



**CODE OF PROFESSIONAL AND ETHICAL CONDUCT,  
AND DISCIPLINARY PROCEEDINGS - 2011**

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(This Code is made in terms of Clause 3.2 and Clause 4.2 of the Constitution of the  
Institute of People Management of Zimbabwe (IPMZ.)  
It shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_ 2011).

***“THE VALUE OF MEMBERSHIP IS PRICELESS”***

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**DEFINITIONS**

Any word or term defined in the Constitution, but used and not defined in this Code shall carry the same meaning as that provided in the constitution.

This Code or Code	This Code of Professional and Ethical Conduct
Day	Means a working day, excluding Saturday.
HR	Abbreviation for Human Resources
In writing	Includes writing carried by electronic media e.g. email
Member	A practitioner who is registered as a member of the Institute, whether for primary or professional membership.
National Council or Council	The Institute of People Management of Zimbabwe National Council as created by section 10 of the Constitution.
Practitioner	A Human Resources specialist, whether or not they are a member of the Institute.
Plagiarism	This is the act of reproducing the work of another, whether verbatim, paraphrased or disguised – without directly acknowledging the legitimate author and/or source.
Institute	The Institute of People Management of Zimbabwe
Institute Laws	Include the Constitution, Council Regulations, Code of Professional & Ethical Conduct, General Meeting Resolutions and Special Resolutions or one or some of these, and any other regulations/guidelines promulgated by the Institute
The Profession	The Profession of People Management and Development

## **Part 1: Purpose of this Code of Conduct**

The Institute of People Management of Zimbabwe is a voluntary association of People Management and Development Specialists who seek to promote the profession of People Management and Development in Zimbabwe, the region and the World. By taking up membership of the Institute, members undertake to:

- 1.1 Continuously concern themselves with the observance and maintenance of high professional and ethical practices in the profession; Specifically, to
- 1.2 Closely familiarize themselves with all the Institute laws;
- 1.3 Observe all the rules and regulations of the Institute ranging from the Constitution, Regulations, General Meeting Resolutions, National Council Resolutions, this Code of Conduct and all such other binding directives/guidelines that may legitimately emanate from the operations of the Institute;
- 1.4 Submit themselves to the authority of the Institute and all its organs created in terms of the Institute's due and lawful process;
- 1.5 Be the good and exemplary ambassadors of the Institute and the profession.

Consequently, the main purpose of this Code of Conduct is to ensure that all members are aware of, and actually uphold the values and principles of the professionalism, the Institute and generally the good name of the same.

## **Part 2: Standards Of Professional And Ethical Conduct**

This Code does not seek to make an exhaustive, comprehensive and conclusive list of acceptable and unacceptable conduct on the part of members. The profession is an evolving body of knowledge and experience premised on the profession's values, norms and morals. The exclusion of specific conduct and/or omission from this Code does not necessarily imply the acceptability of such conduct and/or omission. It is the indispensable duty of every member to fully acquaint themselves with acceptable and unacceptable standards of conduct within the profession at any given time and place of professional engagement. Often, the inability to appreciate the fair standards of professional and ethical conduct on the part of a member may point to the professional unsuitability of such member.

### **2.1 Professional Independence, Advice and Soliciting for Work**

- 2.1.1 Professional Independence is fundamental to all members, whether in public practice or specific employment situations. Members should conduct their work with integrity, honesty, diligence, and due care. Members employed by other persons or organizations may not always have the final decision making powers in specific situations. However, it remains their professional duty to advise their principals fully and candidly, the correct legal and/or professional position.
- 2.1.2 A member in public practice, whether consultancy or agency, shall be free in each professional assignment he/she undertakes, of any interest which might detract from objectivity and professionalism.
- 2.1.3 Personal relationships should not affect objectivity in any professional assignment. Financial involvement with a client/principal should not affect objectivity in any professional assignment.

- 2.1.4 It is the duty of every practitioner to report on information and give advice objectively. Where advice is given to a client or a principal is such that, if acted upon, it will result in some form of undeserved advantage deriving to the practitioner or by anyone else connected to the practitioner in any way whatsoever, special care shall be taken that the advice is in fact in the best interests of the client/principal and that any advantage so deriving is fully disclosed upfront to the client or principal.
- 2.1.5 A member shall not obtain or seek work for themselves, their, or another member's practice in an unprofessional manner. A member's promotional material shall be in good taste both as to content and presentation and shall not belittle the services offered by others, whether members or not, either by claiming superiority over the services of a particular member or otherwise.

