

The Market Research Society (MRS) submission in response to the consultation on implementing the EU Services Directive in the UK

1. Preamble

With members in more than 70 countries, MRS is the world's largest association serving all those with professional equity in provision or use of market, social and opinion research, and in business intelligence, market analysis, customer insight and consultancy.

MRS has a diverse membership of individuals at all levels of experience and seniority within agencies, consultancies, support services, client-side organisations, the public sector and the academic community.

It also serves MRS Company Partners agencies, suppliers of support services, buyers and end-users – of all types and scale who are committed throughout their organisations to supporting the core MRS values of professionalism, research excellence and business effectiveness.

In consultation with its individual members and Company Partners, MRS supports best practice by setting and enforcing industry standards. The commitment to uphold the *MRS Code of Conduct* is supported by the Codeline service and a wide range of specialist guidelines.

MRS contributes significantly to the enhancement of skills and knowledge by offering various qualifications and membership grades, as well as training and professional development resources.

2. Introduction

MRS welcomes the possibility offered by BERR to respond to the consultation on the implementing the EU Services Directive in the UK.

MRS has not responded to all the consultation questions, concentrating on those that relate directly to MRS' activities and concerns.

MRS confirms that the contents of this paper are not confidential and can be attributed to MRS.

3. Response to Consultation Questions

Q4. Do you agree with the Government's proposed approach to the role of the PSC?

MRS agrees with the proposed approach of proactive signposting as it is the most efficient use of present resources and avoids duplication.

Q5. Do you agree with the recommendation that the Business Link functionality should be at the heart of the PSC? If not, what alternative do you prefer and why?

MRS agrees with the recommendation that the Business Link functionality should be at the heart of the PSC. The Consumer Direct and Department for Business Enterprise & Regulatory Reform websites also contain useful information and should be signposted as additional resources. However, the information available on any of the government websites used for this purpose should be developed and enriched to ensure that up-to-date and suitable information is available. Moreover, such information should be developed with the appropriate professional and trade bodies representing each of the service activities detailed on the sites. MRS as the professional and business association for market, social and opinion research, would be happy to assist in ensuring information for market, social and opinion research is apposite and correct.

Q6. Do you agree that, regardless of the scope of the Directive, the UK PSC should attempt to signpost useful information, for example taxation and labour law?

MRS agrees that the UK PSC that additional useful information should also be signposted that the information supplied by the Department of Business Enterprise and Regulatory Reform and the Consumer Direct websites are appropriate for this purpose.

Q7. Which are the most important pieces of information necessary for service providers to do business in the UK, specifying up to five?

MRS agrees with the 'must have' list specified in Appendix D of the User Requirements study. However, MRS believes that two items classified as 'should have' are necessary pieces of information: links to trade associations and links to business best practice. Many service sectors in the UK have voluntary self-regulatory arrangements administered via trade and professional associations, which are in place primarily to protect members of the public. It is vital that any service activities being conducted not only adhere with the domestic laws but also with any self-regulatory arrangements, and that UK citizens are not disadvantaged or subject to bad practice as a consequence of non-UK based organisations providing services to the UK.

Q10. Do you think that the PSC should be made available in additional EU language(s)? If so which one(s) and to what extent?

MRS considers that as the PSC is intended to be a portal to the UK market, it should be made available in English only. Provision of additional languages would be an unnecessary duplication of information and would place an unnecessary cost and resource burden on Competent Authorities to provide materials in other languages.

Q11. Do you think that dedicated email and/or telephone support is necessary for the PSC from day one?

Provided that the PSC is set up in a sufficiently clear and comprehensible manner, dedicated email and or telephone support should be unnecessary although it would be a desirable addition if it could be provided in a cost-effective manner. Queries on authorisation procedures can be directed via the PSC to the Competent Authorities, although the cost and resource burden should be considered before universally applying such a condition.

Q14. Do you agree that access to the PSC should be free? If not how much would you as a user be willing to pay to use the PSC service?

MRS believes that access to the PSC should be free to all users.

Q15. Do you agree that any additional advice and services could be charged for independently, if necessary? Do you have views as to what types and level of charge would be appropriate?

MRS agrees that additional advice or valuable services could be charged for independently. However, this should only be applied to new services which are developed for the purpose of the Services Directive and not to those existing services that are currently freely available.

Q.16 Do you think there should be one PSC for the UK or should it be divided up? If divided, what should the basis of that division be?

There should be one PSC for the UK. Regional variations should be signposted within the PSC but services providers outside the UK should not be assumed to have knowledge of the UK system of devolved administrations, any more than a UK service provider can be assumed to understand the regional government system of Spain, for example.

Q.42 Do you agree with the proposed approach of encouraging providers to take action on the provisions in Articles 26 and 37? What would be effective ways for encouraging providers to take action? What current initiatives are you aware of in this regard?

MRS agrees with the need to encourage voluntary development of codes of conduct and standards. MRS sets and enforces standards for market, social and opinion research. All MRS members and MRS Company Partners must adhere to the MRS *Code of Conduct* and its associated regulations.

MRS supports international self-regulation of market, social and opinion research via its membership of the International Chamber of Commerce (ICC). The ICC has developed an extensive suite of voluntary codes and these would be suitable for the provisions in Articles 26 and 37.

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