

ACTUARIAL SOCIETY OF SOUTH AFRICA
DISCIPLINARY PROCEDURE

This Procedure is issued by the Actuarial Governance Board in accordance with its powers in terms of Article 6.2 of the Society's Constitution.

Effective Date: 05.10.2023

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1. RECORDAL

- 1.1 The Actuarial Society of South Africa is the governing body for the actuarial profession in South Africa. Its functions and mandate include the promotion of professional excellence and integrity in the profession.
- 1.2 Members subscribe to the values, principles and rules of the Society concerning standards of professional and ethical conduct. Members accordingly agree to comply with and abide by the provisions of this Procedure.
- 1.3 Members who fail to comply with the standards of conduct to which the Society subscribes may face disciplinary action as set out in this Procedure. This may, depending upon the nature and severity of the failure, result in termination of their membership of the Society.
- 1.4 In terms of the Constitution of the Society, the Board has the responsibilities inter alia of determining the Society's disciplinary process and monitoring its effectiveness. The Procedure is reviewed from time to time by the Board.
- 1.5 This document, the Procedure, applies with effect from 5th October 2023, being the date of approval by the Board, and applies to any Complaint or Charge which at the effective date of this Procedure is unresolved.

2. DEFINITIONS AND INTERPRETATION

- 2.1 In this Procedure, the following terms shall bear the following meanings -
 - 2.1.1 “**AGB**” means the Actuarial Governance Board;
 - 2.1.2 “**Charge**” means a charge of Unprofessional or Unacceptable Conduct against a Respondent arising from a Complaint;
 - 2.1.3 “**Committee**” means the disciplinary committee referred to in section 3;
 - 2.1.4 “**Complainant**” means a person who refers a Complaint to the Society in terms of section 4;
 - 2.1.5 “**Complaint**” means an allegation or accusation of conduct (which may be an act or an omission) to be Unprofessional or Unacceptable Conduct by a Member;

- 2.1.6 **“Council”** means the Council of the Society;
- 2.1.7 **“Business Days”** means any day other than a Saturday, Sunday or public holiday in the Republic of South Africa, and where not so defined will be normal calendar days;
- 2.1.8 **“Fellow Member”** means a Member who has attained Fellowship status in terms of the rules of the Society;
- 2.1.9 **“Investigator”** means the person appointed by the Committee to investigate a Complaint, as contemplated in paragraph 4.5.2;
- 2.1.10 **“Mediation”** means the process set out in section 8;
- 2.1.11 **“Member”** means a member of the Society, or a former member who was a member at the time of the alleged Unprofessional or Unacceptable Conduct;
- 2.1.12 **“Procedure”** means this disciplinary procedure;
- 2.1.13 **“Prosecutor”** means the person appointed by the Committee to prosecute a Respondent at a Tribunal, as contemplated in section 9;
- 2.1.14 **“Respondent”** means the Member who is accused of Unacceptable Conduct or Unprofessional Conduct in terms of a Complaint;
- 2.1.15 **“Society”** means the Actuarial Society of South Africa;
- 2.1.16 **“Tribunal”** means the tribunal established under section 9;
- 2.1.17 **“Unacceptable Conduct”** means any failure by a Member (whether committed in South Africa or elsewhere) to comply with the standards of behaviour, integrity, competence or professional judgment which may reasonably be expected of Members, having regard to any advice or guidance or statement or memorandum on professional conduct, practice or duties given or published by the Society, and to all other relevant circumstances.

2.1.18 “**Unprofessional Conduct**” means any failure in a material respect by a Member (whether committed in South Africa or elsewhere) to comply with the standards of behaviour, integrity, competence or professional judgment which may reasonably be expected of Members, having regard to any advice or guidance or statement or memorandum on professional conduct, practice or duties given or published by the Society, and to all other relevant circumstances. Conviction within South Africa or elsewhere of an offence involving fraud or dishonesty shall amount to *prima facie* evidence of Unprofessional Conduct.

2.2 In this Procedure, unless the context requires otherwise:

2.2.1 words importing the masculine gender shall include the feminine gender; and

2.2.2 the singular shall include the plural and vice versa.

3. **DISCIPLINARY COMMITTEE**

3.1 **Constitution**

3.1.1 Council shall appoint the Committee which shall consist of at least five persons of whom two shall be non-Members and the balance Fellow Members.

