

Net Zero, Energy and Transport Committee
Tuesday 7 October 2025
30th Meeting, 2025 (Session 6)

Note by the Clerk on the Motor Vehicles (Competitions and Trials) (Miscellaneous Amendment) (Scotland) Regulations 2025 (SSI 2025/245)

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to the negative procedure. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.
2. More information about the instrument is summarised below:

Title of instrument: [Motor Vehicles \(Competitions and Trials\) \(Miscellaneous Amendment\) \(Scotland\) Regulations 2025](#) (SSI 2025/245)

Laid under: sections 13(2) and 13A(1) of the [Road Traffic Act 1988](#)

Laid on: 4 September 2025

Procedure: Negative

Deadline for committee consideration: 27 October 2025 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 29 October 2025 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: 30 October 2025

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.

5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).
6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee considered the instrument on 23 September 2025 and reported on it in its [66th Report, 2025](#). The DPLR Committee reported the instrument under reporting ground (i) – “defective drafting” – and the general reporting ground for two other more minor issues.
8. The issue reported under reporting ground (i) concerned the legislation under which different types of motor vehicle events are regulated. The DPLR Committee report notes a distinction between:
 - a “race or trial of speed between motor vehicles” that can be authorised under section [12G](#) and [12H](#) of the parent Act, and which is regulated by the [Motor Sport on Public Roads \(Scotland\) Regulations 2019](#) (SSI 2019/138) (“the Motor Sport Regulations”), and
 - a “competition or trial (other than a race or trial of speed) involving the use of motor vehicles” that can be authorised under [section 13](#) of the parent Act and the principal regulations, the [Motor Vehicles \(Competitions and Trials\) \(Scotland\) Regulations 1976](#), SI 1976/2019 (“the Competitions Regulations”).
9. The DPLRC Committee’s report states that the instrument makes amendments to the second of these instruments, the Competitions Regulations, including by designating four rallies as “specified events” for the purposes of those regulations.
10. The DPLR Committee noted that road traffic legislation, such as speed limits, can be disapplied for the first type of events (under the Motor Sport Regulations) but that this does not appear to be the case for the second type (under the Competitions Regulations). Also, the Policy Note for the Motor Sport Regulations mentions specifically two of the four rallies named in the current instrument: the Jim Clark Rally and the Isle of Mull Rally, and clearly suggests that these two rallies were intended to be regulated under the Motor Sport Regulations, not the Competitions Regulations.
11. In [correspondence with the Scottish Government](#), the Committee asked for an explanation of the background and for confirmation that the four named rallies named are of the type regulated by the Competitions Regulations. In [response](#), the Scottish Government advised that the four named rallies are in fact “trials of speed”, subject to authorisation under the Motor Sport Regulations rather than the Competitions Regulations, and that designating them in the Competitions

Regulations was an "oversight", and that they are not in fact events capable of being authorised under the Competitions Regulations.

12. The DPLR Committee therefore considered that inserting a reference to these four rallies in the Competitions Regulations is a very significant drafting error, and capable of causing confusion as to the applicable authorisation process (which ought to be under the Motor Sport Regulations). The DPLR Committee's report states that the Scottish Government intends to make amending regulations to correct this error at the earliest possible opportunity and the DPLR Committee called upon the Scottish Government to do so as a matter of urgency.
13. The second issue reported under the general reporting ground concerned one of the rallies specified in the legislation, as the name appeared to be incorrect. The Scottish Government confirmed that the reference should have been to the Roger Albert Clark Rally, rather than the Robert Albert Clark Rally, and it also intends to correct this error by amending the instrument at the earliest possible opportunity
14. Finally, the DPLR Committee asked the Scottish Government whether the reference to "public way" in the final line of new regulation 7 of the Competitions Regulations could be clearer. The Competitions Regulations instead use the term "public highway", reflecting its usage in the Competition Regulations' parent Act. The Scottish Government responded that it considers the reference to be unambiguous given the definition of the term in the enabling Act, but undertook to reflect on whether consistency of approach would be desirable.

