

**BY-LAWS
OF
THE ASSOCIATION OF BRITISH
INVESTIGATORS
(EFFECTIVE 21st November 2018)**

1. Code of Ethics and Professional Standards

Policy Statement:

This code, comprising of Ten Principles, is sponsored by the Governing Council of the Association of British Investigators (ABI). It is a reflection of the way in which all members of The Association should conduct their business according to rigorous ethical, fair, professional and legal standards.

It flows from our determination to:

Be fair

Be transparent

Be accountable

Be honest

Be cautious

Be thorough

Be law abiding

Be mindful of the confidentiality of that with which we are entrusted

Protect and enhance the reputation of this Association and its members

Principle 1 – Responsibility and Accountability

All members of The Association of British Investigators are personally responsible and accountable for their actions or omissions, as are their employees and other persons paid to

assist an investigation. It must be ensured that the latter adhere to this Code of Ethics and Professional Standards.

Principle 2 – Honesty and Integrity

All members of The Association of British Investigators are to act with honesty, integrity and must not compromise their position, that of this Association or any of their clients.

Principle 3 – Caution and Thoroughness

All members of The Association of British Investigators are to (a) verify the credentials of clients to ensure that they have lawful and moral reasons to request an investigation and (b) maintain suitable competency and resources to meet the client's managed expectations.

Principle 4 – Conflict of Interest

All members of The Association of British Investigators having a personal or conflicting interest in any matter in which they are involved shall disclose that interest, if it is in conflict with the interests of their clients.

Principle 5 – Acting within the Law

All members of The Association of British Investigators are to obey the law and refrain from carrying out any act that they know, or ought to know, is unlawful, or contrary to The Association's policy.

Principle 6 – Authority, Respect and Courtesy

No member of The Association of British Investigators is to abuse their position and must respect the rights of all individuals.

All members of The Association of British Investigators are to act with self-control and tolerance, treating everyone with whom they come into contact, during the course of their activities, with respect, fairness and courtesy.

Principle 7 – Equality

All members of The Association of British Investigators are to act with fairness and impartiality. They will not discriminate unlawfully on the grounds of sex, race, colour, language, religion or belief, political or other opinion, national or social origin, association with a national minority, disability, age, sexual orientation, property, birth or other status.

Principle 8 – Confidentiality

All members of The Association of British Investigators are to treat information with which they are entrusted during the course of business with respect and access or disclose it only for the purposes for which it is intended; attending to all instructions within the principles of the prevailing privacy legislation and in particular if controlling personal data to be so notified with the Information Commissioner.

Principle 9 – General Conduct

All members of The Association of British Investigators are to act in a professional manner.

They must not behave in a manner which brings, or is likely to bring, discredit upon The Association or any of their clients, or act in a way that undermines or is likely to undermine confidence in The Association or that of any of their clients, or breach or permit a breach of The Association’s Memorandum, Articles of Association, Bye-Laws or Code of Ethics.

Principle 10 – Challenging and Reporting Improper Conduct

All members of The Association of British Investigators are expected to challenge and when appropriate take action or report breaches of this code and the improper conduct of colleagues.

All members of The Association of British Investigators consent to the circulation in any

Association publication the results of any disciplinary action brought against them in consequence of a breach of The Association’s Memorandum, Articles of Association, Bye-Laws or Code of Ethics.

By completing the application for membership and by a member’s payment of the annual subscription to renew membership provides the member’s clear unambiguous consent to the processing of the member’s personal data by the Secretariat or the Governing Council of The Association of British Investigators for the purpose of administering membership, income & expenditure accounts, compliance, discipline and the general governance and promotion of the Association and its membership. It is further understood that the member may at any time withdraw such consent by giving notice in writing to the Secretariat with clear instructions what if any of the member’s personal data may be processed.

2. DRIVER & VEHICLE LICENSING AGENCY (DVLA)

2.1 A member who is granted access to the DVLA electronic search facility through the Association must: -

- (a) comply with the DVLA regulations,
- (b) not retain information obtained from the DVLA for longer than is necessary.
- (c) not use information obtained from the DVLA for any purpose other than that declared under which the information was obtained,
- (d) inform the Data Subject, as soon as is reasonably practical, in writing, of the reasonable cause that led to the disclosure of information from the DVLA, and

(e) in any event, not apply for DVLA information through the Association for any purpose other than in relation to or in contemplation of a civil or criminal due process of law, such as, Court or Tribunal proceedings, Arbitration, Conflict Management.

2.2 In the event of a complaint against a member in relation to Bye-law 2.1, the member who has obtained the DVLA information must respond to the Secretariat of the Association, within 7 days of receipt of written or electronic notification of the complaint.

2A ASSOCIATION PARTNERS

All members are required to strictly adhere to any and all restrictions, requirements and agreements entered into by The Association with any of its Partners.

2B All instructions involving the processing of personal data as between members, as data processor and or data controller on the one part and data sub-processor and or sub or joint controller on the other part, will be undertaken under the contractual terms as agreed between the members but which contractual terms include at least the GDPR (or the prevailing UK legislation implemented pursuant to GDPR) Compliance elements of the ABI Model inter-agency terms of business as published by the Association from time to time and available on the ABI web site. Such terms will apply in the absence of an alternative document covering such terms.

3. MEMBERSHIP SELECTION COMMITTEE

The Council will nominate from the members of the Governing Council a

Chairperson to conduct, appoint and supervise a Membership Selection Committee responsible for the assessment, acceptance, deferment or rejection of applications for membership to the Association.

3.a) All applicants must complete and submit to the Secretariat a prescribed application form together with any required enclosures. Any relevant omission, false declaration or statement on any application form renders such application invalid.

3.b) By completing the application for membership and by a member's payment of the annual subscription to renew membership provides the member's clear unambiguous consent to the processing of the member's personal data by the Secretariat or the Governing Council of The Association of British Investigators for the purpose of administering membership, income & expenditure accounts, compliance, discipline and the general governance and promotion of the Association and its membership. It is further understood that the member may at any time withdraw such consent by giving notice in writing to the Secretariat with clear instructions what if any of the member's personal data may be processed.

3.b) The Membership Selection Committee will consider all applications and will decide upon the applicant's suitability for the appropriate category of Membership of the Association.

3.c) Where disputes arise between applicant and Membership Selection Committee the applicant has the right of Appeal to the Governing Council.

