Professional rules for actuaries in the Deutsche Aktuarvereinigung (DAV) e.V.

The Deutsche Aktuarvereinigung (DAV) is the professional representative body of the actuaries in Germany, and with that, in particular, of the responsible actuaries (Verantwortliche Aktuare). The main emphasis of its activities is on the best possible promotion and support of the members, on the one hand, as well as on the efficient representation of the interests of the actuaries internally and externally.

Actuaries are scientifically trained and specially examined experts who, making use of mathematical methods of probability theory, mathematical statistics and finance mathematics, analyse questions especially from the insurance business, but also from the areas of building society savings, capital investments and provisions for old age analyse and develop solutions taking into consideration the legal and economic environment.

The German actuaries are active in all fields of business, insurance and finance mathematics. They prove their qualification through membership in the DAV and bear the title "Actuary DAV".

The professional rules for actuaries contain the standards of conduct and represent the general opinion on questions of the practice of the actuarial profession in Germany. They apply to all activities of the actuaries and comply with the internationally recognized professional principles, in particular, with the standards of professional behaviour for actuaries in the countries of the European Union ("Code of Professional Conduct for Actuaries in EU Countries" of the Groupe Consultatif Actuariel Européen).

Art.1 - Professional Practice

1.1 Actuaries are self-employed or are employed by private business or in public service. Their activity can be combined with management tasks. The professional practice is also possible within the context of a partnership or a joint-stock corporation as well as inter-professional with other members of the learned professions such as lawyers, tax consultants and accountants.

1.2 Actuaries conduct their activity knowledgably, honestly and carefully. They thereby act according to the principles of independence, autonomy, conscientiousness and discretion. They must always behave in such a way ways that they fulfil their responsibility towards their client or employer, and must represent the interests entrusted to them relevantly and in adequate form. They must abstain from every activity which is not compatible with the profession of the actuary, the reputation of the profession and the obligation to observe collegiality or violates the public interest.

1.3 For their services actuaries may only advertise in such a way that is compatible with the reputation of the profession and the obligation to collegiality. In particular, they must abstain from dishonest or misleading advertising measures.

1.4 Actuaries cooperate in collegial fashion with others who are working on behalf of their clients or employer.
1.5 Actuaries may not disclose any confidential information to third parties which has been entrusted to them or become known to them within the context of their professional practice, unless the client or employer has released them from their obligation to maintain discretion or the disclosure is demanded on the basis of legal regulations.

1.6 Actuaries shall only perform their profession if they are technically competent and have adequate experience for this purpose. They are responsible for it to get the required for her professional practice, respectively current state of knowledge by a corresponding further education. Actuaries must be familiar with and observe the current requirements of the applicable professional rules and special principles.

Art.2 - Autonomy

Actuaries must perform their activity on their own responsibility, taking into consideration all relevant special principles approved by the DAV, as well as according to the recognized rules of actuarial to the best of their knowledge. They assume responsibility for a proper supply of all services which are rendered by them or their representatives in connection with actuarial activities.

Art.3 - Communication of work results

3.1 Actuaries shall make it clear when communicating professional findings, to what extent they take responsibility for them and within which framework they are at the disposal of their client or employer with supplementary information and explanations about the area of application of their results, the methods employed and the underlying data.

3.2 Actuaries shall name the client for whom these results have been made and describe the function in which they have been active.

Art.4 - Conflict of interest

4.1 Actuaries do not perform any professional services which involve them in an actual or potential conflict of interest, unless the actuary’s ability to proceed fairly is not impaired and the actual or potential conflict could be completely disclosed towards all clients.

4.2 When taking over activities which were previously executed by other actuaries, taking due consideration of all professional aspects, actuaries must carefully examine whether they are in a position to accept and execute the order without consultation with the previous provider of the professional service.
Art.5 - Remuneration

5.1 Actuaries work in return for a corresponding remuneration. A commission on the fee or the granting of any other advantages for the arrangement of orders is contrary to professional principles.

5.2 Should actuaries receive remuneration from a third party in connection with the rendering of a service, this must be disclosed to the client including details of the sources.

Art.6 - Independence

In their investigations, recommendations and decisions, actuaries must be free of influences, relationships and considerations which might affect their independence. This does not exclude the possibility that actuaries may work in a dependent position. Within the scope of their responsibility and the management tasks which are possibly incumbent upon them, actuaries must work to ensure that the results of their area of responsibility are used properly.

Art.7 - Collegiality

The obligation to collegiality forbids that the reputation of the actuaries or the profession be impaired. Unobjective or thoughtless accusations against colleagues are contrary to professional principles. In the event of disputes between actuaries, those involved are obliged to seek an agreement and, should this prove to be impossible, first of all to apply for arbitration by the DAV, insofar as there are no legal reasons against this.

Art.8 - Liability

Liability is determined by the legal regulations. Actuaries, in particular, responsible actuaries, may have their liability limited or excluded by clients or employers within the scope of the legally permitted possibilities. The conclusion of a professional third party liability policy is permitted and should be considered.

Art.9 - Concluding Provisions

Actuaries are subject to the disciplinary procedures defined by the DAV and accept the imposed rules or the decision of the appellate procedure subject to the right of appeal as confirmed there.

Status: Decision of the general meeting of 30.04.2008