

Code of Professional Conduct

Version	Effective from
1.0	1 st November 2010
1.1	1 st November 2012
2.0	1 st June 2020

Application

The Code applies to all Members of the Society of Actuaries in Ireland (“Society”) in all locations.

Scope

The Code applies at all times to all Members’ conduct in the performance of professional services (whether remunerated or not).

The Code also applies to all Members’ other conduct if that conduct could reasonably be considered to reflect upon the actuarial profession. In particular, in relation to work performed other than professional services, Members should consider whether it is appropriate to comply with the Code, taking into account the reasonable expectations of intended recipients of the work, the nature of the work, any other code or standards that apply to the work and any other relevant factors.

For the purposes of the Code, “professional services” means all services provided by a Member that relate to a pension scheme/fund, insurance/reinsurance/financial services entity or financial transaction (including aviation finance); and all other services provided by a Member that are based upon actuarial considerations. It includes any work as Director of a company, Trustee of a Trust or as a member of the governing forum of a corporate entity where reliance might be placed on the Member’s actuarial judgement.

Status and Purpose

The Code aims to build and promote confidence in the work of actuaries and in the actuarial profession.

The Code includes six principles (shown in italics) which Members must observe to support the profession in acting in the public interest.

Those six principles are supported by amplifications (not in italics) that clarify specific requirements of the principles for some particular issues.

The principles and amplifications, together, form the Code and Members must comply with both the principles and the amplifications. Members are expected to apply professional judgement, as and when necessary, to ensure that they observe the spirit as well as the letter of the Code.

The Code uses the word “must” to mean a specific mandatory requirement. In contrast, the Code uses the word “should” to indicate that, while the presumption is that Members comply with the provision in question, it is recognised that there will be some circumstances in which Members are able to justify noncompliance. If, in the performance of professional services, the indicated action is not followed, the Member should disclose that fact to the intended recipients of the professional services and provide the reason for not following the indicated action.

Nothing in the Code is intended to require Members to act in breach of legal requirements. Where relevant legal requirements conflict with the Code, Members must comply with those legal requirements.

THE PRINCIPLES

Integrity

1. *Members must act honestly and with integrity.*
 - 1.1 Members must show respect for others in the way they conduct themselves.
 - 1.2 Members should respect confidentiality.
 - 1.3 Members must not act in a way that is likely to damage the reputation of the actuarial profession. This does not preclude legitimate challenge or criticism of the profession.
 - 1.4 Members must consider the interests of other parties, such as policyholders of an insurer, members of a pension scheme or any analogous persons, where the Member ought to be aware that their interests may be affected by the Member’s work or that the client has a legal or professional duty of care to them. Members must draw the client’s attention to the potential for adverse impacts of proposed acts or omissions on such persons, if applicable.
 - 1.5 When a Member is asked to perform work previously performed by another person, the Member must consider whether it is appropriate to consult with the previous provider to establish whether there might be any professional reason not to take on the new responsibility.

Competence and Care

2. *Members must carry out work competently, with care and in a timely fashion.*
 - 2.1 Members must ensure they have an appropriate level of relevant knowledge and skill to carry out a piece of work.
 - 2.2 Members must continue to develop their knowledge and skills in a manner appropriate for their role and comply with the Society’s Continuing Professional Development (CPD) requirements.
 - 2.3 Members must establish the identity of their client and, where Members perform more than one function, who the client is in relation to each function. A Member’s client may be the Member’s employer.
 - 2.4 Members must ensure their work is appropriate to the needs and, where applicable, instructions of user(s). The nature and scope of the Member’s responsibilities under any appointment or instruction should be agreed in a timely manner.

- 2.5 Members must consider whether input from other professionals or specialists is necessary to assure the relevance and quality of work and, where necessary, either seek it themselves or advise the user to do so, as appropriate. In such cases, Members must cooperate with those appointed for that purpose.

Impartiality

3. *Members must ensure that their professional judgement is not compromised, and cannot reasonably be seen to be compromised, by bias, conflict of interest, or the undue influence of others.*
- 3.1 Members must take reasonable steps to ensure that they are aware of any relevant interests that might create a conflict.
- 3.2 Members must not act where there is an unreconciled conflict of interest.
- 3.3 Members must document the steps they have taken to reconcile a conflict of interests and must agree those steps with their clients if they would be ineffective without agreement.
- 3.4 Members must disclose to their client any other financial interest that they – or their employer, where the client is not the Member’s employer – may have in any assignment or its outcome.

Compliance

4. *Members must comply with all relevant legal, regulatory and professional requirements.*
- 4.1 Members must take reasonable steps to ensure they are not placed in a position where they are unable to comply.
- 4.2 Members must, as soon as reasonably possible, disclose to the Society any conviction, adverse finding, judgement or determination or disqualification of the type referred to in rules 1.9, 1.10 or 1.11 of the Society’s Disciplinary Scheme to which they are subject.

Speaking up

5. *Members should speak up if they believe, or have reasonable cause to believe, that a course of action is unethical or is unlawful.*
- 5.1 Members should challenge others on their non-compliance with relevant legal, regulatory and professional requirements.
- 5.2 Members must report to the Society, as soon as reasonably possible, any matter which appears to constitute Misconduct for the purposes of the Society’s Disciplinary Scheme and/or a material breach of any relevant legal, regulatory or professional requirements by one of its Members.
- 5.3 Before deciding whether to report the matter to the Society, Members may discuss the apparent Misconduct with the other Member concerned and seek further information in order to form a view on whether the matter in question does amount to apparent Misconduct. Discussing the matter also gives the other Member the opportunity to rectify the apparent Misconduct or mitigate its effect, although any such rectification or mitigation does not relieve Members of their duty to report the apparent Misconduct. Where such reporting or the subsequent investigation of alleged Misconduct requires the disclosure of information that would normally be confidential to a third party, Members must take all reasonable steps to obtain the consent of the third party to such disclosure.

- 5.4 In addition to complying with any legal requirements to report matters to relevant regulators or other authorities, Members should also report to those bodies any behaviour that they have reasonable cause to believe is unethical or unlawful and carries significant risk of materially affecting outcomes.
- 5.5 Members must take reasonable steps to ensure users are aware of any substantial issues with a piece of work for which they are responsible or in which they have had significant involvement, if those issues might reasonably influence the decision-making or judgement of users.

Communication

- 6. *Members must communicate appropriately.*
- 6.1 Members must communicate in a timely manner, clearly, and in a way that takes into account the users. The intended users should be identified, as should the capacity in which the Member is acting. If any advice of a substantive nature takes into account the interests of a party or parties other than the client, this must be disclosed.
- 6.2 Members must show clearly that they take responsibility for their work when communicating with users.
- 6.3 Members must take reasonable steps to ensure that any communication for which they are responsible or in which they have a significant involvement is accurate, not misleading, and contains an appropriate level of information. Where applicable, Members should state where supplementary information or explanation can be found.
- 6.4 Where Members identify that a user of their work has, or is reasonably likely to have, misunderstood or misinterpreted the information or advice provided by them in a way which could have a material impact, Members should draw the user's attention to this.