3.1.2 The Committee shall elect a chairperson from its ranks.

3.1.3 Committee members shall be appointed for a period of three years, after which they shall be eligible for reappointment.

3.1.4 The quorum for a meeting of the Committee shall be three members, of which at least one shall be a non-Member. Decisions of the Committee shall be made by simple majority.

3.2 **Powers**

3.2.1 The Committee shall be empowered to make all decisions and perform all functions necessary to conduct its duties and fulfil its responsibilities.

3.2.2 In particular, the Committee has the power to –

- 3.2.2.1 obtain legal advice and other expert advice and assistance as deemed necessary;
- 3.2.2.2 extend the scope of a Complaint or add any further Charge against the Respondent, provided that the Respondent shall be notified and afforded reasonable opportunity to respond to any such further Charge;
- 3.2.2.3 require any further information (including copies or originals of relevant documents) from the Respondent and any Member relating to the investigation;
- 3.2.2.4 direct that two or more Complaints, which raise similar issues of fact, be consolidated and investigated together.

3.2.3 If the Committee lacks relevant expertise or capacity, the Committee may appoint appropriate persons to assist with the investigation of a Complaint or the resolution of any dispute arising from a Complaint.

3.3 Conflict of Interest

- 3.3.1 Where a Committee, Council or AGB member becomes aware that he has a conflict of interest in relation to a Complaint or a Respondent, that member shall recuse himself from further involvement on the Committee, Council or AGB, as the case may be, in respect of the Complaint. Such a conflict of interest includes where the member concerned has lodged a Complaint.
- 3.3.2 The Committee may appoint an additional member to fill the place of the recused Committee member, in relation to that Complaint.

4. SUBMISSION OF COMPLAINT

- 4.1 Any person, whether natural or juristic, may submit a Complaint to the Society, in relation to the conduct of a Member; provided that neither the Council nor the AGB may submit a Complaint to the Society. The reason for this proviso is that the Council and the AGB enjoy certain powers in relation to the Procedure. However, the Chief Executive Officer of the Society may submit a Complaint, as he may become aware of possible breaches by members constituting Unacceptable or Unprofessional conduct.

- 4.2 The Complaint must be forwarded to the General Counsel of the Society, who must assess its validity, and recommend that the Complaint be either accepted or not. If the recommendation is to not accept the Complaint, this decision must be confirmed or reversed by the Disciplinary Committee. The General Counsel must advise the Complainant of any non-acceptance of the Complaint together with the reasons therefor and the process in reaching the decision not to accept it. Any such non-acceptance of a Complaint must be reported to the AGB with details of the Complaint and the reasons for non-acceptance.
- 4.3 Upon acceptance of a Complaint, the Society shall ensure that the Respondent is:
- 4.3.1 notified that a Complaint has been lodged against him;
 - 4.3.2 provided with a copy of the Complaint, and any additional information which may have been provided in relation to the Complaint; and
 - 4.3.3 invited to provide a written response to the Complaint within such period as the Society may specify.
- 4.4 Upon receipt of the Respondent's response to the Complaint or the lapse of the period referred to in paragraph 4.3.3, the Society shall ensure that the relevant documentation is compiled and that the Complaint is referred to the Committee.
- 4.5 Upon receipt of the Complaint, the Committee shall:
- 4.5.1 dismiss the Complaint in part or in whole, if it decides that the considerations referred to in paragraph 6.1 apply; or
 - 4.5.2 appoint an Investigator on terms to be determined by the Committee. The Investigator shall bear the primary responsibility for investigating the Complaint, as set out in section 5; or
 - 4.5.3 refer the Complaint to mediation in terms of section 8 if it decides that this is the most appropriate way to deal with it; or
 - 4.5.4 if the Committee decides that there exists *prima facie* evidence that the Respondent is guilty of Unprofessional or Unacceptable Conduct, inform the Respondent accordingly and proceed as in section 7.

- 4.6 Should the Complaint be dismissed by the Committee either in part or in whole, the procedures set out in paragraph 6.3 and 6.4 shall apply.
- 4.7 A Complainant may withdraw a Complaint at any stage, and proceedings regarding that Complaint may then be terminated at the discretion of the Committee.