- 3.d) Subject to the Recommendations of the Membership Selection Committee, all applicants, except those resident and practising overseas, must be examined unless otherwise directed by the Governing Council. Candidates must satisfy the Membership Selection Committee that their knowledge, ability character and conduct meets all The Association's requirements and that they satisfy and conform to all relevant statutory legislation.
- 3.e) No applicant whose application is declined or invalidated may make a further application for membership within one year from the date of the decision of the Membership Selection Committee exceptional circumstances excluded.
- 3.f) By virtue of Article 8(b) of the Articles of Association the Governing Council may at its discretion and upon the recommendation of the Membership Selection Committee refuse to admit to membership or delay admission to membership of any person notwithstanding that the applicant had fulfilled all the conditions specified in the Articles of Association or in these Bye-Laws.
- 3.g) By virtue of article 8(c) of the Articles of Association the Governing Council may through the Membership Selection Committee admit to Membership any such applicant notwithstanding that the applicant has not fulfilled all or such of the conditions specified in the said Articles or Bye-Law as are applicable in the applicant's case.
- 3.g)i) A Provisional member must, unless granted exemption by the Governing Council, apply for Full membership within 2 years of becoming a Provisional Member and satisfy the Membership Selection Committee as to suitability.
- 3.h) All applications for membership must be accompanied by the appropriate remittance for fees relevant to application as prescribed in these Bye-Laws. Applicants accepted to membership, having paid the prescribed application fee in full shall be deemed to have paid their subscriptions for the ensuing year. Full, Associate, Affiliate and Consociate membership subscriptions renewal will fall due one-year post membership acceptance. Provisional membership subscriptions renewal will fall due on being upgraded to Full membership but in any event no later than the end of the second year of Provisional membership.
- 3.h)i) An applicant in the Provisional membership category who has attained the prescribed entry level qualification after attending a full-time class based course through the ABI Academy and who has yet to engage in any fee paying investigative services for himself or another will be deemed a 'Student' and during such status, which is not to exceed the period of 1 year, will be exempt from any membership application fee until such time as he submits an application for Provisional or Full membership. During the 'Student' period the 'Student' will be applied a subscription fee for that 1 year period.
- 3.h.ii) A Provisional Member at 'Student Level' shall not be deemed a member of the Association for any purpose other than Articles 12, 13 and 14.
- 3.i) The Governing Council shall review annually the rates of subscriptions.

Current Membership Annual Subscription Rates (Plus VAT where applicable)

a.	Full members	£258.00 incVAT
b.	Life Members	Free
c.	Associate Members	£258.00 incVAT
d.	Consociate Members	£ 60.00 incVAT
e.	Provisional Membership after the second year, if not upgraded to Full	£258.00 incVAT
e.i)	Provisional 'Student'	£60.00 incVAT
f.	Affiliate Members	£258.00 incVAT
g.	Overseas members	£258.00
h.	Retired Members	Free
i.	Honorary Members	Free
j.	Corporate Member	£120.00 incVAT

Current Membership Application fees (Plus VAT where applicable)

j.	Full Membership Application Fee	£300.00 incVAT
k.	Provisional (except 'Student') Membership Application fee	£300.00 incVAT
l.	Provisional 'Student' Membership Application fee	free
m.	Overseas Membership	£250.00
n.	Corporate Membership	free
3.j)	Following a member's 70 th birthday, that member's annual subscription shall thereafter on renewal be reduced by 25% providing they have been a member for at least 10 years out of the preceding 15.	

3.k) All applications for Full, Associate, Provisional including 'Student', Consociate and Affiliate Members must provide a Certificate of Criminal Convictions at the minimum Basic Disclosure level and thereafter on being admitted as a Member in any of the said categories do submit an up to date Certificate not less than every 3 years.

3.l) Every Full, Associate, Provisional including 'Student', Consociate, (active) Life and Affiliate Member shall hold a Certificate of Criminal Convictions at the minimum basic Disclosure level not older than 3 years, which is to be produced at Membership Subscription renewal.

(See Schedule 2 for ABI Policy Statement).

3.m) Every Full, Provisional (save 'Student' level) and Active Life Member shall hold a valid certificate of Professional Indemnity Insurance at such level and terms as shall be determined by the Governing Council from year to year.

For the provision of Bye-Law 3, Active Life Member shall be defined as a current Life Member of the Association who is still actively engaged, either part or full time, in any investigative or litigation support services.

3.n) At the discretion of the Governing Council each Applicant for Full, Provisional or other category of membership shall be required to have a valid qualification as a criteria to gain admission of membership.

4. CORPORATE MEMBERSHIP

4(a) Any public limited company; private limited company; limited liability partnership or unincorporated

partnership, incorporated or formed in England, Scotland, Wales and Northern Ireland and comprising a minimum of two Executive Directors or partners and one full time employee investigator, in which a minimum of two Executive Officers, or in the alternative, one Executive Officer and one member or employee investigator, hold full membership of the Association, may apply for Corporate Membership.

4(b) Any entity wishing to be admitted to the Corporate Member category of the Association must have been incorporated or formed prior to the date of application and submit, together with the duly completed prescribed Corporate Membership application Form a prescribed Declaration of financial probity signed by the Senior/Full Association Member. Any false statement made or material omission in each of the aforementioned documents renders the application of the Corporate Entity null and void. Any such false statement or material omission discovered following the granting of Membership to the Corporate Entity will result in the Corporate Entity and any consociate corporate investigator therein being immediately expelled from the Association.

4(c) Full time employee investigators within the Corporate Entity having a minimum of one year's investigative experience will be entitled to become Consociate Corporate Investigators within that entity upon payment of the appropriate fee and receive a Consociate Corporate Membership identity card issued by the Association.

4(d) A Consociate Corporate Member shall not be deemed a member of the

Association for any purpose other than Articles 12, 13 and 14.

4(e) Corporate Members, on membership application and each renewal, are required to provide a full list of all Consociate Corporate Investigators within its employ together with valid Criminal Conviction Certificates for each, and a fully completed prescribed Declaration of Financial Probity signed by each Consociate Corporate Member. The most Senior/Full Association member carries the ultimate responsibility for effective vetting of all employees and the good governance of the Corporate Member Entity. Failure to properly carry out this annual procedure places the Senior/Full Association Member in breach of Principle 9 of the Association's Code of Ethics and thereby Article 13 and liable to immediate suspension and ultimate expulsion from the Association.

5. PROVISIONAL MEMBERSHIP

Notwithstanding the conditions applicable to Provisional Membership as referred to in Article 15 (iv) the conditions and benefits of Provisional Membership detailed in Schedule 3 shall apply.

5.a) **Benefits:** The benefits of Provisional Membership are defined in Schedule 3.

6. RETIRED MEMBERS

6a) **CRITERIA:** For inclusion on Retired Members Roll defined hereto in Schedule 4.

