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NEWSLETTER

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Introduction

Hello again from the team at the [UK Single Market Centre](#) and welcome to the third edition of our Newsletter. We hope that you enjoy the following articles.

SOLVIT update



In the European Commission's recent report on the activities of the UK SOLVIT Centre in 2013, we have been singled out as delivering an 'outstanding performance' and this is regarded in no small part as a direct result of the knowledge and expertise of our staff that has been built up over many years. In addition, as we have already posted more cases since January than in the whole of 2013, we are now on course to be even more successful in 2014!

We are also continuing to identify ways in which we can use the Single Market Centre's resources to support our handling of SOLVIT complaints, such as identifying those cases where delays in issuing decisions concerning the recognition of professional qualifications can instead be resolved through IMI rather than SOLVIT in order to ensure that problems are resolved even more quickly.

We have received a number of complaints against the UK this year in respect of professional qualification recognition that relate to some Italian academic bodies responsible for issuing certain diplomas, where the problem appears to be a question of interpretation and where there is no clear answer as to who is correct and who is not. As a result, the relevant UK Authority was unable to move forward with the applications. We have since succeeded in persuading the European Commission to look at this specific issue in more detail in order to broker a way forward and it is now looking positive that the problem will be resolved to the satisfaction of the many citizens whose applications are currently suspended pending a decision on how to proceed.

We have recently hosted a study visit by Croatian officials, to explain how we have set up our Single Market Centre and to identify and share best practices for them to consider in depth following their formal accession to the EU last Summer. The meetings were informal and well received by our Croatian colleagues. In addition, we have gained some good ideas from them in respect of how we might go about meeting our obligations under the Strawberry Regulations notification processes concerning temporary barriers to the free movement of goods, which would include working more closely with the relevant UK trade association(s).

Technical Regulations Directive 98/34/EC latest



one comment during this period as a result of us bringing it to the attention of the relevant Government Department.

Since January, the UK has:

- submitted 17 new notifications; and
- received from other Member States:
 - 13 Comments, 5 of which are on one notification
 - two detailed opinions, which have extended the standstill period by three months

The Commission and Slovakia have both provided a Detailed Opinion on The draft Jam and Similar Products Regulations 2014 – England, Scotland, Wales and Northern Ireland, which was submitted by DEFRA. At this stage, both the Comments and Detailed Opinions remain confidential. The UK has also provided four comments in respect of other Member States' notifications. For further information on Directive 98/34/EC, please see the attached guidance for officials <http://is.gd/1G5XK0>

To determine whether a draft regulation or standard must be notified to the European Commission, please see the attached link to the Diagnostic tool: <http://is.gd/lcnh5m>

Notifications from the UK and other Member States can be found on the European Commissions, Technical Regulations Information System (TRIS) website: <http://is.gd/SOY96s>

Online Licensing case study



Government Digital Service (GDS) asked for comments from a well-known legal firm that specialises in Licensing issues and this is what they told them:

“Generally we all love the online system, provided the Councils have signed up to it!! We tend to use it for the majority of licensing applications we submit.

The main pros are:

1. *Form is simple to complete and it is good that it highlights that there are errors before you go on to upload it so you know that it is right.*
2. *The knowledge that, once uploaded, the application has been technically served upon the Council and it is now their responsibility to forward it on to any of the other authorities involved.*
3. *The whole process is very quick.*

Some cons are:

1. *When applying as an applicant agent you have to duplicate inputting the*

details i.e. name, address. It would be easier if this could be replicated (a bit like the old Business Link system)” [we will be looking into this when we start to move from the current PDF forms to web forms]

2. “Can the applications be opened for gaming applications? This has caused issues where we transfer licences under the Licensing Act but at the same time have to transfer gaming permits as well.” [The range of forms will be expanded and, as those used for the Gambling Act are high volume, these will be a priority]

3. “It is still annoying that there are quite a few Councils that do not have an online system and would be even better if they just all used gov.uk rather than having their own online forms on their website.” [We agree but we cannot compel authorities to use the GOV.UK system. However, we intend to carry out a compliance audit later this year to check that all authorities meet their legal obligations to have some form of online application facility available]

4. “Some payment systems do have a habit of failing.” [Noted - we are working with the payment service providers to investigate the cause]

5. “Some Councils require unnecessary documentation to be uploaded that is not relevant for the application.” [Authorities have an obligation under the EU Services Directive to reduce this to an absolute minimum and we will be reminding them of their responsibilities in this area]

6. “Some Councils only have a limited number of forms for applications that you can use - it would be better if they had a full range.” [see response to point 3 above]

Overall, the team at GDS are happy with how GOV.UK Licensing has been received by this user; however, there is always room for improvement and we will take these comments into account when considering future developments.

Internal Market Scoreboard – UK’s success



The European Commission confirmed the results of the Internal Market Scoreboard (No. 28) on the 28 February 2014. The UK met and exceeded the 1% target set for transposition, and achieved a transposition deficit of **0.7% with 8 Directives outstanding** and was placed joint 16th (along with Belgium, Ireland, Spain, Hungary, Luxembourg, Austria and Poland) out of 28 Member States. The UK also met the 0% target (that no Directive must be more than 2 years late in transposition).

Looking to the current Scoreboard (No. 29) that covers all Internal Market Directives not fully transposed with a deadline of up to and including 30 April 2014, the Commission wrote to Member States on 30 April 2014 advising them of their transposition deficit for this Scoreboard. For the UK, the Commission confirmed the UK deficit as 0.4% with 5 Directives outstanding.

At the time of writing, the forecast deficit score for the UK for this Scoreboard is 0.3% (with 4 Directives outstanding). The 4 outstanding Directives are unlikely to be transposed and notified in time to meet the Scoreboard deadline due to a late coming in to force date of one Directive and delays to the clearance process for the other three, however this is still likely to be the UK's best performance yet.

Increased number of Services Directive Notifications logged on IMI



The number of Services Directive notifications coming through IMI continues to grow since the process was introduced in August 2013. At the end of May, the number of notifications recorded on IMI stood at 122 with Hungary (22), Croatia (21), Belgium (19), Sweden (19) and submitting the most. The latest total figure shows that the number of notifications submitted has more than

doubled since the end of January 2014. The notifications cover a wide range of sectors affected by the Services Directive, including laboratory and environmental services, retail and wholesale trade services, and surveyors.

The Services notification procedure is a requirement under articles 15(7) and 39(5) of the [Services Directive 2006](#), transposed into UK law as the [Provision of Services Regulations 2009](#). Member states submit notifications to the Commission that disseminates them to other member states for comment. This process is now done via IMI. We review these notifications to see if they comply with the Directive and, where appropriate, invite views from other organisations.

Our next Newsletter will be issued in the Autumn 2014. If you would like to suggest or contribute an article, please contact Herbee Thomas herbee.thomas@bis.gsi.gov.uk We would also welcome feedback on any of the items mentioned in this newsletter.

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