Department for Business Innovation & Skills

UK Single Market Centre Annual Report 2015

Report on UK Single Market Centre's Activities

MARCH 2016

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FOREWORD by Baroness Neville-Rolfe, Parliamentary Under Secretary of State

I am delighted to welcome the publication of the UK Single Market Centre's latest annual report.

The UK Single Market Centre (UKSMC) provides practical support to UK businesses, citizens and consumers to help them access the EU single market. This latest report shows it continues to provide an excellent service through the various single market practical advisory and help "tools" that it delivers. I am also delighted to note that, according to the European Commission's latest indications, the UKSMC includes one of the busiest and most effective SOLVIT Centres and highly rated online licensing portals within Europe.

The UKSMC also supports a number of BIS agendas. For instance, within BIS we aim to reduce burdensome barriers to innovation and growth, and create an open, flexible and dynamic market framework. Delivering joined-up services through the UKSMC so that businesses and individuals can more easily exercise their Single Market rights is one way of achieving this aim.

The UKSMC continually strives to improve its performance. For this reason, I look forward to the proposals which the European Commission is expecting to bring forward under their Single Market Strategy. These will include proposals for a smarter enforcement strategy to reinforce and support the rights of businesses and consumers, and to strengthen existing single market tools such as SOLVIT.

We will use these initiatives to reinforce our work, and to ensure that the UKSMC continues to maintain its high reputation and service standards.

Lucy Neville-Rolfe

Introduction

Who are we are and what do we do?

Since December 2012, the UK Single Market Centre (UKSMC) has provided a range of practical "tools" to help people access the single market. These include:

- the Single Market Scoreboard

- the Internal Market Information (IMI) System

- SOLVIT

- the Point of Single Contact (PSC)

- the notification system provided for under the Technical Standards and Regulations Directive 2015/1535/EU.

Our main purpose is to raise awareness and increase confidence amongst UK businesses, citizens and consumers about all the support, guidance and help available if they want to work, live, trade and shop within Europe.

We are also keen to ensure that all the evidence we have about the kinds of problems and issues they face helps inform future policy development.

What do we do?

Working together - Operational Governance Board

We hold 3-4 Board meetings each year. These meetings are an opportunity for us to bring together key stakeholders with an interest in the single market in order to share best practice and ideas for raising awareness of what we do in order to help people access the single market.

These meetings provide an opportunity to consider the issues we come across and to analyse the evidence available that could be used to inform future policy development at both national and EU-level. Members of the Governance Board include representatives from other Government departments, the European Commission, business organisations, and other networks such as the Enterprise Europe Network, the European Consumer Centre and trade associations.

Awareness raising

Newsletters: we produce 3-4 Newsletters each year that we send to all our stakeholders (1,500+), including UK local authorities, other regulators, Government departments, trade associations, business organisations plus the Commission and our contacts in other member states.

The newsletter acts as a reminder of what we do and highlights what we have done in that quarter. We also use it to let people know about other initiatives that they might be

interested in such as the new Professional Qualifications Directive[1] that came into force on 18th January 2016.

Annual Report: we publish an Annual Report each year that sets out our achievements and performance against our business plan.

Promoting the UKSMC's work

In 2015, we carried out a wide range of awareness-raising and promotional activities, including:

- representing UK interests at a number of Commission-led expert group meetings, including:

    o the IMI expert group that met in March where we spoke about our promotion of the IMI database and what we do to ensure that information about those registered on IMI is up to date so that the database remains an effective tool to support EU free movement rights

    o the 98/34 Committee that also met in March where we spoke about our guidance document and the diagnostic tool that we have created that helps departments to provide notifications that are high quality and effective. Other member states were very interested in using what we had done in order to improve their own systems. They were also keen to know more about our Single Market Centre Governance structure and how we promote our work.

- We hosted a visit from the British Consulate in Madrid to explain how we can help provide support and assistance to UK citizens as they move to Spain. We were then invited to speak to the Europe Consular Management Board at their meeting at the FCO in October. The Board consists of officials from all the British Embassies in the EU, who deal with the same types of problems that are raised with SOLVIT. We had the opportunity to discuss what we do, with a view to providing a better overall service when dealing with concerns raised by UK businesses and citizens.

- We have continued to promote our work through participating at:

    o a seminar organised by the UK National Academic Recognition Information Centre (NARIC) to talk about the new Professional Qualifications Directive

    o a meeting of the BIS Better Regulation Delivery Office (BRDO) policy group, consisting of representatives from regulators, civil servants, academic bodies and business.

- We also spoke at the first meeting of the Trade Facilitation Panel, set up by BRDO. Speakers each had a two minute slot and we spoke about the work of SOLVIT and the Single Market Centre, which was very well received.

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[1] http://www.legislation.gov.uk/uksi/2015/2059/schedule/2/made

- We have also met with colleagues from the Department of Work and Pensions, to discuss how we can work more effectively together on matters relating to the social security entitlement of EU workers.

Highlights

- **Turkish study visit** - in November, we hosted a visit for 35+ officials from Turkey to discuss our experiences of implementing the Services and Professional Qualifications Directives in order to give them the benefit of our experience and to spread best practice

- **SOLVIT** - the UK Centre retains its ranking in the top 3 SOLVIT Centres

- **Your Europe** - we hosted a meeting of the Your Europe Editorial Board for 60+ participants from other member states and the Commission and used this as an opportunity to showcase some of the work we had been doing on the Digital Single Market Strategy and the Single Market Strategy

- **Point of Single Contact (PSC)** - the UK was rated one of the best performing PSCs in the EUGO PSC network in the Commission's 2015 Review; and the number of online licence applications submitted through the UK's PSC increased by 27%, up from 86,238 in 2014 to 109,801 in 2015

- **Internal Market Information (IMI) system** – exchanges of information via MI increased by 12%, up from 2,121 to 2,377

Next steps

In 2016, we aim to:

- ensure that all our evidence is taken into account by policy-makers when considering proposals concerning the practical implementation of the Digital Single Market and Single Market Strategies

- promote our services more widely to business

- update our website and FAQs

- continue to improve our business planning process, including measuring our impact

Contact us at: uksinglemarketcentre@bis.gsi.gov.uk

UK SOLVIT Centre

What is SOLVIT?

