

Bylaws of the Polish Society of Actuaries

Public Discipline

1. All alleged violations of the Society's Statute Book, bylaws and decisions of the general assembly as well as deeds and conduct that is or may be considered contradictory to the actuaries' Code of Conduct shall be referred to the Society's Disciplinary Committee.
2. The Society's general assembly shall elect seven co-members of the Disciplinary Committee for a three-year period from among the full members of the Society who have been members of the PSA for at least three years and have unblemished reputation.
3. The co-members shall appoint a three-person acting Disciplinary Committee from among themselves to handle each case. No person with a potential conflict of interest can be member of this committee. In case of actual or potential conflict of interest this person shall withdraw from the acting Disciplinary Committee and shall be replaced by another co-member of the Disciplinary Committee.
4. Members of the acting Disciplinary Committee shall elect a chairperson from among themselves.
5. The acting Disciplinary Committee is competent only when in full body. An action of the Disciplinary Committee requires an affirmative vote of two thirds of the whole membership.
6. The right to complain is not limited to the Society membership. A member of the Society can file his own lawsuit pertaining to his conduct.
7. When the acting Disciplinary Committee has fixed the time and date of the meeting the member involved shall be notified not less than 21 days in advance. The time limit may be waived by mutual agreement of the parties.
8. The member who is subject to the disciplinary process shall appear personally before the Disciplinary Committee. He has the right to be accompanied by a counsel. He shall be entitled to the right of presenting an oral or written explanation of his conduct.
9. The Disciplinary Committee shall consider the conduct of the member involved in his presence. If the member involved has failed to appear twice his conduct may be considered in his absence.

10. The decisions of the Disciplinary Committee shall be made at closed meeting. The action may be that of acquittal or conviction. The Disciplinary Committee may give up the case or fail to produce a resolution if it finds the case beyond its competence.
11. If the Disciplinary Committee finds the person involved guilty, one of the following forms of punishments is implemented: verbal warning, written censure, suspension of membership – for one year as a maximum or exclusion from the members of the Society.
12. The member involved shall be notified in writing of the action of the Disciplinary Committee within three days after the date of action. An action of the Disciplinary Committee is effective fourteen days after the date of the action, if the member does not appeal it.
13. Both parties have the right to appeal to the Appeal Panel, which consists of all full and associate members of the Society.
14. The appeal application shall be presented to the Board within fourteen days after the date of action.
15. The Board shall summon the Appeal Panel within forty-five days and shall notify the members not less than fourteen days in advance.
16. The member may appear alone or by counsel before the Appeal Panel. The Disciplinary Committee is also entitled to the right to be counseled.
17. The Chairperson of the Disciplinary Committee shall present the Committee's decision and reasons to the Appeal Panel. The member may explain why he finds the decision wrong or unjust.
18. The Appeal Panel is competent if more than 50% of full and associate members are present. If the Appeal Panel is not competent, considering the matter shall be postponed 21 days and a new meeting shall be summoned.
19. The Appeal Panel may affirm, reduce or reject the resolution of the Disciplinary Committee. To pass a resolution an affirmative vote of two thirds of the Appeal Panel is required. The resolution of the Appeal Panel is final and is not subject to appeal.
20. Both parties shall be notified of the Appeal Panel resolutions not less than fourteen days prior to its taking effect.

21. The members of the Society and other publicly involved parties shall be notified of the Disciplinary Committee's and/or the Appeal Panel's resolutions in writing. The respective resolutions made by the Disciplinary Committee and the Appeal Panel are public.

22. As a rule, all proceedings and considerations by the Disciplinary Committee and the Appeal Panel as well as written and oral information presented to them is confidential and kept secret. In case the confidentiality is broken or in case there is a mutual agreement of all parties involved the Society reserves the right to make all factual information public.

5 July 2002