

## Discipline Report

This is the fifteenth periodic report to Members and Associates prepared in accordance with Bylaw 20.12(8). Its primary purpose is to educate and inform all Members and Associates about the disciplinary process and current disciplinary activities. Please send any comments or suggestions for improvements to these reports to Brian FitzGerald or myself at our *Yearbook* addresses. Information in this report regarding specific cases represents the status thereof at November 22, 2002.

### 1. Meetings

The Committee on Professional Conduct held a meeting on June 10, 2002. Formal meetings scheduled for September 6 and December 9, 2002 were held by conference call. The committee also held three conference calls. Future meetings of the committee have been scheduled for March 28 and June 6, 2003.

### 2. Disciplinary Costs

	FY 02-03		FY 01-02	
	Actual	Budget	Actual	Budget
Legal costs	95	–	144	–
Incremental costs	9	–	14	–
	<b>104*</b>	<b>180</b>	<b>158</b>	<b>200</b>
	Actual		Actual	
Costs recovered	–		–	
No. of cases reviewed	14		10	

\* As of 31 October, 2002

### 3. Cases

#### (a) Charges laid and cases completed

There are no cases with respect to which tribunals have been completed since the last periodic report in July 2002.

There are two cases with respect to which charges have been laid. Disciplinary Tribunals have been appointed by the Chairperson of the Tribunal Panel, in accordance with Bylaw 20.06(1), and arrangements are being made to hear these charges.

Please note that pursuant to the Bylaws, the Executive Director published a Notice to the public and the membership with respect to one of these cases on November 4, 2002. With respect to the other case, the Executive Director will publish a Notice to the public and the membership approximately 15 days prior to any hearing before a Disciplinary Tribunal. This Notice will include the date, time and place of the hearing and a summary of the charge, but will not disclose the name of the Member or Associate charged.

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

#### (b) Complaints and information

Apart from the cases mentioned in (a), in the period since the July 2002 report, the committee has considered 12 complaints, or other information which might lead to complaints, against 14 Members or Associates.

Two new cases have been received for the committee's consideration. The committee decided to refer these two cases to two Investigation Teams.

In four previous cases, after further consideration, the committee decided not to proceed with a full investigation. In one earlier case, upon reviewing the Investigation Team report and the response provided by the Member, the committee decided to dismiss the matter.

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In two earlier cases, the committee decided to refer the complaints received to two Investigation Teams. The committee had previously referred the remaining three cases to three Investigation Teams, whose investigations are continuing.

**(c) Summary by Practice Area**

The 14 cases set out above may be summarized by practice area as follows:

Life	3
Pension	10
P&C and Workers' Compensation	0
Actuarial Evidence	1

**If You Have a Problem, Help is Available**

The Institute has a number of resources to which a Member or Associate can turn in the event that he or she is unclear as to the action which should be taken in a particular situation. Some past discipline cases have arisen from events or actions where the members concerned were not aware of their responsibilities when facing particular situations not specifically covered by the Rules of Professional Conduct and Standards of Practice.

If the unclear area relates to a Standard of Practice, the Member or Associate should contact the chairperson or vice-chairperson of the relevant practice committee for assistance. Depending on the situation, it may well be appropriate for the Member or Associate to also consider having the work involved peer reviewed by another Member before signing off on it. The mandates of all practice committees include the provision of advice or assistance to members. It is possible that the chair-

person or vice-chairperson may wish to refer the question to other members of the practice committee before providing a response, and time for this should be built into project plans if the problem is foreseen in the early stages of the Member's or Associate's work.

Some of the more prominent practice committees include the Committee on the Appointed/Valuation Actuary, the Committee on Life Insurance Financial Reporting, the Committee on Pension Plan Financial Reporting, the Committee on Property and Casualty Insurance Financial Reporting, the Committee on Actuarial Evidence Practice, the Committee on Investment Practice, and the Committee on Workers' Compensation.

Where a Member or Associate has a question concerning the meaning of the Bylaws or Rules of Professional Conduct, or concerning the applicability of the Bylaws or the Rules of Professional Conduct to a particular event or sequence of events, the Member or Associate should contact (in confidence) the chairperson or vice-chairperson of the Committee on the Rules of Professional Conduct. This includes questions regarding a Member's or Associate's responsibilities under Rule 13, which addresses situations where a Member or Associate has reason to believe that another Member or Associate may have contravened the Rules of Professional Conduct or the Standards of Practice.

Finally, if a Member or Associate has a question concerning the operation of the Institute's disciplinary system, the chairperson or vice-chairperson of the Committee on Professional Conduct should be contacted.

**Peter Morse**  
**Vice-Chairperson, Committee on Professional Conduct**