

This Supplementary Legislative Consent Memorandum relates to the Sporting Events Bill (UK Parliament legislation) and was lodged with the Scottish Parliament on 20 October 2026

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 previous memorandums on the Bill: [LCM-S7-1](#) ("the initial LCM"), [LCM-S7-1a](#) ("the first supplementary LCM") and [LCM-S7-1b](#) ("the second supplementary LCM").
2. The Sporting Events 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](#).
3. The Economy, Tourism and Energy Committee published its [report](#) on the previous memorandums on 2 October 2026 recommending to the Parliament that the draft legislative consent motion in [LCM-S7-1b](#) be approved.

Content of the Bill

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. More detail on the Bill can be found in the initial LCM, first supplementary LCM and second supplementary LCM.

Provisions which require the consent of the Scottish Parliament

5. On 14 October 2026, the UK Government tabled amendments¹ to the Bill. Insofar as they may be applied by the Scottish Ministers (or by the Secretary of State for Scotland), the following amendments to clauses 2, 3, 4, 11, 12, 18, 24, 26, 27 and 30, to insert a new clause after clause 21, and to Schedules 1, 2 and 3 require the consent of the Scottish Parliament. The UK Government agrees that these clauses require legislative consent. Further detail on the amendments and the reason that consent is required are set out below.

¹ [Sporting Events Bill \[HL\] publications - Parliamentary Bills - UK Parliament](#)

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Amendments to clause 2 (Application of framework to major sporting events)

6. Clause 2 of the Bill describes how the framework will be applied to major sporting events.

7. Amendment 25 defines a “domestic sporting event” as an event that is regularly held wholly or partly in the United Kingdom. For the Bill to be applied to a domestic sporting event, the event must meet a new third condition at clause 3, in addition to the two conditions for one-off events. This is provided for in amendment 23. Amendment 21 is a drafting refinement.

8. Clause 2 alters the executive competence of the Scottish Ministers by conferring regulation-making powers to apply ticket touting, advertising and trading provisions to qualifying sporting events in Scotland. In combination with amendments to clause 3, these amendments change the circumstances in which the Scottish Ministers may apply the Bill’s provisions to a sporting event.

Amendments to clause 3 (Framework conditions)

9. Clause 3 of the Bill outlines the framework conditions which must each be met for the powers in clause 2 subsections (1) or (2) to be exercised.

10. Amendment 28 means that the Bill cannot be applied to events that have only “significant national interest” and reverts to the original test of “significant international interest”. Amendment 26 provides appropriate cross-reference to the framework conditions in clause 2, replacing reference to a specific number of conditions. This is necessary for the insertion of amendment 30, which sets out the new third condition a domestic sporting event must meet.

11. Amendment 30 details the new third condition which must be met in the case of domestic sporting events. This condition requires the event organiser to have applied to the appropriate national authority asking for one or more parts of the framework to be applied to the event. In making an application, the event organiser must explain why the framework should be applied and provide any further evidence requested. The condition also requires that the appropriate national authority is satisfied that it is appropriate in all the circumstances for the requested parts to be applied to the event. When deciding whether the application of the framework is appropriate, the national authority must have regard to: the frequency with which domestic sporting events of that kind are held; the prominence of the event within its field of sport; and any other matters it considers relevant. Amendment 29 removes a requirement for the event organiser to request the framework be applied as this has been superseded by amendment 30. Amendment 27 is a consequence of amendment 23.

12. Clause 3 alters the executive competence of the Scottish Ministers by setting out the conditions that must be satisfied before regulation-making powers in clause 2 may be

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exercised. These amendments remove a category of sporting events from those for which regulations may be made, and set out a condition that must be met in exercising regulation-making powers in respect of a domestic sporting event.

Amendment to clause 4 (Restrictions on application of framework)

13. Clause 4 outlines the restrictions on the application of the framework.

14. Amendment 31 provides a sunset clause for regulations that apply one or more parts of the framework to a domestic sporting event. Such regulations would cease to have effect after five years of coming into force, or earlier if specified in the regulations.