Purpose of the instrument

15. The purpose of these Regulations is to amend the [Motor Vehicles \(Competitions and Trials\) \(Scotland\) Regulations 1976](#) ("the Principal Regulations"), which regulate the system of rally control on public roads in Scotland. The Regulations provide a new fee structure for rallies and make amendments to update various references.
16. Regulation 2 amends the Principal Regulations by inserting a new definition for "RSAC Motorsport Limited" and "Motorsport UK Association Limited". RSAC Motorsport Limited is the authorising agent which receives and processes applications under the Principal Regulations in Scotland. The explanatory note states that they must consult with Motorsport UK Association Limited (the governing body for four-wheel motorsport in the UK) where an event takes place partly in Scotland and partly in England.
17. Regulation 2 also introduces a new fee structure to be applied in relation to applications submitted to RSAC Motorsport Limited for the authorisation of events. The new fees are set out in the table below. The policy note states that this increase brings the fees in line with inflation. The new fee structure is set out below.

	<i>First 50 Miles or part thereof</i>	<i>Each subsequent 50 miles or part thereof</i>
Current fees for all relevant events	£65	£37
New tier one event (25 or less vehicles)	£92	£52
New tier two event (26 or more vehicles)	£115	£65

18. Regulation 2 also sets a new fee of £30 for those events which are not authorised or those which are cancelled after being authorised. The policy note states that cancellation fees have not been updated since 1983.
19. Regulation 2 also updates references relating to the Ordnance Survey Maps and makes provision for maps to be submitted electronically.
20. A minor amendment is made by regulation 3 to the Motor Vehicles (Off Road Events) Regulations 1995 to reflect the change in name of the Royal Automobile Club to Motorsport UK Association Limited.
21. Regulation 4 revokes the Motor Vehicles (Competitions and Trials) (Scotland) Amendment Regulations 2002.
22. Please note that the explanatory note for the instrument contains an error: incorrectly identifying Regulation 3 as revoking the 2002 Regulations and Regulation 4 as making the minor amendment in relation to the Motorsport UK Association Limited.
23. The Policy Note accompanying the instrument is included in Annexe A. It includes a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

24. So far, no motion recommending annulment has been lodged.
25. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:
- seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
 - inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.
26. It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to

the instrument.

27. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).

28. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
October 2025

Annexe A: Scottish Government Policy Note

THE MOTOR VEHICLES (COMPETITIONS AND TRIALS) (MISCELLANEOUS AMENDMENT) (SCOTLAND) REGULATIONS 2025 SSI 2025/245

The above instrument was made in exercise of powers conferred by section 13 of the Road Traffic Act 1988 which provides for the variation of rates of fees for motoring events and for such rates to be charged for different classes or descriptions of events. The instruments are subject to negative resolution procedures before the Scottish Parliament.

Summary Box

The purpose of this Scottish Statutory Instrument is to amend application and cancellation fees for motorsports events and includes minor assorted administrative updates.

Policy Objectives

The most recent Motor Vehicles (Competitions and Trials) (Scotland) Amendment Regulations were brought into force in 2002 which amended application fees. Cancellation fees have not been amended since 1983. This increase brings the fees in line with inflation. Administrative updates are also included in these Regulations, these will not have any impact to the way these events are ran.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, The Motor Vehicles (Competitions and Trials) (Miscellaneous Amendment) (Scotland) Regulations 2025 are compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

Scottish Ministers have consulted with other representative bodies of the motorsports industry. No objections to the proposals were raised.

Impact Assessments

No Business and Regulatory Impact Assessment has been undertaken since the proposed Regulations amend fees payable under existing powers, rather than create a new legislative burden upon business. The extra costs which will be payable by event promoters broadly reflects inflationary increases since the previous amendments to the Regulations and do not represent an increase in real terms. The revised fees will ensure that RSAC Motorsport Ltd is able to fulfil its statutory

requirements while reflecting increased costs to process events applications.

Financial Effects

The Cabinet Secretary for Transport confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Transport
Scotland Roads
Directorate

25 August 2025