



**Canadian  
Institute  
of Actuaries**

**Institut  
canadien  
des actuaires**

# **DRAFT**

## **Guidance on the Rules of Professional Conduct**

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# GUIDANCE ON THE RULES OF PROFESSIONAL CONDUCT

## Definitions

As used throughout this *Guidance on the Rules of Professional Conduct* (Guidance), the following terms are dotted-underlined and have the meanings indicated.

**Confidential information:** Information not in the public domain of which the member becomes aware in conjunction with the rendering of professional services to a person or entity. It may include information of a proprietary nature, information that is legally restricted from circulation, or information which the member has reason to believe that the person or entity would wish not to be divulged.

**Indirect compensation:** Any material consideration received from any source in relation to an assignment for which the member provides professional services (examples of which may include volume bonuses, finder's fees and commissions), other than direct remuneration for those services.

**Member:** Fellow, Associate, and Affiliate of the Canadian Institute of Actuaries (CIA).

*(Note for consultation purposes: This definition will not be needed once the proposed [NEW MEMBER CATEGORIES](#) are introduced in the Bylaws since the Rules would apply to all member categories going forward.)*

**Professional services:** Any advice, recommendation, or opinion, rendered by a member, where a person or entity could reasonably be expected to rely on the member's training and experience as an actuary.

**Recognized actuarial organization:** An organization that has been accepted for full membership in the International Actuarial Association or a standard-setting, counselling or discipline body to which authority has been delegated by such an organization.

All other terminology used in this document is consistent in meaning with the same terminology used in the CIA [Bylaws](#).

All CIA publication titles used in this document are italicized.

## Purpose and scope

This Guidance has been prepared and issued by the CIA Board. Its purpose is to aid members' understanding of the requirements of the [Rules of Professional Conduct](#) (Rules) and help them meet their ethical and professional responsibilities under them. This Guidance provides additional explanatory, educational and advisory material to members of the actuarial profession on how the Rules are to be interpreted and applied.

It is the professional responsibility of the member to be knowledgeable about, and to keep current with the revisions to the Rules and Guidance.

This Guidance imposes no additional obligations upon members. Rather, the CCIA believes that the Guidance will be a useful tool for its members. This Guidance does not constitute legal advice, nor does it necessarily provide a defense to allegations of misconduct. While care has been taken to ensure that this Guidance is accurate, up to date and useful, the CIA will not accept any legal liability in relation to its contents.

## Professional integrity

**Rule 1** A member shall act honestly, with integrity, competence, and care, and in a manner to fulfil the profession's responsibility to the public and to uphold the reputation of the actuarial profession.

### Acting in an ethical and professional manner

- 1.1 Integrity is generally accepted as a fundamental requirement to act in an ethical and professional manner. If someone has integrity, their actions are consistent with their beliefs, both stated and real. They will not claim to have a certain belief and then act in a way that contradicts this, even if they are unlikely to be caught out.

### Being honest and fair

- 1.2 A member is expected to be straightforward and honest in their professional and business relationships and dealing fairly with those around them.
- 1.3 A member should not engage in any conduct involving dishonesty, fraud, deceit or misrepresentation or commit any act that reflects adversely on the actuarial profession.
- 1.4 It is the professional responsibility of the member not to be associated with anything that the member knows or should know is false or misleading.

### Duties outside the actuarial profession

- 1.5 The conduct outside of a member's actuarial professional life that demonstrates a lack of respect towards others will be covered by the Rules, but only to the extent that it may have an impact upon the reputation of the actuarial profession as a whole. A member is expected to use reasonable judgment in determining what behaviour is appropriate.

### The general duty to act with competence and care

- 1.6 A member has a duty to ensure that they are competent to perform professional services in their area(s) of expertise.
- 1.7 Due to the specialized nature of the work of actuaries, and the reliance that clients or other users of their workplace have on their professional status, it can be difficult for non-members to know whether a member is competent to carry out the work they are performing. This often means placing a great deal of trust in the member. Thus, a member who performs an assignment that the member is not competent to perform would be failing in an important responsibility and betraying the trust of users and the public.

