

Supplementary Legislative Consent Memorandum

Sporting Events Bill

Background

1. This memorandum has been lodged by Stephen Flynn MSP, Cabinet Secretary for Economy, Tourism and Transport in accordance with Rule 9B.3.1(c) of the Parliament's standing orders. It should be read in conjunction with the Scottish Government's [initial memorandum](#) (LCM-S7-1) on the Bill.
2. The Sporting Events Bill ("the Bill") was introduced by the UK Government in the House of Lords on 14 May 2026. The Bill is available on the UK Parliament website via this link: [Sporting Events Bill \[HL\] - Parliamentary Bills - UK Parliament](#).

Content of the Bill

3. The Bill is intended to create a legislative framework for applying certain commercial protection requirements to one-off major sporting events hosted in the UK, where these are hosting requirements of event owners.
4. The Bill creates a UK-wide framework where the UK Government and devolved administrations can apply the commercial protections to qualifying sporting events when required in their respective areas of competence. "Qualifying events" are ones that meet the conditions set out in the Bill. It is intended to be flexible enough that it can adapt to the particular circumstances of future events. Specifically, the Bill:
 - Confers powers on the Ministers of different governments to make regulations applying one or more of the provisions within their areas of competence in the Bill to an event that meets the conditions (clause 2(1)). This means the Bill gives the Scottish Ministers powers to apply the ticket touting, advertising and trading provisions to qualifying events in Scotland.
 - Sets out conditions that a sporting event must meet in order for the provisions in the Bill to be applied (clause 3).
 - Ensures that the UK Government must seek consent before making regulations that would be within devolved competence (clause 4).

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- Creates offences for ticket touting (clauses 5-7 and Schedule 1), unauthorised advertising (clauses 8-10 and Schedule 2) and unauthorised trading (clauses 11-13 and Schedule 3), and a prohibition on unauthorised association (clauses 14-16 and Schedule 4).
- Includes an exception for internet service providers (clause 19), provision for offences by corporate bodies (clause 20), varying the level of fixed penalty for trading and advertising offences (clause 21), and issuing guidance on the offences (clause 22).
- Confers enforcement powers in relation to the Bill's offences (clause 18 and Schedule 6).
- Empowers the UK Government to apply provisions to manage transport and traffic around events taking place in England (clause 17 and Schedule 5).
- Empowers the UK Government to provide financial assistance to sporting events held in England and the Scottish Ministers to provide financial assistance to sporting events in Scotland (clause 25).

5. On 8 July, the UK Government tabled amendments to the Bill¹. On 15 July, the UK Parliament voted in favour of these amendments which make changes to:

- Clauses 2 and 27 – Provide that regulations under clause 2 will be subject to affirmative resolution procedure, except in urgent cases where such regulations will instead be subject to the made affirmative procedure.
- Schedule 3 – Ensure that a designated authorising person must consider whether someone has an existing trading licence when deciding whether to grant authorisations.
- Clause 7 – Provide that the power to create exceptions could be used to provide an exception to the ticket touting offence for activities carried out by charities for charitable purposes.
- Clauses 6, 9 and 12 – Clarify that "one or more persons" can be designated to grant authorisations in respect of the ticketing, advertising and trading measures.
- The definition of "charity", in relation to Northern Ireland, includes an institution treated as a charity by virtue of the Charities Act 2008 (Transitional Provision) Order (Northern Ireland) 2013. It also defines "charitable purpose".
- Clause 24 – Refine referencing to the Charities and Trustee Investment (Scotland) Act 2005.

¹ All amendment numbers refer to the [HL 3-R-I Marshalled list for Report](#) published 13 July 2026

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6. On 15 July 2026, the UK Parliament also passed amendments that remove the requirement for events covered by the sporting events framework to not be regularly hosted in the UK:

- Clause 3, page 2, line 35, leave out “three” and insert “two”.
- Clause 3, page 2, line 38, leave out subsection (3).
- Clause 3, page 3, line 1, leave out “third” and insert “second”.
- Clause 3, page 3, line 7, leave out “interest” and insert “or national interest, (aa) that the sporting event organiser has asked for the sporting events framework to be applied,”.

Provisions which require the consent of the Scottish Parliament

Amendment to clause 2

7. Clause 2 of the Bill outlines the application of the framework to major sporting events. As introduced, the Bill provided that regulations made by the Scottish Ministers would be subject to the affirmative resolution procedure where they were the first regulations made in relation to a particular sporting event. Thereafter, regulations made under this section would be subject to the negative resolution procedure.

8. Amendment 7 provides for regulations under clause 2 to be subject to the affirmative resolution procedure except in urgent cases where they will instead be subject to the made affirmative resolution procedure.

9. This provision alters the executive competence of the Scottish Ministers.

Amendments to clause 3

10. Clause 3 of the Bill outlines three framework conditions. These conditions must be met for the Scottish Ministers to be able to apply the provisions of the Bill:

- That the sporting event is held wholly or partly in the UK.
- That the sporting event is of a kind that is not regularly held wholly or partly in the UK.
- That the event is of significant international interest and is likely to bring social or economic benefits the UK – or is likely to facilitate other sporting events which meet those requirements being held in the UK.