15. Clause 4 alters the executive competence of the Scottish Ministers by placing restrictions on the use of regulation-making powers in clause 2. This amendment limits how long regulations for domestic sporting events can have effect.

Amendments to Schedule 1 (Ticket touting provisions)

16. Schedule 1 of the Bill outlines the ticket touting offence.

17. Amendment 56 ensures that the ticket touting offence covers the giving of an event ticket as a prize.

18. Amendment 57 is a drafting clarification providing that references to “the penalty” in paragraph 10 of Schedule include references to a part of a penalty.

19. For Schedule 1, consent is required because it is within the legislative competence of the Scottish Parliament. Specifically, it relates to commercial rights protections applied to tickets to facilitate the holding of sports events, and sport is a devolved matter.

Amendments to Schedule 2 (Advertising provisions)

20. Schedule 2 of the Bill outlines the advertising offence.

21. Amendment 61 places a duty on a designated authorising person to have regard to existing advertising licences in determining whether or not to grant an advertising authorisation. A designated authorising person may have regard to any agreements that have been entered into for the purposes of the event, whether by the appropriate national authority or another person. They may also have regard to any other matters that they consider relevant.

22. Amendment 62 places a duty on a designated authorising person to have regard to whether a person is a small or micro business in determining whether or not to grant an advertising authorisation.

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23. For Schedule 2, consent is required because it is within the legislative competence of the Scottish Parliament. Specifically, it relates to commercial rights protections applied to advertising in the vicinity of an event to facilitate the holding of sports events and sport is a devolved matter.

Amendments to Schedule 3 (Trading provisions)

24. Schedule 3 of the Bill outlines the trading offence.

25. Amendment 65 means that, for domestic sporting events, the prohibition on unauthorised trading does not apply to activity carried out under a licence granted by a local authority. As a consequence, amendments 63 and 64 narrow the duty on a designated authorising person to have regard to existing trading licences so that it only applies to non-domestic sporting events.

26. For Schedule 3, consent is required because it is within the legislative competence of the Scottish Parliament. Specifically, it relates to commercial rights protections applied to trading in the vicinity of an event to facilitate the holding of sports events and sport is a devolved matter.

Amendment to clause 11 (Trading regulations)

27. Clause 11 outlines the powers to make trading regulations in the Bill.

28. Amendment 32 applies to trading regulations made for a non-domestic sporting event. Such regulations must require specified public authorities to take mitigating steps for those with a licence granted by the local authority who are prevented from trading.

29. Legislative consent is required because clause 11 alters the executive competence of the Scottish Ministers. It does so by giving the Scottish Ministers new regulation-making powers to apply a trading offence to activity in proximity to sporting events that meet the Bill's criteria. The amendment alters this power by enabling those regulations to place certain duties on public authorities.

Amendment to clause 12 (Persons granting trading authorisations)

30. Clause 12 relates to who may be designated by regulations to grant trading authorisations.

31. Amendment 33 enables regulations to impose a condition on a designated authorising person requiring them to arrange for their authorisation decisions to be reviewed.

32. Legislative consent is required because clause 12 alters the executive competence of the Scottish Ministers. It does so by giving the Scottish Ministers new regulation-making powers to apply a trading offence to activity in proximity to sporting events that meet the

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Bill's criteria. The amendment alters this power by adding a new condition that may be imposed on the person granting trading authorisations.

Amendments to clause 18 (Enforcement of offences)

33. Clause 18 provides for enforcement of the ticket touting, advertising and trading offences in Part 1 of the Bill by an enforcement authority.

34. Amendments 40 and 47 move the definition of 'public authority' from clause 18 to clause 24.

35. Legislative consent is required because clause 18 would be within the legislative competence of the Scottish Parliament. Specifically, it relates to the enforcement of commercial rights protections to facilitate the holding of sports events, and sport is a devolved matter.

