
DRAFT STATUTORY INSTRUMENTS

2009 No.

The Provision of Services Regulations 2009

PART 1

INTRODUCTORY

Relationship with other requirements

6.—(1) A requirement imposed by Part 2, 5 or 6 of these Regulations on a competent authority or a provider of a service does not apply if, or to the extent that, the competent authority or provider cannot comply both with that requirement and with a requirement to which this paragraph applies.

(2) Paragraph (1) applies to a requirement imposed by—

(a) a provision of an enactment, where—

- (i) the provision relates to specific aspects of access to, or the exercise of, a service activity,
- (ii) the provision implements a Community obligation, and
- (iii) the enactment is passed or made before the day on which these Regulations are made, or

(b) a provision of a directly applicable Community instrument, where—

- (i) the provision relates to specific aspects of access to, or the exercise of, a service activity, and
- (ii) the instrument comes into force before the day on which these Regulations are made.

(3) A requirement imposed by Part 3 or 4 of these Regulations on a competent authority does not apply if, or to the extent that, the competent authority cannot comply both with that requirement and with a requirement to which this paragraph applies.

(4) Paragraph (3) applies to a requirement imposed by—

(a) a provision of an enactment, where—

- (i) the provision relates to specific aspects of access to, or the exercise of, a service activity, and
- (ii) the enactment is passed or made before the day on which these Regulations are made, or

(b) a provision of a directly applicable Community instrument, where—

- (i) the provision relates to specific aspects of access to, or the exercise of, a service activity, and
- (ii) the instrument comes into force before the day on which these Regulations are made.