6b) **BENEFITS & PRIVILEGES** of Retired Membership defined hereto in Schedule 4.

6c) **APPLICATION and DECLARATION** in support of inclusion on the Retired Members roll defined hereto in Schedule 4.

7. CERTIFICATE OF MEMBERSHIP & IDENTITY CARD

7.a) All Full, Provisional (not 'Student') and Overseas members shall be provided with a Certificate of Membership and Identity Card. All Certificates of Membership shall be signed by the Secretariat and shall remain the property of the Association. On the cessation, for any reason, of said membership the Certificate of Membership and appropriate Identity Card must be returned to the Secretariat within seven days of said cessation.

7.b) Associate members shall be provided with a Certificate of Membership and Identity card. All Certificates of Membership shall be signed by the Secretariat. Identity Cards will be signed by the Secretariat. Both Certificates of Membership and Identity Cards shall remain the property of the Association and shall be surrendered to the Association when requested.

7.c) A current membership list, Memorandum and Articles of Association together with a copy of the Bye-Laws of the Association shall be made available to all new members upon admission to membership, if not available on the Association web site.

8. PUBLICATION OF MEMBERSHIP

8.a) Members (not 'Student' level) may indicate their membership on stationery and other advertising matter, electronic or otherwise, by

use of the letters "M.A.B.I." following their names.

8.b) Members (not 'Student' level) may announce their membership against their individual names on stationery and advertising matter, electronic or otherwise, by appropriate use of the phrase "Member of the Association of British Investigators" and/or the ABI logo providing that they are no less than a 50% controlling beneficiary of the Agency business so announcing the membership. **Provisional Members** (not 'Student' level) must ensure the word "Provisional" is inserted before the word "Member". On ceasing to be a member for any reason the phrase and/or any relative lettered abbreviation must be removed at once from any building, advertisement and stationery, electronic or otherwise, used by that person.

8.c) Limited Company – Any Member (not 'Student' level) who is a Director of a Limited Company which is engaged in investigative or litigation support services may use or permit the use of the ABI logo on any letter-heading, stationery or other published material, electronic or otherwise, providing that they are no less than a 50% controlling beneficiary of the Agency business so announcing the membership, unless the said Member is clearly identified by the use of the initials "M.A.B.I." after the said Member Director's name. The designation "Member of the Association of British Investigators" or "Associate (or Affiliate) Member of the Association of British Investigators" (whichever may be applicable) may also be used, either as an alternative or in addition to the aforesaid initials.

8.d) Partnership Firms – Any Member (not ‘Student’ level) who is a partner of a firm engaged in investigative or litigation support services may use or permit the use of the ABI logo on any letter-heading, stationery or other published material, electronic or otherwise, providing that they are no less than a 50% controlling beneficiary of the Agency business so announcing the membership, unless the said Member is clearly identified by the use of “M.A.B.I.” after the said Member Partner’s name. The designation “Member of the Association of British Investigators” or “Affiliate Member of the Association of British Investigators” (whichever may be applicable) may also be used, either as an alternative or in addition to the aforementioned initials.

8.e) Employee Member – Any Member who is an employee (as distinct from a proprietor, partner or Director of a Limited Company) shall not allow or permit the unauthorised use of the ABI logo on any letter-heading, stationery or other published material, electronic or otherwise, relating to the agency in which such Member is employed. In circumstances where the Member (not ‘Student’ level) is shown by name on any such material by the employer, the said Member may be identified by the use of the initials “M.A.B.I.” after the Member’s name. In the alternative, the use of the designation “Member of the Association of British Investigators” or “Affiliate Member of the Association of British Investigators” may be used either in addition or as an alternative to the aforesaid initials.

8.f) Officers and Council Members of the Association, either past or present shall be permitted to make reference on their personal stationery or

advertising matter, electronic or otherwise, to any office they hold or have held within the Association, providing such reference also details the period for which the office was held. Effective only during any current period of membership of the Association by that member in any membership category.

8.f)(a) Any member awarded a token of recognition, e.g. “Investigator of the Year” is allowed only to refer to it on any stationery, marketing material in whatever form in accordance with the Rule of the award. Failure to comply with such Rules is a breach of Article 13(ii) and shall be liable to immediate suspension or exclusion.

8.g) Publication of the name of any Agency, Firm or Company shall not be allowed in the Association’s Directory of Registered Members against the name of any member unless that member be a full-time practising employee, partner or director of such Agency, Firm or Company or, in the case of any member acting as Consultant to any Agency, Firm or Company, one or more of the employees, partners or directors shall be members of the Association.

8.h) Accommodation addresses will not be published in the Association’s Directory without prior application to and with the approval of the Governing Council. The Council reserve the right to withhold publication of any entry in the Association’s Directory.

DIRECTORY ENTRIES

8.i)a) A member (not ‘Student’ level) is entitled to one entry in the Directory of registered members in the section

applicable to the member's status in respect of that member's principal place of business, the cost of which is included in the annual membership fee.

8.i)b) A member's branch office attracting an annual payment, determined by the Governing Council, may be either the usual residential address of the member or commercial premises owned, rented or otherwise occupied for business purposes under licence or other agreement. Where a telephone listing is provided for a Branch Office address, it is a requirement that, in normal circumstances, the telephone is physically manned. Listings of Branch Office addresses in the directory of Members will be acceptable only if such addresses comply with the aforementioned criteria. In the event that any such listing (including Telephone/Fax/DX details) is considered to be equivalent to a permanent accommodation facility, such listing will not be acceptable for inclusion in the Directory of Members and the Association reserves the right to refuse/remove any listing which appears to be an abuse of the Branch Office listing system.

8.i)c) At the discretion of the Governing Council and upon an annual payment, determined by the Governing Council, a member may hold a Directory entry which may be a City, Town or Village in which that member provides services and which is close to that member's principal place of business and carrying a reference to the member's principal place of business.

9. CANVASSING

No member of the Association, or firm, partnership, incorporated

company or other body in which a member has an interest shall wilfully canvass or attempt to canvass established clients of another member following agency instructions for that client through the principal member without the principal member's agreement or a period of 12 months have passed since the finality of the instructions. Any member so doing shall be guilty of an offence as defined by this Bye-Law.

10. STATEMENTS TO THE PRESS, RADIO AND TELEVISION

10.a) No member shall make any policy statements concerning the Association for publication without first obtaining the approval of the President, Vice-President, Public Relations or Marketing Officer.

10.b) Nor shall any member copy or reproduce any documents relative to Association matters not already in the public domain and communicate them to any unauthorised third party or with intent to communicate any such matters to any unauthorised third party.