The SOLVIT network supports and helps EU citizens and businesses to exercise their free movement rights within the single market.

What have we done?

The UK SOLVIT Centre continues to maintain its position as one of the busiest and most effective Centres since the network was established in 2002.

In 2015, cases posted by other member states against the UK increased by 15%, up from 139 to 160, and cases posted by the UK against other member states have increased by 1%, up from 250 to 253. We have also improved the time it takes us to respond to incoming complaints from business and citizens. We now respond to 93% of cases within the seven day deadline - an increase of 16%, up from 77% in 2014.

This year, the increase in cases against the UK relates to delays in issuing national insurance contribution records for citizens returning to their own country. Despite the increase in cases, we have built up a very good relationship with HMRC officials, which has meant that these cases are handled much more quickly than the ten week target - often within days of receiving a case.

In respect of cases we have posted against other member states, we received more than 120 complaints in the second half of 2015 against Ireland concerning EU entry visa delays for family members of UK nationals. SOLVIT Ireland confirmed that this was due to an unexpectedly large number of applicants within a very short period of time. The backlog is being addressed but will take longer than usual. Although EU legislation requires that EU applicants are prioritised over non EU applicants, SOLVIT is not able to require that any specific EU applicant is prioritised over other EU applicants and so, while receiving assurance that all EU cases are being dealt with in turn, we took the decision to stop pursuing individual complaints on this issue through SOLVIT.

As in 2014, we have received a number of complaints against the UK about not recognising qualifications for architects issued by Portuguese academic bodies that had not being correctly notified to all member states, in order that the UK could accept the qualifications they issue. As we had dealt with an identical problem relating to Italian bodies in 2014, we were able to work with SOLVIT Portugal to resolve this matter.

We are also working with SOLVIT Croatia on a problem involving the Croatian Nursing Council's decision not to issue the paperwork needed in order for other member states to be able to recognise the qualifications of Croatian nurses wanting to work in that country. This was in response to concerns raised by the UK Nursing and Midwifery Council, which is responsible for both the recognition of EU qualifications and for public safety issues relating to the qualifications of those practicing in the UK. We are able to do this given the informal and practical nature of the existing relationship between SOLVIT Centres.

Influencing - participation in SOLVIT workshops

SOLVIT workshops take place twice a year, and provide an opportunity for member states to receive training on improvements to the database, and to hear from the Commission about new legislation that will impact EU free movement rights.

In April 2015, the UK team took the opportunity to raise a problem that affects a lot of UK citizens when moving to EU countries, which concerns the evidence they need to provide to support an EU entry visa application.

UK citizens seeking entry to other member states, with their non EU spouses and non EU marriage certificates, found that this evidence of their relationship was not accepted unless the certificate had been previously registered with a UK Authority. However, this registration function for overseas marriages does not exist in the UK unless the citizens are also resident in the UK. Although the specific concerns we have received through SOLVIT involve Spain, we are aware that this is a much wider problem that has the potential to impede the free movement rights of UK citizens.

Together with our Spanish SOLVIT colleagues, we have made the case to the Commission that there is need for them to intervene at EU level rather than simply acknowledging that the problem should not exist. We continue to push the Commission for action on this in consultation with FCO colleagues, who have also been working to resolve this problem for some time.

The Future of SOLVIT

Portugal hosted a meeting in September to discuss the future of SOLVIT. The aim of this meeting was to talk about how to influence the proposal set out in the Commission's Single Market Strategy[2] to strengthen and streamline the work of SOLVIT.

The outcome was that Portugal presented a formal paper at the Competitiveness Council in January 2016, which reiterated the importance of reinforcing SOLVIT's role as the first step in the enforcement process of the Single Market acquis. Commission colleagues have confirmed that they will give their views on the paper at the next SOLVIT workshop in March.

In terms of our performance compared to other SOLVIT Centres, and for the fourth year running, we are delighted that the UK has been recognised as being one of the major users of the network, both in terms of cases received from other member states and also cases submitted on behalf of UK citizens and businesses.

The UK's caseload of 253 cases submitted and 160 cases received is considered to be very high when compared to the network average and that the Commission has rated our overall performance as good, with no improvements needed or concerns noted.

[2] http://europa.eu/rapid/press-release_IP-15-5909_en.htm

Your Europe

The Your Europe website (see: Your Europe) provides information, help and advice on EU rights for EU nationals and businesses i.e. travel, work, shopping, funding opportunities, doing business, and authorisation procedures and how they are implemented within each country.

In October, we hosted a meeting of the Your Europe Editorial Board in London. The Board, which includes representatives from each member state plus the Commission, meets twice a year to discuss how to improve the way in which the Your Europe website delivers essential and helpful information to businesses and citizens to support EU free movement rights.

Your Europe is particularly valuable for those member states that do not have their own internal systems for making this information available online and, as hosts, we also took the opportunity to promote the GOV.UK website to representatives from other member states.

We received very positive feedback from the new DG Head of Unit at the Commission who chaired the meeting, who said that participants had told her that they had learnt a lot and were very impressed with what the UK is doing.

Performance

The UK Solvit Centre retains its ranking in the top 3 Solvit Centres as one of the busiest and most effective centres since the network was created.

We are one of the four heaviest users of the network in terms of both cases received and submitted.

Mutual Recognition

What does this involve?

