



Financial Services Authority

FINAL NOTICE

To: **Fitzgerald's**
Of: **40 Ringford Road**
London
SW18 1RR
Dated: **22 November 2005**

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 Fitzgerald's, to carry on regulated activities.

1. ACTION

The FSA gave Fitzgerald's a Decision Notice on 13 October 2005 ("the Decision Notice") which notified Fitzgerald's that for the reasons given 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 Fitzgerald's pursuant to Part IV of the Act ("the Part IV permission").

Fitzgerald's was informed of its statutory right to make a reference to the Financial Services and Markets Tribunal, but Fitzgerald's has not referred the Decision Notice to the Tribunal within 28 days of the date on which the Decision Notice was given to Fitzgerald's. Accordingly, the FSA has today cancelled the Part IV Permission.

2. REASONS FOR ACTION

On the basis of the facts and matters and conclusions described in its Warning Notice dated 9 September 2005 ("the Warning Notice"), and in the Decision Notice, it appears to the FSA that Fitzgerald's is failing to satisfy the threshold conditions set out in Schedule 6 to the Act ("the threshold conditions") in that the FSA is not satisfied that Fitzgerald's is a fit and proper person, having regard to all the circumstances, including the need to ensure that its affairs are conducted soundly and prudently.

Specifically, Fitzgerald's is required to submit Annual Questionnaires to the FSA. Despite repeated requests Fitzgerald's has failed to submit any of the three Annual Questionnaires due under the rules within four months of its accounting reference date, which is 30 April, since the date of its authorisation on 1 December 2001.

3. IMPORTANT

This Final Notice is given to Fitzgerald's 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 you 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 Lehong Mac at the FSA (direct line: 020 7066 5742/fax: 020 7066 9721).

John Kirby
Manager - FSA Enforcement Division