

## **MEMBERSHIP REGULATIONS – INTERPRETATION**

Use of the term Institute shall denote variously the title Securities Institute, the Securities & Investment Institute and the Chartered Institute for Securities & Investment as appropriate to the date where used.

### **1. Regulations**

These Regulations were made by the Board of Directors of the Institute on 25<sup>th</sup> May 2000 and subsequently amended on 13<sup>th</sup> December 2001, 3<sup>rd</sup> June 2004, 14<sup>th</sup> August 2006, 30<sup>th</sup> October 2009, 9<sup>th</sup> March 2012, 14<sup>th</sup> November 2014, 30<sup>th</sup> June 2016, 30<sup>th</sup> June 2017, 28 June 2018, 26 June 2019, 30<sup>th</sup> September 2019, 18<sup>th</sup> March 2020, 11<sup>th</sup> June 2020, 3<sup>rd</sup> December 2020, 1<sup>st</sup> January 2021, 17<sup>th</sup> March 2021, 15<sup>th</sup> October 2021 and 1<sup>st</sup> March 2022 pursuant to the powers set out in the Institute’s Royal Charter and Bye- Laws and shall come into force on the Commencement Date.

### **2. Definitions**

#### **2.1 In these Regulations:**

“Administrative Offence” means

- (a) failure to pay a membership subscription when due
- (b) an initial failure to undertake and record the required hours of Continuing Professional Development and/or failure to meet the requirements of the CPD Scheme.

“Annex” means an annex to these Regulations

“Appeals Panel” means a panel appointed from time to time by the Disciplinary Committee constituted as set out in Annex 3

“Board of Directors” means the Institute’s Board of Directors from time to time

“Code of Conduct” shall mean the Code of Conduct of the Institute as may be amended from time to time.

“Commencement Date” means 1<sup>st</sup> November 2010 “Disciplinary Committee” means a committee independent of the Board of Directors established under the Charter Bye Law B7.6

“Disciplinary Review Panel” means a panel appointed from time to time by the Disciplinary Committee constituted as set out in Annex 3

“Disciplinary Panel” means a panel appointed from time to time by the Disciplinary Committee constituted as set out in Annex 3

“Disciplinary Secretary” means an individual who acts as the initial point of contact for the purposes of receiving complaints and notification of all matters which might give rise to potential disciplinary action

“Membership Committee” means a committee of the Board of Directors established under Bye Law 7.2 of the Institute’s Bye-Laws.

“Recognised Qualifications” has the meaning assigned by paragraph of Annex 1

“Regulatory Body” means any person or organisation whether in the United Kingdom or in any other state whose purposes or functions include promotion and maintenance of standards within a profession or trade or market or sector. The expression includes, without limitation, the Financial Conduct Authority, Prudential Regulation Authority and any predecessor/successor regulatory bodies, any self-regulatory organisation, any professional body (whether or not recognised under the Financial Services and Markets Act 2000), any investment exchange and Lloyds of London.

“Relevant Experience” shall be determined as provided in paragraph 7 of these Regulations

“Secretary” means the secretary of the Institute from time to time or such other person as the Board of Directors from time to time nominates

- 2.2 Words importing the singular include the plural and vice versa, words importing a gender include every gender.
- 2.3 Words and expressions defined in the Institute’s Charter, Bye-Laws and General Regulations shall, unless the context otherwise requires, bear the same meaning in these Regulations.
- 2.4 References to the Board of Directors shall include any person or committee to whom the Board of Directors has delegated the exercise of powers under these Regulations.
- 2.5 In these Regulations the expression “Continuing Professional Development” shall have the meaning set out in Annex 2.

- 2.6 Reference to the Regulations includes any Annex thereto.
- 2.7 References to any statute or other enactment include a reference to that statute or enactment as from time to time amended, extended or re-enacted.

### **3. Code of Conduct (online version)**

- 3.1 **Personal Accountability** - To strive to uphold the highest levels of personal and professional standards at all times, acting with integrity, honesty, due skill, care and diligence to avoid any acts, either in person, in a remote working environment or digitally which may damage the reputation of your organisation, your professional body or the financial services profession.
- 3.2 **Client Focus** - To put the interests of clients and customers first by treating them fairly, being a good steward of their interests, never seeking personal advantage from confidential information received and utilising client data only for a defined purpose.
- 3.3 **Conflict of Interest** - Being alert to and actively manage fairly and effectively any personal or other conflicts of interest, obeying legislation and complying with regulations to the best of your ability, ensuring you are open and cooperative with all your regulators, challenging and reporting unlawful or unethical behaviour.
- 3.4 **Respect for Market Participants** - To treat all counterparties and business partners with respect, to observe proper standards of market integrity, good practice, conduct and confidentiality required to maintain the highest level of mutual trust.
- 3.5 **Professional Development** - To strive continually for professional excellence, committing to Continuous Professional Development (CPD) and promoting and supporting the development of others.
- 3.6 **Aware of Capabilities** - To decline to act on any matter about which you are not competent or qualified unless you have access to such advice or assistance to carry out the work in a professional manner, taking into account the nature of the individual mandates given by your customers and counterparties.
- 3.7 **Respect Others and the Environment** - To treat everyone fairly and with respect, supporting opportunity for all, embracing diversity and inclusion and ensuring that the environmental impact of your work is considered.
- 3.8 **Speak Up & Listen Up** - To be active in speaking up and encouraging others to do so by listening up, promoting a safe environment for all and recognising the responsibilities you have to the communities in which you operate.

## **MEMBERSHIP**

### **4. Classes of membership**

4.1 The Members of the Institute shall consist of the following Classes:

- (a) Chartered Members comprising:
  - (i) Chartered Fellows or Chartered Fellows (Financial Planning)
  - (ii) Chartered Members
- (b) Non-Chartered Members comprising:
  - (i) Honorary Fellows
  - (ii) Fellows
  - (iii) Members
  - (iv) Associates
- (c) Attached Classes comprising:
  - (i) Affiliates
  - (ii) Students

4.2 Unless the context otherwise requires, references to “members” and “membership” in these Regulations shall be to all of the above classes.

4.3 Subject to any procedures stated in these Regulations, the Board of Directors may in respect of any Member:

- (a) change the name or title of any class of membership
- (b) change the criteria or terms of any class of membership
- (c) introduce new classes of membership.

4.4 The Board of Directors may make changes to the criteria or terms of Chartered Membership only if this is to enhance the criteria or class of membership.

### **5. Application for membership**

5.1 Applications for membership shall be made in writing or online using such application form as the Board of Directors from time to time determines.

#### **5.2 Chartered Member or Non-Chartered Member**

5.2.1 To be eligible for admission as a Chartered Fellow, Chartered Fellow (Financial Planning), Chartered Member or a Non-Chartered Fellow, Member or Associate, a person:

- (a) shall demonstrate the attainment and maintenance of an appropriate level of professional competence, and

- (b) comply with any other requirements made by the Board of Directors and published from time to time.

5.2.2 The conditions for admission as a Chartered Fellow, Chartered Fellow (Financial Planning), Chartered Member, Member and Associate are set out in Annex 1.

### **5.3 Honorary Fellow**

5.3.1 To be eligible for admission as an Honorary Fellow a person shall:

- (a) in the opinion of the Board of Directors be able to assist in the promotion of the Objects by reason of his experience, position or eminence, and
- (b) comply with any requirements made by the Board of Directors and published from time to time.

5.3.2 Admission of Honorary Fellows is in the absolute discretion of the Board of Directors.

### **5.4 Conditions of Admission**

5.4.1 The conditions for admission as a member of an Attached Class are set out in Annex 1.

5.5 For the purposes of paragraph 5.1 in deciding whether or not the Board of Directors is satisfied that an applicant for membership is suitable (and without limiting the Board of Director's discretion in any way) regard may be had to whether or not:

- (a) the applicant (whether in the course of their work or personal life or otherwise) has committed an act or default likely to bring discredit to themselves, the Institute (if admitted as a member) or the securities, investment, wealth and financial planning professions;
- (b) the applicant has performed their work incompetently to such an extent or on such number of occasions as to bring discredit to themselves, the Institute (if admitted as a member) or the securities, investment, wealth and financial planning professions;
- (c) the applicant has an unspent criminal conviction that is not filtered from a standard and enhanced Disclosure and Barring Service (DBS) check
- (d) the applicant has failed to satisfy a debt as ordered by a court or tribunal, has made an assignment for the benefit of creditors, has had a bankruptcy order or an interim order made against them.
- (e) the applicant with an existing Individual Voluntary Agreement (IVA) or International equivalent, have demonstrated to the Institute that they are not in areas and have made a minimum of 12 months of payments without default.

