

STATUTORY INSTRUMENTS

2018 No. 1329

The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018

PART 2

Amendment of the Provision of Services Regulations 2009

Amendment of regulation 5 (general exclusions and savings)

- 5.—(1) In regulation 5(1)—
- (a) in sub-paragraph (b), for “EU rules” substitute “retained EU law”^{MI};
 - (b) in sub-paragraph (c)—
 - (i) omit “in accordance with EU law”;
 - (ii) after “State aid rules” insert “in retained EU law”.
- (2) In regulation 5(3)—
- (a) in sub-paragraph (a), for “an EEA state or who otherwise benefits from rights conferred by EU acts” substitute “the United Kingdom”;
 - (b) for sub-paragraph (b) substitute—

“(b) a business undertaking established in the United Kingdom.”.
- (3) For regulation 5(4) substitute—

“(4) Nothing in Parts 3 and 6 to 8 applies in relation to a provider of a service who is not—

 - (a) established in the United Kingdom, and
 - (b) either—
 - (i) an individual who is a national of the United Kingdom, or
 - (ii) a business undertaking.”.
- (4) In regulation 5, after paragraph (4) insert—

“(5) In paragraphs (3)(b) and (4)(b)(ii), “business undertaking” means any entity, whether or not a legal person, that is not an individual and includes a body corporate, a corporation sole and a partnership or other unincorporated association, engaged in activities for the purpose of trading for profit, incorporated or formed under the law of any part of the United Kingdom.”.

Commencement Information

- II** [Reg. 5](#) in force on IP completion day, see [reg. 1](#) and [2020 c. 1, Sch. 5 para. 1\(1\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018, Section 5. (See end of Document for details)

Marginal Citations

M1 “Retained EU law” is defined in Schedule 1 to the Interpretation Act 1978 c. 30.

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There are currently no known outstanding effects for the The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018, Section 5.