

Procedures of Complaint against Adjudicators

If any person is dissatisfied with the conduct of an adjudicator included on the HKIS's Panel of Adjudicators and wishes to lodge a complaint (“**Complaint**”), the Complaint should be made in writing and delivered by hand/sent by registered post to Room 1205, 12/F, Wing On Centre, 111 Connaught Road Central, Sheung Wan, Hong Kong for the attention of the Honorary Secretary. If a Complaint is received, the Honorary Secretary shall acknowledge receipt of the Complaint within five (5) days in writing and forward the Complaint to the Adjudicators Admission Sub-Committee (“**AAC**”).

The AAC, having reviewed the written Complaint, shall decide if it is necessary to seek the comments of the adjudicator against whom the Complaint is made (“**Adjudicator**”).

If the AAC decides to seek the Adjudicator's comments, the Honorary Secretary shall notify the Adjudicator, in writing, that the Complaint has been made, and request that the Adjudicator submit in writing within fourteen (14) days, or any other period so specified, of the notification by the Honorary Secretary, any comments the Adjudicator might wish to make in response to the Complaint. As soon as possible after receipt of the Adjudicator's comments, the Honorary Secretary shall forward same to the AAC.

The AAC will decide whether there was improper conduct on the part of the Adjudicator and whether or not the Adjudicator shall be removed from the HKIS's Panel of Adjudicators. In the event that the ACC decide that there was improper conduct on the Adjudicator and should be removed from the HKIS's Panel of Adjudicators, the Honorary Secretary will inform the Adjudicator in writing through courier or registered post with a copy sent to the complainant.

For the purpose of these procedures, improper conduct shall mean an act or behaviour, including without limitation an act or omission, on the part of an Adjudicator which a reasonable and objective person, knowing the facts of the matter, would consider the same to:

- (a) be such a serious breach of the Code of Ethical Conduct for Adjudicators under the Panel of Adjudicators of the HKIS;

- (b) so seriously bring the Adjudicator's professional abilities and/or personal temperament into question; and/or
- (c) so seriously bring discredit upon and/or damage to the HKIS, the AAC and/or the HKIS's Panel of Adjudicators.

In addition, if the AAC is, or becomes, aware of any information which calls into question the inclusion of any adjudicator on HKIS's Panel of Adjudicators, the AAC may at any time review and determine whether or not that adjudicator should be removed from the HKIS's Panel of Adjudicators.

The AAC has no obligation to give reasons for any decision it makes.

All decisions made by the AAC are final and, to the extent permitted by any applicable law, not subject to appeal.

These procedures shall not limit nor prejudice any person's right to lodge a complaint against an Adjudicator as a member of the HKIS under any other bye-laws, rules or regulations of the HKIS.