- (f) the applicant has been subject to disciplinary sanctions by the FCA, other regulator or any professional body within the past five years, unless applying for member via experience where the full period under review is applicable.

## **5.6 Dispensation**

5.6.1 The Board of Directors may make regulations granting dispensation in whole or in part from any eligibility requirements.

## **5.7 Undertaking on Admission**

5.7.1 In accordance with the membership admission policy, a person admitted to any class of membership of the Institute shall give an undertaking in writing in such terms as the Regulations then in force may prescribe. Such undertaking will include:

- (a) the member will abide by the Charter, Bye-Laws, Regulations and Code of Conduct (as amended from time to time);
- (b) the member will have to take and pass IntegrityMatters within three months to activate membership.
- (c) the member will not at any time after ceasing to be a Member of the Institute use or permit the use of the Institute's name in conjunction with:
  - (i) the member's name; or
  - (ii) the name of any organisation with which the member may be associated;any Designation, Designatory Initials, Titles or expression denoting or suggesting any present membership of or connection with the Institute that they or the organisation is not otherwise entitled to use;
- (d) the member will be liable whilst a Member and will remain liable after ceasing to be a Member to pay to the Institute promptly on demand any monies payable by the member to the Institute, including but not limited to any fee, subscription, levy, fine or other penalty, or reimbursement in accordance with any scheme of compensation; and
- (e) the member will comply with such other requirements as the Board of Directors shall reasonably determine.

## **6. References**

6.1 Unless the Board of Directors determines otherwise applicants applying for MCSI via the experience route, must provide two referees who are either an executive director, a non-executive director or partner in the applicant's firm, or any member holding MCSI or above, or a professionally qualified lawyer or professionally qualified accountant.

6.2 If an applicant for MCSI via experience is unable to provide an appropriate referee (s) as set out in paragraph 6.1, the Board of Directors may accept a reference from a senior executive of a former or current employer of the applicant or from such other person as appears appropriate.

## **7. Relevant Experience**

- 7.1 In determining whether an applicant for membership has Relevant Experience the Institute takes a broad view of what experience is relevant, reflecting the diverse nature of the securities, investment and financial planning profession.
- 7.2 Practitioners in stockbroking, market making, fund management, personal financial advice, wealth management, investment analysis, corporate finance, commodity and financial futures and options, financial planning, markets administration, technology, regulation, compliance, risk, operations, clearing and settlement are likely to have Relevant Experience. Practitioners in other related areas of investment business may be treated as having Relevant Experience.
- 7.3 Where a number of year's Relevant Experience is required, the aggregate period rather than the continuous period will be taken into account.
- 7.4 Relevant experience may be gained in any country in the world.

## **8 Use of Titles and Designatory Initials**

- 8.1.1 Chartered Fellows and Members shall be entitled to use the Designations and Designatory Initials as follows:
- (a) Chartered Fellow: the Designatory Initials "Chartered FCSI" and the Designation "Chartered Fellow of the Chartered Institute for Securities & Investment" or Chartered Fellow (Financial Planning): the Designatory Initials "Chartered FCSI (Financial Planning) and the Designation "Chartered Fellow (Financial Planning) of the Chartered Institute for Securities & Investment";
  - (b) Chartered Member: the Designatory Initials "Chartered MCSI" and the Designation "Chartered Member of the Chartered Institute for Securities & Investment";
- 8.1.2 Non-Chartered Members shall be entitled to use the Designations and Designatory Initials as follows:
- (a) Honorary Fellow: the Designatory Initials FCSI(Hon) and Designation "Honorary Fellow of the Chartered Institute for Securities & Investment"
  - (b) Fellow: the Designatory Initials FCSI and Designation "Fellow of the Chartered Institute for Securities & Investment"
  - (c) Member: the Designatory Initials MCSI and Designation "Member of the Chartered Institute for Securities & Investment"
  - (d) Associate: the Designatory Initials ACSI and Designation "Associate of the Chartered Institute for Securities & Investment"
- 8.1.3 Affiliates and Students will not be entitled to use Designatory Initials or Designations.

8.1.4 The Designatory Initials or Designations of Chartered Members may only be changed by Special Resolution at a General Meeting.

## **8.2 Alternative Designations**

8.2.1 The Institute may make regulations to permit: - the Board of Directors to issue Designations and logos to organisations or individuals who provide services to the Institute which further the Objects provided that no such Designation or logo should infer that the organisation or individual has Chartered or Member status.

8.2.2 Alternative Titles: - Chartered Wealth Manager. All members who hold the Chartered Wealth Manager titles will be eligible to use this title below their name.

8.2.3 Alternative Designation: - CERTIFIED FINANCIAL PLANNER™ All members who hold the CFP™ status will be eligible to use this designation after their name.

8.2.4 Alternative Designation: - APP. All Paraplanners who pass the Certificate in Paraplanning or a CISI recognised paraplanning qualification and applied and met the requirements for the APP Designation as per paragraph 36 will be eligible to use this Designation after their name.

## **8.3 Other Designations**

8.3.1 The Board of Directors may issue guidance from time to time about the use of Designations and Designatory Initials by Members.

8.3.2 Members shall not use any other designations so as to imply that such other designation is also a designation given by the Institute.

8.3.3 A person who has ceased to be a member shall immediately cease to use any Titles or Designatory Initials associated with membership.

8.3.4 A person who has ceased to be a member is no longer entitled to refer to themselves as a member either verbally or in writing.

## **9. Age and retirement**

9.1 No person may become a member of the Institute, Affiliate and above unless aged 18 or over.

9.2 A member (other than a Student Member) who retires from active business may remain a member of the Institute.



9.3 Members of the CISI at Affiliate level and above (excluding Students) who have been members for 30 years (not necessarily consecutive) or more and are over the age of 70 are eligible to apply for free lifetime membership.

## **10. Refusal of application for membership**

10.1 The Board of Directors shall refuse an application for membership unless satisfied as provided in paragraph 5.5 above.

10.2 An applicant whose application for membership is refused shall be given brief reasons for the refusal.

10.3 An applicant whose application is refused may not re-apply for the same class of membership within one year of the date of refusal, except at the discretion of the Board of Directors.

10.4 An applicant who has been refused admission as a member (or to a class of membership) may appeal, in writing, to the Membership Committee. Any such appeal must be made within 21 days of the date of refusal (or of the date on which reasons for refusal is given if later) and shall set out in full the grounds for appeal.

10.5 The applicant shall be informed of the date on which the appeal will be considered but may not attend personally unless so requested by the Membership Committee. The applicant may make written representations to be considered by the Membership Committee and any such representation, must be received by the Secretary to the Membership Committee at least seven days before the date of the appeal hearing.

10.6 The decision of the Membership Committee is final, if the appeal is rejected, the Membership Committee shall give brief reasons.

10.7 Paragraph 10 shall not apply to Student Members or Honorary Fellows

## **11. Student members**

11.1 Admission to be a Student member is at the discretion of the Board of Directors.

11.2 Without limiting the discretion granted to the Board of Directors under paragraph 11.1 Student membership will be refused to someone who has been expelled from membership in a non-student category from the CISI or any other Professional Body or regulator

11.3 Student Membership is only granted if actively studying for CISI exams. It should not be used as an alternative grade of membership.

11.4 The Institute may end the membership of a Student member at any time by giving written notice of one month prior to expiry taking place. Without limiting this power, the Institute will normally end the membership of a Student member who does not sit a CISI examination within 12 months of their last examination.

- 11.5 Student members who obtain a full CISI qualification including but not limited to those shown in paragraph 11.1 will automatically cease to be Student members of the Institute within one month of obtaining the full CISI qualification unless they are still within their first 12 months of free Student membership.
- 11.6 Student members who cease to be members as a result of the application of the rules in paragraph 11.4 must apply to a different class of membership subject to meeting the terms outlined in Annex 1 of these Regulations.

## CONTINUING MEMBERSHIP RIGHTS AND OBLIGATIONS

### 12. Members bound by constitution

Each person becoming a member of the Institute shall undertake to be bound by the Charter, Bye Laws and Regulations of the Institute (as varied from time to time) and the Code of Conduct.

### 13. Voting

Members who shall be entitled to vote at General Meetings of the Institute must hold one of the following membership levels:

- (a) Chartered Fellow or Chartered Fellow (Financial Planning)
- (b) Chartered Member;
- (c) Honorary Fellow;
- (d) Fellow;
- (e) Member.