## 2.2 General Professional Conduct

- 2.2.1 Members are expected to exercise relevant competence commensurate with their training and experience, and observe highest standards of professional conduct and ethical behaviour in accordance with the Institute's professional standards and qualifications. Members provide specialist professional knowledge, expertise, advice, support on People Management and Development. They have obligations towards employers, clients, employees, the profession, the institute and the public in general as set out in this Code, and as generally known and accepted in the evolving body of knowledge and experience within the profession.
- 2.2.2 Every member shall commit himself/herself to the aims and objectives of the profession and the Institute, as stated or implied in this Code and the Institute Laws generally; shall actively engage in the pursuit of their achievement, and shall at all times conduct himself/herself in a manner which upholds the dignity, integrity, honour and reputation of the profession and the Institute.
- 2.2.3 Every member shall conduct all business activities with courtesy, diligence, honesty, integrity and humanity, and shall undertake only that work which he/she or his/her firm can expect to complete with professional competence. Consequently, members shall accept full responsibility for their work and for the effective use of the resources entrusted to them without seeking undue personal gain, prestige or advantage.
- 2.2.4 Every member shall accept responsibility for continuous personal development and engage in a continuous process of updating his/her personal knowledge skills and competencies, including the impact of technical, political, economic and social change on people at work.
- 2.2.5 Members shall collect and marshal facts without bias and shall not allow personal prejudice or that of others to influence professional judgment, interpretation, analysis and presentation of those facts.
- 2.2.6 Members shall refrain from conduct or action which detracts from the good reputation of the profession and the Institute. Members shall endeavor within their means to protect the Institute and the profession from misrepresentation and misunderstanding.
- 2.2.7 Members shall at all times safeguard the interests of their colleagues, clients and the public and shall not knowingly be a party to any illegal or unethical activity.

### **2.3 Conduct In Relation To Employers, Clients, Client Organisations and Their Employees**

- 2.3.1 Every member shall act for his/her employer or client, organization as a faithful agent and trustee and shall discharge his/her duties with integrity and to the best of his/her abilities.
- 2.3.2 Members shall strive to maintain the highest possible standard of accuracy in advice and information given to employers, client organizations and their employees, by making every attempt to remain fully conversant with current relevant legislation, prevailing best practice and other professional issues.
- 2.3.3 Each member shall build relationships with people at all levels within the organization based on mutual respect, and shall accept that although he/she has a major responsibility to his/her employer or client organization, he also has responsibilities and obligations towards their employees in regard to welfare, working conditions, rewards and development, and to his/her profession.
- 2.3.4 Members shall seek to promote and maintain a good working relationship between management, employees and employee representatives by the development of effective consultation and communication at all levels in the organization, and the promotion of fair, reasonable and equitable standards of treatment of individuals.
- 2.3.4 Members shall seek to achieve the fullest possible development of the capabilities of individual employees, commensurate with available opportunities and the present and future needs of both the individual and the organization.
- 2.3.5 Members shall be prepared, when capable and suitably qualified, to act in a counseling role to individual employees, and refer them when necessary to other professionals or helping agencies.
- 2.3.6 Every member shall render only such professional services as he/she is qualified by training and experience to give. The level of professional membership granted by the Institute should be useful guidance to the member. Where necessary, a member shall engage or recommend the engagement of specialist advice when in the best interests of his/her employers or clients.
- 2.3.7 Unless authorized by the various parties concerned, no member shall accept remuneration for his/her services from more than one source for the same service or work, nor should he/she receive any undisclosed benefits other than his/her normal emoluments consequent upon any, recommendation he/she may make in the course of his/her duties.
- 2.3.8 Members shall immediately disclose to the employer or client organization any personal interest which may be in conflict with the interest of the employer or client. Members shall not enter into any agreement or undertake any activity which may be in conflict with the legitimate interests of their employer or client or which would prejudice the performance of their professional duties.

