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INSTITUTE OF ADVANCED FINANCIAL PLANNERS

IAFP[®] COMPLAINT ADJUDICATION POLICY

REVISED JUNE 12, 2015



Allegations of Unprofessional Conduct of a Member: Procedure for Adjudication and Disciplinary Action

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The following outlines the process for dealing with complaints of unprofessional conduct against an IAFP® Member:

1. Initial Response

1.1 An appointed IAFP® Representative shall endeavour to acknowledge immediately in writing all complaints received verbally or in writing concerning unprofessional conduct by of any of its Members; advise the Complainant of the Adjudication process; and periodically advise the Complainant of progress during the process. A Complainant shall be contacted frequently with a progress report until the complaint process has reached a conclusion in the opinion of the IAFP®. Depending on the progress of the complaint, the person contacting the Complainant will be either the IAFP® Representative, the Director, Ethics & Practice Standards, or the Chairperson of the Regents.

1.2 Any person, whether an individual or corporation or a representative of either, who expresses an intention to file a complaint against an IAFP® Member should be advised to contact the IAFP® Representative and/or the President. The person may also be provided with the prescribed form, "Request for Inquiry by IAFP®," and asked to complete and send it to the IAFP® Representative. The IAFP® Representative may be contacted through the IAFP® main office at 1-888-298-3292, or:

E-mail: info@IAFP.ca
Mail: The IAFP®
1275 West 6th Ave., Suite #300
Vancouver, BC
V6H 1A6

1.3 Any Board Member or IAFP® employee who receives a written or verbal complaint concerning an IAFP® Member should refrain from discussing the complaint with the Complainant; but rather, urge the Complainant to contact the IAFP® Representative immediately. If the complaint was verbal, the Complainant should be directed to contact the IAFP® Representative by phone, or provided with the prescribed form “Request for Inquiry by IAFP®” and asked to complete and mail it to the IAFP® Representative.

The IAFP® Representative shall also provide the Complainant with access to a copy of the IAFP® Code of Ethics and a copy of the IAFP® Practice Standards, and will also provide advice that the IAFP® will acknowledge the complaint valid for consideration only if a Canon or Tenet of the Code of Ethics has been breached or if a mandatory (“must”) requirement of the IAFP® Practice Standards has not been fulfilled.

1.4 Upon receipt by the IAFP® Representative of an inquiry as to how to file a complaint against an IAFP® Member, the IAFP® Representative shall promptly provide a web link or send the IAFP® prescribed form “Request for Inquiry by IAFP®” to the Complainant by return-receipt mail, or by e-mail if the Complainant indicates having an e-mail address. If the prescribed form is sent by e-mail and an acknowledgement e-mail is not received within one week, the IAFP® Representative shall send the prescribed form to the Complainant by return-receipt mail if the address of the Complainant is known.

The “Request for Inquiry by IAFP®” form shall request the following information:

1. The name, mailing address, home telephone number, business telephone number and e-mail address (if any) of the Complainant;
2. Whether the Complainant is a financial planner; and if so, whether the Complainant is an IAFP® Member;
3. The name of the IAFP® Member who is alleged to have breached a provision of the IAFP® Code of Ethics or a mandatory (“must”) requirement of the IAFP® Practice Standards and who will be the subject of the investigation;
4. The relationship of the Complainant to the subject of the investigation; that is, client, employee, employer, business partner, other;
5. If the Complainant is not a client but the complaint involves conduct regarding a client, we will request the name, address and/or telephone number of the client in a way that will not violate the client’s right to privacy;
6. A description of the nature of the complaint; that is, the alleged unprofessional conduct;
7. The date of the unprofessional conduct, or if the unprofessional conduct occurred over a period of time, then the time period involved [approximate commencement date and end date];

8. What action if any the Complainant has taken to attempt to resolve the problem;
9. Documents, if applicable, to support the allegation;
10. Action the Complainant desires the IAFP® Member who is the subject of the investigation should take to resolve the alleged problem;
11. Permission from the Complainant to release the name of the Complainant and the alleged unprofessional conduct to the IAFP® Member concerned; to members of the Ethics & Practice Standards Committee; if necessary, to the Board of Directors of the IAFP®; if necessary, to the Regents; and if necessary, to any regulatory authority or professional body having jurisdiction and connection to the case.
12. Date and signature of the Complainant, witnessed. The form will provide space for the names of the Complainant and Witness to be printed.

