

Appendix L

Disciplinary Procedures

UNDER BYELAW 4.3

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Byelaw 4. Discipline

- 4.1 Any Chartered, Associate or Student Member who:
- contravenes their election declaration; or
 - in a professional capacity, behaves in a manner considered to be unacceptable in a professional person; or
 - contravenes the Royal Institute's Code of Professional Conduct
- shall be liable to reprimand, suspension or expulsion.
- 4.2 Members not included in 4.1 above shall also conduct themselves in a manner appropriate to their status as a member, and shall be liable to reprimand, suspension or expulsion if they do not.
- 4.3 (a) The Council shall make regulations concerning all matters relating to discipline including (without prejudice to the generality of the foregoing):
- the method by which any question of discipline involving a Member shall be heard and determined;
 - the publication of outcomes;
 - the referral of any question for investigation to an Overseas Society of Architects;
 - the appointment and payment of a barrister or solicitor as an adviser in disciplinary matters;
 - the means by which any matter relating to the discipline procedure generally may be considered and determined.
- (b) The regulations shall ensure that a Member against whom a charge of professional misconduct has been raised has the right of hearing either in person or by a representative. The Member shall be entitled to call and question witnesses.
- (c) Account may be taken of any sanction imposed against a Member by the Professional Conduct Committee of the Architects Registration Board.
- 4.4 Without prejudice to its ultimate sovereignty in matters of conduct and discipline, the Council may delegate its disciplinary powers under this Byelaw to a committee appointed by the Council, the composition of which shall be set out in Regulations.
- 4.5 (a) Any decision to reprimand, suspend or expel a Member under this Byelaw shall take effect upon the day on which it is made.
- (b) The notice of the decision shall, unless the Council decides otherwise, be published in accordance with the regulations and the Member concerned shall be deemed to have consented to the publication.
- 4.6 (a) During a period of suspension under this Byelaw or Byelaw 3.3 a Member shall not be entitled:
- (i) to use the style 'Chartered Architect';
 - (ii) to use any statement or any initials appropriate to membership;
 - (iii) to use the premises or the Library of the Royal Institute;
 - (iv) to attend any meeting of the Royal Institute;
 - (v) to vote in any poll of the members or in any election;

- (vi) to be included in any directory of the Royal Institute;
- (vii) to receive any publication of the Royal Institute.

4.7 The Council shall make provision in regulations for a procedure for appeals against disciplinary decisions.

4.8 As a result of an appeal the Council may:
rescind an expulsion,
rescind or vary a suspension.

A notice of the outcome of an appeal shall be published in every publication which published the original notice of sanction.

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Definitions

- ARB = Architects Registration Board
- RIAS = Royal Incorporation of Architects in Scotland
- RSUA = Royal Society of Ulster Architects

1.0 COMMITTEES OF COUNCIL

Under Byelaw 4.4, Council delegates to Practice & Profession Committee responsibility for oversight of the publication and implementation of the RIBA Disciplinary Procedures as set out in these Regulations. Unless specifically provided for in these Regulations, the rules relating to committees in section 5 of the Council Regulations shall apply.

2.0 NOTIFICATION OF COMPLAINT: INITIAL ACTION

- 2.1 Any complaint against a member in relation to the Code of Professional Conduct or the general provisions of Byelaw 4.1 or 4.2 shall be made in writing and signed and forwarded to the Head of Professional Standards who shall make any necessary enquiries and submit the matter for investigation. The procedures for the investigation of a complaint shall be as set out in Schedule 1.
- 2.2 Council Regulation 1.24 states:
“Council shall not accept a resignation tendered in accordance with Byelaw 2.5 by any member whose conduct is the subject of an investigation under the Disciplinary Procedure Regulations at Appendix L.”
- 2.3 Neither the member nor the complainant shall contact, or attempt to contact, any person directly involved in the operation of any part of the Disciplinary Procedure Regulations other than the Head of Professional Standards, to whom all comments or queries should be addressed.

