Department for Business, Innovation, Science and Trade

Guidance on the Provision of Services Regulations

Written for competent authorities, devolved administrations, government departments and businesses

November 2026

Contents

Disclaimer *4*

Introduction *5*

What do the Provision of Services Regulations do? **5**

History of the Provision of Services Regulations **6**

Who is this guidance for? *8*

Summary of the Regulations *9*

EU Exit: Implications for the UK services sector *10*

Commitments under International Agreements **11**

Which services are included in the Regulations? *12*

Which services are excluded from the Regulations? *13*

Guidance for UK Competent Authorities *15*

What is a UK Competent Authority? **15**

Introducing new rules and requirements **15**

Roles & responsibilities **16**

Handling authorisations, licensing & administration procedures **16**

Handling applications from businesses 16
Determining the completeness of an application before processing 17
Rejection of an application 17
Grant or refusal of an application 18
Conditions for granting of authorisation 18
Duration of authorisation 19
Fees 19
Prohibited requirements 20
Commercial communications 21
Multidisciplinary activities 21
Selection from among several candidates 21
Enabling new businesses to grow and reducing barriers to entry 22

Mutual Recognition – the interaction of the Regulations with the UK Internal Market Act (UKIMA) 2020 ..... **23**

Requirements for new policies, rules or creating a new competent authority **26**

Informing the Secretary of State **26**

Guidance for businesses *27*

Information which must be available to the end-consumer *28*

Information which must be supplied if asked *30*

Dealing with complaints *31*
Enforcement *32*
Other obligations on businesses *33*
The relationship with other legislation *34*
Digital requirements and information *35*
Developing electronic application forms *36*
Electronic signatures *37*
Applying online *38*
Access to authorisations for overseas businesses *39*
Data Protection *40*
Annex A: Steps for creating a new Competent Authority, policy and rules *42*
Creating a new Competent Authority 42
Setting up a new policy/rule 43
Annex B: (Part 1) Check compliance with the Regulations for new authorisation schemes *44*
Annex B: (Part 2) Check compliance with the Regulations for new authorisation schemes *45*
Annex C: Glossary *46*

Disclaimer

This guidance will support users in understanding the Regulations using plain English, identifying the most relevant sections and appropriate examples. The guidance should be read in conjunction with the Regulations.

Introduction

What do the Provision of Services Regulations do?

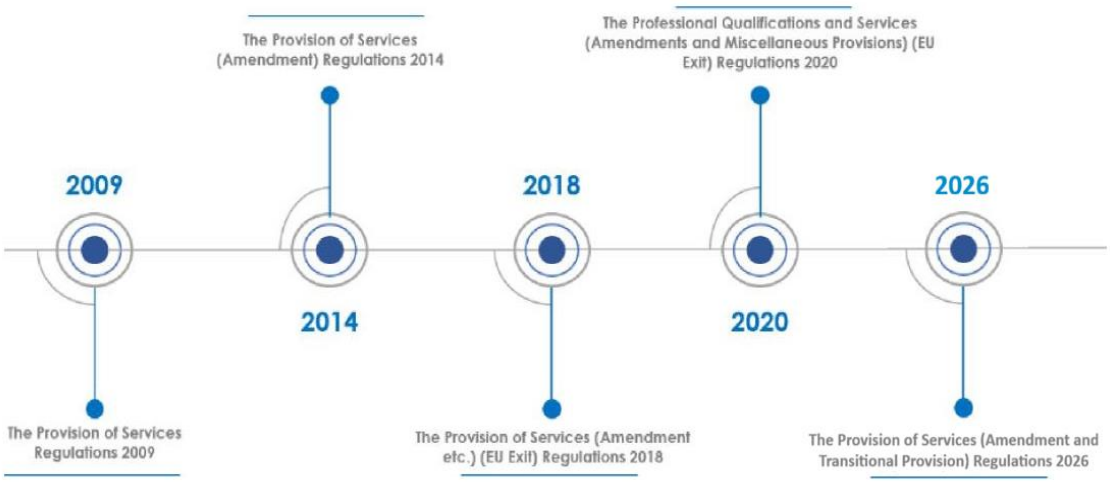
The Provision of Services Regulations[1] ('the Regulations') protect businesses providing services in the UK and the rights of UK consumers by maintaining obligations on UK competent authorities to ensure that their regulation of service activity is proportionate and justified in the public interest.

The Regulations also:

- prevent competent authorities from imposing disproportionate or unnecessary requirements on businesses who seek to provide services in the UK;
- require competent authorities to, under certain circumstances, notify the Secretary of State for the Department for Business, Innovation, Science and Trade of new requirements affecting access to, or the exercise of, a service activity;
- require the UK Government to maintain an online facility for information dissemination; and
- set out duties of businesses, detailing the requirements for contact details and other information to be made available for service recipients.

[1] The Provision of Services Regulations 2009: https://www.legislation.gov.uk/uksi/2009/2999/contents/made. This legislation is subject to amendments as outlined in the *History of the Provision of Services Regulations* section.

History of the Provision of Services Regulations



The Regulations were first introduced in 2009, to implement the European Union ('EU') Directive 2006/13/EC (the 'Services Directive') into UK law. The aim of the Services Directive was to make it easier for businesses to provide cross-border services with other European Economic Area ('EEA') countries[2] by lowering non-tariff barriers to trade. It specifically aimed to simplify administrative procedures and remove obstacles for services activities; enhance mutual trust between member states through effective administrative cooperation; and improve the quality of businesses and strengthen consumer rights in the Single Market.

In 2014, BEIS (a predecessor of the Department for Business, Innovation, Science and Trade ('BIST') built on these deregulatory principles by amending the Regulations to ensure that a licence issued by a territorial authority will, where appropriate, allow a business to provide that service throughout the UK.

The UK left the EU on 31 January 2020, and the transition period (during which EU rules continued to apply in the UK) ended on 31 December 2020. The Services Directive no longer applies to the UK, or to EEA businesses or individuals providing services in the UK. However, the European Union (Withdrawal) Act 2018[3] preserved the Regulations (as amended in 2014) for UK nationals and businesses established in the UK and formed under UK law.

[2] Members of the European Union and Iceland, Liechtenstein and Norway.
[3] European Union (Withdrawal) Act 2018: https://www.legislation.gov.uk/ukpga/2018/16/contents/enacted

In 2018, BEIS made additional amendments to the Regulations to ensure that they continued to work after the UK's exit from the EU.[4] A further technical amendment was made by BEIS in 2020[5] to set out that the 2018 amendments would come into force at the end of the transition period. These amendments received the consent of the devolved governments[6] and therefore applied UK-wide.

In April 2026, further UK-wide amendments to the Regulations were made to strengthen communication and transparency requirements for competent authorities.[7] The changes aim to help businesses access information, apply for authorisations and communicate with authorities more easily, while streamlining administrative processes and reducing unnecessary burdens. The amendments brought non-UK businesses and individuals providing services in the UK into scope of the Regulations, to more closely align with the UK's trade commitments.

[4] The Provision of Services (Amendment etc.) (EU Exit) Regulations 2018: https://www.legislation.gov.uk/uksi/2018/1329/contents/made
[5] The Professional Qualifications and Services (Amendments and Miscellaneous Provisions) (EU Exit) Regulations 2020: https://www.legislation.gov.uk/uksi/2020/1038/regulation/3/made
[6] The 2018 amendments received the consent of the devolved administrations in Scotland and Wales and the Northern Ireland Civil Service under the protocol established for considering regulations of this nature.
[7] The Provision of Services (Amendment and Transitional Provision) Regulations 2026: https://www.legislation.gov.uk/uksi/2026/435/made

Who is this guidance for?

The guidance is intended for service providers, UK competent authorities, and other interested stakeholders. It consists of advice on the principles of the Regulations and provides suggested guidance to enable compliance with the Regulations.

In the Regulations:

- **a competent authority is defined as a "body or authority having supervisory or regulatory functions in the United Kingdom in relation to service activities (and includes in particular a professional body, professional association or other professional organisation, that regulates access to, or the exercise or, a service activity)"**

  Competent authorities are those bodies who set rules or requirements which businesses must comply with, and those that are involved in authorising service providers. These bodies include local authorities, national regulators, licensing and authorisation bodies and other authorities such as professional bodies or bodies who maintain required registers. Competent authorities should seek legal advice regarding the specific application of the Regulations for their organisation.

- **a service provider is a body or individual that provides or offers to provide a service with the UK. The term 'service provide' is used interchangeably with the term 'business' in this guidance**

Summary of the Regulations

The Regulations are structured into Parts, grouped by the type of provisions they cover. The table below outlines the most important elements of the Regulations.