1.5 Upon receipt by the IAFP® Representative of a written complaint, the IAFP® Representative shall review the complaint to determine whether all information required by the prescribed form has been submitted. If not, the IAFP® Representative will contact the Complainant and request the outstanding information. If the IAFP® Representative has not yet provided the Complainant with access to a copy of the IAFP® Code of Ethics and a copy of the IAFP® Practice Standards, along with advice that the IAFP® will acknowledge the complaint valid for consideration only if a Canon or Tenet of the Code of Ethics has been breached or if a mandatory (“must”) requirement of the IAFP® Practice Standards has not been fulfilled, then the IAFP® Representative shall do so at this time.

1.6 If in the opinion of the IAFP® Representative adequate information has been received to commence an inquiry, the IAFP® Representative shall forward the information to the Director, Ethics & Practice Standards. It is not the role of the IAFP® Representative to determine whether the information submitted indicates or not that a breach of the Code of Ethics or an un-fulfillment of a Practice Standard has occurred.

The IAFP® Representative shall provide to the Vice-President at this time a copy of all documentation which has been sent to the Director, Ethics & Practice Standards. The Vice-President is advised at this point merely to make him or her aware there is an outstanding complaint concerning a member, enabling the Vice-President to monitor the proceedings. The Vice-President will not discuss the outstanding complaint with any other Board Members except the Director, Ethics & Practice Standards.

1.7 Complaints will then be dealt with by a sub-committee of the Ethics & Practice Standards Committee (The Sub-Committee). The Sub-Committee for the purpose of each investigation shall have no less than three Members and shall consist of the Director, Ethics & Practice Standards and any two members of the Ethics & Practice Standards Committee as chosen by the Director, Ethics & Practice Standards, subject to Clause 1.8. If no two members of the Ethics & Practice Standards Committee are available, the Sub-Committee may be formed with one or more of the Board of Directors, provided they would not be part of the Disciplinary Committee as specified in Clause 7.1.

1.8 No Members of The Sub-Committee shall sit to consider any matter in which he or she has a conflict of interest, that is, he or she or a member of their firm is a Complainant, or where their conduct or a member of their firm's conduct is in question. If the Director, Ethics & Practice Standards is in a conflict of interest position for a particular investigation, the Vice-President shall assume the chair of the Sub-Committee for the particular investigation.

1.9 Once a complaint has been submitted by the IAFP® Representative to the Director, Ethics & Practice Standards, the Director, Ethics & Practice Standards shall advise the Complainant not to discuss it with any other representative or Member of the IAFP® except the IAFP® Representative.

1.10 Deliberation and discussions by the Sub-Committee concerning a complaint shall be conducted in private by teleconference or in face-to-face discussions. Members of the Sub-Committee must take care that their discussions cannot be overheard by other persons. Members of the Sub-Committee shall not discuss the case by e-mail unless each e-mail communication is reviewed carefully before sending to ensure that all information which may directly or indirectly identify the Complainant, the Complainant's location in Canada, the Complainant's employer, the Accused or the Accused's firm are removed, since e-mail is not a secure method of communication.

1.11 The principle enshrined in the Canadian Charter of Rights and Freedoms that the Accused is presumed innocent until proven guilty, is to be strictly observed.