3.0 ASSESSMENT PROCEDURES

- 3.1 In order to assess a complaint, the original complaint and the member’s response shall be sent to an appraisal team, made up of two RIBA Chartered Members and one lay person. This appraisal team will be selected by the Head of Professional Standards, on the understanding that they have no conflict of interest, from a pool of persons established for this purpose and approved by the Practice & Profession Committee. Members of the appraisal team will be required to sign a statement that they will act impartially and respect confidentiality. An individual who fails to sign such a statement or who acts (or has acted) in breach of the principles of impartiality or confidentiality will not be eligible for selection and, if already selected, will be removed. The appraisal team shall operate in accordance with the directions set out in Schedule 2 to these Regulations and shall have the powers to :
 - i. investigate the conduct of any member against whom a complaint has been made, or information has been received;
 - ii. refer a complaint or information to the Registrar of the Architects Registration Board (‘the ARB’) for investigation;
 - iii. refer a complaint or information to the council or governing body of an overseas professional society of architects or registration board for investigation and report;

- iv. ask a member who has been found guilty of unprofessional conduct by any other recognised professional society of architects or registration board to show cause why he or she should not be deemed, on the facts reported, to be in breach of the Code of the Royal Institute;
- v. dismiss a complaint;
- vi. issue a caution;
- vii. formulate in writing such charges as it thinks fit for determination by a hearing panel;

3.2 Compliance:

A member, whose conduct is under investigation, shall be advised that any submission he or she makes may be referred to and used as evidence in a hearing. The member shall nevertheless provide any evidence requested by the appraisal team, and shall answer any questions as may reasonably arise in an investigation. Unless informed to the contrary, the member shall have 28 days to provide the evidence or answers required.

The appraisal team may, on the basis of oral and/or written representations by or on behalf of the member, determine a further period for the member to provide the evidence and/or answers required. If the member complies, the procedures shall continue in the normal way.

3.3 Suspension of investigation:

Where the complaint has also been submitted to the ARB, and/or where there is ongoing, or proposed, related litigation or an alternative dispute resolution process, the investigation shall be suspended until such other procedures have been concluded, whereupon their outcome shall be taken into account.

3.4 Failure to Co-operate:

A member who fails to co-operate with an investigation under these Procedures may be liable to face a charge to that effect and may be liable to expulsion by a hearing panel

3.5 Independent review:

A member cautioned by a decision of the appraisal team has the right to refer the matter to independent review by the Centre for Effective Dispute Resolution (CEDR) or an equivalent body agreed by the Practice & Profession Committee. Any application for review must be made to the CEDR, copied to the RIBA Head of Professional Standards, within 28 days of the date of the delivery of the appraisal team's decision. Requests for review received later than 28 days after the appraisal team's decision will not normally be accepted-

Application for review must be based on evidence that the process was not conducted correctly or fairly. Appeals against the decision of the appraisal team will not be accepted

3.6 Charges:

Where a majority of the appraisal team, following their investigations, believe that the case should be referred to a hearing panel then the Head of Professional Standards will collate the views of the appraisal team, specifying the areas of the investigation that gave them cause for concern and the relevant areas of the Code or Byelaws to which they relate. This will be known as the ‘charge’. The term ‘charge’ should not be interpreted in any legal sense and is designed to serve as a basis upon which the hearing panel may shape its further investigation.

A member against whom a charge has been formulated under the provisions of these Regulations shall be informed:

- i. of the charge in writing by the Head of Professional Standards;
- ii. that the charge has been formulated for investigation by a hearing panel;
- iii. that an answer to the charge must be submitted in writing to the Head of Professional Standards within 28 days; in the case of a member resident overseas, an additional week will be allowed;
- iv. that the time within which an answer shall be made may be extended on application to the Head of Professional Standards if, in his or her opinion, there is good and sufficient reason for an extension;
- v. of the day, place and time appointed for the hearing panel, which shall never be less than one month nor normally more than six months after the service of the charge. Wherever possible hearings should take place no later than two months after the service of the charge
- vi. that he or she is required to appear in person before the hearing panel at the time appointed for the hearing of the charge, unless informed by the Head of Professional Standards that such appearance is unnecessary. The member may appeal against the appointed time, in writing to the Head of Professional Standards, setting out the reasons for the request

and shall be:

- vii. sent a copy of the Regulations made under Byelaw 4.3;
- viii. sent a schedule of the written evidence to be presented to the hearing panel
- ix. advised of the right to be represented by a solicitor or counsel and the right of the hearing panel to have its own legal advisor present;
- x. advised of the right to call, question and cross-examine witnesses; and

the member shall comply with the requirements set out above, subject to any further or other directions.

3.7 A member who has been charged who fails to comply with the requirement in paragraph 3.5.iii or 3.5.iv shall be liable to expulsion by the hearing panel.