Parts of the Regulations	Brief description of the provisions
Part 1 – Introductory	Details on the definitions of 'service' and 'competent authority'.
Part 2 – Duties of Service Providers	Service providers have a duty to provide their contact details and other information to service recipients, along with processes for submitting complaints.
Part 3 – Duties of Competent Authorities in Relation to Provision of Services in United Kingdom	Competent authorities are required to provide a clear process for their authorisation scheme. Businesses cannot be prohibited from delivering a services activity due to an economic test, involvement of competing operators or other requirements such as quantitative or territorial restrictions, minimum number of employees etc.
Part 6 – Other Duties of Competent Authorities in Relation to Providers and Recipients (Previously Part 8 in the Regulations (as amended in 2014)	The Secretary of State is responsible for providing an electronic assistance facility for users.
Part 7 – Provision of Information by Competent Authorities	Sets out the information requirements which a competent authority must make available to the secretary of state via either the electronic assistance facility referred to in Part 6, or its website.

EU Exit: Implications for the UK services sector

Following the UK's EU exit on 31 January 2020, and the end of the transition period on 31 December 2020, the scope of the Regulations only applied to UK nationals established in the UK, and UK-established businesses. EEA businesses no longer had preferential access rights and protections.

Under the Regulations, UK competent authorities were no longer prohibited from imposing more stringent requirements on EEA businesses than those they impose on UK-established businesses. However, competent authorities remained obliged to continue ensuring that the rules and requirements applied to any foreign service provider took into account the commitments made by the UK as part of the international agreements it has entered into. This included the UK-EU Trade and Cooperation Agreement, signed on 30 December 2020 and given effect in the UK by the European Union (Future Relationship) Act 2020 (see 'Commitments under international Agreements' below for more details.)

UK competent authorities no longer had access to the Internal Market Information System, as this is part of the EU's Single Market infrastructure. However, competent authorities are still able to contact EEA competent authorities directly if they require information.

The reciprocal arrangements for accepting professional liability insurance were removed from the Regulations at the end of the transition period. This meant that whilst UK competent authorities could continue to recognise EEA equivalent or comparable insurance, they were no longer required to do so.

The Regulations continue to benefit and protect UK businesses by placing obligations on UK competent authorities to regulate services in scope of the Regulations (see 'Which services are included in the Regulations?' for more details). For example, competent authorities continue to be required to design their licensing forms and authorisation schemes in a way that is proportionate and justified by a public interest objective.

The UK Government continues to use GOV.UK to share information to support businesses seeking to provide services in the UK. This information continues to include authorisation procedures (such as licensing forms), and the requirements that businesses must comply with if they want to provide services in the UK.

Commitments under International Agreements

The UK Government is bound by the obligations found in the international agreements it enters into, including the UK-EU Trade and Cooperation Agreement. The UK also has a number of international trade agreements in place with non-EU countries.[8]

In addition, the UK is required to abide by the terms of the agreements of the World Trade Organisation ('WTO') which provide a system of international trade rules for all member countries.[9] This includes the General Agreement on Trade in Services, a treaty of the WTO,[10] and the WTO Joint Services Initiative on Domestic Regulation.

Competent authorities that design and administer authorisation schemes which set out different requirements for foreign service providers compared to UK-based providers should take into account relevant international trade commitments to ensure that the authorisation processes for foreign nationals are fully compliant with the Domestic Regulation obligations these contain. Competent authorities should consider whether they need to obtain legal advice when setting up new policies and before introducing new rules.

[8] https://www.gov.uk/guidance/uk-trade-agreements-with-non-eu-countries
[9] https://www.wto.org/english/thewto_e/whatis_e/tif_e/fact2_e.htm
[10] https://www.wto.org/english/tratop_e/serv_e/gatsqa_e.htm

Which services are included in the Regulations?

The Regulations define a service as an economic activity normally provided in exchange for remuneration and which is not provided under a contract for employment.[11] This activity could be industrial or commercial in nature, a craft, or the activity of a profession. 'Remuneration' should be interpreted broadly, for example, money or payment-in-kind (but excluding wages/salaries).

A service can be business-to-business or business-to-individual activity. Services which are not provided for remuneration are not covered by the Regulations. For example, non-remunerated house-to-house collections for charity do not fall in scope of the Regulations.

The scope of the Regulations applies to businesses or individuals providing services in the UK, and to persons receiving services in the UK.

Types of services that the Regulations apply to include, but are not limited to:

business services: management consultancy; professional services such as lawyers, accountants and actuaries; advertising; certification and testing; facilities management, including office maintenance; fitting and maintenance of equipment; renting of equipment; logistics; waste management; training providers; the services of commercial agents; and the organisation of trade fairs.

services provided to both business and to consumers: estate agents and letting agents; conveyancing; construction services such as architects and builders; restaurants and catering services; distributive trades; postal services; storage services; and financial advisers.

consumer services: tourism, including tour operators and tour guides; travel agents; leisure services and sports centres; child minders; amusement parks; private schools and universities; providers of post graduate studies, language schools, vocational training; driving instructors; MOT services; entertainment; beauty services; veterinarians; gardeners; cleaners; plumbers; joiners; and electricians.

[11] Regulation 2(1).

Which services are excluded from the Regulations?

A service is within scope of the Regulations unless it is explicitly excluded from them. The main exclusions, as set out in regulation 2(2), are:

1. **Financial services**, such as banking, credit, insurance and re-insurance, occupational and personal pensions, securities, investment funds, payment and investment advice, including the business of credit institution;

2. **Electronic communications services and networks** and associated facilities and networks, as defined in five other 2002 EU Directives which also relate to electronic communications;[12]

3. **Transport services**, including air transport, maritime and inland waterways transport (including port services), as well as road and rail transport, in particular urban transport, taxis and ambulances. Examples of services which are not covered by this exclusion (and are therefore covered by the Regulations) are removal services, car rental services, funeral services and aerial photography services. The exclusion also does not cover commercial activities in ports such as shops and restaurants;

4. **Services of temporary work agencies.** The Government's view is that this exemption covers only the hiring out and placement of workers in temporary work and does not cover other services provided by the same agency;

5. **Healthcare services.** This exclusion covers healthcare and pharmaceutical services provided by health professionals to patients to assess, maintain or restore their state of health where those activities are reserved to a regulated health professional;

6. **Audio-visual services**, including cinematographic services, whatever their mode of production, distribution and transmission, and radio broadcasting;

7. **Gambling services**, which involve wagering a stake for monetary value in a game of chance, including lotteries, gambling in casinos and betting transactions;

8. Activities connected with the exercise of **official authority;**

9. **Social services** relating to social housing, childcare and the support of families in need, where these are provided by the State, by providers mandated by the State or by charities

[12] These Directives were largely implemented in the UK by the Communications Act 2003. Such services and networks include, for example, voice telephony and electronic mail services.

recognised as such by the State. The Government's view is that services provided on a charitable basis by Registered Social Landlords are out of scope of the Regulations. Services provided on a commercial basis by charitable organisations or their trading subsidiaries are, however, in scope of the Regulations;

10. **Private security services;** such as security guarding, door supervision and close protection services and

11. Services provided by **notaries and baliffs** appointed by an Act of Parliament.

Taxation is also excluded from the Regulations.

Guidance for UK Competent Authorities

What is a UK Competent Authority?

In broad terms, a competent authority is a body which regulates specific activities related to service provision, or which is responsible for authorisations and/or other formalities (registers, licences, permits, notifications) with which a business must comply in order to provide a service in scope of the Regulations.

Government departments, devolved administrations, local authorities, large UK regulators (e.g. the Health and Safety Executive), sector specific regulators (e.g. Ofsted and the Care Quality Commission), self-regulatory professional bodies and others **are competent authorities for the purposes of the Regulations.**

Introducing new rules and requirements

A competent authority introducing new rules or requirements for businesses should use the flowcharts in Annex A. This only applies to bodies whose authorisation is required by law in order to provide services.

For example, in the UK, the title 'architect' is protected by law. Architects wishing to practice using that title in the UK must register with the Architects Registration Board ('ARB'), which is the UK's statutory regulator of architects. Therefore, the ARB is the competent authority.

This can be contrasted with the rules applying to hairdressers. Although there may be benefits to a hairdresser joining the Hair Council before offering their services in the UK, it is not compulsory to do so to provide hairdressing services or to be called a hairdresser. A hairdresser can work in the UK without joining the Hair Council, and so the Hair Council is not a competent authority. This position would change if it became obligatory for a hairdresser to join the Hair Council before offering their services in the UK.

