

UEFA European Championship (Scotland) Bill

Policy Memorandum

Introduction

1. As required under Rule 9.3.3 of the Parliament's Standing Orders, this Policy Memorandum is published to accompany the UEFA European Championship (Scotland) Bill introduced in the Scottish Parliament on 12 March 2025.
2. The following other accompanying documents are published separately:
 - Explanatory Notes (SP Bill 60–EN);
 - a Financial Memorandum (SP Bill 60–FM);
 - a Delegated Powers Memorandum (SP Bill 60–DPM);
 - statements on legislative competence by the Presiding Officer and the Scottish Government (SP Bill 60–LC).
3. This Policy Memorandum has been prepared by the Scottish Government to set out the Government's policy behind the Bill. It does not form part of the Bill and has not been endorsed by the Parliament.

Policy objectives of the Bill

Background

4. The Union of European Football Associations (UEFA) has announced that the UK and Ireland will host its 2028 European Championship (EURO 2028) of national member football associations. Scotland is one of the hosting nations. All matches held in Scotland will take place at Hampden Park stadium in Glasgow. This was also the case for EURO 2020, which took place in 2021 due to the coronavirus pandemic. The intention is that there will also be an official fan zone(s) in part of the city centre. For EURO 2020, fan zones were originally intended to be at Merchant City and George Square. When the event took place in 2021, the fan zone was at Glasgow Green. EURO 2020 also required primary legislation and this Bill is modelled on that.
5. EURO 2028 as a whole is a significant economic opportunity for Scotland. It is another opportunity for Scotland to show the world that Glasgow is a vibrant,

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cosmopolitan, dynamic city. This will build on Scotland's strong track record of hosting major events. These have included the 2023 UCI Cycling World Championships and the 2024 World Athletics Indoor Championships. The Scottish Government believes that the event will reinforce Scotland's and Glasgow's international reputation as a major event and tourist destination, and will provide opportunities for a number of sectors including hospitality.

6. For EURO 2028, UEFA has set specific requirements that hosts must meet. The Bill aims to meet UEFA's requirements for Scotland to be able to host EURO 2028 matches in Glasgow.

7. UEFA's requirements are:

- Authorities must have the power to impose penalties on individuals or companies who commit a ticketing offence. A ticketing offence applies to online sales, including tickets sold on secondary ticketing platforms or social media, as well as street ticket touting. Additionally, action can be taken even if the tickets have not yet been sold, regardless of the price.
- Where tickets are being touted, online advertisements and offers for sale must be subject to quick removal from a website or social media page. For street sales, paper tickets must be confiscated immediately from the seller, and sellers of electronic tickets must provide details of the tickets being sold.
- Authorities must be able to prosecute unauthorised ticket sellers and act quickly against any violations.
- Authorities must be able to ban the distribution of promotional materials in designated areas, both private and public, and can confiscate any materials that violate the ban. They must also be able to stop unauthorised street traders and pedlars from operating in designated areas and revoke their licences during the tournament.
- Authorities must have the power to suspend licences for temporary or pop-up traders in designated areas and ensure no new licences are issued except those approved by UEFA. This would include pedlars even where pedlars have obtained permits from outside of Glasgow.
- Unauthorised branding or commercial activities related to the event must be banned in designated areas, except for UEFA and its commercial partners.
- Authorities must be able to act quickly against any violations on street trading.
- Authorities must be able to quickly remove or cover up unauthorised advertising on all public and private land, including existing businesses, waterways, and airspace in designated areas. They must also be able to remove or bar vehicles, trains and boats with ambush marketing.
- Authorities must have the power to ban and confiscate commercial and non-commercial promotional materials that violate the ban.

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- Unauthorised event-related branding or commercial activities should be banned in designated areas, except for UEFA and its commercial partners.
- Unauthorised influencer or content filming activities for commercial purposes must be banned in designated areas, except for UEFA and its commercial partners. Authorities must be able to quickly remove persons carrying out such activities.
- Authorities must be able to act quickly against any violations on advertising.