Insertion of new clause (Fees)

36. Amendment NC14 inserts a new clause after clause 21 (Maximum penalty amounts) to enable a local authority or enforcement authority to charge the event organiser of a domestic event fees for enforcing the advertising or trading offence. The fees may pay for some or all – but cannot exceed the total – relevant costs incurred by the authority.

37. Legislative consent is required because the new clause would be within the legislative competence of the Scottish Parliament. Specifically, it relates to the enforcement of commercial rights protections to facilitate the holding of sporting events, and sport is a devolved matter.

Amendments to clause 24 (Interpretation)

38. Clause 24 makes provision on interpretation of the terms used in the Bill.

39. Amendment 42 defines a 'domestic sporting event' in the same way as amendment 25. Amendment 46 defines a 'non-domestic sporting event' as a sporting event which is not a domestic sporting event. Amendment 43 defines 'the event organiser' as, in relation to a sporting event, the person responsible for organising the event. Amendment 45 defines 'micro business' as a business with fewer than 10 staff. Amendment 48 defines 'small business' as a business with at least 10 but fewer than 50 staff. Amendment 47 defines 'public authority' as a person who exercises functions of a public nature and is consequential on amendment 32 on trading.

40. Legislative consent is required because clause 24 would be within the legislative competence of the Scottish Parliament. Specifically, the clause relates to commercial rights protections to facilitate the holding of sports events and sport is a devolved matter.

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Amendments to clause 26 (Power to make consequential provision)

41. Clause 26 of the Bill enables the Secretary of State to make regulations that make provision which is consequential on the Bill. The power may be used to amend, repeal or revoke existing legislation. Where regulations amend or repeal primary legislation, they are subject to affirmative procedure. Where they amend or revoke secondary legislation only, they are subject to negative procedure.

42. Amendments 49, 50, 51, 52 and 53 enable the Scottish Ministers to make provision within devolved competence that is consequential on this Act by way of regulations.

43. Legislative consent is required because the amendments to clause 26 confer a new consequential regulation-making power on the Scottish Ministers and therefore alters their executive competence.

Amendment to clause 27 (Regulations)

44. Amendment 54 is a consequential change to the de-hybridising provision in clause 27(12), which is relevant to the regulation-making procedure in the UK Parliament.

45. Legislative consent is required because, to the extent that such regulations may apply to Scotland for devolved matters, this provision would be within the legislative competence of the Scottish Parliament. Specifically, they relate to commercial rights protections to facilitate the holding of sports events and sport is a devolved matter.

Amendment to clause 30 (Short title)

46. Amendment 55 removes the privilege amendment inserted by the Lords. The privilege amendment was a technical clause inserted into the Lords Bill to preserve the Commons' financial privilege while allowing the Bill to proceed through Parliament.²

47. Legislative consent is required because clause 30 would be within the legislative competence of the Scottish Parliament. Specifically, it relates to commercial rights protections to facilitate the holding of sports events and sport is a devolved matter.

Reasons for recommending legislative consent

48. The Scottish Government supports the Bill's main aim to improve the competitiveness of the UK in securing major international sporting events. These events can drive economic growth by attracting visitors, increasing tourism spend, supporting local businesses and creating employment opportunities across a range of sectors. They

² [Privilege amendment - Erskine May - UK Parliament](#)

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can also enhance Scotland's international profile, encouraging future investment, trade and tourism.

49. The amendments made by the UK Government relating to the scope of the Bill strike a pragmatic balance between the ask of some event organisers who had argued for the inclusion of recurring events and the needs of small businesses that may be impacted repeatedly. The amendments remove events of significant national interest from scope, substantially reducing the number of recurring events that the framework could be applied to and addressing previous concerns from some Scottish stakeholders regarding routine application of commercial restrictions. The amendments also give additional consideration to existing licence holders and require decision makers to take account of whether applicants are small or micro businesses when considering advertising authorisations, providing additional safeguards. Taken together, the Scottish Government considers these amendments improve the Bill as brought from the Lords.