1.12 The Sub-Committee's role is that of adjudicator and mediator, not prosecutor or defender. That is, the role of the Sub-Committee is to determine the truth to the best of their ability; whether a breach of the Code of Ethics has taken place and/or a mandatory requirement of the Practice Standards has been un-fulfilled; and if so, then to attempt to help the Accused and Complainant reach a satisfactory compromise. However, even if through mediation a compromise is reached that the Accused and the Complainant are willing to accept, the IAFP® still reserves the right to proceed with disciplinary action if the Sub-Committee determines without any reasonable doubt that the Accused did indeed breach of the Code of Ethics or not fulfill a mandatory requirement of the Practice Standards.

2. Anonymous complaints are not acceptable

2.1 Initially, complaints may be received by the IAFP® Representative verbally, in writing or by e-mail. However, the IAFP® will not investigate a complaint until such time that it is received in writing as per 2.4.

2.2 Anonymous complaints will not be accepted.

2.3 Complaints may not be accepted where the Complainant does not wish to have their name disclosed to the Accused and potentially to all IAFP® Board Members.

2.4 A complaint against an IAFP® Member will not be submitted for investigation to the Director, Ethics & Practice Standards until such time that the prescribed form is fully completed, signed, dated and witnessed, or the required information as described on the IAFP® prescribed form is provided to the IAFP® Representative in writing in personal letter format, signed, dated and witnessed.

2.5 The Complainant must be an IAFP® Member, or the client of an IAFP® Member, or the representative of a client of an IAFP® Member. Complaints from other sources may be considered at the option of the Sub-Committee.

3. Valid for Consideration (i.e. determination of sufficient cause to proceed with the process.)

3.1 The Director, Ethics & Practice Standards, or at their request, the IAFP® Representative, must write to the Complainant to acknowledge receipt of the complaint and advise that the information provided by the Complainant will be assessed by the Sub-Committee as qualifying (subject to receiving a response from the Accused) or not qualifying as “valid for consideration”.

3.2 The Director, Ethics & Practice Standards or the Vice-President shall chair meetings of The Sub-Committee and decide when and by what means each meeting is to be held. Decisions by the Sub-Committee shall be made by majority vote, with the chair having a vote. The IAFP® Representative may be asked to participate in the Sub-Committee deliberations, but cannot vote. The Sub-Committee shall create minutes of all meetings and retain them in the case file.

3.3 The Sub-Committee shall promptly assess the complaint and any supporting documentation and determine whether the alleged unprofessional conduct does in fact qualify as a breach of the IAFP® Code of Ethics or un-fulfillment of a mandatory (“must”) requirement of the IAFP® Practice Standards and is not frivolous or vexatious. The Director, Ethics & Practice Standards must then write to the Complainant and either:

- Advise that the complaint is valid for consideration based on the Complainant’s statements and that the Sub-Committee shall now contact the Accused and ask for an immediate response to the allegation;
- Advise that the complaint is not valid for consideration and the reason why; or
- Advise of outstanding information before the Sub-Committee will be able to determine whether the complaint is valid for consideration. At the discretion of the Sub-Committee, it may be decided that a chosen Sub-Committee member will seek the additional information directly from the Complainant by means of telephone or a personal visit. Alternatively, with the consent of the Vice-President a Board Member in close proximity to the Complainant may be briefed on the complaint and asked to meet with the Complainant in person to gather the outstanding information.

The Director, Ethics & Practice Standards shall copy the Vice-President and IAFP® Representative on all correspondence to the Complainant.

3.4 If based on the information submitted by the Complainant, the complaint is found to be valid for consideration by The Sub-Committee, the Director, Ethics & Practice Standards must write to the Accused to inform him or her of the details of the complaint, advise of the process, explain why the complaint was considered valid, and request a written response to the allegations within 35 days. The communication by the Director, Ethics & Practice Standards must be sent by Registered Mail requiring signed receipt. The Director shall also contact the Member by telephone or e-mail and advise the Member that the notice is forthcoming.