4.0 HEARING PROCEDURES

- 4.1 A hearing panel convened under these Disciplinary Procedures will be made up of two lay persons and one RIBA Chartered Member. Panel members will be selected by the Head of Professional Standards, on the understanding that they have no conflict of interest, from a pool of persons established for this purpose. The persons making up this pool will be approved and reviewed as required by the Practice & Profession Committee. Members of the hearing panel will be required to sign a statement that they will act impartially and respect confidentiality. An individual who fails to sign such a statement or who acts (or has acted) in breach of the principles of impartiality or confidentiality will not be eligible for selection and, if already selected, will be removed.

In addition, the Head of Professional Standards will select one of the panel members to act as Chair. Persons who have previously acted as a member of the appraisal team in the same matter may not sit on, or act as advisor to, the hearing panel.

A hearing panel shall be convened as necessary to:

- i. consider an appropriate sanction (if any) for a member convicted of a criminal offence carrying a sentence of less than twelve months (see Schedule 2, paragraph 1);
- ii. hear pleas of mitigation from members sanctioned by the Professional Conduct Committee of the ARB where referred by an appraisal team (see Schedule 2, paragraph 3), and
- iii. hear and investigate charges formulated by the relevant appraisal team under the provisions of these Regulations.

- 4.2 Where a hearing panel considers it reasonable so to do, the panel may:
- i. amend a charge
 - ii. formulate a new charge on the basis of additional information which comes to its attention during the course of these proceedings;

4.3 **Right of Hearing:**

A member appearing before a hearing panel for any of the reasons in paragraph 4.1 shall have the right:

- i) to be heard either in person or by counsel, solicitor or a friend; and
- ii) to call witnesses; and
- iii) to question witnesses called before the hearing panel to give oral evidence.

4.4 **Hearing Panel's Powers:**

In considering any case the hearing panel shall have the power:

- i. to regard any criminal charges upheld in a court of law as conclusive evidence of fact;
- ii. to regard any finding of fact by the ARB Professional Conduct Committee or by any other recognised professional society of architects or registration board as conclusive evidence of the fact (see Schedule 2, paragraph 3);

- 4.5 The hearing panel shall have the power to issue a caution, reprimand, suspend or expel a member whom it finds to be liable to such sanction under Byelaw 4.1 or

4.2. The decision shall be final, although the member has the right of review (see section 5.0 of these Regulations). Any decision made under this paragraph shall be reported to a subsequent meeting of the Council. (Provisions for suspension and expulsion are set out in Schedule 3.)

4.6 Publication of a Notice of Sanction:

A notice of a public sanction (reprimand, suspension or expulsion) shall, unless the hearing panel otherwise decides, be published in the Royal Institute's Journal. The contents of the notice shall be at the hearing panel's discretion.

4.7 Variations to the Procedures:

The proceedings for hearing and investigating a charge shall be conducted in accordance with the directions set out in Schedule 2 below.

4.8 Suspension for Lack of Compliance:

The hearing panel may postpone the investigation of a charge, and suspend the member for conduct inconsistent with his or her status as a member, if the member fails to:

- i) Answer a charge in writing (in accordance with paragraph 3.5.iii) or
- ii) Appear in person before the hearing panel (in accordance with paragraph 3.5.vi),

The period of suspension shall be at the hearing panel's discretion. The provisions for suspension set out in Schedule 3 below shall apply.

4.9 If, by the end of the suspension period, the member has failed to comply with the requirements of paragraphs 3.5.iii or 3.5.vi, and no representations have been made on his or her behalf, a hearing panel shall expel the member. If the member does comply, the proceedings shall continue in the ordinary course.

4.10 A notice of a decision to expel a member under paragraph 4.9 shall, unless the hearing panel decides otherwise, be published in the Royal Institute's Journal, and the expulsion shall be reported to a subsequent meeting of the Council.

4.11 Investigation of a Charge:

The provisions of the paragraph 4.8 and 4.9 notwithstanding, the hearing panel may decide that a member who has been charged under these Regulations is conducting himself or herself in a manner inconsistent with his or her status as a member and the proceedings may be determined by the hearing panel deciding to caution, reprimand, suspend or expel the member without the formulation of any further charge for that purpose.

4.12 Notification of Outcome:

The member shall always be informed of the outcome of the hearing in writing and of the right of appeal (see paragraph 5.1). Where a sanction is imposed, such notice shall be signed by the Chief Executive of the Royal Institute. Other formal notification shall be signed by the Head of Professional Standards at the panel's discretion. The Head of Professional Standards shall also inform the complainant, if any, of the decision in the case.

