

This week at the UK regulators

Thirty second guide: The week in overview

This week was a quieter week at the FCA and PRA, neither of which published any significant policy updates or guidance. The FCA imposed a ban on husband and wife investment advisory team John and Colette Chiesa for lack of integrity, and imposed a fine on Mrs Chiesa for misleading the FCA in interview. The Treasury Select Committee published a letter from Andrew Bailey addressing points arising from the FCA's consultation on creating a new Premium Listing category for sovereign controlled companies. The Select Committee also published a letter to Andrew Bailey proposing the appointment of a barrister to review the content of the FCA's summary of the skilled persons' report into RBS's Global Restructuring Group. Further afield, Thomas Atkinson, Director of Enforcement at the Hong Kong SFC, gave a speech at the 8th Pan Asian Regulatory Summit explaining that the Enforcement Division had closed a third of its active cases since he took on his role, so as to be able to focus on its priorities.

FCA fines and bans wife and bans husband financial advisor for lack of integrity

The FCA has banned John and Colette Chiesa – founding partners of now defunct Westwood Independent Financial Planners – from working in financial services due to integrity failings. In May 2011, Westwood became insolvent with significant liabilities. In order to avoid assets being distributed to their creditors, Mr and Mrs Chiesa gave misleading and inadequate information to the Trustee appointed to establish the value of Westwood's assets and liabilities. Mrs Chiesa has also been fined £50,000 for attempting to mislead the FCA during the course of its investigations.

<https://www.fca.org.uk/news/press-releases/fca-fines-bans-wife-husband-financial-advisor>

FCA's proposal to create a new Premium Listing category for sovereign controlled companies

The FCA is consulting on the creation of a new Premium Listing category for sovereign controlled companies. On 6 October Andrew Bailey wrote a letter to the Chair of the Treasury Select Committee

and the Chair of the Business, Energy and Industrial Strategy Committee, addressing some of the points raised in response to the present consultation. In his letter Mr Bailey emphasised the FCA's view that protections for investors will not be weakened, explaining that absent the new category, sovereign-controlled companies would be unable to choose a Premium Listing; they would therefore not be bound by any of the Premium Listing requirements that might otherwise offer additional protection for investors.

<http://www.parliament.uk/documents/commons-committees/treasury/Correspondence/2017-19/Bailey-fca-Morgan-Reeves-061017.pdf>

TSC appoints Barrister to confirm FCA's summary of RBS Global Restructuring Group skilled persons' report

On 11 October, Andrew Bailey wrote to the Treasury Select Committee (TSC) to propose the appointment of an independent legal adviser to assess the fairness of the FCA's summary of the skilled persons' report into RBS's Global Restructuring Group. On 13 October, the TSC confirmed that it proposed to appoint barrister Andrew Green.

FCA warnings

Name of firm	Date of warning	Details
Alliance Trust Savings Limited	11 October 2017	Clone https://www.fca.org.uk/news/warnings/alliance-trust-savings-limited-clone
Asset Consulting / Consultant Services	11 October 2017	Clone https://www.fca.org.uk/news/warnings/way-finance-clone
Forest Advisory Service / Forest Hill Investments / Forest Hill Management	12 October 2017	Non-authorised https://www.fca.org.uk/news/warnings/forest-advisory-service-investments-management
Loan 4 help	12 October 2017	Non-authorised https://www.fca.org.uk/news/warnings/loan-4-help
Improvement Loans	16 October 2017	Clone https://www.fca.org.uk/news/warnings/improvement-loans-clone

Further Afield

Speeches at 8th Pan Asian Regulatory Summit

Thomas Atkinson, Director of Enforcement at the Hong Kong SFC, gave a speech at the 8th Pan Asian Regulatory Summit. Mr Atkinson explained that since he took over his role from Mark Steward, the Enforcement Division has made a special effort to reduce its overall caseload through culling low-priority cases and filtering out new cases which do not meet the referral threshold. The Enforcement Division's caseload has reduced by a third as a result. He explained that the reduction in case load would mean firms would need to spend less time expending resources on matters that are not a priority for the regulator. These changes are in contrast to developments at the FCA where the total number of open enforcement cases nearly doubled from 247 open cases at 1 April 2016 to 414 open cases at 31 March 2017.

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