The underlying principle of mutual recognition is that any product that is legally sold in one member state can be sold in another member state. The Mutual Recognition Regulation[3] (MRR) sets out the rights and obligations on both public authorities and businesses to enable this to happen.

Article 2 of the Regulation refers to the technical rules of each member state that are applicable to specific products to be imported. A list of the UK technical rules is available at: MRR across EEA.

Article 2(1) of the Regulation refers to administrative decisions taken by authorities to prohibit the placing on the market of any product that is found not to comply with national rules or administrative provisions. All these decisions are reported to the European Commission.

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[3] http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32008R0764&from=EN

In 2015, the UK only made notifications that related to decisions taken by Assay Offices, which are responsible for the testing and hallmarking of precious metals as required by the Hallmarking Act[4].

Product Contact Point (PCP)

Article 9(1) of the Regulation requires each member state to set up Product Contact Points (PCP) in order to provide businesses with details of any applicable technical rules or a requirement for prior authorisation.

Information and contacts for all UK technical rules can be found in the above weblink and, in 2015, this was visited 1,905 times compared to 1,974 times in 2014. This work is supported by a dedicated PCP mailbox, which is managed by the UK Single Market Centre team.

Future proposals

The EU published a report[5] reviewing how mutual recognition currently operates in relation to goods.

In response to proposals to review the current legislation and its effectiveness, we have said that we support measures that will reinforce obligations on member states to screen and notify new national product requirements, establish a presumption of conformity, and establish more effective enforcement at both national and EU level.

Point of Single Contact (PSC) and Online Licensing

What is the PSC?

PSCs were set up in 2009 as part of implementing the Services Directive[6], which requires all UK local authorities and other regulators to put information about their licenses, as well as any application forms, online and to allow businesses to apply for them entirely online.

All EU member states, plus Norway, Lichtenstein and Iceland, are required to set up a PSC. The UK's PSC is available on GOV.UK at: UK Welcomes.

Statistics – Online licensing

Applications submitted through GOV.UK Online Licensing have increased significantly (i.e. over 500%) since October 2012. For the year ending December 2015, the number of applications had increased by 27% compared to the previous year, up from 86,238 to 109,801.

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[4] http://www.legislation.gov.uk/ukpga/1973/43/pdfs/ukpga_19730043_en.pdf
[5] http://ec.europa.eu/growth/single-market/goods/free-movement-sectors/mutual-recognition/index_en.htm
[6] http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32006L0123&from=EN

This upward trend continues and is also reflected in feedback we've received from many authorities that have also observed a noticeable increase in demand from their own customers for an online application service. It is clear that there is an increasing demand from business for more online services.

GOV.UK Licensing submissions
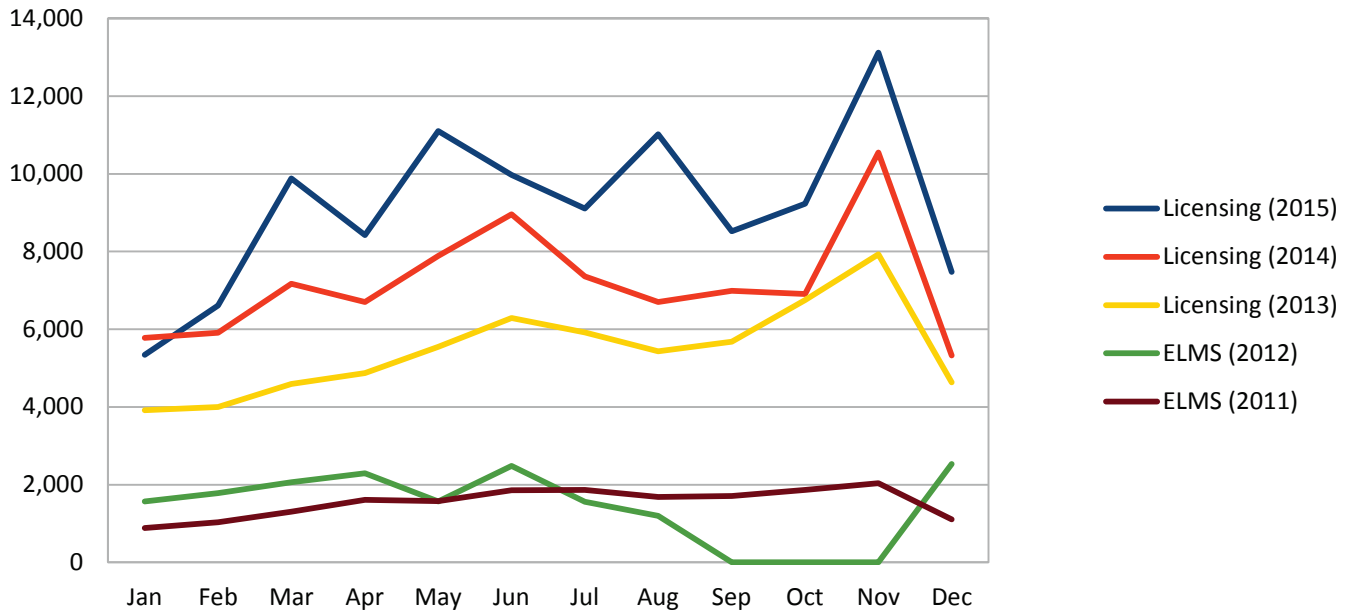
Information about how many licences are being applied for, where, and for what can be found on our real-time dashboard at: https://www.gov.uk/performance/licensing.

Benefits to using the PSC

All national PSCs are part of the EUGO network, which helps businesses find information about the rules, regulations and processes that apply to service providers in a particular country or service sector. PSCs also enable them to complete these administrative procedures online, including paying any fees.

