

30 March 2026

Final report by the Complaints Commissioner**Complaint number 202500585***The complaint*

1. On 7 December 2025, you submitted a complaint to my office about the FCA, and I set out the details below.

Element One – In 2021 the FCA imposed an admin fee of £250 on your firm for submitting a Firm Details Attestation (“**FDA**”) form late. In 2025 your firm received three admin fees totalling £750 for late submission of an FDA and two other regulatory forms, and an £876.15 annual fee for authorisation to conduct regulated activity (“**permissions**”), despite you cancelling your firm’s permissions. You dispute all of these fees.

Outcome – not upheld. The FCA acted reasonably in imposing two admin fees in 2021 and 2022 for late submission of FDAs. The FCA acted reasonably in issuing your firm with the £876.15 annual fee for permissions in 2025 because your firm’s permissions had not been cancelled by the deadline. Because your firm was obliged to submit all required regulatory forms before its permission were cancelled, the FCA acted reasonably in imposing three further admin fees in 2025.

Element Two – The language the FCA uses, (for example ‘*attestation*’), is complex and inaccessible.

Outcome – Not upheld for the reasons I give below.

Element Three – You have had to cancel your firm’s permissions because you failed the Specialist Automotive Finance (“**SAF**”) Expert test. Although you complained, the FCA has offered no support to pass the test. Consequently, lenders are not letting you sell their products and your business has lost money.

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Outcome – not upheld. The SAF test was introduced by the Finance & Leasing Association (“**FLA**”). The FCA does not require firms to pass it and could not be expected to help you pass it. The FCA is not responsible for your business losing money because you did not pass the test.

Background

2. In 2021 and 2022 your firm received two admin fees of £250 from the FCA for late submission of FDA forms.
3. On 24 March 2025 you emailed a form to the FCA to cancel your firm’s permissions. The FCA advised you that you had to complete the form using the Connect system.
4. 31 March 2025 was the deadline for your firm to cancel permissions and submit all regulatory returns, otherwise it would become liable for an annual fee.
5. 21 May 2025 was the deadline for your firm to submit a CCR007 form to the FCA, and your firm received a £250 admin fee for late submission.
6. On 22 May 2025 you called the FCA to say that your firm had received an admin fee even though you had submitted the application to cancel permissions. The FCA told you that the application was still in draft form. The FCA advised that any outstanding FDAs had to be submitted before permissions would be cancelled.
7. 6 June 2025 was the deadline for your firm to submit a REP008 form to the FCA, and your firm received a £250 admin fee for late submission.
8. On 9 June 2025 you told the FCA that you had been trying to ‘leave’ the FCA without success and had complained about admin fees for years. You told the FCA that, because you could not pass a SAF test which the FCA had introduced, lenders would not work with your firm.
9. On 23 June 2025 the FCA confirmed it had received your application to cancel your firm’s permissions, and on the same day, permissions were cancelled. The FCA advised you that your firm was liable for outstanding fees of £2,126.15. You did cancel via the Connect system.
10. 4 July 2025 was the deadline for your firm to submit an FDA to the FCA, and your firm received a £250 admin fee for late submission.

11. On 25 July 2025 you complained to the FCA, namely that:
 - a. The process of bringing a complaint against the FCA is too complicated.
 - b. Your firm is having to give up its permissions because you could not pass the SAF test and lenders would not allow your firm to sell its products.
 - c. The FCA process for cancelling permissions is too complicated and you were not given any help to complete a form.
 - d. There is an outstanding £250 fee which has been unpaid for five years, and despite repeated correspondence, your complaint about this fee has not been resolved.
12. On 6 August 2025 your firm received an annual invoice for £876.15 for annual FCA registration.
13. On 12 September 2025 the FCA issued its Decision Letter and did not uphold your complaint. It stated:
 - a. You had corresponded with the FCA on many occasions to discuss fees, regulatory returns and invoices, and the words you used did not suggest you were raising complaints, such that the FCA was not ignoring your complaints. You had raised your difficulties in understanding the FCA's use of certain words, such as '*attestation*' and language in the FCA Handbook, but the FCA's rules and guidance come from legislation and are therefore written in legalese.
 - b. The FCA did not introduce the SAF test, rather it was introduced by the FLA to improve the standard of car finance information provided to buyers.
 - c. When you asked for help with cancelling your firm's permissions, the FCA provided it.
 - d. Your firm was issued with an admin fee in 2021, and when you disputed it, the FCA explained that firms have a responsibility to ensure all regulatory returns are submitted on time, and that if deadlines are missed, then, in accordance with the FCA Handbook, the FCA will issue fees.
14. On 7 December 2025 you complained to my office.