5. INVESTIGATION AND REPORT

- 5.1 An Investigator appointed by the Committee in terms of paragraph 4.5.2 shall, subject to the direction of the Committee and to the extent required:
- 5.1.1 conduct investigations concerning the Complaint;
 - 5.1.2 conduct interviews with any persons or Members (including the Respondent) connected with or relevant to the Complaint;
 - 5.1.3 source and secure relevant documents and information pertaining to the Complaint;
 - 5.1.4 obtain input from members of the Committee when required; and
 - 5.1.5 assess the merits of the Complaint for purposes of compiling his final report for submission to the Committee.
- 5.2 The Investigator shall have such powers as may reasonably be necessary to enable him to conduct his duties and fulfil his responsibilities.
- 5.3 The Investigator shall conclude the investigation process as soon as reasonably possible and submit a written report of his findings and recommendations to the Committee.

6. DISMISSAL OF COMPLAINT

- 6.1 The Investigator may recommend that the Complaint should be dismissed, either in whole or in part, if:
- 6.1.1 it is considered that the Complaint is inconsequential or that a disciplinary procedure would be inappropriate; or

- 6.1.2 there is insufficient evidence to establish a *prima facie* case of Unprofessional or Unacceptable Conduct against the Respondent; or
 - 6.1.3 the Complainant has failed to cooperate with reasonable requests of the Investigator or to provide necessary information; or
 - 6.1.4 the Respondent has given an adequate and reasonable explanation of his conduct, making it clear that the Charge against him cannot be sustained.
- 6.2 The Committee may dismiss the Complaint, in part or in whole, should it be satisfied with the recommendation of the Investigator.
- 6.3 Following the dismissal of the Complaint, the Complaint shall be deemed finalised and the Committee shall notify Council, the AGB, the Respondent and the Complainant of its decision and reasons. Council shall record the Committee's decision.
- 6.4 Should the Committee dismiss only part of a Complaint, it may continue with investigating any remaining part thereof, in accordance with the provisions of this Procedure.

7. PROCESS IF COMMITTEE DOES NOT DISMISS A COMPLAINT IN FULL

- 7.1 The Committee must consider the Investigator's report, and make its own conclusion as to whether there exists evidence that the Respondent is guilty of Unprofessional or Unacceptable Conduct which warrants sanction. If so, it shall inform the Respondent accordingly. Should the Respondent admit guilt, the Committee may recommend to Council an appropriate sanction from those listed in section 10. If the Committee decides, notwithstanding that the Investigator's report says the contrary, either that there is no evidence of Unprofessional or Unacceptable Conduct, or that there is evidence of Unprofessional or Unacceptable Conduct but that this does not warrant sanction, then it must, after consulting with the AGB, dismiss the Complaint and inform the Respondent and Complainant accordingly.
- 7.2 Should Council approve of the sanction recommended by the Committee, or propose an alternative sanction, Council shall implement the sanction and upon acceptance thereof by the Respondent the Complaint shall be deemed finalised. The Committee shall accordingly notify the parties listed in paragraphs 6.3 and 9.7. Should the Respondent disagree with the sanction approved by Council, then the sanction must be determined by the Tribunal as contemplated in section 9. The AGB must be notified of this.

- 7.3 Should the Respondent not admit guilt then the Committee shall decide whether the Complaint be referred either to Mediation as contemplated in section 8 or to the Tribunal as contemplated in section 9. The Respondent, Complainant, Council and AGB must be notified of this decision.

8. MEDIATION

- 8.1 Should the Complaint be referred to mediation, and the Respondent submits to mediation, the following process shall be adopted:
- 8.1.1 The Committee, in consultation with the AGB, shall appoint a representative (“**the Representative**”) to attend the mediation on its behalf, and shall advise the Representative of his or her mandate regarding settlement of the Complaint. The Representative may not be a member of AGB, Council or the Committee.
 - 8.1.2 The Representative, the Complainant and the Respondent (“**the Parties**”) shall agree upon a mediator, with appropriate knowledge, skills and experience in mediation procedures.
 - 8.1.3 Should the Parties fail to so agree, within a reasonable period as determined by the Representative the mediation process shall cease and the Committee shall proceed as in paragraph 8.3.
 - 8.1.4 The Representative shall notify the Committee, the Complainant and the Respondent, in writing, of the mediator who has been appointed and shall simultaneously advise the mediator of the contact details of the Parties.
 - 8.1.5 The Representative shall be permitted to reach a settlement with the Respondent and the Complainant during the mediation process, in accordance with his mandate. The Representative shall not be permitted to make decisions outside of this mandate, in the absence of the express consent of the Committee to do so.
 - 8.1.6 No member of the Committee, Council, the AGB, or the Investigator (if appointed in the matter) shall be permitted to be present at, or involved in, the mediation proceedings, except with the consent of the Parties.