### 14. Fees

- 14.1 Each applicant for admission as a member (other than as a Honorary Fellow) shall pay such joining fee (if any) as the Board of Directors determines from time to time.
- 14.2 Each member (other than an Honorary Fellow) shall pay such annual subscription (if any) as the Board of Directors determines from time to time. The Board of Directors may determine that annual subscriptions be paid only by direct debit from a bank or similar account in the name of the member or by some equivalent means.
- 14.3 No application for admission as a member shall be considered by the Board of Directors unless the applicant has paid any joining fee and annual subscription payable in respect of the year in which admission is being sought.
- 14.4 The Board of Directors may determine different joining fees and annual subscriptions for different classes of members and may reduce such fees and subscriptions for members who are unemployed, on maternity leave, retired, on low income (earning £20,000 or less in the UK) or working in a low GDP country as determined by the World Factbook based on GDP per capita (for limited time periods only) and can provide proof of this status at the beginning of the billing year from when concessionary rates are applicable.
- 14.5 Annual subscriptions payable shall be payable by such date as the Board of Directors from time to time determines. The annual subscription due from persons who are admitted to membership after that date may be reduced as determined by the Board of Directors.

- 14.6 If any member fails to pay the annual subscription applicable to them within two months of the date on which it has become payable, such member shall pay in addition to the annual subscription a late payment fee (not exceeding the annual subscription due) as the Board of Directors may from time to time determine.
- 14.7 If within three months of the date on which the annual subscription has become payable a member has not paid such annual subscription together with any late payment fee for which the member is liable, the Board of Directors may lapse the member from membership provided that the Board of Directors is satisfied that:
- (a) at a date after the annual subscription became payable, the member was sent a written notice which:
    - (i) required payment of the member's annual subscription; and
    - (ii) if, at the date such notice was sent, the Board of Directors had imposed a late payment fee and informed the member of such late payment fee (whether or not such late payment fee was then due);
  - (b) the written notice was sent to the member to the address last notified under either paragraph 15.2(a), 15.2(b) or 15.2(c);
  - (c) a period of at least four weeks has elapsed since the date on which such notice was sent to the member;
  - (d) at a date four weeks after the date on which the notice was sent to the member, there remained outstanding the annual subscription or any late payment fee due by the member.
- 14.8 A person who is lapsed from membership as provided in paragraph 14.7 is subject to the disciplinary Regulations and procedures as may be in force from time to time.
- 14.9 Unless the Board of Directors otherwise determines, a person who has ceased to be a member only for failure to pay the annual subscription (or any late payment fee) may be re-admitted upon payment of a membership fee and rejoining fee as specified by and according to timescales set out by the Board of Directors and upon completion of a new application as appropriate.
- 14.10 Unless the Board of Directors otherwise determines a member may apply to upgrade their membership subject to eligibility under Annex 1 of these Regulations. In such cases any subscription already paid in the year of transfer to a higher category will be credited against fees due in respect of the membership category into which the member is transferring.

## **15. Information**

- 15.1 Information on how your data is processed and stored can be found in the CISI Privacy Policy found on the CISI website.
- 15.2 Each member shall notify the Institute of:
- (a) their full name and home address;
  - (b) their place of business or employment and the address at which they carry on business or are employed (or, if more than one, the principal address);
  - (c) their e-mail address and contact number (if any) and shall notify the CISI of any change in (a), (b) or (c) above.
- 15.3 Any notices or other communications to be given or sent by the Institute to a member under these Regulations may be sent to either of the addresses notified by the member under paragraph 15.2(a), (b) or (c) above. Such notices or communications may be sent by hand delivery or by pre-paid post or by e-mail.

Notices or other communications will be deemed to have been received:

- (a) If sent by hand delivery – at the time of deliver;
  - (b) if sent by second class pre-paid post - 48 hours after the date of posting;
  - (c) if sent by e-mail – two working days after sending provided the Institute has not received notification that the email failed to be delivered.
- 15.4 Notices or other communications may be given or sent by the Institute to a member by publication in the Institute’s journal or, but only in relation to the annual general meeting, on its website. If so published, the notice or other communications will be deemed to have been received one month after the date on which the journal was sent to the member or if published on the Institute’s website one month after the date on which it was so published. For these purposes, the Institute’s website shall be such site as is specified from time to time in the Institute’s journal.
- 15.5 Each member shall notify the Institute of any matter which may affect their suitability to remain a member of the Institute and of any other matters of which the Institute may reasonably require information.
- 15.6 A non-exhaustive list of matters which may affect suitability to remain a member of the Institute includes:
- (a) arrest of the member or the issue of a warrant for the member’s arrest;
  - (b) receipt by the member of a summons (or equivalent legal document) to attend a court or tribunal (excluding a summons or document in respect of a minor (non-imprisonable) traffic offence and as a witness);
  - (c) conviction of the member of any criminal offence (other than a minor (non- imprisonable) traffic offence);

- (d) receipt by the member of notice of investigation by a Regulatory Body; commencement of disciplinary proceedings against the member by a Regulatory Body;
- (e) imposition on the member of any penalty (including a reprimand) by a Regulatory Body;
- (f) failure by the member to pay a debt as ordered by a court or tribunal;  
material breach of the Code of Conduct;
- (g) failure to complete IntegrityMatters within the set timescales.
- (h) failure to successfully complete the CISI Continued Professional Development (CPD) requirements within the set timescale.
- (i) imposition on the member of any sanction as a result of an employer disciplinary process.

15.7 Failure to notify the Institute of a matter which may affect a member's suitability to remain a member of the Institute will be regarded as a serious breach of Regulations and could lead to the expulsion of the member.

15.8 The information to be notified to the Institute under paragraph 15 must be given in writing and promptly.

15.9 The Institute may inform or share with an appropriate Regulatory Body any information (including any document) it receives from a member or other source in connection with these Regulations and may report the outcome of any proceedings relating to membership, disciplinary matters and appeals.

## **DISCIPLINARY MATTERS**

### **16. Disciplinary offences**

16.1 The following are disciplinary offences:

- (a) if, whether in the course of work (within the financial services profession or otherwise) or in the course of his/her personal life or otherwise, a member has committed any act or default likely to bring discredit to themselves, the Institute or the securities investment, wealth and financial planning professions;
- (b) if a member has performed their work incompetently to such an extent or on such number of occasions as to bring discredit to themselves, the Institute or investment, wealth and financial planning professions;
- (c) if a member has failed to satisfy a judgement debt or individually or as a partner or has made an assignment for the benefit of creditors or if a bankruptcy order or an interim order has been made against the member:
- (d) if a member has entered into an Individual Voluntary Agreement (IVA) or international equivalent and defaulted on payment or is in arrears.
- (e) if a member has committed any breach of these Regulations (including the Regulations of professional conduct at paragraph 3 of the Regulations) or of any provision of the Institute's Charter, Bye-Laws and General Regulations or any other Regulations made thereunder;
- (f) if a member has failed to pay the annual membership subscription as required under the terms of paragraph 14;
- (g) if a member has failed to undertake or record any required Continuing Professional Development that may be in force from time to time over a 12-month period;
- (h) if a member has failed to comply with an order of the Disciplinary Panel.

Subject to paragraphs 16 to 22, a member of the Institute may have committed a disciplinary offence in any of the circumstances set out above in this paragraph (whether or not the member was a member of the Institute at the time of the offence).

16.2 Without limiting paragraph 16.1(a), the following circumstances shall constitute disciplinary offences under paragraph 16.1(a):

- (a) if a member has pleaded guilty or been found guilty by a court of a criminal offence (or in a court outside the United Kingdom has pleaded guilty to or been found guilty of a comparable offence); or
- (b) if a penalty (including a reprimand) has been imposed on a member by a Regulatory Body or other professional body.

A certificate of conviction or statement by a Regulatory Body shall be conclusive evidence of the facts referred to in this paragraph 16.2.

16.3 A member shall not be considered guilty of a disciplinary offence by virtue of any act, omission or failure occurring at a time before they became a member of the Institute provided that the member made a full and frank written disclosure of the act, omission or failure in connection with their application for membership.

## **17. Initiation of disciplinary procedures**

17.1 Where any fact or matter comes to the attention of the Disciplinary Secretary indicating that a member may be in breach of the Membership Regulations the Disciplinary Secretary shall inform the Disciplinary Review Panel.

17.2 The Disciplinary Review Panel shall conduct a preliminary investigation and decide whether or not it appears that there is a case to answer.

17.3 The steps taken in the preliminary investigation will be determined by the Disciplinary Review Panel at its discretion. The investigation may include the questioning of potential witnesses and the taking of statements.

17.4 Where the Disciplinary Review Panel determines that the offence is an Administrative Offence, the Disciplinary Review Panel may:

- (a) require appropriate remedial action by the member (e.g.) where a member is a Chartered Fellow or Chartered Member suspend such Chartered status for a period not exceeding one year from the date of the failure to complete the required number of CPD hours to maintain Chartered Status; or
- (b) impose an appropriate sanction (e.g.) where a member is suspended for noncompliance, for the failure to complete the required number of CPD hours to maintain membership.