Analysis

Element One – In 2021 the FCA imposed an admin fee of £250 on your firm for submitting a Firm Details Attestation (“FDA”) form late. You contacted the FCA, but it did not treat this as a complaint. In 2025 your firm received three admin fees totalling £750 for late submission of an FDA and two other regulatory forms, and an £876.15 annual fee for authorisation to conduct regulated activity (“permissions”), despite you cancelling your firm’s permissions. You dispute all of these fees.

15. Firstly, your firm had permissions in 2021, and firms with permissions are required to submit FDAs annually before a deadline.
16. FCA Handbook SUP 16.3.14R(1) states that if a firm does not submit a regulatory form on time, it must pay an admin fee of £250. As a courtesy the FCA sends firms reminders to submit regulatory forms in time, and firms are expected to have systems and procedures in place so that deadlines are not missed. I consider the FCA was justified in imposing this fine on your firm.
17. You assert that you complained about the admin fee but that the FCA did not treat your correspondence as a complaint. However, the evidence shows that in December 2021 the FCA advised you that you could contact its Fees Team to dispute the fee, and you did submit an online dispute. The FCA Revenues Team explained why the admin fee had been issued.
18. You complain that your firm was charged an annual fee of £876.15 for permission, despite having cancelled its permissions. Although you started the cancellation process on 24 March 2025, this process takes time, up to six or even 12 months, according to the FCA. Consequently, your application could not have been completed before the deadline of 31 March 2025, in time to avoid paying the annual fee for permissions.
19. The evidence also shows that your initial application to cancel your firm’s permissions was for the wrong type of firm. It also shows that the FCA provided you with guidance to complete the application.
20. You suggest that when you asked for help in cancelling your firm’s permissions, you did not receive a response, but the evidence shows that although you telephoned the FCA, you hung up after waiting on hold.

21. The evidence also shows that, although you believed that you submitted the application to cancel permissions, the FCA told you in May 2025 that it remained in draft form and had not been properly submitted. The FCA also told you that your firm was obliged to complete any regulatory forms due before the FCA could cancel your firm's permissions.
22. Your firm's permissions had not been cancelled by 31 March 2025, and I consider the FCA acted reasonably in issuing the £876.15 annual fee for permissions.
23. You have commented on the Preliminary Report, saying that the FCA should have appreciated that you made an honest mistake in submitting the wrong form to cancel permissions.
24. While I understand that you made an honest mistake, the FCA's expectation is on the Firm to be aware of its obligations and the applicable rules, and it treats all firms equally under the rules.
25. I consider the FCA acted reasonably in issuing an admin fee in 2022 and two further admin fees for filing regulatory forms after their deadlines, because at those times your firm had permissions.
26. Consequently, although the FCA formally cancelled your firm's permissions on 23 June 2025, I consider it acted reasonably in issuing an admin fee on 4 July 2025 for not submitting an FDA on time, because your firm was required to submit all necessary forms before its permissions were cancelled.
27. Consequently, I consider that your firm reasonably owes the FCA a total of £2,126.15 for late submission of three FDAs, two regulatory forms and the annual fee for permissions.
28. You have commented on the Preliminary Report to say that you think it is unreasonable that you have to pay the annual fee when your firm is not offering any finance to customers. You have commented that the admin fees are unreasonable and unfair.
29. I appreciate your position, but for the reasons above, I have not changed my decision. You say that you are offering to pay £250, but I consider that the FCA has acted reasonably and so you are liable to pay the full £2,126.15.

