



Federation of Small Businesses
The UK's Leading Business Organisation

THE SERVICES DIRECTIVE EXPLAINED



Now it's easier to sell your services across Europe. The FSB has been a key player in calling for a single market, one that removes barriers and means less red tape.

That's because the European market offers you access to over 500 million customers in 27 EU member states, as well as Norway, Iceland and Liechtenstein. You should be free to sell your services in these countries.

Whether you trade solely in the UK or not, you can now obtain the necessary licences, permits and business information online. Saving you valuable time that you can use to expand your business.

This leaflet is about what the Services Directive means for you.

What is the Services Directive?

The Services Directive opens up the European market for businesses in the services sector. It cuts through red tape and makes it easier to offer your services to customers in other EU countries. The Services Directive is incorporated into UK law by the 'Provision of Services Regulations 2009'.

What's new?

Whether you trade in the UK or across Europe, you can now apply online for the licences you need. And once authorised here, you won't have to satisfy the criteria again when selling your services in other countries.

You can apply online for UK licences via the BusinessLink website. BusinessLink acts as a 'Point of Single Contact' (PSC) for the UK.¹ Every EU country is required to have a PSC website.

Who's in?

The Services Directive applies to businesses in the services sector such as painters, plumbers, architects, builders, IT specialists. etc.

Who's out?

Some businesses don't fall under the Services Directive because their sector is covered by other more specific regulations. But the basic simple rule to remember is that if you're not specifically excluded, you're in. **The following sectors are excluded:**

- Financial services
- Transport
- Healthcare
- Audiovisual services
- Private security
- Social services
- Temporary work agencies
- Gambling activities
- Electronic communications services
- Court-appointed notaries and bailiffs

For more details on whether the rule applies to you, see the link 'Guidance for Business'.

If you're a manufacturer or a retailer you're excluded from the Services Directive, except when you provide services such as maintenance, specialised advice or after-sales services.

1. You can also access the PSC via Business Gateway in Scotland, Business Info in Northern Ireland or Flexible Support for Business in Wales.



How it works

Apply for licences, authorisation or search for information online 24/7!

- Go to www.businesslink.gov.uk
- Click on 'Regulations, Licences and Compliance'
- Click through General Regulations to create regulation checklist
- Answer the questions

The required licences and regulations will appear

- Save results in 'My Business'

Then click 'Apply Online'

- Download the forms you need*
- Complete and upload
- Pay fee online

Application complete!

* In some cases the authority will provide the licence directly, in which case the process may be a little different.

Tacit agreement

The screen will show your reference number and the date you can expect to hear back about your application. Soon after you'll receive a confirmation email from BusinessLink. If you don't receive a response before the set deadline, just assume you have the licence ('tacit agreement'). That is unless you've been specifically told otherwise.

Doing business outside the UK

You can find the websites of other countries via the EU-GO website. If you see the logo, you're in the right place.

Links

BusinessLink:	www.businesslink.gov.uk
Guidance for Business:	www.berr.gov.uk/files/file53100.pdf
SOLVIT	www.ec.europa.eu/solvit
EU-GO:	www.eu-go.eu



What do you have to do?

The Services Directive describes how you must deal with complaints from customers and avoid discrimination. It also states what information you have to provide. Generally, though, this is probably already common practice.

Information you have to give Customers

- Name
- Address and contact details
- Legal status and form
- Price of services (where possible)
- VAT number
- General terms and conditions
- Details of where a customer can make a complaint
- Other information that applies to you (after-sales guarantee, registration with trade register or professional body, authorisation scheme, liability insurance, main features of the service if not evident, law applicable to the contract, whether you have access to non-judicial dispute resolution)

Information you have to provide on request

- Estimation of the price (if the price was not fixed)
- Codes of conducts or professional rules that apply
- Possible conflicts of interest with other activities (which should be included in any information document)

It is up to you how you provide this information: on a website, through contract documentation or at the place where you do the job.

Complaints

- You must respond and try to find a solution

Customers can find out about their rights via the European Consumer Centre for Services.

Anything else?

- Yes, you have to give the right information to government (for example, in case they need to find out if you satisfy the criteria for a licence)
- You also have to tell the government if your circumstances change (for example, when you open a new branch)

* The requirements in the Services Directive apply in addition to existing legislation: Companies Act 2006, Consumer Protection Regulations 2000, Electronic Commerce Regulation 2000, Consumer Protection from Unfair Trading Regulations 2008.



Building in France

A lot of British people have moved to France to live and work, or just enjoy their retirement, buying lovely traditional houses in the French countryside. However these are often in bad shape having been neglected for years.

