

**D. Receipt of Information Leading to an Inquiry**

1. An ABCD inquiry may also be commenced if the ABCD receives information for which the “complainant” is not identified, or requests anonymity, and the information comes from a known source (such as a signed document or a published journal) and indicates that the conduct of an actuary who is a member of one or more of the participating organizations may have violated the applicable Code(s) of Professional Conduct.
2. An ABCD inquiry may also be commenced based on public information available to it suggesting possible violations of the Code(s) of Professional Conduct.

The ABCD will provide a copy of the information to the subject actuary.

**III. Preliminary Evaluation**

**A. Initial Processing**

When a complaint or information is received by the ABCD, its staff will undertake initial processing to determine the nature of the possible violation(s) of the Code(s) of Professional Conduct involved so that the subject actuary will have a statement of the alleged misconduct sufficiently clear to address and so that the ABCD will have appropriate information for conducting a preliminary evaluation. This initial processing may involve a follow-up with the complainant to clarify anything in the complaint that requires additional explanation, or with any other individual, subject to the confidentiality provisions in Section X of these Rules of Procedure. The initial processing shall include notice to, and inquiry of, the subject actuary, except in situations where allegations in complaints or other information appear to have little or no merit. The staff will forward the complaint or information received, the results of its initial processing, and any additional information obtained thereby, to the Chairperson and Vice Chairpersons of the ABCD.

**B. Chairperson and Vice Chairpersons' Preliminary Evaluation**

A majority of the Chairperson and the Vice Chairpersons will review the complaint or information received and additional information obtained during the initial processing, if any. They will meet in person or by conference call to discuss the matter and determine by majority vote of the Chairperson and Vice Chairpersons to do one of the following:

1. If the matter under consideration appears not to involve a material violation of the Code(s) of Professional Conduct, the matter shall be dismissed. If not previously notified, the subject actuary will be informed of the matter and will be notified of the dismissal. In addition, the complainant, if any, will be notified of the dismissal. The matter will be closed.
2. If the matter under consideration appears to present a dispute other than a material violation of the Code(s) of Professional Conduct, the Chairperson shall so advise the complainant, if any, and the subject actuary and may offer to mediate the matter (or provide a mediator to do so), as provided in Section IV of these Rules of Procedure.
3. If the matter under consideration appears to involve a possible material violation of the Code(s) of Professional Conduct, the Chairperson and the Vice Chairpersons will refer the matter to an Investigator(s), provided that no such decision will be made unless and until the information on which a decision is made has previously been furnished to the subject actuary and the subject actuary has been provided a reasonable opportunity to respond.

The Chairperson and Vice Chairperson(s) may consult confidentially with any member of the actuarial profession or other persons who may have information or experience relevant to the matter under consideration; however, no adverse information from these consultations may be used in any report or finding unless the information is disclosed to the subject actuary and the subject actuary is given an opportunity to respond.

At its next regularly scheduled meeting, the ABCD will be informed of all such evaluations since its prior meeting.