3.5 If a written response is not received within 35 days of mailing the letter to the Accused, The Sub-Committee must assume the complaint is valid for consideration, unless the Sub-Committee determines there is just cause for the delay.

3.6 If a written response is received within the 35 days, the Sub-Committee will use it to re-examine whether the complaint is valid for consideration. The Sub-Committee may not be able to reach a conclusion and may decide to communicate again with the Complainant and provide a portion or all of the response from the Accused and request clarification on one or more issues raised by the Accused. The Sub-Committee may go back and forth between each party as many times as they wish with inquiries, until they reach a point where they can without reasonable doubt determine whether the complaint is valid for consideration, that is, the Accused has breached one or more Canons or Tenets of the Code of Ethics and/or not fulfilled one or more mandatory ("must") requirements of the Practice Standards. The methods of communication used will be as the Sub-Committee decides in their sole discretion; however, e-mail should probably not be used since it is not a secure form of communication.

3.7 If the complaint is determined by the Sub-Committee not to be valid for consideration, the Accused and the Complainant are to be advised in writing BY Registered Mail with return receipt, providing reasons, and the process will terminate. A copy of the correspondence shall be sent to the Vice-President.

3.8 If the complaint is deemed valid for consideration, the process will continue. A letter shall, by Registered Mail with return receipt, be sent to each of the Accused and Complainant stating the portion or portions of the Code of Ethics and/or Practice Standards which appears to have been breached or not fulfilled respectively. The letter will also state whether the Sub-Committee would now attempt to mediate the dispute. Or, depending on the facts of the case, the Sub-Committee may decide that the Accused and Complainant are so far apart and inflexible that no attempt at mediation will be made by the Sub-Committee or a professional mediator, in which case the Sub-Committee will proceed directly to Section 6 and Clause 7.1 for direction. A copy of the correspondence shall be sent to the Vice-president.

4. Reporting

4.1 At the first Board Meeting following determination of a complaint's validity for consideration status, the Director, Ethics & Practice Standards and/or the Vice-President should briefly inform the Board of Directors regarding the receipt and nature of the complaint. This

reporting is to keep the Board informed; not to solicit its opinion. There should be no discussion by the Board at this time, to minimize the risk of pre-judgement. Further, at this point there shall be no disclosure to the Board of the name of the Complainant or the Accused.

5. Mediation Process

5.1 (a) Once the Sub-Committee has determined that a complaint is valid for consideration, the Committee may with the consent of the Vice-President engage a member of the (Alternative Dispute Resolution) ADR Institute of Canada (“the Mediator”) to conduct the mediation. Or, the Committee may decide to attempt mediation without the assistance of a professional mediator.

5.1 (b) Notwithstanding article 5.1(a) above, once The Sub-Committee has determined that a complaint is valid for consideration, The Sub-Committee may proceed directly to Article 6.3 in such an instance where the Committee unanimously determines that a contravention of the Code or Practice Standards by the Accused has occurred and/or another organization having jurisdiction over the conduct of the Accused has rendered a verdict of guilty and/or culpability against the Accused based on the same incident or similar set of circumstances.

5.2 The Sub-Committee will determine the specific part of the IAFP® Code of Professional Ethics and/or the IAFP® Practice Standards that may apply and so inform the Mediator, if a professional mediator is employed.

- The Mediator will contact both the Accused and the Complainant to arrange a time and place for a hearing. All meetings will be held at a location convenient for the parties and the mediator, as determined by the Mediator.
- The Mediator will convene a hearing at which both the Accused and the Complainant will present evidence supporting their respective positions.
- Once the date of the hearing has been set, no complaint can be withdrawn without the written approval of the Director of Ethics & Practice Standards.
- At their own expense, both parties may be represented at the hearing.
- Both parties may present witnesses at the hearing to support their position.
- Both parties may offer depositions from third parties to support their position, provided that each deposition is in writing and signed by the third party.
- If either party fails to appear or be represented at the hearing, it shall be presumed to be an admission of guilt, in the case of the Accused, or the dismissal of the complaint, in the case of the Complainant, unless an extension is granted by the Sub-Committee.
- The Mediator will attempt to help the parties reach a satisfactory resolution of their dispute but has no authority to impose a settlement on the parties.
- If the parties do not reach consensus on a satisfactory resolution to the dispute, the Mediator shall recommend to the Sub-Committee a suitable disposition of the complaint.
- The Mediator must keep confidential any information disclosed in the course of the mediation including all written material provided to him or her.

