

RULES OF PROCEDURE FOR THE ACTUARIAL BOARD FOR COUNSELING AND DISCIPLINE

In accordance with Article X of the Bylaws of the American Academy of Actuaries, the Actuarial Board for Counseling and Discipline (“ABCD”) has promulgated these Rules of Procedure for the performance of its functions on behalf of the participating organizations representing actuaries in North America. The participating organizations are the American Academy of Actuaries, the American Society of Pension Professionals and Actuaries, the Casualty Actuarial Society, the Conference of Consulting Actuaries, and the Society of Actuaries. The ABCD reserves the authority to amend these Rules of Procedure as it deems necessary provided that no substantive change in such rules shall be effective until exposed for at least 60 days to the profession or to participating organizations for publication to their members.

Introduction

The ABCD was established to facilitate compliance with the Code(s) of Professional Conduct by members of participating organizations that have delegated to the ABCD the power to investigate and evaluate possible violations of their Code. Its jurisdiction extends to actuarial practice by members of the participating organizations in all countries except Canada; and to actuarial practice in the United States by members of the Canadian Institute of Actuaries.¹

The ABCD within its jurisdiction has authority to:

1. Consider all complaints concerning alleged violations or information suggesting possible violations of the applicable Code(s) of Professional Conduct. The Codes, in turn, incorporate by reference applicable qualification standards and applicable standards of practice. The ABCD may also consider questions that arise as to the conduct of a member of a participating organization in the member’s relationship to that organization or its members, in the member’s professional practice, or otherwise affecting the interests of the actuarial

¹The Canadian Institute of Actuaries exercises similar jurisdiction over all actuarial practice in Canada and actuarial practice by its members and students outside the United States and U.S. territories and possessions.

profession. Although investigations of possible violations of the Code(s) will usually be initiated based on complaints, the ABCD may also initiate such investigations based on information available to it suggesting possible violations of the Code(s) of Professional Conduct;

2. Counsel actuaries concerning their activities relative to the Code(s) of Professional Conduct in situations where the ABCD deems counseling appropriate.
3. Recommend disciplinary action against an actuary to any participating organization of which the actuary is a member, recognizing that authority to discipline members rests exclusively in the participating organizations;
4. Respond to requests for guidance regarding professionalism from members of participating organizations and actuarial students affiliated with the participating organizations; and
5. Mediate or appoint a mediator to resolve issues concerning professional conduct between members of participating organizations, or between such members and the public.

I. Requests for Guidance

Requests for guidance are questions raised by an actuary (or, for all purposes of this section, an actuarial student) about the proper interpretation of the Code of Professional Conduct or the standards, but which are not complaints alleging or suggesting a violation by another actuary.

The ABCD may accept and respond to requests for guidance. If an ABCD member or staff person receives a communication that is considered to be, or to have the potential for being, a request for guidance, the recipient may respond or may refer the request to the Chairperson or a staff member designated by the Chairperson, who will assign the request to a member for response or may ask that the entire ABCD consider the request.

The ABCD will respond to a request for guidance in a reasonable and timely fashion.