

THE GSP COMPLAINTS PROCEDURE

Article 1. Codes, Compliance and GSP Member Obligations

Under Section 1d, Article II, of the Geological Society of the Philippines (GSP) By-Laws, one of the GSP's purposes is to protect and maintain a high professional and ethical standard in the practice of geology among its members. The Professional Board of Geology of the Professional Regulation Commission (PRC), in consultation with the GSP, adopts the Code of Ethics for Geologists through its Resolution No. 2, Series of 2014 dated September 4, 2014. Any GSP member accredited as a Competent Person (CP) as per the Philippine Mineral Reporting Code (PMRC Code) is also bound by that Code.

Article 2. GSP Ethics Committee

Under Section 11, Article III, of the GSP By-Laws, the Ethics Committee is responsible for the processing and assessing of complaints and recommending action(s) to the GSP Board of Trustees (BOT) against acts which it find as violations of the Code of Ethics, obligation in the By-Laws or any other professional codes recognized by the GSP such as PMRC or when it finds a person to have made false or misleading statements in his/her application for membership in the Society.

The Ethics Committee shall consist of seven (7) members, namely two (2) Trustees, the Secretary, the immediate past Secretary, two (2) Competent Person Accreditation Committee (CPAC) members, and one (1) former CPAC member. The members of Ethics Committee shall elect from among themselves the Committee Chairperson.

Article 3. GSP Complaints Procedure

Any person, individual or organization may lodge a complaint against a member of the GSP in respect of the Code of Ethics or other relevant professional codes. This Complaints Procedure shall be liberally construed to promote the objective of a just, speedy and inexpensive determination of complaints. A flowchart outlining the GSP Complaints Procedure is attached (Attachment 1).

Section 1. Lodging the Complaint

A complaint must be written in a clear, simple and concise language so as to apprise the respondent of the nature and cause of the complaint against him/her and to enable him/her to intelligently prepare his/her defense or answer.

It is implicit that the complainant is willing to confront the respondent in a hearing arranged by the Ethics Committee. Non-appearance of the complainant in two (2) consecutive hearings called for that purpose is a ground for the dismissal of the complaint.

The complaint shall contain the following information:

- a. Full name, complete postal address and mobile number of the complainant(s);
- b. Full name of the respondent(s) and his/her complete address and mobile number, if known;
- c. A detailed information of the material facts which show the acts or omissions allegedly committed by the respondent(s) constituting the complaint, offense or cause of action; and
- d. Identification of the relevant codes and clauses alleged to have been breached;

The complaint must be duly signed and accompanied by certified true copies of documentary evidence and other supporting documents, and affidavits of witnesses, if any.

The accomplished Notice of Complaint using the prescribed form, (the form can be downloaded from or filled up online through the GSP website, www.geolsocphil.org), shall be addressed to the GSP Secretary, and submitted via email to gsp.secretary@geolsocphil.org. Hard copies of the complaint may also be submitted to the GSP Office.

Section 2. Receipt, Acknowledgement and Preliminary Assessment

The GSP Secretary shall acknowledge receipt of the complaint through email within three (3) working days from receipt thereof.

Upon receipt of the complaint, the GSP Secretary shall, through email, transmit simultaneously the same to the GSP President for information and the Chairperson of the Ethics Committee for evaluation. If, after review, the Ethics Committee finds the complaint to be outside the scope of the GSP Complaints Procedure and after the concurrence the GSP President, it shall reject the complaint and notify the complainant accordingly.

Section 3. Notification, Full Assessment and Consideration

If the complaint is within the scope of the GSP Complaints Procedure, the Chairperson of the Ethics Committee shall notify the respondent, enclosing therein a copy of the Notice of Complaint.

After determination that the complaint is within the scope of the GSP Complaints Procedure, the GSP President shall inform the PRC Professional Regulatory Board of Geology of the existence of the complaint.

The respondent shall be required to reply to the complaint in writing within thirty (30) calendar days from receipt of the notice. Subsequently, the Ethics Committee shall review the information from the complainant, respondent, witness/es and information solicited

from independent expert/s, when appropriate, and conduct a hearing, to determine whether or not there is a substance to the complaint.

Once the complaint is substantiated, the Ethics Committee may:

- Recommend settlement by alternative dispute procedures for matters of a commercial nature,
- May refer to the relevant authorities/judicial processes if the alleged breach is suspected to be a violation of laws or regulations other than those covered by this Complaints Procedure, and/or
- Deal with the complaint and resolve the matter if it falls under this Complaints Procedure.

Section 4. Endorsement and Decision

The Ethics Committee shall endorse to the BOT its determination, i.e., findings and recommendations.

The BOT shall decide on approving, modifying or rejecting the Ethics Committee's determination. The decision of the BOT by majority vote shall be final.

The GSP President, as authorized by the BOT, shall inform the respondent in writing of the decision made on the Notice of Complaint, copy furnished to the PRC Professional Board of Geology.

The proceedings under the GSP Complaints Procedure, in so far as it is practicable, shall be completed within one year from the date the complaint was received.

Section 5. Sanctions

If a breach of the Code of Ethics and other related professional codes is established, the Ethics Committee may recommend and BOT may approve any of the following sanctions depending on the severity of the breach:

- Warning/reprimand
- Suspension of GSP membership and privileges for a specified period of not more than six (6) calendar months.
- Revocation of GSP membership and its non-renewal, in this case, the GSP BOT shall recommend to the PRC Board of Geology the revocation of the license.

Other sanctions may be recommended by the Ethics Committee as it deems fit.

Article 4. Appeals

Action taken by the BOT may be appealed by the respondent within fifteen (15) calendar days of the date of notice of the GSP BOT's decision. The appeal shall be submitted in writing addressed to the GSP President, copy furnished to the Chairperson of the Ethics Committee, citing the reason(s) for such an appeal.

In case an appeal is made, the GSP BOT shall decide within thirty (30) calendar days from receipt thereof on whether to sustain its decision or order a rehearing on the complaint. If a rehearing is decided, the BOT shall refer the appeal back to the Ethics Committee. In which case, a final determination will be made by the Ethics Committee and recommended to the BOT for approval.

The BOT shall approve, modify or reject the Ethics Committee's determination on the appeal. The decision of the BOT by majority vote shall be final.

Article 5. Conflict of Interest

Members of the Ethics Committee knowing the existence of conflict of interest on his/her part in relation to the complaint must inhibit from participating in any part of the proceedings.

Article 6. Confidentiality

All matters pertaining to a complaint lodged, processed and decided are to be treated with strict confidentiality for all parties including the BOT, officers, and committee chairs and members.

Article 7. Effectivity

This Complaints Procedure shall take effect immediately upon approval hereof by the BOT and two (2) calendar weeks after posting in the GSP website.

ATTACHMENT 1: GSP COMPLAINTS PROCEDURE