- Regardless of the outcome of the mediation, the Mediator shall promptly after the termination of the mediation provide a written report of the proceedings to the Sub-Committee. The report shall be sent or made available to both parties involved.

5.3 If the Committee wishes to attempt mediation without the assistance of a professional mediator, they will suggest one or more compromises/solutions to the Accused and the Complainant and promote dialogue between them. The method of communication shall be as the Committee decides in its sole discretion, such as:

- Separate correspondence to each party
- Separate telephone calls to each party
- A teleconference with both parties
- A face-to-face meeting with each party separately
- A face-to-face meeting with both parties.

6. Judgement (Finding)

6.1 Whether or not any attempt at mediation has proved successful, the next step is judgement.

6.2 During 'judgement' The Sub-Committee shall keep in mind that throughout the Complaint Adjudication Procedure, onus of proof rests on the Complainant and not the Accused.

6.3 In considering its judgement, The Sub-Committee should be convinced there is clear indication that a contravention of the Code of Ethics and/or the Practice Standards has occurred.

6.4 The Sub-Committee will render a written judgement detailing its opinion as to the facts, the part or parts of the Code of Ethics and/or Practice Standards that have been contravened, their interpretation, any other relevant matters, and the recommended appropriate range of penalties.

7. Decision regarding Penalty

7.1 The Sub-Committee is to report its judgement to the Disciplinary Committee of the Board which comprises the President, Vice-President, Director of Practice Management, and Director, Ethics & Practice Standards, without undue delay. If one of these Board Members is unavailable for whatever reason to participate, the President shall select another Board Member to sit on the Disciplinary Committee.

7.2 Upon receiving the judgement, the Disciplinary Committee decides the appropriate penalty. The Disciplinary Committee shall decide by a majority vote. (Note: Since the Disciplinary Committee has four members, at least 3 members must be in favour of a proposed

penalty before this becomes the decided disciplinary penalty.) The IAFP® Representative may be asked to participate in the committee's deliberations, but cannot vote.

7.3 The decision of the Disciplinary Committee must be ratified at a Board of Directors meeting before the decision can be communicated to the Accused and Complainant.

7.4 If the Board of Directors does not ratify the penalty so decided by the Disciplinary Committee, the case shall be returned to the Disciplinary Committee for further consideration and resubmission to the Board of Directors of a recommended penalty.

7.5 If a solution has been reached between the Accused and Complainant, whether or not the solution was as a result of mediation, and the Complainant declares in writing or by e-mail that he or she and the Complainant have reached a mutually agreeable solution to the issue, the Disciplinary Committee may decide to waive their right to assess any penalty against the Accused. However, such waiver will not signify that the Accused complied with all Canons and Tenets of the Code of Ethics and fulfilled all mandatory requirements of the Practice Standards; and, the case file shall be retained by the IAFP®.

7.6 The decision of the Disciplinary Committee must be communicated in writing by Registered Mail requiring signed receipt to the Complainant and the Accused by the IAFP® Representative, promptly following ratification by the Board of Directors. The letter must advise the Accused and the Complainant in the communication of the right and process to appeal the decision. The decision shall be considered to have been delivered upon mailing.

7.5 The Accused should signify acknowledgement and acceptance in writing to the IAFP® Representative unless opting for an appeal.