5.0 RIGHT OF APPEAL

A member cautioned or sanctioned by a decision of the hearing panel has the right to refer the matter to independent review by the Centre for Effective Dispute Resolution (CEDR) or an equivalent body agreed by the Practice & Profession Committee. Any application for review must be made to the CEDR, copied to the RIBA Head of Professional Standards, within 28 days of the date of the delivery of the appraisal team's decision. Requests for review received later than 28 days after the appraisal team's decision will not normally be accepted:

Application for review must be based on evidence that the process was not conducted correctly or fairly. Appeals against the decision of the hearing panel will not be accepted

6.0 INCIDENTAL PROVISIONS

6.1 Response Times:

Unless otherwise specified, 28 days will be allowed for all parties to respond to correspondence.

6.2 Confidentiality:

All members of the appraisal teams, hearing panels and of the Council shall observe the confidentiality of these disciplinary proceedings. Without prejudice to paragraph 4.11 or to the publication of a notice under Byelaw 4.4 and paragraphs 4.5 and 4.9 of these Regulations, proceedings of the appraisal teams, the hearing panels, or the Council in regard to discipline shall be held in secret until and unless the Council has decided otherwise.

6.3 Public Announcements:

Public announcements of action taken under the Disciplinary Procedure Regulations may be in accordance with the following provisions:

- i. When a member makes a public statement which implies misconduct by another member of the Royal Institute, the Chief Executive may make a public announcement stating the matter has been referred to an appraisal team for investigation.
- ii. Where a member makes a public statement disclosing matters affecting his or her own conduct which are or have been the subject of inquiry under the Institute's disciplinary procedures, the Chief Executive may make a public announcement stating the action already taken under the procedures.
- iii. Where an announcement has been made in accordance with the preceding paragraphs 6.3.i or 6.3.ii, a further announcement shall be made when the proceedings have been concluded.
- iv. The Chief Executive may make interim public announcements stating that the inquiry has not been concluded.

SCHEDULE 1

Directions for the investigation of a complaint

1. **Complaints Form (Stage 1)**

All complaints must be submitted on a complaints form, signed by the complainant, or the complainant's agent. Complaints should, wherever possible, be accompanied by documentary evidence which supports the allegations being made.

2. Only complaints about misconduct which potentially offends against Byelaw 4.1 or 4.2 of the RIBA Charter can be accepted and investigated by the Institute. They shall be registered and given a reference number.

The investigation of a complaint shall be postponed or suspended where:

- i. the same or a related complaint has been made to another professional body which has a more direct interest in the matter complained of than the Institute, and/or
- ii. there is related dispute resolution or litigation underway or anticipated.

The outcome of an alternative disciplinary procedure, dispute resolution process and/or litigation shall be reported to the Head of Professional Standards. The appraisal team shall, on the basis of the information available, determine the appropriate action to take, which may be to:

- iii. seek further information and proceed with the investigation; or
- iv. remit the matter to the hearing panel by means of a charge.

3. Where the same complaint has been made to the ARB it shall be registered and a copy sent to the member. At that point the investigation shall be suspended until the ARB reaches a decision whereupon the provisions in Schedule 2, paragraph 2 shall apply. If the ARB decides to take no action, the appraisal team shall consider the complaint and the member's response to determine whether or not any further investigation under these Procedures is justified.

4. **Investigation (Stage 2)**

If there is no reason to suspend the investigation of a complaint in accordance with paragraph 2 or 3 above, a letter of inquiry shall be issued to the member, inviting his or her response to the matters which have been raised. The member shall have 28 days to reply, which may be extended upon reasonable request to the Head of Professional Standards.

5. The original complaint and the member's response shall then be sent to an appraisal team made up of two RIBA Chartered Members and one lay person. This appraisal team will be selected by the Head of Professional Standards, on the understanding that they have no conflict of interest, from a pool of persons established for this purpose and approved by the Practice & Profession Committee. Members of the appraisal team will be required to sign a statement that they will act impartially and respect confidentiality. An individual who fails to sign such a statement or who acts (or has acted) in breach of the principles of

impartiality or confidentiality will not be eligible for selection and, if already selected, will be removed. The appraisal team shall decide in one of the following ways:

- that the evidence provided does not support the complaint, and that the complaint may be dismissed;
- that on the evidence provided a hearing panel could find a breach of Byelaw 4.1 or 4.2 but that the matter is not of sufficient seriousness to warrant a hearing. In this case the appraisal team may issue cautionary advice to the member. This caution to remain on the member's record for a period of two years, and may be taken into account in any subsequent professional conduct matters referred to the RIBA during that period;
- that there is evidence which raises questions about the member's conduct such as to justify the continuation of the investigation by means of a hearing.

