such committees or task forces may be provided with such powers as may be necessary or convenient for the purposes for which these committees or task forces are appointed.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>
Idem	<p>(2) A committee or task force appointed by the Actuarial Profession Oversight Board shall consist of such persons as are considered by the Actuarial Profession Oversight Board to be qualified to serve on the committee or task force.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>
Idem	<p>(3) All actions taken by committees and task forces appointed by the Actuarial Profession Oversight Board shall be subject to review and approval by the Actuarial Profession Oversight Board.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>
Quorum	<p><b>13.2.06</b> The quorum of the Actuarial Profession Oversight Board for a vote on a particular item of business is 50% of the number of members thereof who have not declared themselves to be in a conflict of interest in respect of that item.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>
Meetings	<p><b>13.2.07</b> Members of the Actuarial Profession Oversight Board may hold meetings in person or by such methods of communication as it may select from time to time by resolution. Unless otherwise provided, every decision of the Actuarial Profession Oversight Board shall be taken by at least a majority of the members present at the meeting. In the event of a tie, the chair of the meeting does not have a casting vote, and the motion is considered to be defeated.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>
Annual report to the Board	<p><b>13.2.08</b> The chair of the Actuarial Profession Oversight Board must make an annual report to the Board on the activities of the Actuarial Profession Oversight Board.</p> <p style="text-align: right;"><b>[Adopted Jan. 1/20]</b></p>

***Establishment of Boards under the Oversight of the  
Actuarial Profession Oversight Board***

Establishment of boards	<p><b>13.2.09</b> In addition to the boards established by the Institute in Section 13.2, the Board and the Actuarial Profession Oversight Board may jointly establish one or more boards, which shall have such powers as may be necessary or convenient for the purposes for which they are appointed, and which shall be under the oversight of the Actuarial Profession Oversight Board. <b>[Adopted Jan. 1/20]</b></p>
Composition	<p><b>13.2.10</b> Unless otherwise provided in these Bylaws, each board established or pursuant to Section 13 shall</p> <ul style="list-style-type: none"><li>(a) consist of not less than six members or more than 15 members, including a chair and a vice-chair;</li><li>(b) consist of at least a two-thirds majority of members of the Institute;</li><li>(c) be appointed annually by the Actuarial Profession Oversight Board; and</li><li>(d) include no Directors and not more than one member of the Actuarial Profession Oversight Board. <b>[Adopted Jan. 1/20]</b></li></ul>
<i>Ex officio</i> participants	<p><b>13.2.11</b> The Executive Director shall sit as an <i>ex officio</i> participant on each board established pursuant to Section 13.2. <b>[Adopted Jan. 1/20]</b></p>
Quorum	<p><b>13.2.12</b> Unless otherwise provided, the quorum of a board established in section 13.2 of these Bylaws or pursuant to Bylaw 13.2.09, for a vote on a particular item of business is 50% of the number of members thereof who have not declared themselves to be in a conflict of interest in respect of that item. <b>[Adopted Jan. 1/20]</b></p>
Meetings	<p><b>13.2.13</b> Members of a board established pursuant to Section 13.2, may hold meetings in person or by such methods of communication as they may select from time to time by resolution. Unless otherwise provided, every decision of such board shall be taken by a at least majority of the members present at the meeting. In the event of a tie, the chair of the meeting does not have a casting vote, and the motion is considered to be defeated. <b>[Adopted Jan. 1/20]</b></p>

Appointment of Committees and Task Forces      **13.2.14** A board established pursuant to Section 13.2 may appoint such committees or task forces, as it may deem necessary or convenient for the performance of its duties. Subject to Bylaw 13.2.16, such committees or task forces may be provided with such powers as may be necessary or convenient for the purposes for which these committees or task forces are appointed.  
[Adopted Jan. 1/20]

Idem      **13.2.15** A committee or task force appointed by a board established pursuant to Section 13.2, shall consist of such persons as are considered by such board to be qualified to serve on the committee or task force.  
[Adopted Jan. 1/20]

Idem      **13.2.16** All actions taken by committees and task forces appointed by a board established pursuant to Section 13.2 shall be subject to review and approval by the appointing board.      [Adopted Jan. 1/20]

*Ex officio* participants      **13.2.17** The chair of each board established pursuant to Section 13.2 shall sit as *ex officio* participant on the Actuarial Profession Oversight Board.  
[Adopted Jan. 1/20]

Annual report to the Actuarial Profession Oversight Board      **13.2.18** The chair of each board established pursuant to Section 13.2 shall make an annual report to the Actuarial Profession Oversight Board on its activities. The chair of such board shall also report to the Actuarial Profession Oversight Board at any time upon request.  
[Adopted Jan. 1/20]

#### ***Actuarial Standards Board***

Transfer of oversight      **13.2.19** As of January 1, 2020, the Actuarial Standards Board, established by the Institute on July 1, 2006, shall be overseen by the Actuarial Profession Oversight Board.      [Adopted Jan. 1/20]

Terms of reference and purpose      **13.2.20** The Actuarial Standards Board shall have such powers and duties not in conflict with these Bylaws, to direct and manage the actuarial standard-setting process of the Institute and to adopt Standards of Practice in all areas of actuarial practice, within its sole discretion and pursuant to such procedures, not in conflict with these Bylaws, as it deems appropriate.      [Adopted Jan. 1/20]

### ***Professional Conduct Board***

Establishment, Terms of Reference and Purpose	<b>13.2.21</b> The Professional Conduct Board is hereby established by the Institute pursuant to Section 20 and shall have such powers and duties provided in, and not in conflict with, these Bylaws in order to handle the Institute’s disciplinary matters. <b>[Adopted Jan. 1/20]</b>
Composition	<b>13.2.22</b> The Professional Conduct Board shall consist of at least 10 members, including a chair and vice-chair. <b>[Adopted Jan. 1/20]</b>
Quorum	<b>13.2.23</b> Five members of the Professional Conduct Board shall constitute a quorum of the board, except that seven members shall constitute a quorum for the conduct of a vote to file a charge against a Fellow, Associate or Affiliate. <b>[Adopted Jan. 1/20]</b>

### ***Professionalism and Credential Monitoring Board***

Establishment	<b>13.2.24</b> The Professionalism and Credential Monitoring Board is hereby established by the Institute. <b>[Adopted Jan. 1/20]</b>
Terms of reference and purpose	<b>13.2.25</b> The Professionalism and Credential Monitoring Board shall have such powers and duties not in conflict with these Bylaws, to <ol style="list-style-type: none"><li>(a) direct and manage the Professional Continuing Qualification Standard-setting and compliance monitoring process established pursuant to Section 3;</li><li>(b) oversee the criminal convictions disclosure process pursuant to Bylaws 3.1.12 and 3.1.13;</li><li>(c) provide interpretation of the Rules of Professional Conduct; and</li><li>(d) provide input and advice with regard to the Institute’s qualification requirements and education programs from a professionalism and public interest perspective.</li></ol> <b>[Adopted Jan. 1/20]</b>

### ***Tribunal Panel***

#### Appointment

**13.2.26** The Actuarial Profession Oversight Board shall annually appoint a Tribunal Panel which shall consist of at least 15 Fellows, who have agreed in general terms to make themselves available for appointment to a Disciplinary Tribunal or an Appeal Tribunal. None of the President, the President-elect, the Immediate Past President or a member of the Professional Conduct Board shall be members of the Tribunal Panel. The Actuarial Profession Oversight Board shall also annually appoint two members of the Tribunal Panel to act as chair and vice-chair of the Tribunal Panel, who shall have such powers as may be necessary or convenient for the purposes for which they are appointed. ***[Adopted Jan. 1/20]***

**Section 14  
Executive Committee**

*[Note: Section 14 repealed July 1/00]*

**Section 15  
Organizations Affiliated with or Sponsored by  
or Operating Under the Auspices of the  
Institute**

Procedure      **15.01** An organization, the membership of which includes defined classes of Fellows, Associates, Affiliates, Correspondents, or other classes of membership as appropriate, may make application to the Board to become affiliated with or sponsored by or to operate under the auspices of the Institute. The Board may approve such application, subject to such terms and conditions, and for such period, as it deems appropriate from time to time.  
*[Modified Sept. 10/97; Modified July 1/00; Modified July 1/01;  
Modified Jan. 1/03; Modified June 1/12]*

**Section 16  
Responsibility and Indemnity of Members of the  
Board and Others**

Responsibility      **16.01** No member of the Board, as such, shall be deemed to be held or be held responsible for any act, default, obligation or liability of the Institute, or for any engagement, claim, payment, loss, injury, transaction, matter or thing whatsoever relating to the Institute, unless the same shall be the result of such person's own wrongful or willful act, neglect or default. *[Modified July 1/00]*

Indemnity      **16.02** Every member of the Board or other person who undertakes any liability on behalf of the Institute shall be indemnified and saved harmless out of the funds of the Institute against all expenses whatsoever which such member of the Board or other person sustains in connection with any action or suit that may be brought in connection with any act whatsoever done by such person in the execution of the duties of the office held by such person or in respect of any such liability. *[Modified July 1/00]*







- Confirmation by Voting Members (2) At the said meeting, the Voting Members may change the Bylaws, rules, regulations or Guiding Principles, provided that not less than two-thirds of the Voting Members who vote on the proposal concur in such repeal, re-enactment, alteration, addition or other change. **[Modified July 1/06; Modified June 1/12; Modified July 1/18]**
- Notice is proof of adoption **18.03** (1) Publication or notice, in any form, of a Bylaw, rule, regulation, Guiding Principle or recommendation, by the Institute to Fellows, Associates and Affiliates,  
 (a) is *prima facie* proof of its contents, of its adoption by the Board and of its confirmation by the Voting Members where required, and  
 (b) shall be deemed to be notice of its contents to Fellows, Associates and Affiliates.  
**[Adopted July 23/97; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified July 1/06; Modified June 1/12]**
- Official notice by tribunals (2) A Disciplinary Tribunal and an Appeal Tribunal shall take official notice of the valid adoption and confirmation of the Bylaw, rule, regulation, Guiding Principle or recommendation, as well as of its contents and of its publication, without being specially pleaded.  
**[Adopted July 23/97; Modified July 1/06]**
- Certified copy (3) In every case in which the original record could be admitted in evidence, a copy of a document, Bylaw, rule, regulation, Guiding Principle, recommendation or proceeding of the Institute purporting to be certified under the seal of the Institute and the hand of the Executive Director thereof, is admissible in evidence without proof of the seal of the Institute or of the signature or official character of the person appearing to have signed it.  
**[Adopted July 23/97; Modified July 1/06]**

**Section 19**  
**Public Statements**

Subject matter     **19.01** The Institute may issue a public statement within the competence of actuaries that is consistent with its mission, vision, and values. An Institute public statement need not limit itself solely to statements of fact, but may also draw inferences from statement of fact, express opinions, and advocate, in order to provide the public with the benefit of the full range of the profession’s capabilities.

