



## **Policy on the Review of a PCMB Assessment of a Criminal Conviction for an Applicant to the CIA**

*Document 220162*

The role of the Actuarial Profession Oversight Board (APOB) is to be satisfied that the Canadian Institute of Actuaries' (CIA) professionalism and standard-setting activities and related processes are appropriate and responsive to the public interest.

The [Bylaws](#) of the Canadian Institute of Actuaries (CIA) (3.01.1(e), 3.1.12(1), 3.1.12(2), and 3.1.12(3)) and the CIA's [Policy on Qualification Requirements](#), require that all applicants to the CIA disclose whether they have been the object of a criminal conviction.

The Professionalism and Credential Monitoring Board (PCMB), which is under the oversight of APOB, is the body which conducts the review and assessment of a criminal conviction upon disclosure to the Institute, in accordance with the [Policy on Disclosure of Criminal Convictions](#).

Within 30 days of receipt of the notice of assessment, an applicant to the Institute who is denied enrolment in the CIA due to their criminal conviction(s) can appeal the PCMB's decision to APOB. In that event, APOB will follow the procedure outlined in this policy in order to review the information and procedures that led to the PCMB's decision to deny the applicant's enrolment.

1. The Chairperson of APOB shall contact the Executive Director of the CIA, within 10 days after having received the request for a review of the PCMB's decision to deny enrolment to the applicant, to verify and confirm that the request was received within 30 days of the applicant's receipt of the PCMB's decision. The PCMB chair will also be advised of the receipt of the request.
2. If the request is deemed valid, the Chairperson of APOB will request that the PCMB prepare a written report outlining, in detail, the information received from the applicant regarding his or her conviction, as well as the steps taken in the process that led to the denial of enrolment. The PCMB will be expected to demonstrate, in its report, that the *Policy on Disclosure of Criminal Convictions* was respected and that its decision is reasonable. The report will outline:
  - a) All information provided by the applicant with regard to his or her criminal conviction;
  - b) Any additional information obtained by the PCMB regarding the criminal conviction in question, or other convictions of a similar nature;
  - c) The timeline and milestones of the process (i.e., receipt of the disclosure, assessment date, date of notification of decision, etc.);
  - d) The names of the members of the PCMB who participated in the assessment and decision; and

- e) A summary of the discussion and rationale behind the PCMB's decision, including any dissenting opinions from PCMB members, as well as any information regarding the PCMB's decision that was communicated to the applicant.
3. The PCMB will present its written report to APOB no later than 30 days after receipt of the request from APOB.
  4. APOB's role is to review the information to determine whether the PCMB decision is reasonable based on an internally coherent and rational chain of analysis. APOB may retain the services of independent experts (e.g., legal counsel) to assist with its review.
  5. No later than 30 days after having received the report prepared by the PCMB, APOB will meet, either in person or virtually, to reach one of the following conclusions:
    - a) The PCMB's decision to deny enrolment due to the criminal conviction is upheld; or
    - b) The PCMB's decision to deny enrolment is overturned and the applicant will be granted enrolment in the CIA, subject to meeting all other qualification requirements.
  6. Within 15 days of its decision, APOB will prepare a response advising the applicant of APOB's decision, along with its rationale, which will be sent to the applicant through the CIA Head Office. APOB will also advise the PCMB and the CIA Education and Qualification Council of APOB's decision.
  7. If the PCMB's decision is overturned by APOB, Head Office will send to the applicant, along with APOB's decision, information regarding the next steps in their enrolment application process.

*Approved November 4, 2020*