
FINAL NOTICE

To: Ashraf Wealth Management Ltd

FRN: 974398

Address: Earley, Reading, England, RG6, United Kingdom

Date: 3 October 2024

ACTION

1. By an application dated 20 April 2022 ("the Application") Ashraf Wealth Management Limited ("AWML") applied under section 55A of the Financial Services and Markets Act 2000 ("the Act") for Part 4A permission to carry on the regulated activities of:
 - a) advising on investments (ex pension transfers/opt outs);
 - b) advising on pension transfers/opt outs (limited version);
 - c) making arrangements with a view to, and arranging deals in, investments;
 - d) debt-counselling; and
 - e) agreeing to carry on a regulated activity.

SUMMARY OF REASONS

2. On 14 March 2023, the Authority issued AWML with a Decision Notice (the "Decision Notice") which notified AWML that the Authority had decided to refuse the Application on the basis that it was not satisfied that the Applicant, if authorised,

would satisfy and continue to satisfy the threshold conditions in section 55B(3) of the Act. The Authority took that decision because it considered that it was not appropriate for Mr Murtaza Imran Ashraf ("Mr Ashraf") to carry on regulated activities effectively unsupervised. The Decision Notice was founded on two regulatory references from Mr Ashraf's two previous principals. This was reinforced by the competency interview with Mr Ashraf, from which the Authority formed the view that Mr Ashraf did not appreciate the seriousness of the issues identified and the potential for resulting consumer harm. The Decision Notice considered the commonality in the issues raised about Mr Ashraf by the two principals and properly considered, and responded to, representations made on behalf of the Applicant.

3. On 10 April 2023, AWML referred the Decision Notice to the Tribunal.
4. The written judgment of the Tribunal was released on 2 September 2024 ("the Judgment") and can be found on the Tribunal's website:

<https://www.gov.uk/tax-and-chancery-tribunal-decisions/ashraf-wealth-management-limited-v-the-financial-conduct-authority-2024-ukut-00265-tcc>

5. The Tribunal dismissed AWML's reference.
6. The Judgment sets out fully the Tribunal's reasons and should therefore be read in full. Those reasons are incorporated herein by reference.
7. The Tribunal found that a reference from HSBC from 2015 showed there had been two justified complaints against Mr Ashraf relating to unsuitable or misleading advice (paragraph 101).
8. In March 2015 Mr Ashraf was terminated by St James's Place Wealth Management plc ("SJP"). As reported by SJP to the Authority, Mr Ashraf had not completed client reviews and suitability letters before proceeding to give advice. He had also not been transparent. What not being transparent means here is that Mr Ashraf had, as he admitted at the time, fabricated documents provided to SJP as part of their internal investigation (paragraph 102).
9. Whilst at Tenet, Mr Ashraf's defined benefit (DB) licence was withdrawn from him because of the quality of his work (paragraph 104). At Tenet other concerns were also identified in relation to Mr Ashraf which related to pension transfers, Mr

Ashraf's inconsistent charging policy and use of unapproved introducers (paragraph 106).

10. The Tribunal decided that it could "see why the Authority might be concerned with the idea of Mr Ashraf conducting regulated business effectively on his own and unsupervised". The Tribunal found that he has a history of not documenting advice in the way required or following procedures established to secure good outcomes for clients. He also has a history of giving advice of a doubtful quality. These features of Mr Ashraf's record would justify the Authority being concerned about Threshold Condition 2E. The Tribunal decided that the evidence of Mr Ashraf's lack of transparency would justify the Authority being concerned about Threshold Conditions 2D and 2E. In light of the above, the Authority has issued this Final Notice confirming the refusal of the Application.

Important Notices

11. This Final Notice is given under section 390 of the Act.

Publication

12. Sections 391(4), 391(6) and 391(7) of the Act apply to the publication of information about the matter to which this Notice relates. Under those provisions, the Authority must publish such information about the matter to which this Notice relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate.

13. The Authority intends to publish such information about the matter to which the Final Notice relates as it considers appropriate.

Authority contacts

14. For more information concerning this matter generally, contact Rachel West, Authorisations Division at the Authority (email: Rachel.West@fca.org.uk).

Rachel West

Executive Decision Maker