

given either orally or in writing and may require any evidence to be verified by statutory declaration.

- 20.18 Every member commits a breach of these Rules, who without lawful justification refuses or fails to attend and give evidence when required to do so by the Disciplinary Committee as aforesaid or to answer truly and fully any question put to him by a member of the Disciplinary Committee or to produce to the Disciplinary Committee any book, document or paper required of him. Every company member commits a breach of these Rules who, without lawful justification, refuses or fails to comply with a requirement of the Disciplinary Committee under Rule 20.15.
- 20.19 At any time after a charge has been made against any member, the Disciplinary Committee may of its own motion and without the necessity of giving any prior notice to the member, make an order suspending his membership until the charge has been heard and disposed of. The Disciplinary Committee may in its discretion decide to give public notice of the fact of interim suspension.
- 20.20 The member in respect of whom any interim suspension order is made may at any time apply to the Disciplinary Committee for the revocation of the order and the Disciplinary Committee may, subject to Rule 20.13 grant, on such terms as it thinks fit, or refuse any such application.
- 20.21 A member who has been suspended under Rule 20.0822 may apply to the Disciplinary Committee for revocation of his suspension and the Disciplinary Committee may grant on such terms as it thinks fit, or refuse such application.
- 20.22 The Disciplinary Committee may require as a condition of granting an application under Rule 20.21 that the member pay, as well as his current year's subscription to his regional exchange, an additional amount not exceeding a year's subscription together with the amount payable by a member to the fidelity guarantee fund during the period of the applicant's suspension. The additional amount payable, except that part due to the fidelity guarantee fund, shall be applied for the general purposes of the Exchange.
- 20.23 After the hearing of any charge or application, the Disciplinary Committee may at its discretion make an order as to costs, including the costs and expenses of and incidental to any investigation and, the legal costs of the Exchange and regional exchanges and whether in relation to the proceedings before the Disciplinary Committee or previous proceedings before a committee.
- 20.24 If any member fails within any time stated in an order of the Disciplinary Committee to pay any sum ordered to be paid by way of penalty or costs or expenses, the Disciplinary Committee may suspend that member until the sum is paid.
- 20.25 The Disciplinary Committee shall forward to the Exchange a report of every hearing and of every penalty imposed by it.
- 20.26 Every person (other than a member or an officer or employee of a member) giving evidence or attending to give evidence at a hearing by the Disciplinary Committee shall be entitled to tender for his proper travelling expenses before attending and every person (whether a member or not) giving evidence or so attending shall at the discretion of the Disciplinary Committee be paid such sum for his travelling and other expenses and loss of time as the Disciplinary Committee may determine. All witnesses' expenses shall be paid by the Exchange and shall be recoverable in terms of any order that the Disciplinary Committee may make in relation thereto.
- 20.27 The Disciplinary Committee shall have power to enquire into any charge by the Board or a committee of a regional exchange or the chairman thereof that a member is in partnership with a non member who has been guilty of or employs a person who has been guilty of conduct which if committed by a member would justify the Disciplinary Committee imposing on him any of the penalties referred to in Rule 20.082.
- If the Disciplinary Committee shall find such charge proved it may order:
- 20.0271 In the case of a non-member partner, that the partnership be dissolved;
- 20.0272 In the case of an employee, that such employee be dismissed;
- 20.28 If any member fails to carry out an order of the Disciplinary Committee made under Rule 20.27, the Disciplinary Committee may suspend him until the order is complied with.
- 20.29 Except as provided in Rule 20.11 hereof, a committee may hear any charge made against any of the members of its regional exchange and referred to it in writing by the Disciplinary Committee, the Board, the chairman of a regional exchange, or the investigating committee established under Rule 20.34 or by any other person.
- 20.30 A committee may decline to hear a charge and instead refer the same to the Disciplinary Committee.
- 20.31 Before hearing any charge referred to it by the Disciplinary Committee or the Board, a committee may obtain, and in all other cases referred to it, shall obtain, a report from the investigating committee established under Rule 20.34.
- 20.32 Where it is asked to consider any complaint made by a non-member, the investigating committee shall take into account whether the complaint arose out of the employment of the member concerned by the complaint.
- 20.33 If after hearing any charge the committee is of the opinion that the member has been guilty of misconduct or of any breach of any rule or any regulation or any bylaw of his regional exchange, or of any act, matter or thing detrimental to the wellbeing or proper conduct of the Exchange or of regional exchanges generally, it may, if it thinks fit, do one or more of the following things:
- 20.0331 Suspend such member for a stated period;
- 20.0332 Order him to pay to his regional exchange a sum by way of penalty not exceeding \$10,000;
- 20.0333 Censure him.
- 20.34 Each regional exchange shall appoint an investigating committee comprising two members (not being members of its committee or the Disciplinary Committee) to investigate any alleged offence referred to it by its committee.
- 20.35 Every allegation of an offence referred to an investigating committee shall be in writing and as received by the committee. The committee of its own volition may refer matters to the investigating committee.
- 20.36 The committee may delegate to its investigating committee any power it may have relating to the inspection of members' records. Such delegation shall be in writing.
- 20.37 The investigating committee shall report to the committee within the time set by the committee whether or not there is a prima facie charge to be made.
- 20.38 If the investigating committee reports that a charge should be made against a member, it shall include in its report a formulation of the charge under the appropriate Rule. For this purpose the committee may authorise the investigating committee to employ legal assistance.
- 20.39 If the investigating committee reports there is no case to answer, the committee shall so inform the complainant and the lay member of the Disciplinary Committee shall be given a copy of the report.
- 20.40 A committee shall make the services of its investigating committee available to the Disciplinary Committee on its request in writing.
- 20.41 In any case where a charge is heard by a committee the