

**CHP 21/0086**

**IN THE HIGH COURT OF JUSTICE OF THE ISLE OF MAN  
CIVIL DIVISION  
CHANCERY PROCEDURE**

**IN THE MATTER** of the Claimant's application dated 10 September 2021 pursuant to section 20 of the Financial Services Act 2008:-

**FINANCIAL SERVICES AUTHORITY**

**Claimant**

and

**INTELLIGENT FORMATIONS LIMITED**

**First Defendant**

**CHRISTOPHER STIRK**

**Second Defendant**

**PENAL NOTICE**

**If you the within-named INTELLIGENT FORMATIONS LIMITED and CHRISTOPHER STIRK do not comply with this Order you may be held to be in contempt of court and may be imprisoned or fined.**

**Any other person who knows of this order and does anything which helps or permits the defendant to breach the terms of this order may also be held in contempt of court and may be imprisoned, fined or in the case of a company or corporation their assets may be seized.**

**HIS HONOUR  
DEEMSTER CORLETT**

**IMPORTANT NOTICE TO THE DEFENDANTS**

**This Order prohibits you from doing the acts set out in this Order. It also requires you to do certain other acts set out in this Order. You should read the Order carefully. You are advised to consult an advocate as soon as possible. If you disobey this Order you may be sent to prison or fined. You have a right to ask the Court to vary or discharge this Order.**

**ORDER**

1. This is an Order made against INTELLIGENT FORMATIONS LIMITED and CHRISTOPHER STIRK (hereinafter referred to as "the Defendants") following the consideration of an uncontested application by the Claimant on notice on 23 September 2021 by His Honour Deemster Corlett.

2. The learned Deemster read the witness statement set out in Schedule A at the end of this Order.
3. This Order was made following the Claimant and Defendants giving notice to the Court that the terms of the Order were agreed.

### **INJUNCTION**

4. The Defendants must forthwith following service of this notice cease all operations in or from the Isle of Man which contravene any provision of the Financial Services Act 2008 and/or Class 4 of the Regulated Activities Order 2011<sup>1</sup>, including but not limited to the following acts:-

#### **Intelligent Formations Limited**

- Providing services in relation to the formation of companies
- Providing premises to be used as registered offices
- Providing administration services to companies

#### **Christopher Stirk**

- Providing services as a company secretary/director

5. Hereinafter, any act, transaction or operation undertaken by or on behalf of either Defendant which contravenes the preceding paragraph of this Order, and therefore contravenes the general prohibition contained within section 4 of the Financial Services Act 2008, shall be a "Prohibited Act".
6. It shall not be a Prohibited Act by the Defendants for it or him to
  - a) advise any customer, client, supplier, trustee, intermediary, introducer, banker or other regulated professional with whom the Defendant has dealings to advise of the service and effect of this Injunction Order;
  - b) undertake any act, transaction or operation for the immediate cessation or transfer of its business

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<sup>1</sup> <https://www.tynwald.org.im//links/tis/SD/SD2011/2011-SD-0884.pdf> as amended, as to which see <https://www.iomfsa.im/media/2586/regulatedactivitiesorder2011.pdf>

**PROVIDED** they notify the Claimant in writing within 24 hours of undertaking any such act, transaction or operation.

7. The Defendants shall also advise all of their clients/customers of the cessation of all Regulated Activities within a period of 14 days following service of this Order.

### **COSTS**

8. The Defendants do pay the Claimant's costs of this application on a joint and several basis, summarily assessed in the sum of £500.

### **INTERPRETATION OF THIS ORDER**

9. A Defendant who is an individual who is ordered not to do something must not do it himself or in any other way. He must not do it through others acting on his behalf or on his instructions or with his encouragement
10. A Defendant which is not an individual which is ordered not to do something must not do that thing itself or by its directors, officers, partners, employees or agents or in any other way.

### **PARTIES OTHER THAN THE CLAIMANT AND DEFENDANT**

#### **Effect of this Order**

11. It is a contempt of court for any person notified of this Order knowingly to assist in or to permit a breach of this Order. Any person doing so may be imprisoned, fined or have their assets seized.
12. The hearing listed at 11am on 23 September 2021 is hereby vacated.

Dated 23 September 2021



## **SCHEDULE A**

**The court read the following witness statements:**

Statements on behalf of the Claimant as follows:

- (i) Neil Rawlinson dated 8 September 2021