
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Provision of Services Regulations 2009

PART 9

ADMINISTRATIVE CO-OPERATION BETWEEN EEA STATES

General obligations

39.—(1) A competent authority must for the purposes of Chapter VI of the Services Directive provide assistance to relevant authorities in other EEA states, and put in place measures for effective co-operation with such authorities, in order to ensure the supervision of providers of services and the services they provide.

(2) A competent authority is not obliged under this Part to meet a request for information, or a request to carry out any check, inspection or investigation, that is not for a proper purpose or for which no reason is given.

(3) Where under Chapter VI of the Services Directive a competent authority receives a request for information, or a request to carry out any check, inspection or investigation from a relevant authority in another EEA state, but—

- (a) considers that the request is not for a proper purpose or that no reason has been given for it, or
- (b) finds that the request is one which it has difficulty in meeting,

it must promptly notify the requesting authority and the Secretary of State accordingly.

(4) Information supplied to an authority in another EEA state pursuant to this Part must be supplied—

- (a) through the electronic system for the exchange of information established pursuant to Article 34 of the Services Directive, and
- (b) as quickly as possible.

(5) Any register of providers of a service held by a competent authority and which is accessible to other competent authorities in the United Kingdom must be accessible on the same conditions to authorities with equivalent functions in other EEA states.