Some businesses may only need to seek authorisation for a specific activity which they carry out as part of their overall service, rather than for their entire service. As this would be an obligatory requirement affecting the exercise of a service, the authorising body will be a competent authority for the purposes of the Regulations.

For example, builders in general do not have to obtain a licence from the Environment Agency

before operating in the UK. However, they may need a licence or a permit from the Environment Agency in order to manage waste. The Environment Agency is therefore the competent authority with respect to those builders who manage waste.

Roles and responsibilities

Competent authorities are advised to ensure authorisation schemes and requirements imposed on businesses follow the Regulations.[13] Competent authorities are obliged not to impose **disproportionate** or **unnecessary requirements** on businesses who seek to provide services, unless justified. Competent authorities are encouraged to review the Regulations.

Competent authorities whose functions relate only to part of the United Kingdom (a 'territorial authority') are encouraged to facilitate the recognition of authorisations granted under an authorisation scheme by other territorial authorities.

Local Authorities introducing new requirements, which are derived from existing or new local legislation (local Acts, county Acts, by-laws) for businesses, are obliged to comply with the Regulations. This extends to administrative or procedural rules and practices which are part of authorisation processes, and to conditions that are attached to licences where this condition is a part of the authorisation process.

Annex A can assist in determining next steps when setting up a new policy/rule or creating a new competent authority.

Annex B (Part 1) can be used to determine if new authorisation schemes comply with the Regulations.

Annex B (Part 2) can be used to ensure that any new requirements imposed on businesses operating in the UK comply with the Regulations.

Handling authorisations, licensing and administration procedures

Handling applications from businesses

All authorisations, licence applications and administrative procedures applicable to businesses must be processed as quickly as possible, and in any event within a reasonable time period from the time the competent authority determines that the application is complete for the purpose of processing. This is when all valid information and documentation has been received by a competent authority, online and/or by post, required to process the authorisation. The processing period must be fixed and made public in advance.

Procedures and formalities must be made easily accessible and must not be dissuasive, unduly complicated or delay the provision of the service. Applicants should be able to find information

[13] Devolved governments have previously consented to follow the Regulations and have been consulted and confirmed their agreement for Parliament to lay the 2018, 2020 and 2026 amendments.

either on GOV.UK, or should be rerouted via a weblink to the relevant external competent authority webpage (e.g. directly to the application form for a licence).

Determining the completeness of an application before processing

When a competent authority receives an application, it is required to determine its completeness for the purposes of processing without undue delay.

If the competent authority first requires time to consider the completeness of the application (e.g. where completeness of the documentation is not apparent on the face of it), it must acknowledge the application in writing so an applicant knows their application has been received and advise that the completeness of the application is under review.

When a competent authority determines that **an application is complete for the purposes of processing**, it must notify the applicant:

a. that the application submitted is complete for the purpose of processing;
b. of the date the application processing period begins and its duration; and
c. of the available means of redress in the event of a dispute between a competent authority and the applicant.

If the competent authority determines that application **is incomplete, the applicant must be informed as quickly as possible**:

a. that the application is incomplete;
b. whether the applicant can supply additional information or documentation; and
c. that the fixed processing time will only start when all valid information and documentation has been submitted by the applicant.

Where possible, a competent authority must give an applicant the opportunity to provide any additional information or documentation, without requiring them to submit a new application. Further information or documentation provided by the applicant must only relate to the missing information or documentation identified by the competent authority. To ensure a timely response from applicants, the competent authority will:

a. specify a reasonable period of time within which the applicant must provide the information or documentation, and
b. explain the effect of failing to submit information or documentation by the end of the specific period.

Rejection of an application

When a competent authority rejects an application for authorisation the applicant must be informed in writing as quickly as possible;

a. that their application has been rejected;
b. the reasons for that rejection; and
c. where applicable, the procedure for resubmission of the application.

A competent authority cannot restrict an applicant from submitting another application solely on the basis of the previously rejected application.

Grant or refusal of an application

When a competent authority's decision to grant or refuse an application is not received within the fixed processing period, the authorisation may be deemed to have been granted tacitly. A competent authority is obliged to publish confirmation of whether tacit authorisation applies to an authorisation scheme. If it does not apply, the competent authority must provide details of the overriding reason(s) relating to the public interest ('ORRPI') that disapplies it.[14] These details should be made available on the Electronic Assistance Facility or on the authority's website. Where tacit authorisation applies and a competent authority does not process an application in time, the applicant can presume their application has been authorised. See Annex C Glossary for a full explanation of ORRPI.[15]

In exceptional circumstances, the time period may be extended by the competent authority once. This can only be done if a sufficiently complex issue arises in the course of an application. The applicant must be notified of the extension and its duration before the original time period has expired.

Conditions for granting of authorisation

An authorisation scheme provided by a competent authority must be based on criteria which preclude the Authority from exercising its power of assessment in an arbitrary manner.

The criteria must be:

a. justified by an ORRPI
b. proportionate to that public interest objective
c. clear and unambiguous
d. objective
e. made public in advance
f. transparent and accessible

[14] See Regulations 19(5), 19(6) and 36(1)(vi).
[15] This provision does not affect bodies already caught by the Recognition of Professional Qualifications Regulations.

Duration of authorisation

An authorisation granted to the provider of a service by a competent authority under an authorisation scheme must be for an indefinite period, except where:

a. the authorisation
   i. is automatically renewed, or
   ii. is the subject only to the continued fulfillment of requirements;

b. the number of available authorisations is limited by an ORRPI; or

c. a limited authorisation period can be justified by an overriding reason relating to the public interest

However, competent authorities can set a maximum period after authorisation is granted in which the business must commence the permitted activity.

Fees

Fees charged by a competent authority under an authorisation scheme must be reasonable and proportionate to the cost of the procedures and formalities under the scheme and must not exceed the cost of those procedures and formalities. **Fees should not be used as an economic deterrent to certain activities or to raise funds.** If a business believes the fee to be disproportionate, they can contest it with the competent authority concerned.

The fees charged in relation to the determination of an application must be limited to the costs a competent authority incurs in carrying out the procedures and formalities involved in determining the application. Accordingly, it should not include other elements of the scheme.[16] For example, enforcement costs should not be assimilated with the application fee. Keeping application fees separate from other costs helps avoid a situation where an unsuccessful applicant could challenge the fee because part of it was used to support successful competitors.

[16] See regulation 18(4) (a) – (c) of the Regulations.

Court judgements to reinforce regulation 18(4)

Competent authorities should take note of two judgements where fees charged at the point of application were found to be unlawful because of non-compliance.

The UK court ruled in the case of Gaskin v London Borough of Richmond, that the owner of a house in multiple occupation (HMO) was providing a 'service' for the purposed of the Regulations. The licensing provision of the Housing Act 2004 Part 2 were acting as an authorisation scheme for the purposes of the Regulations. The competent authority was not entitled to demand that the owner pay an application fee of £1,799 when applying to renew his licence for the HMO which encompassed the costs of enforcing the licensing scheme. This fee infringed regulation 18(4) as it was not limited to the costs of the procedures and formalities of the authorisation scheme under Part 2 of the Act.[17]

The UK court ruled in the case of Hemming v Westminster City Council that the Council could not include the costs relating to the management and enforcement of the authorisation scheme within the payment of a fee, even if the enforcement part of the fee is refundable should the application be refused.[18]

Prohibited requirements

A competent authority **must not** make access to, or the exercise of, a service activity subject to:

a. the case-by-case application of an economic test making the granting of authorisation subject to:
   i. proof of the existence of an economic need or market demand;
   ii. an assessment of the potential or current economic effects of the activity; or
   iii. an assessment of the appropriateness of the activity in relation to the economic planning objectives set by the competent authority.
b. the direct or indirect involvement of competing operators, including within consultative bodies:
   i. in the granting of authorisations; or
   ii. in the adoption of other decisions of the competent authority.
c. an obligation:
   i. to have been pre-registered, for a given period, in registers held in the UK; or
   ii. to have previously exercised the activity for a given period in the UK[19].

[17] https://www.bailii.org/ew/cases/EWHC/Admin/2018/1996.html
[18] R (on the application of Hemming (t/a Simply Pleasure Ltd) and others) (Respondents) v Westminster City Council (Appellant): https://www.supremecourt.uk/cases/uksc-2013-0146.html
[19] See Regulation 21(1) (e) – (h)

Commercial communications

A competent authority **must not** impose total bans on commercial communications by regulated professions.[20] This means complete bans on all forms of advertising, as well as on a specific form of advertising such as television advertising.

Commercial communications must comply with professional rules relating to the independence, integrity and dignity of the profession in question, as well as to professional secrecy, in a manner consistent with the specific nature of each profession. These professional rules must be justified by an ORRPI and proportionate.

