
FINAL NOTICE

To: **Jim Fanning trading as James Fanning Financial Services**

Of: **Scion House
Stirling University Innovation Park
Stirling
FK9 4NF**

FSA
Reference
Number: **304099**

Dated: **10 March 2010**

TAKE NOTICE: The Financial Services Authority (the "FSA") of 25 The North Colonnade, Canary Wharf, London E14 5HS gives you, Jim Fanning trading as James Fanning Financial Services, final notice about a decision to cancel the permission granted to you to carry on regulated activities

1. ACTION

- 1.1 The FSA gave you a Decision Notice on 4 February 2010 (the "Decision Notice") which notified you 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 you pursuant to Part IV of the Act ("your Part IV permission").
- 1.2 You were informed of your statutory right to make a reference to the Financial Services and Markets Tribunal, but you have not referred the Decision Notice to the Tribunal within 28 days of the date on which the Decision Notice was given to you. Accordingly, the FSA has today cancelled your Part IV permission.

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2. REASONS FOR ACTION

No Regulated Activities

- 2.1 By a First Supervisory Notice dated 18 December 2009, your Part IV permission was varied by removing all regulated activities with immediate effect. A copy of the First Supervisory Notice, by which the FSA removed all regulated activities from your permission, is displayed on the FSA's website.
- 2.2 On the basis of the facts and matters and conclusions described in its Warning Notice dated 18 December 2009 (the "Warning Notice"), and in the Decision Notice, it appears to the FSA that it is no longer necessary to keep your permission in force and that the FSA must cancel it, following the variation action removing all regulated activities.

Failure to notify the FSA of a change in the address of your principal place of business

- 2.3 In addition to its obligation to cancel your Part IV permission, the FSA also considers that cancellation of your Part IV permission is necessary, because, on the basis of the facts and matters and conclusions described in the Warning Notice, and in the Decision Notice, it appears to the FSA that you are failing to satisfy the threshold conditions set out in Schedule 6 of the Act (the "Threshold Conditions").
- 2.4 Specifically, you failed to notify the FSA of a change in the address of your principal place of business. The FSA has no current, valid contact information for you, therefore the FSA has no means of communicating with you.
- 2.5 These failures, which are significant in the context of your suitability, lead the FSA to conclude that you are not conducting your business soundly and prudently, and in compliance with proper standards, that you are not a fit and proper person, and that you are therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which you have Part IV permission.

3. DECISION MAKER

- 3.1 The decision which gave rise to the obligation to issue this Final Notice was taken by the Regulatory Decisions Committee.

4. IMPORTANT

- 4.1 This Final Notice is given to you in accordance with section 390(1) of the Act.

Publicity

- 4.2 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.

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- 4.3 The FSA intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

FSA Contact

- 4.4 For more information concerning this matter generally, you should contact Craig Drury at the FSA (direct line: 020 7066 8460/fax: 020 7066 8461).

John Kirby
FSA Enforcement and Financial Crime Division