17.5 A continued failure to comply with any sanctions set under paragraph 17.4 will result in the member's breach of the Regulations being referred to the Disciplinary Panel.

17.6 Before making a decision as to whether or not there is a case to answer, where such case is not an Administrative Offence the Disciplinary Review Panel shall:

- (a) inform the member concerned of the fact or matter under investigation; and
- (b) give the member an opportunity of making written representations within such period as the Disciplinary Review Panel shall determine but which period shall be not less than 14 days.

17.7 If, having reviewed the members representations, the Disciplinary Review Panel operating under delegated authority from the Disciplinary Committee, decides that there appears to be a case to answer, it may:



- (a) refer the matter to the Disciplinary Panel; or
- (b) if the offence is not an Administrative Offence and not considered sufficiently material for referral to the Disciplinary Panel, send an appropriate strongly worded warning letter reminding the member of the Institute's expected levels of behaviour and may recommend additional CPD or the re-taking of the IntegrityMatters test on a case by case basis – failure to comply with any recommendation will result in the members being reported to the Disciplinary Committee who may take further action;
- (c) If any fact or matter comes to the attention of the Disciplinary Secretary indicating that a member may be in breach of the Membership Regulations as provided in paragraph 17.1, the Disciplinary Review Panel may suspend the member from membership without prejudice until the conclusion of the disciplinary process.

17.8 If the Disciplinary Review Panel cannot reach an agreement about whether or not there appears to be a case to answer, it shall refer the case to the Disciplinary Committee for a decision. As the Disciplinary Committee retains overall control of the application and administration of the Institute's disciplinary process it will be able to review and where necessary direct changes to any decision made by the Disciplinary Review Panel in connection with a referral or non-referral to the Disciplinary Panel.

17.9 If the Disciplinary Review Panel refers the matter to the Disciplinary Panel, the Disciplinary Secretary shall send a report to the Disciplinary Panel members and the Member involved 14 days prior to the scheduled Panel hearing comprising:

- (a) details of the allegation(s);
- (b) a summary of the facts and matters to be considered;
- (c) any statements of witnesses taken; and
- (d) a copy of any written representations made by the member.

17.10 The Disciplinary Review Panel will take into account where possible international jurisdictions, laws and customs within the home state of where the member holds their membership.

17.11 The Disciplinary Review Panel is the Institute's delegated decision-making forum in relation to all Statement of Professional Standing (SPS) matters including suspensions.

## **18. Hearing by Disciplinary Panel**

18.1 On receipt of a reference from the Disciplinary Review Panel, the Disciplinary Secretary shall, on behalf of the Disciplinary Committee:

- (a) notify the member concerned; and
- (b) inform the member of the date, time and place fixed for the Disciplinary Hearing.

18.2 The member concerned shall be given at least 14 days' notice of the date of the hearing and a reasonable opportunity of being heard in person before the Disciplinary Panel or to make further written representations if they wish to do so.

18.3 If the member does not attend the hearing, provided the Disciplinary Panel is satisfied that the member has been notified of the date, time and place fixed for the hearing, it may proceed to hear the allegations in the absence of the member concerned. If no good reason is given for non-appearance, an adverse inference may be drawn by the panel.

18.4 A member may attend by telephone or online, subject to having given at least seven days' notice to the Disciplinary Secretary of their intention to do so.

18.5 The Disciplinary Review Panel will instruct the Disciplinary Secretary to present to the Disciplinary Panel the allegations against the member.

18.6 The member concerned may be accompanied by an observer of their choice or legal representative at the Disciplinary Hearing with at least two working days notification to the Disciplinary Secretary prior to the Panel Hearing. That notification should include the name of the individual, the firm they represent and the intended role of that individual in the Panel Hearing. An observer may be a fellow employee / colleague or Trade Union representative. In general, the role of the observer is defined as follows:

- (a) Act as a witness to the meeting;
- (b) take notes;
- (c) be there for moral support;
- (d) by their attendance, be available to discuss the meeting with the member after the meeting has concluded.

18.7 The Disciplinary Hearing will be governed by the procedures contained in Annex 4 and in particular the Disciplinary Panel may:

- (a) adjourn proceedings for a defined period of time, giving brief reasons;
- (b) if it considers it appropriate, suspend the member from membership pending the conclusion of the disciplinary process.

## **19. Decision of Disciplinary Panel**

19.1 If the Disciplinary Panel concludes that a member has committed a disciplinary offence:

- (a) it shall make a finding to that effect; and

- (b) it shall consider whether it is appropriate to impose a disciplinary sanction and, if so, what that sanction shall be;
- (c) may decide that a member has committed an offence under paragraphs 16.1 and 16.2, but that no further action should be taken.

19.2 Disciplinary sanctions which may be imposed under paragraph 19.1 are one or more of:

- (a) completion, within a specified period, of additional hours of CPD as determined by the Disciplinary Panel;
- (b) completion of the Institute's IntegrityMatters test, within a specified period as determined by the Disciplinary Panel;
- (c) reprimand, which will remain on the member's record for a specified period of time determined by the Disciplinary Panel;
- (d) severe reprimand, which will remain on the member's record for a specified period of time determined by the Disciplinary Panel;
- (e) reduction in member status for a specified period of time determined by the Disciplinary Panel;
- (f) suspension for a specified period of time of the personal Charter designation whilst retaining non-chartered membership;
- (g) suspension from membership for a specified period of time;
- (h) expulsion of membership for a period of time
- (i) permanent expulsion from membership.

19.3 Where applicable, it is not within the remit of the Disciplinary Panel to recommend the removal of a member's Statement of Professional Standing (SPS); the Institute's delegated decision-making forum in relation to all Statement of Professional Standing (SPS) matters including suspensions is the Disciplinary Review Panel. Any membership suspension or expulsion decisions involving members with SPS' by the Disciplinary Panel will be referred to the Disciplinary Review Panel for a final decision on SPS suspension.

19.4 Unless the Disciplinary Panel determines otherwise, a member who receives a sanction under paragraph 19.2 (e), (f) and (g) must not during the specified sanction period:

- (a) stop paying the annual membership subscription and will not be entitled to a refund on any membership subscriptions that have already been paid

In addition, under sanction 19.2 (g) the member must not

- (b) represent themselves as a member; or
- (c) use any titles or designatory letters associated with membership; or
- (d) use any of the Institute's facilities; or
- (e) vote at or attend a general meeting of the Institute.

19.5 A decision of the Disciplinary Panel shall have immediate effect unless:

- (a) the member concerned enters a notice of appeal within the period referred to at paragraph 21.2; or
- (b) the Disciplinary Panel otherwise directs.

19.6 The decision of the Disciplinary Panel will be sent in writing via letter and/or email to the member concerned (whether or not it is also given orally) setting out brief reasons.

19.7 Should the Disciplinary Review Panel determine that a sanction applied by a Disciplinary Panel is too lenient or excessive, they may make an application to the Disciplinary Committee for the case to be re-heard by a Disciplinary Panel made up of different Panel members. The Disciplinary Review Panel must make this application within 14 days of an outcome being reached by the Disciplinary Panel.

## **20. Resignation and re-admission**

20.1 The following provisions of paragraph 20 shall have effect subject to and without prejudice to the general discretion granted to the Board of Directors in 2.7 of the Institute's General Regulations wherein the Board of Directors is empowered to refuse to accept a notice of resignation given by a member.

20.2 A member who has been informed of a preliminary investigation into a disciplinary offence may not resign from the Institute until final determination under these Regulations of the matter being investigated, unless the Board of Directors accepts the resignation. If the member is permitted to resign in such circumstances, the resignation shall be treated as a "Disciplinary Resignation", which will be recorded on the members record and may be published as indicated in Paragraph 24.

20.3 A member who is expelled or whose resignation is treated as a Disciplinary Resignation will only be readmitted to membership of the Institute in exceptional circumstances. Such applications will be treated as a new application and must be supported by not less than two MCSI members or Fellows. Notwithstanding other provisions of these Regulations, re-admission shall be at the absolute discretion of the Board of Directors and there shall be no appeal against refusal of re-dmission.

20.4 A member who resigns from membership for any reason other than a Disciplinary Resignation may submit an application for re-admission. This will be treated as a new application for membership but any circumstances relevant to the resignation of the member may be taken into account by the Membership Committee when considering the application. The Membership Committee may impose conditions for re-admission which may include payment of any arrears of annual subscription any unspent previous disciplinary sanctions and other sums.

