

Chapter 28A

Regulated funeral plan
activities: good reputation
requirements

		<div>28A.2</div> <div>Good reputation</div>
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28A.2.1	R	<div>A <i>firm</i> must ensure that all the <i>persons</i> in its management structure and any staff directly involved in the activities specified in ■ SYSC 28A.1.1R are of good reputation.</div>
28A.2.2	G	<div>This includes but is not limited to those natural <i>persons</i>:</div> <div><div>(1) that are directly involved in the activities specified in ■ SYSC 28A.1.1R; or</div><div>(2) within the management structure responsible for the activities specified in ■ SYSC 28A.1.1R; or</div><div>(3) within the management structure responsible for any staff directly involved in the activities specified in ■ SYSC 28A.1.1R.</div></div>
28A.2.3	R	<div>In considering a <i>person's</i> reputation the <i>firm</i> must at a minimum ensure that the <i>person</i>:</div> <div><div>(1) has a clean criminal record or any other national equivalent in relation to serious criminal offences linked to crimes against property or other crimes related to financial activities; and</div><div>(2) has not previously been declared bankrupt,</div></div> <div>unless they have been rehabilitated in accordance with national law.</div>
28A.2.4	G	<div>(1) In the <i>United Kingdom</i> the following <i>persons</i> will be considered to have been rehabilitated:</div> <div><div>(a) in relation to a serious criminal offence, where the conviction is considered 'spent' under the <i>Rehabilitation of Offenders Act 1974</i>;</div><div>(b) in relation to bankruptcy, where the bankruptcy has been discharged.</div></div> <div>(2) References to "serious criminal offences" are not restricted to offences considered to have been committed in or under the law of the <i>United Kingdom</i>.</div>

- (3) A *firm* should give particular consideration to offences of dishonesty, fraud, financial crime or other offences under legislation relating to banking and financial services, companies, insurance and consumer protection.

28A.2.5 **G** A *firm's* systems and controls should enable it to satisfy itself of the suitability of anyone who acts for it (see ■ SYSC 5.1.2G). This includes, among other things, the assessment of an individual's honesty.