Multidisciplinary activities

Businesses are not restricted from engaging in multidisciplinary activities. There are no obligations for providers to engage exclusively in a specific service activity, or to do anything that restricts the exercise, jointly or in partnership, of different activities[21].

However, this requirement may be imposed on a regulated profession if it is justified in order to guarantee compliance with the rules governing ethics and conduct in that profession, and is necessary to ensure the impartiality and independence of the profession. Also, the competent authority may impose a requirement on providers of certification, accreditation, technical monitoring, test or trial services where this is necessary to ensure the independence and impartiality of the provider.

Where multidisciplinary activities are permitted, the competent authority must ensure that conflicts of interest are avoided, independence and impartiality are secured, and relevant professional rules are compatible.

Selection from among several candidates

A competent authority can limit the number of authorisations under a scheme for a given service if there is limited availability of natural resources or technical capacity[22]. The selection procedure established by the competent authority must fully secure impartiality and transparency, including adequate publicity about the launch, conduct, and completion of the procedure.

Authorisation granted by the competent authority must be granted for an appropriate limited period, and may not be open to automatic renewal or confer any other advantage on a previously authorised candidate or on a person having any particular links with such a candidate.

[20] See Regulation 34
[21] See Regulation 35
[22] See Regulation 17

Enabling new businesses to grow and reducing barriers to entry

In addition, a business should not have to satisfy criteria when applying for authorisation if equivalent or essentially comparable requirements or controls in the UK have already been met.

The competent authority may request proof of compliance, and such proof must be provided if requested within a reasonable time of being asked, otherwise the competent authority may subject the applicant to duplicate requirements.[23]

Competent authorities can only impose certain other requirements if these are **necessary and proportionate.**

A '**necessary**' requirement is one that is justified by ORRPI, for example, public policy, public security, public health, protection of the environment, animal welfare, or road safety.

A **'proportionate'** requirement must not go beyond what is necessary to attain the policy objective pursued and must be suitable for attaining it. It must not be possible to replace any retained barrier with other less restrictive measures that achieve the same result.

The requirements include:

- limits on the number of businesses according to the population size or a minimum geographical distance between businesses providing the same service;
- allowing or disallowing a service to be provided by a business taking a specific legal form, for example, a company with individual ownership; and
- requirements relating to the shareholding of a company.

[23] See Regulation 15

Mutual Recognition – the interaction of the Regulations with the UK Internal Market Act (UKIMA) 2020

The UK Internal Market Act ('UKIMA') gained Royal Assent in December 2020. The purpose of the Act is to preserve the UK internal market, providing continued certainty for individuals and businesses to work and trade freely across the UK following the end of the transition period.

Both the Regulations and Part 2 (services) of the UKIMA contain provisions for mutual recognition [24]. Mutual recognition ensures that an authorisation issued by a competent authority/regulator [25] whose functions only extend to part of the UK (i.e. England, Wales, Northern Ireland or Scotland)[26] will, subject to certain exceptions, allow that service provider to provide its services throughout the whole of the UK.

For example, the mutual recognition principle means that if a service provider is issued a licence which permits it to provide that service in Wales, then assuming that none of the exceptions apply, it will also be permitted to provide that service without the need for further authorisation in England, Scotland and Northern Ireland.

The mutual recognition principle only applies where the provision of a service is regulated. Therefore, a service provider which operates in a part of the UK that does not require authorisation to provide a service could not operate in another part of the UK which does have authorisation requirements for that service activity, without first having to obtain an authorisation from the relevant competent authority in that part of the UK.

Which regime to apply?

Competent authorities must determine whether to apply the UKIMA mutual recognition regime OR the mutual recognition regime found in the Regulations. The two sets of rules are mutually exclusive.

The regimes are similar but the exceptions to UK-wide applicability are different. Please see the information below for guidance on whether your authorisation requirement falls under the UKIMA or the Regulations. We recommend that you seek independent legal advice regarding specific application.

---

[24] UKIMA mutual recognition provisions: see Section 19 Part 2. The Regulations mutual recognition provisions: see Regulations 15(5) to 15(E)

[25] The Regulations refer to 'competent authorities' whilst UKIMA refers to 'regulators'. For specific definitions, refer to the respective legislation.

[26] A part of the UK refers to a whole of a part of the UK and would not include, for example, a local authority. https://www.legislation.gov.uk/ukpga/2020/27/contents/enacted/data.html

The principle of mutual recognition in the UKIMA applies to **new or substantively amended authorisation requirements introduced after 11pm 31 December 2020**. Competent authorities and services providers should look to the UKIMA legislation[27] to determine precisely how mutual recognition applies to new and substantively amended authorisation requirements in the future; the below information only provides an overview.

Mutual Recognition Regime under the Regulations

Authorisation requirements in a part of the UK will apply in accordance with mutual recognition requirements laid out in section 15 of the Regulations if they:

were in place prior to 11pm on 31 December 2020;

OR

are put in place after 31 December 2020, but re-enact authorisation requirements that were in place before 31 December 2020;

Under the Regulations, exception to the requirement for UK-wide applicability is provided for where an authorisation for each individual establishment or a limitation of the authorisation to a particular part or area of the UK is justified by ORRPI. See the Glossary (Annex C) for a full explanation of ORRPI.

UKIMA Mutual Recognition Regime

The mutual recognition principle laid out in section 19 of the UKIMA will apply to:

new authorisation requirements in a part of the UK that are enacted after 11pm on 31 December 2020;

OR

authorisation requirements that substantively change an existing authorisation requirement (i.e. change an authorisation requirement that was in place before 31 December 2020) in a part of the UK;

OR

existing authorisation requirements that have not changed but where a corresponding authorisation requirement in another part of the UK has been introduced or substantively changed.

[27] https://www.legislation.gov.uk/ukpga/2020/27/contents/enacted/data.html

The UKIMA mutual recognition regime requirement does not apply when the relevant services sector or authorisation requirement is excluded from the mutual recognition principle under Parts 1 or 3 of Schedule 2 to the UKIMA. In addition, the mutual recognition principle does not apply to an authorisation requirement which can reasonably be justified as a response to a public health emergency.

Note that where the UKIMA mutual recognition regime applies, all other provisions in the Regulations continue to apply as before to both new and existing authorisation requirements. For example, a new authorisation scheme set up after 31 December 2020 would fall under the UKIMA's mutual recognition provisions but would still be required to comply with all other elements of the Regulations except for Regulation 15(5) to 15(5E).

Other considerations/requirements

The UKIMA also establishes a principle of non-discrimination.[28] This principle applies both where the UKIMA mutual recognition principle applies, and also to new regulatory requirements introduced by regulators after 11pm on 31 December 2020.

The principle of non-discrimination means that a regulatory requirement will have no effect on a service provider if it directly or indirectly discriminates against that service provider. Direct discrimination is where a regulator discriminates against a service provider based on their connection to a part of the UK (e.g., being based in one part of the UK). Indirect discrimination is where a regulatory requirement does not directly discriminate but still puts an incoming service provider at a disadvantage compared to local service providers, or it has a significant adverse effect on competition in the market for that service.

This section only provides a brief overview of the UKIMA provisions in the context of the Regulations. We recommend that you seek legal advice in determining how and when the UKIMA applies to you and take on board the fact that the UKIMA contains exclusions from its general principles.

[28] See Part 2, Sections 20 and 21 of the UKIMA: https://www.legislation.gov.uk/ukpga/2020/27/part/2/enacted

Requirements for new policies, rules or creating a new competent authority

The Annexes for this document contain the following information:

1. Annex A – a flowchart to determine next steps when:

    - creating a new competent authority; and
    - setting up new policies/rules.

2. Annex B (Part 1) – a flowchart to determine if new authorisation schemes comply with the Regulations.

3. Annex B (Part 2) – a flowchart to check that any new requirements imposed on businesses operating in the UK comply with Regulations.

4. Annex C - a glossary of terms used in this guidance.

Informing the Secretary of State

Competent authorities responsible for imposing requirements of the type referred to in Regulation 22, will need to notify the Secretary of State for Business, Innovation, Science and Trade of:

- any proposal to introduce a new requirement affecting access to, or the exercise of, a service activity;
- the reasons for that requirement.[29]

Notifications must be addressed to the Secretary of State and sent via email to: servicesregulations@businessandtrade.gov.uk

[29] See Regulation 22(6)

Guidance for businesses

The Regulations apply to all businesses operating in a services sector, and work on the principle of 'if you're not excluded, you're included', so examining the list of excluded sectors may clarify what is in scope (see the above section on 'Which services are excluded from the Regulations?'). The Regulations contain rules relating to the provision of services in the UK.