50. Giving consent to the Bill would mean the Scottish Ministers could make regulations to apply one or more of these offences to a qualifying event in Scotland. This could enable legislation to be put in place when needed to host a major sporting event in a way that is more consistent and makes more efficient use of Scottish Government and Scottish Parliament time than passing a specific Bill for each event.

Consultation

51. The UK Government committed, at [Report Stage](#) in the House of Lords, to undertake further work to better understand the issues facing the wider sporting events sector, while carefully considering the practical implications of any expansion to the framework's scope. This includes questions of proportionality, the impact on local businesses and communities, enforcement considerations, and the potential for unintended consequences.

52. The UK Government has engaged with local authorities for the areas where the largest recurring events take place. Local authorities raised significant concerns about the application of the advertising and trading provisions without an expectation that costs could be recovered from the event organiser. This engagement did not include any local authorities in Scotland.

53. The Scottish Government welcomes the constructive engagement with the UK Government during development of the amendments. However, the timetable for consideration of the Bill has not provided sufficient opportunity for engagement with Scottish stakeholders on either the policy intent or practical operation of the amendments. In particular, Scottish local authorities, enforcement bodies and event organisers have not had the opportunity to provide views on the proposed cost recovery arrangements or the application process for recurring sporting events. This limits the evidence available regarding implementation impacts in Scotland.

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54. Information on previous consultation carried out by Scottish Government was included in [the initial LCM](#) and [the second supplementary LCM](#). This engagement included the Crown Office and Procurator Fiscal Service (COPFS), the Scottish Courts and Tribunals Service (SCTS), Police Scotland, VisitScotland, the Event Industry Advisory Group, the Convention of Scottish Local Authorities (COSLA), trading standards officers from Glasgow City Council and City of Edinburgh Council, the Scottish Football Association, the Federation of Small Businesses, the Scottish Tourism Alliance, the Society of Chief Officers of Trading Standards in Scotland (SCOTSS), the Regulatory Review Group, the Law Society of Scotland, the Scottish Human Rights Commission, Glasgow Chamber of Commerce, The R&A, Aberdeen City Council and South Lanarkshire Council.

55. Previous Scottish Government engagement suggested a need for proportionality in application of the framework to a wider scope of events. The Government heard that while businesses are typically supportive of special arrangements for major one-off sporting events, applying similar restrictions to established recurring events maybe more challenging due to existing operating arrangements.³

Financial implications

56. The financial implications of the Bill at introduction have been covered in the [initial LCM](#), [the first supplementary LCM](#) and [the second supplementary LCM](#). Amending the type of event to which the Bill can be applied does not itself change costs. This provides an option to use the powers, not an obligation to do so. Costs could vary significantly from event to event depending on scale, duration, location and which of the Bill's provisions were applied. Before putting regulations in place for an event, the Scottish Ministers expect to consider potential benefits and assess costs to government, delivery partners and businesses on a case-by-case basis. There would be a resource cost for the Scottish Government to consider any applications received to apply the Bill's provisions to domestic sporting events.

57. Costs to local authorities and enforcement authorities for enforcing advertising and trading provisions applied to a domestic sporting event could be charged to the event organiser. Local authorities would also be able to recover administrative costs associated with authorisations and engaging with businesses. The ability of local authorities and enforcement authorities to recover certain costs may address concerns raised during engagement elsewhere in the UK regarding the practical implications of applying the advertising and trading restrictions to recurring sporting events. However, these provisions have not been discussed with Scottish local authorities or event organisers and therefore the Scottish Government cannot yet assess the approach in a Scottish context. However, the use of these powers is optional.

³ [Supplementary Legislative Consent Memorandum - Scottish Parliament](#)

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Other relevant considerations

58. The UK Government intends to fulfil its hosting obligations for UEFA EURO 2028 using provisions in this Bill. To meet the timeframe for doing this, the UK Government is seeking a decision from the Scottish Parliament on legislative consent ahead of the House of Commons Report Stage, which is likely to take place in early November.