- 2.3.9 Members shall respect the dignity and privacy of individuals and the confidentiality of information acquired in the course of business activities. They shall refrain from the use of professional practices for their personal benefit, apart from the stated/agreed legitimate remuneration or reward for specific assignments. Members shall not seek personal gain to the detriment of the client organizations or individual concerned with that organisation, and shall not disclose information about an employee to an external body without the prior agreement of the individual concerned, except where this would conflict with public duty or when responding to legitimate requests for references or when instructed to do so by a Court of law.
- 2.3.10 Members shall not misrepresent their qualifications, experience, or professional standing to an employer, prospective employer, client or any other body or person whatsoever.
- 2.3.11 Members shall not improperly canvas or solicit professional employment.
- 2.3.12 Members shall promote and exercise employment practices that remove unfair discrimination including but not limited to discrimination against all groups of individuals referred to in anti-discrimination and equality legislation.
- 2.3.13 Members must within their own or any client organization and in whatever capacity they are working, seek to adopt in the most appropriate way, the most appropriate people management and development processes and structures to enable the organization to best achieve its present and future objectives.

#### **2.4 Conduct In Relation to Other Practitioners and the Institute**

- 2.4.1 Every member shall accept personal responsibility for assisting others to develop in the profession and as a consequence, and within reasonable bounds, shall be prepared to share with other members ideas, experiences and the results of research involving the application of new knowledge and skills, to acknowledge the work of others and to give professional assistance on public affairs.
- 2.4.2 Members shall not maliciously or recklessly injure, whether directly or indirectly, the reputation, prospects or business of any other person or organization, and shall exercise due restraint in criticizing the work of other practitioners.
- 2.4.3 A member shall pay annual subscription fees, professional registration fees, and all other Institute dues in the stipulated time to be a member in good standing.
- 2.4.4 A member shall pay annual subscription fees, professional registration fees, and all other Institute dues in the stipulated time to be a member in good standing.
- 2.4.5 All membership subscriptions for membership shall be payable as stipulated by the Institute from time to time. The annual subscription, professional registration fees, and all other fees shall be as determined by the Council from time to time in line with economic trends.
- 2.4.6 A member whose annual subscription is not paid in full within three months after it has become due shall cease to hold membership and his/her name shall be removed from the register. The Secretariat shall notify such person of the operation of this rule.

- 2.4.7 Such a deregistered member may participate in meetings and events of the Institute, but shall not be entitled to vote. However, the said person shall still be liable for the full payment of the outstanding subscriptions of fees due from him/her.
- 2.4.8 A member, whether in a Branch Committee or in the National Council, or not, whose interests, or business ventures may conduct business with the Institute or have financial transactions with the Institute, shall disclose such interest to the Institute.
- 2.4.9 The awarding of commercial contracts to business ventures whose owners, co-owners, spouses and relatives are members of the Institute, shall be done transparently, professionally, lawfully, and making sure that the quality of the service or product is not inferior than would have been accessed elsewhere at same cost.
- 2.4.10 Every member shall uphold the integrity of the Institute's examinations and qualifications. Any form of cheating in any examination conducted by the Institute shall not be tolerated, nor shall any improper use of the Institute's qualifications be tolerated.

## **2.5 Conduct In Relation To The Public**

- 2.5.1 In their responsibilities to their employers, client organizations and employers, members shall at all times be cognizant of their responsibilities as professional persons towards the wider community and the public interest.
- 2.5.2 In making any public statement, a member shall indicate clearly whether he/she is speaking in his/her personal capacity or as a representative of a particular organization, and shall refrain from expressing publicly an opinion on a professional subject unless he/she is informed of the facts relating to that subject, and only when founded on adequate knowledge and honest conviction.
- 2.5.3 In interacting with members of the public, members must always endeavour to exude professional and ethical conduct. Specifically when operating in their professional capacity, members shall refrain from expressing their political inclination, as the Institute and the profession are apolitical, catering objectively for the entire public regardless the public's political orientation.
- 2.5.4 One of the member's duties towards the public is ensuring that they are law abiding. Consequently, a member should ensure that he/she does not commit criminal offences. Conviction in a court of law of an offence is proof that the member committed the criminal offence.

A member who is arrested and charged with a crime of a high moral turpitude may be suspended from performing any activities on behalf of the Institute pending the finalization of such matter in the courts.



