

## Institute of Actuaries in Belgium

### Explanatory note Code of Conduct

#### A. Professional integrity

**Article 1 :**

**The actuary is expected to perform professional services with integrity, competence and care. He will take professional responsibility to his client or employer and should not act in a way contrary to law or public policy.**

It is of utmost importance that an actuary providing a client or employer with services should act with **due care** in accordance with the **prevailing standards and values**.

The actuary must act according to the commonly agreed social and ethical standards. This implies a **professional, reliable and diligent way of working**.

Maintaining competencies and knowledge is a condition sine-qua-non to ensure the client or the employer a **professional service**.

The actuary should not act in a way infringing law or public order, whether on his own initiative or on his client's or employer's initiative. Such acts will be invalidated.

**Article 2 :**

**The actuary will ensure that the reputation of the actuarial profession is maintained. He should not engage in advertising which would lead to dishonest professional advantages.**

The actuary will ensure that he is acting in a coherent and consistent way to protect the reputation of the actuarial profession. Any professional approach or behaviour harming the actuarial profession should be avoided.

The actuary must report on his work, professional activity, competencies, qualifications and the services he can provide in a correct and exhaustive manner.

The actuary should not bring discredit on the reputation of the profession or of a colleague by criticizing another actuary's competence, integrity or services. He will not communicate or advertise in any way for the purpose of damaging a colleague's reputation or the relations between the colleague and his Client. Neither should he make use for this purpose of a decision taken by the Institute which may have come to his knowledge.

**Article 3 :**

**The actuary should act with courtesy and cooperate with others serving the actuary's client or employer. He must respect the confidentiality of information received from his employer or client.**

The actuary commits to collaborating in a professional way with the other stakeholders, including the actuaries, the revisors, etc.

Acting in a professional way especially implies the respect of the duty of confidentiality. In this context, disclosing data and/or information concerning the assignment will only be allowed on request of/with the agreement of the employer or the client.

The disclosure by the actuary of information concerning the assignment will not be considered as an infringement to the duty of confidentiality in the following cases:

- for a personal defense at legal or disciplinary level;
- when the confidentiality is explicitly waived by the client;
- when the actuary notices a fraud and communication about his assignment falls within this context;
- when the information required to carry out the job must be forwarded to people involved temporarily or permanently, to internal or external staff or to experts.

On the grounds of his duty of confidentiality, the Member will never provide incomplete or deceptive information which may lead to wrong conclusions.

The duty of confidentiality continues to apply after the termination of the agreement, of the contract or of a business relationship.

**Article 4 :**

**When an actuary is asked to perform work previously performed by another person, the actuary must consider whether it is appropriate to consult with the previous provider to establish whether it is convenient to take on the new responsibility.**

In the event of professional services being transferred by an actuary to another actuary, the latter will evaluate whether it is appropriate to consult with the transferor.

## B. Professional behaviour, Competence and Care

### **Article 5 :**

**The actuary must offer professional services only if he is competent and appropriately experienced to do so.**

Prior to offering professional services to an employer or a client, the actuary will assess the limits of his competencies, his knowledge and the available resources.

The actuary will not accept assignments for which he is underprepared, for which he does not have the appropriate knowledge or for which he does not have enough material means or resources.

### **Article 6:**

**The actuary is responsible for updating the knowledge which is necessary for the performance of the actuarial profession and shall comply with the continuous professional development rules imposed by the Institute.**

Maintaining **competencies** and knowledge is a condition sine-qua-non to ensure the client or the employer a **professional service**.

Hence the actuary must update his knowledge for a professional performance of his tasks.

The Institute training recommendations are included in the House Rules.

## C. Compliance

### **Article 7 :**

**The actuary will observe the professional standards issued by the Institute and included in the register provided for this purpose.**

The Belgian Standards of Actuarial Practice (BSAP), based on the International Standards of Actuarial Practice (ISAPs) issued by the IAA, or the European Standards of Practice (ESAPs) issued by the AAE or by the IA|BE are technical professional standards for actuarial tasks. The actuary will observe these standards.

The IA|BE has also issued Actuarial Standards. Although these standards are not binding, they should be complied with by the actuary.

### **Article 8 :**

**The actuary can be subject to the disciplinary procedures prescribed in the rules of the Institute, and, subject to the right of appeal within those rules, must accept any judgement passed, or the decision of any appeal procedure.**

The actuary is subject to the provisions of the Sanctions Policy.

## D. Impartiality

### **Article 9 :**

**The actuary will not perform professional services involving an actual or potential conflict of interest, unless the actuary's ability to act in an impartial manner is unimpaired and there has been full disclosure to the principal of the actual or potential conflict or bias.**

Before accepting an assignment, the actuary will check that no conflict of interest may arise.

The actuary will not offer professional services to an employer or a client in which he has an effective or potential personal interest conflicting with the employer's or client's interest.

A conflict of interest arises when the professional service provided by the actuary conflicts with the actuary's personal interest, with the interest of his family or relatives, with the actuary's company or his other Clients' interest.

As part of his professional accountability, the actuary must ensure that potential conflicts of interest are identified, understood and solved or eliminated.

The actuary can offer professional services only if he is able to act in an impartial manner that cannot be contested.

When this ability of acting in an impartial manner cannot be contested, the actuary can offer professional services after disclosing the effective or potential conflict of interest and with the written agreement of the employer or client.

## E. Communication

### **Article 10 :**

**In communicating the results of professional services, the actuary must clearly state that he takes professional responsibility for the results and that he is prepared to give, in writing and accurately, supplementary explanation and information which would be required by the employer or client regarding the performed analysis, the date (or data source) and the methods used.**

The obligation of professional secrecy limits the obligation of making information available to an employer or a client.

### **Article 11 :**

**The actuary will clearly identify the intended client or employer of his work and state the capacity in which he is acting.**

Example of statement which could be included in the report:

*"This report xxxxxxxx was drawn up in the capacity of xxxxxxxx and on behalf of xxxxx."*