
FINAL NOTICE

To: **Tracy McFadden**

Of: **11 Derby Road
Sandiacre
Nottingham
Nottinghamshire
NG10 5HW**

FSA Reference
Number: **453327**

Dated: **8 November 2011**

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

1. ACTION

1.1 The FSA gave Tracy McFadden a Decision Notice on 29 September 2011 (the "Decision Notice") which notified her 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 her pursuant to Part IV of the Act ("Tracy McFadden's Part IV permission"). Tracy McFadden has not referred the matter to the Upper Tribunal within 28 days of the date on which the Decision Notice was given to her. Accordingly, the FSA has today cancelled Tracy McFadden's Part IV permission.

2. REASONS FOR ACTION

2.1 On the basis of the facts and matters and conclusions described in its Warning Notice dated 12 August 2011 (the "Warning Notice"), and in the Decision Notice, it appears to the FSA that Tracy McFadden is 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 she is a fit and proper person having regard to all the circumstances, including the need to ensure that her business is conducted soundly and prudently.

- 2.2 This is because she has failed to comply with the regulatory requirement to submit her Retail Mediation Activities Return for the period ended 4 April 2011 (the “RMAR”). Tracy McFadden has not been open and co-operative in all her dealings with the FSA, in that she has failed to respond to the FSA's repeated requests for her 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 she is ready, willing and organised to comply with the requirements and standards under the regulatory system.
- 2.3 These failures, which are significant in the context of her suitability, lead the FSA to conclude that she is not conducting her business soundly and prudently and in compliance with proper standards, 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 has had Part IV permission.

3. DECISION MAKER

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

4. IMPORTANT

- 4.1 This Final Notice is given to Tracy McFadden 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 Tracy McFadden or prejudicial to the interests of consumers.
- 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 Evan Cheminais at the FSA (direct line: 020 7066 7232/fax: 020 7066 6677).

John Kirby
FSA Enforcement and Financial Crime Division