10.c) Any such disclosure of Association matters shall be an offence under this Bye-Law and may result in forfeiture of membership notwithstanding the punishments as set out in Bye-Law 21.

11. DISCLOSURES, DISQUALIFICATIONS and SUSPENSIONS

11.a) Any member suspended or expelled from the Association must remove, within 30 days, any and all reference to Association Membership from: -

Business cards
Letter-head and other stationery

Marketing material
Advertisements
E-mail signatures and stationery
Web sites
Electronic and hard copy directories

Any existing material which contains reference to membership, either in words or by use of the Association's logos must not henceforth be distributed or displayed.

Failure so to do will result in legal action to compel the same being taken against such suspended or expelled member.

- 11.b) If any Member of the Association is charged with a Criminal Offence other than minor traffic offences, that member must inform the Secretariat forthwith. The Governing Council may take such action as it deems fit.
- 11.c) No member shall take into their business as a Director, Partner or with any controlling or advisory interest any person who has been disqualified from membership, or has resigned their membership whilst in breach of the Association's Bye-Laws and/or subject to its disciplinary procedure.
- 11.d) Any person who has been convicted of a criminal offence, other than minor traffic offences, shall not become a member of the Association of British Investigators or remain a member of the Association after having been so convicted, subject to the provisions of the Rehabilitation of Offenders Act and the Association's Criminal Conviction Certificate Policy Statement.
- 11.e) Any applicant or member, whilst the subject of a Bankruptcy Order, Voluntary Arrangement, Debt Relief Order or other legal declaration of

Insolvency, shall not be eligible for or remain a member of the Association. A former member disqualified by the provisions of this Bye-Law may re-apply for membership of the Association upon such terms, conditions or restrictions as may be imposed by the Governing Council or its Membership Selection Committee once the Bankruptcy Order, Voluntary Arrangement, Debt Relief Order or other legal declaration of insolvency has been discharged or satisfied.

- 11.f) Any applicant or member whilst an officer, partner or deemed controller of a company or partnership subject to any Creditor's Winding Up Petition, Receivership, Voluntary Arrangement or such other legal declaration of Insolvency shall not be eligible for membership of the Association or remain a member of the Association. On the completion or satisfaction of such Winding Up action, Receivership, Voluntary Arrangement or other legal declaration of Insolvency, a former member of the Association disqualified by the provisions of this Bye-Law may re-apply for membership of the Association with such terms, conditions or restrictions as may be imposed by the Governing Council or its Membership Selection Committee.
- 11.g) It is a breach of Article 13 for a member to fail to discharge a lawful debt. Any member who either personally or in a controlling capacity of a Firm, Partnership or Corporate Entity, is the subject of an unsatisfied Monetary Judgment or Decree recorded personally or against such Firm, Partnership or Corporate Entity, shall within 28 days of the said Judgment or Decree being incurred provide details to the Secretariat. Failure to provide such details to the

Secretariat will render the Member liable to immediate suspension and ultimate exclusion from the Association, details of which in accordance with Principle 10 may, for the benefit of the Association in general and its members in particular be immediately circulated within the Association. The member must then, to the satisfaction of the Governing Council, demonstrate that all reasonable attempts to satisfy the said Judgment or Decree are being made. Failure to adhere to the provisions of this Bye-Law may result in the suspension or expulsion of that member. Upon the satisfaction of such Judgment or Decree, the member, if under suspension during the period the said Judgment or Decree remains unsatisfied, may apply to the Governing Council for reinstatement on such terms and conditions as may be determined by the Governing Council.

11.h) Any member making a false declaration or statement on any formal Association Communication or Form, may render themselves liable to immediate expulsion. Failure to disclose, to the Secretariat, relevant details of any Insolvency, criminal or other proceedings, which may bring the member and or the Association into disrepute, will be subject to expulsion or other such punishment as the Governing Council or its Disciplinary Committee shall decide.

12. ANNUAL GENERAL MEETING

12.a) Items from members for inclusion on the Agenda of the Annual General Meeting shall be sent in writing to the Secretariat at least sixty days prior to the date of any Annual General Meeting.

12.b) Any Full or active Life Member who is qualified by virtue of Article 37 shall be eligible for election to the Governing Council.

12.c) No member shall nominate more than three candidates for the Governing Council.

12.d) Postal, electronic and proxy votes may be submitted in accordance with Schedule 5.

12.e) If the President or Chairperson of any function or meeting of the Association requests a member of the Association, or a guest of a member, to leave such function or meeting the said member must comply with such request. Any failure to comply with such a request shall render the member liable to the disciplinary procedure.

12.f) The Governing Council shall, at its discretion, appoint one non-Governing Council member to serve as a Sergeant-at-Arms for a period to be determined by the Governing Council. Such member shall have been a member of the Association for not less than two years. The duty of the Sergeant-at-Arms will concern the security and privilege of admittance to General Meetings and the supervision of vote counting. The Sergeant-at-Arms shall have an assistant who will be known as the Assistant Sergeant-at-Arms, who shall also be appointed by the Governing Council at its discretion and shall have been a member of the Association for not less than two years and be a non-Governing Council member.

12.g) The Governing Council or Chairman reserves the right to refuse admission of any non-member to any function of the Association.

12.h) The rules and procedure for all general and committee meetings will be in accordance with the Association's publication on such rules and procedure and this publication shall constitute the authority of the Chairperson.

13. PRESIDENT ELECT

The Governing Council SHALL at a Governing Council Meeting not less than ninety days prior to the Annual General Meeting appoint from their members a PRESIDENT ELECT, who MAY be the Vice-President, who will automatically take up the vacant office as President at the forthcoming Annual General Meeting. The President-Elect shall not require to stand down from the Governing Council and seek re-election. The appointment of President Elect does NOT constitute an 'Office' within the Association.

14. ELECTION – GOVERNING COUNCIL

**Personal, Postal
Electronic, Proxy (to be agreed)**

15. FINANCE/AUDIT COMMITTEE

The Governing Council shall at the first practicable Governing Council Meeting immediately following the Annual General Meeting appoint from its members a Chairperson who will appoint a Committee to carry out the duties of a Finance/Audit Committee. Non-Governing Council members may be co-opted.

Governing Council Members should submit acceptable proof of actual out-of-pocket expenses. G.C. members are expected to incur only reasonable travelling costs. Where a G.C.

member uses a private vehicle for travel over public transport the actual reasonable cost of the use of public transport is payable unless special circumstances exist requiring the use of a private vehicle. In such circumstances a cash amount per mile is allowed, determined by the Governing Council. G.C. members attending the evening pre-A.G.M. are entitled to re-claim the ABI negotiated hotel rate for a single bedroom occupancy for one night.

