

The Actuaries Quality Review Board (Procedure For Meetings, And The Terms And Conditions Of Service And Allowances Of The Chairperson And Members) Rules, 2008

UNION OF INDIA

India

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Rule

THE-ACTUARIES-QUALITY-REVIEW-BOARD-PROCEDURE-FOR-MEET of 2008

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The Actuaries Quality Review Board (Procedure For Meetings, And The Terms And Conditions Of Service And Allowances Of The Chairperson And Members) Rules, 2008Published vide GSR 342(E), dated 7.5.2008, published in the Gazette of India, Extraordinary , Part II, Section 3(i) Sl. No 247, dated 7.5.2008.

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In exercise of the powers conferred by clauses (f) and (g) of sub--section (2) of section 55, read with section 45 and section 46 of the Actuaries Act, 2006 (35 of 2006), the Central Government hereby makes the following rules, namely:--

1. Short title and commencement .-(1) These rules may be called the Actuaries Quality Review Board (Procedure for Meetings, and the Terms and Conditions of Service and Allowances of the Chairperson and Members) Rules, 2008.

(2)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions .-(1) In these rules, unless the context otherwise requires,-

(a)"Act" means the Actuaries Act, 2006 (35 of 2006);(b)"Board" means the Quality Review Board constituted under sub-section (1) of section 43 of the Act;(c)"Chairperson" means the Chairperson of the Board;(d)"Council" means the Council of the Institute composed under section 12 of the Act;(e)"Institute" means the Institute of Actuaries of India constituted under section 3 of the Act;(f)"Member" means Member of the Board.(2)Words and expressions used herein and not defined in these rules but defined in the Act shall have the same meaning respectively assigned to them in the Act.

3. Procedure for the meetings of the Board .-(1) All meetings of the Board shall, ordinarily, be held at the headquarters of the Institute.

(2)The date and time of any meeting shall be fixed by the Chairperson:Provided that a notice of not less than fifteen days before the scheduled date of every such meeting shall be given by the Chairperson, or any person so authorised by him on that behalf, to the other Members of the Board:Provided further that the Chairperson, for reasons to be recorded in writing, may call for a meeting at a shorter notice:Provided also that not more than six months shall elapse between any two meetings.(3)The quorum for transaction of any business at a meeting of the Board shall be of three Members, of which at least one must be nominated by the Central Government under sub-section (3) of section 43 of the Act.(4)The Chairperson shall preside all the meetings of the Board:Provided that in the absence of Chairperson, the Members shall elect any of the Members present on the day of the meeting to chair the meeting.(5)All questions which come up before any meeting of the Board shall be decided by a majority of the Members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the Member presiding, shall have a second or casting vote.

4. Transaction of business .-The business of the Board shall ordinarily be transacted at a meeting of the Board.

5. Agenda for the Board meeting .-(1) The agenda for a meeting of the Board shall be decided by the Chairperson.

(2)Any matter referred to it by the Central Government or the Council shall be included in the agenda for the meeting of the Board within the time limits as may be specified in such a reference.(3)The Chairperson may, in appropriate cases, circulate the agenda note and related papers on any issue among Members of the Board for resolution by circulation:Provided that if two or more Members of the Board require that any question be decided at a meeting, the Chairperson shall withdraw the papers from circulation and have the question determined at a meeting of the Board.(4)A decision taken by the circulation of the papers shall be communicated to all the Members and shall be noted at the next meeting of the Board.

6. Procedures to be followed by the Board .-In the discharge of its functions, the Board may,--

(a)on its own or through any specialised arrangement set up under the Institute, evaluate and review the quality of work and services provided by the Members of the Institute in such manner as it may decide;(b)lay down the procedure or evaluation criteria to evaluate various services being provided by the Members of the Institute and to select, in such manner, as it may decide, the individuals and firm rendering such services for review;(c)call for information from the Institute, the Council or its Committees, Members, Clients of Members or other persons or organisations in such form and manner as it may decide, and may also give a hearing to them;(d)invite experts to provide expert/technical advice or opinion or analysis or any matter or issue which the Board may feel relevant for the purpose of assessing the quality of work and services offered by the Members of the Institute;(e)make recommendations to the Council to guide the Members of the Institute to improve their professional competence and qualifications, quality of work and services offered and adherence to various statutory and other regulatory requirements and other matters related thereto.

7. Assistance to the Board .-The Institute shall set up a specialised technical unit to--

(a)provide secretarial assistance, as required, to the Board in the discharge of its functions;(b)to assist the Board in carrying out review of quality of services provided by the Members.

8. Terms and conditions of service of Chairperson and Members of the Board .--(1) The tenure of the Chairperson and Members of the Board shall be three years.

(2)The Chairperson and other Members of the Board shall be part-time Members.(3)Chairperson or any Member of the Board shall not be removed or withdrawn except as provided under rule 10.

9. Allowances .-(1) The Chairperson and other Members shall be entitled to travelling and daily allowances as admissible to them in their official capacity, and in case, the Member is not a Government servant, he shall be entitled to the travelling and daily allowances as admissible to an officer holding a post carrying a scale of pay of a Joint Secretary to the Government of India for attending meetings of the Board at the headquarters of the Institute, if their place of residence is different from the headquarters of the Institute.

(2)The Chairperson or any other Members of the Board whose place of residence is the same as the venue of the Board shall be provided local conveyance or allowance for the local journeys to be performed in connection with the meetings of the Board.(3)The Chairperson and other Members of

the Board, while on tour, shall be entitled to travelling and daily allowances at the above rates.

10. Resignation, removal and filling up of casual vacancy .-(1) The Chairperson and each Member of the Board shall cease to remain the Chairperson or Member, as the case may be, in case of his resignation or removal.

(2)The Chairperson or a Member of the Board may resign from his office by a notice in writing under his hand addressed to the Central Government which shall be effective from the date of resignation.(3)The Central Government may remove a person from the post of Chairperson or Member, if- (a)he has become physically or mentally incapable of acting as the Chairperson or a Member, as the case may be; or(b)he has not attended three consecutive meetings of the Board, without leave of absence; or(c)he, being the Chairperson, has not called a meeting of the Board for more than six months; or(d)he, in the opinion of the Central Government, is unable to discharge or perform his duties; or(e)he has been held guilty by any Civil or Criminal Court for an offence which is punishable with imprisonment for a term exceeding six months.(4)A casual vacancy in the Board shall be filled by the Central Government, from out of the category in which such vacancy occurs.

11. Residuary provision .-Matters relating to the terms and conditions of services and allowances of the Chairperson and other Members of the Board, the place of meetings and the procedure to be adopted in meetings of the Board, with respect to which no express provision has been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the Board, the Chairperson and the other Members.