



INSTRUCTION (NUMBER 5) FOR FINANCIAL SERVICES BUSINESSES

11 November 2009

SCREENING OF EMPLOYEES

This Instruction is made under section 49(7) of the Criminal Justice (Proceeds of Crime) (Bailiwick of Guernsey) Law, 1999.

This Instruction is being issued following comments made by the law enforcement authorities in Guernsey and in response to a request emanating from the Royal Court during a recent trial in which the practical importance of employee screening, including undertaking checks on claims that applicants hold particular qualifications or professional memberships, was highlighted.

Action to be taken by Financial Services Businesses

In light of the foregoing, the Commission requires the Board of each financial services business to:

- a. review compliance with regulation 13 of the Criminal Justice (Proceeds of Crime) (Financial Services Businesses) (Bailiwick of Guernsey) Regulations, 2007 and each of the rules in chapter 11 of the Handbook for Financial Services Businesses on Countering Financial Crime and Terrorist Financing;
- b. ensure that special attention is paid to and checks undertaken on qualifications and professional memberships relating to potential employees; and
- c. by the close of business on 29 January 2010 have taken any necessary action to remedy any identified deficiencies.

The action taken by each financial services business under this Instruction will be reviewed during on-site inspections and by other means as necessary.