7.6 The Board of Directors shall take no action to carry out the disciplinary penalty until 35 days have elapsed since the date the Accused and Complainant were advised of the ratified disciplinary penalty.

8. Appeal

8.1 The Accused and the Complainant have the right to request and promptly obtain, the written judgement which the Sub-Committee submitted to the Disciplinary Committee.

8.2 The Accused and/or the Complainant (the Appellant) may appeal the judgement (finding) and/or the penalty assessed by the Disciplinary Committee to the Regents. In this context, the word "penalty" shall also be interpreted as being "penalties" if applicable. Notice of intention to Appeal must be made in writing to the IAFP® Representative and copied to the Chairperson of the Regents within thirty-five (35) days of the delivery of the written decision of the Disciplinary Committee.

8.3 The Appellant shall present their case for appeal in writing to the IAFP® Representative and the Chairperson of the Regents within thirty-five (35) days of the written notice of intention to appeal.

8.4 Upon receipt of the Intention to Appeal, the Chairperson of the Regents shall request from the Ethics & Practice Standards Committee copies of all pertinent material regarding the complaint. These materials shall be delivered immediately upon receipt of this request. No other comment or clarification should be made available unless requested by the Chairperson of the Regents.

8.5 The Regents should provide an independent, fresh examination of all the facts without prejudice.

8.6 The Regents may ask for further evidence from the Accused and/or the Complainant. Should the evidence introduce new information that invalidates the Sub-Committee's decision, the Appeal will be aborted and the complaint returned immediately to the Sub-Committee for reconsideration based on the new information introduced, effectively restarting the process from step 3.6. Furthermore, if the Regents determines that the full extent of the original complaint has not been investigated, the Appeal will be aborted and the complaint returned immediately to the Sub-Committee for reconsideration based on the new information introduced, effectively restarting the process from step 3.6.

8.7 The Regents may grant the Accused or the Complainant or both the right to appear before them to plead their case and be questioned by the Regents.

8.8 Any member or members of the Regents who is or are in a conflict of interest position or who, for whatever reason, is not available, must not sit in judgement of the particular case, but rather will be replaced by any R.F.P.® in good standing who is designated by the remaining Regent or, unanimously, by the remaining Regents. However, such designated replacement must not be an R.F.P.® who was a Board Member at the time the Board ratified the penalty.

9. Appeal Judgement

9.1 Decisions of the Regents in this matter shall be made by majority vote.

9.2 The Regents shall render a written judgement detailing their opinion as to the facts, the part or parts of the Code of Ethics and/or Practice Standards that have been contravened, their interpretation, and any other relevant matters.

9.3 If the Regents believe the decision of the Disciplinary Committee should be overturned or modified, they are strongly urged to review their conclusions and understanding of the facts with the IAFP® Representative and the Director, Ethics & Practice Standards prior to final documentation or notification of the Appellant.

10. Appeal Decision

10.1 If the Accused appeals the judgement (finding) of The Sub-Committee, if the Regents finds the Accused guilty of breaching the Code of Ethics and/or un-fulfilling a mandatory requirement of the Practice Standards, and the Regents concurs with the judgement (finding) of The Sub-Committee in all respects, then the penalty or penalties determined by the Disciplinary Committee shall stand. However, if the Accused also appealed the penalty or communicated a desire by written notice, to the Chairperson of the Regents to appeal the penalty, within thirty-five (35) days of receiving the decision of the Regents concerning the judgement (finding) as per Clause 10.4, the Regents shall have the discretion to alter the penalty or penalty in any manner they decide appropriate.

10.2 If the Accused appeals the judgement (finding) of The Sub-Committee whether or not the penalty has been appealed, if the Regents finds the Accused guilty of breaching the Code of Ethics and/or un-fulfilling a mandatory requirement of the Practice Standards but disagrees with the extent of the transgressions compared to the judgement (finding) of The Sub-Committee, the Regents shall have the discretion to alter the judgement and the penalty or penalties. Prior to notifying the Appellant, the Regents are requested to review their conclusions and understanding of the facts with the IAFP Representative, the Director, Ethics & Practice Standards, and, if necessary, the Ethics Sub-Committee.