Ticket Touting

8. Ticket touting is the practice of buying tickets for an event (such as sporting matches) with the intent of reselling them at a higher price. Touts often buy tickets in bulk as soon as they go on sale, creating scarcity and making it difficult for genuine fans to purchase tickets at face value. This resale is typically done through online marketplaces or in-person outside event venues.

9. To meet UEFA's requirements, host authorities must be able to take swift action against ticket touting. This applies to online sales, including tickets sold on secondary ticketing platforms or social media, as well as in person touting. Host authorities must be able to immediately confiscate tickets, require details of electronic tickets (i.e. seat and row number), and impose penalties on individuals or companies who attempt to sell tickets without UEFA's permission. Online advertisements and offers for sale must be subject to quick removal from a website or social media page.

10. The policy intention is to prohibit the touting of Championship tickets in Scotland. This approach differs from that of EURO 2020 where the touting offence applied to acts outwith Scotland. Having considered this matter further since EURO 2020, the Scottish Government believes it is unlikely that the offence would be serious enough to warrant this broad an extraterritorial application. Prohibiting ticket touting will support fair access to tickets and help ensure public confidence in the event. The aim is to deter those who might try to resell tickets for profit and enable action to be taken against those who do. The Bill does this by making it a criminal offence to tout a Championship ticket (the "touting offence"). A person convicted of this offence will be liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment, to a fine of any level prescribed by the court. This level of fine – unlimited if prosecuted on indictment – is higher than was in place for EURO 2020, when the overall maximum was £5,000. This in recognition that ticket touting has continued to grow and adapt to new technology, making it easier to tout at scale. Media coverage of EURO 2024 highlighted instances of tickets being sold for more than £12,000 each in some cases¹. The fine when prosecuted at summary level is lower than maximum fines for some other mega events, such as up to £50,000 on summary conviction for touting a Birmingham Commonwealth Games ticket² but aligns with fines for trading and advertising offences in the Bill. Overall, the Scottish Government considers this level of fine appropriately recognises the serious public nuisance ticket touting presents. It allows for summary

¹ [Scotland Euro 2024 tickets on resale for £12,000 - BBC News](#)

² [Birmingham Commonwealth Games Act 2020](#)

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prosecution for relatively serious offences where a maximum fine of up to £20,000 may be considered appropriate, with prosecution on indictment remaining available for the most serious offences where a conviction could lead to a fine of any level.

11. It is not the policy intention to criminalise those communicating an offer of sale where they could not reasonably have known they were doing so. The Bill therefore provides exceptions to this offence for advertisers and the electronic communication or storage of data in certain circumstances.

12. Charity auctions are also exempt. The exemption is drafted to apply to any charity, regardless of its jurisdiction, to prevent any potential disadvantage from specifying particular jurisdictions or registers.

Ambush Marketing

13. Ambush marketing is a strategy where a company tries to gain attention or publicity by associating with a major event, such as EURO 2028, without officially sponsoring it. The company creates marketing activities that appear connected to the event, even though it has no official ties.

14. To meet UEFA's requirements, host authorities must be able to restrict street trading and advertising activity in designated areas. Only the branding and commercial activities of UEFA and its commercial partners should be permitted in these areas. Host authorities must be able to ban the distribution of promotional materials in these areas and to confiscate any materials that breach the restrictions. They must also be able to stop street traders and pedlars from operating in these areas without UEFA's permission, even if they have a licence that would normally allow them to trade. Host authorities must be able to take swift action against those breaching these restrictions, including to remove or cover up advertising on public and private land in the designated areas.

15. The Bill aims to meet these requirements by giving the Scottish Ministers the power to designate areas in which outdoor trading and advertising restrictions would apply, and the times that the restrictions would be in place. These kinds of outdoor trading and advertising can reduce market clutter and prevent inappropriate marketing. These designated areas are referred to as 'event zones.' The event zones would be around Hampden Park stadium (as specified by the Bill) and any official fan zones in Glasgow (not specified by the Bill but is the intention of Scottish Ministers, based on engagement with event partners). The intention is that restrictions would be in place around tournament time. Exact tournament dates for EURO 2028 have to be confirmed by UEFA. In addition, having the power to make this provision in legislation would allow for any unforeseen changes to tournament dates, learning from the experience of the Coronavirus pandemic, where EURO 2020 was delayed to 2021.

