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## FINAL NOTICE

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To: **Opm**

Of: **PO Box 846  
Worcester  
Worcestershire  
WR4 4DU**

FSA Reference  
Number: **314307**

Dated: **6 February 2013**

### ACTION

1. For the reasons set out in this Final Notice, the Financial Services Authority (the “FSA”) hereby takes the following action against Opm.
2. The FSA gave Opm a Decision Notice on 3 January 2013 (the “Decision Notice”) which notified it 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 Opm under Part IV of the Act (“Opm’s Part IV permission”).
3. Opm has not referred the matter to the Upper Tribunal (Tax and Chancery Chamber) within 28 days of the date on which the Decision Notice was given to it.
4. Accordingly, the FSA has today cancelled Opm’s Part IV permission.

### REASONS FOR ACTION

5. On the basis of the facts and matters and conclusions described in its Warning Notice issued to Opm dated 15 November 2012 (the “Warning Notice”), and in the Decision Notice, it appears to the FSA that Opm are 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

Opm is a fit and proper person having regard to all the circumstances, including the need to ensure that its business is conducted soundly and prudently.

6. This is because Opm has failed to comply with the regulatory requirement to submit its Retail Mediation Activities Return for the period ended 1 July 2012 (the "RMAR"). Opm has not been open and co-operative in all its dealings with the FSA, in that it has failed to respond to the FSA's repeated requests for it to submit the RMAR, and has thereby failed to comply with Principle 11 of the FSA's Principles for Businesses and to satisfy the FSA that it is ready, willing and organised to comply with the requirements and standards under the regulatory system.
7. These failures, which are significant in the context of Opm's suitability, lead the FSA to conclude that Opm is not conducting its business soundly and prudently and in compliance with proper standards, that it is not a fit and proper person, and that it is therefore failing to satisfy the Threshold Conditions in relation to the regulated activities for which it has had Part IV permission.

## **DECISION MAKER**

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

## **IMPORTANT**

9. This Final Notice is given to Opm in accordance with section 390(1) of the Act.

## **Publicity**

10. 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 Opm or prejudicial to the interests of consumers.
11. The FSA intends to publish such information about the matter to which this Final Notice relates as it considers appropriate.

## **FSA Contact**

12. For more information concerning this matter generally, please contact Evan Cheminais at the FSA (direct line: 020 7066 7232/fax: 020 7066 6677).

**John Kirby**  
**FSA Enforcement and Financial Crime Division**