- 8.1.7 The mediator shall decide the process to be followed during the mediation proceedings, after taking account of the views of the Parties.
- 8.1.8 Unless otherwise agreed, the mediation shall be administered by the Parties to the mediation, themselves.
- 8.1.9 The mediator shall not have the power to make a ruling but be limited to engaging with the Parties with a view to resolving the Complaint.
- 8.2 Should the Parties reach an agreement in resolution of the Complaint:
 - 8.2.1 the Complaint shall be deemed to have been settled;
 - 8.2.2 the mediator shall record the agreement in writing reflecting the Parties' signatures thereto;
 - 8.2.3 the mediator shall inform the Committee, which must inform the AGB and Council of the outcome of the mediation proceedings and provide each such body with the original agreement for its records.
- 8.3 The mediator must decide whether the Mediation is unsuccessful and is to be terminated. In that event the mediator must notify the Committee which must decide whether the Complaint should be referred to the Tribunal; provided that this decision of the Committee is subject to confirmation by the AGB. If the AGB confirms the Committee's decision to refer the Complaint to the Tribunal then that must be communicated to the Council, the mediator, the Complainant and the Respondent. If the AGB decides not to confirm the Committee's decision to refer the Complaint to the Tribunal, then the AGB must decide how the matter be dealt with, which may include advising the Complainant to seek recourse against the Respondent in another forum.
- 8.4 The mediation proceedings and any agreements arising therefrom shall remain strictly confidential, unless otherwise agreed between the Parties, in writing, provided that, in the event of successful mediation proceedings, the Council may notify the Members or the public that the Complaint has been resolved by way of mediation.
- 8.5 The costs of the mediator and the Representative shall be borne by the Society.

9. TRIBUNAL PROCEEDINGS

9.1 Referral to Tribunal

- 9.1.1 The Council shall refer the Complaint or the sanction therefor to the Tribunal as set out in Section 7.
- 9.1.2 The Council shall give written notice of its decision so to refer the Complaint or the sanction therefor to the Tribunal, providing brief reasons therefore, to the parties listed in paragraph 6.3.

9.2 Interim Suspension

- 9.2.1 If the Committee refers any aspect of a Complaint to the Tribunal, Council may, at its discretion, impose an interim suspension of membership of the Society on the Respondent.
- 9.2.2 The Respondent shall be afforded opportunity to make representations to Council as to why an interim suspension should not be imposed.
- 9.2.3 Upon dismissal of the Complaint following Tribunal proceedings a suspension imposed in terms of this paragraph 9.2 shall automatically lapse.

9.3 Constitution of Tribunal

- 9.3.1 Where a Complaint has been referred to a Tribunal, Council shall establish the Tribunal as a panel of 3 (three) persons appointed by it, namely, a chairperson, being either a retired judge, a Senior Counsel (whether retired or in practice) or a practicing attorney who has been in practice with no less than 15 (fifteen) years post qualification experience, and 2 (two) Fellow Members with no less than 15 (fifteen) years post qualification experience; provided that the Respondent is given the right, on reasonable notice given, to object to the appointment of any person proposed to be so appointed. Council must consider any such objection and decide whether there are valid reasons to uphold the objection or not; and if there are, to appoint the panel anew subject to the Respondent's right similarly to object. A person who has been appointed to serve on a Tribunal shall not be eligible to act in any other capacity in relation to that Complaint.

9.3.2 Any vacancies that may arise on the Tribunal shall be filled by Council as soon as possible. The appointment of a new member of the Tribunal shall not invalidate any proceedings.

9.3.3 The quorum for Tribunal proceedings shall be all 3 (three) members. Decisions of the Tribunal shall be made by a simple majority.

9.4 **Powers**

9.4.1 The Tribunal shall have the power to order the production for inspection of any books, documents, exhibits or other evidence in the possession of or under the control of the Respondent, or from any other Member, if it considers such evidence to be necessary for the resolution of the Complaint.

9.4.2 The Tribunal may itself call witnesses.

9.4.3 If the Tribunal finds the Respondent guilty of the Complaint, it must impose on the Respondent any one or more of the sanctions listed in paragraph 10.

