

Enforcement of Code of Conduct

If any Member feels that the MGAA has not abided by its own code of conduct set out above, then any Member is entitled to complain in writing to the Chairman of the Conduct and Ethics Committee (from time to time). This written complaint shall be the Notice of Potential Breach.

Unless the Chairman in his reasonable opinion, considers the Notice of Potential Breach to be vexatious or frivolous, then the Chairman shall refer such Notice of Potential Breach to such independent person or persons (“the Adjudicator”) to adjudicate as s/he sees fit to consider such Notice of Potential Breach. (The Adjudicator may be a member of the Board not involved in the disputed matter).

The Chairman will within a reasonable time, not normally more than 14 days from receipt of the Notice of Potential Breach, acknowledge receipt to the complainant Member of the Notice of Potential Breach.

The Chairman will have regard to the Enforcement of the Code of Ethics for MGAA Members at paragraph 5 (“Frivolous, vexatious or otherwise not appropriate for further action”) when considering whether the Potential Breach is vexatious or frivolous.

The complainant Member shall provide to the Adjudicator such further evidence as it may consider is required or such further evidence as may be requested by the Adjudicator. This further evidence shall be provided within a reasonable period, such period being not normally more than 14 days from the Chairman’s Acknowledgement or the Adjudicator’s request. The Adjudicator will confirm to the Board whether the Notice of Potential Breach is upheld and the Board will take such action as it sees fit, having regard to the interests of all Members. Such action may include changes to policies and procedures or internal disciplinary action. For the avoidance of doubt any finding of a breach of this Code does not give rise to any right to financial redress and that any Members’ rights to enforce this Code is limited to this procedure.

The Board will confirm its decision to the complainant Member within a reasonable period, not normally more than 14 days after reaching its decision.

All Notices of Potential Breach made under this Code should be made to: -
Chairman of the Conduct and Ethics Committee
The Managing General Agents’ Association.
8th Floor, 1 Minster Court, Mincing Lane, London EC3R 7AA