### Competence and care in non-actuarial roles

- 1.8 A member is also expected to act with competence and care when carrying out non-actuarial roles (for example honorary, volunteer, or business roles), where their conduct could reasonably be considered to reflect on the profession.

### Independence

- 1.9 A member should bring objectivity and sound professional judgment to their work. It is essential that a member does not subordinate their professional judgment to external influences or to the will of others in fulfilling their duties. A member is expected to make appropriate actuarial

judgment according to the relevance and materiality of the subjects under analysis and to take full responsibility for the outcome of their choices.

## Qualification standards

**Rule 2** A member shall perform professional services only when the member is qualified to do so and meets applicable professional continuing qualification standards.

### Professional continuing qualification standards

- 2.1** It is the professional responsibility of the member to observe applicable professional continuing qualification standards that have been promulgated by a recognized actuarial organization for the jurisdiction in which the member renders professional services and to keep current regarding changes in those standards.
- 2.2** The professional continuing qualification standards promulgated by the CIA are defined in Bylaw 2.24. Currently, the [Qualification Standard – Requirements for Continuing Professional Development](#) is the only professional continuing qualification standard that has been established by the CIA.

### Qualified to perform professional services

- 2.3** Qualification can be achieved at any stage of a member's career. For a more experienced member, being qualified may involve ensuring that work is delegated to appropriately competent and experienced individuals and that the work delegated is ultimately performed to a satisfactory standard. For a less experienced member, being qualified is likely to involve acting under the supervision of another member who is taking professional responsibility for the work that is being carried out and ensuring that relevant advice and training is sought where they feel they do not have the necessary knowledge and skill to carry out the task being asked of them.
- 2.4** Performing professional services only when qualified does not mean that a member is prevented from branching out into new or evolving areas of practice. A member is encouraged to widen their professional knowledge and develop experience in new fields. In pursuing new areas of work, a member will be expected to ensure that they have the appropriate level of knowledge and training or are acting under the supervision of a suitably experienced individual. The onus is on the individual member to determine what is appropriate in each case.

## Compliance with legal, regulatory and professional requirements

**Rule 3** A member shall comply with all relevant legal, regulatory and professional requirements, including applicable standards of practice.

### Scope

- 3.1 This includes any rules governing matters in the area in which a member is practising, for example, pensions or financial markets legislation, as well as standards imposed by regulators, which regulate the member or their work. It also includes compliance with other relevant legislation applicable to the member and applies to volunteer work for the CIA.

### Professional responsibility

- 3.2 It is the professional responsibility of the member to observe applicable standards of practice that have been promulgated by a recognized actuarial organization for the jurisdiction in which the member renders professional services and to keep current regarding accepted principles and standards of practice in the jurisdiction in which the member renders professional services.
- 3.3 A member acting in good faith, and with due skill and care, could still misunderstand and misapply a standard of practice unintentionally. In this instance, the member would be considered compliant with Rule 3, since the member is following the standards of practice to the best of their ability and understanding. However, if a member does not exercise appropriate care to know the standards of practice, then that is noncompliance with Rule 1. A member who willfully and intentionally fails to follow the standards of practice contravenes Rule 3.

### Jurisdiction

- 3.4 The CIA *Bylaws* (Bylaw 5.9.5) and *Standards of Practice (paragraph 1160.03)* set out how to determine which standards are applicable to actuarial work.
- 3.5 In general, the location of the practice of a member is determined by the ultimate purpose of the work, which is determined by establishing the jurisdiction of the legal or regulatory requirements pursuant to which the work is performed or by establishing the jurisdiction for which the work is intended for use. The residence or physical location of the member is irrelevant to the determination of the location of such member's practice.

### Reasonable steps

- 3.6 A member shall take reasonable steps to ensure they are not placed in a position where they are unable to comply with the applicable standards of practice.

