

as the ABCD deems necessary to protect the confidentiality rights of other parties and the integrity of the ABCD process.

The ABCD will be free to publish information concerning requests for guidance so long as the names of any individuals who, or organizations which, may be involved in the request are not disclosed without their permission and reasonable care is taken not to include identifying information.

The ABCD may be required to divulge details regarding an inquiry, including the names of complainants and subject actuaries, by court order or other legal process in some circumstances and as necessary to inform participating organizations of its recommendations.

XI. Confidential Information

The ABCD recognizes that a subject actuary or other individual may be prohibited by law, preexisting contractual obligation, or other circumstances beyond the control of the subject actuary or other individual from producing evidence sought by or on behalf of the ABCD. Where a subject actuary or other member of one or more of the participating organizations is so prohibited, the subject actuary or member must advise the ABCD of the nature of the prohibition and provide the ABCD with any appropriate documentation to demonstrate that the prohibition does, in fact, apply to the evidence sought. The subject actuary or member must also make a good-faith effort to produce non-confidential portions of documents and other evidence sought by or on behalf of the ABCD.

A complainant, or other individual, who is not a member of one or more of the participating organizations may be unable, or may refuse, to produce evidence. This may hamper the ABCD's ability to investigate a given matter.

The ABCD will not be held responsible if the circumstances surrounding a matter may be such that otherwise confidential information is inadvertently revealed. Further, the ABCD may be required to disclose otherwise confidential information by court order, other legal process, or inquiry by duly authorized officials of participating organizations.