
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Provision of Services Regulations 2009

PART 9

ADMINISTRATIVE CO-OPERATION BETWEEN EEA STATES

Mutual assistance in the event of case-by-case derogations

44.—(1) This regulation applies where the provider of a service who is established in the United Kingdom provides the service in another EEA state and—

- (a) pursuant to Article 18 of the Services Directive, a relevant authority in that state proposes to take measures relating to the safety of the service, and
 - (b) pursuant to the procedure in Article 35 of the Services Directive, that authority requests a competent authority to supply information on the service and the circumstances of the case.
- (2) The competent authority must—
- (a) check whether the provider is authorised to provide the service,
 - (b) verify the facts underlying the request, and
 - (c) inform the requesting authority and the Secretary of State of the measures taken or envisaged or of the reasons why it has not taken any measures.