Businesses no longer have to go to the individual offices of different authorities in different countries, one by one. In each EU country, applications can now be dealt with entirely online through one single access point, the PSC.

The types of questions the PSC answers are:

- Which licenses, notifications or permits do I need to start a business in any EU country?

- What do I need to do when I want to offer my services abroad on a temporary basis?

- How do I apply for a license? Which organisation is responsible for dealing with my application?

- How can I get my professional qualifications recognised?

- Do I have to pay a fee? If so, how much will it be? How long will it take to get my license?

- What do I need to do to set up, for instance, a restaurant or a shop? Or to work as a tour operator in another country without actually setting up a permanent office in that country?

- Where can I go for further advice and information?

Stakeholder activity

We carried out a range of engagement activities with our key stakeholders and other interested parties throughout 2015, which included:

- Representing the UK at two meetings of the EUGO Network of PSCs in Brussels in order to review each other's PSCs and to share best practice

- Giving a presentation to the Your Europe Editorial Board meeting on the PSC and GOV.UK

- Participating in several Institute of Licensing events in England as well as giving presentations to a number of other local authority licensing groups across the UK to promote the benefits of online licensing

Performance

Submissions of online applications increased by 27% from 86,238 in 2014 to 109,801 in 2015.

The UK's PSC was again ranked amongst the top 5 PSCs in the Commission's review[7] that was carried out in early 2015.

There was an increase in the number of authorities using GOV.UK Licensing although this was slightly offset by a smaller number choosing to buy their own online systems.

Several authorities provided updated links to their own online forms after activity to follow up broken links reports and there was an improvement in the number of UK authorities providing minimum levels of information on their websites.

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[7] http://ec.europa.eu/growth/tools-databases/newsroom/cf/itemdetail.cfm?item_id=8345

The Internal Market Information (IMI) System

What is the IMI?

The Internal Market Information (IMI) System is a Europe-wide internet based system that allows "Competent Authorities" (including all UK local authorities plus other regulators, Government departments, professional bodies etc) within the EU to be identified easily and for requests for information, plus responses, to be done online.

As part of the Services Directive, member states are required to provide mutual assistance to another member state.

IMI now covers:

- Services Information requests

- Services Directive notifications

- SOLVIT

- E–Commerce notifications

- train driving licences

- Professional Qualifications Notifications on Health and Architects

- Patients' Rights

Expanding the use of IMI is a major change for authorities registered on the system as it enables:

- faster decisions through mutually agreed deadlines (usually 2 weeks)

- an audit trail of decision making

- a much better understanding of the problems and issues amongst authorities across the EU

User Survey 2015

In 2015, the Commission carried out a survey to assess users' experiences in terms of user friendliness, functions and benefits in order to assess the training materials available. The survey also gathered feedback on the new version of IMI, launched in September 2014.

The IMI Survey was sent to all 11,544 registered IMI users and the results were published in October. There were 2,332 replies - a 20% response rate.

The results of the survey showed that:

- There was a big difference in the frequency of use between national and local authorities - 48% of national authorities use IMI frequently compared to only 18% of local authorities

- The Posting of Workers module has the most users

- 79% of responses said that IMI is easy to use

- 64% said that the latest version is more user friendly

- 79% said that IMI helps them identify their counterparts in other member states

- 79% said it was easy to create and send notifications

- 82% were positive about responding to requests

More details about the survey can be found at: IMI Survey

New IMI Modules

In 2015, IMI was expanded to include modules that support:

- the Directive on Posted Workers Enforcement

- the Return of Cultural Goods

- Professional Qualifications Recognition (PQD)

In December, the Commission provided tailored training sessions in London on the new modules relating to PQD plus an opportunity to discuss how these will work with other users.

Statistics

To date, IMI has:

- 7,000+ registered authorities, including 474+ UK authorities

- 15,000+ registered users, including 1,100+ UK users

Online activity during the year

Information requests:

- The total number of information requests sent through IMI since 2008 has now exceeded 34,000

- In 2015, 9,665 requests were sent via IMI - an increase of 27.2% compared to 7,595 requests sent in 2014

- Information exchanges on IMI reached 2,377 at the end of 2015 - an increase of 12% compared to 2,121 requests in 2014

- The UK made 2,036 requests in 2015 - an increase of 3.8% compared to 1,962 requests in 2014

- The UK received 388 requests in 2015 – an increase of 28% compared to 303 requests received in 2014

Services Directive notifications:

The IMI Services Directive Notification procedure is used for notifying the Commission of any new laws, regulations or administrative provisions under articles 15(7) and 39(5) of the Services Directive 2006. The Commission sends any notifications received on to other member states, via IMI, for them to review and comment. The Commission will also consider the new requirement within a period of 3 months.

The notification process aims to prevent member states from introducing any unnecessary, disproportionate or discriminatory new barriers to businesses that want to provide services in that country.

The total number of notifications submitted through IMI in 2015 was 295. Member states that submitted the most notifications were: Czech Republic (144), Netherlands (53), Sweden (29), Hungary (15) and France (14).

The UK submitted 2 notifications i) the Tobacco Retailers Act (Northern Ireland) and ii) the Housing Act 2004 Parts 2 and 3. Other member states that submitted notifications were: Austria, Belgium, Cyrus, Denmark, Germany, Italy, Latvia, Norway, Poland and Portugal.

There were 15 member states that did not submit any notifications in 2015.

Future developments for the system

The Commission is currently planning, or considering adding, the following subject areas to IMI:

- Public documents

- European Professional Card and alerts

- Non-road mobile machinery

- Non-harmonised goods

Turkish Study Visit

In early November, we hosted a visit for more than 35 officials from Turkey to discuss how the UK has implemented the Services and Professional Qualifications Directives.

The Turkish delegation had already visited Romania and the Netherlands before coming to the UK as they wanted to understand how the same legislation can be implemented in different countries, in different ways and within different administrative structures.

