
FINAL NOTICE

To: **Felicitas Management Investment Services Ltd**
Address: **13 & 15 Gregoris Affentiu Street**
IDE Ioannou Court
Office 301 Mesa Yeitonia
Limassol
Cyprus 4003

FRN: **583017**
Dated: **7 December 2023**

ACTION

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action.
2. The Authority issued to Felicitas the Decision Notice, which notified it that for the reasons given below and pursuant to section 55J of the Act and Regulation 8(5)(a) of the EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018, the Authority had decided to cancel Felicitas' Part 4A permission.
3. Felicitas has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to Felicitas.
4. Accordingly, the Authority has today cancelled Felicitas' Part 4A permission.

SUMMARY OF REASONS

5. On 12 April 2021, CySEC withdrew Felicitas' authorisation on the grounds of Felicitas' failure to comply with relevant laws and regulations pertaining to conditions of registration as an investment firm in Cyprus. In light of these matters, the Authority considers it is desirable to cancel Felicitas' Part 4A permission in order to protect and enhance the integrity of the UK financial system.

DEFINITIONS

6. The definitions below are used in this Final Notice:
 - "the Act" means the Financial Services and Markets Act 2000;
 - "the Authority" means the Financial Conduct Authority;
 - "CySEC" means the Cyprus Securities and Exchange Commission;
 - "the Decision Notice" means the decision notice given to Felicitas dated 16 October 2023;
 - "EG" means the Authority's Enforcement Guide;
 - "Felicitas" means Felicitas Management Investment Services Ltd;
 - "Felicitas' Part 4A permission" means the deemed permission granted by the Authority to Felicitas under Part 4A of the Act;
 - "the Handbook" means the Authority's Handbook of rules and guidance;
 - "the TPR" means the Temporary Permissions Regime;
 - "the TPR Notification Form" means the form submitted by the firm notifying the Authority of the firm's intention to enter the TPR;
 - "the Tribunal" means the Upper Tribunal (Tax and Chancery Chamber); and
 - "the Warning Notice" means the warning notice given to Felicitas dated 13 September 2023.

FACTS AND MATTERS

7. On 9 January 2019, Felicitas submitted a TPR Notification Form notifying the Authority that it wished to enter the TPR in order to obtain a deemed permission to carry on a regulated activity in the UK.
8. In January 2021, the Authority notified Felicitas that it had been granted a deemed Part 4A permission and was now regulated by the Authority for its UK business.
9. On 12 April 2021, CySEC, Felicitas' home state competent authority, withdrew Felicitas' authorisation on the grounds of Felicitas' failure to comply with relevant laws and regulations pertaining to conditions of registration as an investment firm.

10. Despite the Authority's attempt to communicate with Felicitas, with a view to obtaining voluntary cancellation of Felicitas' Part 4A permission, to date Felicitas has not responded to the Authority's correspondence or voluntarily applied to cancel its permission.

CANCELLATION

11. The statutory and regulatory provisions relevant to this Final Notice are set out in the Annex.
12. From the facts and matters described above, and having regard to the Authority's operational objectives, the Authority considers it is desirable to cancel Felicitas' Part 4A permission in order to protect and enhance the integrity of the UK financial system, particularly in light of CySEC having withdrawn Felicitas' authorisation in Cyprus and the reasons why its authorisation has been withdrawn.
13. Accordingly, the Authority has cancelled Felicitas' Part 4A permission.

DECISION MAKER

14. The decision which gave rise to the obligation to give this Final Notice was made by an Authority staff member under executive procedures.

IMPORTANT

15. The Final Notice is given to Felicitas in accordance with section 390(1) of the Act.

Publicity

16. The Authority must publish such information about 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 information would, in the opinion of the Authority, be unfair to Felicitas or prejudicial to the interests of consumers.
17. The Authority intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

Authority Contact

18. For more information concerning this matter generally, Felicitas should contact Bnar Mecaj at the Authority (direct line: 020 7066 4240/email: bnar.mecaj@fca.org.uk).

Jeremy Parkinson

Financial Conduct Authority, Enforcement and Market Oversight

ANNEX A

RELEVANT STATUTORY AND REGULATORY PROVISIONS

1. Section 55J of the Act provides that the Authority may cancel a firm's Part 4A permission if it appears to the Authority that it is desirable to do so in order to advance one or more of the Authority's operational objectives, which includes protecting and enhancing the integrity of the UK financial system.
2. The EEA Passport Rights (Amendment, etc., and Transitional Provisions) (EU Exit) Regulations 2018, Regulation 8(1), provides that a person to whom a deemed Part 4A permission is granted has permission to carry on a regulated activity in the UK under Part 4A of the Act. Regulation 8(4) and (5) provide that a power of a regulator under the Act is exercisable in respect of such a person as it is in respect of a person with permission under Part 4A of that Act. Regulation 8(5)(a) provides that such a power is exercisable in relation to the variation or cancellation of a permission to carry on a regulated activity.

RELEVANT HANDBOOK PROVISIONS

3. In exercising its power to cancel a firm's Part 4A permission, the Authority must have regard to the regulatory requirements and guidance published in the Handbook and in regulatory guides, such as EG. The relevant main considerations in relation to the action specified above are set out below.

Cancelling a firm's Part 4A permission on the Authority's own initiative

4. EG 8.1.1(1) provides that the Authority may use its own initiative power to cancel the Part 4A permission of an authorised person under section 55J of the Act where it is desirable to do so in order to advance one or more of its operational objectives.
5. EG 8.5.1(1) states that the Authority will consider cancelling a firm's Part 4A permission using its own initiative power contained in section 55J of the Act in circumstances where the Authority has very serious concerns about the firm, or the way its business is or has been conducted.