### Keeping up-to-date

- 3.7 To be able to comply with their obligations under Rule 3, a member needs to be aware of, and understand, the relevant laws and regulations that apply to the work they are undertaking, and ensure that they keep abreast of any changes or developments to those laws and regulations.

### Legal precedence

- 3.8 From time-to-time certain situations might arise in which the legal requirements with which a member is obliged to comply, appear, on the face of it, to be at odds with one or more of the Rules. Where such a situation arises, the Rules make it clear that legal requirements will take precedence and the member will not be treated as having breached the provisions of the Rules if they are complying with an obligation under an applicable law.

## Compensation disclosure

**Rule 4** A member shall make full and timely disclosure, to a person or entity using their work, of the sources of all direct and indirect compensation that the member or the member's firm has received or may receive in relation to an assignment for which the member provides professional services to that person or entity.

### Full and timely disclosure

**4.1** "Full and timely disclosure" means disclosure of all material facts concerning direct or indirect compensation that may be relevant to the decision of a person or entity using the work, and in sufficient time for the person or entity to make an informed and independent decision. Such disclosure should be made in writing.

### Sources of compensation

**4.2** A member performing professional services for a person or entity which operates in multiple sites is subject to the requirement of full and timely disclosure of sources of compensation which the member has received or may receive in relation to professional services with respect to a specific assignment for that person or entity, regardless of the location in which such compensation is received.

## Conflict of interest and impartiality

**Rule 5** A member shall ensure that their professional judgment is impartial, and cannot reasonably be seen to be compromised, by real or perceived conflict of interest.

A member shall take reasonable steps to ensure that they are aware of any relevant interests that might create a conflict.

Once a member becomes aware of a conflict of interest, the member shall take action to reconcile the conflict, or cease or decline to act on the matter where there remains a conflict.

Conflicts of interest can be complex and require the use of professional judgment. This section is intended to assist members with understanding their responsibilities in relation to conflicts of interest and to help them exercise professional judgment.

Rule 5 of the Rules applies to a member's professional judgment when performing professional services including volunteer roles within the CIA and other volunteer work.

### The general principle of impartiality

**5.1** Impartiality can be described as the principle that a decision should be based on objective criteria, rather than based on bias, prejudice, or preferring to benefit one person or entity over another for improper reasons.

### Exercising professional judgment

**5.2** A member exercising professional judgment will need to do so, and be seen doing so, in a way that is free from bias (actual or perceived) and that ensures they are able to give advice that is

independent of any personal interests or feelings.

#### Reconcile or cease to act

- 5.3 From time to time, a member may be exposed to situations that risk impairing their objectivity. If the circumstances of an assignment, a relationship with a user and/or other factors increase the risk of compromising the impartiality of a member's professional judgment over the course of the assignment, then the member may be better not to accept the assignment. If, having accepted an assignment, a member identifies circumstances that compromise, or are seen to compromise, their professional judgment, the member will need to reconcile the conflict or cease to act. This may involve explaining the situation to the user and helping them make alternative arrangements.

#### What would a fair-minded observer think?

- 5.4 When thinking about impartiality, a member will need to ask themselves whether there is any conflict between the advice that they are giving, or decisions they are making, and their own personal interests. A good test is to imagine a fair-minded and informed observer: Would this person have any reason to suspect that your impartiality might be compromised? If so, action will need to be taken to rectify this.

#### Conflicts of interest

- 5.5 Ensuring that conflicts are

- a) understood;
- b) identified; and
- c) reconciled or eliminated

is the key to meeting the requirements of the Rules.

- 5.6 A member has an individual responsibility to be familiar with their obligation to identify conflicts and to know what to do if they encounter one. This responsibility exists regardless of their particular role in the work or level of seniority, including for actuarial students, more junior members of an actuarial team and those working as part of a multidisciplinary team.
- 5.7 There may also be practice-specific conflict of interest provisions for members, such as any contained in the relevant professional standards. Additionally, a member needs to have regard to any relevant legal and regulatory requirements.
- 5.8 If a member is unsure how to act at any stage, the CIA encourages them to seek guidance from appropriate sources (e.g., appropriate CIA committees, internal employer resources).