Turkey is keen to understand what options might be available to them when thinking about how to align Turkey's national legislation with EU requirements and meet their legal obligations.

The event was very well received and our Turkish visitors felt that we had brought the process to life for them and made both the implementation process and project management issues more transparent and easier to understand.

Performance

Use of IMI continues to increase and we continue to advise authorities on how to use IMI and help them in submitting their Services Directive notifications.

We have also provided information on IMI through our newsletter and Governance Board meetings and shared best practice on what we do to promote the importance of IMI at an expert group meeting of member states.

Notifications Directive 2015/1535

What is Directive 2015/1535?

Directive 2015/1535/EU[8] aims to prevent new technical barriers being created by requiring European countries to notify the Commission and other member states of any proposed new technical regulations.

The Directive puts in place a system that enables member states to review and comment on a proposal before it becomes law. The UKSMC monitors all new notifications and ensures that any new proposals are brought to the attention of the relevant Government Department or Agency to consider. We also ensure that all new proposals are considered and that, if appropriate, any comments or objections are made within the deadline.

Codified Directive

Directive (EU) 2015/1535 replaced the former Directive 98/34/EC on 7th October 2015. The new Directive did not need any domestic implementing legislation in order to come into effect in the UK as we already met our legal obligations through our existing procedures.

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[8] http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015L1535&from=EN

There were no major changes as the new Directive simply "tidied up" the previous Directive - most of the differences concerned the re-numbering of Articles and updated references to other Regulations and Directives.

The new Directive was published in the Official Journal on 7th September and can be found here: Directive 2015/1535/EU.

Following the introduction of the new Directive, we published an updated 'Guidance for Officials', which has been simplified and also includes more information on the use of the urgency procedure.

The new guidance document can be found here: Guidance for Officials

Directive 98/34/EC Report

In August, the Commission produced a report on the operation of former Directive 98/34/EC from 2011-2013.

The report analysed the application of the procedures laid down by the Directive as regards technical regulations and highlights how important the notification procedure is to an effective and transparent Single Market and how it contributes to the implementation of better regulation policy.

The full report can be found on the TRIS website at: 98/34/EC Report

We also produced an Explanatory Memorandum on the report, which can be found here: Explanatory Memorandum

Examples of 2015/1535 notifications

- In December 2014, the UK notified the Single Use Carrier Bags Charges (England) Order 2015, where a 5p charge for carrier bags would come into force. The Order came into force on 5 October 2015. Since then, early reports show that some supermarkets have reported that their plastic bag consumption is down by 80%.

- In 2015, the Welsh Government notified the Microchipping of Dogs (Wales) Regulations 2015. The regulation comes into effect on 6 April 2016 whereby all dogs older than 8 weeks that are resident in Wales must be micro-chipped and registered on a database or the owners will face a fine. This regulation has been brought in to reduce the number of stray dogs that cannot be re-united with their owners. The Regulation also aims to encourage responsible ownership and help prevent straying and dangerous behaviour. England and Scotland will also bring this regulation into force on 6 April 2016.

What have we done?

We attended two Directive 2015/1535/EU Technical Regulations Committee meetings in March and October 2015. These meetings are attended by contact points from all member states as well as the 2015/1535/EU Directive team from the European Commission.

We gave a presentation about how we raise awareness of the notification process within the UK and ensure that all notifications are reviewed to check that they do not introduce any unnecessary technical barriers that would undermine the Single Market. We also spoke about our guidance document and diagnostic tool, which other member states are interested in using when considering their own guidance.

Other member states, including France, Germany, Poland, Sweden, Czech Republic, Turkey and Romania also shared their best practice for ensuring that the notification requirement is understood and met.

The UK contact point provides quarterly reports for both BIS colleagues and the UKSMC Governance Board about which member states notify and the product areas being notified.

In 2015, 770 notifications from member states, the European Free Trade Area (EFTA) and Turkey were submitted to the Commission, of which 73 (9.4%) were from the UK.

Overall, the total number of notifications in 2015 increased by 79 (11.4%) when compared to 2014.

Number of notifications submitted

The following table and chart shows the number of notifications by country

MEMBER STATE	2015	MEMBER STATE	2015
Austria	43	Liechtenstein*	3
Belgium	20	Lithuania	21
Bulgaria	13	Luxemburg	1
Croatia	4	Malta	1
Cyprus	3	Norway*	18
Czech Republic	37	Poland	36
Denmark	39	Portugal	22
Estonia	17	Romania	17
Finland	37	Slovakia	35
France	69	Slovenia	6
Germany	61	Spain	30
Greece	8	Sweden	32
Hungary	22	Switzerland*	10
Iceland*	2	The Netherlands	44
Ireland	2	Turkey*	16
Italy	20	UK	73
Latvia	8	Total	770

*EFTA states and Turkey

UK notifications

The UK notified the most new proposals, 73 (9.4% of the total notified) – compared to 64 in 2014, an increase of 9 (14%). (We suspect that this increase follows on from the General election in May.)