16. ASSOCIATION BRANCHES

The Council may, whenever it appears desirable establish and constitute branches of the Association in accordance with Article 18.

The Council will consider Petitions in support of the creation of a Branch signed by at least 10 qualifying members of the Association desirous of forming such a Branch.

Any Petition submitted to the Governing Council for consideration should include a précis of acceptable reasons for the creation of such a Branch.

16.a) Association Branches are eligible to receive out of Association funds an annual grant to assist in the running of such a Branch. A written request must be made by each Branch for the Governing Council to consider and award an appropriate amount dependant on the Branches financial standing and anticipated reasonable expenditure for the following year.

Branch Rules can be found in Schedule 6.

17. DISCIPLINARY COMMITTEE

17. The Disciplinary Committee shall consist of:

17.a) CHAIRPERSON – Who must be a member of the Governing Council and appointed by the Governing Council and shall have no vote or casting vote in Disciplinary Matters.

17.b) COMMITTEE - The Governing Council shall select Members of The Association who are currently Full, Life or Retired, who are not Members of the Governing Council or Investigating Officers, to form a Panel. The Disciplinary Chairperson and Secretary together with three Committee Members from the said Panel shall constitute a quorum to conduce the determination of the disciplinary process.

17.c) INVESTIGATING OFFICERS – The Governing Council shall select Members of the Association, Full, Life or Retired, who are not Members of the Governing Council or Disciplinary Committee to form a Panel. As and when necessary the Secretary of the Disciplinary Committee shall forward to an appropriate Investigating Officer the file of evidence of complaint with instruction to liaise with the parties in dispute with a view to obtaining all possible further and better evidence for the purpose of enabling the Association Adjudicating Officer to determine whether a prima facie case exists against the said member.

17.d) **ADJUDICATING OFFICER(S)**
A person independent of the Association and with acceptable Legal experiences, appointed by the Governing Council to determine Disciplinary Actions.

17.e) SECRETARY – The Governing council or Chairperson shall select a Full

Member of the Association, who is not a member of the Governing Council, as Secretary to the Disciplinary committee without vote or participation in the disciplinary process save for administrative purpose.

18. DISCIPLINARY PROCEDURE

The Disciplinary Committee shall perform its duties in accordance with Schedule 7 hereto.

19. DEFINITION OF AN OFFENCE

It shall be an offence if any member is guilty of any conduct unbecoming of a member and/or has acted in a manner prejudicial to or likely to bring discredit upon the Association or contrary to the Association's Memorandum, Articles of Association, Bye-Laws and/or Code of Ethics or breaches or permits a breach of The Association's Memorandum, Articles of Association, Bye-Laws or Code of Ethics and Professional Standards.

20. OFFICER OF THE ASSOCIATION BEING DEFENDER

20. In the event of the person being complaint of being: -

20.a) The Chairperson of the Disciplinary Committee.

20.b) The Secretary of the Disciplinary Committee.

20.c) A member of the Disciplinary Committee.

20.d) A member of the panel of Complaints Officers.

Then it shall be lawful for a quorum of the Governing Council to appoint another full member to assume the duties of that person.

21. PUNISHMENT

21. The Disciplinary Committee shall order, where a member admits or is found to be guilty of an offence defined under Bye-Law 19 that the member: -
- 21.a) be admonished; or reprimanded; or
 - 21.b) be suspended from membership for a specified period with such conditions as the Disciplinary committee or Governing Council do recommend; or
 - 21.c) be expelled from the Association.
 - 21.d) The Disciplinary Committee shall if it deems fit impose conditions and/or recommendations to any punishment ordered.
 - 21.e) A Member suspended from Membership may be required to deliver up to the Association the member's Certificate of Membership and Identity Card and shall not be entitled to any Directory Entry during the period of suspension.

SCHEDULES

Schedule 1

22. BLANK.

Schedule 2

23. POLICY STATEMENT

MEMBERS WITH CONVICTIONS

2.1 Any convictions recorded on a member or prospective member's Disclosure will not necessarily act as a bar to membership of the Association. Basic Disclosure will only reveal any unspent convictions and takes full account of the Rehabilitation of Offenders Act 1974. Certain unspent offences if shown on a Basic Disclosure may be ignored. Due consideration will be applied to the perceived effect it has on the wider sector, its relevance and recency in particular the effect on the credibility of the Association.

2.2 Appeal Process – Membership Application

2.2.1 In the first instance, an issue raised in a Basic Disclosure for an applicant for membership will be referred to by the Secretariat to the duly appointed Membership Selection Chairman for adjudication.

2.2.2. In the event of membership being denied solely on the Basic Disclosure issue, the applicant will be at liberty to Appeal to the Governing Council by writing to the Secretariat within 14 days of the date of notification, in which he may request a hearing before the Governing Council. The Governing Council will consider the issue at a hearing, if so requested, at its next convened meeting or within 28 days, if no hearing requested, after receipt of the written Appeal.

2.3. Appeal Process – Membership Renewal

2.3.1. In the first instance, an issue raised in a Basic Disclosure for a member when seeking membership renewal will be referred to the duly appointed Enforcement or Compliance Officer by the Secretariat for adjudication.

2.3.2. In the event of membership renewal being denied solely on the Basic Disclosure issue, the member will be at liberty to Appeal to the Governing council by writing to the Secretariat within 14 days of the date of notification, in which he may request a hearing before the Governing Council. The Governing Council will consider the issue within 14 days after receipt of the written Appeal and if it decides there exist prime facie grounds to deny membership renewal, will give the Appeal further consideration at a hearing, if so requested, the hearing to take place at its next convened meeting.

2.3.3. In the event of membership renewal being denied solely on the Basic Disclosure issue the membership will be suspended until if and when the Governing Council so directs otherwise.

3. OFFENCES

Using the guidance published by The Security Industry Authority, The Association will consider in the same way the impact certain convictions would have upon both the membership and The Association's responsibility and duty of care to the public.

Offences that would be considered as relevant can be found at the Security Industry Authority web site.

A summary of those offences is listed below:

Relevant offences (All Statutory) include anything involving:

- **Violent/or abusive behaviour**
- **Espionage or terrorism**
- **Offensive weapons**
- **Firearms**

- **Dishonesty (theft and fraud)**
- **Proceeds of crime**
- **Abuse and neglect of children**
- **Sexual offences**
- **Drugs**
- **Criminal damage**
- **Social security offences**
- **PSIA offences**
- **Licensing Act offences**
- **Some driving offences**
- **S.55 Data Protection Act 1998 offences**

3.1. Some Statutory offences (those resulting from an Act of Parliament) were previously known as Common Law offences. Some examples are rape, theft, assault. Therefore, Common Law offences will always be treated in the same way as offences now described as Statutory offences.