## **APPEAL AGAINST DECISION OF DISCIPLINARY PANEL**

### **21. Making an appeal**

- 21.1 A member who is not in agreement with the finding of a Disciplinary Panel or a disciplinary sanction imposed may apply to have their case heard by an Appeals Panel, as provided in paragraph 21.2.
- 21.2 A member who wishes to appeal must apply to the Disciplinary Secretary within 28 calendar days of the date on which the decision of the Disciplinary Panel was sent to the member concerned under paragraph 19.6. The notification to appeal must set out the matter appealed against and the grounds for appeal.
- 21.3 An application appeal will be considered by the Disciplinary Review Panel, who will report this matter in writing to the Disciplinary Committee who will consider whether one of the grounds of appeal has been met and, if so, refer the case to be heard by an Appeals Panel. Grounds for appeal are as follows:
- (a) CISI has applied its own rules or criteria improperly;
  - (b) CISI has not followed due process in relation to the disciplinary procedure; or
  - (c) Further information has become available since the original decision which might have had a bearing on the outcome.

The onus is on the member to demonstrate why they consider that one of the above appeal grounds did not take place in the original disciplinary process. Disagreeing with the original decision is not sufficient grounds for an appeal.

### **22. Hearing of appeal**

- 22.1 As soon as practicable, but in any event within 14 calendar days, after receipt of an appeal application, the Disciplinary Secretary shall notify the member concerned about whether or not their appeal application has been granted.
- 22.2 The decision by the Disciplinary Review Panel on whether or not an appeal application will be granted is final.
- 22.3 If an appeal application is granted, the member concerned shall be given at least 14 calendar days' notice of the date, time and place fixed for the Appeal Hearing.
- 22.4 If the member does not attend the hearing, provided the Appeals Panel is satisfied the member has been notified of the date, time and place fixed for the Hearing, it may proceed to consider the appeal in the absence of the member.
- 22.5 The Disciplinary Review Panel may appoint a member of the Institute; or an officer of the Institute; a solicitor or barrister to act as an advisor to the Appeals Panel.
- 22.6 The member may be represented at the Appeal Hearing by a person of their choice, which also includes legal representation

- 22.7 The Appeal Hearing will be governed by the procedures set out in Annex 4.
- 22.8 When hearing an appeal (and without limiting paragraph 22.7) the Appeals Panel may:
- (a) take into consideration the record of the proceedings before the Disciplinary Panel including evidence given before and the documents produced to the Disciplinary Panel;
  - (b) re-hear any witness called before the Disciplinary Panel; and
  - (c) hear fresh evidence.
- 22.9 The Appeals Panel may affirm, vary or rescind any finding or order of the Disciplinary Panel and may substitute any other finding or order that the Disciplinary Panel might have made.
- 22.10 The decision of the Appeals Panel will be sent to the member concerned in writing via letter and/or email within seven days of the conclusion of the appeal (whether or not it is also given orally) setting out brief reasons.
- 22.11 Once a decision has been reached by the Appeals Panel, the member will not be able to appeal the decision again.

### **23. Costs**

- 23.1 If the Disciplinary Panel makes a finding that it is of the opinion that the member concerned has committed a disciplinary offence, then the CISI for their part in any disciplinary proceedings shall be entitled to an award of costs for the whole or part of the costs of administering their case, usually a minimum of £500. Administrative Sanctions issued by the Disciplinary Review Panel on behalf of the Disciplinary Committee may incur a lower cost of £100. Costs so ordered must be paid within 31 days of the date of the Disciplinary Panel's order (or such longer period as the Disciplinary Panel determines).
- 23.2 If a member who has appealed to an Appeals Panel as provided in paragraph 21.1 fails to pay costs as ordered by the Disciplinary Panel, the Appeals Panel may (whether or not the order to pay costs is subject to appeal) dismiss the appeal.
- 23.3 The Appeals Panel may confirm, dismiss or vary the costs as they may judge appropriate. Costs so ordered must be paid within 31 days of the date of the Appeals Panel order (or such longer period as the Appeals Panel determines).
- 23.4 Should the Appeals Panel decide to overturn costs already paid by the member, the member will be reimbursed within 31 days.

## **24. Publication and disclosure**

- 24.1 If the Disciplinary Panel determines that a member is in breach of the membership regulations, unless the Disciplinary Panel determines otherwise, the decision:
- (a) may be published in the Institute's journal and on the Institute's website and may also be otherwise publicly announced to include the name of the member, the brief facts, the decision and any disciplinary sanction or in such other form or level of detail as the Disciplinary Panel may consider appropriate on a case-by-case basis;
  - (b) may be notified to the member's employer (if any).
- 24.2 The information referred to in paragraph 24.1 shall not be published or notified until the time for appeal under paragraph 21.2 has expired or any accepted appeal has been heard.
- 24.3 The Appeals Panel may make similar publications, disclosures and notifications to the Disciplinary Panel if it thinks it appropriate.
- 24.4 The Institute may disclose any information relating to a disciplinary offence (or alleged disciplinary offence) to:
- (a) a Regulatory Body; or
  - (b) as may be required or permitted under any relevant Act of Parliament.



## ANNEX 1

### Conditions of Admission to Membership Conditions for admission as

#### Chartered FCSI or Chartered FCSI (Financial Planning)

- 1 Applicants for admission as a Chartered FCSI must satisfy the conditions set out in any of the paragraphs 3, 4, 5, 6 or 7 of this Annex, unless the Board of Directors should otherwise determine.
- 2 Applicants for admission as a Chartered FCSI (Financial Planning) must satisfy the conditions set out in paragraph 8, 9, 10, 11 or 12 of this Annex, unless the Board of Directors should otherwise determine.

#### 3 That the Applicant

- (a) has been a FSI/FCSI member for a minimum of one year; and
- (b) holds a CISI level 6/7 qualification; or London Stock Exchange Diploma (minimum requirement being a pass in both Techniques of Investment and Stock Exchange Practice) as recognised by the regulator for the purposes of the Retail Distribution Review by the CISI for Chartered Wealth Manager; and
- (c) has successfully logged and certified three years CPD under the Institute's CPD Scheme as a FSI or FCSI; and
- (d) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).

#### 4 That the Applicant

- (a) has been a Chartered MCSI member before 2 November 2010; and
- (b) ten years' experience as a MSI, MCSI or Chartered MCSI; and
- (c) has successfully logged and certified three years CPD under the Institute's CPD Scheme as a Chartered MCSI; and
- (d) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).

5 That the Applicant

- (a) has been an MSI/MCSI member for a minimum of one year; and
- (b) holds a CISI level 6/7 qualification; or London Stock Exchange Diploma (minimum requirement being a pass in both Techniques of Investment and Stock Exchange Practice) as recognised by the regulator for the purposes of the Retail Distribution Review by the CISI for Chartered Wealth Manager; and
- (c) has successfully logged and certified three years CPD under the Institute's CPD Scheme as a MSI, MCSI or Chartered MCSI and
- (d) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).

6 That the Applicant

- (a) has been an MCSI or Chartered MCSI member after 2 November 2009; and
- (b) holds a CISI level 6/7 qualification; and
- (c) has successfully logged and certified one-year CPD under the Institute's CPD Scheme as an MSI, MCSI or Chartered MCSI; and
- (d) has successfully completed three years CPD as a personally chartered member of a relevant chartered body, completed in the consecutive years immediately preceding their CISI membership; and
- (e) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

7 That the Applicant

- (a) has been an MCSI or Chartered MCSI member after 2 November 2009; and
- (b) holds a CISI level 6/7 qualification; and
- (c) has successfully logged and certified two years CPD under the Institute's CPD Scheme as an MSI, MCSI or Chartered MCSI; and
- (d) has successfully completed two years CPD as a personally chartered member of a relevant chartered body, completed in the consecutive years immediately preceding their CISI membership; and

(e) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

8 That the Applicant

(a) has been a Chartered FCSI member after 2 November 2009; and

(a) holds the CISI Level 7 Diploma in Advanced Financial Planning qualification and holds the CERTIFIED FINANCIAL PLANNER™ certification; and

(b) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

9 That the Applicant

(b) has been a Chartered MCSI member after 2 November 2009; and

(c) passed the CISI Level 7 Diploma in Advanced Financial Planning qualification and holds the CERTIFIED FINANCIAL PLANNER™ certification; and

(d) has successfully logged and certified three years CPD under the Institute's CPD Scheme as a MSI, MCSI or Chartered MCSI; and

(e) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

10 That the Applicant

(a) has been an MCSI or Chartered MCSI member after 2 November 2009; and

(b) passed the CISI Level 7 Diploma in Advanced Financial Planning qualification and holds the CERTIFIED FINANCIAL PLANNER™ certification; and

(c) has successfully logged and certified one-year CPD under the Institute's CPD Scheme as an MSI, MCSI or Chartered MCSI; and

(d) has successfully completed three years CPD as a personally chartered member of a relevant chartered body, completed in the consecutive years immediately preceding their CISI membership; and

(e) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

11 That the Applicant

(a) has been an MCSI or Chartered MCSI member after 2 November 2009; and

- (b) passed the CISI Level 7 Diploma in Advanced Financial Planning qualification and holds the CERTIFIED FINANCIAL PLANNER™ certification; and
- (c) has successfully logged and certified two years CPD under the Institute's CPD Scheme as an MSI, MCSI or Chartered MCSI; and
- (d) has successfully completed two years CPD as a personally chartered member of a relevant chartered body, completed in the consecutive years immediately preceding their CISI membership; and
- (e) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

12 (Window of Opportunity) That the Applicant

- (a) Has been an MCSI, Chartered MCSI or Chartered FCSI member after 2 November 2009; and
- (b) has successfully logged and certified three consecutive years CPD under the Institute's CPD Scheme as an MSI, MCSI or Chartered MCSI: and
- (c) passed a CISI Level 6 Diploma in Financial Planning qualification and holds the CERTIFIED FINANCIAL PLANNER™ certification;
- (d) passed the CISI's IntegrityMatters (the benchmark for all Charterholders).

