



## Disclosure and barring service (DBS) checks for beneficial owners, officers and managers

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New legislation on Anti-Money Laundering came in on 10 January 2020 that affects new [beneficial owners, officers and managers \(BOOMs\)](#) (<https://referral.sra.org.uk/solicitors/resources-archived/money-laundering/>) and BOOMs switching firms. When a BOOM applies to us for approval, we will need:

- proof that they do not have any criminal convictions that would prevent them from becoming a BOOM
- this proof to be in the form of a basic disclosure and barring service (DBS) check
- the basic DBS check to be no older than three months on the date of application.

Read more about our work as a professional body supervisor under the [Money Laundering, Terrorist Financing and Transfer of Funds \(Information on the Payer\) Regulations 2017 Amended \(the regulations\)](#) (<https://www.legislation.gov.uk/uksi/2017/692/contents/>).

### Application and obtaining a DBS check

You will need to have your DBS check result when you apply as a BOOM or are switching firms as a BOOM. It must not be older than three months when you submit the result to us.

You can apply for a basic DBS check:

- [as an individual through the DBS service](#) (<https://www.gov.uk/request-copy-criminal-record>)
- [as an employer through the DBS service](#) (<https://www.gov.uk/db-check-applicant-criminal-record/get-a-basic-dbs-check-for-an-employee>)
- through one of the [responsible organisations](#) (<https://www.gov.uk/guidance/responsible-organisations>) registered with the DBS to carry out checks.

If you already carry out DBS checks on your staff, you may have a relationship with one of the responsible organisations. You should contact them to clarify how you may provide results of DBS checks to us.

You should also supply a 5 year address history for all AML candidates when you make your application.

### Overseas applicants and DBS checks

For applicants who have lived overseas in the past five years you should provide a criminal record check for that period. A list of country specific DBS equivalents is also available.

- [Countries A-F](#) (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/countries-a-to-f-applying-for-a-criminal-records-check-for-someone-from-overseas>) (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/countries-a-to-f-applying-for-a-criminal-records-check-for-someone-from-overseas>)
- [Countries G-P](#) (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/countries-g-to-p-applying-for-a-criminal-records-check-for-someone-from-overseas>) (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/countries-g-to-p-applying-for-a-criminal-records-check-for-someone-from-overseas>)
- [Countries Q-Z](#) (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/countries-q-z>)

If the country in which you were residing is not detailed on that list you will need to provide a statutory declaration. You should contact [our authorisation team](#). (<https://referral.sra.org.uk/contactus>) to request a template.

You will also need to provide a financial history check along with the overseas DBS check.

These checks must be submitted at the same time you make your application. Applications will not be accepted without the required checks.

You should also supply a 5 year address history for all AML candidates.

### Statutory Declarations

You will need to contact [our authorisation team](#). (<https://referral.sra.org.uk/contactus>) to request a template.

Statutory declarations can be used for two purposes:

#### Overseas DBS

A statutory declaration should be used in the instances where a country is not listed on the UK Government's list of [criminal records checks for overseas applicants](#). (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>)

#### ID verification

A statutory declaration should be used if the individual does not have a passport or driving licence or any other legal document. A statutory declaration alone will not suffice - we will need two additional documents:

- proof of any previous name changes
- evidence that the individual is using the new name (eg. a payslip or letter from your local council)

You must provide details of the counter-signing parties. The SRA may undertake verification of these details. You should make the counter signatory aware they may be contacted for further information.

### **Submitting evidence to us if your DBS check is clear**

If the result of your DBS check is clear, you only need to provide evidence of the result when submitting an FA10 or FA10b.

We also have guidance on how to [make changes to your anti-money laundering authorisation](https://referral.sra.org.uk/solicitors/firm-based-authorisation/existing-firms-applications/anti-money-laundering-authorisation/1) [<https://referral.sra.org.uk/solicitors/firm-based-authorisation/existing-firms-applications/anti-money-laundering-authorisation/1>].

### **How to provide evidence of the DBS result**

Please [email a copy](https://referral.sra.org.uk/contact-us) [<https://referral.sra.org.uk/contact-us>] of your DBS check to us, please include the name of your firm and the SRA id in the title of the email.

### **What to do if you have obtained your DBS check from an alternative supplier**

Send us a copy of the DBS check outcome result along with your application to our [our authorisation team](https://referral.sra.org.uk/contactus). [<https://referral.sra.org.uk/contactus>]

### **Submitting evidence to us if your DBS check is not clear**

You will need to grant us consent to view your certificate so that we can consider whether to authorise you as a BOOM.

To do this, you will need to:

- [create an online DBS account with the DBS and log in](https://disclosure.homeoffice.gov.uk/HomeOfficeExternalPortal/faces/oracle/webcenter/portalapp/pages/NewRegistration.jspx?_afLoop=10221788811759635&_afWindowMode=0&_afWindowId=170pyj8rjh&_adf.ctrl-state=8nrw6ujsg_6#!%40%40%3F_afWindowId%3D170pyj8rjh%26_afLoop%3D10221788811759635%26_afWindowMode%3D0%26state%3D8nrw6ujsg_10) [[https://disclosure.homeoffice.gov.uk/HomeOfficeExternalPortal/faces/oracle/webcenter/portalapp/pages/NewRegistration.jspx?\\_afLoop=10221788811759635&\\_afWindowMode=0&\\_afWindowId=170pyj8rjh&\\_adf.ctrl-state=8nrw6ujsg\\_6#!%40%40%3F\\_afWindowId%3D170pyj8rjh%26\\_afLoop%3D10221788811759635%26\\_afWindowMode%3D0%26state%3D8nrw6ujsg\\_10](https://disclosure.homeoffice.gov.uk/HomeOfficeExternalPortal/faces/oracle/webcenter/portalapp/pages/NewRegistration.jspx?_afLoop=10221788811759635&_afWindowMode=0&_afWindowId=170pyj8rjh&_adf.ctrl-state=8nrw6ujsg_6#!%40%40%3F_afWindowId%3D170pyj8rjh%26_afLoop%3D10221788811759635%26_afWindowMode%3D0%26state%3D8nrw6ujsg_10)]
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- grant consent for us to view it – [the DBS has guidance on how to allow other people to view your certificate](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781510/Manage_consent_v0_2.pdf) (PDF 6 pages, 727KB). [[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/781510/Manage\\_consent\\_v0\\_2.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/781510/Manage_consent_v0_2.pdf)]

Alternatively you can send a copy of your certificate to our [our authorisation team](https://referral.sra.org.uk/contactus). [<https://referral.sra.org.uk/contactus>]