All decisions of the appraisal team shall be on a majority basis.

In the case of cautionary advice, where the member resigns or otherwise ceases membership within the two year period then the caution will be suspended at that time. Should membership later be reinstated, the remainder of the two year period for the caution will become active.

6. **Stage 3**

At any time during the appraisal of the initial evidence, a member of the appraisal team may request further information or evidence from either the member or the complainant.

SCHEDULE 2

Directions for the proceedings of the Appraisal team and a Hearing panel

1. CRIMINAL CONVICTIONS

Where a member has been convicted of a criminal offence carrying a sentence of less than twelve months' imprisonment the Head of Professional Standards shall open a case file and, if required, obtain a certificate of conviction from the court. The member shall be invited to make a plea to a hearing panel (in writing and in person) against the imposition of a disciplinary sanction in consequence of the conviction. The member shall have 28 days to respond in writing (which may be extended by the Head of Professional Standards if the member, for reasons beyond his or her control, is unable to respond within this period). The hearing panel shall consider the member's plea and decide whether or not a sanction is appropriate. If the member fails to respond, the failure shall be reported to the hearing panel, which shall decide on the sanction to impose, if any, without any further investigation.

2. CONDUCT IN CONTRAVENTION OF THE ARCHITECTS ACT 1997

Where it appears to the appraisal team in any case of inquiry into the professional conduct of a member that the conduct may warrant investigation under Clause 14 of the Architects Act 1997, the matter may be referred to the Architects Registration Board.

3. SANCTION BY THE ARCHITECTS REGISTRATION BOARD

Where a matter has been referred to the ARB, but not to the RIBA as well, and where a member has been found guilty of unacceptable professional conduct or serious professional incompetence by the Professional Conduct Committee of the ARB which has in consequence, issued a disciplinary order (i.e. a reprimand, a penalty order (fine), a suspension order or an erasure order), then the member shall be required to make a plea in mitigation (in writing) to an RIBA appraisal team to demonstrate why he or she should not be referred to an RIBA hearing panel and why any such hearing panel should not impose a similar sanction to that imposed by the Architects Registration Board.

If the member fails to make a plea of mitigation, the failure shall be taken into consideration by the appraisal team and may lead to a referral to a hearing panel for non-cooperation.

4. FORMULATION OF CHARGE

Where a majority of the appraisal team, following their investigations, believe that a case should be referred to a hearing panel then the Head of Professional Standards will collate the views of the appraisal team, specifying the areas of the

investigation that gave them cause for concern, and the relevant areas of the Code or Bye-laws to which they relate. This will be known as the ‘charge’. The term ‘charge’ should not be interpreted in any legal sense and is designed to serve as a basis upon which the hearing panel may shape its further investigation.

A charge should be formulated where it appears to the appraisal team that there may be a case of professional misconduct of sufficient seriousness to warrant a hearing and/or where:

- i. the appraisal team is not satisfied that the member has complied or is complying with its requirements to remedy, discontinue or avoid repetition of misconduct; or
- ii. it appears to the appraisal team that further action should be taken to impress upon the member his or her responsibility to the Institute for professional conduct; or
- iii. it appears to the appraisal team after such further consultation as they consider appropriate with the Head of Professional Standards, with legal advice where necessary, that the conduct of the member may be so harmful to the body of members having regard to all the circumstances (including the extent to which the conduct may adversely affect the professional reputation of other members whether as partners, employees, subordinates, competitors or otherwise) that further action should be taken.

5. LEGAL ASSESSOR

It shall be the duty of any Legal Assessor appointed under the Disciplinary Procedure Regulations for the hearing of a charge :

- i. to take notice of :
 - a. the Charter and Byelaw 4 of the Royal Institute and the Disciplinary Procedure Regulations made thereunder;
 - b. the Code of Professional Conduct of the Royal Institute;
 - c. the charge and the evidence in support;
 - d. the answer of the respondent to the charge; and
 - e. any other document which the Head of Professional Standards may specify and which is pertinent to the proceedings;
- ii. to inform the hearing panel of any irregularity in the conduct of the proceedings relating to the charge and to advise the panel of his or her own motion where it appears that but for such advice there is a possibility of injustice or a miscarriage of justice;
- iii. to advise the hearing panel on any question of law or the admission of evidence arising in the proceedings which they may refer to him or her; and
- iv. to be ready to tender advice on any question of regularity, justice, law or admissibility of evidence arising in the proceedings which the Head of Professional Standards may specify.