If a business is within the scope of the Regulations, certain requirements will need to be observed regarding the provision of information to service recipients and the handling of complaints. These duties apply to all providers operating in the UK regardless of where they originate.

The aim of these requirements is to ensure that service recipients have access to a minimum amount of information and to a complaints procedure. This should enable recipients to make more informed decisions when considering whether to buy services from a particular provider and should widen the choice of providers available to them.

These requirements should be read alongside the requirements of the relevant consumer law including, 'The Consumer Protection from Unfair Trading Regulations 2008' (also known as the 'CPRs') [30] 'The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013' ('CCRs'),[31] The Consumer Rights Act 2015 ('CRA')[32] as well as any other legislation that may require the business to provide information to service recipients.

The business must make available contact details where recipients can request information or make a complaint and where relevant comply with 'The Alternative Dispute Resolution for Consumer Dispute (competent authorities and Information) Regulations 2015'.[33]

[30] The Consumer Protection from Unfair Trading Regulations 2008: https://www.legislation.gov.uk/uksi/2008/1277/contents/made
[31] The Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013: https://www.legislation.gov.uk/uksi/2013/3134/contents/made
[32] The Consumer Rights Act 2015: https://www.legislation.gov.uk/ukpga/2015/15/contents/enacted
[33] The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015: https://www.legislation.gov.uk/uksi/2015/542/made

Information which must be available to the end-consumer

If the service falls within scope of the Regulations, the following information must be made available:

a. the name of the business;

b. legal status and form. For example, whether the business is a sole trader or limited company;

c. the geographic address where the business is established and direct contact details. For example, an address or a number for text messages;

d. if the business is registered in a trade or other similar public register, the name of that register and registration number, or equivalent means of identification in that register. For example, if the business is registered with the "Gas Safe Register" (www.gassaferegister.co.uk), please state that this is the case and provide the ID number or registration number;

e. if the business is subject to an authorisation scheme in the UK, the particulars of the relevant competent authority or website address (i.e. where details of the competent authority can be found);

f. the VAT identification number, if the business exercises an activity which is subject to it;

g. if the business is carrying on a regulated profession, any professional body or similar institution with which persons are registered and the professional title. So, for example, an insolvency practitioner might state "I am licensed to act as an insolvency practitioner in the UK by the Association of Chartered Certified Accountants";

h. the general terms and conditions, if any, that are used by the business;

i. the existence of contractual terms, if any, that the business uses concerning the competent courts (for example, that the English Courts have jurisdiction) or the law applicable to the contract (for example, that it is governed by Scots law);

j. the existence of an after-sales guarantee, if any, not imposed by law. For example, a window fitter may provide a guarantee that they will make any repairs to the windows if anything were to go wrong within a year of fitting them;

k. the price of the service, where a price is pre-determined by the business for a given type of service. For example, the price per copy a photocopying service charges would be a pre-determined price;

l. the main features of the service, if not already apparent from the context;

m. if the business owner is subject to a requirement to hold professional liability insurance or a guarantee, the information about the coverage and the contact details of the insurer or guarantor and the territorial coverage. It is not expected that full details of the insurance held are to be made available but the Consumer Protection Regulations may require such policies to be made available to recipients. Where it is the case the only the business, as the provider, can lodge a claim with the insurer, or that the insurer will only deal with the business as the provider, this provision does not change that. In other words, this provision does not change the recipient's legal rights with regards to the insurer.

The business must make available contact details where recipients can request information or make a complaint. This must include a telephone number and one or more of the following: a postal address, fax number or email address. Where an official address exists, this should be given (that is, an address required by law for receiving communications). If this is the same as the postal address, there is no need to give it twice.

A business must supply details of dispute resolution to a service recipient, if the owner of the business is subject to a code of conduct or is a member of a trade association or professional body. The information about a dispute resolution and how to access it should be included within documents that describe the business service.

Information must be made available to the recipient if it:

a. is supplied by the provider to the recipient on the provider's own initiative;

b. is easily accessible to the recipient at the place where the service is provided or the contract for the service is concluded;

c. is easily accessible to the recipient electronically by means of an address supplied by the provider; or

d. appears in any information document supplied to the recipient by the provider in which the provider gives a detailed description of the service.

Information which must be supplied if asked

The following information must be supplied if requested by the recipient:

a. where the price is not pre-determined by the business for a given type of service, the price of the service or, if an exact price cannot be given, the method for calculating the price so that it can be checked by the recipient, or a sufficiently detailed estimate;

b. if the business is carrying out a regulated profession, a reference to the professional rules applicable and how to access them – so recipients can easily find the rules, for example, on a website;

c. information on any other activities carried out by the business, which are directly linked to the service in question and on the measures taken to avoid conflicts of interest. That information should be included in any information document in which detailed description of the services are shared; or

d. any codes of conduct and the websites on which these codes are available, specifying the language version available.

Businesses are required to share information[34] in a clear and unambiguous manner so that it can be easily understood, taking into account the choice of words and style, as well as factors such as the format and structure.

The information must also be given in good time before the contract is concluded or before the service is provided when there is no written contract. This is so that the recipient has enough time to digest the information and change their mind about entering into the contract. However, this does not apply if the consumer only asks for the information after conclusion of the contract.

[34] Businesses must provide the following to service recipients: business contact details; information about dispute resolution; complaints procedure.

Dealing with complaints

Contact details of where customers can make a complaint must be readily available.

Complaints should be responded to as soon as possible. Because the nature of complaints and circumstances vary so much, the Regulations do not define this further or set a time limit, but factors to consider include:

- the means and ease by which the recipient can be contacted
- the nature and complexity of a specific competent authority
- the availability of the complainant
- whether information is needed from a third party
- language needs

The business must also make the best efforts to find a satisfactory solution to complaints. However, this is not expected in the case of vexatious complaints, such as complaints that are unsubstantiated or malicious. This provision should not be used as an excuse to avoid replying to complaints that are merely annoying or inconvenient to the service provider.

Enforcement

The Enterprise Act 2002, specifically Part 8, enables enforcement bodies such as the Competition & Markets Authority ('CMA'),[35] local weights and measures authorities (local authority Trading Standards) and the Department for the Economy in Northern Ireland to take action against breaches of certain consumer laws where this harms the collective interests of consumers, i.e. it must affect or have the potential to affect consumers generally or a group of consumers.

Enforcers have the same powers to take action when there has been a breach of the obligations in the Regulations to provide particular information or respond to complaints.

Part 8 of the Enterprise Act 2002 does not apply in relation to business-to-business transactions. Where there is harm to a business recipient, it can seek redress on its own initiative. However, if a provider serves both businesses and consumers then Part 8 could be applicable.

Part 8 cannot be used to intervene in individual consumer disputes with providers and, in such cases, service recipients have the right to take action through the courts. However, it could apply if there has been harm to an individual consumer and there is potential for further harm to the collective interests of consumers.

[35] Enterprise Act 2002: https://www.legislation.gov.uk/ukpga/2002/40/contents; Consumer Protection Enforcement Guidance: https://www.gov.uk/government/publications/consumer-protection-enforcement-guidance-cma58

Other obligations on businesses

Competent authorities granting authorisation for a new business must not duplicate requirements and controls, to which the business is already subject, and that are equivalent or comparable regarding their purpose. This does not apply if the business has not provided necessary information within a reasonable time after being requested to do so.

The business must inform the competent authority of the following changes:

a. the creation of subsidiaries whose activities fall within the scope of the authorisation scheme; and

b. changes in the situation of the business that result in the conditions for authorisation no longer being met.

The relationship with other legislation

Regulation 6 explains the relationship with other legislation. This only applies to requirements in legislation passed or made before the enactment of the Provision of Services Regulations 2009 or in direct EU legislation saved into UK law by the European Union (Withdrawal) Act 2018, and the EU legislation that was in force before the 2009 Regulations were made.

Specific requirements governing service activities in earlier domestic legislation implementing EU law or in retained direct EU legislation, take precedence over the Regulations if it is impossible for a competent authority to comply with both those requirements and the requirements of the Regulations.

The European Union (Recognition of Professional Qualifications) Regulations 2015 ('the RPQ Regulations')[36], which have been amended to fix deficiencies arising from withdrawal from the EU[37], have similarities with the Regulations.

Professional bodies in scope of the RPQ Regulations still need to assess their authorisation schemes against the Regulations, which contain provisions relating to the duration of authorisations granted to businesses. Because of rules already imposed by the RPQ Regulations, competent authorities who oversee authorisation schemes already affected by the RPQ Regulations are not required to impose a fixed timescale for processing applications and the concept of tacit consent.

Competent authorities whose regimes are already affected by the RPQ Regulations will still have to review their rules against the 'prohibited requirements' and 'requirements to be evaluated' in the Regulations.

