



## **COMMERCIAL ALERT**

**20 November 2009**

### **Provision of Services Regulations 2009**

If your business supplies services you may need to change, or add to, the information you give to buyers, under the above Regulations scheduled to come into force on 28 December this year.

The Regulations set out new obligations for all service providers (save the exceptions noted below) in the UK and are part of the EU-wide harmonisation of the law on services. They are also designed to make it easier to provide services throughout the EU.

Services which are exempt include financial services, social services, gambling, security services, healthcare, cinemas, temporary work agencies, transport and electronic communications.

Business which fall within the regulations must provide to customers information including:

- Name of the business
- Legal form (e.g. sole trader, limited company)
- Geographic address
- VAT number (if VAT registered)
- Details of any guarantees offered
- Nature of the services (if not obvious)
- Price or prices of the services
- Details of how to complain about the services
- Contact details (So that interested parties may request information or buyers may complain) – these must include a telephone number and one or more of a postal address, fax number, or email address

If the price for a particular service is not pre-determined by the supplier for a given type of service, the supplier must also supply information about the price, if asked. If an exact price cannot be given, the method of calculating the price must be given so that it can be checked by the buyer or potential buyer.

Also, information must be given on any other activities carried out which are directly linked to the service, and on the measures taken to avoid conflicts of interest.

The information must be given in good time before a written contract is concluded or, before the service is provided when there is no written contract, so that the potential buyer has enough time to digest the information and (if desired) to change their mind about entering into the contract.

For all suppliers of services affected by these new regulations it would be wise to check your terms and conditions, websites, brochures and other marketing materials to ensure compliance with the new Regulations.

Further information may be found at the Department of Business, Innovation & Skills website: [www.berr.gov.uk/files/file53100.pdf](http://www.berr.gov.uk/files/file53100.pdf)