6. ANSWER TO THE CHARGE

- i. The written answer of a member to which the Disciplinary Procedure Regulations refer (paragraph 3.5.iii) shall be in the form of a letter or other statement signed by the member personally.
- ii. If the member intends to defend the charge the reasons for the defence shall be stated in the written answer, with an indication of any evidence intended to be adduced in support of the defence which is not referred to in the schedule of written evidence in support of the charge.
- iii. The member shall provide such supplementary answers as may be reasonably required by the hearing panel or by the Head of Professional Standards.
- iv. The respondent shall give reasonable notice of any intention to call witnesses or to be heard by counsel or solicitor.
- v. Witnesses shall not be called without the permission of the hearing panel, which may require the member (or any person acting for the member) to indicate the matter about which the proposed witness is to give evidence, for the panel to decide whether such matter is material to the proceedings and whether the panel will accept it without further proof.

7. HEARING

The hearing of a charge will normally proceed as follows :

- i. The member will be called before the hearing panel.
- ii. The panel will introduce themselves to the member. Any persons accompanying the member or the person through whom the member wishes to be heard, will identify themselves to the panel.
- iii. The procedure to be followed will be explained by the panel Chairman.
- iv. The charge will be read and the respondent's written answer taken into consideration.
- v. The panel will put to the member any questions arising out of the charge and the evidence in support or the member's written answer which the panel considers pertinent.
- vi. The member, counsel or other advocate, will be given the opportunity to address the panel.
- vii. At the end of the hearing the Chair of the panel will inform the member that they will be notified of the outcome in writing within 7 days.

8. ADJOURNED HEARINGS

Where a hearing has been adjourned it may be resumed at a subsequent meeting of the panel whether or not composed of the same persons. The panel at a subsequent meeting may take notice of evidence or decisions recorded in the minutes of the adjourned hearing.

SCHEDULE 3

5 Expulsions and Suspensions

1. Expulsion

1.1 Where the hearing panel decides to expel a member, his or her membership will be terminated with immediate effect and all membership benefits will be withdrawn forthwith. Any sanction will be confirmed in writing by the Chief Executive. Council will be informed of the expulsion at its next meeting and a notice will be published in the RIBA Journal, unless the hearing panel otherwise decides. There will be no refund of subscription paid for the year in which the expulsion occurs.

1.2 Removal of Membership References

A person expelled from the Institute must immediately remove all references to his or her former membership wherever and however they occur, and may not use them in future unless or until membership is restored.

2. Suspension

2.1 Where the hearing panel decides to suspend a member, his or her membership will be suspended with immediate effect and all membership benefits will be withdrawn for the duration of the suspension period. Any suspension will be confirmed in writing by the Chief Executive. Council will be informed of the suspension at its next meeting and a notice will be published in the RIBA Journal, unless the hearing panel otherwise decides.

2.2 With regard to suspensions, Byelaw 4.6 specifically identifies the membership benefits which are withdrawn.

3. Ongoing Obligations

3.1 During the suspension period, regardless of the withdrawal of membership benefits, the suspended member will nevertheless remain subject to the rules and conditions of membership as set out in the Royal Institute's Charter, Byelaws and Code of Professional Conduct.

6 4. Duration and Re-admittance

4.1 Suspension Period

The hearing panel shall determine the period of the suspension which shall begin on the day of the decision. Suspension periods shall be measured in months and years, not weeks or days.

5. Reinstatement

5.1 Declaration

At the end of the suspension period, the suspended member shall be required to sign a declaration confirming that his or her conduct throughout has been appropriate to the status of a member of the Royal Institute.

5.2 Further Complaint

If, during the suspension period, a new complaint is submitted to the Institute, it shall be investigated in accordance with the foregoing regulations.

5.3 Readmission

If no questions about the suspended member's conduct or competence have arisen during the suspension period, reinstatement will normally occur as soon as his or her declaration (see paragraph 5.1 above) has been received and all outstanding subscription paid. However, membership shall be terminated if, despite reminders, the suspended member fails, within 28 days, to submit a declaration and/or pay all outstanding subscription.