**CISI level 6/7 Qualifications**

13 The following awards are deemed to meet the CISI level 6/7 qualifications:

- (a) Full CISI Diploma;
- (b) Full CISI Chartered Wealth Manager Qualifications (previously known as the Masters in Wealth Management)
- (c) Diploma in Investment Compliance
- (d) Diploma in Financial Planning
- (e) Diploma in Investment Operations
- (f) Private Client Investment Advice & Management.
- (g) CISI/ICAEW Diploma in Corporate Finance.
- (h) Other CISI level 6/7 qualifications as developed and awarded by the CISI.

**Chartered Fellows accept a continuing obligation to comply with the terms of Institute's CPD Scheme.**

**Conditions for admission as a Chartered MCSI member**

- 14 Applicants for admission as a Chartered MCSI member must satisfy the conditions set out in any one of the paragraphs 15, 16, 17 or 18 of this Annex, unless the Board of Directors should otherwise determine.
- 15 That the Applicant
- (a) has been a Member for a minimum of one year; and
  - (b) has successfully logged and certified 12 months CPD under the Institute's CPD Scheme; and
  - (c) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).
- 16 That the Applicant
- (a) has been a ACSI member for a minimum of one year; and
  - (b) holds a SII/CISI level 6/7 qualification; and
  - (c) has successfully logged and certified 12 months CPD under the Institute's CPD Scheme as an ACSI; and
  - (d) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).
- 17 That the Applicant
- (a) has been an ACSI member for a minimum of four years; and
  - (b) holds a SII/CISI level 4/5 qualification; and
  - (c) has successfully logged and certified four years CPD under the Institute's CPD Scheme as an ACSI; and
  - (d) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).

18 That the Applicant

- (a) has been an ACSI member for a minimum of five years; and
- (b) has successfully logged and certified five years CPD under the Institute's CPD Scheme as an ACSI; and
- (c) passed the CISI's IntegrityMatters (the benchmark for all Charter holders).

**Chartered Members accepts a continuing obligation to comply with the terms of the Institute's CPD Scheme.**

**Conditions for admission as a Member with CISI qualifications (MCSI)**

19 Applicants for admission as a MCSI member must satisfy the conditions set out in any one of the paragraphs 20, 21, 22 and 23, of this Annex, unless the Board of Directors should otherwise determine.

20 That the applicant has been awarded the Institute's full CISI Level 6/7 Qualification and has obtained a pass in IntegrityMatters.

**Conditions for admission as a Member (MCSI) via experience**

21 That the Applicant

- (a) normally has at least 15 to 20 years Relevant Experience; and
- (b) holds a senior management role within the firm; and
- (c) holds other recognised professional qualifications; and
- (d) has had their MCSI application successfully reviewed by the CISI Membership Committee; and CISI International or Regional Advisory Board; and
- (e) has obtained a pass in the CISI's IntegrityMatters.

**Conditions for admission as a Member with Non-CISI qualifications (MCSI)**

22 That the Applicant

- (a) has a Non-CISI Level 6 Qualification or above, that is recognised by the CISI; or
- (b) is an academic practitioner tutoring students for CISI examinations or CISI exempted programs of study and possess a higher degree in a university or educational institute in a financial services subject; and
- (c) has normally three years Relevant Experience

- (d) has obtained a pass in the CISI's IntegrityMatters.

### **Non CISI Qualifications Recognised by the CISI for MCSI Membership**

- 23 The following occupations are deemed to meet the requirement for a recognised qualification:
- (a) Practicing Barrister, Advocate or Solicitor who has been called or admitted in the UK or Ireland;
  - (b) holder of the FSIP or ASIP designation of the CFA Society UK;
  - (c) fully qualified member of the London Institute of Banking and Finance, Chartered Banker (previously known as the Chartered Institute of Bankers in Scotland), the Institute of Chartered Secretaries and Administrators, the Institute of Actuaries or the Chartered Institute of Insurance, the Institute of Chartered Accountants in England & Wales / Ireland and of Scotland, the Association of Chartered Certified Accountants, the Chartered Institute of Management Accountants, the Association of Corporate Treasurers with relevant experience;
  - (d) holder of the Chartered Financial Analyst (CFA) qualification;
  - (e) holder of other professional qualification on the CISI recognised qualifications list on the CISI website at [cisi.org/recognised-qualifications](http://cisi.org/recognised-qualifications) (including overseas qualifications) accepted by the Institute as being equivalent to the above.

### **Overseas Professional Qualifications**

- 24 Notwithstanding the previous provisions of this Annex, a holder of an overseas professional qualification set out in paragraph 25 below is recognised by the Institute as satisfying the examination qualification in paragraph 20 above and the Institute may admit him/her to Membership if s/he satisfies the requirements in paragraph 22(c-d) above or such other or modified requirements as the Institute may in its absolute discretion determine.
- 25 The overseas professional qualifications list on the CISI website at [cisi.org/recognized-qualifications](http://cisi.org/recognized-qualifications) referred to at paragraph 23(e) above include:
- (a) holder of Chartered Financial Analyst (CFA) qualification awarded by the CFA Institute;
  - (b) Associate or Fellow member of the Financial Services Institute of Australia (FINSIA);
  - (c) Member of the Hong Kong Securities Institute;

- (d) Fellow of the Canadian Securities Institute;
- (e) Member of the Securities Institute of Hong Kong;
- (f) or such other qualifications as the Board of Directors may from time to time accept.

**26 Integrity requirements applicable to MCSI members from 1 April 2012.**

- (a) MCSI members who were members at 1 April 2012 are required to take and pass the test contained in the CISI Professional Refresher Unit Integrity & Ethics or pass the CISI IntegrityMatters test obtaining a pass before 31 March 2014.
- (b) From 1 July 2012, applicants for MCSI membership by way of an initial application for membership of the Institute are required to take the CISI IntegrityMatters test and obtain a pass within 3 months to activate CISI membership.

**Conditions for admission as an Associate (ACSI)**

- 27 Applicants for admission as an ACSI member must satisfy the conditions set out in paragraph 28 of this Annex, unless the Board of Directors should otherwise determine.
- 28 Applicants for admission as an Associate must have met the requirements under paragraph 33 and have passed or obtained either:
  - (a) a minimum of one CISI/SII level 6 Diploma paper; or
  - (b) a minimum of one paper in CISI Chartered Wealth Manager qualification (previously known as the CISI Masters in Wealth Management); or
  - (c) the Investment Advice Diploma (3 exam passes); or
  - (d) the Investment Advice Certificate (3 exam passes); or
  - (e) the Investment Operations Certificate (3 exam passes); or
  - (f) the CISI/SII level 3 Certificate in Capital Markets; or
  - (g) the CISI/SII level 3 Certificate in Corporate Finance; or
  - (h) the CISI/SII level 3 Certificate in Risk in Financial Services
  - (i) the CISI level 3 Certificate in Global Financial Compliance; or
  - (j) the CISI level 3 Certificate in Combating Financial Crime; or
  - (k) the CISI level 3 Certificate in Financial Services for Directors; or



- (l) the Certificate in Paraplanning; or
- (m) the IFQ Qualification; or
- (n) a CISI/SII Advanced Certificate; or
- (o) the Certificate in Wealth and Investment Management; or
- (p) holder of other professional qualification on the CISI recognised qualifications list on the CISI website at [cisi.org/recognized](http://cisi.org/recognized) qualifications (including overseas qualifications) or qualification as the Institute may from time to time approve.