**[Modified July 1/17]**

Procedure           **19.02** (1) Such public statements shall be made in such manner and upon such terms and conditions as the Board may determine from time to time.

**[Modified July 1/00; Modified July 1/17]**

(2) In accordance with the terms and conditions established under Bylaw 19.02 (1), the process will include member input and Board ratification when the public statement is considered by the Board or, alternatively, by the President, to have a substantial element that goes beyond the scope and content of existing actuarial standards of practice, guidance, research, or public statements.

**[Adopted July 1/17]**

**Section 20**  
**Discipline**

***Constitution and Powers of the Professional Conduct Board***

Jurisdiction of the Professional Conduct Board	<p><b>20.01</b> (1) The Professional Conduct Board is constituted to handle all disciplinary matters concerning the Institute’s Fellows, Associates and Affiliates and to provide them with counselling and education concerning disciplinary matters. The Professional Conduct Board shall deal with</p> <ul style="list-style-type: none"><li>(a) every complaint alleging that a Fellow, Associate or Affiliate has committed an Offence;</li><li>(b) any information that it may receive concerning the conduct of a Fellow, Associate or Affiliate; and</li><li>(c) every general inquiry.</li></ul> <p><b><i>[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]</i></b></p>
Idem	<p>(1.1) The Professional Conduct Board shall also handle all disciplinary matters concerning members of bilateral organizations, as defined in Bylaw 20.14, regarding such members’ practice or professional conduct in Canada in accordance with Bylaws 20.13 to 20.17 and Section 21. In Sections 20 and 21, the terms “Fellow”, “Associate”, “Affiliate” and “Respondent” shall include a member of a bilateral organization for the purposes set out in Bylaws 20.13 to 20.17 and Section 21.</p> <p><b><i>[Adopted Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]</i></b></p>
Composition and quorum	<p>(2) <b><i>[Note: repealed Jan. 1/20]</i></b></p> <p><b><i>[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; July 1/19]</i></b></p>

Delegation to sub-group (2.1) The chair of the Professional Conduct Board may appoint a sub-group which shall consist of no more than three of its members and shall have such powers as may be necessary or convenient for the purposes for which the sub-group is appointed. Notwithstanding any other Bylaw, the Professional Conduct Board may delegate any of its duties and powers to such sub-group, including those set out in Bylaws 20.02(4), 20.02(5), 20.03(1) and 20.03(2), but shall not delegate its duties and powers to dismiss a complaint or information as set out in Bylaws 20.02(6) and 20.04(1)(a), to lay a complaint as set out in Bylaws 20.02(7) and 20.03(6), to refer a complaint to an Investigation Team as set out in Bylaw 20.02(7), to file a charge and proceed with private admonishment proceedings as set out in Bylaws 20.02(7.1), 20.04(1)(b) and 20.04.1(1), to file a charge and make a recommendation of sanction as set out in Bylaws 20.04(1)(c) and 20.05(1), to file a charge and refer it to a Disciplinary Tribunal as set out in Bylaws 20.04(1)(d) and 20.04(3), or to refer a previous charge to a Disciplinary Tribunal as set out in Bylaws 20.04.1(4) and 20.05(5).  
**[Adopted Oct. 20/06; Modified July 1/19; Modified Jan. 1/20]**

Secretary (3) The chair of the Professional Conduct Board shall appoint one of its members as its Secretary who shall ensure that the records of the Professional Conduct Board are kept. **[Modified Nov. 20/98; Modified July 1/19; Modified Jan. 1/20]**

Immediate Past President on the Committee on Professional Conduct (4) **[Note: repealed Jan. 1/20]**  
**[Modified Nov. 20/98; Modified July 1/00; Modified July 1/18; Modified July 1/19]**

Executive Director as ex officio participant on the Professional Conduct Board (4.1) The Executive Director shall sit as an ex officio participant on the Professional Conduct Board. **[Adopted July 1/18; Modified Jan. 1/20]**

- Conflict of interest (5) Members of the Professional Conduct Board must refuse to participate in any matter in which they consider themselves to be in a position of conflict of interest. If the chair or the Secretary of the Professional Conduct Board is in such a conflict, a chair or Secretary shall be appointed by the other participating members or by the chair of the Professional Conduct Board, as the case may be, regarding that matter.  
**[Modified Nov. 20/98; Modified July 1/19; Modified Jan. 1/20]**
- Meetings (6) Members of the Professional Conduct Board may hold meetings in person or by such methods of communication as the Professional Conduct Board may select from time to time by resolution. Every decision of the Professional Conduct Board shall be taken by a majority of the members present at the meeting. In the event of a tie, the chair does not have a casting vote, and the motion is considered to be defeated.  
**[Modified Nov. 20/98; Modified July 1/01; Modified July 1/19; Modified Jan. 1/20]**
- Confidentiality of deliberations (7) Except as provided in the Bylaws, the deliberations of the Professional Conduct Board and any of the Investigation Teams, including the records and minutes, are confidential, unless the Professional Conduct Board otherwise decides in relation to a particular matter. Meetings of the Professional Conduct Board may only be attended by its members and by any other person invited to attend by the chair of the Professional Conduct Board.  
**[Adopted Nov. 5/96; Modified Nov. 20/98; Modified July 1/19; Modified Jan. 1/20]**
- Idem (8) All persons present at a meeting of the Professional Conduct Board or of an Investigation Team shall be personally bound to uphold the confidentiality of the deliberations and of any information obtained in connection with such a meeting, whether verbal or in written form, and whether obtained before, during or after such a meeting.  
**[Adopted Nov. 5/96; Modified Nov. 20/98; Modified Jan. 1/20]**
- Idem (9) If confidential information is sought from a person bound by this Section, such person shall immediately inform the chair of the Professional Conduct Board of such a request and refrain from responding to the request unless authorised expressly by the chair of the Professional Conduct Board, or required to do so by law or by order of a Disciplinary Tribunal or an Appeal Tribunal.  
**[Adopted Nov. 5/96; Modified Nov. 20/98; Modified July 1/19; Modified Jan. 1/20]**

### ***General Inquiry***

- Inquirer                   **20.01.1**(1) A general inquiry may be made by any person or organization. **[Adopted Nov. 20/98]**
- Content of general inquiry           (2) The Professional Conduct Board shall receive general inquiries on the appropriateness of the Institute’s Standards of Practice, Rules of Professional Conduct or accepted actuarial practice. A general inquiry shall not refer to the identity of, or the work performed by, any Fellow, Associate or Affiliate. Any request or information that makes such reference shall be dealt with as a complaint or information in accordance with Section 20.  
**[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**
- Referral                   (3) A general inquiry shall be referred by the Professional Conduct Board to the appropriate committee of the Institute. However, if such a general inquiry is not within the mandate of a specific committee of the Institute, it shall be referred to the Officers to decide on the forum for consideration of the inquiry.  
**[Adopted Nov. 20/98; Modified July 1/00; Modified Jan. 1/20]**
- Response                   (4) The committee or other forum to which the general inquiry is referred shall provide its response regarding the inquiry to the inquirer in writing within a reasonable period of time.  
**[Adopted Nov. 20/98]**

### ***Laying of a Complaint and Providing Information***

- Laying of a complaint or providing information           **20.02** (1) A complaint may be laid or information may be provided by any person or organization, including a bilateral organization, regarding the practice of a Fellow, Associate or Affiliate or regarding the practice in Canada of a member of a bilateral organization, in accordance with Bylaws 20.13 to 20.17. Every complaint or information shall be received by the Secretary of the Professional Conduct Board. **[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Jurisdiction (2) The Professional Conduct Board shall determine whether it has jurisdiction, pursuant to Bylaw 20.01(1), to handle the complaint or information received. If the Professional Conduct Board decides that the matter should be handled by a bilateral organization, the Secretary of the Professional Conduct Board shall forward the complaint or information to that organization. Should that organization refuse to handle the matter or should it be unclear whether the matter constitutes practice in Canada or practice in the jurisdiction of the bilateral organization, the Professional Conduct Board shall retain jurisdiction to handle the complaint or information received in accordance with the Bylaws.

