

RICS guidance on the effect of suspension of an RICS member, firm or regulated practice division

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- 1 For the purposes of this guidance, 'scheme' refers to the following RICS schemes:
 - Designated Professional Body scheme
 - Client Money Protection scheme
 - Valuer Registration scheme (individual members only)
 - Building Conservation Accreditation Scheme (individual members only)
 - Expert Witness Registration scheme (individual members only)
 - Chartered Environmentalists scheme (individual members only)
 - Inclusive Environment Consultant scheme (individual members only)
- 2 Suspension is the temporary removal of the rights and privileges that flow from membership of RICS, for the period of suspension.

Suspension of RICS regulated firms or regulated practice divisions

- 3 For the duration of the suspension, the effect of suspending an RICS regulated firm or regulated practice division is as follows:
 - 3.1 A firm or regulated practice division shall be treated as not being registered in the register, notwithstanding that the firm or regulated practice division name still appears in the register. The firm or regulated practice division will be marked as 'suspended' in any version of the register visible to the public.
 - 3.2 A firm or regulated practice division is prohibited from using the RICS logo or 'regulated by RICS' designation.
 - 3.3 A firm or regulated practice division will not be required to pay the annual fee associated with registering as a regulated firm or membership of a scheme. Any fees or monies that fell due prior to the date of suspension will remain payable by the firm.
 - 3.4 A firm or regulated practice division will cease to have membership of any scheme to which it is admitted.
 - 3.5 RICS expects a firm or regulated practice division to inform all clients, relevant third parties and its insurers of its suspension. In the event that a firm or regulated practice division fails to do so, RICS may inform the firm or regulated practice division's insurer.
 - 3.6 A firm or regulated practice division must inform its alternative dispute resolution ('ADR') provider of its suspension. Where the suspension prevents the firm or regulated practice division from

continuing to use that ADR provider, the firm must either make other arrangements for ADR where that is required by legislation and inform clients of that change, or inform clients if the suspension means that no ADR provision is in place during the term of the suspension.

- 3.7** A firm or regulated practice division must inform any tenancy deposit scheme of which it is a member of its suspension. Where the suspension prevents the firm or regulated practice division from continuing to use that tenancy deposit scheme, the firm must make other arrangements for a tenancy deposit scheme where that is required by legislation and inform clients of that change.
- 3.8** If a firm or regulated practice division is suspended from the Designated Professional Body scheme, RICS will notify the Financial Conduct Authority (as it is required to do in accordance with Rule 42 of the *Designated Professional Body Rules*).
- 3.9** If a firm or regulated practice division is suspended from the Client Money Protection scheme, the firm or regulated practice division will be treated as being de-registered for regulation for the purposes of RICS' Client Money Protection scheme rules. The firm or regulated practice division must immediately inform clients that it has been suspended from the scheme and the impact of the suspension. If the firm or regulated practice division operates as a property agent in England, it must immediately secure membership of an alternative client money protection scheme in order to comply with relevant legislation.
- 3.10** A firm is not eligible to enter RICS' Assigned Risks Pool if it has been suspended from regulation.
- 3.11** RICS will publish the fact of the suspension in accordance with *RICS Sanctions Policy – Publication of Regulatory/Disciplinary Matters*.
- 3.12** RICS will remove the firm or regulated practice division from the Find a Surveyor tool on the RICS website.
- 3.13** RICS reserves the right to take further legal action if the terms of the suspension are breached.

Suspension of RICS members

- 4** For the duration of the suspension, the effect of suspending an RICS regulated member (an individual) or regulated non-member is as follows:
 - 4.1** An individual shall be treated as not being registered in the register, notwithstanding that their name still appears in the register. An individual will be marked as 'suspended' in any version of the register visible to the public.
 - 4.2** An individual is prohibited from using the designation 'chartered surveyor', the RICS logo, 'regulated by RICS' designation, RICS valuer registration logo or RICS valuer designation.
 - 4.3** An individual will not be required to pay the annual membership fee or regulatory fees. Any fees or monies that fell due prior to the date of suspension will remain payable by the individual who is suspended.
 - 4.4** An individual will cease to have membership of any scheme to which they are admitted.
 - 4.5** RICS expects an individual to inform all clients, relevant third parties and its insurers of its suspension. In the event that an individual fails to do so, RICS may inform the member's insurer.

- 4.6** If a firm's sole principal is suspended, the firm may be suspended from regulation. The Head of Regulation will consider whether the firm should be suspended from registration in accordance with the *Rules for the Registration of Firms*. (Please see the effect of suspension upon a regulated firm or regulated practice division above).
- 4.7** RICS will remove the name of the individual from the Find a Surveyor tool on the RICS website.
- 4.8** RICS will publish the fact of the suspension in accordance with *RICS Sanctions Policy – Publication of Regulatory/Disciplinary Matters*.
- 4.9** RICS reserves the right to take further legal action if the terms of the suspension are breached.

This document is intended as guidance and is subject to change.

Delivering confidence

We are RICS. Everything we do is designed to effect positive change in the built and natural environments. Through our respected global standards, leading professional progression and our trusted data and insight, we promote and enforce the highest professional standards in the development and management of land, real estate, construction and infrastructure. Our work with others provides a foundation for confident markets, pioneers better places to live and work and is a force for positive social impact.

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