The remaining provision of the Regulations will still apply to bodies already featured under the RPQ Regulations.

[36] The EU law was the Mutual Recognition of Professional Qualifications Directive 2005/36/EC.
[37] The Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2018: https://www.legislation.gov.uk/uksi/2019/312/contents/made

Digital requirements and information

The competent authority must put the relevant authorisation scheme on their own website to enable a business to apply for authorisation and pay relevant fees, as outlined in Regulation 38. The competent authority must update the relevant pages on GOV.UK.

The competent authority is responsible for ensuring that information on GOV.UK is kept up to date and ensuring that their own website continues to meet the information requirements set out in the Regulations. The competent authority own information (for example, any changes to fees, the time taken to process an application, tacit authorisation and contact details) must be kept up to date on its own website.

General information held on GOV.UK about licensing regimes will be reviewed as part of the Government Digital Services' ('GDS') rolling programme of regular reviews of the site content. GDS will do this in consultation with a designated person within the relevant department or authority (a 'proxy approver') who will be responsible for authorising any amendments to the business information. Local authorities will also need to maintain a list of the authorisation schemes they administer through their own websites.

In the case of national regulators and professional bodies, much of this content is provided by these bodies initially and they will be expected to approve changes thereafter.

Businesses can access information and apply for authorisations under 'Business and self-employed' on GOV.UK.

Developing electronic application forms

An electronic application must do **all** of the following:

- be in a format that can genuinely be submitted electronically (i.e. not need an original signature and have to be posted or faxed in);
- have the ability to accept other electronic documents, if needed;
- provide for electronic payment of the fee (if applicable);
- if a signature is required, the application should have the ability to accept and validate a signature at the appropriate level of security or higher, up to and including a Qualified Electronic Signature.[38]

Furthermore, if the application is sent electronically, the response and application outcome notification must also be electronic (although a physical copy can be sent subsequently).

Competent authorities who provide an online application form on their website will need to:

- provide an appropriate link to the GOV.UK site
- ensure that their website meets the information requirements of the Regulations, including details on fees, timescales, tacit authorisation, contact details for a specific authorisation; and for a local authority, any local requirements or conditions that also need to be met
- provide information on their website about what public registers are available, how they can be accessed and, where appropriate, provide a link to that page
- identify the means of redress which are generally available in the event of a dispute
- provide the contact details of other associations or organisations from whom an applicant may obtain practical assistance
- ensure that their website is able to accept electronic payments

[38] As defined by the Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019: https://www.legislation.gov.uk/uksi/2019/89/contents/made

Electronic signatures

There is no general requirement to possess a digital signature in order to use the GOV.UK online forms. However, a digital signature can be used and the information will be passed on to the competent authority. Individual formalities may have additional requirements in terms of identity or commitment that could be met by a digital signature. In these instances, the information about the formality will give full details of the requirements and the available options for meeting it.

Applying online

Most authorisation schemes can be accessed and applied for online using GOV.UK. Applicants should visit the website of the relevant competent authority to identify the exact application process.

Competent authorities are obliged to meet the Government's accessibility requirements, so digital services must:

- meet level AA of the Web Content Accessibility Guidelines as a minimum[39]
- work on the most commonly used assistive technologies[40] – including screen magnifiers, screen readers and speech recognition tools
- include people with disabilities in user research[41]

If the service (or any part of it) cannot be made accessible, contact the GDS accessibility team for advice at: accessibility@digital.cabinet-office.gov.uk.

More information on 'Accessibility and assisted digital' is available on GOV.UK.[42]

[39] Web Content Accessibility Guidelines: https://www.gov.uk/service-manual/helping-people-to-use-your-service/understanding-wcag
[40] Testing with assistive technologies: https://www.gov.uk/service-manual/technology/testing-with-assistive-technologies
[41] User research: https://www.gov.uk/service-manual/user-research
[42] Accessibility and assisted digital: https://www.gov.uk/service-manual/helping-people-to-use-your-service

Access to authorisations for overseas businesses

Business.gov.uk supports all businesses under the section 'Business and self-employed', with the aim of enabling businesses from across the world[43] that may be unfamiliar with the UK to:

- be clear about the basis upon which they can provide their services on a temporary or cross border basis
- access summaries of more detailed guides held elsewhere on the GOV.UK site

Overseas businesses can search for information relevant to their sector, apply remotely online, and track the progress of their applications in a similar manner to a UK user.

[43] Further information on UK business investment and Foreign Direct Investment (FDI) opportunities can be found on: https://www.business.gov.uk/invest-in-uk/

Data Protection

The GOV.UK website is currently managed by GDS and operated by the UK Cabinet Office. Information entered onto the site will only be used in accordance with UK data protection legislation and those regulating Cabinet Office's functions.

For further information, please refer to the site's privacy policy, which can be accessed by clicking on the relevant link at the bottom of the GOV.UK website.

Example of securing authorisations from multiple sources via GOV.UK (note that this example is fictitious):

Andrew works for a Birmingham-based business that is looking to provide local activities across the UK that he thinks will require him to apply for Temporary Events Notices. He has identified several possible locations in Brighton, Eastbourne, Cardiff, Swansea, Newcastle, Durham, Edinburgh, Glasgow, Belfast, Doncaster and Leeds. He remembers that the GOV.UK site had relevant information on securing licences, so he visits the site and searches for Temporary Events. He quickly identifies the relevant information about the competent authority for each location, what he must provide to each one and how long the applications should take. Along the way, by entering the relevant postcode, he establishes that the venue near Brighton City Airport he thought was in Brighton and Hove actually comes under the jurisdiction of the neighbouring authority of Adur.

Andrew now has the information he needs to plan his events. He notices that the site also offers him the opportunity to apply online.

Andrew spends the next few days studying the information he has found, finalising his list of venues and pulling together all the supporting material he will need for his applications. He uses the online forms provided by GOV.UK to apply for temporary event licences in four different locations and the system generates a form with the relevant council heading and contact details.

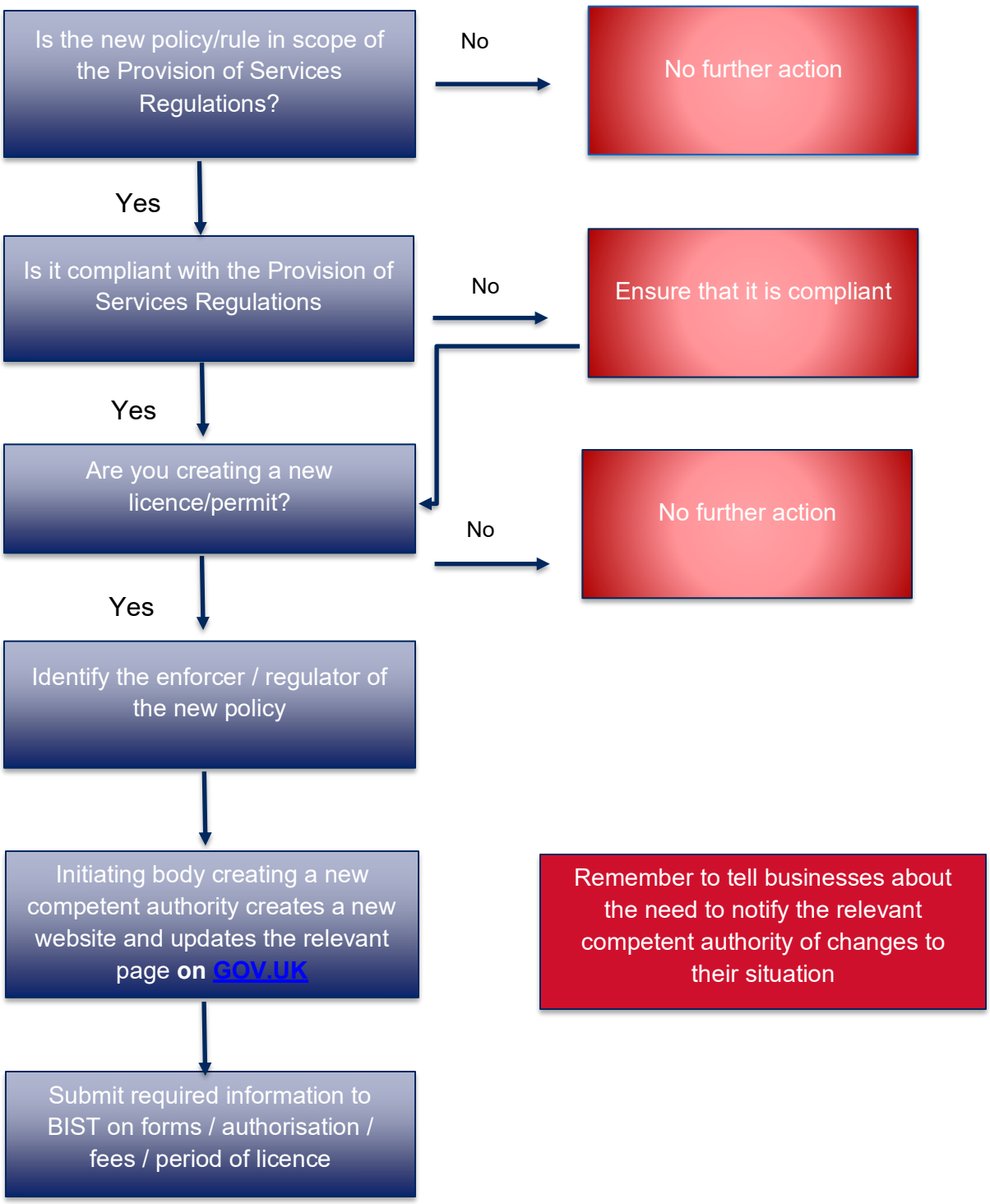
Andrew spends time to set up an account on the website for each council and completes the relevant online forms with the event information. He has to provide payment details to the relevant council payment engine. He was able to submit the forms straight away and he can expect a response from three of them within 10 working days and the other in 14 days. Once the relevant council has received the form they acknowledge receipt.