9.4.4 The Tribunal may obtain advice or assistance as deemed necessary (whether legal or otherwise), from experts having the required knowledge and skills, on any matter relevant to the determination of the Complaint.

9.5 **Formulation of Charge**

9.5.1 After referral of a Complaint or the sanction therefor to the Tribunal, the Committee shall as soon as is reasonably practicable, deliver to the Tribunal and to the Respondent a notice consisting of:

9.5.1.1 the allegations constituting the Charge against the Respondent;

9.5.1.2 the report by the Investigator and all relevant submissions of fact and law, as well as all relevant documents in support thereof;

9.5.1.3 the sanction which the Council decided should be imposed upon the Respondent, if he is found guilty of the Charge;

- 9.5.1.4 copies of all relevant ethical procedures and/or professional codes which may be relied on in the prosecution of the Complaint; and
- 9.5.1.5 the documents which the Respondent is called upon to produce, in relation to the Charge.

9.5.2 Where the Charge against two or more Respondents give rise to similar issues of fact or law, and where the Committee is of the opinion that it would be in the interests of fairness, economy and expedition to consolidate such Charges, the Society may make such arrangements for the consolidation of the Tribunal proceedings as may be appropriate under the circumstances.

9.5.3 The Committee shall appoint a Prosecutor for the proceedings of the Tribunal.

9.6 Procedure

9.6.1 Not later than 21 (twenty one) Business Days following receipt of the notice by the Committee referred to in paragraph 9.5.1, the Respondent shall deliver to the Committee and the Tribunal a statement of defence, responding to the allegations contained in the notice, and attaching copies of all documents requested.

9.6.2 After expiry of the period referred to in paragraph 9.6.1, the chairperson of the Tribunal shall fix a date, time and place for the hearing and shall give at least 14 (fourteen) Business Days' notice thereof in writing to the Respondent, the AGB and the Committee. This shall apply irrespective of whether the Respondent has delivered his response as contemplated in paragraph 9.6.1.

9.6.3 If the Respondent fails to appear at the hearing without adequate excuse, the Tribunal may proceed with the hearing in his absence.

9.6.4 The Tribunal proceedings shall be open to the public unless the chairperson has compelling reasons to determine otherwise. The chairperson shall in this regard consider any circumstances of confidentiality or sensitivity of evidence that may likely be placed before the Tribunal.

9.6.5 The Respondent may be represented before the Tribunal, or assisted during the proceedings, by a person of his choice. The name and address of such person

shall be communicated to the Committee and the Tribunal in writing, at least 7 (seven) Business Days prior to the hearing.

9.6.6 If the Respondent pleads guilty to the Charge, or has admitted guilt to the Committee and the Complaint has been referred to the Tribunal in accordance with paragraph 7.2, the Tribunal shall accept the plea of guilt.

9.6.7 If the Respondent pleads not guilty to the Charge:

9.6.7.1 the Prosecutor shall address the Tribunal and call or question any witness. The Respondent or his representative may cross-examine the witness, who may also be questioned by the Tribunal;

9.6.7.2 the Respondent or his representative shall address the Tribunal and call or question any witness. The Prosecutor may cross-examine the witness, who may also be questioned by the Tribunal;

9.6.7.3 After the conclusion of the evidence, the Prosecutor and the Respondent or his representative shall address the Tribunal and present argument on the matter.

9.6.7.4 The Tribunal shall determine the admissibility, relevance, materiality and weight of all evidence presented to it.

9.6.7.5 Within 21 (twenty one) Business Days of the conclusion of the hearing, or as soon as reasonably practicable thereafter, the Tribunal shall determine whether it finds the Respondent guilty of the Charge.

9.6.7.6 The Tribunal shall deliver its decision on the Charge and, if applicable, its decision regarding sanction, to Council, the AGB, the Committee and the Respondent.

9.7 **Notifying other actuarial associations**

If there is a finding of Unprofessional Conduct against the Member, any other actuarial association to which the Member may belong and with which the Society has entered into a mutual recognition agreement must be notified.

9.8 **Interruption of Tribunal Process**

Notwithstanding any other provision, the AGB in consultation with Council, or the Tribunal itself (if constituted), may refer the Complaint or the Charge, as the case may be, or any aspect of either, to Mediation in terms of section 8. Pending such Mediation, the proceedings in respect of the Tribunal are suspended.

