

## NOTICE

### Amendments to By-laws, Rules of Professional Conduct and accompanying Board Interpretations

**EFFECTIVE IMMEDIATELY (June 18, 2010)**

#### A. Bylaws

1. At the June 18, 2010 Annual General Meeting the membership ratified an amendment to By-law 202 (Elections of the Board) to permit electronic balloting in Board elections. This amendment was passed to facilitate the balloting in a Board election with the expectation that more members will participate if given the option to vote electronically.
2. At the June 18, 2010 Annual General Meeting the membership ratified an amendment to By-Law 306 *Resignations* allowing the Board to establish a formal process such that all resigning members be required to either return their membership certificate to the Institute or to sign an affidavit attesting to the fact that the certificate cannot be located and agreeing that the certificate will be forwarded to the Institute immediately upon being located, should this occur.
3. At the June 18<sup>th</sup> 2010 Annual General Meeting the membership ratified an amendment to By-laws 408, 803 and 907 to allow for a partial waiver of the reinstatement fee to be determined by the Board at its discretion.

#### B. Rules of Professional Conduct and Board Interpretations

1. Three proposed amendments of a housekeeping nature were approved as presented below:
  - The **Foreword to the Rules of Professional Conduct** is amended to remove references to the application of rules to students and firms which had been left in inadvertently as well as to update a reference to “professional good taste” to be consistent with the revisions to Rule 217- Advertising that were approved in 2009;
  - **Council Interpretation CI 217.1/14 (Use of the term “Specialist”)** is amended to correct a misstated reference from Rule 217.1(d) to 217.1(a); and
  - **Rule 204.8 (Disclosure of Impaired Independence)** is revised to update an outdated reference to “related function” to read “related business or practice”.
2. A new **Rule of Professional Conduct 202.2 and related Board Interpretation 202 (Objectivity)** was approved as presented. The changes were introduced to codify the requirement for objectivity on the part of members while allowing for members to continue acting as advocates when it is appropriate for them to do so. Objectivity is one of the five fundamental principles governing the conduct of members that are articulated in the Foreword to the Rules of



Professional Conduct; however, it had not been specifically addressed previously in the body of the Rules themselves.

3. **Rule of Professional Conduct 209 (Borrowing from Clients)** and its related Board Interpretation were approved as presented. The Rule and related Board Interpretation were amended to clarify that bona fide business ventures with non-assurance clients are not prohibited by the general prohibition against borrowing from clients. In addition, certain exemptions related to employee loans and client retainers are transferred from the Council Interpretation to the Rules in order to strengthen them.

**Copies of the updated By-Laws, Rules of Professional Conduct and Board Interpretations are available under [Member Services – Member Handbook](#). If you would like to receive a printed copy, please contact the ICANL offices.**