Following these notifications, we received:
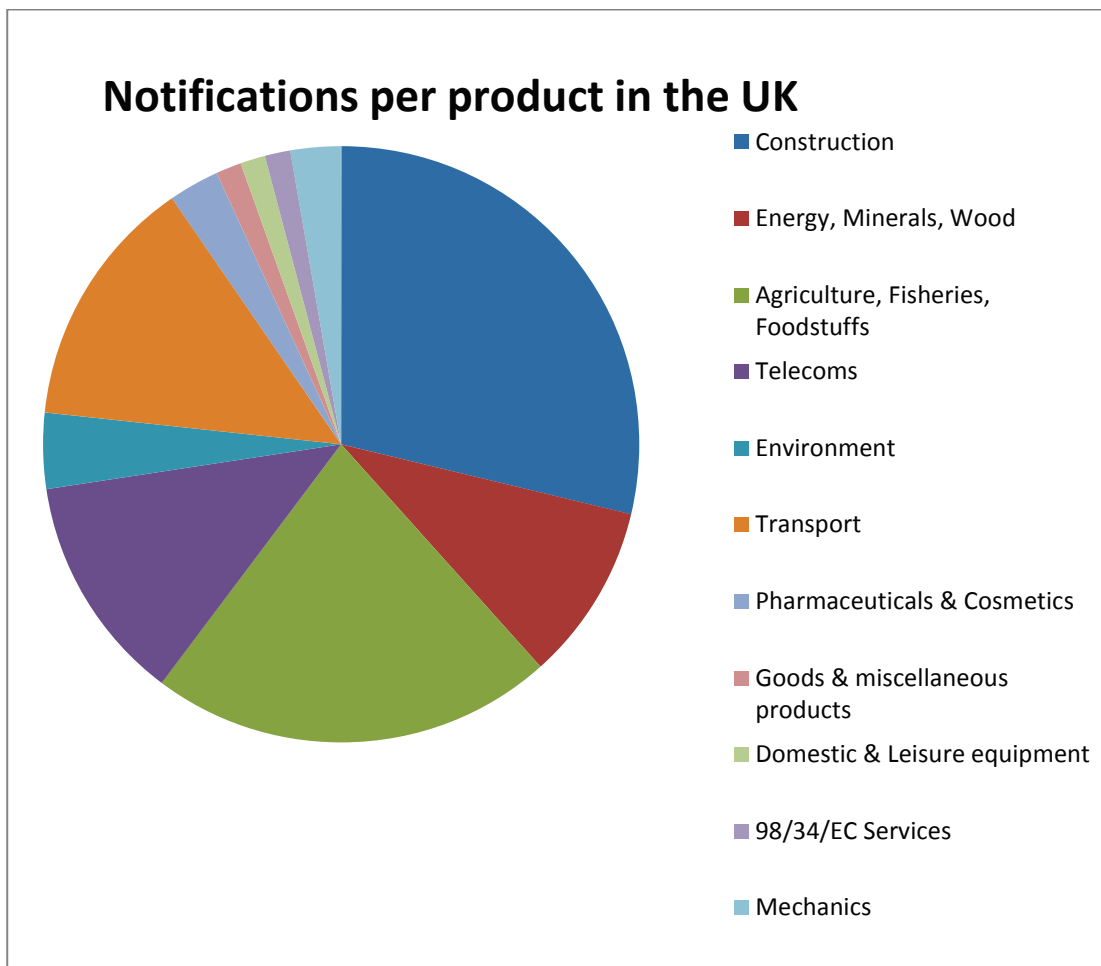
- 11 comments

- no detailed opinions

Comments that required a UK response were answered on time and to the satisfaction of other member states.

The Highways Agency (HA) submitted the most notifications (14), followed by:

- Scottish Government (10)

- Ofcom (7)

- Northern Ireland (6)

- Department of Energy and Climate Change (6)

Other bodies that made notifications include: Department for Transport, Home Office, HM Revenue & Customs, Medicines and Healthcare Products Regulatory Agency, Competition and Markets Authority, Department for Communities and Local Government, National Measurement and Regulatory Office, Gambling Commission, Welsh Government and the Department for Environment, Food and Rural Affairs.

The following chart gives the breakdown of notifications by product in the UK:

Notifications per product in the UK

- Construction
- Energy, Minerals, Wood
- Agriculture, Fisheries, Foodstuffs
- Telecoms
- Environment
- Transport
- Pharmaceuticals & Cosmetics
- Goods & miscellaneous products
- Domestic & Leisure equipment
- 98/34/EC Services
- Mechanics

Comments and detailed opinions submitted by the UK

The UK submitted 7 comments on other member states' notifications, which included: plant protection products, alcohol control, pre-packaged goods, air pollution and jewellery and hallmarking.

The UK submitted one detailed opinion compared to none in 2014. The detailed opinion was on a German notification concerning: Ordinance on minimum technical requirements in terms of the secure and interoperable deployment and operation of recharging points for electromobile vehicles, which are accessible to the public (Charging Column Ordinance [German designation: LSV]). Germany replied to the detailed opinion with a satisfactory response and we are waiting to see what the final text says when it is uploaded to TRIS.

Performance

The number of notifications continues to increase and we submitted all new UK notifications within one week.

Our updated Guidance for Officials was well received and we received positive feedback from other Government departments and other member states' contact points, some of which are developing their own guidance using ours as a basis.

We provide quarterly reports to policy leads and the Governance Board to keep and also attended two Directive 2015/1535/EU Technical Regulations Committee meetings in Brussels in March and October, were we shared best practice on our notification procedure with other member states.

Further Information

All notifications can be found on the European Commission TRIS website.

Single Market Scoreboard

What is the Single Market Scoreboard?

The Commission publishes the Single Market Scoreboard twice a year - the Scoreboard measures EU member states' performance on introducing and implementing single market legislation.

The first Scoreboard covers those Directives that are not fully transposed that have a transposition deadline of up to and including 30th April. The second scoreboard covers those Directives that are not fully transposed that have a transposition deadline of up to and including 30th November.

Compliance is assessed by a number of different measures including how quickly and how well each member state transposes Single Market Directives into national law, both in terms of the timeliness of transposition and the number of formal infringement proceedings taken against each member state for incorrect implementation and/or misapplication of Directives.

The Commission has set a 1% transposition for each Scoreboard, which means that no member state should have more than 1% of EU Directives outstanding for each Scoreboard.

Ministers continue to take a keen interest in the UK's performance and we keep both Ministers and the chairs of the parliamentary scrutiny committees informed of the UK's performance following the publication of each Scoreboard report by the Commission.