Twenty-four hours later Andrew can see that the status on all but one of the applications has changed from "pending collection" to "receipted" but the fourth reads "on hold" and a new message has been received relating to it. Andrew opens the message and finds that he has left out the agenda with event start and finish times from his application submission and is able to rectify that and upload it as an attachment.

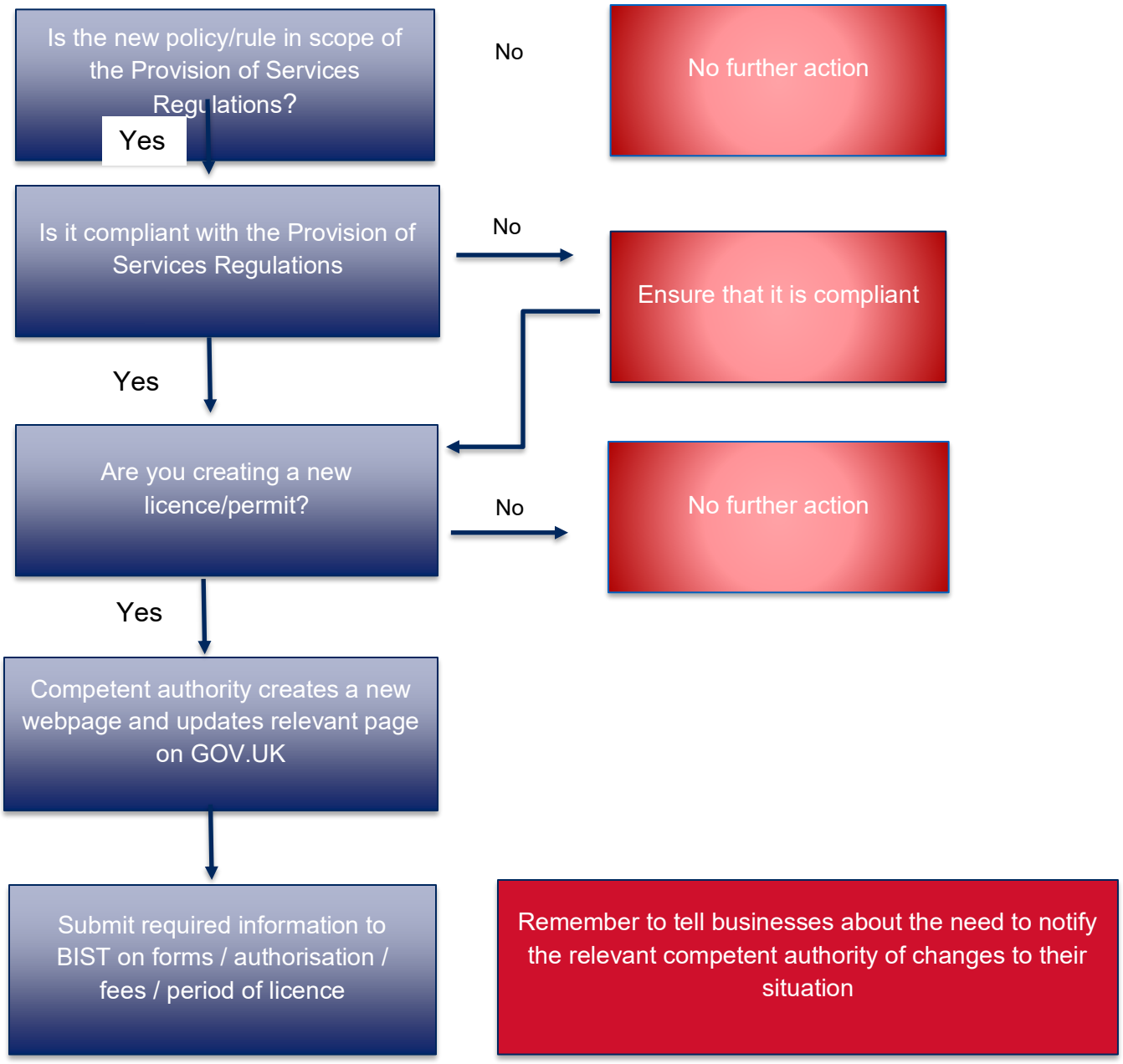
The council will then be notified it has a further piece of information to collect and once satisfied will change the status of the application from “on hold” to “checked”. Once each application has been processed fully, he will get an email notification from each council to tell him that a response has been sent to him. When he logs back into his account he can see that the status of each has changed to “approved” and collect the response from the council that will specify any conditions that may apply to the licence. He is now in a position to put on the events.

Annex A: Steps for creating a new Competent Authority, policy and rules

Creating a new Competent Authority



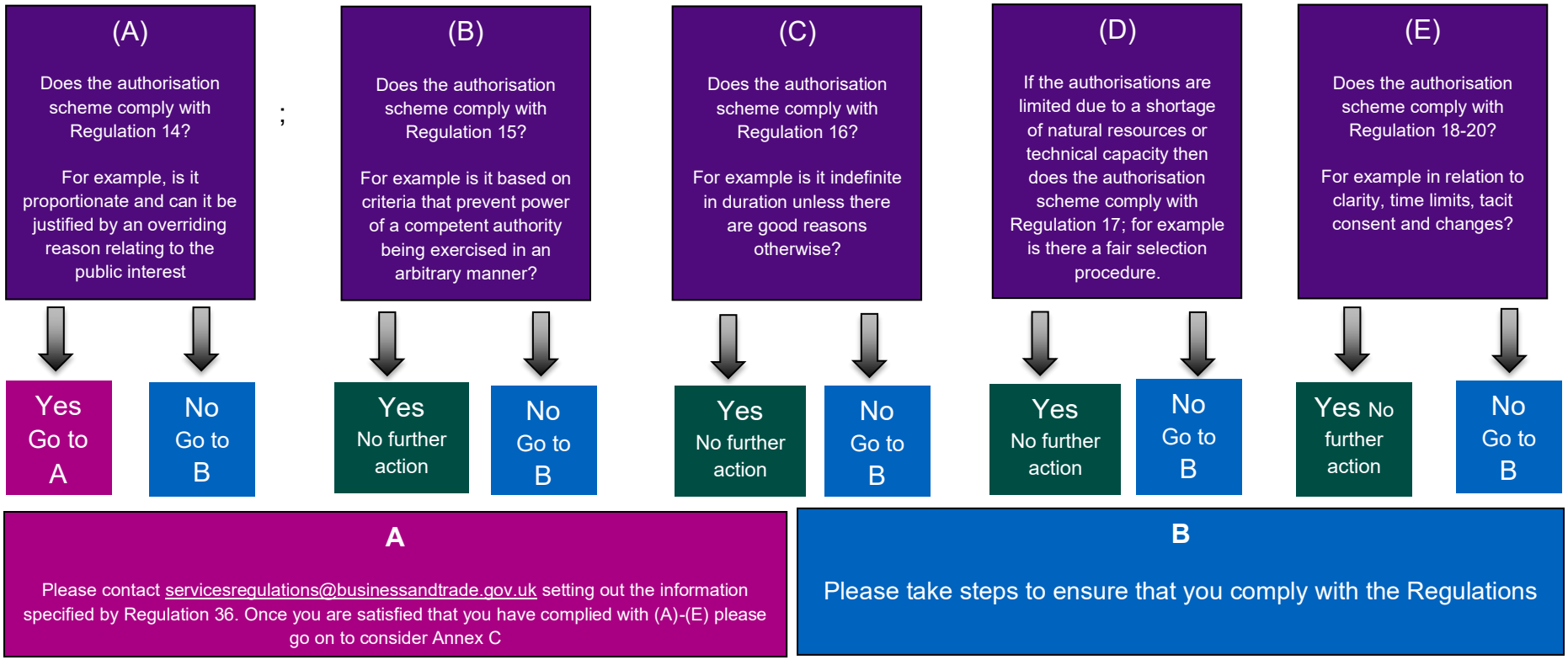
Setting up a new policy/rule



Annex B: (Part 1) Check compliance with the Regulations for new authorisation schemes