**[Modified Nov. 20/98; Modified Jan. 1/20]**

Confidentiality agreement (3) Where a person or an organization lays a complaint against, or provides information concerning, a Fellow, Associate or Affiliate, the Professional Conduct Board shall promptly request that the complainant or informant agree in writing to keep confidential any information provided to such complainant or informant on a confidential basis concerning the application of the disciplinary process, if any, to the Fellow, Associate or Affiliate. If the complainant or informant refuses or fails to provide such written agreement, the Professional Conduct Board shall not provide such complainant or informant with any further notification or confidential information concerning the application of the disciplinary process, if any, to the Fellow, Associate or Affiliate.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Information from complainant or informant (4) Before deciding whether an Offence may have been committed by a Fellow, Associate or Affiliate, the Professional Conduct Board may communicate with the complainant or informant to obtain additional information regarding the complaint laid or information received, to the extent required to determine whether an Offence may have been committed.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Response by  
Fellow,  
Associate or  
Affiliate

(5) Before deciding whether an Offence may have been committed by a Fellow, Associate or Affiliate, the Professional Conduct Board may deliver a copy of the complaint laid or information received, as well as any additional information obtained pursuant to Bylaw 20.02(4), to the Fellow, Associate or Affiliate. Within 30 days of such delivery, or such greater period as the Professional Conduct Board may consider appropriate in the circumstances, the Fellow, Associate or Affiliate may provide a written response thereto or any other explanation which may be warranted in the circumstances.

***[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03;  
Modified Oct. 20/06; Modified June 1/12; Modified Jan. 1/20]***

Dismissal and  
letter of advice

(6) Where, on the basis of all information obtained, the Professional Conduct Board is of the opinion that an Offence has not been committed by the Fellow, Associate or Affiliate, it shall dismiss the complaint or information and shall notify the Fellow, Associate or Affiliate and, subject to Bylaw 20.02(3), the complainant or informant within a reasonable period of time in writing of this decision. It shall forward a copy of the complaint laid or information received to the Fellow, Associate or Affiliate. In addition to the notice of the decision, the Professional Conduct Board may send to the Fellow, Associate or Affiliate a letter of advice, which may include any educational or counselling materials as the Professional Conduct Board may consider appropriate in the circumstances. The Professional Conduct Board shall disclose the letter of advice only to the Fellow, Associate or Affiliate and shall not keep a record thereof. All those involved in the creation and production of the letter of advice shall be personally bound to secrecy.

***[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03;  
Modified Oct. 20/06; Modified June 1/12; Modified Jan. 1/20]***



Referring complaint to Investigation Team (7) Where, on the basis of all information obtained, the Professional Conduct Board is of the opinion that an Offence may have been committed by the Fellow, Associate or Affiliate, it shall refer the complaint laid to an Investigation Team, or the Professional Conduct Board shall lay a complaint against the Respondent on the basis of the information received from the informant and refer such complaint to an Investigation Team. It shall notify the Respondent and, subject to Bylaw 20.02(3), the complainant or informant within a reasonable period of time in writing of this decision.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Referring to private admonishment (7.1) Where, on the basis of all information obtained, including any information obtained from the Fellow, Associate or Affiliate, the Professional Conduct Board finds, having regard to the relative gravity of the matter and the interest of the public and the Institute that a complaint is justified and that referring the matter to an Investigation Team is not required, it shall, based on the complaint laid or following the laying of a complaint against the Respondent on the basis of the information received from the informant, file a charge and proceed with private admonishment proceedings in accordance with Bylaw 20.04.1.

**[Adopted Oct. 20/06; Modified June 1/12; Modified Jan. 1/20]**

Continuing jurisdiction (8) Any person who becomes disqualified from being a Fellow, Associate or Affiliate, or voluntarily ceases to be a Fellow, Associate or Affiliate, shall remain subject to the disciplinary jurisdiction of the Professional Conduct Board for the acts or omissions committed while being a Fellow, Associate or Affiliate.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

### ***The Investigation Team***

Appointing of Investigation Team **20.03** (1) When the Professional Conduct Board refers a complaint to an Investigation Team under Bylaw 20.02(7), it shall appoint the Investigation Team to carry out an investigation. Such Investigation Team shall consist of no more than three persons. No member of the Board or of the Actuarial Profession Oversight Board shall act as a member of an Investigation Team.

**[Modified Nov. 20/98; Modified July 1/00; Modified Jan. 1/20]**

- Report and response from Respondent (2) An Investigation Team shall prepare a report containing the findings of its investigation. Said report shall be transmitted to the Professional Conduct Board within 30 days after its completion. Once the Professional Conduct Board has accepted the report, it shall subsequently transmit the report to the Respondent. Within 30 days of such delivery, or such greater period as the Professional Conduct Board may consider appropriate in the circumstances, the Respondent may submit to the Secretary of the Professional Conduct Board a written response to the report of the Investigation Team or any other explanation which may be warranted in the circumstances.  
**[Modified Nov. 20/98; Modified Oct. 20/06; Modified Jan. 1/20]**
- Inquiries (3) In preparing its report, an Investigation Team may carry out such inquiries as it deems proper under the circumstances. It may interview the Respondent, the complainant and any other Fellow, Associate or Affiliate or other person who may have relevant information. Any person being interviewed by an Investigation Team, including the Respondent, may be assisted or represented by legal counsel.  
**[Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**
- Production of documents (4) In the course of its investigation, an Investigation Team may require the production of any books, documents, records or other papers relevant to the investigation and which may be in the possession or control of any Fellow, Associate or Affiliate, including the Respondent.  
**[Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Offence to hinder work

- (5) It shall be an Offence for a Fellow, Associate or Affiliate to
- (a) hinder in any way the work of an Investigation Team or any one of its members in the performance of its duties as carried out according to the Bylaws;
  - (b) fail to respond within 30 days to an inquiry from an Investigation Team;
  - (c) mislead an Investigation Team or any one of its members by concealment or by false declarations;
  - (d) refuse to produce any information or document relating to an inquiry; or
  - (e) refuse to let a copy be made of any relevant document.
- [Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Conduct of other Fellows, Associates or Affiliates

- (6) In the course of its investigation, an Investigation Team may investigate the conduct of any other Fellow, Associate or Affiliate to the extent that such conduct is relevant to the matter being investigated. If, in such instance, the Investigation Team determines that an Offence may have been committed by that Fellow, Associate or Affiliate, it shall recommend promptly that the Professional Conduct Board lay a complaint against said Fellow, Associate or Affiliate. Unless otherwise determined by the Professional Conduct Board, any further investigation of the complaint shall be conducted by the same Investigation Team.
- [Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

### ***Decisions of the Professional Conduct Board***

- Decisions                    **20.04** (1) After reviewing the report of an Investigation Team and the response provided by the Respondent, if any, the Professional Conduct Board shall
- (a) dismiss the complaint;
  - (b) file a charge and proceed with private admonishment proceedings, pursuant to Bylaw 20.04.1;
  - (c) file a charge and make a recommendation of sanction to the Respondent, subject to an admission of guilt by the Respondent, pursuant to Bylaw 20.05; or
  - (d) file a charge and refer it to a Disciplinary Tribunal, pursuant to Bylaw 20.06.                    **[Modified Nov. 20/98; Modified July 1/00; Modified Jan. 1/20]**
- Dismissal and letter of advice                    (2) If the Professional Conduct Board dismisses a complaint, it shall notify the Respondent and, subject to Bylaw 20.02(3), the complainant or informant within a reasonable period of time. The notice shall be in writing and shall state the reasons for the dismissal. In addition to such notice, the Professional Conduct Board may send to the Respondent a letter of advice, which may include any educational or counselling materials as the Professional Conduct Board may consider appropriate in the circumstances. The Professional Conduct Board shall disclose the letter of advice only to the Respondent and shall not keep a record thereof. All those involved in the creation and production of the letter of advice shall be personally bound to secrecy.                    **[Modified Nov. 20/98; Modified Jan. 1/20]**
- Filing of charge and referring charge to Disciplinary Tribunal                    (3) If the Professional Conduct Board finds that a complaint is justified, and that proceedings pursuant to Bylaws 20.04.1 or 20.05 are not appropriate, it must then file a charge against the Respondent and refer it to a Disciplinary Tribunal for a hearing. The Professional Conduct Board shall notify the Respondent within a reasonable period of time in writing of this decision, and shall publish and provide a notice in accordance with Bylaw 20.04(3.1).                    **[Modified Nov. 20/98; Modified July 1/05; Modified Jan. 1/20]**

Notice of the charge (3.1) If the Professional Conduct Board files a charge against the Respondent and refers it to a Disciplinary Tribunal for a hearing pursuant to Bylaw 20.04(3), 20.04.1(4) or 20.05(5), the Executive Director shall publish, within 60 days after notifying the Respondent of the Professional Conduct Board's decision, a notice available to the public and the membership in such a manner as the Executive Director may determine. Such notice shall contain

- (a) the charge;
- (b) the name and the principal practice address of the Respondent;
- (c) the specialty area in which the Respondent practices, if any; and
- (d) a statement advising that the Respondent has been charged, but that the Disciplinary Tribunal hearing has not yet been held and its decision has not yet been rendered.

Subject to Bylaw 20.02(3), the Professional Conduct Board shall provide a copy of this notice to the complainant within a reasonable period of time. **[Adopted July 1/05; Modified Jan. 1/20]**

#### ***Private Admonishment***

Filing of charge and referring for private admonishment proceedings **20.04.1(1)** If the Professional Conduct Board finds, having regard to the relative gravity of the matter and the interests of the public and the Institute, that the complaint is justified and that proceedings pursuant to Bylaws 20.05 and 20.06 are not appropriate, it shall file a charge and refer it to no more than three representatives from the Professional Conduct Board, chosen by the chair of the Professional Conduct Board, for private admonishment proceedings.

**[Adopted Nov. 20/98; Modified Oct. 20/06; Modified July 1/19; Modified Jan. 1/20]**

Informing Respondent (2) The Professional Conduct Board shall deliver the charge and a written notice of private admonishment proceedings to the Respondent within a reasonable period of time.

**[Adopted Nov. 20/98; Modified Jan. 1/20]**

Attendance at informal meeting (3) Within 60 days of such delivery, or such greater period as the Professional Conduct Board may consider appropriate in the circumstances, the Respondent shall personally attend an informal meeting with the representatives from the Professional Conduct Board in order to discuss the charge.

