Disciplinary Code
of the Deutschen Aktuarvereinigung e.V.

§ 1: Assessment principle

The measures listed in § 6, Par. 1 of the statutes shall be applied in accordance with the seriousness of the violation. As a rule, the following applies:

a) For minor violations a caution will be issued, insofar as a repetition of the violation is not to be feared.

b) Should a member be guilty of a moderately serious violation or should he have already been given a warning for the same violation or a similar violation, a reprimand will be issued in conjunction with the request to decease.

c) In the event of repeated or gross violations, the member can be excluded from the organization.

§ 2: Initiation of proceedings

Should charges be filed against a member or should facts become known to the executive board in any other way, which justify the suspicion of a violation according to § 6, Par. 1, of the articles, the executive board shall decide, following a preliminary examination by the responsible special committee, on the opening of disciplinary proceedings.

§ 3: Investigation proceedings by the Professional Issues Committee (AbF)

(1) Should the executive board decide on the opening of disciplinary proceedings, it will refer the matter to the AbF. The AbF shall examine the facts (if necessary, with the assistance of expert third parties) applying equitable discretion taking into account the justified interests of the member.

(2) The AbF shall inform the member in writing about the opening of disciplinary proceedings providing details of the behaviour of which he is accused. The member must be given an opportunity to respond to the allegations either in writing or verbally within a reasonable period.
§ 4: Abandonment of the proceedings

(1) Should the investigations fail to establish a violation or should the AbF not believe that a disciplinary measure is necessary, it shall inform the executive board in writing.

(2) The executive board shall decide on the proposal of the AbF. Should it not follow the proposals, it shall submit the matter once again giving details in writing of the reasons for its divergence for decision by the AbF; the executive board shall decide on the renewed vote of the AbF finally. Should the executive board decide to abandon the proceedings, the member and the person filing the complaint shall be informed of this in writing by the AbF.

§ 5: Proceedings in case of a caution

Should the AbF not come to the conclusion that the proceedings be abandoned, then it shall decide on a reasonable sanction measure. Should the AbF impose a caution, then it shall inform the member in writing and provide details of its reasons.

§ 6: Proceedings in case of a reprimand or exclusion

(1) Should the AbF regard the issue of a reprimand or exclusion from the organization as reasonable, it shall inform the executive board of this in writing, enclosing the evidence and inform the member of its decision.

(2) The executive board shall decide on the proposal of the AbF. Should it not follow the proposals, it shall submit the matter once again giving details in writing of the reasons for its divergence for decision by the AbF; the executive board shall decide on the renewed vote of the AbF finally. If the executive board decides on the granting of a reprimand or exclusion, then it shall inform the member about it in writing giving details of its reasons.

§ 7: Notification of the person filing the complaint

The person filing the complaint shall be informed about the imposition of a disciplinary measure in accordance with § 6, Par. 1, of the statutes.

§ 8: Means of legal redress

Appeal proceedings against the disciplinary measures imposed according to this disciplinary code are open to the member in accordance with § 6, Par. 6, of the statutes.

Status: Resolution of the DAV Members’ Assembly of 28.04.2006