

Draft Regulations laid before Parliament under sections 18(7) and 57(1) of the United Kingdom Internal Market Act 2020, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2023 No. XXXX

UNITED KINGDOM INTERNAL MARKET

The United Kingdom Internal Market Act
2020 (Services Exclusions) Regulations 2023

Made - - - - ***
Coming into force - - - - ***

The Secretary of State in exercise of the powers conferred by section 18(2) of the United Kingdom Internal Market Act 2020(1) (“the Act”), makes the following Regulations.

In accordance with section 18(8) of the Act the Secretary of State has sought the consent of the Scottish Ministers, the Welsh Ministers and the Department for the Economy in Northern Ireland to the making of these Regulations.

A draft of this instrument has been laid before, and approved by a resolution of, each House of Parliament in accordance with sections 18(7) and 57(1) of the Act.

Citation and commencement

1.—(1) These Regulations may be cited as the United Kingdom Internal Market Act 2020 (Services Exclusions) Regulations 2023.

(2) These Regulations come into force on the day after the day on which they are made.

Amendment of Schedule 2 to the United Kingdom Internal Market Act 2020

2. For Parts 1 and 2 of Schedule 2 to the United Kingdom Internal Market Act 2020 (services exclusions) substitute the following—

“PART 1

SERVICES TO WHICH SECTION 19 (MUTUAL RECOGNITION) DOES NOT APPLY

<i>Services</i>	<i>(examples of those services)</i>
Audiovisual services	terrestrial, cable or satellite television, video on demand, film services, radio services, video sharing services, video recording services, video games services
Debt collection services	services of bailiffs, messengers-at-arms and sheriff officers
Gambling services	accepting bets, operating a lottery or providing facilities for gambling
Healthcare services	healthcare services provided in hospitals, other healthcare facilities or at other places, xenotransplantation, human genetics, human fertilisation, embryology, services in connection with surrogacy
Legal services	provision of legal advice, litigation services
Notarial services	
Private security services	
Services connected with the construction or operation of heat networks or the supply of thermal energy by means of heat networks	
Services connected with the supply of natural gas through pipelines or production or storage of natural gas	transportation of gas, retail supply, operation of a gas interconnector
Services connected with the supply or production of electricity	distribution or transmission of electricity, retail supply, operation of an electricity interconnector
Services provided by a person exercising functions of a public nature or by a person acting on behalf of such a person in connection with the exercise of functions of a public nature	
Services provided in respect of the award or authentication of academic or vocational qualifications	
Services relating to social housing, childcare, children’s social care, adult social care and other support of families and persons permanently or temporarily in need	
Transport services	railways, operation of ports, air transport, air traffic services, road transport of goods and passengers, ancillary services

<i>Services</i>	<i>(examples of those services)</i>
Waste services	disposal of waste, importation or exportation of waste, waste processing
Water supply and sewerage services	

PART 2

SERVICES TO WHICH SECTIONS 20 AND 21 (NON-DISCRIMINATION) DO NOT APPLY

<i>Services</i>	<i>(examples of those services)</i>
Audiovisual services	terrestrial, cable or satellite television, video on demand, film services, radio services, video sharing services, video recording services, video games services
Debt collection services	services of bailiffs, messengers-at-arms and sheriff officers
Gambling services	accepting bets, operating a lottery or providing facilities for gambling
Healthcare services	healthcare services provided in hospitals, other healthcare facilities or at other places, xenotransplantation, human genetics, human fertilisation, embryology, services in connection with surrogacy
Notarial services	
Private security services	
Services connected with the supply of natural gas through pipelines or production or storage of natural gas	transportation of gas, retail supply, operation of a gas interconnector
Services connected with the supply or production of electricity	distribution or transmission of electricity, retail supply, operation of an electricity interconnector
Services provided by a person exercising functions of a public nature or by a person acting on behalf of such a person in connection with the exercise of functions of a public nature	
Services relating to social housing, childcare, children's social care, adult social care and other support of families and persons permanently or temporarily in need	
Transport services	railways, operation of ports, air transport, air traffic services, road transport of goods and passengers, ancillary services

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The United Kingdom Internal Market Act 2020 (Services Exclusions) Regulations 2023 No. 1263

<i>Services</i>	<i>(examples of those services)</i>
Waste services	disposal of waste, importation or exportation of waste, waste processing
Water supply and sewerage services”	

Date

Name
Title
Department for Business and Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend, add and remove entries in Part 1 and 2 of Schedule 2 to the United Kingdom Internal Market Act 2020 (Exclusion from market access principles) by substituting a revised Part 1 and 2 of Schedule 2. Part 1 sets out the services to which section 19 (mutual recognition) of that Act does not apply and Part 2 sets out services to which sections 20 and 21 (non-discrimination) do not apply.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.