

Extract from IPAV's Memo & Articles of Association

Dishonourable Conduct

On the receipt of any complaint in writing signed by any person complaining of any discreditable or dishonourable act or conduct on the part of a member or of any act or conduct which in the absence of satisfactory explanation, would be derogatory to the Institute or render him unfit to be a member of the Institute, the matter shall be drawn to the attention of the member and written comments invited thereon. Any failure to respond or any comments which warrant further investigation shall be referred to the Disciplinary Committee. If, upon considering any such complaint the Disciplinary Committee shall be of the opinion that there is no prima facie case for an inquiry, the Disciplinary Committee shall so inform the Complainant in writing and shall take no further action in relation to the complaint.

Powers of Disciplinary Committee

The Disciplinary Committee shall have the power to investigate the affairs of any Member of the Institute including the power on giving reasonable notice to send in the Auditors of the Institute or such other accountants as the Disciplinary Committee may appoint ("the Investigating Accountants") to investigate the books and records of its Members. On receipt of a report from the Investigating Accountants into the affairs of a Member if upon consideration the Disciplinary Committee shall be of the opinion that a prima facie case for an enquiry has been shown the Disciplinary Committee shall be entitled to hold an enquiry in accordance with the provisions of Article 35 (a) of these Articles of Association. The Disciplinary Committee may should it consider it necessary in order to protect the interests of the Institute and of its Members suspend the Member under enquiry in accordance with the provisions of Article 35 (b) of these Articles.

If, upon such consideration, the Disciplinary Committee shall be of the opinion that a prima facie case for an inquiry has been shown, the Disciplinary Committee shall hold an inquiry, and for this purpose shall fix a date for such inquiry, and the Secretary of the Institute shall send to the Complainant and to the member concerned not less than twenty one days' notice of the date fixed therefore. The Secretary of the Institute shall also send to the Member a copy of the complaint in writing and copies of all documents lodged by the complainant in connection with such complaint. Within fourteen days of the receipt by him of the copy of such or within such extended time as may be allowed by the Council, the Member shall send to the Secretary of the Institute in writing his response to such complaint. The Secretary of the Institute shall send to the complainant a copy of such response (with, as the case may be, copies of any documents lodged by the member in connection with such response). The member and the complainant may appear personally at such enquiry (either with or without legal representation) and may adduce such further documentary or oral evidence as they think fit, and the Disciplinary Committee shall consider all the evidence, and any such enquiry may be adjourned from time to time by the Disciplinary Committee for the purpose of hearing further evidence or otherwise at the discretion of the Disciplinary Committee.

At any time following consideration of a complaint and prior to making its decision following an inquiry, the Disciplinary Committee may, should it consider it necessary in order to protect the interests of the Institute and of its members, suspend a member from the exercise of all rights and privileges as a Member of the Institute pending such decision. No such decision to suspend a member as aforesaid shall be made except by a vote of two-thirds of all members of the Disciplinary Committee present at the meeting at which such decision shall be made. The Disciplinary Committee shall have the right to notify the public of its decision to suspend a member by whatever means it considers appropriate including publication in the national and local newspapers.

Decision of Disciplinary Committee

Following the conclusion of such an inquiry the Disciplinary Committee shall decide whether, in its opinion, the member has been guilty of dishonourable, improper or unprofessional conduct and shall communicate its decision in writing to the member, the Complainant and the Council of the Institute. The decision shall be signed by the member of the Disciplinary Committee who presided as Chairman in the hearing of such an inquiry.

If the Disciplinary Committee decide that dishonourable, improper or unprofessional conduct had not been proved against the member no further action shall be taken against the member in relation to the complaint.

If in the opinion of the Disciplinary Committee the member is found to be guilty of dishonourable, improper or unprofessional conduct they may censure the member or suspend him from the exercise of all rights and privileges as a member during such period not exceeding two years as it may think fit or exclude him from membership of the Institute or otherwise deal with such member as it thinks fit but no such decision of the Disciplinary Committee as aforesaid shall be made except by a vote of two-thirds of the members of the Disciplinary Committee present at the meeting at which such decision shall be made.

Appeal

A member shall have the right to appeal the decision of the Disciplinary Committee to the Council of the Institute within twenty one days of the receipt of the said decision. If a member so wishes to appeal he shall serve notice in writing of his intention to do so, including the grounds of such appeal, on the Secretary of the Institute within the said twenty one day period. Upon receipt of a Notice of Appeal, the Council shall thereupon fix a date for hearing of the appeal and the Secretary of the Institute shall give the member not less than fourteen days' notice of the date fixed therefore and the member shall be entitled to appear personally on such date (either with or without legal representation) and to be heard by the Council in relation to the complaint and the decision of the Disciplinary Committee. The Council on consideration of the matter may thereupon give its decision or reserve its decision for a further meeting of the Council (at which, unless the Council thinks fit, neither the member or his legal representation shall be entitled to be present) the Council may either dismiss the appeal and reaffirm the decision of the Disciplinary Committee or otherwise deal with such member as it thinks fit but no such decision as aforesaid shall be made except by a vote of two-thirds of the members of the Council present at the meeting at which such a decision shall be made.

The provision in these Presents contained relating to Committees generally shall apply to the Disciplinary Committee, except in so far as they may be inconsistent or inapplicable by reason of the express provisions relating to the Disciplinary Committee.

Decisions of Disciplinary Committee Binding

Any decisions taken by the Disciplinary Committee in pursuance of its functions hereunder shall be fully binding on the Institute and its members.