Eddie, a UK builder, went to France to get work in this growing area but before he started landing contracts in France, he searched online for information on how he could offer his building services.

He found the French EU-GO web portal via the BusinessLink website where he recognised the logo and knew he was in the right place. He created an account and found out about the licences and qualifications he needed to offer his construction services in the Dordogne.

It turned out he needed a licence to work with asbestos, a petroleum licence, a scaffolding and hoarding licence and a registration to work on gas appliances.

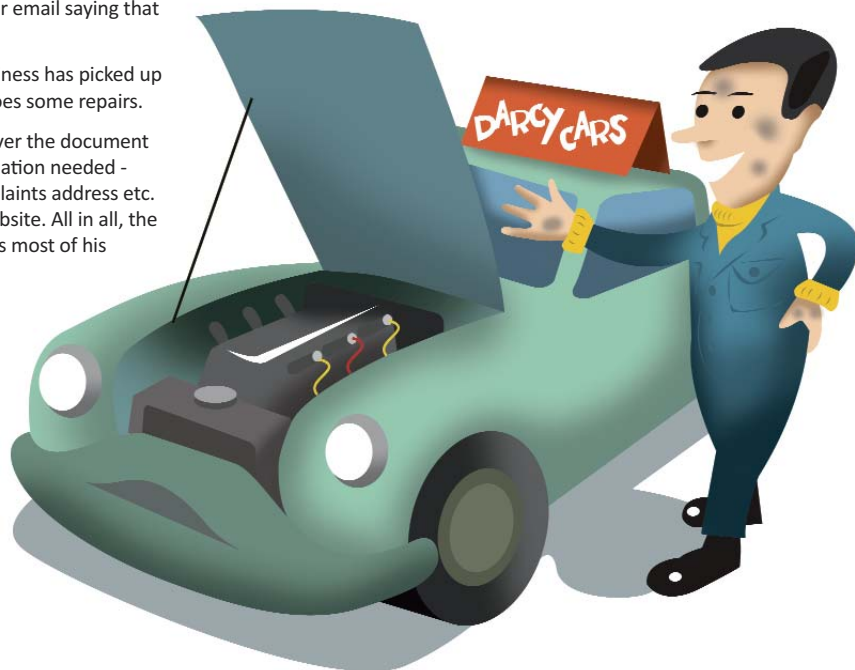
He already had licences in the UK for most of these areas, and he only needed to supply details of these. However, he needed the licence to work with asbestos. So he followed the online questions and applied for it. He paid online, in Euros, and was promised an answer within 15 days. Two weeks later he received an email in his account saying his application had been successful. Eddie is now getting Britain building in France.

Darcy Cars

After years of selling cars as an employee, Mike Darcy decided to set up his own company. He wanted to sell second-hand cars and do repairs and maintenance as well. He knew a lot about selling cars but he didn't know exactly what licenses he needed for servicing cars. Mike logged on to the BusinessLink website and simply put in his business type and postcode. Within seconds he saw a list of the regulations and licenses relevant to his business and he straightaway applied for the licenses he needed. When he finished, the screen told him he would get an answer within three weeks. A week later he received another email saying that his applications had been approved.

He looked into his account and there they were. Business has picked up quickly since and he sells cars, sprays vehicles and does some repairs.

Now when customers bring in their cars, he hands over the document that he designed on his computer with all the information needed - name, address, VAT, terms and conditions, Ltd, complaints address etc. He found all this information on the BusinessLink website. All in all, the process continues to be very easy and Mike can focus most of his precious time where it's most needed - on cars.



A touch of Sweden in Scotland

Evenemang Med Mera (EMM) is a Swedish company from Västra Götaland that organises conferences and trade shows in different countries. As there are some superb conference and exhibition venues in Scotland, and as Glasgow is home to a significant number of potential clients, the company wanted to establish itself in the city.

EMM went to the EU-GO website to find 'UKWelcomes', the website for the UK. The owner logged on, followed the questions, applied for the required licences and paid online, in pounds sterling. The guidance said she could expect a reply within 25 days.

In fact three days later she received an email from BusinessLink saying that the answer would take a little bit longer. The Glaswegian authorities wanted more information about EMM's Newspaper Copying Licence as they doubted whether this Swedish licence was still valid.

After Glasgow spoke to Västra Götaland, via a special website for European authorities, EMM soon got the go-ahead to prove their added value on the Scottish market.



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The examples of Darcy Cars, Building in France, and A touch of Sweden in Scotland are fictitious.

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