## What is a conflict of interest?

- 5.9** Conflicts of interest can arise in any situation where two or more separate parties are involved, and the interests of those parties differ. As conflicts can be complex, it is not possible to give an exhaustive list. However, common examples of situations where conflicts of interests can arise are where a member's professional responsibility to a user of their work conflicts or is seen to conflict with
- a) the member's own interests (or those close to the member);
  - b) an interest of the member's employer, in situations where the employer is not also the member's client/user (e.g., volunteer role for an actuarial organization); or
  - c) an interest of another client of the member; or
  - d) an interest of another relevant stakeholder.

## Identifying a conflict of interest

- 5.10** The effective understanding and identification of conflicts of interest are key to their reconciliation. To identify conflicts, it may be useful for a member to approach this in two steps:
- a) Establish what various interests are involved in the particular scenario – For whom do you work? Who are the users of your work? Do you have a personal interest in the matter? Does anyone else have an interest which you should take into account?
  - b) Assess whether the differing interests of relevant parties involved (including your own interests and those of the person you work for) might make it hard for you to continue to act without compromising your objectivity or your professional responsibility to the user (or any of the users) of your work. Or are the interests of parties other than the principal user so remote or generic that they will not compromise, or be seen to compromise, your professional judgment?

## Managing and reconciling conflicts of interest

- 5.11** Once a conflict of interest is identified, the conflict needs to be resolved appropriately or the member shall decline or cease to act in the specific situation.
- 5.12** "Reconciling" can be understood to mean carefully managing the conflict such that, within the scope of an assignment, the conflict does not have (and is not seen to have) any adverse effect on the work for the users.
- 5.13** It is also necessary that a member be alert to situations where others perceive that there may be a conflict of interest or the possibility of a conflict of interest, even when an actual conflict of interest does not exist. In these situations, it is still necessary for the perception of the conflict to be appropriately addressed for the member to continue to act. A member should not act in a role involving an actual or potential conflict of interest unless
- a) the member's ability to act fairly is unimpaired;
  - b) there has been full and timely disclosure of the conflict to all known present and prospective direct users; and
  - c) all known present and prospective direct users have expressly agreed to the performance of the services by the member.

- 5.14 “Full and timely disclosure” means disclosure of all material facts concerning the conflict (including the nature of the influence or relationship and the nature and extent of the interest) that may be relevant to a direct user’s decision, and in sufficient time for the direct user to make an informed and independent decision. Such disclosure should be made in writing.
- 5.15 Where a conflict of interest is identified, a member is encouraged to carefully document the reasoning for their decision to either continue to or cease to act, including the steps that they have taken to reconcile the conflict. Being able to explain and justify the approach they have taken in reaching their decision will assist the member when being called upon to do so, for example in response to a request from a user or a regulator.

## Control of work product

**Rule 6** A member who performs professional services shall take reasonable steps to ensure that such services are not used to mislead other parties or to violate or evade the law.

Without limiting the generality of the foregoing, a member’s work product should identify the person or entity for whom it is prepared. The material should also identify the member as the source of the material, the capacity in which the member has acted in preparing the material, any aspect of the professional services for which the member does not take responsibility, and the extent to which the member or other sources will be available to provide the person or entity with supplementary information and explanation as appropriate.

### Misuse of material

- 6.1 Work product prepared by a member may be used by another party in a way that may influence the actions of a third party. The member should recognize the risks of misquotation, misinterpretation, or other misuse of such work product and should take reasonable steps to ensure that the work product is clear and presented fairly.
- 6.2 A member should take precautions to avoid only part of a report being copied and used in that it might mislead other parties.

