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## **FINAL NOTICE**

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**To:** **Gillian Sweeney (trading as Rescue Loans)**

**FRN:** **708359**

**Dated:** **8 September 2023**

### **ACTION**

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Gillian Sweeney ('Ms Sweeney').
2. The Authority issued to Ms Sweeney the Decision Notice which notified Ms Sweeney that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel Ms Sweeney's Part 4A permission.
3. Ms Sweeney has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was given to him.
4. Accordingly, the Authority has today cancelled Ms Sweeney's Part 4A permission.

## DEFINITIONS

5. 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;

“the Decision Notice” means the Decision Notice issued by the Authority to Gillian Sweeney dated 25 April 2023;

“the Overdue Balance” means the outstanding sum of £2,000.00, owed by Ms Sweeney to the Authority for:

- an invoice dated 23 November 2021 for £250.00 (which was due for payment by 23 December 2021) for late submission of Firm Details Attestation;
- an invoice dated 16 December 2019 for £250.00 (which was due for payment by 15 January 2020) for late submission of a regulatory return;
- an invoice dated 13 September 2019 for £250.00 (which was due for payment by 13 October 2019) for late submission of a regulatory return;
- an invoice dated 15 March 2019 for £250.00 (which was due for payment by 14 April 2019) for late submission of a regulatory return;
- an invoice dated 4 December 2018 for £250.00 (which was due for payment by 3 January 2019) for late submission of a regulatory return;
- an invoice dated 6 June 2018 for £250.00 (which was due for payment by 6 July 2018) for late submission of a regulatory return;
- an invoice dated 5 June 2018 for £250.00 (which was due for payment by 5 July 2018) for late submission of a regulatory return, and
- an invoice dated 5 March 2018 for £250.00 (which was due for payment by 4 April 2018) for late submission of a regulatory return.

“the Principles” means the Authority’s Principles for Businesses;

“Ms Sweeney” means Gillian Sweeney;

“Ms Sweeney’s Part 4A permission” means the permission granted by the Authority to Ms Sweeney pursuant to Part 4A of the Act;

“the suitability Threshold Condition” means the threshold condition set out in paragraph 2E of Schedule 6 to the Act;

“the Threshold Conditions” means the threshold conditions set out in Schedule 6 to the Act;

“the Tribunal” means the Upper Tribunal (Tax and Chancery Chamber); and

"the Warning Notice" means the Warning Notice issued by the Authority to Ms Sweeney dated 14 March 2023.

## **REASONS FOR THE ACTION**

6. On the basis of the facts and matters and conclusions described in the Warning Notice, and in the Decision Notice, it appears to the Authority that Ms Sweeney is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Ms Sweeney is a fit and proper person having regard to all the circumstances, including whether Ms Sweeney managed her business in such a way as to ensure that her affairs were conducted in a sound and prudent manner.
7. Ms Sweeney has failed to pay the Overdue Balance and has not been open and co-operative in all her dealings with the Authority, in that Ms Sweeney has failed to respond to the Authority's repeated requests for her to pay the Overdue Balance, and has thereby failed to comply with Principle 11 of the Principles and to satisfy the Authority that she is ready, willing and organised to comply with the requirements and standards of the regulatory system.
8. These failures, which are significant in the context of Ms Sweeney's suitability, lead the Authority to conclude that Ms Sweeney has failed to manage her business in such a way as to ensure that her affairs are conducted in a sound and prudent manner, that she is not a fit and proper person, and that she is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which she was granted a Part 4A permission.

## **DECISION MAKER**

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

## **IMPORTANT**

10. This Final Notice is given to Ms Sweeney 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 Ms Sweeney 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.

### **Authority contact**

13. For more information concerning this matter generally, please contact M Alexander Bajko at the Authority (direct line: 020 7066 1838).

**Jeremy Parkinson**  
**Enforcement and Market Oversight Division**