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## **FINAL NOTICE**

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To: **Berkeley Independent Advisers Limited**  
Of: **Eaton House**  
**1 Eaton Road**  
**Coventry**  
**CV1 2FJ**

Dated: **6 March 2006**

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

### **1. ACTION**

The FSA gave Berkeley Independent Advisers Limited ("BIA") a Decision Notice dated 29 July 2005 (the "Decision Notice") which notified BIA that for the reasons given below and pursuant to section 45 of the Financial Services and Markets Act (the "Act"), the FSA had decided to cancel the permission granted to BIA pursuant to Part IV of the Act ("your Part IV permission").

### **2. REASONS FOR ACTION**

- 2.1 On the basis of the facts and matters and conclusions described in its Warning Notice dated 13 May 2005 (the "Warning Notice"), and in the Decision Notice, it appears to the FSA that BIA is failing to satisfy the threshold conditions set out in Schedule 6 to the Act, in that, in opinion of the FSA, the resources of BIA are not adequate in relation to the regulated activities it carries on.

2.2 On 25 August 2005, BIA exercised its right to make a reference to the Financial Services and Markets Tribunal (the "Tribunal"), about the matters contained in the Decision Notice. BIA withdrew its reference to the Tribunal on 17 January 2006. Subsequently BIA has been unable to bring itself into compliance with the relevant regulatory capital requirements to which it is subject. BIA remains in breach of the Threshold Conditions.

2.3 Accordingly, the FSA has with effect from 12.00 midday today cancelled your Part IV permission.

### **3. IMPORTANT**

3.1 This Final Notice given to you in accordance with section 390 of the Act.

#### **Publicity**

3.2 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 FSA must publish such information about the matter to which this 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 you or prejudicial to the interests of consumers.

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

#### **FSA contact**

3.4 For more information concerning this matter, you should contact Peter Hawkins at the FSA (direct line: 020 7066 2730 /fax: 020 7066 2731).

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**John Kirby**  
**Manager - FSA Enforcement Division**