
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Provision of Services Regulations 2009

PART 9

ADMINISTRATIVE CO-OPERATION BETWEEN EEA STATES

Provision of information where provider established in UK

40.—(1) This regulation applies in relation to a provider of a service who is established in the United Kingdom and is providing the service in another EEA state.

(2) The competent authority must, when requested to do so by a relevant authority in another EEA state, supply information about the provider to that authority.

(3) The information referred to in paragraph (2) includes in particular—

- (a) confirmation that the provider is established in the United Kingdom;
- (b) whether, to the competent authority's knowledge, the provider is authorised to provide the service.

(4) The competent authority must, when requested to do so by a relevant authority in another EEA state—

- (a) carry out checks, inspections or investigations in relation to the provider,
- (b) inform the requesting authority of the results, and
- (c) if it thinks it appropriate to take any measures in relation to the provider, inform the requesting authority of those measures.

(5) Nothing in paragraph (4) permits or requires a competent authority to do anything which it could not otherwise lawfully do.