10. **SANCTIONS**

10.1 If the Respondent admits guilt, or is found guilty, any one or more of the following sanctions may be imposed by Council or the Tribunal, provided that Council may not alter the Tribunal's decision regarding sanction:

10.1.1 the Respondent may be formally admonished in writing;

10.1.2 any practising certificate or any other authorisation, approval or special designation issued by the Society to the Respondent may be withdrawn on terms determined by Council or the Tribunal;

10.1.3 the Respondent may be required to undergo, at his expense, such further period of education, training or practice as determined by Council or the Tribunal;

10.1.4 the Respondent may be fined an amount not exceeding R10 million payable to the Society;

10.1.5 the Respondent may be suspended from membership of the Society for an appropriate period;

10.1.6 the Respondent may be expelled from the Society;

10.1.7 if the Respondent was a Member at the time of committing the Unprofessional or Unacceptable Conduct but ceased to be a Member before the date on which the Tribunal found him guilty, he may be sentenced to temporary, qualified or permanent disqualification from future membership of the Society.

10.2 A Member who has been found guilty of Unprofessional or Unacceptable Conduct may request Council to expunge such finding from his or her record, which Council may do on such terms and conditions as it may decide.

11. COSTS

Council may also make a costs order against the Respondent.

12. IMPOSITION OF SANCTION

12.1 Council or the Tribunal may suspend any sanction imposed for such time and subject to such conditions as it considers reasonable.

12.2 If the Respondent refuses to comply with the sanction imposed upon him, Council may order the expulsion of the Respondent from the Society; provided that if the Respondent appeals a decision of guilt in terms of section 13 then such expulsion is suspended pending the outcome of the appeal.

12.3 All decisions of Council or the Tribunal relating to sanctions shall be recorded in writing.

13. APPEAL PROCESS

13.1 The Respondent shall have a right of appeal to the Appeal Board against a decision and/or sanction of the Tribunal.

13.2 An appeal must be lodged with Council within 14 (fourteen) Business Days of Council or the Tribunal having delivered its ruling.

13.3 An appeal lodged by the Respondent shall have the effect of suspending a decision of the Council or the Tribunal as the case may be until such time as the Appeal Board has delivered its decision.

13.4 The Appeal Board shall comprise a panel of three persons appointed by Council, namely, a chairperson, being either a retired judge or Senior Counsel (whether retired or not), and two Fellow members with not less than 15 (fifteen years post-qualification experience. The Appeal Board shall determine its modus operandi.

13.5 The Appeal Board -

13.5.1 shall allow the Respondent and the Committee to be heard by it, and to be represented by a legal representative; and

13.5.2 may, if it finds that exceptional circumstances are present, receive new evidence.

13.6 The Appeal Board shall, *inter alia*, be empowered to:

13.6.1 confirm or overturn a decision of the Tribunal;

13.6.2 substitute its own decision for that of the Tribunal;

13.6.3 decide a sanction, if applicable, from the list of sanctions contemplated in paragraph 10.

13.7 Decisions of the Appeal Board shall be decided by simple majority.

14. **NON-CO-OPERATION BY RESPONDENT**

Should the Respondent:

14.1 fail to cooperate with the reasonable requests of the Committee, Council, or the Society; or

14.2 hinder or frustrate the Committee, Tribunal, or Appeal Board in the conduct of their duties in accordance with this Procedure; or

14.3 refuse to participate in disciplinary proceedings contemplated in this Procedure, then Council may, at its discretion, and after having given reasonable notice to the Respondent, expel the Respondent from the Society, or suspend his membership on terms determined by Council.

15. **DELIVERY OF DOCUMENTS AND NOTICES**

Any documents or notices required to be delivered in terms of this Procedure may be delivered to one or more of the following addresses:

15.1 in the case of the Respondent, the physical address or email address under which the Respondent's membership is registered with the Society, or the physical address or email address of his representative;

15.2 in the case of the Complainant, the physical address or email address provided by the Complainant in the Complaint; and

15.3 in case of the Committee, the Tribunal, Council or the Society, at the physical address or email address of such body, as published by the Society.

16. **PUBLICATION**

Council shall publish the outcome of proceedings contemplated in this Procedure, and such further details as may be appropriate, provided that Council may exercise its discretion concerning the publication of not-guilty findings.