3.2 Statutory Offences (and Common Law) may contain many derivatives under the single heading i.e. THEFT ACT 1968 takes into account offences covering shoplifting to robbery. For the sake of clarity, all such derivative offences will be treated in the first instance, in the same way as the Statutory offence.

4. DECISIONS

When making decisions about an applicant's eligibility for membership or member's continued membership, The Association will consider the following:

4.1 A single caution, warning, absolute or conditional discharge or admonishment will be considered more leniently than other convictions if the member or prospective member has an otherwise clean record as this does not indicate a pattern of criminality and could be considered out of character.

- 4.2 The greater the number of cautions, warnings, absolute or conditional discharges and admonishments on a member's record, the more likely it will be that The Association will refuse membership.
- 4.3 The principles applied to rehabilitation will be taken into account when considering a recent caution where other criminality exists.
- 4.4 Any mitigation in writing accompanying the application for, or renewal of membership.
- 4.5 The Association will consider additional factors where a member or prospective member has two or more cautions, warnings, absolute or conditional discharges or admonishments for significant offences in the past five years.
- 4.6 Higher numbers of cautions, warnings absolute or conditional discharges or admonishments for significant offences will increase the likelihood that membership will be refused or withdrawn.

2.c) The Applicant should provide two references from clients verifying investigative or litigation support competence or two character references from verifiable sources. Not applicable at 'Student' level.

2.d) Any Applicant must pass the Association's criminality check, including providing Criminal Conviction Certificate not older than 3 years.

2.e) The Applicant, if a practising investigator, must hold Professional Indemnity insurance cover. Not applicable at 'Student' level.

2.f) A once only non-refundable application fee is required. No further subscription fees are payable within the two year period. Not applicable at 'Student' level.

2.g) The Applicant is required to attend before a Selection Interview Panel. Not applicable at 'Student' level.

2.h) The Applicant is expected to maintain regular contact with an Association appointed mentor and ideally attend at least one Association Branch Meeting or other event organised by the Association in any one year. Not applicable at 'Student' level.

SCHEDULE 3 – Provisional Membership

1. Any Applicant for Provisional Membership must be at least 18 years old and UK resident.

2. Any Applicant:

2.a) Must have shown a commitment to commence full-time investigative or litigation support services but at the time of applying have yet to commence practice in investigative or litigation support services or have been practising for less than six months. Not applicable at 'Student' level.

2.b) The Applicant need have no prior investigative experience in the private or public sector.

2.i) The Applicant will be required to apply for upgrade to Full Membership not later than 24 months after being admitted to Provisional membership. Not applicable at 'Student' level.

SCHEDULE 3

Benefits

Benefits of Provisional Membership (not 'Student')

A mentor or mentors will, where possible, be allocated to the Provisional member to assist by telephone or e-mail with any queries raised.

Arrangements will be made to provide practical training/experience where possible with Full Members and without cost to the Provisional Member.

The Provisional Member will have a right to attend certain business/social meetings organised by the Association, subject to any fees, which may be applicable.

The Provisional Member will receive any free publications issued by the Association to its members.

SCHEDULE 4 – Retired Membership

CRITERIA for Inclusion on Retired Members Roll

Any Full, Overseas or Active Life Member with ten continuous year's membership in the preceding fifteen year period or:

Former Officer of the Association and:

Be aged not less than 55 years:

Upon ceasing practice in investigative or litigation support services and not a Consultant; Director; Partner nor Member of any investigative concern or ancillary (including litigation support) services provider:

Who agrees to act in accordance with and continue to conform to the Articles; Bye-Laws: Code of Ethics and Branch Rules of the Association:

May apply to be enrolled on the Retired Members Roll.

BENEFITS & PRIVILEGES of Retired Membership

1. No annual subscription payable.
2. No requirement to hold Professional Indemnity Insurance cover.
3. No requirement to be data protection notified.
4. Receives at no cost The Association's free members' publications.
5. Entitled to participate in, without cost, the Association E Group (not Assignments).
6. Entitled to attend and participate in all Membership Meetings of the Association (without voting rights) at General Meetings and cease to hold rights conferred under Bye-Law 7.
7. Remain eligible to be nominated for the **FRANK MARTIN AWARD** for services to the Association.

APPLICATION FORM for Inclusion on the Retired Members Roll

I, _____ (full name)
Membership No. _____ **HEREBY** apply
for Retired Membership and **DECLARE**:

1. I am no longer in Private Practise nor in any capacity a consultant to nor Director; Partner nor Member of any investigative concern or ancillary (including litigation support) services provider.
2. I have no business reference or entries nor am I personally associated with any business reference or entries of any investigative or ancillary provider nature in any advertising medium.
3. **I AGREE** to act in accordance with and continue to conform to the Articles; Bye-Laws;

Code of Ethics and Branch Rules of the Association.

4. **I FURTHER DECLARE** that if at any future period I resume private investigative or ancillary services provider activities I will no longer qualify for the Retired Membership Roll and undertake to notify the Secretariat of the Association.

[A member registered on the Retired Membership Roll found to be in breach of this undertaking may be expelled from the Association].

Signed

Dated

SCHEDULE 5

Voting Procedure (election to GC only)

Personal, postal

Electronic, proxy (to be agreed)

SCHEDULE 6

Branch Rules

1. The title of the Branch shall be the Branch (hereinafter referred to as 'The Branch') of the Association of British Investigators Limited (hereinafter referred to as 'The Association').

2. **OBJECTS** – The objects of 'The Branch' are to implement locally the aims and objects of 'The Association'.

3. **MEMBERSHIP** – Membership of 'The Branch' shall be open to all members of 'The Association', as defined in the Articles and Bye-Laws of 'The Association'. A member of The Association may attend as many Association Branches as the member chooses.

4. **COMMITTEE** – 'The Branch' Committee shall consist of Chairman, Secretary, Treasurer and such other members

as may be deemed necessary by 'The Branch'. No member of the committee shall receive any remuneration beyond reasonable actual costs and expenses they incurred in the running of the branch.