## Confidentiality

**Rule 7** A member shall not disclose to another party any confidential information obtained while performing professional services for a person or entity unless

- a) expressly authorized to do so by the person or entity;
- b) required to do so under Rule 13;
- c) required to do so by the Professional Conduct Board, an investigation team, a disciplinary tribunal or an appeal tribunal regarding any disciplinary matter arising under Section 5 of the Bylaws; or
- d) required to do so by law.

### Duty of care of information

- 7.1** Rule 7 recognizes that users and the general public are entitled to expect that sensitive information will not be misused, treated carelessly or, other than in exceptional circumstances, be shared without permission.
- 7.2** Information that is already lawfully in the public domain is not considered confidential.

## Courtesy and cooperation

**Rule 8** A member shall show courtesy, respect and cooperation with others in the way that they conduct themselves.

### Respecting others

- 8.1** The scope of Rule 8 extends not only to users, but also to anyone with whom members interact, including colleagues and the general public. Among other things, showing respect for others includes not deceiving or manipulating others, not taking credit for others' work and not spreading false or defamatory information about people. More subtly, showing respect for people includes such things as avoiding the temptation to publicly ridicule others' ideas and giving people a fair hearing. A lack of respect can be demonstrated by non-verbal communication, as much as by a person's choice of words.
- 8.2** The conduct outside of a member's actuarial professional life that demonstrates a lack of respect towards others will be covered by the Rules, but only to the extent that it may have an impact upon the reputation of the actuarial profession as a whole. A member is expected to use reasonable judgment in determining what behaviour is appropriate.
- 8.3** It is worth remembering that the same behaviour may have a different impact on different people; what one person may find offensive may not have any effect on another. Often, people of different social and cultural backgrounds can perceive the same conduct and behaviour very differently.
- 8.4** The CIA promotes equality and diversity and the development of an inclusive profession that incorporates people from a range of backgrounds. A member is encouraged to behave in a way that recognizes and respects diversity and different cultures.

### Expressing differences of opinion

- 8.5 Differences of opinion among members may arise particularly in choices of assumptions and methods. Discussion of such differences, whether directly between members or in observations made to a client by one member on the work of another, should be conducted objectively and with courtesy and respect.
- 8.6 A member, in the course of an assignment, may encounter a situation such that the best interest of the person or entity would be served by the member's setting out an alternative opinion to one expressed by another member together with an explanation of the factors that lend support to the alternative opinion. Nothing in the Rules should be construed as preventing the member from expressing such an alternative opinion to the person or entity.

### Cooperation upon transition of an assignment from one member to another

- 8.7 If a member is invited to advise a person or entity for whom the member knows or has reasonable grounds to believe that another member is already acting in a professional capacity with respect to the same matter or has recently so acted, it would normally be prudent to consult with the other member both to prepare adequately for the assignment and to make an informed judgment on whether there are circumstances as to potential violations of the Rules which might affect acceptance of the assignment.
- 8.8 The member who is the prospective new or additional advisor should request the person's or entity's consent to such consultation. When the person or entity has given consent, the original member shall cooperate in furnishing relevant information such as pertinent data, work papers and documents in a timely manner and may require reasonable compensation for the work involved in assembling and transmitting the relevant information. The original member shall not refuse to consult or cooperate with the member based upon unresolved compensation issues with the person or entity, unless such refusal is in accordance with a pre-existing agreement with the person or entity. An original member need not include any items of a proprietary nature such as internal communications or computer programs.

## Advertising

<b>Rule 9</b>	A <u>member</u> shall not engage in any advertising or business solicitation activities in respect of <u>professional services</u> that the <u>member</u> knows or should know are false or misleading, or that reflects unfavourably on the profession or the competence or integrity of any <u>member</u> thereof.
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- 9.1 The requirement for a member to "act honestly, with integrity [...] and to uphold the reputation of the actuarial profession" applies to the promotion of professional services. The member should be careful not to make any false claims regarding professional services offered either by the member or other members.
- 9.2 In Rule 9, "advertising or business solicitation activities" encompass all communications by whatever medium, including oral communications, which may directly or indirectly influence any person or entity to decide whether there is a need for professional services or to select a specific person or firm to perform professional services.

