

**Comment #7 – 5/26/17 – 2:21 p.m.**

This email contains my comments on the proposed revision to ASOP 17 issued March 2017. I emphasize these are my personal comments and do not necessarily reflect the views of my employer or of any actuarial body of which I am a member. I am an Enrolled Actuary, a Fellow of the Institute of Actuaries (UK), a Fellow of the Society of Actuaries, and a Member of the American Academy of Actuaries.

1           Regarding the four specific requests for comments, my only response is to item 4. I do not believe 4 months after adoption is sufficient. Often, a significant delay occurs between the ASB adopting an ASOP and the announcement of that event. I am also uncomfortable with the prohibition on applying a newly adopted ASOP until the effective date. I urge an effective date of one year after adoption, with permission and encouragement to actuaries to follow the new rules earlier than that effective date. Perhaps the ASB could provide a standard format for wording in an SAO issued after adoption by the ASB but before the effective date to indicate if the actuary is following the new or the old version of an ASOP.

2           On occasion, actuaries will give expert testimony at an initial forum, then at a later forum, at an appeal forum, and on various other future dates. The ASOP should explicitly permit an actuary to continue to follow the old rules for any hearing that occurs after the ASOP's effective date if the actuary gave expert testimony in an earlier related forum prior to the effective date of the ASOP.

3           If an actuary has materially deviated from ASOP 17 in providing expert testimony, Clause 4.4.c. requires disclosure of that fact consistent with ASOP 41 section 4.4. While it might be realistic for an actuary to follow this requirement when the actuary anticipates the deviation, I think it might be near impossible for the actuary to do so if the actuary realizes part way through giving evidence that a deviation has occurred or is about to occur. I encourage the ASB to provide examples of how an expert witness could comply with Clause 4.4.c. (a) when giving oral testimony, and (b) when under cross examination when giving oral testimony.

Best Wishes

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