**[Adopted Nov. 20/98; Modified Jan. 1/20]**

- Absence of Respondent (4) If the Respondent refuses or fails to attend such an informal meeting, without reasonable excuse, the Professional Conduct Board may refer the charge against the Respondent to a Disciplinary Tribunal for a hearing. The Professional Conduct Board shall notify the Respondent within a reasonable period of time in writing of this decision, and shall publish and provide a notice in accordance with Bylaw 20.04(3.1). **[Adopted Nov. 20/98; Modified July 1/05; Modified Jan. 1/20]**
- Right to respond (5) At the informal meeting, the Respondent shall have an opportunity to respond to the charge. **[Adopted Nov. 20/98]**
- Decision and confirmation (6) After considering the response provided by the Respondent at the informal meeting, the representatives of the Professional Conduct Board shall decide whether to dismiss the charge or to issue a private admonishment, and shall forthwith inform the Respondent of the decision to dismiss the charge or shall give the Respondent a private admonishment in person. Within 15 days thereof, they shall confirm to the Respondent in writing the decision to dismiss the charge or to issue a private admonishment. They shall notify, subject to Bylaw 20.02(3), the complainant within a reasonable period of time in writing of the decision to dismiss the charge or to issue a private admonishment. They shall notify, subject to Bylaw 20.02(3), the informant within a reasonable period of time in writing of the decision to dismiss the matter. **[Adopted Nov. 20/98; Modified Jan. 1/20]**
- Written confirmation (7) The written confirmation of a private admonishment shall contain a summary of the facts, the charge filed against the Respondent, reasons for the decision and a copy of any written response and documents provided by the Respondent at the informal meeting. The written confirmation shall be signed by all representatives of the Professional Conduct Board. **[Adopted Nov. 20/98; Modified Oct. 20/06; Modified Jan. 1/20]**

Confidentiality

(8) The Secretary of the Professional Conduct Board shall ensure that a copy of the written confirmation of the private admonishment is placed in a special file for a period of five years from the date it is signed, after which time it shall be destroyed. A private admonishment shall not be disclosed and all those present at the informal meeting shall be personally bound to secrecy, subject to:

- (a) the right of the complainant to be informed pursuant to Bylaw 20.04.1(6);
- (b) the right of the members of the Professional Conduct Board to be informed about the private admonishment proceedings to the extent necessary for the performance of their duties; and
- (c) the right of the members of a Disciplinary Tribunal or Appeal Tribunal, in a subsequent hearing against the Respondent, to be informed about and take into consideration such private admonishment, provided the alleged Offence being considered by the Tribunal is similar in nature to the matter that was the subject of such private admonishment.

***[Adopted Nov. 20/98; Modified Jan. 1/20]***

### **Charge and Recommendation of Sanction**

Filing of charge and recommendation	<p><b>20.05</b> (1) If the Professional Conduct Board finds, having regard to the relative gravity of the matter and the interests of the public and the Institute, that the complaint is justified and that proceedings pursuant to Bylaws 20.04.1 or 20.06 are not appropriate, it shall file a charge and make a recommendation that the Respondent, admit guilt in writing for the acts or omissions that form the basis of the charge, and accept a reprimand. In addition, the recommendations of the Professional Conduct Board may require that the Respondent agree to one or more of the following sanctions:</p> <ul style="list-style-type: none"><li>(a) completion of one or more courses of instruction prescribed by the Professional Conduct Board;</li><li>(b) payment of a fine not exceeding \$5,000;</li><li>(c) payment of all or part of the fees and expenses of legal counsel for the Professional Conduct Board incurred to commence and complete the matter;</li><li>(d) such corrective or remedial action as the Professional Conduct Board considers appropriate.</li></ul> <p style="text-align: right;"><b>[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/20]</b></p>
Admission or denial of guilt	<p>(2) The Professional Conduct Board shall deliver the charge and its recommendation of sanction to the Respondent. Within 30 days of such delivery, or such greater period as the Professional Conduct Board may consider appropriate in the circumstances, the Respondent shall, in writing, either admit guilt and accept the recommendation or decline to do so. <b>[Modified Nov. 20/98; Modified Jan. 1/20]</b></p>
Informing complainant	<p>(3) If an admission of guilt is entered and the recommendation of sanction is accepted, both in writing, by the Respondent, the Respondent shall comply with the conditions thereof, and the complainant shall be informed within a reasonable period of time in writing of the admission of guilt and the accepted recommendation of sanction. <b>[Modified Nov. 20/98]</b></p>
Deemed to have declined	<p>(4) If the Respondent fails either to admit guilt or to accept the recommendation of sanction within the period set by the Professional Conduct Board, the Respondent is deemed to have declined to accept the recommendation of sanction. <b>[Modified Nov. 20/98; Modified Jan. 1/20]</b></p>



Declines to accept

(5) If the Respondent fails to comply with the recommendation of sanction or its terms and conditions, or if the Respondent declines to accept the recommendation of sanction, the Professional Conduct Board must then refer the charge against the Respondent to a Disciplinary Tribunal for a hearing. The Professional Conduct Board shall notify the Respondent within a reasonable period of time in writing of this decision, and shall publish and provide a notice in accordance with Bylaw 20.04(3.1).

**[Modified Nov. 20/98; Modified July 1/05; Modified Jan. 1/20]**

***Disciplinary Tribunal: Hearing of a Charge***

Appointing of Disciplinary Tribunal

**20.06** (1) The chair of the Tribunal Panel shall appoint a Disciplinary Tribunal to hear a charge filed against a Fellow, Associate or Affiliate. If the chair of the Tribunal Panel is in a position of conflict of interest or is otherwise unable to appoint a Disciplinary Tribunal, the vice-chair of the Tribunal Panel shall appoint the Disciplinary Tribunal in accordance with this Bylaw. Except as provided in Bylaw 20.06(13), a Disciplinary Tribunal shall consist of three members, two of whom shall be members of the Tribunal Panel. The third member, who shall be a retired judge, shall be the chair of the Disciplinary Tribunal. In the event that two members of a Disciplinary Tribunal cannot be appointed from the Tribunal Panel, the chair or the vice-chair of the Tribunal Panel may appoint a Fellow to sit as a member of a Disciplinary Tribunal. None of the President, the President-elect, the Immediate Past President, the members of the Investigation Team that investigated the complaint laid against the Respondent, the chair of the Tribunal Panel or the vice-chair of the Tribunal Panel shall be eligible to sit as a member of a Disciplinary Tribunal.

**[Modified July 23/97; Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/19]**

Conflict of interest	<p>(2) The parties to a hearing before a Disciplinary Tribunal shall be notified by the chair of the Tribunal Panel of the composition of the Disciplinary Tribunal within 10 days after its appointment. A party may request the removal of a member of the Disciplinary Tribunal, should there be a conflict of interest between said member of the Disciplinary Tribunal and one of the parties, or should a member of the Disciplinary Tribunal appear biased for any other reason under the circumstances. A member of a Disciplinary Tribunal who is aware of grounds for such member's removal must so declare forthwith.</p> <p style="text-align: right;"><b>[Modified Nov. 20/98; Modified July 1/19]</b></p>
Plea of guilt	<p>(3) A Fellow, Associate or Affiliate against whom a charge has been filed may enter a plea of guilty prior to the scheduled hearing. Such plea shall be made in writing by the Respondent or the Respondent's legal counsel to the chair of the Professional Conduct Board or its legal counsel.</p> <p style="text-align: right;"><b>[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/19; Modified Jan. 1/20]</b></p>
Mediation	<p>(3.1) The Professional Conduct Board and the Respondent may retain the services of a mediator prior to the scheduled hearing and on mutually agreed terms and conditions. The mediator shall be an impartial person whose role is to assist the parties to communicate in good faith with each other and, where appropriate, to assist and encourage the parties to agree on a statement of facts, a recommended penalty and any other submissions and materials that may subsequently be presented to the Disciplinary Tribunal for its consideration.</p> <p style="text-align: right;"><b>[Adopted Nov. 20/98; Modified Jan. 1/20]</b></p>
Parties	<p>(4) The Respondent shall be a party to the hearing. The Professional Conduct Board shall be a party to the hearing and shall conduct the prosecution before the Disciplinary Tribunal.</p> <p style="text-align: right;"><b>[Modified Nov. 20/98; Modified Jan. 1/20]</b></p>
Right to legal counsel	<p>(5) A party appearing before a Disciplinary Tribunal has the right to be assisted or represented by legal counsel.</p>

- Prior notice (6) The Executive Director shall give prior notice of at least 15 days of the date, time and place of any hearing of a Disciplinary Tribunal to the parties and to their legal counsel, if known, unless a hearing date is set during a hearing, all parties being present. Approximately 15 days before the date of the commencement of the hearing before the Disciplinary Tribunal, the Executive Director shall publish a notice available to the public and the membership in such manner as the Executive Director may determine. Such notice available to the public and the membership shall include the date, time and place of the hearing of the Disciplinary Tribunal and a summary of the charge, and shall disclose the name of the Fellow, Associate or Affiliate charged.  
**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified July 1/05; Modified June 1/12]**
- Absence of Respondent (7) A Disciplinary Tribunal may conduct a hearing in the absence of the Respondent if said Respondent does not appear on the date and at the time and place set out in the notice.
- Hearing shall be public (8) Except as provided herein, every hearing before a Disciplinary Tribunal shall be public. Nevertheless, of its own initiative or upon request, the Disciplinary Tribunal may, at its discretion, order that a hearing be held *in camera* or ban the publication or release of any information or document it indicates to preserve professional secrecy or to protect a person's privacy or reputation, or in the interest of public order.
- In camera* hearing (9) Where an *in camera* hearing is ordered, all those present at the hearing shall be personally bound to secrecy, subject to the right of the members of the Professional Conduct Board and members of the Appeal Tribunal, as described below, to be informed about the proceedings to the extent necessary for the performance of their duties.  
**[Modified Nov. 20/98; Modified Jan. 1/20]**