## Titles and designations

**Rule 10** A member shall make use of membership titles and designations of a recognized actuarial organization only in a manner that conforms to the practices authorized by that organization.

### Application

**10.1** Rule 10 refers to the appropriate usage of membership titles and designations. Notably this rule applies not only to the titles and designations of the CIA, but also to those of other recognized actuarial associations to which the member may also belong.

### Title

**10.2** “Title” means any title conferred by a recognized actuarial organization related to a specific position within that organization. Examples of titles would be “president,” “chair,” “director” or “member”.

### Designation

**10.3** “Designation” means a specific reference to membership status within a recognized actuarial organization. Examples of designations would include “Fellow, Canadian Institute of Actuaries (FCIA)” and “Associate, Society of Actuaries (ASA).” Typically, a professional designation needs to be kept current by regular payment of membership dues and fulfilling any continuing professional development requirements. Failure to maintain standing means the designation can no longer be used.

**10.4** As stipulated in the [CIA Bylaws \(Section 4.1\)](#), only “Fellow” and “Associate” member categories are authorized to append initials (designations) after their names. The [Policy on Administration of Member Rights and Privileges](#) provides more detailed guidance regarding specific circumstances where the designations may no longer be used, such as resignation, termination, or suspension of membership.

## Collateral obligations

**Rule 11** A member shall disclose any criminal conviction, as defined in Bylaw 2.24, pursuant to Bylaws 4.3.6, 4.3.7, or 4.3.8.

**11.1** A criminal conviction disclosed by a member pursuant to Bylaws 4.3.6, 4.3.7 or 4.3.8 shall be subject to review and assessment by the Professionalism and Credential Monitoring Board which may determine that the matter should be referred to the Professional Conduct Board and subject to the Institute’s disciplinary procedures. (See also the [Policy on the Disclosure of Criminal Convictions](#) for further information.)

**Rule 12** A member shall respond promptly, truthfully and fully to any request for information by, and shall cooperate fully with, the Professional Conduct Board, an investigation team, a disciplinary tribunal, an appeal tribunal, or any member of such bodies regarding any disciplinary matter arising under Section 5 of the *Bylaws*.

### Respondent in a discipline case

**12.1** It is important that a member who is a respondent in a disciplinary case, fully cooperate with an investigative body. Not doing so adds delay and potential additional legal costs for the member.

The fact that the member does not cooperate may also be held against them when the complaint is addressed.

#### Member at large (not a respondent in a discipline case)

- 12.2** It is also important for a member who is not a respondent in disciplinary proceedings to cooperate with an investigative body. If such member does not cooperate, the member would be in breach of Rule 12.

**Rule 13** A member who becomes aware of an apparent material noncompliance with the Rules or the Standards of Practice by another member shall attempt to discuss the situation with the other member and resolve the apparent noncompliance except when the member is acting in an adversarial environment, for the duration of such adversarial environment.

In the absence of such discussion and resolution, the member shall report such apparent non-compliance to the Professional Conduct Board unless:

- a) the member is acting in an adversarial environment (for the duration of such adversarial environment);
- b) the matter has already been reported;
- c) the member is exempted from this rule for the purpose and to the extent specified by the Board (*Note: This new administrative policy is not yet drafted but will include the list of exemptions which were in the Rules previously or are currently only in the form of Board motion. It will be prepared and approved by the Board prior to the January 1, 2024 (effective date of the revised Rules.)*)
- d) such disclosure would result in the breach of a statutory duty not to disclose;
- e) such disclosure would result in the loss of solicitor-client privilege; or
- f) the matter is trivial.

