



# THE CITY OF LONDON LAW SOCIETY

4 College Hill  
London EC4R 2RB

Telephone 020 7329 2173  
Facsimile 020 7329 2190  
DX 98936 – Cheapside 2  
mail@citysolicitors.org.uk  
www.citysolicitors.org.uk

David Hingley  
Bay 4141  
BERR  
1 Victoria Street  
London SW1H 0ET

By email: [servicesdirective@berr.gsi.gov.uk](mailto:servicesdirective@berr.gsi.gov.uk)

8 June 2009

Dear David

## **Draft Services Regulations to implement the Services Directive (Directive 2006/123/EC)**

The City of London Law Society ("CLLS") represents approximately 13,000 City lawyers through individual and corporate membership including some of the largest international law firms in the world. These law firms advise a variety of clients from multinational companies and financial institutions to Government departments, often in relation to complex, multi jurisdictional legal issues.

The CLLS responds to a variety of consultations on issues of importance to its members through its 17 specialist committees. This response in respect of the Draft Services Regulations to implement the Services Directive (Directive 2006/123/EC) into UK law has been prepared by the CLLS Professional Rules and Regulation Committee.


We have the following comments on the draft regulations:-

1. Regulation 8(1)(m) requires a service provider to make certain information available concerning insurance taken out pursuant to Article 23. To make it clear that the information only has to be given in respect of this insurance, we suggest that the word "required" be inserted before "insurance" in line two of sub-clause (m).
2. The wording of regulation 8(2)(c) is unclear. We suggest that it is rephrased to make it clear that the requirement is satisfied if the name and email address of an individual from whom the information can be obtained is made available.
3. Regulation 10 does not make it clear whether the required information about dispute resolution has to be available generally, or only provided on request. Article 22.3(e) requires that this information only be provided on request. We suggest this is made clear in Regulation 10 and that Regulation 11(b) be amended to refer to not only Regulation 9, but also Regulation 10.
4. We suggest that Regulation 12(1) be amended so that "as quickly as possible" is replaced by "with all reasonable speed". Without qualification with the word "reasonably" the regulation is,

taken literally, impossible to satisfy. An alternative would be the more balanced wording which currently exists in the Solicitors Code of Conduct, rule 2.05, which provides that complaints are handled "promptly, fairly and effectively."

We trust these comments will be found to be helpful.

Yours sincerely



**David McIntosh**  
Chairman  
City of London Law Society



**Chris Perrin**  
Chairman  
Professional Rules & Regulation  
Committee