59. Scotland is part of a joint bid to host the 2035 FIFA Women's World Cup. This includes requirements relating to the commercial rights of FIFA and its partners if the bid is successful. It is likely that legislative provision of the kind in this Bill will be needed to meet hosting requirements.

Post EU scrutiny

60. 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

61. The Scottish Government is recommending that the Scottish Parliament consent to each of the relevant provisions in the Bill. In recommending consent, the Scottish Government recognises that the Bill has the potential to provide a more consistent and efficient framework to put in place commercial protections for supporting the hosting of major sporting events in Scotland, while retaining appropriate flexibility to tailor for individual events. This recognises the significant benefits these events can bring.

62. The Scottish Government considers that the UK Government amendments improve the Bill as passed by the House of Lords. In particular, they do this by narrowing the category of recurring sporting events that may qualify for the framework and strengthening protections for existing licence holders and small businesses.

63. The Scottish Government believes the Bill's enforcement powers are appropriate and proportionate, with suitable safeguards. These have not been altered by the UK Government's amendments. The flexibility of the regulation-making powers means appropriate exceptions could be made based on the specific considerations of an individual event. The Bill's flexibility also allows for provision to adapt to future need as appropriate, for example by enabling civil enforcement options. As amended by the UK Government, the Bill retains this flexibility.

64. The Scottish Government recognises that the timetable for consideration of the amendments has not enabled engagement with Scottish stakeholders. Consequently,

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some uncertainty remains regarding implementation, particularly in relation to operation of the cost recovery provisions and use of the application by event organisers. On balance, these are considered to be likely to be manageable.

65. The Scottish Government acknowledges concerns raised by some stakeholders previously regarding the possible impact of restrictions on businesses and the potential for the framework to be applied more widely over time. The Bill does not require its provisions to be applied to any particular event – it provides an option for use of the measures, not an obligation for them to be used if an event meets the conditions in the Bill. The Scottish Ministers would retain discretion over whether any request to apply the framework should be approved and whether regulations should be brought forward for a particular event, at which point they would be subject to Parliamentary scrutiny. Further, amendments tabled by the UK Government both limit the application of the Bill to events of significant international interest and strengthen consideration of existing licence holders in applying the Bill's advertising and trading provisions, particularly for regularly-held events. Decision makers will also have to take account of whether applicants are small or micro businesses when considering advertising authorisations, providing additional safeguards. This could help to address some previous stakeholder feedback.

66. The Scottish Government also recognises the views expressed previously by parts of the events sector regarding provision for major cultural and business events. While the Bill is focused on major sporting events, the Scottish Government has engaged actively with the UK Government on this matter and will continue to work constructively with the UK Government on any proposals affecting a wider range of events.

67. Overall, the Scottish Government considers that the UK Government amendments improve the Bill, ensuring it supports the hosting of major sporting events in the UK while taking into account the impact on businesses and communities. The Bill as a whole reflects a pragmatic balance between flexibility, proportionality and the practical requirements of hosting major sporting events. On that basis, the Scottish Government intends to lodge the draft motion below.

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Draft motion on legislative consent

68. The draft motion, which will be lodged by the Cabinet Secretary for Economy, Tourism and Transport, is:

“That the Parliament, noting that the Sporting Events Bill, introduced in the House of Lords on 14 May 2026, makes provision that falls within the legislative competence of the Parliament and alters the executive competence of the Scottish Ministers, agrees to give consent to such provision as is made by clauses 1 to 13, clauses 18 to 30, and Schedules 1, 2, 3 and 6.”

69. To note: clause numbers in the draft motion are those in the Bill as brought from the Lords. However, the amendments insert a new clause. It is expected that the exact numbering of the clauses will be updated for the House of Commons Report Stage and this new numbering will be reflected in the motion brought before Parliament.

Scottish Government
October 2026

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