30. For the above reasons I do not uphold Element One of your complaint.

Element Two - The language the FCA uses, (for example 'attestation'), is complex and inaccessible.

31. I do not consider that the language used by the FCA should lessen the consequences of not submitting FDAs or the other regulatory forms within their deadlines. For example, if you were uncertain of the meaning of FDA, you could have asked the FCA to explain.

32. I would also strongly criticise the FCA for telling you that its *"rules and guidance come from legislation and therefore they are written in legalese."* The FCA writes its rules, the rules do not have to follow the language of legislation, and this goes against its expectations to use plain English.

33. The FCA is committed to using Plain English. In 2016 the FCA published a feedback statement on Smarter Consumer Communications (FS16/10),¹ which required, amongst other things, that firms should use plain language with short, understandable language. This noted that *"As part of our own work, the FCA is applying the principles behind the Smarter Consumer Communications initiative."*

34. However, you initially referred to one specific word – *'attestation'* - which I do consider is not used in commonly parlance and in the Preliminary Report I invited the FCA to think of ways to make it more accessible.

35. The FCA has told me that, when the FDA form was migrated to the new Gateway platform in 2025, the FCA tested it with firms, and feedback raised no concerns over understanding of the word *'attestation.'*

36. The FCA has said that it is committed to clear communication but that it is reasonable to expect a firm with permissions to be able to navigate the process of submitting forms, given the *"extensive guidance and support available."*

37. Lastly, the FCA has said that where firms may require clarification on terminology used in forms, *"they are encouraged to contact the FCA for assistance."*

¹ <https://www.fca.org.uk/publication/feedback/fs16-10.pdf>

38. In response to the preliminary report, you have said that your concern is not limited to the use of a single term such as *'attestation,'* but relates more generally to the use of language by the FCA, and also in my report, which you consider to be unnecessarily complex or not in plain English, for example in referring to terms such as *'legalese'* and *'parlance.'*
39. I accept that a simpler expression could have been used. However, I am satisfied that the wording used does not affect the substance of my findings. I understand your broader point about language, however, you have not identified specific examples beyond those I have already considered, and my role is to determine this complaint on the basis of the particular circumstances of your case.
40. For the reasons above I do not uphold Element Two of your complaint. Although I do not uphold this element of your complaint, I would encourage the FCA to continue to review and monitor its use of language to ensure that it is as clear and accessible as possible.

Element Three - You have had to cancel your firm's permissions because you failed the Specialist Automotive Finance ("SAF") Expert Test. Although you complained, the FCA has offered no support to pass the test. Consequently, lenders are not letting you sell their products and your business has lost money.

41. As the FCA has told you, the SAF Expert test is an industry standard, introduced by the FLA, the trade body which covers lenders providing motor finance.
42. You assert that, because you failed to pass the test, lenders are not letting you sell their products and your business has lost money. While I sympathise with this, the FCA does not require you to pass this test, and as such, cannot be expected to help you to pass it. I note that one lender did offer you guidance on how to pass the test.
43. You have commented on the Preliminary Report to claim that lenders who did not allow you to sell their products were following rules. As above, the FCA has no involvement in the SAF Expert test and applies no rules, so it is lenders who decide whether or not to let firms sell their products.

44. You assert that the guidance you did receive from a firm on how to pass the test was difficult to understand. Because the FCA is not involved with the SAF Expert test, the FCA has no remit to become involved in how that guidance is written. I suggest that you approach the firm which provided the guidance and ask it to explain aspects which you find hard to understand.
45. I consider that your decision to cancel your firm's permissions because you did not pass the test cannot be blamed on the FCA, because it is not the FCA's test.
46. In your comments on the Preliminary Report, you say that you have a "*lifetime ban*" from offering finance. Again, the FCA does not operate the SAF Expert test and is not responsible for lenders not allowing you to offer their products unless you pass the test.
47. You also suggest that people are cheating on the SAF Expert test, but again, this does not come within the remit of the FCA.
48. For the above reasons I do not uphold Element Three of your complaint.

The Complaints Commissioner

Complaints Commissioner

30 March 2026