

---

## FINAL NOTICE

---

To: **Insensia Capital Limited**  
Of: **82 West Nile Street**  
**Glasgow**  
**G1 2QH**

Dated: **4 November 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 Insensia Capital Limited ("Insensia") to carry on regulated activities.**

### **1. ACTION**

The FSA gave Insensia a Decision Notice on 1 April 2004 ("the Decision Notice") which notified Insensia 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 Insensia pursuant to Part IV of the Act ("Insensia'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 12 February 2004 (an extract from which is attached to, and forms part of, this Notice) and in the Decision Notice, it appears to the FSA that Insensia has failed to satisfy the threshold conditions set out in Schedule 6 of the Act in that the FSA is not satisfied that Insensia is fit and proper in all the circumstances, including the need to ensure that its affairs were conducted soundly and prudently.

/cont...

Insensia exercised its right to make a reference, about the matters contained in the Decision Notice, to the Financial Services and Markets Tribunal ("the Tribunal") on 26 April 2004. The reference was dismissed by the Tribunal in a direction dated 27 October 2004.

Accordingly, 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 Insensia's Part IV permission.

### **3. IMPORTANT**

This Final Notice is given to Insensia under section 390(2) and in accordance with section 390(7) 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 Insensia 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, you should contact Karise Robinson at the FSA (direct line: 020 7066 4264 /fax: 020 7066 4265).

**John Kirby**  
**Manager, Retail Selling**  
**Enforcement Division**

/cont...

**EXTRACT FROM WARNING NOTICE DATED 12 FEBRUARY 2004**

**REASONS FOR PROPOSED ACTION**

**Facts and matters relied on**

Insensia Capital Limited ("Insensia") is regulated by the FSA and is authorised to conduct business as a professional corporate finance advisory firm.

Insensia has failed to pay fees of £2,204.91 owed to the FSA, despite the FSA's repeated requests to do so.

**Conclusions**

The facts and matters described above lead the FSA, having regard to its regulatory objectives, to the following conclusions:

- Insensia has not been open and co-operative in its dealings with the FSA, is not complying with Principle 11 of the FSA's Principles for Businesses and is not ready and willing and organised to comply with the requirements and standards under the regulatory system;
  - Insensia therefore fails to satisfy the FSA that it is conducting its business soundly and prudently and in compliance with proper standards;
  - that failure is significant in the context of suitability of Insensia and Insensia therefore fails to satisfy the FSA that it is a fit and proper person having regard to all the circumstances;
  - Insensia is therefore failing to satisfy the threshold conditions in relation to the regulated activities for which Insensia has Part IV permission.
-