
FINAL NOTICE

To: Foneshield (UK) Limited

Address: 1st Floor
4 Westbourne Grove
London
W2 5RA

FRN: 431093

Dated: 26 July 2013

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Foneshield (UK) Limited ("Foneshield").
2. The Authority gave Foneshield a Decision Notice on 19 June 2013 ("the Decision Notice") which notified Foneshield that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel the permission granted to Foneshield under the Act ("Foneshield's permission").
3. Foneshield has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to it.
4. Accordingly, the Authority has today cancelled Foneshield's permission.

DEFINITIONS

5. The definitions below are used in this Final Notice:

"the Act" means the Financial Services and Markets Act 2000

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"the Authority" means the body corporate previously known as the Financial Services Authority and renamed on 1 April 2013 as the Financial Conduct Authority

"the Tribunal" means the Upper Tribunal (Tax and Chancery Chamber)

REASONS FOR THE ACTION

6. On the basis of the facts and matters and conclusions described in the Warning Notice issued to Foneshield dated 20 May 2013 ("the Warning Notice"), and in the Decision Notice, it appears to the Authority that Foneshield is failing to satisfy the threshold conditions set out in Schedule 6 to the Act ("the Threshold Conditions"), in that the Authority is not satisfied that Foneshield is a fit and proper person having regard to all the circumstances, including whether Foneshield managed its business in such a way as to ensure that its affairs are conducted in a sound and prudent manner.
7. Foneshield has failed to pay regulatory fees and levies owed to the Authority totalling £1,870.72 ("the Overdue Balance"), and it has not been open and co-operative in all its dealings with the Authority, in that Foneshield has failed to respond to the Authority's repeated requests for it to pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Authority's Principles for Businesses and to satisfy the Authority that it is ready, willing and organised to comply with the requirements and standards under the regulatory system.
8. These failures lead the Authority to conclude that Foneshield has failed to manage its business in such a way as to ensure that its affairs are conducted in a sound and prudent manner, that it is not a fit and proper person, and that it is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which Foneshield has had a permission.

DECISION MAKER

9. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.

IMPORTANT

10. This Final Notice is given to Foneshield in accordance with section 390(1) of the Act.

Publicity

11. The Authority must publish such information about the matter to which this Final Notice relates as the Authority considers appropriate. The information may be published in such manner as the Authority considers appropriate. However, the Authority may not publish information if such publication would, in the opinion of the Authority, be unfair to Foneshield or prejudicial to the interest of consumers.
12. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

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Contact

13. For more information concerning this matter generally, please contact Amar Unadkat at the Authority (direct line: 020 7066 7182).

John Kirby
Enforcement and Financial Crime Division