5. **RETIREMENT AND ELECTION OF COMMITTEE MEMBERS** – At each Annual General Meeting all Committee members shall retire from office and those wishing to seek re-election become so eligible for re-election. Qualifying Branch Members may offer themselves for election to any position on the Branch Committee, be proposed, seconded and voted on from the floor. The office of Chairman Secretary and Treasurer of the Branch shall be vacated: -

If that Officer becomes a Bankrupt or makes any Arrangement or Composition with creditors; becomes of unsound mind; ceases to be a member of the Association; by Notice in writing to the Secretariat of the Association.

In all matters of dispute the final arbiter is the Governing Council of the Association in accordance with Article 18.

a) **DUTIES** – 'The Branch' Committee duties shall be to organise and administer Branch meetings, implement 'The Branch' rules and to keep 'The Association' Council advised as to any matter that 'The Branch' considers should be brought to their attention and act upon any instructions, guidance and requests of the Governing Council.

5. MEETINGS

a) A Branch Annual General Meeting shall be held once a year, no more than 14 months and no less than 10 months after the preceding Branch AGM and at least 21 days notice in writing of such Meeting shall be given to every member of 'The Branch'.

b) A Quorum shall be three Branch Members.

c) Voting and resolution shall be carried by a majority of the votes cast by a show of hands by members present; the Chairman may give a casting vote in the case of equality of votes but such casting vote can only be exercised to maintain the status quo.

d) 'The Branch' Committee shall be elected by a show of hands at each Branch Annual General Meeting by the members present. Any nominated member of the Committee that is not present at 'The Branch' Annual Meeting shall have given written consent to serve on the said Committee to the Secretary of 'The Branch' prior to the meeting, each nomination to be proposed and seconded from the floor.

e) 'The Branch' shall hold any other business, social or education meeting as and when it is considered appropriate.

f) Non-members of 'The Association' may attend Branch Meetings at the invitation of a member and at the discretion of the Chairman, such person shall have no right of audience or voting powers and shall leave the Meeting when requested by the Chairman.

g) Minutes shall be taken at all full business meetings of 'The Branch' and copies sent to the Secretariat for circulation to the Council of 'The Association' and the Secretary of every other Branch as soon as practical after each Branch Meeting and before the next Branch Meeting.

h) Any matter arising either at Meetings or otherwise which is not covered by these Rules, shall be dealt with under an appropriate Rule of 'The Association's' Articles or Bye-Laws or by 'The Branch' Committee.

6. **FINANCE** – 'The Branch' shall be responsible for the conduct of its own financial affairs and shall act within the provisions of 'The Association's' Memorandum and Articles of Association. Each Branch shall submit Branch accounts for the period ending 31st December of each year

to 'The Association's' Treasurer on or before 14th January of the year following.

The Council of 'The Association' approved the formation of the Branch. Any amendment of the Branch Rules shall be subject to ratification by the Council of 'The Association'.

The original Copy of 'The Branch' Rules shall be held by 'The Association' Secretariat and a copy shall be kept by 'The Branch' Secretary.

At every election of the Committee the retiring Chairman shall formally present the newly elected Chairman with 'The Branch' Rules and receive from him/her a pledge as to their observance, which transfer shall be duly minuted.

Signed	President
Signed	Secretariat
Signed	Branch Chairman
Signed	Branch Secretary

Date:

SCHEDULE 7

DISCIPLINARY PROCEDURE

Para 1

Any complaint against a member of the Association must be made in writing or electronically and be in the required prescribed format. All complaints must be received by the Secretariat of the Association at the Association's registered office. The Secretariat will acknowledge receipt of the complaint and forward to the complainant an Association "Notice of Complaint" together with Explanatory Notes to accompany the 'Notice of Complaint', for completion, signature and return.

Para 2

Until this form, properly completed and with all supporting evidence is received by the Secretariat the disciplinary procedure is not invoked. If this form is not received duly and properly completed, by the Secretariat, within 21 days the Complaint will be struck out.

Para 3

THE SECRETARIAT is then required to forward the completed Complaint Form and supporting evidence to the Secretary of the disciplinary Committee.

Para 4

THE SECRETARY OF THE DISCIPLINARY COMMITTEE as soon as practically possible days of receipt of the properly completed official Notice of Complaint, together with any supporting evidence, forwards the same to the member complained against. Receipt of the complaint by the member will be deemed to have occurred 48 hours after the date of mailing. The Disciplinary Secretary copies in the Disciplinary Chairman with the skeleton details of the complaint and the date of commencement.

Para 5

The member against whom the complaint is made must reply to the Secretary of the Disciplinary Committee in answer to the said complaint within FOURTEEN days, SEVEN days in respect of an alleged DVLA rule breach under Bye-Law 2. Failure to reply within the required time limit will result in membership suspension. In the case of an alleged DVLA rule breach under Bye-Law 2, after seven days the suspension becomes **immediate** expulsion. In all other matters the Governing Council will determine whether an expulsion is justified. The Disciplinary Secretary,

as soon as is practicable communicates the member's response to the complainant.

Para 6

THE MEMBER AGAINST WHOM THE COMPLAINT IS MADE

If admitting to all the Complainant's allegations and agreeing to remedy the matter in full to the satisfaction of the complainant, then no further action is taken. If the Complainant does not accept in total the response of the member complained of the disciplinary procedure continues.

Para 7

THE COMPLAINANT is required to respond to the reply of the member complained of within 21 days of receipt. Failure to respond within the time limit renders the complaint liable to be struck out. The Complainant's response is to be forwarded by the Secretary of the Disciplinary Committee to the member in question.

Para 8

THE DISCIPLINARY CHAIRMAN and SECRETARY then assess the evidence and determine whether the involvement of an Investigating Officer would serve no useful purpose. In the event of unanimous agreement in the affirmative the complaint then by-passes an Investigative Officer and is passed directly to the Independent Adjudicator to deal with under Paragraph 8. If however no unanimous agreement is reached the complaint continues its course as below.

Para 9

THE SECRETARY of the Disciplinary Committee shall then, from the panel of Investigative Officers, forward the

file of complaint to one appropriate Investigative Officer whose instruction is to liaise with the parties with a view to, either personally or remotely, obtain oral or written further and better particulars, until such time as the Investigating Officer is satisfied both parties have submitted all available evidence and explanations, in order to enable the Adjudicating Officer to determine whether a prima facie case exists against the member.

Para 10

ONCE the appointed Investigating Officer has completed his task the evidence is returned to the Disciplinary Secretary who in turn submits it for a decision to the Adjudicator.

Para 11

The adjudicator's decision is final in so far as the Association is concerned.

Para 12

AS SOON AS is practicable the Adjudicator communicates his decision to the Secretary of the Disciplinary Committee.

