

Independent Business Application Guidance

1. Dealing with Criminal Background Issues

It is necessary for Genistar to protect itself and the businesses of its agents from exposure to Reputational Risk. More importantly, it is the responsibility of the Company and its representatives to protect the public from any potential harm.

Convicted of any criminal offence includes fraud, theft, false accounting, other dishonesty, or an offence relating to property or companies, building societies, industrial and provident societies, credit unions, friendly societies, insurance, banking or other financial services, insolvency, consumer credit or consumer protection, money laundering, market manipulations or insider dealing.

1.1 Guidelines for accepting/declining applicant with Criminal Background History

<u>Type</u>	<u>Description</u>	<u>Genistar Outcome</u>
Non-Disclosed Convictions	Any undisclosed convictions	Reject
<u>Crimes of Violence</u>		
ABH	Less than 5 years from date of conviction	Reject
	More than 5 years from date of conviction	Considered – case by case
GBH	Less than 10 years from date of conviction	Reject
	More than 10 years from date of conviction	Considered – case by case
Common Assault	Less than 5 years from date of conviction	Reject
	More than 5 years from date of conviction	Considered – case by case
<u>Crimes of Stealing</u>		
Theft/Robbery/Burglary	Less than 5 years from date of conviction	Reject
	More than 10 years from date of conviction	Considered – case by case
	<u>Considerations:</u>	

	<ol style="list-style-type: none"> 1. What was stolen? 2. Amount of the theft? 3. Age at incident, extenuating circumstances 4. Petty theft at a young age with letters of reference 	
Crimes relating to Finance		
Fraud/Embezzlement/ Financial Crimes		Reject
Crimes relating to harm		
Paedophile, Murder, Rape etc		Reject
Other Crimes		
License removed by regulator		Reject
Reputational harm		Reject
Crimes relating to Drink and Drugs		
Drunk and Disorderly	Although not a criminal offence in itself, repeat offending will be taken into consideration	If repeat offending - Reject
Cannabis/other class B drugs (Personal Use)		Considered – case by case
Class A drugs (Personal Use)		Considered – case by case
Drug Dealer Class A/B	Less than 10 years out of prison	Reject
Drug Dealer Class A/B	More than 10 years out of prison	Considered – case by case
Drink Driving*		Considered – case by case

***Drink driving** can cover a wide range of offence severity from being 1 milligram over the driving threshold (35 mg.) to being any amount over the limit, for example 4 times over the limit (140mg). Further details will certainly be requested regarding fines paid along with any banning orders. Each case will need to be reviewed individually, although repeat offenders would tend to highlight a continued attitude of irresponsibility and recklessness.

If there are any doubts regarding a recruit's acceptance, for any reason, compliance could give guidance before any submission or IBA completion.

If the applicant has answered YES to Convicted of Criminal Offence; Compliance would reset the application to request proof of documentation, e.g. Disclosure and Barring Service (DBS) form.

Any consideration of someone with crimes in their past must demonstrate a change in the applicant's lifestyle and will be reviewed on a case-by-case basis.

Evidence of a changed lifestyle must include:

1. A minimum of 3 letters of references from professional people (not including references from a Genistar Representative or family member), and
2. A statement from the applicant's Executive Vice President must be included stating that the applicant has been personally interviewed by the EVP and that the EVP is willing to Supervise and monitor them
3. Court Documentation of Charges and Conviction, and
4. In some cases, a telephone interview with the Compliance Department will also be required.