UK's performance

Since November 2012, the UK has halved its transposition deficit from 1.0 % to 0.5 % although, this year, the UK has failed to meet the 0% target for long overdue Directives, due to the inclusion of one Directive that is subject to infraction proceedings by the Commission.

The Commission will add Directives to the transposition deficit of a member state when, following a review of the notification, it believes that the transposition of a particular Directive is incomplete. However, this is only done once the Commission has taken a formal decision to raise an infraction and the member state concerned has then not notified the Commission of any new transposition measures.

We track and monitor the progress of transposition of Directives in each Scoreboard by keeping in touch with departmental coordinators, ensuring that they are aware of their legal obligations to meet the transposition targets, and issuing reminders and requests for information. In particular, to remind them to keep us informed of any difficulties or delays.

This message was reinforced at a Cabinet Office meeting of Infraction and transposition coordinators in September 2015, where we provided information on the Scoreboard and UK performance and gave a forward look to the Winter 2015 Scoreboard.

Overall, the UK continues to perform well against the 1% target as shown in the graph below that tracks our performance over the last 4 years (8 Scoreboards):
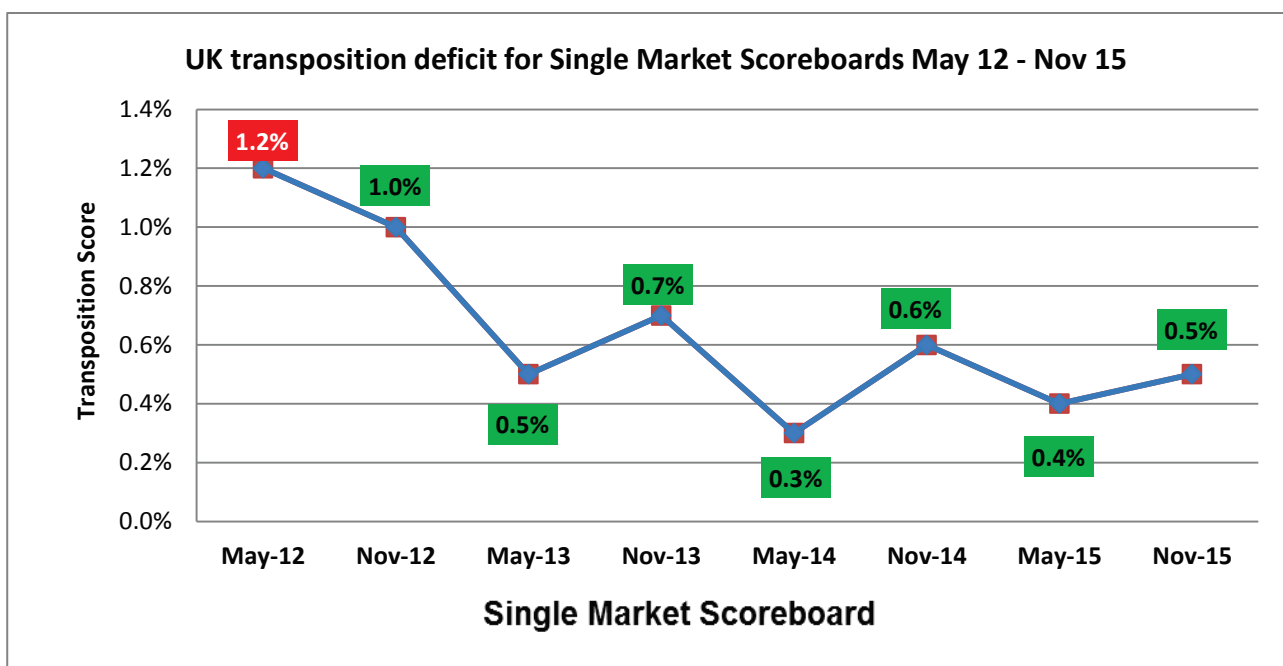
Winter 2015 Single Market Scoreboard

In the most recent Scoreboard - Winter 2015 (November 2015), the UK exceeded the 1% target and achieved a deficit of 0.5% with 5 Directives outstanding.

Forward Look – the Summer 2016 Single Market Scoreboard

Following changes recently announced by the Commission, the Summer Single Market Scoreboard will now cover outstanding Directives with a transposition deadline of up to and including 31st May 2016. Directives must be transposed and notified by 12th June 2016 in order to reduce the UK deficit for this Scoreboard.

At the time of writing, the UK has 38 Directives outstanding and a transposition deficit of 3.7%. To meet the 1% target, the UK must therefore transpose and notify 26 Directives and to meet the 0.5% target, the UK must transpose and notify 32 Directives.

Further information

The full results of the Summer and Winter 2015 Scoreboard can be found on the Commission website: Transposition

Reports for previous Scoreboards can also be found on the Commission website: Internal Market Scoreboard

Performance

We held a single market scoreboard workshop in September, which was attended by the transposition coordinators and contacts from Government Departments as well as Scotland, Wales and Northern Ireland.

The UK continues to exceed the 1% target set by the Commission for transposition with a deficit of 0.4% in the Summer Scoreboard and 0.5% in the Winter Scoreboard.

We informed Ministers and the Scrutiny Committees on the UK's performance within 10 working days of the report being published.

Other areas of Single Market work

Product Regulation

Product Regulation

The Single Market Product Safety (SMPS) team in BIS leads on issues relating to the single market for goods (consumer and industrial goods), product recalls, CE marking, technical harmonisation legislation and market surveillance.

Negotiation

In 2015, the team were involved in the re-negotiation of the EU Regulations on Personal Protective Equipment and Gas Appliances. These regulations set out a common framework for manufacturers, importers and retailers of these products to ensure that compliant products can be traded freely within the EU Single Market.

