

**BYE-LAWS 1**  
**PANEL OF INQUIRY**

1. Purpose

The Panel of Inquiry (hereinafter called the "Panel") is appointed to deal with any unbecoming conduct of a member or whose conduct is injurious to the interests of the Society or being unfit to associate with the members of the Society or breaches of the Rules or Bye-Laws of the Society.

2. Functions

The functions of the Panel are:-

- 2.1 To hold hearings on complaints brought to the Membership and Discipline Committee by the Council against the conduct of members of the Society.
- 2.2 After holding such hearings, to make recommendations to the Membership and Discipline Committee on the proper course of action to take regarding the complaint.

3. Composition of the Panel

The Panel shall comprise.-

- (i) The Convenor, Membership and Discipline Committee as advisor;
- (ii) Three to five members appointed by the Convenor, Membership and Discipline Committee from the Disciplinary Board;
- (iii) The Secretary of the Society as the Secretary of the Panel.

The advisor and the Secretary shall not be voting members of the Panel. Where it is inexpedient for the Secretary of the Society to be the Secretary of the Panel or during his absence, the Membership and Discipline Committee shall be authorised to appoint any person as the Secretary of the Panel.

The Chairperson of the Panel shall be appointed from amongst the Panel members at its first meeting. The Chairperson shall preside at preliminary meetings and meetings of the inquiry.

The Chairperson is entitled to a casting vote in the event of an equality of votes on any matter.

#### 4. Term of Office

The Term of Office of the Panel members shall follow the Term of Office of the Council, except that where the proceedings of the particular preliminary meeting or meeting of inquiry of the Panel shall extend beyond the designated Term of Office of the current Panel's members, that Panel shall continue in office until the task is completed.

#### 4A. Time to File Complaints

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Any member intending to file a complaint about the conduct of another member within the ambit of Constitutional Rule 7(c) and Bye-Law 1 shall file a written complaint with the Council not later than Thirty (30) days from the date of the incident or the conduct complained of.

#### 5. Procedures

- 5.1 Upon receiving a written notice from the Membership and Discipline Committee regarding the complaint against a member, the Secretary of the Panel shall arrange for a preliminary meeting of the Panel to hear the complaint within thirty days of the receipt of such Notice.
- 5.2 The Secretary shall contact members of the Panel to inform them of the intended meeting. Before the date of the meeting is decided, the members of the Panel shall have the opportunity to disqualify themselves from hearing on the grounds that they may not be impartial at the hearing. They have to inform the Secretary of their self-disqualification within seven days after being notified of the intended meeting.
- 5.3 Where there are such disqualifications, the Secretary shall then notify the Membership and Discipline Committee to decide at the Committee's sole discretion either to proceed with the hearing by the remaining members of the Panel or to fill any vacancy by such self-disqualification.
- 5.4 Once the proper composition of the Panel members of the preliminary meeting has been confirmed, the Secretary shall then give at least seven days written notice of such meeting to Panel members concerned. Not less than one-half of its total members must be present to constitute a quorum of the preliminary meeting.
- 5.5 At the preliminary meeting, the Panel shall study the grounds for the complaint and if it is satisfied that there are sufficient grounds for the hearing, it shall:-
  - (a) notify in writing requiring the attendance before the Panel on a date and time and at a place to be specified therein, of the complainant, witnesses and any person(s) who appears to be acquainted with the circumstances;

(b) notify in writing the defending member the substance of the complaint or information, the date, time and place at which the inquiry into the complaint or information shall be made and his rights to be present personally without counsel, to cross-examine such persons who may be called at the inquiry.

5.6 The defending member may attend the inquiry in person or respond to the panel through a written statement explaining the matter.

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5.7 The complainant and the defending member have the right to attend that part of the inquiry when oral testimony is being received from the opposing party and other witnesses, and also the right to cross examine such witnesses, provided that each question be first approved by the Panel Chairman for relevancy before being put to the witness.

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5.8 At the meeting of inquiry, members of the Panel shall decide by simple majority, after reviewing all pertinent issues on the complaint, whether the complaint against the defending member is substantiated and what action shall be taken against that member. At least one-half of the total members of the Panel of Inquiry must be present to constitute a quorum of the meeting of inquiry.

5.9 The recommendation of the Panel shall be conveyed in writing by the Secretary to the Convenor of Membership and Discipline Committee who shall then forward such recommendation to the Council meeting.