
FINAL NOTICE

To: **Andrew James Tinney**

**Individual
Reference
Number:** **AJT01247**

Date: **16 August 2019**

1. ACTION

1.1 For the reasons given in this Final Notice, the FCA hereby publishes a statement of Andrew Tinney's misconduct (a 'public censure') pursuant to section 66 of the Act.

2. SUMMARY OF REASONS

2.1. The FCA gave Mr Tinney a Decision Notice on 8 July 2016 which notified him that the FCA had decided to publish a statement of his misconduct pursuant to section 66 of the Act and make a partial prohibition order pursuant to section 56 of the Act.

- 2.2. On 4 August 2016, Mr Tinney referred the Decision Notice to the Tribunal. The written Decision of the Tribunal was released on 13 May 2019 and can be found on the Tribunal's website:

https://assets.publishing.service.gov.uk/media/5d5662e540f0b6706748603a/Andrew_Tinney_v_FCA.pdf

- 2.3. The Tribunal determined that Mr Tinney breached Statement of Principle 1 for Approved Persons to the extent and for the reasons set out in its Decision. The Tribunal did not uphold the FCA's decision to impose a partial prohibition and instead determined that this particular matter was to be remitted to the FCA. In light of the Tribunal's Decision, the FCA has decided not to pursue a prohibition order against Mr Tinney. The FCA has, accordingly, issued this Final Notice.

3. DEFINITIONS

- 3.1 The definitions below are used in this Final Notice:

"Decision" means the written published decision of the Tribunal;

"the Act" means the Financial Services and Markets Act 2000;

"the FCA" means the Financial Conduct Authority; and

"the Tribunal" means the Upper Tribunal (Tax and Chancery Chamber).

4. PROCEDURAL MATTERS

- 4.1 This Final Notice is given under, and in accordance with, section 390 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 notice relates. Under those provisions, the FCA must publish such information about the matter to which this notice relates as the FCA considers appropriate. The information may be published in such manner as the FCA considers appropriate. However, the FCA may not publish information if such publication would, in the opinion of the FCA, be unfair to Mr Tinney or prejudicial to the interests of consumers or detrimental to the stability of the UK financial system.

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

Authority contacts

4.4 For more information concerning this matter generally, contact Sophie Jarratt (020 7066 4626) or Jeremy Holmes (020 7066 9030) of the Enforcement and Market Oversight Division of the FCA.

Laura Dawes

**Head of Department, Retail 1
Enforcement and Market Oversight Division
Financial Conduct Authority**