## 2.6 Confidentiality

- 2.6.1 Information acquired in the course and scope of professional work shall not be disclosed except where such disclosure is necessary and the full consent has been obtained from the affected organization, individual, or client. Disclosure shall be made only where there is a public duty or there is a legal or professional right or duty to disclose.
- 2.6.2 A member acquiring information in the course of professional work shall neither use nor appear to use that information for his or her personal advantage or for the advantage of a third party.
- 2.6.3 The duty of confidentiality shall prevail even after the member has ceased to be a member of the Institute; and shall so prevail even where the working relationship has ceased to exist.

## 2.7 Plagiarism

- 2.7.1 The Institute does not tolerate plagiarism, be it in studies, presentations, press, addresses, advertisements or publications. Consequently, the work of other practitioners, institutes, authors, copyright owners and owners of any work should be acknowledged and referenced.
- 2.7.2 Where the possibility of plagiarism in an assignment, dissertation, presentation, press release, or publication is detected in any way whatsoever, the member so accused may be suspended from the Institute while investigations are being carried out. The disciplinary process as outlined in this Code shall apply, regardless of the offended person's rights to any legal recourse.

## 2.8 Publicity and Advertisement

- 2.8.1 No member shall in any contribution to journals, newspapers or in any appearance or interview on radio or television claim to speak on behalf of the Institute unless prior and specific authority has been given on each occasion.
- 2.8.2 No advertisements and other publications ascribable to members shall put the profession, institute, client organisation or any member into disrepute. It is expected that members shall exercise discretion and good taste in the preparation and use of all publicity material.
- 2.8.3 A member who advertises must have regard to such factors as legality, decency, honesty and truthfulness.

## 2.9 Practice Names and Descriptions

- 2.9.1 Members shall use only those designations and letters approved to them by the National Council.
- 2.9.2 Members are encouraged to use their professional designations if the subject is relevant to the profession and to the Institute, and is factual, accurate and reputable.
- 2.9.3 A practicing company's name should be consistent with the dignity of the profession.

- 2.9.4 A member shall not use his/her membership designation or letters where the conduct of such member is such that it will negatively impact on the profession and/or the good image of the Institute.
- 2.9.5 A suspended or expelled member shall not use their professional designation or letters after his/her name.

### Part 3: **Disciplinary Procedures**

#### 3.1 **Complaints Against Members**

- 3.1.1 Any person, whether or not a member of the Institute and/or the Profession, may complain to the Institute that a member may be guilty of conduct or omission which is in breach of the Institute Laws; or conduct that appears likely to discredit the Profession and/or the good name of the Institute. Such complaint shall be in writing, directed to the Executive Director of the Institute who shall advise the President and Vice President responsible for the Membership and Professional Conduct in writing.
- 3.1.2 Complaints shall set out the full facts/circumstances of the complaint, and the relationship, if any, between the complainant and the member concerned. The complaint shall state the full names and contact details of the complainant.
- 3.1.3 Members of the Institute and the employees of the Institute are obliged to report to the Institute, conduct referred to in 3.1.1 above.

#### 3.2 **The Disciplinary Committee**

- 3.2.1 There is hereby established a **Disciplinary Committee** which shall be an organ of the Membership and Professional Conduct Committee. The Committee shall be appointed by the National Council upon the recommendation of the Membership and Professional Conduct Committee.
- 3.2.2 The Committee shall be composed of not less than three, but not more than four members.
- 3.2.3 One person shall be appointed as Chairperson of the Committee. The Chairman shall have a suitable background in law, labour law specifically or sound industrial relations. It is desirable that the Chairman is a professional member of the Institute. However, in necessary and exceptional circumstances the Council may waive this requirement. The Chairman shall have authority to chair all proceedings of the Committee, instruct the Secretary to convene the committee's meetings etc
- 3.2.4 The Executive Director of the Institute shall be the Secretary of the Committee and shall convene all the meetings of the Committee upon the direction of the Chairman. All the necessary record keeping and communication of the committee shall be the responsibility of the Secretary.
- 3.2.5 One member of the Committee shall be the Vice President responsible for the Membership and Professional Conduct Committee.