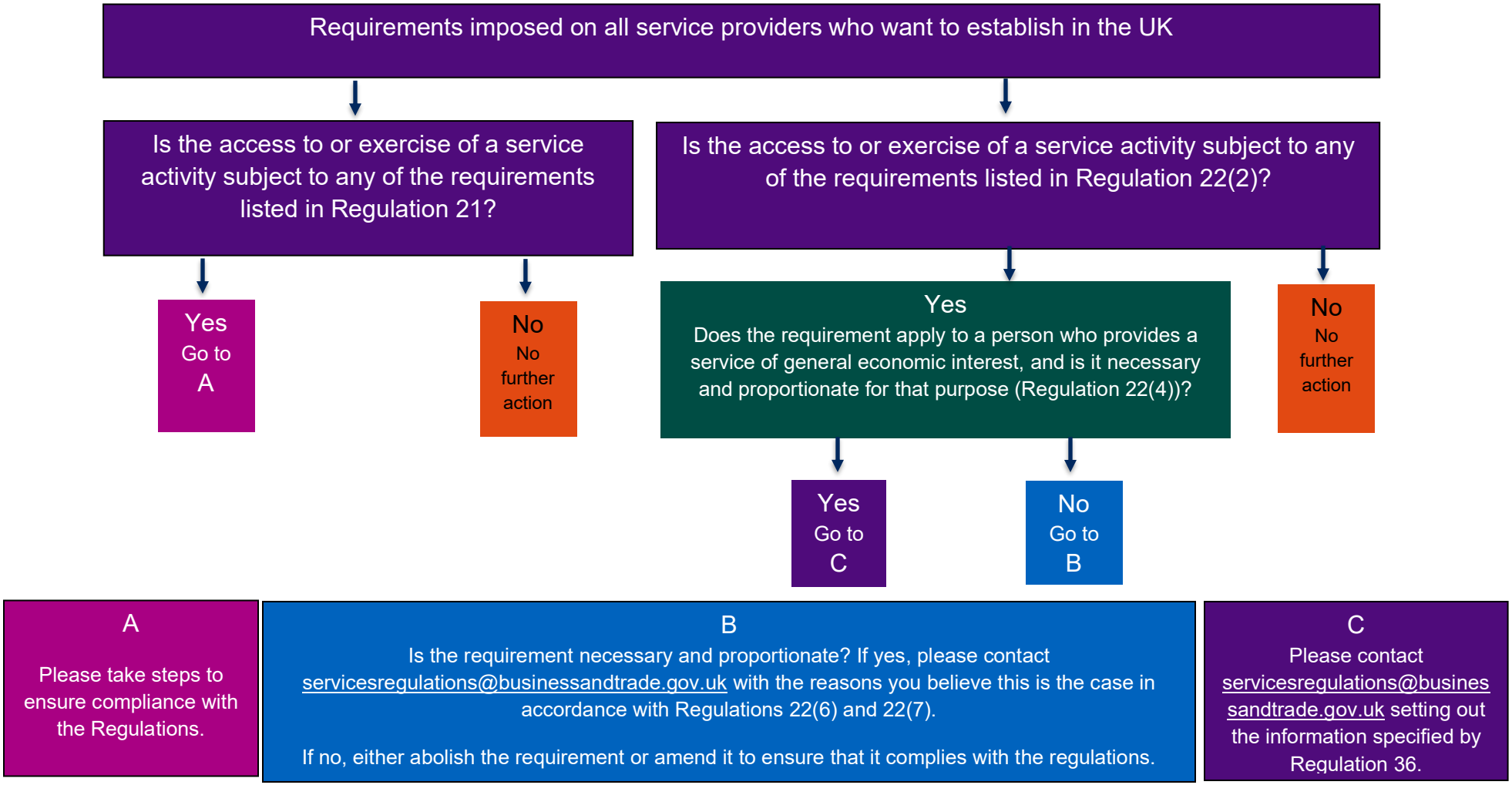
Please note that all new authorisation requirements introduced from 11pm on 31 December 2020 are required to apply the mutual recognition principle as laid out in the UKIMA, rather than the Regulations. See the UKIMA for further details. Where the UKIMA mutual recognition regime applies, all other provisions in the Regulations continue to apply as before to both new and existing authorisation requirements.

Flowchart to help with checking the compliance with the Regulations of new authorisation schemes that are imposed on businesses who operate or want to establish in the UK. This is a very high-level summary.



Annex B: (Part 2) Check compliance with the Regulations for new authorisation schemes

Once you are satisfied that you have complied with Part 1 of Annex B, follow this flowchart to help you check whether new requirements imposed on businesses operating in the UK are in compliance with the Regulations. This is a very high-level summary only.



Annex C: Glossary

Regulations 2(1), 3 and 4 define certain terms used throughout the Regulations. Some of the main words and phrases used in the Regulations and guidance are explained below:

Term	Definition
Authorisation scheme	A procedure requiring a business or recipient of services to take steps to notify or obtain a decision from a competent authority for the purposes of securing access to, or permission to exercise, a service activity. This includes licences, permits, certification, registration processes and approval systems.
Competent authority	A body with a regulatory or supervisory role over the provision of a service, such as a professional body; for example the Institute and Faculty of Actuaries, or a central or local government authority.
Complete for the purpose of processing	This means a competent authority has received all the application information and documentation required under the relevant authorisation scheme to enable it to process the application. Accordingly, reference to an "incomplete" application means an application which is missing information or documentation required to make it complete.
Formality	The administrative steps or processes which businesses are required to follow in order to gain authorisation. This can include providing information to a competent authority by way of an application, authorisation request, renewal, return, declaration or notification, whether or not a formal response is required before the service provided may commence operation in the UK.
Multidisciplinary activities	Where a business carries out more than one activity or carries out different activities jointly or in partnership.
ORRPI (overriding reasons relating to the public interest)	This means reasons recognised as such in current case law, including the following grounds: public policy; public security; public

	safety; public health; preserving the financial equilibrium of the social security system; the protection of consumers, recipients of services and workers; fairness of trade transactions; combating fraud; the protection of the environment and urban environment; the health animals; intellectual property; the conservation on the national historic and artistic heritage; social policy objectives and cultural policy objectives.
Provider	A body or individual that provides or offers to provide a service within the UK.
Recipient	A person in the UK who, for professional or non-professional purposes, uses, or wishes to use, a service.
Regulated Profession	A professional activity or group of activities to which access is subject to the possession of specified qualifications, and the pursuit of which is limited to holders of a given professional qualification.
Service Activity	A self-employed economic activity (normally provided for remuneration).

For more detailed guidance on how the Regulations relate to businesses, please contact a Trade Association in the relevant sector or seek independent advice.

Contact details of many competent authorities can be found under ‘Business and self-employed’ on GOV.UK. Please visit the help page on the site when faced with any problems using the facility or if you need further assistance.

This publication is available from:

If you need a version of this document in a more accessible format, please email digital@businessandtrade.gov.uk. Please tell us what format you need. It will help us if you say what assistive technology you use.

The Department for Business, Innovation, Science and Trade (BIST) is an economic growth department. We ensure fair, competitive markets at home, secure access to new markets abroad and support businesses to invest, export and grow. Our priorities are the Industrial Strategy, Make Work Pay, the Trade Strategy and the Plan for Small Business.

Legal disclaimer

Whereas every effort has been made to ensure that the information in this document is accurate, the Department for Business, Innovation, Science and Trade does not accept liability for any errors, omissions or misleading statements, and no warranty is given or responsibility accepted as to the standing of any individual, firm, company or other organisation mentioned.

© Crown copyright 2026

You may re-use this publication (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence.

To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3.

Where we have identified any third party copyright information in the material that you wish to use, you will need to obtain permission from the copyright holder(s) concerned.

Published by
Department for Business, Innovation, Science and Trade

November 2026