### **Overseas Professional Qualifications**

- 29 Notwithstanding the previous provisions of this Annex, a holder of an overseas professional qualification set out in paragraph 30 below is recognised by the Institute as satisfying the examination qualification in paragraph 28(a) above and the Institute may admit them as an Associate (or other such qualification that the Board of Directors may determine) upon meeting the requirements under paragraph 33.
- 30 The overseas professional qualifications referred to at paragraph 29 above include:
- (a) from the USA
    - (i) US General Securities Representative – Series 7
    - (ii) US Futures Representative – Series 3
    - (iii) Chartered Financial Analyst (CFA) Level 1 Examination
  - (b) From Canada
    - (i) Canadian Securities Course plus conduct practice handbook
  - (c) From Australia
    - (i) FINSIA Certificate in Financial Markets
    - (ii) FINSIA Diploma in Financial Markets
    - (iii) FINSIA Graduate Diploma in Applied Finance & Investment
  - (d) From Hong Kong
    - (i) Hong Kong Foundation Programme examination (three papers)

### **Conditions for Admission as an Affiliate**

- 31 That the applicant is working in the financial services sector but is not required to take a regulatory qualification and has met the requirements under paragraph 33; or
- 32 That the applicant has achieved the Introduction to Investment Award, IT in Investment Operations Award, Combating Financial Crime Award or Global Financial Compliance Award and has met the requirements under paragraph 33.
- 33 **Integrity requirements applicable to ACSI and Affiliate members from 1 April 2013.**
- (a) ACSIs and Affiliates who were members at 1 April 2013 are required to take and pass the test contained in the CISI Professional Refresher unit Integrity & Ethics or pass the CISI IntegrityMatters test obtaining a pass before 31 March 2014.
- (b) Applicants for ACSI or Affiliate membership by way of an initial application for membership of the Institute are required to take the CISI IntegrityMatters test and obtain a pass within 3 months to activate CISI membership.

### **Conditions of use of a Chartered Wealth Manager title**

- 34 That the Applicant
- (a) has been a Chartered member or Chartered Fellow for a minimum of one year; and
- (b) holds a CISI Chartered Wealth Manager or Certified Financial Planner™ certification; and
- (c) has successfully logged and certified one-year CPD under the Institute's CPD Scheme as a Chartered member or Chartered Fellow.

### **Conditions of admission to become a Certified Financial Planner™**

- 35 That the Applicant
- (a) Is a member of the CISI at MCSI or higher level; and
- (b) holds the Diploma in Financial Planning qualification or the Diploma in Advanced Financial Planning; and
- (c) holds the Relevant Experience, as defined by the Financial Planning Standards Board (FPSB); and
- (d) has successfully undertaken and certified one year's CPD under the Institutes CPD Scheme.

## **Conditions of admission to become an Accredited Paraplanner (APP)**

36 That the Applicant

- (a) Is a member of the CISI at ACSI or higher level; and
- (b) Is a paraplanner; and
- (c) Has successfully logged and certified 12 months CPD under the Institute's CPD Scheme; and
- (d) Holds one of the following qualifications:
  - CISI Certificate in Paraplanning;
  - CII Certificate in Paraplanning;
  - PMI Diploma in Professional Financial Advice;
  - LIBF Diploma for Financial Advisers.

### **37. Transitional provisions**

- 37.1 Persons who were members of the Institute immediately before the 2<sup>nd</sup> November 2009 and who were then entitled to use the Designatory Initials MSI or FSI shall become MCSI members and FCSI respectively of the Chartered Institute for Securities & Investment with effect from the 2<sup>nd</sup> November 2009.
- 37.2 Persons who were Associate members of the Institute immediately before the 2<sup>nd</sup> November 2009 and who were entitled to use the Designatory Initials ASI shall become ACSI members of the Chartered Institute for Securities & Investment with effect from the 2<sup>nd</sup> November 2009.
- 37.3 Persons who were Honorary Fellows of the Institute immediately before the 2<sup>nd</sup> November 2009 and who were entitled to use the Designatory Initials FSI(Hon) shall become FCSI(Hon) of the Chartered Institute for Securities & Investment with effect from the 2<sup>nd</sup> November 2009.
- 37.4 Persons who were Affiliates & Students of the Institute immediately before the 2<sup>nd</sup> November 2009 shall become Affiliates & Students of the Chartered Institute for Securities & Investment with effect from the 2<sup>nd</sup> November 2009.
- 37.5 Persons who were members of the Institute of Financial Planning immediately before the 1 November 2015 and who were entitled to use the Designatory initials FIFP shall become Chartered Fellows of the Chartered for Securities & Investment with effect from the 1<sup>st</sup> November 2015.
- 37.6 Persons who were members of the Institute of Financial Planning immediately before the 1 November 2015 and who were entitled to use the Designatory Initials CFP<sup>TM</sup> shall become Chartered members of the Chartered for Securities & Investment with effect from the 1<sup>st</sup> November 2015.

- 37.7 Persons who were members of the Institute of Financial Planning immediately before the 1 November 2015 and who were entitled to use the Designatory Initials AIFP shall become Associate members of the Chartered for Securities & Investment with effect from the 1<sup>st</sup> November 2015.
- 37.8 Persons who were members of the Institute of Financial Planning immediately before the 1 November 2015 and who were entitled to use the Designatory Initials APP shall become Associate members of the Chartered Institute for Securities & Investment with effect from the 11<sup>th</sup> November 2015.
- 37.9 Persons who were members of the Institute of Financial Planning immediately before the 1<sup>st</sup> November 2015 and Standard members shall become Affiliate members of the Chartered Institute for Securities & Investment with effect from the 1<sup>st</sup> November 2015.

## ANNEX 2

### Continuing Professional Development

In these Regulations “Continuing Professional Development” or CPD relates to the CISI CPD hours set for members, recorded and certified in conformity with:

- (a) the Institute’s CISI CPD scheme, the details and requirements of which are published on the Institute’s website and which may be varied from time to time; or
- (b) a CISI accredited CPD scheme in a firm which is a corporate supporter of the CISI; or
- (c) any CISI endorsed CPD scheme such as in international jurisdictions or through partnerships with other professional or accredited bodies, as determined by the CISI.

#### CISI CPD requirements

CPD is a mandatory requirement for all CISI members (excluding Students) to undertake a set number of CPD hours on an annual basis to maintain their membership which must include 10% coverage in Ethics unless in the case of Certification of Professionalism holders the Ethics requirement is higher.

There are two set categories of CPD requirements which can be found below:

1. Individually Chartered members, members working towards Chartered Status, SPS holders, Certificate of Professionalism holders, APP and CFP<sup>TM</sup> professionals are required to undertake 35 hours CPD annually, with 21 hours being structured. 10% of this CPD is required to be in Ethics.
2. Certificate of Professionalism holders are required to undertake 35 hours of CPD annually, with 21 hours being structured, and five of these 21 hours must consist of CPD related to regulation, risk, integrity and ethics.
3. All other members are required to undertake 10 hours CPD annually, with six hours being structured. 10% of this CPD is required to be in Ethics.

Examples of activities which may meet the requirements of the Institute’s CPD include, but are not limited to the following activities relevant to the securities, investment and financial planning sector:

- (a) studying for and taking of examinations (excluding benchmark qualifications) within the Institute’s study and examination programme and the study or examination programme (excluding benchmark qualifications) of other bodies;
- (b) attendance at lectures, conferences, workshops, seminars, training courses and events;
- (c) the taking of short courses or eLearning;

- (d) the listening or watching of podcasts or webcasts;
- (e) the imparting of knowledge in relation to the financial services profession by training or mentoring;
- (f) preparation of papers for conferences and seminars;
- (g) writing of articles and reviews accepted for publication in relation to the financial services sector;
- (h) undertaking of committee work with relevant trade associations for the financial services sector or committees of financial services organisations;
- (i) such other learning, training or other professional development as the Board of Directors from time to time designates as or treats as Continuing Professional Development.

It is the responsibility of each member to ensure that the hours and type of CPD activity recorded are appropriate to the class of membership and membership designation used by the member and that they also meet any regulatory requirements from their regulator.

It is the responsibility of each Member to ensure that they maintain an appropriate record of their CPD activities and such record complies with the requirements of the Institute's scheme and with the requirements of their regulator.

It is the responsibility of each member to ensure that they comply with the CISI audit requirements if selected for audit.

### **Exemptions**

Retired members and members over the age of 70 are exempt from meeting the CISI CPD requirements. This exemption is not applicable to members who hold Chartered Status, APP and CFP<sup>TM</sup> professionals, SPS or Certificate of Professionalism holders.