- 3.2.6 The fourth member of the Committee shall be any other member of the National Council as determined by the Council.
- 3.2.7 Where the facts of the matter or some other exigencies warrant it, the Chairperson of the committee may invite a non member with specialist knowledge to sit as part of the committee. However, such member shall not have voting rights.
- 3.2.8 Functions and Powers of the Disciplinary Committee:
- 3.2.8.1 The main function of the committee shall be to adjudicate over disciplinary cases of the members of the Institute.
- 3.2.8.2 The committee shall be guided by law, practice and the Institute laws in determining cases. However, it shall not be bound by the formal rules of civil or criminal procedure, but shall adopt the procedure best suited to arrive at the truth and observe the rules of natural justice. The committee may even accept hearsay evidence, provided that such hearsay evidence is corroborated by other credible evidence.
- 3.2.8.3 Unless a member accused of breaching the Institute Laws consents in writing to a waiver of this right, every member so accused shall be afforded the opportunity of an oral hearing, to bring all **necessary and relevant** evidence, and to question any witnesses that may testify against him/her. Where an accused member becomes verbose, abusive and/or irrelevant, the Chairman shall be entitled to terminate such verbose presentation and guide such member on the relevant issues upon which the determination of the matter shall be based. Where an accused member becomes unruly, rendering it impossible for proceedings to progress in a civil and orderly manner, the Chairman shall be entitled to exclude the accused member from the hearing and proceed without him/her.
- 3.2.8.4 The Committee shall have the power to call witnesses on its own motion, where no party decides to call such witness. However, such action shall be exercised only to help the committee arrive at the truth.
- 3.2.8.5 Any member accused of breaching Institute Laws shall be entitled to be represented by a person of his/her choice at his/her own cost.
- 3.2.8.6 The Committee shall have the powers to dismiss a complaint; to warn, admonish or reprimand a member; to re-designate membership grade; to suspend or withdraw membership upon specific terms and suspend or prohibit the use of letters or titles for a defined time; to permanently expel a member, to recommend to the Council, the publication of a decision; to call for the resignation of a member; to review a member's eligibility for Institute office; among other powers. Additionally, the committee shall be entitled to impose a penalty not included herein, but which is lawful and most suited to the facts of the matter.

### 3.3 Investigations

- 3.3.1 Every complaint shall be investigated fully by the Council through the Executive Director. The investigations shall include the interviewing and recording of statements from any person(s) with knowledge and facts pertaining to the complaint, the complainant and the accused member. Such statements and any other evidence shall be compiled into a written report.

- 3.3.2 Upon receipt of a complaint, the Executive Director shall write to the member against whom a complaint has been received, advising of the fact and nature of the complaint and indicating that an investigation will be carried out.
- 3.3.3 Once such communication has been made to the member concerned, such member may not in any way whatsoever, interfere with the investigations or any persons who may be potential witnesses in such matter.
- 3.3.4 When the investigations are complete, the report shall be forwarded to the Vice President responsible for the Membership and Professional Conduct Committee. The Vice President shall consult with members of his committee and any other member of Council as may be necessary, and decide whether the accused member has a case to answer. Where it is decided that the member has no case to answer, this shall be communicated in writing to the member concerned by the Executive Director. Such communication shall be copied to the President. Where it is decided that a member has a case to answer, the Executive Director shall forward a copy of the report to all the members of the Disciplinary Committee, and seek guidance on when a hearing can be scheduled.

#### 3.4 **Charges**

- 3.4.1 Any member breaching any provision of the Institute Laws shall be guilty of unprofessional and unworthy conduct. Any conduct or omission in breach of or inimical to the letter and spirit of the Institute Laws and the profession shall constitute an offence punishable in terms of this Code
- 3.4.2 Regarding criminal cases, the Institute shall in the main concern itself with criminal cases that carry a moral turpitude.
- 3.4.3 Charges shall be in writing and shall be delivered to the accused member no less than ten working days prior to any disciplinary hearing. The charges shall make the following essential averments:
- 3.4.3.1 That the member is accused of unprofessional, dishonourable and/or unworthy conduct;
  - 3.4.3.2 State in clear terms, the specific provision/clause of the Institute Laws which allegedly was infringed by the accused member, and
  - 3.4.3.3 An outline of the facts/allegations constituting the basis of the charge. The facts must enable the accused member to adequately prepare his defence.

