

## **DISCIPLINARY PROCEDURE**

17. (a) In the event of a complaint in writing being made to the Council that the conduct of a Member is unprofessional or otherwise of such a nature (fraud, criminal offence, etc.) as may be considered likely to bring discredit to the Society (whether in his relation to the Society or its Members, or otherwise) the Council shall have the power to set up a Disciplinary Committee to make such investigation and to require such information and explanations as it may think proper. The complaint may be initiated by, for example, another Fellow of the Society, a regulatory body in Hong Kong or a member of the public whose interest is served by the Fellow of the Society.
- (b) In appropriate circumstances, the Council may in addition to taking action in accordance with the next following paragraph, refer the case to the actuarial body which has accorded membership or professional status to the Member concerned.
- (c) In all proceedings under this Article, the Council shall decide, after having received a recommendation from a Disciplinary Committee, whether or not misconduct has occurred, and it may warn, admonish, reprimand, suspend, or expel the Member from the Society provided no action to expel the Member shall be taken except after a hearing with the Member appearing before the Council and a resolution of a majority or at least 3/4 of the members of the Council present and voting at a Special Council Meeting at which no less than twelve (12) members are present is passed. The Council shall give the Member fourteen (14) clear days of notice of the Special Council Meeting. The Member may attend but shall not be present at the voting or take part in the proceedings otherwise that as the Council applies. The Member and/or his legal representative may attend the special meeting and may be heard in defence (either by verbal representation or by a pre-prepared statement). The Member shall not be present at the voting or the discussion processes that may take place as the Council applies. Before any decisions are made by the Council, all investigations and enquiries will be kept strictly confidential.
- (d) A Member subject to sanction by the Society as a result of the above meeting may within fourteen (14) days next after the ruling appeal from the decision of the Council to a Special Meeting of the Members which shall thereupon be convened.
- (e) Any Member subject to disciplinary sanction will be identified to Members of the Society. The Council will determine the form of such communications and provide a brief description of the situation, proceedings, investigations and/or outcome as it feels appropriate.
- (f) If the Society is approached by, for example, another Fellow of the Society, a regulatory body in Hong Kong or a member of the public whose interest is served by the Fellow of the Society, the Society will confirm whether or not a member has been subject to any disciplinary sanction. If the member has been subject to any

disciplinary sanction then the ASHK will provide a brief written synopsis of the situation and confirm the outcome and/or any actions taken.