
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Provision of Services Regulations 2009

PART 7

PROVISION OF INFORMATION BY COMPETENT AUTHORITIES

Information to be provided to the Secretary of State

36.—(1) The competent authority for a service activity must provide the following information in electronic form to the Secretary of State (or secure that it is accessible to the Secretary of State in electronic form)—

- (a) the requirements applicable to providers of the service established in the United Kingdom, and in particular any authorisation scheme relating to the service activity which involves the competent authority;
- (b) the contact details of the competent authority;
- (c) the means of, and conditions for, accessing public registers and databases on—
 - (i) providers of the service, and
 - (ii) the service;
- (d) the means of redress which are generally available in the event of a dispute—
 - (i) between the competent authority and a provider or recipient of the service,
 - (ii) between a provider and a recipient of the service, or
 - (iii) between providers of the service;
- (e) the contact details of associations or organisations, other than the competent authority, from which providers or recipients of the service may obtain practical assistance.

(2) The relevant competent authority must on request provide to the Secretary of State general information on the requirements applicable in the United Kingdom relating to access to, and the exercise of, a service activity, in particular those relating to consumer protection.

(3) The information provided under this regulation must be clear and unambiguous.

(4) The information provided or made accessible under paragraph (1) must be kept up-to-date by the competent authority.

(5) In the case of a competent authority whose functions relate only to part of the United Kingdom, the references in paragraphs (1) and (2) to the United Kingdom are to that part of the United Kingdom.

Information to be provided to providers and recipients on request

37.—(1) The competent authority for a service activity must, on the request of a provider or recipient of the service, provide that person with information on the way in which the requirements referred to in regulation 36(1)(a) are generally interpreted and applied.

(2) The information provided under paragraph (1) must be—

- (a) clear and unambiguous, and
 - (b) provided by electronic means.
- (3) A competent authority must respond to a request under paragraph (1) as quickly as possible.
- (4) Where a competent authority is requested to provide information referred to in paragraph (1) but the request is not one which it is required to respond to under this regulation, the competent authority must inform the person making the request as quickly as possible.
- (5) This regulation does not require the provision of legal advice in individual cases.