#### 3.5 **Hearing**

- 3.5.1 All hearings shall be held in private, whereby only persons with a direct interest in the case may attend. If there is a dispute as to whether or not a person has a direct interest in the matter, the Chairman shall make a ruling which shall be final and not appealable.
- 3.5.2 Witnesses may not sit in the hearing unless they have actually delivered their testimony and have been released by the Chairman.
- 3.5.3 No person with an interest in the matter, whether direct or indirect, shall participate in the investigation and presiding over the hearing.
- 3.5.4 Hearings shall be conducted in the language(s) best suited to facilitate full understanding of the proceedings by all concerned.
- 3.5.5 The Executive Director shall record the proceedings. However, such record shall not be verbatim, but shall capture the gist and essence of the evidence and proceedings.

### 3.6 Penalties

In the event that an accused member is found guilty by the Disciplinary Committee the latter shall proceed to consider, pronounce and impose an appropriate penalty as guide:

#### 3.6.1 First Written Warning

The penalty shall remain in force for a period of 6 months.

#### 3.6.2 Second Written Warning

The penalty shall remain in force for a period of 12 months.

#### 3.6.3 Suspension

The suspension shall stay in force for a period of one year.

#### 3.6.4 Expulsion

The expulsion shall remain in force for at least three years.

### 3.7 Appeals

3.7.1 Any member who is aggrieved by the order of the Disciplinary Committee shall have the right of appeal to the Institute's Appeals Committee. Such appeal shall be lodged in writing with the Executive Director no later than the fourteenth day following the delivery of the Disciplinary Committee's determination to the aggrieved member.

3.7.2 There is hereby established an **Appeals Committee** to be composed of not less than two but not more than three members.

3.7.3 The President of the Institute shall be the Chairman of the Appeals Committee. The next member of the Committee shall be the Immediate Past president. The third member shall be any Vice President other than the Vice President responsible for the Membership and Professional Conduct Committee or any member of the National Council.

3.7.5 The provisions of clause 3.2.7 of the Code shall apply here.

3.7.7 In addition to the powers outlined in clause 3.2.8, the Appeals Committee may uphold or set aside the decision of the Disciplinary Committee, in whole or in part, and replace such decision with its own; the Appeals Committee may remit the matter back to the Disciplinary Committee with specific directions on how to dispose of the matter

3.7.8 The decision of the **Appeals** Committee shall be final, and as such shall not be appealable.

3.7.9 The Executive Director shall facilitate the functions of the Appeals Committee and record all its proceedings. However, he/she shall not be a member of the Appeals Committee panel.

### 3.8 Expeditious Resolution of Matters

3.8.1 Matters of a professional nature as envisaged in these regulations touch on the livelihood of members and their families. It is therefore necessary that such matters be concluded diligently and expeditiously. It is therefore not desirable to tolerate any dilatory, tardy and avoidable manner of handling these matters.

3.8.2 Where the Disciplinary or Appeals Committee notices any deliberate or negligent attempt to stall proceedings, the Committee may take the decision to proceed without the person(s) guilty of such conduct.

3.8.3 From the day that the Executive Director advises the accused member of the investigations in terms of clause 3.3.2, such investigations, hearings by both the

Disciplinary and the Appeals Committees, including the communication of a determination, shall be concluded within seventy working days.

**3.9 Publication of Committee Determinations**

3.9.1 Where it is deemed to be in the public interest or that of the profession and/or the Institute, certain determinations of the Disciplinary and the Appeals Committees may be published as directed by the committee.

3.9.2 Individuals in cases which have been dismissed will not be identified, however, subject to clause 3.9.1, details of such cases may nevertheless be published.

**3.10 Rehabilitation and Reinstatement of Membership**

3.10.1 Where a member is subjected to suspension and/or expulsion from membership, such member may after a reasonable period of time apply to the Disciplinary Committee for reinstatement of membership on the terms that the Disciplinary Committee may deem fit and proper.

3.10.2 Such application should show that the expelled member has had adequate time to reflect on his conduct, and that he/she has received effective guidance and mentorship by a fit and proper person approved by the Membership and Professional Conduct Committee, and that as a result, they are now fully rehabilitated and are unlikely to repeat the conduct previously complained of. The Disciplinary Committee may call for any type of further proof, including an affidavit from such mentor that the suspended/expelled member has been fully rehabilitated – before readmitting such member to the Institute.

**The End**