Parties, legal counsel and witnesses	<p>(10) A Disciplinary Tribunal shall hear the parties, their legal counsel and their witnesses, may inquire into the relevant facts and may call any person to testify on such facts. The witnesses may be examined or cross-examined by the parties. A Fellow, Associate or Affiliate testifying before a Disciplinary Tribunal shall be bound to answer all questions. This evidence is privileged and cannot be used against that individual before any court of justice.</p> <p style="text-align: right;"><b>[Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]</b></p>
Procedure and practice	<p>(11) The practice and procedure before a Disciplinary Tribunal shall be governed by the Rules of Practice and Procedure of a Disciplinary Tribunal of the Institute. A Disciplinary Tribunal may adopt rules of procedure or practice, not in conflict with these Bylaws or the Rules of Practice and Procedure of a Disciplinary Tribunal, for the conduct of a hearing and as necessary to carry out its duties.</p> <p style="text-align: right;"><b>[Modified Nov. 19/97; Modified July 1/00]</b></p>
Suspension during inquiry	<p>(12) The Professional Conduct Board may request a Disciplinary Tribunal to order that the Respondent be suspended for the duration of the inquiry.</p> <p style="text-align: right;"><b>[Modified Nov. 20/98; Modified Jan. 1/20]</b></p>
Death or incapacity of member of Tribunal	<p>(13) If a member of a Disciplinary Tribunal dies before a decision is rendered or, for any reason, is unable to fulfill such member's duties at any stage of the process, after the expiry of 10 days of the parties being informed of the death or incapacity of the member of the Disciplinary Tribunal by the Executive Director, the remaining members of the Disciplinary Tribunal shall proceed to hear the charge and render its decision, unless within the 10 day period a party has made a request that a new member be appointed in accordance with Bylaw 20.06(1). If such a request is made, the newly constituted Disciplinary Tribunal shall proceed in the manner agreed to by the parties, or failing agreement, in the manner determined by the Disciplinary Tribunal.</p> <p style="text-align: right;"><b>[Adopted July 23/97]</b></p>

### ***Disciplinary Tribunal: Decisions***

- Decision                   **20.07** (1) After a Disciplinary Tribunal has heard the parties, their evidence and all other relevant evidence, it must then render its decision within 90 days from the date of the end of the hearing.
- Powers                     (2) A Disciplinary Tribunal shall decide, to the exclusion of any other court or tribunal, in the first instance, whether or not the Respondent is guilty of an Offence, except in respect of practice in the jurisdiction of a bilateral organization pursuant to Bylaws 20.13 to 20.17. **[Modified Nov. 20/98]**
- Record of hearing       (3) The Executive Director shall ensure that the record of the hearing and the decision of a Disciplinary Tribunal are placed in a special file. This record shall constitute *prima facie* proof of its contents. **[Modified Nov. 20/98]**
- Decision in writing       (4) A Disciplinary Tribunal shall record its decision in writing with reasons, and dissenting opinions, if any. The decision shall be signed by all members of the Disciplinary Tribunal. If the Disciplinary Tribunal decides that the publication or release of certain information or documents is banned, its written decision shall include this fact, and the reasons for this decision.
- Decision sent to parties (5) A Disciplinary Tribunal shall send its decision to all parties, within 10 days after the said decision has been rendered. The Professional Conduct Board shall notify the complainant within a reasonable period of time in writing of the decision rendered by the Disciplinary Tribunal. **[Modified Nov. 20/98; Modified Jan. 1/20]**
- Hearing on penalty     (6) In the event that the Respondent has been found guilty, the parties may then be heard by the Disciplinary Tribunal with respect to the penalty within 30 days after its decision as to whether or not the Respondent is guilty of an Offence has been rendered. The Disciplinary Tribunal shall render a decision with respect to the penalty within 15 days from the date of the end of this hearing. **[Modified March 25/98]**
- Costs                      (7) A Disciplinary Tribunal shall have the power to order any of the parties to pay all or part of the fees and expenses of legal counsel of the other party incurred to commence and complete the proceedings. **[Modified Nov. 20/98]**

Decision on penalty (8) The Disciplinary Tribunal shall send its decision with respect to the penalty to all parties, within 10 days after the said decision has been rendered. The Professional Conduct Board shall notify the complainant within a reasonable period of time in writing of the decision with respect to the penalty rendered by the Disciplinary Tribunal. **[Modified Nov. 20/98; Modified Jan. 1/20]**

***Disciplinary Tribunal: Penalties***

Penalty options **20.08** (1) A Disciplinary Tribunal shall impose on a Fellow, Associate or Affiliate found guilty of an Offence, one of the following penalties, in respect of one or more of the counts:

- (a) a reprimand;
- (b) a suspension from the Institute;
- (c) an expulsion from the Institute.

A Disciplinary Tribunal may also impose a fine on a Fellow, Associate or Affiliate found guilty of an Offence, in respect of one or more of the counts.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Refresher training (2) A Disciplinary Tribunal may also require a Fellow, Associate or Affiliate found guilty of an Offence to serve a period of refresher training or take a refresher course or do both and may restrict or suspend the individual's right to be a Fellow, Associate or Affiliate during the training period or course, or both.

**[Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Terms and conditions (3) A Disciplinary Tribunal may fix the terms and conditions of the penalties it imposes.

Implementation of penalties (4) The penalty imposed by a Disciplinary Tribunal shall be implemented upon the expiry of the period for appeal, provided no notice of appeal is filed, in accordance with the terms and conditions indicated in the Bylaws, unless the Disciplinary Tribunal orders provisional implementation of the decision upon its receipt by the Respondent. **[Modified Nov. 20/98]**

Payment of a sum of money

(5) When a decision of a Disciplinary Tribunal obliges a party to remit a sum of money for costs or a fine, or both, the Respondent must pay the amount in question to the Institute or the Institute must pay the amount in question to the Respondent within 10 days after the expiry of the period for appeal, provided no notice of appeal is filed, unless otherwise ordered by the Disciplinary Tribunal. Should the party fail to pay the amount within the specified period, said party shall be liable to interest charges, at the prime rate of the Institute's chartered bank or trust company plus two percentage points, as well as collection costs. If the party is a Fellow, Associate or Affiliate, said Fellow, Associate or Affiliate shall be automatically suspended from the Institute until such time as all amounts have been paid in full.

**[Modified Nov. 20/98; Modified July 1/01; Modified Oct. 29/01; Modified Jan. 1/03; Modified June 1/12]**

***Appeal Tribunal: Notice of appeal, Constitution and Jurisdiction of Tribunal***

Filing of notice of appeal

**20.09** (1) Subject to Bylaw 20.09(5), a party before a Disciplinary Tribunal may file a notice of appeal from a decision rendered by the Disciplinary Tribunal finding the Respondent not guilty of a charge within 30 days after the receipt of said decision. If the Disciplinary Tribunal renders a decision finding the Respondent guilty of a charge, a party may file a notice of appeal from such decision or from the decision on penalty within 30 days after the receipt of the decision on penalty. The other party may file a notice of cross-appeal within 10 days after the receipt of the notice of appeal. The notice of appeal and the notice of cross-appeal shall state the decision appealed and summarily expose the reasons for which the appeal or cross-appeal is filed, and the conclusions sought. A party shall file its notice with the Executive Director and shall send a copy to the other party within the specified period. The Professional Conduct Board shall notify the complainant within a reasonable period of time in writing of the notices filed, if any.

**[Modified Nov. 20/98; Modified July 1/00; Modified Oct. 29/01; Modified July 1/19; Modified Jan. 1/20]**

Constitution of  
Appeal Tribunal

(2) In the event that a notice of appeal is filed, an Appeal Tribunal shall be appointed by the Actuarial Profession Oversight Board. Except as provided in Bylaw 20.10(11), an Appeal Tribunal shall consist of three members, two of whom shall be members of the Tribunal Panel, and the third shall be a retired judge and shall be the chair of the Appeal Tribunal. In the event that two members of an Appeal Tribunal cannot be appointed from the Tribunal Panel, the Actuarial Profession Oversight Board may appoint a Fellow who is a member of the Board or of the Actuarial Profession Oversight Board at the time of appointment or a Fellow who is a past Officer or who was prior to 1977, a Secretary, Treasurer or Editor of the Institute, or who was, prior to July 1, 2019, Secretary-Treasurer of the Institute, to sit as a member of an Appeal Tribunal. None of the President, the President-elect, the Immediate Past President, the members of the Investigation Team that investigated the complaint laid against the Respondent, the members of the Disciplinary Tribunal, the chair of the Tribunal Panel or the vice-chair of the Tribunal Panel shall be eligible to sit as a member of an Appeal Tribunal.

**[Modified July 23/97; Modified March 25/98; Modified Nov. 20/98;  
Modified July 1/00; Modified July 1/01; Modified June 1/12;  
Modified July 1/19; Modified Jan. 1/20]**

Conflict of  
interest

(3) The parties to a hearing before an Appeal Tribunal shall be notified by the Executive Director of the composition of the Appeal Tribunal within 10 days after its appointment. A party may request the removal of a member of the Appeal Tribunal, should there be a conflict of interest between said member of the Appeal Tribunal and one of the parties, or should a member of the Appeal Tribunal appear biased for any other reason under the circumstances. A member of an Appeal Tribunal who is aware of grounds for such member's removal must so declare forthwith.