Para 13

THE SECRETARY of the Disciplinary Committee if it is determined no prima facie case exists, as soon as is practicable notifies all parties in writing. The case is then considered closed. **If the Independent Adjudicator determines that a prima facie case exists** the member against whom the complaint is made must also receive an official Notice of Complaint detailing the alleged breach or breaches of the Articles/Bye Laws/Code of Ethics. The official Notice of Complaint is deemed received 24 hours after date of posting.

Para 14

THE DEFENDING MEMBER must reply in writing to the Disciplinary Secretary within 14 days of receipt of the official Notice of Complaint and submit any additional statements of fact or documentary evidence **not previously available** for consideration by the Disciplinary Committee.

Para 15

If the Adjudicating Officer determines that punishment as detailed in Bye Law 21.c would not reasonably be considered appropriate then, whether or not there has been an admission or finding of guilt, the Secretary of the Disciplinary Committee must, as soon as practicable, arrange a Disciplinary Committee case management meeting. All parties concerned must be advised by the secretary of the Disciplinary committee of the date and time of the case management meeting not less than **TWENTY-ONE** days before the meeting. Only the Disciplinary Committee and Chairperson will be invited to attend to consider the evidence, which if found to be of such a minor nature may unconditionally discharge the member and/or recommend suitable advice.

Case Management Meeting

Para 16

The Disciplinary Committee will consider all the documentary evidence as presented by the Secretary of the Disciplinary Committee.

Para 17

If the Disciplinary Committee find insufficient evidence to proceed the Secretary must, as soon as is practicable, notify all parties in

writing. The case is then considered closed.

Para 18

If the Disciplinary Committee consider that the member complained of is guilty of an offence as defined by Bye-Law 19 then they may impose a punishment as defined by Bye-Laws 21.a and 21.b.

Para 19

If the Disciplinary Committee consider that the member complained of is guilty of an offence as defined by Bye-Law 19 but requires punishment more severe than defined by Bye-Law 21.a; or 21b; then the file must be returned to the Secretary with the request that a Hearing be convened.

Following the meeting the Secretary must, as soon as practicable, notify all parties in writing of the Committee's decision.

Para 20

THE SECRETARY of the Disciplinary Committee will, if requested by the Committee at a Case Management Meeting or determined by the Adjudicating Officer, arrange a Disciplinary Hearing to take place. He must notify the parties in writing the date and venue of the intended hearing, not less than **TWENTY-ONE** days before the hearing.

Para 21

Not less than FOURTEEN days before the hearing, all concerned parties must supply to the Secretary any further documentary evidence that they wish to be considered by the Committee. They must also advise if they or any witnesses wish to attend the hearing, at their own expense. Not less than FOURTEEN days before the hearing the Secretary of the Disciplinary Committee will write to any persons who have requested an

audience at the Hearing, inviting or declining their attendance and explaining the mechanics of the hearing.

Disciplinary Hearing

Para 22

THE SECRETARY of the Disciplinary Committee will act as Presenter who will read out the Official Notice of Complaint and then present the documentary evidence to the Disciplinary Committee only. When requested by the Disciplinary Committee, the Secretary will individually bring into the Hearing room any other persons invited to verbally present their evidence and answer any questions that they Committee feel is pertinent to the Hearing. They will then be released. Once all evidence documentary and oral has been submitted, the Committee will, privately, determine if the member complained of is guilty of an offence under Bye-Law 19 and what punishment is appropriate as defined by Bye-Law 21.

Para 23

THE SECRETARY of the Disciplinary Committee is required to send within fourteen days of the Committee's decision the result thereof to each party thereto.

A member against whom a finding of guilt has been made may appeal to the Council against the finding and/or the punishment by giving notice to the Disciplinary Secretary within fourteen days of receipt of the notice of the decision of the Disciplinary Committee. Such notice from the appellant must clearly set out reasons for an Appeal and **must** include any additional evidence not previously available. Failure to comply with the above criteria may disqualify any Appeal. The Governing Council is

empowered on appeal to uphold or quash any earlier finding and/or impose a lesser punishment or order a re-trial. They shall also be authorised where they deem necessary to order a re-trial by a new Committee appointed by the Council excluding the original members of the Disciplinary Committee.

Upon receipt of an appeal request in writing the Disciplinary Secretary will arrange an Appeal Hearing. The Disciplinary Secretary will advise all parties of the date and venue not less than TWENTY-EIGHT days before the appeal hearing date.

Those eligible to attend the Appeal Hearing are as follows: -

CHAIRPERSON – The current Chairperson of the Disciplinary Committee who will present the Appeal to the Committee and have no vote.

SECRETARIAT whose presence is required to record the Minutes of the hearing.

APPELLANT (with representative and any witnesses) – are responsible for their own costs and out of pocket expenses in attending the hearing.

THE COMPLAINANT or his representative.

GOVERNING COUNCIL MEMBERS – such current members of the Governing Council, not less than three in number, appointed to hear the Appeal.

At the conclusion of the Appeal Hearing the Governing Council members will retire before forming and delivering their judgment. A majority decision carries and is final.

The file and the result of the hearing/Appeal will be returned to the Secretariat and recorded on the member's personal file. The result may be circulated and/or published to the membership as soon as is practicable.

DISCIPLINARY PROCEDURE APPLICABLE TO OVERSEAS MEMBERS

The provisions of Schedule 7 shall apply to overseas members.

Any Overseas Member may by arrangement appoint a United Kingdom member to assist and represent the member complained of.

Appendix A

Form of Official Notice of Complaint:

To:

Member No:

Re: Complaint Made by:

This is to inform you that the Adjudicating Officer has determined that there is a prima facie case to be answered as you are in breach of the following Association of British Investigators Bye-Laws:

19

“It shall be an offence if any member is guilty of any conduct unbecoming of a member and/or has acted in a manner prejudicial to or likely to bring discredit upon The Association or contrary to The Association's Memorandum, Articles of Association, Bye-Laws and/or Code of Ethics or breaches or permits a breach of The Association's Memorandum, Articles of Association, Bye-Laws or Code of Ethics.

Date of Issue:

Signed
Disciplinary Secretary

DEFINITIONS

In the Memorandum, Articles of Association and Bye-Laws of the Association: -

Members shall include, Full; Life; Corporate; Provisional; Associate; Affiliate; Overseas; Retired and Honorary Members.

Where "The Association" is written the reference is to The Association of British Investigators.

Definition of a Partner

Any Agency; Society: Civil, Private or public Authority with whom the Association enters into any form of agreement.

Definition of Lawful Debt

- a) "Lawful Debt" being any debt which has been acknowledged by the Court with the issue of a monetary Judgment, Decree or equivalent Order.