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The Scottish Parliament
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Delegated Powers and Law Reform Committee

Sporting Events Bill (UK Parliament legislation) – delegated powers exercisable within devolved competence, with reference to LCM-S7-1c.

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Delegated Powers and Law Reform Committee

To consider and report on the following —
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;
h. any draft proposal for a Scottish Law Commission Bill as defined in that Rule; and
i. any Consolidation Bill as defined in Rule 9.18.1 referred to it in accordance with Rule 9.18.3.


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Introduction

1. The Scottish Government lodged a Third Supplementary Legislative Consent Memorandum ("Third SLCM") on 20 October 2026 because the Bill makes provision applying to Scotland for purposes within the legislative competence of the Scottish Parliament and alters executive competence of the Scottish Ministers.

2. The Committee considered the Third SLCM under Rule 9B.3.6. of the Standing Orders, which provides that, where a Bill contains provisions conferring powers on the Scottish Ministers to make subordinate legislation, the Delegated Powers and Law Reform Committee shall consider and may report to the lead committee on those provisions.

3. The Third SLCM is also being considered under the terms of the Committee's wider remit under Rule 6.11.1(b) of the Standing Orders, which provides that the remit of the Committee includes considering and reporting on proposed powers to make subordinate legislation in particular Bills or other proposed legislation. This definition encompasses powers to make subordinate legislation in UK Bills, where exercisable within devolved competence.

4. The lead Committee is the Economy, Tourism and Energy Committee.

The Bill

5. The purpose of the Bill is to establish a common legislative framework that will enable the UK Government and the devolved administrations to deliver major sporting events. The Bill is currently at Report stage in the House of Commons.

6. The Scottish Government supports the overall aims of the Bill and is recommending consent to all of the relevant provisions of the Bill.

Delegated Powers

7. The Committee has previously considered the Legislative Consent Memorandum for the Bill dated 5 June 2026, a Supplementary Legislative Consent Memorandum dated 22 July 2026 and a Second Supplementary Legislative Consent Memorandum dated 2 September 2026 because the Bill makes provision applying to Scotland for purposes within the legislative competence of the Parliament and alters the executive competence of the Scottish Ministers. Sporting events are devolved matters, and the Bill will confer regulation-making powers on the Scottish Ministers.

8. The Committee published its Report on those Memorandums on 18 September 2026.

9. On 14 October 2026, the UK Government tabled amendments to the Bill, including amendments to the powers in clauses 2 and 26, which engage the Committee's remit.

Review of relevant powers

Clause 2: Application of framework to major sporting events

Power to apply the ticket touting, advertising and trading provisions of the sporting events framework to a sporting event.

Power conferred on: "the appropriate national authority", which is the Scottish Ministers, or the Secretary of State with the consent of the Scottish Ministers, where the provision to be made is within the legislative competence of the Scottish Parliament.

Power exercised by: regulations made by statutory instrument or Scottish statutory instrument.

Parliamentary procedure: (a) the affirmative procedure, or (b) the made affirmative procedure, if the regulations contain a statement by the appropriate national authority making them that the authority considers it necessary for the regulations to be made urgently.

Provision

10. Clause 2 sets out the mechanism for applying the provisions in the sporting events framework to specific events. Subsection (1) provides the Secretary of State and devolved governments ("appropriate national authority") with the powers to make regulations applying one or more of the following parts of the sporting framework to a sporting event: the ticket touting provisions; advertising provisions; and trading provisions.

Committee consideration

11. The Committee previously considered clause 2 and was content with both the power conferred and the parliamentary procedure attached to its exercise.

12. The amendments do not alter the nature of the regulation-making power in clause 2. The power continues to enable the appropriate national authority to apply one or more parts of the sporting events framework to qualifying sporting events by regulations subject to the affirmative procedure (or made affirmative procedure in cases of urgency).

13. The amendments do, however, make changes to the circumstances in which the power may be exercised. In particular, the framework may now be applied to a domestic sporting event only where an additional condition is met. This requires an application by the event organiser and requires the appropriate national authority to be satisfied that it is appropriate in all the circumstances for the framework to be applied, having regard to specified factors. The amendments also remove the ability for the framework to be applied to events solely on the basis that they are of significant national interest, restoring the requirement that events must be of significant international interest. In addition, a new restriction provides that regulations applying the framework to domestic sporting events will cease to have effect after five years, unless an earlier expiry date is specified.

14. The Committee considers that these amendments do not expand the scope of the power in clause 2. Rather, they introduce additional conditions and restrictions on the exercise of that power in relation to domestic sporting events and narrow the category of events to which the framework may be applied. The Committee therefore considers that the amendments do not affect the Committee's previous conclusions regarding this power.

15. **The Committee is content with the power conferred by clause 2, as amended. It draws the following matters to the attention of the Economy, Tourism and Energy Committee:**

- **Either the Secretary of State or the Scottish Ministers can exercise the power within the Scottish Parliament's legislative competence.**
- **The choice of which government should exercise the power is a matter for the governments alone, with no role for Parliament.**
- **Where the power is exercised by the Secretary of State, regulations will be laid before and scrutinised by the United Kingdom Parliament only.**
- **The Secretary of State must obtain the Scottish Ministers' consent before making the regulations.**
- **The regulations will fall within the scope of the UKSI Protocol and will be notified to the Parliament only after becoming law.**
- **The Scottish Ministers have committed to keeping the Parliament informed about proposed uses of the power.**

Clause 26: Power to make consequential provision

Power conferred on: Secretary of State or a devolved authority within devolved competence

Power exercisable by: Regulations

Parliamentary procedure: Affirmative procedure where regulations amend or repeal primary legislation; otherwise, negative procedure.

Provision

16. Clause 26 enables the Secretary of State or a devolved authority (insofar as within devolved competence) to make regulations that make provision which is consequential on this Bill. In particular, the power may be used to amend, repeal or revoke any provision made by or under primary legislation passed before the bill is passed or later in the same parliamentary session. Where regulations are used to amend or repeal primary legislation, they are subject to the affirmative resolution procedure; the negative procedure will be used where they amend or revoke secondary legislation only.

Committee consideration

17. The Committee previously considered clause 26 and was content with both the

power conferred and the parliamentary procedure attached to its exercise. The amendments enable the Scottish Ministers to make provision that is consequential upon the Act within devolved competence. The power is exercisable concurrently with the Secretary of State. The Committee considers that the amendments do not affect the Committee's previous conclusions in relation to this power.

18. **The Committee is content with the power in clause 26, as amended.**