#### Responsibilities of the Member

- 13.1** It is the obligation of all members to protect the integrity of the profession.
- 13.2** In deciding when to report an apparent material non-compliance, a member should believe that the matter raises doubts as to the competence, reputation or integrity of another member.
- 13.3** Rule 13 attempts to strike a balance between the duty to the user of the work in question and the duty to protect the public interest and maintain the reputation of the profession.
- 13.4** The first paragraph of Rule 13 refers to a member who “becomes aware” of an apparent material noncompliance. This does not imply that a member is required to investigate a situation for the sole purpose of determining whether a noncompliance has taken place. Rather, the requirements of Rule 13 apply when a member has personal knowledge of an apparent material noncompliance.
- 13.5** The use of the words “apparent” and “material” when referring to a noncompliance is intentional. The member does not need incontrovertible evidence that a noncompliance has occurred; a reasonable and defensible suspicion is sufficient. However, a member is not expected to report trivial and inconsequential incidents. The word “material” is intended to ensure that frivolous reports are avoided.

- 13.6** A member contemplating a report shall be clear on the nature of the noncompliance (i.e., which standard of practice or which rule is involved). A member who cannot clearly state where the noncompliance is taking place likely does not have a valid basis for reporting the infraction.
- 13.7** A member who becomes aware of an apparent material noncompliance “shall attempt to discuss the situation with the other member and resolve the apparent noncompliance.” Note that this is a requirement, and not an option except when the member is acting in an adversarial environment, for the duration of such adversarial environment. There is a strong onus on the member to attempt to resolve the situation before reporting it any further. If situations can be resolved without involving the Professional Conduct Board, then this is a better outcome for all involved. A member cannot use inconsequential reasons for avoiding this first discussion (e.g., it is not sufficient to say that they simply did not want to discuss the issue).
- 13.8** If a member is aware that a matter involving an apparent material non-compliance on the part of another member has come to Professional Conduct Board’s attention, the member shall not have a duty to report the matter. The member shall report only if the member is aware that certain facts have been concealed, distorted, or have otherwise not been reported.
- 13.9** A member approaching another member should do so in a courteous and cooperative matter.

Confidential discussions with a member exempt from the reporting obligations of Rule 13

- 13.10** The goal of the provision in Rule 13 c) (i.e., allowing discussion with members who are exempt from Rule 13 such as the chair of a CIA council or practice committee) is to encourage consultation and provide the member with additional resources when the member is unsure of the proper application of *Standards of Practice*. Note that the scope here is somewhat narrower, i.e., the consultation is to be with respect to the application of *Standards of Practice* only. This consultation is intended to provide the reporting member with additional information and interpretation, not to provide a loophole whereby a member in violation of the *Standards of Practice* can obtain protection. If the situation being discussed is hypothetical, then there is obviously no need to refer to Rule 13, since no work has actually been done.
- 13.11** It is important to note that the exempted member is not prohibited from reporting noncompliance with the Rules; in fact, they are obliged to do so. The confidentiality provision applies only to noncompliance with standards of practice. It is therefore important that, if a member has a question regarding the interpretation of a Rule, that, before acting, they seek advice from another member or from the Professionalism and Credential Monitoring Board, which is mandated to provide interpretation of the Rules. This will help ensure that the member is able to take corrective action, if necessary, to avoid the breach of a Rule.
- 13.12** The prohibition on reporting noncompliance with standards of practice applies regardless of the materiality of the infraction. The exempted member, though, is still expected to encourage rectification of the situation.
- 13.13** The intent is to have the exempted member serve as a resource, rather than as a police officer. The exempted member is not expected to maintain histories of possible violations on which they have been consulted, but rather to deal with each instance independently and upon its own merits.
- 13.14** The exempted member is not required to keep documentation of the confidential consultation itself. Nevertheless, they may consider it helpful to document the circumstances and opinion given, without keeping the identity of the member who asked the question, in order to contribute to the development of future guidance material or the review of the standard of practice itself. The

goal is education, not enforcement.

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