
FINAL NOTICE

To: **Goldcrest Capital Limited**
Of: **Bowden Farm**
Muddiford
Barnstable
Devon
EX31 4HR

Dated: **25 March 2004**

TAKE NOTICE: The Financial Services Authority of 25 The North Colonnade, Canary Wharf, London E14 5HS ("the FSA") gives you final notice about a decision to cancel the permission granted to Goldcrest Capital Limited ("Goldcrest") to carry on regulated activities.

1. ACTION

The FSA gave Goldcrest a Decision Notice on 16 February 2004 ("the Decision Notice") which notified Goldcrest that for the reasons listed below and pursuant to section 45 of the Financial Services and Markets Act 2000 ("the Act"), the FSA had decided to cancel the permission granted to Goldcrest pursuant to Part IV of the Act ("Goldcrest's Part IV permission").

2. REASONS FOR ACTION

On the basis of the facts and matters and the conclusions described in its Warning Notice dated 24 December 2003 and in the Decision Notice, it appears to the FSA that Goldcrest has failed to satisfy the threshold conditions set out in Schedule 6 of the Act in that the FSA is not satisfied that Goldcrest is fit and proper in all the circumstances, including the need to ensure that its affairs were conducted soundly and prudently.

By virtue of section 45(1)(a) of the Act, which gives the FSA the power to cancel a firm's Part IV permission if it is considered appropriate to do so, the FSA has today cancelled Goldcrest's Part IV permission.

3. IMPORTANT

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

Publicity

Sections 391(4), 391(6) and 391(7) of the Act apply to the publication of information about the matter to which this Final Notice relates. Under those provisions, the FSA must publish such information about the matter to which this Final Notice relates as the FSA considers appropriate. The information may be published in such manner as the FSA considers appropriate. However, the FSA may not publish information if such publication would, in the opinion of the FSA, be unfair to Goldcrest or prejudicial to the interests of consumers.

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

FSA Contact

For more information concerning this matter generally, you should contact Matthew Fann at the FSA (direct line: 020 7066 5328 /fax: 020 7066 9720).

Julia Dunn
Head of Retail Selling – Enforcement Division

EXTRACT FROM THE DECISION NOTICE DATED 16 FEBRUARY 2004

BACKGROUND

By a First Supervisory Notice dated 22 December 2003 ("the First Supervisory Notice"), Goldcrest's Part IV permission was varied by removing all regulated activities with immediate effect. The FSA relied in issuing the First Supervisory Notice on the following facts and matters:

"Goldcrest has confirmed to the FSA that it has been operating in breach of the FSA's financial resources requirements since August 2002 and it appears that Goldcrest has been in breach from as early as 28 February 2001. Despite repeated requests and

warnings from the FSA, Goldcrest has failed either:

- to demonstrate that it has come into compliance with FSA Rule 13.10.1 R IPRU(INV) which requires Goldcrest's financial resources (own funds) to be at least £10,000 at all times or
- to satisfy the FSA that it is likely to be able to rectify the deficit in its financial resources within any acceptable time frame.

Goldcrest has also failed to provide promptly or at all:

- financial information which the FSA requested in a letter dated 8 May 2003, and
 - confirmation and evidence that it has taken the corrective action set out in a letter which the FSA sent Goldcrest on 5 June 2003."
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