**[Modified Nov. 20/98; Modified July 1/00; Modified July 1/19]**



Jurisdiction of Appeal Tribunal (4) An appeal can be made to an Appeal Tribunal in respect of  
(a) a decision of a Disciplinary Tribunal ordering a temporary suspension of a Fellow, Associate or Affiliate, allowing or dismissing a charge, imposing a penalty or awarding costs; or  
(b) any other decision of a Disciplinary Tribunal, with leave of the Appeal Tribunal.  
**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Limitation on right of appeal (5) The Professional Conduct Board shall make an appeal to an Appeal Tribunal pursuant to Bylaw 20.09(4) only on a question of law or jurisdiction. **[Adopted Nov. 20/98; Modified Jan. 1/20]**

***Appeal Tribunal: Hearing of an Appeal***

Parties **20.10** (1) The parties before the Disciplinary Tribunal shall be the parties before the Appeal Tribunal.

Right to legal counsel (2) Every party to the appeal has the right to be assisted or represented by legal counsel.

Suspension of implementation (3) The filing of a notice of appeal shall suspend the implementation of the decision of the Disciplinary Tribunal, unless the Disciplinary Tribunal orders the provisional implementation thereof. However, an order for temporary suspension from the Institute shall be automatically implemented, notwithstanding appeal, unless the Appeal Tribunal decides otherwise.  
**[Modified Nov. 20/98]**

Hearing and decision (4) An Appeal Tribunal shall hear the appeal within 60 days after the period for the filing of a notice of cross-appeal has expired, or leave has been granted, and shall render a final decision within 30 days after the end of the hearing.  
**[Modified Nov. 20/98; Modified Oct. 29/01]**

- Prior notice (5) The Executive Director shall give prior notice of at least 15 days of the date, time and place of any hearing of an Appeal Tribunal to the parties and to their legal counsel, if known, unless a hearing date is set during a hearing, all parties being present. Approximately 15 days before the date of the commencement of the hearing before the Appeal Tribunal, the Executive Director shall publish a notice available to the public and the membership in such manner as the Executive Director may determine. Such notice available to the public and the membership shall include the date, time and place of the hearing before the Appeal Tribunal and a summary of the charge, and shall disclose the name of the Fellow, Associate or Affiliate charged. **[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified July 1/05; Modified June 1/12]**
- Absence of a party (6) An Appeal Tribunal may conduct a hearing in the absence of a party if said party does not appear on the date and at the time and place set out in the notice.
- Hearing shall be public (7) Except as provided herein, every hearing before an Appeal Tribunal shall be public. Nevertheless, of its own initiative or upon request, the Appeal Tribunal may, at its discretion, order that a hearing be held *in camera* or ban the publication or release of any information or document it indicates to preserve professional secrecy or to protect a person's privacy or reputation, or in the interest of public order.
- In camera* hearing (8) Where an *in camera* hearing is ordered, all those present at the hearing shall be personally bound to secrecy, subject to the right of the members of the Professional Conduct Board to be informed about the proceedings to the extent necessary for the performance of their duties. **[Modified Nov. 20/98; Modified Jan. 1/20]**
- No new evidence (9) No new evidence shall be presented before an Appeal Tribunal. However, an Appeal Tribunal may, by reason of exceptional circumstances and where the ends of justice require, authorize the presentation of additional written or verbal evidence.

- Procedure and practice (10) An Appeal Tribunal shall be master of its own procedure and practice. It may adopt rules of procedure or practice, not in conflict with these Bylaws, for the conduct of a hearing and as necessary to carry out its duties.
- Death or incapacity of member of Tribunal (11) If a member of an Appeal Tribunal dies before a decision is rendered or, for any reason, is unable to fulfill such member's duties at any stage of the process, after the expiry of 10 days of the parties being informed of the death or incapacity of the member of the Appeal Tribunal by the Executive Director, the remaining members of the Appeal Tribunal shall proceed to hear the appeal and render its decision, unless within the 10 day period a party has made a request that a new member be appointed in accordance with Bylaw 20.09(2). If such a request is made, the newly constituted Appeal Tribunal shall proceed in the manner agreed to by the parties, or failing agreement, in the manner determined by the Appeal Tribunal.

[Adopted July 23/97]

#### ***Appeal Tribunal: Decisions***

- Powers **20.11** (1) An Appeal Tribunal may confirm, alter or quash any decision appealed from, and render the decision which it considers should have been rendered in the first instance.
- Record of hearing (2) The Executive Director shall ensure that the record of the hearing and the decision of an Appeal Tribunal are placed in a special file. This record shall constitute *prima facie* proof of its contents.
- Decision in writing (3) An Appeal Tribunal shall record its decision in writing with reasons, and dissenting opinions, if any. The decision shall be signed by all members of the Appeal Tribunal. If the Appeal Tribunal decides that the publication or release of certain information or documents is banned, its written decision shall include this fact, and the reasons for this decision.

[Modified Nov. 20/98]

Decision sent to parties (4) An Appeal Tribunal shall send its decision to all parties, within 10 days after the said decision has been rendered. The Professional Conduct Board shall notify the complainant within a reasonable period of time in writing of the decision rendered by the Appeal Tribunal. **[Modified Nov. 20/98; Modified Jan. 1/20]**

Costs (5) An Appeal Tribunal shall have the power to order any of the parties to pay all or part of the fees and expenses of legal counsel of the other party incurred to commence and complete the proceedings before the Disciplinary Tribunal and the Appeal Tribunal. **[Modified Nov. 20/98]**

Implementation of penalties (6) The penalty imposed by an Appeal Tribunal shall be implemented upon receipt of the decision rendered by an Appeal Tribunal by the Respondent, in accordance with the terms and conditions indicated in the Bylaws. **[Adopted Nov. 20/98]**

Payment of a sum of money (7) When a decision of an Appeal Tribunal obliges a party to remit a sum of money for costs or a fine, or both, the Respondent must pay the amount in question to the Institute or the Institute may pay the amount in question to the Respondent within 10 days after the receipt of the decision rendered by an Appeal Tribunal by the parties, unless otherwise ordered by the Appeal Tribunal. Should the party fail to pay the amount within the specified period, said party shall be liable to interest charges, at the prime rate of the Institute's chartered bank or trust company plus two percentage points, as well as collection costs. If the party is a Fellow, Associate or Affiliate, said Fellow, Associate or Affiliate shall be automatically suspended from the Institute until such time as all amounts have been paid in full. **[Adopted Nov. 20/98; Modified July 1/01; Modified Oct. 29/01; Modified Jan. 1/03; Modified June 1/12]**

#### ***Publication of Decisions and Reports***

Decision sent to the Actuarial Profession Oversight Board **20.12** (1) The Secretary of the Professional Conduct Board shall send to the Actuarial Profession Oversight Board the admission of guilt and acceptance of a recommendation of sanction or the decision of a Disciplinary Tribunal or of an Appeal Tribunal within 10 days after the admission and acceptance or the decision of a tribunal has been made. **[Modified Nov. 20/98; Modified July 1/00; Modified Jan. 1/20]**

Notice of  
decision

(2) The Secretary of the Professional Conduct Board shall ensure that a notice is prepared of the admission of guilt and acceptance of a recommendation of sanction, or of the decision of the Disciplinary Tribunal, provided no notice of appeal has been filed, or of any decision of the Appeal Tribunal. The notice shall contain

- (a) the name of the Fellow, Associate or Affiliate;
- (b) the principal practice address of the Fellow, Associate or Affiliate;
- (c) the specialty area in which the Fellow, Associate or Affiliate practices, if any;
- (d) the charge;
- (e) the date and a summary of the admission of guilt and acceptance of a recommendation of sanction or the decision; and
- (f) in the case of a suspension or expulsion, a heading "Notice of Suspension from the Canadian Institute of Actuaries" or "Notice of Expulsion from the Canadian Institute of Actuaries", as the case may be.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03;  
Modified June 1/12; Modified Jan. 1/20]**

Notice shall be published

(3) Except as provided in Bylaws 20.12(4) and 20.12(5), the Secretary of the Professional Conduct Board shall ensure that the notice is published to each Fellow, Associate and Affiliate. In the case of a suspension or expulsion, the Secretary of the Professional Conduct Board shall publish the notice to all appropriate regulators and shall publish a summary of the notice in a newspaper having general circulation in the place where the Fellow, Associate or Affiliate principally practices in Canada and in other appropriate publications. The publication of the notice shall take place

- (a) within 60 days after the Actuarial Profession Oversight Board has received the admission of guilt and acceptance of a recommendation of sanction;
- (b) within 60 days after the expiry of the period for appeal, provided no notice of appeal has been filed; or
- (c) within 60 days after the decision of the Appeal Tribunal has been rendered.

**[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified July 1/05; Modified July 1/06; Modified June 1/12; Modified Jan. 1/20]**

Exceptions

(4) A Disciplinary Tribunal or an Appeal Tribunal may direct that the above requirements for publication of the notice be varied. However, in the case of a suspension or expulsion, a Disciplinary Tribunal or an Appeal Tribunal may not vary the requirement that the name of the Fellow, Associate or Affiliate and the sanction imposed be published to each Fellow, Associate and Affiliate within 60 days after the expiry of the period for appeal, provided no notice of appeal has been filed, or within 60 days after the decision of the Appeal Tribunal has been rendered.

