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Delegated Powers and Law Reform Committee Comataidh Cumhachdan Tiomnaichte is Ath-leasachadh Lagh

Delegated powers in the UEFA European Championship (Scotland) Bill (as amended at Stage 2)



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For information on the Scottish Parliament contact
Public Information on:
Telephone: 0131 348 5000
Textphone: 0800 092 7100
Email: sp.info@parliament.scot

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Delegated Powers and Law Reform Committee

The remit of the Delegated Powers and Law Reform Committee is to consider and report on the following (and any additional matter added under Rule 6.1.5A)—

(a) any—

(i) subordinate legislation laid before the Parliament or requiring the consent of the Parliament under section 9 of the Public Bodies Act 2011;

(ii) [deleted]

(iii) pension or grants motion as described in Rule 8.11A.1; and, in particular, to determine whether the attention of the Parliament should be drawn to any of the matters mentioned in Rule 10.3.1;

(b) proposed powers to make subordinate legislation in particular Bills or other proposed legislation;

(c) general questions relating to powers to make subordinate legislation;

(d) whether any proposed delegated powers in particular Bills or other legislation should be expressed as a power to make subordinate legislation;

(e) any failure to lay an instrument in accordance with section 28(2), 30(2) or 31 of the 2010 Act;

(f) proposed changes to the procedure to which subordinate legislation laid before the Parliament is subject;

(g) any Scottish Law Commission Bill as defined in Rule 9.17A.1; and

(h) any draft proposal for a Scottish Law Commission Bill as defined in that Rule.

(i) any Consolidation Bill as defined in Rule 9.18.1 referred to it in accordance with Rule 9.18.3.



dplr.committee@parliament.scot



0131 348 5212

Committee Membership



Stuart McMillan
Scottish National Party



Bill Kidd
Scottish National Party



Katy Clark
Scottish Labour



Roz McCall
Scottish Conservative
and Unionist Party



Jeremy Balfour
Independent

Introduction

1. This report considers the delegated powers in the [UEFA European Championship \(Scotland\) Bill](#) (“the Bill”) as amended at Stage 2.
2. The Committee previously considered the delegated powers in the Bill at its meeting on 3 June 2025. Thereafter, it published a [report](#) on 5 June 2025 indicating that it was content with the eight delegated powers in the Bill.

Overview of the Bill

3. This is a Scottish Government Bill which was introduced on 12 March 2025. The lead committee was the Constitution, Europe, External Affairs and Culture Committee.
4. The Union of European Football Association's ("UEFA") European Championship 2028 (the "Championship") will be co-hosted by the United Kingdom and Ireland. It is projected to take place from 9 June to 9 July 2028. Scotland will host matches at Hampden Park in Glasgow during this period.
5. Scotland previously hosted matches during Euro 2020 (the matches were eventually played in June 2021 due to the pandemic) as part of the Championship's 60th anniversary celebrations, which saw the tournament being played across various cities in Europe. This Bill is in largely the same terms as the Bill that was introduced in September 2019 in preparation for Euro 2020, which in turn was based on the Glasgow Commonwealth Games Act 2008.
6. The Bill is concerned with restrictions on ticket touting, street trading and advertising. The Scottish Government has stated that the Bill is being brought in to ensure the successful delivery of the Championship by meeting the specific requirements set by UEFA in relation to commercial rights for event sponsors during the period of the event.

Delegated Powers

7. At Stage 1, the Bill conferred eight powers to make subordinate legislation on the Scottish Ministers.
8. At Stage 2, one power is revised, that being the power in section 12 of the Bill. The Scottish Government has produced a [Supplementary Delegated Powers Memorandum](#) which sets out the reasons for revising the power in section 12.

Review of relevant powers

Section 12: Ban on advertising within event zones

Power conferred on: Scottish Ministers

Power exercisable by: Regulations made by Scottish statutory instrument

Parliamentary procedure: Affirmative

Revised or new power: Revised

Provision

9. Section 12(1) provides that it is an offence to advertise within an event zone at a prohibited time, and schedule 3 sets out the exemptions to this offence, and contains activities such as protesting, distributing current newspapers and activities carried out by Glasgow City Council.
10. Section 12(3) was amended at Stage 2. At Stage 1, it delegated a regulation making power to the Scottish Ministers which could have been exercised to modify schedule 3, and to make such further provision as they consider appropriate in relation to advertising within event zones.
11. At Stage 2, the provision was amended to restrict the power, in order that it cannot be used to repeal the exemptions set out in paragraph 1 of schedule 3, which deals with demonstrations and other protest activities.
12. Regulations made under section 12 are subject to the affirmative procedure.

Committee consideration

13. The Committee was content with the power in section 12 at Stage 1, as it considered it foreseeable that the power would be required to be exercised to provide for further detail or for more exemptions as the event draws nearer. It considered it appropriate that such an update could be made by regulations rather than requiring primary legislation.
14. The Scottish Government states in its SDPM that the Constitution, Europe, External Affairs and Culture Committee's ("CEEAC") Stage 1 report suggested that, with regards to exemptions, a clear distinction should be drawn between commercial activities and protest activities. So, whereas it might be appropriate that the power is used to amend or repeal the exemptions relating to commercial activities, it did not consider it appropriate that the power could be used to remove the exemptions for demonstrations or protests.
15. The power may now be used to amend paragraph 1, but it cannot be used to repeal. The Parliament will have an opportunity through the affirmative procedure to consider any such proposal to amend paragraph 1, as is the case for any such regulations made under section 12.
16. Therefore, the Committee is content with the revised power in principle, given that it seeks to implement a recommendation of CEEAC's Stage 1 report.

17. **The Committee is content with the revised power in principle. The Committee is also content that regulations made under it would be subject to the affirmative procedure.**

