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## **FINAL NOTICE**

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**To:** Janice Maureen Tomlinson

**Of:** 1763 London Road  
Leigh-on-Sea  
SS9 2ST

**FRN:** 665391

**Dated:** 28 April 2017

### **ACTION**

1. For the reasons set out in this Final Notice, the Authority hereby takes the following action against Ms Tomlinson.
2. The Authority issued to Ms Tomlinson the Decision Notice which notified her that for the reasons given below and pursuant to section 55J of the Act, the Authority had decided to cancel Ms Tomlinson's Part 4A permission.
3. Ms Tomlinson has not referred the matter to the Tribunal within 28 days of the date on which the Decision Notice was issued to him.
4. Accordingly, the Authority has today cancelled Ms Tomlinson'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 to Ms Tomlinson dated 22 March 2017;

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"the Return" means the CCR007 return for the period ended 5 April 2016, which Ms Tomlinson was due to submit to the Authority by 18 May 2016;

"the suitability Threshold Condition" means the Threshold Condition set out in paragraph 2E of Schedule 6 to the Act;

"Ms Tomlinson's Part 4A permission" means the permission granted by the Authority to Janice Maureen Tomlinson pursuant to Part 4A of 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 to Ms Tomlinson dated 24 February 2017.

## **REASONS FOR 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 Tomlinson is failing to satisfy the suitability Threshold Condition, in that the Authority is not satisfied that Ms Tomlinson is a fit and proper person having regard to all the circumstances, including whether Ms Tomlinson managed her business in such a way as to ensure that her affairs were conducted in a sound and prudent manner.
7. This is because Ms Tomlinson has failed to comply with the regulatory requirement to submit the Return. Ms Tomlinson has not been open and co-operative in all her dealings with the Authority, in that Ms Tomlinson has failed to respond adequately to the Authority's repeated requests for her to submit the Return, and has thereby failed to comply with Principle 11 of the Authority's Principles for Businesses and to satisfy the Authority that she is ready, willing and organised to comply with the requirements and standards under the regulatory system.
8. These failures, which are significant in the context of Ms Tomlinson's suitability, lead the Authority to conclude that Ms Tomlinson 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 Ms Tomlinson has had a permission.

## **DECISION MAKER**

9. The decision which gave rise to the obligation to give this Final Notice was made by the Regulatory Decisions Committee.

## **IMPORTANT**

10. This Final Notice is given to Ms Tomlinson 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 Tomlinson 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 Shahida Choudhury at the Authority (direct line: 020 7066 9546).

**John Kirby**  
**Enforcement and Market Oversight Division**