**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

- Powers of the Actuarial Profession Oversight Board
- (5) In the case of a decision where no suspension or expulsion has been ordered, the Actuarial Profession Oversight Board may reduce the above requirements for publication of the notice, but may not
- (a) change any direction given by a Disciplinary Tribunal or an Appeal Tribunal under Bylaw 20.12(4); or
  - (b) vary the requirement that the Fellow's, Associate's or Affiliate's name and the sanction imposed be published to each Fellow, Associate and Affiliate.  
**[Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**
- No notice to be published
- (6) **[Note: repealed July 1/05]**  
**[Modified Nov. 20/98; Modified July 1/01; Modified Oct. 29/01; Modified Jan. 1/03]**

Annual report  
to the Actuarial  
Profession  
Oversight Board

(7) The Secretary of the Professional Conduct Board must make an annual report to the Actuarial Profession Oversight Board on the activities of the Professional Conduct Board, the Disciplinary Tribunals and the Appeal Tribunals. The report shall include, at a minimum,

- (a) the number and nature of complaints laid;
- (b) the number of private admonishments issued without disclosing the nature of the private admonishments or the names of the Fellows, Associates and Affiliates admonished;
- (c) the number and nature of admissions of guilt and acceptances of a recommendation of sanction made;
- (d) the number and nature of decisions rendered by the Professional Conduct Board, the Disciplinary Tribunals and the Appeal Tribunals; and
- (e) to the extent such information is made available to the Professional Conduct Board, the number and nature of complaints laid concerning the practice of Fellows, Associates and Affiliates in the jurisdiction of bilateral organizations, as well as the number and nature of decisions rendered with respect to members of bilateral organizations who are not Fellows, Associates or Affiliates relative to their practice in Canada.

**[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01;  
Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**



- Periodic report (8) The Secretary of the Professional Conduct Board must make a periodic report, at least twice per Board Year, to each Fellow, Associate and Affiliate on the activities of the Professional Conduct Board and of Disciplinary and Appeal Tribunals. The report shall include, at a minimum,
- (a) the number and nature of complaints laid, including complaints laid concerning the practice of Fellows, Associates and Affiliates in the jurisdiction of bilateral organizations;
  - (b) the number and nature of charges filed which are referred to a Disciplinary Tribunal or with respect to which a recommendation of sanction is offered, without disclosing the names of the Fellows, Associates or Affiliates charged;
  - (c) the number of private admonishments issued without disclosing the nature of the private admonishments or the names of the Fellows, Associates and Affiliates admonished;
  - (d) any notices of admissions of guilt and acceptances of a recommendation of sanction or decisions which have been finalized since the last report; and
  - (e) an explanation as to how a Fellow, Associate or Affiliate, who wishes to request more information about charges which have been filed or tribunal proceedings, may obtain that information.

**[Modified March 25/98; Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

***Transitional Provisions***

- |  |  |                             |
|--|--|-----------------------------|
| Application to all disciplinary proceedings  | 20.12.1(1) [ <b>Note: repealed July 1/19</b> ] | <b>[Adopted Nov. 20/98]</b> |
| Member of Committee on Discipline            | (2) [ <b>Note: repealed July 1/19</b> ]        | <b>[Adopted Nov. 20/98]</b> |
| Members of tribunals and Investigation Teams | (3) [ <b>Note: repealed July 1/19</b> ]        | <b>[Adopted Nov. 20/98]</b> |

- |  |     |  |                             |
|--|-----|--|-----------------------------|
| Decision of Committee on Discipline            | (4) | <b>[Note: repealed July 1/19]</b>  | <b>[Adopted Nov. 20/98]</b> |
| Decisions of tribunals and Investigation Teams | (5) | <b>[Note: repealed July 1/19]</b>  | <b>[Adopted Nov. 20/98]</b> |
| Application to all disciplinary proceedings    | (6) | <b>[Note: repealed July 1/19]</b>  | <b>[Adopted Oct. 20/06]</b> |
| Decisions                                      | (7) | <b>[Note: repealed July 1/19]</b>  | <b>[Adopted Oct. 20/06]</b> |
| Application to all disciplinary proceedings    | (8) | The present Bylaws shall apply to all disciplinary matters and decisions or orders made from time to time by an entity with jurisdiction therefor pursuant to the Bylaws.                    | <b>[Adopted July 1/19]</b>  |
| Decisions                                      | (9) | Any decision or order made from time to time by an entity with jurisdiction on disciplinary matters pursuant to the Bylaws, shall remain in force and effect pursuant to the present Bylaws. | <b>[Adopted July 1/19]</b>  |

### ***International Reciprocal Arrangements***

**[Note: Former Bylaw 20.13 was repealed November 20, 1998 and replaced by Bylaws 20.13 to 20.17]**

- |                                    |              |   |   |
|------------------------------------|--------------|---|---|
| Entering into bilateral agreements | <b>20.13</b> | The Institute may enter into bilateral agreements with actuarial organizations based in a foreign jurisdiction for the purpose of dealing with disciplinary matters arising either from Fellows, Associates or Affiliates practising in those foreign jurisdictions or members of those foreign actuarial organizations practising in Canada. | <b>[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]</b> |
|------------------------------------|--------------|---|---|

“bilateral organization”

**20.14** (1) For the purposes of this part regarding International Reciprocal Agreements and of Section 21, a "bilateral organization" refers to the actuarial organization responsible for profession-wide counselling and discipline in a foreign jurisdiction with which the Institute has entered into a bilateral agreement, including, for the United States of America, the Actuarial Board for Counseling and Discipline, the American Academy of Actuaries, the American Society of Pension Actuaries, the Casualty Actuarial Society, the Conference of Consulting Actuaries and the Society of Actuaries. A “non-bilateral organization” refers to an actuarial organization responsible for profession-wide counselling and discipline in a foreign jurisdiction with which the Institute has not entered into a bilateral agreement.

**[Adopted Nov. 20/98]**

“member of a bilateral organization”

(2) For the purposes of this part regarding International Reciprocal Agreements and of Section 21, a “member of a bilateral organization” refers to an individual who has been granted membership in that organization in accordance with the rules governing that organization. A “member of a non-bilateral organization” refers to an individual who has been granted membership in that organization in accordance with the rules governing that organization.

**[Adopted Nov. 20/98]**

Location of practice

(3) For the purposes of this part regarding International Reciprocal Agreements and of Section 21, the location of the practice of a Fellow, Associate or Affiliate or of a member of a foreign actuarial organization for the purpose of determining if the practice is in Canada is determined by the ultimate purpose of the work, which is determined by establishing the jurisdiction of the legal or regulatory requirements pursuant to which the work is performed or by establishing the jurisdiction for which the work is intended for use. The residence or physical location of the Fellow, Associate or Affiliate or of the member of the foreign actuarial organization is irrelevant to the determination of the location of such person’s practice.

**[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Idem (4) In instances where both the Institute and the bilateral organization would have investigatory jurisdiction over an individual, the chair of the Professional Conduct Board and such chair's counterpart in the bilateral organization shall agree between themselves as to which organization can provide the most appropriate forum for the investigation based on the totality of the facts of the case. Such factors as the physical location of the individual's practice, the individual's physical location and domicile, the physical location where most of the work was performed, the physical location of the work certified by the member, if any, and the preference of the member, if any, may be considered in determining the most convenient forum for the investigation. Once the forum has been established, the Institute or the bilateral organization will conduct the investigation and communicate its findings and recommendation in accordance with these Bylaws.

***[Adopted Nov. 20/98; Modified July 1/19; Modified Jan. 1/20]***

No bilateral agreement; practice in foreign jurisdiction by a CIA member

**20.15** Questions concerning the practice or professional conduct of a Fellow, Associate or Affiliate in the jurisdiction of a non-bilateral organization shall be governed by the Institute in accordance with Sections 20 and 21 of the Bylaws. In accordance with Section 21, the Fellow, Associate or Affiliate practising in such a jurisdiction shall comply with the accepted actuarial principles and practices of that jurisdiction and shall comply with the Rules of Professional Conduct and any applicable qualification standards of the Institute at all times.

***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/18]***

Bilateral agreement; practice in Canada; member of bilateral organization only

**20.16** (1) Questions concerning the practice or professional conduct in Canada of an individual who is not a Fellow, Associate or Affiliate but who is a member of a bilateral organization shall be governed by the Institute in accordance with Sections 20 and 21 of the Bylaws, except that the appropriate decision-making body of the Institute shall not make a determination regarding the penalty to be imposed. A determination of guilt or innocence rendered by a Disciplinary Tribunal may be appealed in accordance with Bylaws 20.09 to 20.11. The matter is subject to the publication requirements stipulated in Bylaw 20.12.

***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]***

Bilateral agreement; practice in Canada; CIA member and member of bilateral organization

(2) Questions concerning the practice or professional conduct in Canada of an individual who is a Fellow, Associate or Affiliate and is also a member of a bilateral organization shall be governed by the Institute in accordance with Sections 20 and 21 of the Bylaws.

**[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

Determination of guilt by Institute

(3) A determination by the Institute that a member of a bilateral organization breached the Rules of Professional Conduct, Standards of Practice or Professional Continuing Qualification Standards of the Institute when practising in Canada, regardless of whether that individual is also a Fellow, Associate or Affiliate, shall be made solely by the Institute. The Institute's determination will be deemed final by the parties to a bilateral agreement when the Institute's appeal process has been exhausted. **[Adopted Nov. 20/98; Modified July 1/01**

**Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Communication of determination

(4) The Secretary of the Professional Conduct Board shall communicate to the bilateral organization any final determination that a member of that organization breached the Rules of Professional Conduct, Standards of Practice or Professional Continuing Qualification Standards of the Institute when practising in Canada, regardless of whether that individual is also a Fellow, Associate or Affiliate. The Secretary of the Professional Conduct Board shall also provide the relevant bilateral organization with a copy of the guilty plea or the Disciplinary Tribunal and Appeal Tribunal decision(s), the Disciplinary Tribunal and Appeal Tribunal transcripts and if requested, the documents filed in evidence with the Disciplinary Tribunal and Appeal Tribunal, unless communication thereof is restricted by law or by order of the Disciplinary Tribunal or Appeal Tribunal.

**[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**

Recommendation of public sanction (5) If the Respondent pleads guilty or a Disciplinary Tribunal makes a determination that a member of a bilateral organization breached the Rules of Professional Conduct, Standards of Practice or Professional Continuing Qualification Standards of the Institute when practising in Canada, regardless of whether that individual is also a Fellow, Associate or Affiliate, the Institute shall not recommend a specific penalty to be imposed by the bilateral organization against its member, but shall recommend that the bilateral organization consider imposing public sanctions against the member of that organization.