## ANNEX 3

### Terms of reference for Disciplinary Review Panel, Disciplinary Panel and Appeal Panel

#### Disciplinary Review Panel

- 1 There shall be a Disciplinary Review Panel, which has delegated authority from the Disciplinary Committee, which shall comprise such individuals as the Disciplinary Committee considers appropriate and for the time-being will comprise the Chief Executive of the Institute or the Head of the Accredited Body, along with at least two of the following, the Head of Membership and Professional Standards and the Head of Membership Framework and Standards or if necessary CISI equivalent person(s).
- 2 The Disciplinary Review Panel will have the ability to co-opt additional members for special purposes, for example, the Director of Financial Planning may be co-opted for cases involving financial planners.
- 3 The main duties of the Disciplinary Review Panel are set out in section 17 of these Regulations.

#### Disciplinary Panel

- 4 There shall be a Disciplinary Panel appointed to hear and opine on Disciplinary Hearings, as referred to the Panel by the Disciplinary Review Panel.
- 5 The Disciplinary Panel will consist of CISI members and lay persons and shall comprise no fewer than three persons appointed from time to time by the Disciplinary Committee. Such persons may not be members of the Board of Directors.
- 6 The Chair of the Disciplinary Committee or such other person as may be nominated by that Chair shall designate certain members of the Disciplinary Panel to act as Chair of Disciplinary Panel hearings.
- 7 The Disciplinary Committee may co-opt additional members onto the Disciplinary Panel for special purposes, for example, local National Advisory Council members may be co-opted for cases involving members based outside of the UK.
- 8 No person (other than the Disciplinary Secretary) shall be a member of the Disciplinary Panel and the Appeals Panel considering the same matter.

- 9 Subject to these Regulations and any directions given from time to time by the Disciplinary Committee, Board of Directors or Chair of the Institute the Disciplinary Panel shall conduct hearings as laid down in Annex 4.
- 10 The Disciplinary Review Panel may appoint a solicitor or barrister or other expert to assist the Disciplinary Panel and/or advise on any matter relating to proceedings under these Regulations. The solicitor, barrister or expert may attend any meetings of the relevant Panel and may advise on any matter being considered but shall not have a vote. The CEO of the Institute must approve a financial expenditure request before a solicitor, barrister or other expert is appointed. In the absence of the CEO, or if conflicted, this approval can be given by an Executive Director of the CISI.
- 11 Say for the circumstances described in paragraph 24.2, any decisions of the Disciplinary Panel shall be determined by a majority, if not unanimous. If there is a majority decision, this shall be the decision of the Disciplinary Panel.
- 12 During the course of a hearing, if a member of the Disciplinary Panel is unable to continue to attend the hearing, the remaining members (provided that there are at least three) may continue with the hearing. Should the panel members then be an even number, the Chair will have a casting vote. In other circumstances, the hearing shall be reconvened with a new Disciplinary Panel.
- 13 Disciplinary hearings may be attended by staff of the Institute as observers, at the discretion of the Chair of the Disciplinary Panel.

### **Appeals Panel**

- 14 There shall be an Appeals Panel appointed to hear and opine on Appeal Hearings, as referred to them by the Disciplinary Review Panel.
- 15 The Appeals Panel will consist of CISI members and lay persons and shall comprise no fewer than three persons appointed from time to time by the Disciplinary Committee. Such persons may not be members of the Board of Directors.
- 16 The Chair of the Disciplinary Committee or such other person as may be nominated by that Chair, shall designate certain members of the Appeals Panel to act as Chairmen of Appeals Panel hearings.
- 17 The Disciplinary Committee may co-opt additional members onto the Appeals Panel for special purposes, for example, local National Advisory Council members may be co-opted for cases involving members based outside of the UK.



- 18 No person (other than the Disciplinary Secretary) shall be a member of the Disciplinary Panel and the Appeals Panel considering the same matter.
- 19 Subject to these Regulations and any directions given from time to time by the Disciplinary Committee, Board of Directors or Chair of the Institute the Appeals Panel shall conduct hearings as laid down in Annex 4.
- 20 The Disciplinary Review Panel may appoint a solicitor or barrister or other expert to assist the Appeals Panel and/or advise on any matter relating to proceedings under these Regulations. The solicitor, barrister or expert may attend any meetings of the relevant Panel and may advise on any matter being considered but shall not have a vote. The CEO of the Institute must approve a financial expenditure request before a solicitor, barrister or other expert is appointed. In the absence of the CEO, or if conflicted, this approval can be given by an Executive Director of the CISI.
- 21 Say for the circumstances described in paragraph 24.2, any decisions of the Appeals Panel shall be determined by a majority, if not unanimous. If there is a majority decision, this shall be the decision of the Appeals Panel.
- 22 During the course of a hearing, if a member of the Appeals Panel is unable to continue to attend the hearing, the remaining members (provided that there are at least three) may continue with the hearing. Should the panel members then be an even number, the Chair will have a casting vote. In other circumstances, the hearing shall be reconvened with a new Appeals Panel.
- 23 The decision of the Appeals Panel shall be final and there shall be no further right of appeal.
- 24 Appeals hearings may be attended by staff of the Institute as observers, at the discretion of the Chair of the Appeals Panel.

## ANNEX 4

### Disciplinary Hearings

#### Operational Procedures for conducting a Disciplinary or Appeal Hearing.

- 1 Procedures are laid down in the Membership Regulations for considering whether a member may be in breach of the Membership Regulations. Where it is determined by the Disciplinary Review Panel that a member appears to have a case to answer, the course of action which will be followed is contained in the Membership Regulations.
- 2 When the Disciplinary Review Panel has agreed that a member appears to be in breach of a regulation, the member will be invited to appear before a Disciplinary Panel.
- 3 Membership Regulations require that a member is given a minimum of 14 days' notice of the hearing which the member is invited to attend.
- 4 The member is invited to attend in person and may be accompanied by an observer or legal representative - as defined in clause 18.6.
- 5 If the member fails to reply or declines to attend, a hearing will be held in the member's absence and the findings of the panel, including any sanction will be communicated in writing via letter and/or email.
- 6 At the discretion of the Disciplinary Panel Chair, a staff member of the CISI may attend a Disciplinary Hearing but solely in the role of observer and may take no part in the hearing.
- 7 The member is required to notify the Disciplinary Secretary whether they will be accompanied by an observer or legal representative. That notification should include the name of the individual, the firm they represent and the intended role of that individual in the Panel Hearing at least two working days before the scheduled Disciplinary Hearing date.

## **The Hearing**

### Prehearing

- 8 The Disciplinary Panel must consist of a minimum of three people, of whom one will be nominated as the Chair of the Disciplinary Panel and one of whom must not be a member of the CISI (the “lay member” of the Disciplinary Panel).
- 9 Panel members will be advised at least one week before the hearing of the nature of the alleged offences and breaches of the Membership Regulations.
- 10 Panel members will be asked to declare, at the earliest possibility, whether there are any conflicts of interest which may prohibit them from sitting on the Panel Hearing for the member in question. These may include (but are not limited to): acquaintance or knowledge of the member in question, acquaintance or knowledge of a complainant or any witness in the case, business or professional connections with the member’s firm. Conflicts of interest must be declared to the Disciplinary Secretary, who will assess whether the conflict should prevent the Panel member from opining on the case in question.
- 11 The Panel will be advised of their responsibilities by the Disciplinary Secretary.
- 12 Panel members will be reminded that any judgement is solely against a breach of CISI Membership Regulations and the responsibilities resulting therefrom.

### The Hearing

#### Introductions:

- 13 The member is invited into the room (or video conference), with any accompanying observer or legal representative
- 14 The member will be advised that the proceedings are related solely to the alleged breaches of CISI Membership Regulations, that notes will be taken and the proceedings which can include video conferences may be recorded.
- 15 The Disciplinary Secretary will relate the alleged breaches of the Membership Regulations by the member.

- 16 The member is invited to raise any questions or points of clarification regarding the alleged breaches.
- 17 The member is, to address the Panel in response to the allegations.
- 18 Panel members will ask questions of the member in clarification of any statements that have been made or any other relevant matter.
- 19 The member will then be asked whether they wish to make any further observations.
- 20 The member and any observer or legal representative will be asked to withdraw from the room (or return to the virtual waiting room if the Panel Hearing is being carried out over video conference) whilst the Panel considers the matter.
- 21 If the Panel consider the case against the member to be proven, the Disciplinary Secretary will advise the Panel of the range of sanctions which may be awarded against the member.
- 22 Upon confirmation from the Chair of the Panel that agreement has been reached, regarding the allegations and any sanction, the member, their observer or legal representative if applicable will be invited to return to the room (or video conference).
- 23 The member, if present, will be advised of the findings of the Disciplinary Panel and the sanction proposed, together with the reasons therefore. If the member has not attended the hearing, they will be notified after the conclusion of the meeting.
- 24 The member will be advised that the findings will be confirmed in writing, normally within seven days following the date of the Hearing, and informed that there is an appeals procedure which permits appeals. Applications to appeal must be lodged within the time laid down in the Membership Regulations.