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Economy, Tourism and Energy Committee

Report on the Legislative Consent Memorandums for the Sporting Events Bill (UK Parliament legislation)



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Economy, Tourism and Energy Committee

To consider and report on matters within the responsibility of the Cabinet Secretary for Economy, Tourism and Transport, with the exception of transport, on matters relating to public infrastructure, civil contingencies and resilience, and on matters relating to energy and energy consents

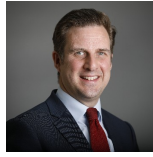


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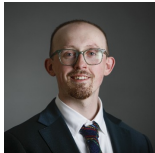
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Introduction

1. Legislative consent memorandum [LCM-S7-1](#) was lodged on 5 June 2026 by Stephen Flynn MSP, Cabinet Secretary for Economy, Tourism and Transport ('the Cabinet Secretary') and was referred to the Economy, Tourism and Energy Committee for scrutiny.
2. Following amendments to the Bill as it progressed through the UK Parliament, the Cabinet Secretary lodged two further supplementary legislative consent memorandums (sLCM).
3. The first of these, [sLCM-S7-1a](#), was lodged on 22 July 2026. A second supplementary legislative consent memorandum, [sLCM-S7-1b](#), was lodged on 2 September 2026.

Sporting Events Bill

4. The UK [Sporting Events Bill](#) was introduced in the House of Lords on 14 May 2026 by the UK Department for Digital, Culture, Media & Sport. Its purpose is to enable a common set of legislative provisions to be applied to major sporting events held in the UK.
5. Instead of requiring event-specific primary legislation to be enacted, the UK Bill would establish a legislative framework across the UK, through which event-specific protections could be implemented by subordinate legislation.
6. The Bill confers powers on both UK Ministers and the Scottish Ministers to make regulations applying protections for certain commercial requirements in relation to ticket touting and ambush marketing for major sporting events hosted in the UK. Therefore, should the UK Bill be passed, any future scrutiny by the Scottish Parliament would be of subordinate rather than primary legislation. Following amendments to the Bill since its introduction, regulations applying the protections would be subject to the affirmative procedure (or the made affirmative procedure in urgent cases).

Original LCM and the first supplementary LCM

7. In the original LCM-S7-1, and the first supplementary sLCM-S7-1a, the Scottish Government stopped short of recommending whether the Scottish Parliament should consent to the relevant provisions of the Bill, stating that there had not been sufficient time since the Bill's introduction to engage fully with stakeholders.

Second supplementary LCM

8. The Scottish Government subsequently lodged sLCM-S7-1b, stating that the Scottish Government supports the Bill's main aim, which is to improve the competitiveness of the UK in securing major international sporting events.
9. 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 can also enhance Scotland's international profile, encouraging future investment, trade and tourism.
10. Giving consent to the Bill would mean the Scottish Ministers could make regulations to apply one or more of the protections 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 making more efficient use of Scottish Government and Scottish Parliament time, than passing a specific Bill for each event.
11. Clauses 1 to 13, clauses 18 to 30, and Schedules 1, 2, 3 and 6 of the Bill require legislative consent. These clauses and Schedules give the Scottish Ministers powers to make regulations applying ticket touting, advertising and trading provisions to qualifying sporting events. They also establish a framework for regulating trading activities within designated trading zones near qualifying sporting events, including creating offences relating to unauthorised trading. In addition, they make provision for the enforcement of the ticket touting, advertising and trading offences, as well as supplementary provision relating to the operation of the framework, including liability of corporate bodies, fixed penalties, guidance, and financial assistance in connection with sporting events held wholly or partly in Scotland.
12. In relation to clauses 1 to 13, 21, 22, 25 and 27, the requirement for legislative consent arises due to the executive competence of the Scottish Ministers being altered. For clauses 18 to 20, 23, 24, 26 and 28 to 30, and Schedules 1 to 3 and 6, so far as they apply to Scotland, legislative consent is required because they would be within the legislative competence of the Scottish Parliament.
13. The Scottish Government is recommending that the Scottish Parliament consent to each of the relevant provisions of the Bill.
14. 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 - 30, and Schedules 1, 2, 3 and 6.

Committee scrutiny

Economy, Tourism and Energy Committee scrutiny

15. The Economy, Tourism and Energy Committee took evidence on legislative consent memorandum LCM-S7-1, and on supplementary legislative consent memorandums LCM-S71a and LCM-S7-1b, from the Cabinet Secretary for Economy, Tourism and Transport on [Tuesday 29 September 2026](#).
16. Members clarified with the Cabinet Secretary that, where events did not satisfy the criteria set out under clause 3 of the Bill, the Scottish Government could still legislate separately if it wished to do so.
17. Members also asked the Cabinet Secretary the circumstances in which the Secretary of State would exercise the powers of regulation in areas which are devolved. The Cabinet Secretary explained that the Secretary of State would only take such actions with the consent of Scottish Ministers. This was clarified in his [letter to the Convener of the Delegated Powers and Law Reform Committee](#) on 07 September 2026. The Cabinet Secretary noted that the four UK nations potentially hosting the FIFA Women's World Cup could be an example of where the Secretary of State would exercise the powers in a devolved area.

Delegated Powers and Law Reform Committee

18. The Delegated Powers and Law Reform Committee (DPLRC) considered the LCM and two supplementary LCMs at its meeting on [01 September](#) and agreed to write to the Scottish Government. The Committee re-considered the LCM and the two sLCMs on [15 September](#).
19. [In its report](#), the DPLRC concluded that it was content with the powers in the Bill and the parliamentary procedures attached to their exercise, but brought some matters to the attention of the Economy, Tourism and Energy Committee. In relation to clause 2 (the power to apply the ticket touting, advertising and trading provisions of the sporting events framework to a sporting event), the DPLRC report highlighted—
 - 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 conferred by clause 2.

Recommendation

20. The Economy, Tourism and Energy Committee recommends to the Parliament that the draft legislative consent motion in LCM-S7-1b in the name of Stephen Flynn MSP, Cabinet Secretary for Economy, Tourism and Transport, be approved.