11. These amendments (10, 11, 12 and 13) remove the requirement for the sporting event to be not regularly held in the UK. Associated amendments update references to the ‘three’ framework conditions to ‘two’. The amendments change the

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sporting events framework conditions to include more regularly held events of both national and international interest. They also require the sporting event organiser to request that the framework is applied before regulations applying the Bill provisions can be laid.

12. This provision alters the executive competence of the Scottish Ministers.

Amendment to Schedule 3

13. Schedule 3 of the Bill outlines the trading offence. As introduced the Bill provided that existing trading licences may be taken into account in determining whether or not to grant an authorisation. Amendment 32 requires that existing trading licences must be taken into account when determining whether to grant trading authorisation.

14. This provision alters the executive competence of the Scottish Ministers.

Amendments to clauses 6, 9, and 12

15. Clauses 6, 9 and 12 all relate to who may be designated by regulations to grant ticketing (clause 6), advertising (clause 9) and trading (clause 12) authorisations. Amendments 15, 22 and 29 clarify that more than one person may be designated to grant these authorisations.

16. This provision alters the executive competence of the Scottish Ministers.

Amendment to clause 7

17. Clause 7 outlines exceptions to the ticket touting offence. Amendment 16 clarifies that ticket touting regulations may provide for activities carried out by charities for charitable purposes to be exempt from the ticket touting offence.

18. This provision alters the executive competence of the Scottish Ministers.

Amendments to clause 24

19. Clause 24 provides for interpretation. On introduction 'Charity' was defined in relation to Scotland as 'a body entered in the Scottish Charity Register'. Amendment 37 is a drafting refinement and inserts a reference to the Charities and Trustee Investment (Scotland) Act 2005 (asp10). Amendment 38 also defines that 'charitable purposes' (related to amendment to clause 7) has the meaning as defined in that Act.

20. This provision is within the legislative competence of the Scottish Parliament. Charity law falls within the devolved competence of the Scottish Parliament because,

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under the Scotland Act 1998, the Scottish Parliament can legislate on all matters that are not specifically reserved to the UK Parliament. Charity law is not listed as a reserved matter in Schedule 5 of the Act and is therefore devolved. As a result, the Scottish Parliament has been able to establish a distinct legal and regulatory framework for charities in Scotland, including the Charities and Trustee Investment (Scotland) Act 2005 and the Office of the Scottish Charity Regulator (OSCR).

Amendment to clause 27

21. Clause 27 provides for regulations, and amendments 50 and 51 outline the procedure for regulations that are subject to the made affirmative procedure. Clause 27(7A)(c) in the amendment outlines the process for the Scottish Ministers.

22. This provision alters the executive competence of the Scottish Ministers.

Reasons for not making a recommendation on legislative consent

23. Major sporting events, some of which have particular commercial rights protection requirements that the Bill would legislate for, can have a significant economic impact. They also enable Scotland to be showcased on the global stage, support ambitions to make Scotland healthier and more active, and provide opportunities to increase equality and inclusion. Supporting the measures in the Bill could further Scotland's competitive position hosting these events.

24. However, as stated in the initial LCM on this Bill, there was a narrow window between the public announcement of the Bill and its introduction. There has not been a public consultation on the provisions in the Bill. The Scottish Government is undertaking stakeholder engagement with business, tourism and enforcement representatives, amongst others, to better understand potential benefits and any concerns about the Bill's provisions, including these amendments.

25. A motion on legislative consent will not be lodged for the time being, while this engagement takes place. In order to inform Scottish Parliamentary consideration of legislative consent for the Bill, the Scottish Government remains committed to reaching a view and lodging a further supplementary LCM soon after summer recess.

Consultation

26. As noted above, the Scottish Government has ongoing stakeholder engagement on the Bill. Future engagement will take into account the amendments set out in this supplementary LCM.

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Financial implications

27. The UK Government amendments are not considered to have material implications in terms of costs or benefits. Including recurring events in the scope of the Bill has the potential to increase the frequency of use of the regulation-making measures for individual events compared to the scope of the Bill at introduction. If applied to a larger number of events, costs to government and enforcement bodies would be expected to increase, as would potential costs to affected businesses. However, there could also be increased benefits. It would be for the Scottish Government to make a decision on whether to lay regulations on a case by case basis for each event, and costs to government, delivery partners and businesses should be assessed as part of that decision. It would then be for the Scottish Parliament to decide whether the regulations laid should come into force.

Post EU scrutiny

28. This legislation is not likely to impact on the Scottish Government's policy to maintain alignment with the EU because it does not affect the Scottish Government's commitment to maintain and advance the high standards that Scotland shares with the EU. It does not affect access to EU markets for people, goods, and services. There are no potential implications for EU alignment associated with the United Kingdom Internal Market Act 2020 or Common Framework agreements.

Conclusion

29. The Scottish Government does not, at this stage, intend to lodge a Motion on Legislative Consent.

30. The Scottish Government intends to lodge a further supplementary LCM soon after summer recess, stating whether it recommends that the Scottish Parliament consent or refuse consent to the relevant provisions of the Bill.

Scottish Government
July 2026

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