SMPS continued to resist the introduction of mandatory Country of Origin Marking for consumer products, which they believe would represent an unnecessary and disproportionate administrative burden that would not help the free movement of goods.

Implementation

The transposition of the Pyrotechnics Directive was completed in July 2015; it applies the so-called 'New Legislative Framework' (NLF) to these products and ensures that businesses have the same obligations across a wide range of EU product safety measures.

The team also consulted on the transposition of 8 other EU Directives that are being brought into line with the NLF. The Directives and corresponding UK Regulations will come into force in 2016.

Enforcement

In 2015, RAPEX (the EU-wide alert system for non-food dangerous products) issued 162 alerts on behalf of the UK compared to 129 in 2014 - an increase of 25%, thus ensuring that unsafe non-compliant products were removed from the market across the whole of the EU. The national contact for RAPEX in the UK is based in SMPS and there are a further 31 RAPEX contact points within other European countries.

SMPS also appointed 10 new notified bodies. These bodies provide pre-market testing to ensure that only compliant products are placed on the market, thereby helping to deliver a level playing field for business and ensure consumer safety.

Recognition of Professional Qualifications

The revised Mutual Recognition of Professional Qualifications Directive[9] came into force on 18th January 2016. The revised Directive introduces a number of new tools that will help in the recognition of professional qualifications within the EU. The main changes include:

- Updating the minimum qualification requirements for those professions covered by the automatic recognition system (doctors, nurses, dentists, architects, vets, pharmacists)

- The introduction of the European Professional Card (EPC) - an e-certificate that helps the most mobile professions get their qualifications recognised in other member states

- The Alert Mechanism – enables proactive information sharing when concerns arise about a health care professional or an educational professional working with children

- The introduction of the revision of the regulated professions through the transparency process - all member states have had to review their regimes and remove restrictive regulations on professionals

- The introduction of the use of "partial access" to help professionals to practise certain aspects of a regulated profession

- The recognition of professional traineeships

- The introduction of a framework for common training frameworks and common training tests

Further information

The Regulations covering the general system of recognition can be found here: PQ Regulations and the guidance for Competent Authorities can be found here: Competent Authorities

Single Market Strategy

What is the Single Market strategy?

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[9] http://www.legislation.gov.uk/uksi/2015/2059/schedule/2/made

The Commission's communication on 'Upgrading the Single Market', which was published on 28 October 2015[10], sets out its strategy to deepen and boost the Single Market.

The strategy emphasises that the Single Market is one of Europe's greatest achievements, which offers huge opportunities for European businesses and greater choice and lower prices for consumers. However, it also recognises that the full benefits of the Single Market have not always been achieved.

The strategy identifies a number of possible causes for this but highlights the continuation of too many significant barriers, notably in the area of services. The strategy makes a number of recommendations for further action, including listing a package of legislative and non-legislative proposals on the Commission's Single Market priorities for the next four years.

The reforms cover a range of policy areas, including services and goods; implementation and enforcement of existing rules; the digital agenda e.g. collaborative economy and online price discrimination; help for start-ups and SMEs; intellectual property; and public procurement.

The strategy focuses on practical measures aimed at helping SMEs and start-ups grow and expand; promoting innovation; unlocking investments; and empowering consumers. The proposals set out in the strategy are therefore grouped into three themes:

- **Creating additional opportunities for consumers, professionals and businesses**. This section brings forward measures intended to help businesses and consumers make the most of the Single Market.

- **Encouraging the modernisation and innovation that Europe needs**. This section sets out proposals to modernise the European standards system, open up public procurement markets, and consolidate Europe's intellectual property framework.

- **Ensuring practical benefits for people in their daily lives**. This section focuses on measures to ensure that existing Single Market rules are better implemented and enforced through the creation of a smart and collaborative culture of compliance.

Why does the strategy matter?

Delivering jobs and growth through a more competitive Europe is a central part of the UK's reform agenda.

Deepening the Single Market drives economic growth and will allow companies to expand across borders and give UK consumers greater choice and lower prices.

The Government therefore strongly welcomes and supports the proposals brought forward in the Commission's Single Market strategy.

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[10] http://ec.europa.eu/growth/single-market/index_en.htm

The proposals in the strategy align with the priorities we identified prior to its publication and which we set out in a [paper published in July last year](). In particular, we welcome the following initiatives:

- The commitment to introduce a **services passport** that will make it easier for firms in certain high value sectors such as professional services and construction to operate cross-border.

- Action on the **collaborative economy** (including guidance on how Single Market rules apply) and on **unjustified price discrimination** on the basis of the nationality or location of the consumer. This will ensure that consumers benefit from the Single Market by giving them access to new, innovative services and the best online deals across Europe.

- A package of measures that signal a **tougher approach to enforcing the existing rules**, including development of a smart enforcement strategy, focusing on economically significant barriers and the creation of an 'analytical framework' for assessing the proportionality of new and existing national regulations governing the regulated professions.

- The focus on **helping small businesses and innovative start-ups** grow, supporting them with problems around VAT, company law and burdensome regulation.

Next steps

The strategy sets out a **roadmap for further action**. The Commission intend to launch a number of public consultations and bring forward several concrete proposals this year, including on some of our priority areas.

We are expecting consultations on the services passport and the services notification procedures (under the Services Directive) as well as concrete proposals on how existing EU law applies to the collaborative economy, and on legislative and enforcement action to end the different treatment of consumers based on their geographic location (read the [Government's response to the Commission's consultation on price discrimination]()).

The remaining initiatives set out in the strategy will be launched throughout 2017.

We will continue to engage with the Commission throughout 2016 in order to influence the proposals they are going to bring forward, ensuring that these reflect UK priorities, have a firm evidence base, and are both necessary and proportionate.