10.3 If the Accused appeals only the penalty, the Regents shall not change the judgement (finding) of The Sub-Committee but shall consider only the issue of whether the penalty or penalties assessed by The Disciplinary Committee are appropriate given the facts of the case and shall have the discretion to alter the penalty if they so decide.

10.4 The decision of the Regents shall be communicated by the Chair of the Regents in writing by Registered Mail with return receipt, to both parties to the Appeal and to the Board of Directors (via the IAFP® Representative).

10.5 The Appellant should signify acknowledgement and acceptance.

10.6 The decision of the Regents is final. There shall be no recourse to the courts.

11. Records

11.1 Minutes and a documented file of each separate complaint shall be made and are the responsibility initially of the IAFP® Representative and then the Director, Ethics & Practice Standards if the file is submitted to him or her by the IAFP® Representative.

11.2 Minutes and a documented file of each separate appeal shall be made and are the responsibility of the Chairperson of the Regents.

11.3 Once a complaint has been finalized by the IAFP®, all records regarding the complaint shall be submitted to the IAFP® Representative for safekeeping. Records for any particular complaint shall be retained for a minimum of 6 years.

11.4 At each Board Meeting, the IAFP® Representative shall provide the Board of Directors with the following statistics:

- Outstanding complaints not yet submitted to the Director, Ethics & Practice Standards;
- Complaint files referred to the Director, Ethics & Practice Standards since the last Board Meeting;
- Completed complaint files returned by the Director, Ethics & Practice Standards or the Regents since the last Board Meeting.

12. Penalties

12.1 Members, or former Members who, while a Member, violated the Canons and Tenets of the Code of Professional Ethics, may be subject to one or more of the following:

12.1(a) Permanent expulsion from The Institute of Advanced Financial Planners™;

12.1(b) Permanent loss of the right to use the R.F.P.® professional designation;

12.1(c) Temporary expulsion from The Institute of Advanced Financial Planners™ with reapplication and re-qualification being required for reinstatement;

12.1(d) Temporary loss of the right to use the R.F.P.® professional designation;

12.1(e) A written reprimand from the President;

12.1(f) A written reprimand from the Director, Ethics & Practice Standards;

12.1(g) Entering such violation and penalty on the Member's permanent records;

12.1(h) Notice and referral of the file to the law enforcement, regulatory or professional body having jurisdiction;

12.1(i) Notice of the violation and penalty to any company with whom the Member has a contract, or, where a company's product has been involved in the unprofessional conduct;

12.1(j) An education requirement or requirement to demonstrate understanding. If the Member fails to complete this requirement within the allotted time as determined by the Disciplinary Committee of the Board or the Regents, the Member's right to use the R.F.P.® professional designation is suspended until such time as this requirement is completed;

12.1(k) Payment of hearing costs. A Member is suspended from membership until the payment is received by IAFP®;

12.1(l) A monetary fine. A Member is suspended from membership until the payment is received;

12.1(m) Such other measures as are deemed appropriate, from time to time, by the Board of Directors;

12.1(n) Publication of such violation and penalty. Such publication may include one or more of the following, or any other method of publication determined by the Disciplinary Committee or the Regents:

- Publication in the members section of the IAFP® website;
- Publication in the public section of the IAFP® website;
- Publication in an e-mail to all members;
- Publication in a local newspaper;
- Publication in a national newspaper or industry/professional journal;
- Press release to the financial press.

12.2 Fees will not be refunded during a suspension or termination.

12.3 In cases where the Member chooses to let his/her membership lapse before a decision is rendered in a valid ethics or practice standards complaint, The Sub-Committee, Disciplinary Committee, Board of Directors and Regents will proceed with the case as if the Accused were still a Member.