SCREENING FLOWCHART FOR REQUIREMENTS THAT ARE IMPOSED ON SERVICE PROVIDERS OPERATING IN THE UK (WHETHER ESTABLISHED IN THE UK OR ELSEWHERE)

Identify the parent Act for the requirement. What is the outcome of the screening for the parent Act on the ‘primary legislation checklist’ (http://tinyurl.com/psh3qd)?

**In scope and changes are needed**
This means that HMG considers that the requirement is not justified and changes are needed
Please see ‘Action for Local Authorities’ in the accompanying text

**In scope and the provisions are justified and will be retained**
The Act is in scope of the Directive with a report being prepared for the Commission. This means that HMG considers that the requirement is justified and will be kept
No further action

**Not in scope / repealed / devolved / still under consideration by a Government Department**
No further action

The parent Act is not on the list
Please answer the following questions

**Requirements imposed on all service providers established in another member State who want to establish in the UK**

- **Is the access to or exercise of a service activity subject to any of the requirements listed in regulation 21?**
  - **YES** Go to A
  - **NO** No further action

**Requirements imposed on service providers established in another member State who want to provide services in the UK but do not want to establish in the UK**

- **Is the access to or exercise of a service activity subject to any of the requirements listed in regulation 22.2?**
  - **YES** Go to C
  - **NO** No further action

- **Is the access to or exercise of a service activity subject to any requirements, in particular those listed in regulations 24.1 and 24.2?**
  - **YES** Go to C
  - **NO** No further action

- **Is the requirement exempt from regulations 24.1 and 24.3 due to the exclusions listed in regulation 25?**
  - **YES** No further action
  - **NO** Go to D

**A**
Please take steps to ensure that you comply with the Directive

**B**
Is the requirement non-discriminatory, necessary and proportionate?

**C**
Please complete a reporting form setting out the reasons why you believe this is the case.

**D**
The requirement will need to comply with the Directive. Please complete a reporting form outlining the steps that you plan to take to comply with the Directive.

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1 Derogations from Regulation 24 in Regulations 25 and 26
Regulation 25 specifies fifteen categories of services in relation to which regulation 24 does not apply. Regulations 26 contains measures allowing competent authorities to take action in spite of the rules in regulation 24 in exceptional circumstances, if necessary to ensure the safety of services.