***[Adopted Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]***

Bilateral agreement; practice in foreign jurisdiction; CIA member only; jurisdiction 20.17 (1) Questions concerning the practice or professional conduct in the jurisdiction of a bilateral organization by a Fellow, Associate or Affiliate who is not a member of the relevant bilateral organization shall be governed by the bilateral organization in accordance with its rules and procedures, except that the bilateral organization shall only make a determination with respect to guilt or innocence.

***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]***

Bilateral agreement; practice in foreign jurisdiction; CIA member and member of bilateral organization (2) Questions concerning the practice or professional conduct in the jurisdiction of a bilateral organization by a Fellow, Associate or Affiliate who is also a member of the relevant bilateral organization shall be governed by the bilateral organization in accordance with its rules and procedures. The bilateral organization shall make a determination of innocence, or shall make a determination of guilt and impose an appropriate penalty against its member in accordance with its rules and procedures.

***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]***

- Determination of guilt by bilateral organization (3) A determination by a bilateral organization that a Fellow, Associate or Affiliate breached the rules of professional conduct, standards of practice or professional continuing qualification standards of that organization when practising in that jurisdiction, regardless of whether the Fellow, Associate or Affiliate is also a member of that bilateral organization, shall be made solely by that organization. The bilateral organization's determination will be deemed final by the Institute when the appeal process of that organization has been exhausted.  
***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]***
- Communication of determination (4) The Secretary of the Professional Conduct Board shall receive from a bilateral organization any final determination that a Fellow, Associate or Affiliate breached the rules of professional conduct, standards of practice or professional continuing qualification standards of the bilateral organization when practising in its jurisdiction, regardless of whether that individual is also a member of that bilateral organization. The Secretary of the Professional Conduct Board shall request from that bilateral organization a copy of the decision-making body's decision(s), the hearing transcripts and the documents filed in evidence with or considered by the decision-making body in rendering its decision(s), unless communication thereof is restricted by law or by order of the decision-making body.  
***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]***
- Recommendation of public sanction (5) If a bilateral organization makes a determination that a Fellow, Associate or Affiliate breached the rules of professional conduct, the standards of practice or the professional continuing qualification standards of the bilateral organization when practising in its jurisdiction, the Institute shall not act upon a recommendation from the decision-making body of that organization to the effect that a specific penalty be imposed by the Institute against the Fellow, Associate or Affiliate. The Institute shall receive a recommendation from that organization that the Institute consider imposing public sanctions against the Fellow, Associate or Affiliate, and shall determine an appropriate sanction for it to impose against its Fellow, Associate or Affiliate in accordance with the Bylaws.  
***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]***

Process

(6) More specifically, the determination of guilt by a bilateral organization in respect of a Fellow, Associate or Affiliate practicing in that jurisdiction shall be received by the Secretary of the Professional Conduct Board and considered as a complaint indicating that an Offence has been committed, pursuant to Bylaw 20.02. All Bylaws contained in Section 20 shall be followed to the extent that they are applicable, except that:

- (a) an Investigation Team shall not investigate the complaint or prepare a report for the Professional Conduct Board's consideration;
- (b) the Professional Conduct Board's powers provided in Bylaw 20.04 shall be limited to filing a charge and issuing a private admonishment, as guilt has already been determined by the bilateral organization, filing a charge and making only a recommendation of sanction to the Respondent, as guilt has already been determined by the bilateral organization, or filing a charge and referring it to a Disciplinary Tribunal only to decide upon an appropriate penalty, as guilt has already been determined by the bilateral organization; and
- (c) the Disciplinary Tribunal shall hold a hearing with respect to the penalty within 30 days after the appointment of the Disciplinary Tribunal, based on the documents provided by the bilateral organization.

In addition, this decision on penalty may be appealed in accordance with Bylaws 20.09 to 20.11 and it is subject to the publication requirements of Bylaw 20.12.

***[Adopted Nov. 20/98; Modified July 1/01; Modified Jan. 1/03;  
Modified June 1/12; Modified Jan. 1/20]***



## Section 21 Compliance

- Compliance with Bylaws, Rules, Standards of Practice, and Professional Continuing Qualification Standards
- 21.01** A Fellow, Associate or Affiliate shall comply with the Bylaws, Rules of Professional Conduct, Standards of Practice, Professional Continuing Qualification Standards, and Recommendations of the Institute as they may be from time to time, and with any order or resolution made under the Bylaws, except as provided in this Section for the practice in a foreign jurisdiction. A Fellow, Associate or Affiliate shall, when required, fulfill any requirements established by the Institute to monitor compliance with Rules of Professional Conduct, Professional Continuing Qualification Standards, and Standards of Practice of the Institute.  
**[Modified Nov. 20/98; Modified July 1/00; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/18; Modified Jan. 1/20]**
- Compliance with foreign and CIA rules
- 21.02** (1) A 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 and any applicable Professional Continuing Qualification Standards of the Institute be complied with at all times.  
**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified July 1/18; Modified Jan. 1/20]**
- Compliance with rules and standards of bilateral organizations
- (2) A Fellow, Associate or Affiliate practising in the jurisdiction of a bilateral organization shall comply with the rules of professional conduct, standards of practice and professional continuing qualification standards of that bilateral organization.  
**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12; Modified Jan. 1/20]**
- Associate; Affiliate; member of bilateral organization
- 21.03** Where the word “member” appears in the Rules of Professional Conduct of the Institute, it is to be read to mean “Fellow”, “Associate” and “Affiliate”, and to mean a member of a bilateral organization when that member is practising in Canada.  
**[Modified Nov. 20/98; Modified July 1/01; Modified Jan. 1/03; Modified June 1/12]**

**Section 22  
Committee on Review**

**[Note: Section 22 repealed November 20, 1998]**

**Section 23  
Protective Provisions**

No complaint or cause of action      **23.01** No Fellow, Associate or Affiliate shall have any lawful complaint or cause of action against the Institute, or against any officer, servant, agent or legal counsel of the Institute by reason of anything done or omitted to be done or any other matter or thing in respect of any complaint of professional conduct, investigation, inquiry, charge of professional misconduct, hearing, report, direction, decision, order, notice or publication made or done in good faith under Sections 20 and 21.

**[Modified March 25/98; Modified Nov. 20/98; Modified July 1/00;  
Modified July 1/01; Modified Jan. 1/03; Modified July 1/06;  
Modified Jan. 1/07; Modified June 1/12; Modified July 1/19]**

Confidentiality provision      **23.02** Any Fellow, Associate or Affiliate who, as a result of involvement in any way with the activities of the Institute, obtains confidential information previously unknown to the Fellow, Associate or Affiliate, shall not use or disclose any such information except in the discharge of the Fellow's, Associate's or Affiliate's duties and responsibilities arising from such involvement, or unless required by law to do so.

**[Modified March 25/98; Modified Nov. 20/98; Modified July 1/00;  
Modified July 1/01; Modified Jan. 1/03; Modified July 1/06;  
Modified Jan. 1/07; Modified June 1/12; Modified July 1/19]**

**Section 24**  
**Transitional Provisions**

Decisions	<b>24.01</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
Member of Council / Board	<b>24.02</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
President	<b>24.03</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
President-elect/ Vice-President	<b>24.04</b>	<b>[Note: repealed July 1/19]</b> <b>[Adopted July 1/00; Modified July 1/01]</b>	
Vice-President / President-elect	<b>24.04.1</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/01]</b>
Immediate Past President	<b>24.05</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
Secretary- Treasurer	<b>24.06</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
Vice-President / Director	<b>24.07</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
Councillor / Director	<b>24.08</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/00]</b>
Student / Associate	<b>24.09</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/01]</b>
Decisions	<b>24.10</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/06]</b>
Decisions	<b>24.11</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted Jan. 1/07]</b>
Decisions	<b>24.12</b>	<b>[Note: repealed July 1/19]</b>	<b>[Adopted July 1/07]</b>

- Decisions **24.13** [*Note: repealed July 1/19*] **[Adopted June 1/12]**
- Associate **24.14** Notwithstanding anything in the present Bylaws, any person who on May 31, 2012 was enrolled as an Associate of the Institute pursuant to the Bylaws as they existed on or before May 31, 2012, shall not automatically continue to be enrolled as an Associate of the Institute as of June 1, 2012 pursuant to the present Bylaws. **[Adopted June 1/12]**
- Decisions **24.15** [*Note: repealed July 1/19*] **[Adopted July 1/14]**
- Decisions **24.16** [*Note: repealed July 1/19*] **[Adopted Sept. 1/16]**
- Qualification standards **24.17** Any qualification standard established by the Board and which is in force on June 30, 2018, shall remain in force pursuant to the present Bylaws, and shall be accepted and deemed to have been established in accordance with the present Bylaws. **[Adopted July 1/18]**
- Decisions **24.18** [*Note: repealed July 1/19*] **[Adopted July 1/18]**
- Decisions **24.19** When any Bylaws, rules, regulations, Guiding Principles, Standards of Practice, or Professional Continuing Qualification Standards of the Institute are repealed, re-enacted, altered, added to, or otherwise changed, any decision made or action taken, including any resolution, appointment, determination, approval or order, pursuant thereto shall be taken up and continued under and in compliance with the new Bylaws, rules, regulations, Guiding Principles, Standards of Practice, or Professional Continuing Qualification Standards of the Institute, as the case may be; any such decision made, or action taken shall remain in force and shall be deemed to have been made under the new Bylaws, rules, regulations, Guiding Principles, Standards of Practice, or Professional Continuing Qualification Standards of the Institute, as the case may be. **[Adopted July 1/19]**