Street trading

16. The policy intention is to prohibit outdoor trading without UEFA's permission within event zones. This will protect the commercial rights of UEFA and of its official partners by ensuring sponsors' exclusivity, preventing ambush marketing, and safeguarding the event's branding and revenue. It will restrict market clutter, prevent inappropriate marketing, and protect the high standards associated with the event.

17. The Bill does this by making it a criminal offence to trade outdoors in an event zone during prohibited times (the "trading offence"). The trading offence can only occur at the specified times and locations set out in regulations made by Scottish Ministers. The policy intention is to balance these restrictions against providing essential services and enabling businesses in the event zone to operate where possible.

18. The Bill provides exemptions to the "trading offence", for example, trading in an event zone during prohibited times where UEFA's permission has been granted, the sale of current newspapers, trading as a walking tour operator, and charity collections where permission has been granted by Glasgow City Council under section 119 of the Civic Government (Scotland) Act 1982 (charitable collections). These exemptions are modelled on exemptions that were in place for EURO 2020 and for the 2014 Commonwealth Games.

19. In practice, existing street traders who operate in event zones will temporarily be unable to trade in these zones during the event. To help mitigate the effect on local street traders and allow them to benefit from the economic opportunity of the event, the Bill requires Glasgow City Council to offer them alternative trading arrangements during the times the restrictions apply. The Council will work with these street traders to help them identify alternative trading arrangements, if an alternative location is required.

20. A person convicted of this offence will be liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment, to a fine of any level prescribed by the court. This level of fine acknowledges that the offence is likely to be of a commercial nature. The penalties for this offence are comparable to those for similar offences under the Glasgow Commonwealth Games Act 2008 and UEFA European Championship (Scotland) Act 2020.

Advertising

21. The policy intention is to prohibit outdoor advertising without UEFA's permission within event zones. Similar to street trading, this will protect the commercial rights of UEFA and of its official partners, by ensuring sponsors' exclusivity, preventing ambush marketing, and safeguarding the event's branding and revenue. It will restrict market clutter, prevent inappropriate marketing, and protect the high standards associated with the event.

22. The Bill does this by making it a criminal offence to advertise in an event zone during prohibited times (the "advertising offence"). The advertising offence can only

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occur at the specified times and locations set out in regulations made by Scottish Ministers. The policy intention is to balance these restrictions against protecting human rights and enabling displays for purposes other than advertising.

23. The Bill provides exemptions to the “advertising offence”, for example, advertising in an event zone during prohibited times where UEFA’s permission has been granted, exemptions modelled on the Town and Country Planning Regulations, exemptions for hand-held devices, and displaying an advertisement employed wholly as a memorial or railway signal. These exemptions are modelled on exemptions that were in place for EURO 2020 and for the 2014 Commonwealth Games.

24. A person convicted of this offence will be liable on summary conviction to a fine not exceeding £20,000 or on conviction on indictment, to a fine of any level prescribed by the court. This level of fine acknowledges that the offence is likely to be of a commercial nature. The penalties for this offence are comparable to those for similar offences under the Glasgow Commonwealth Games Act 2008 and UEFA European Championship (Scotland) Act 2020.

25. The policy intention is for businesses to be able to plan for and comply with the restrictions. To support this, the Bill therefore requires Glasgow City Council to issue guidance about trading and advertising within event zones. This will help ensure affected businesses understand what is and is not permitted when event zones are in operation.

Enforcement

26. As already set out, host authorities must be able to confiscate, remove or cover up items that are in breach UEFA’s ticketing, street trading and advertising requirements. In establishing ticketing, trading and advertising offences for EURO 2028, the Bill provides a basis not only for enforcing these requirements but also for preventative activity (through publication of guidance to inform businesses about the offences to help them to comply). The policy intention is to provide enforcement mechanisms for these offences, including for local authority officials with experience of engaging with businesses on enforcement of related issues, such as trading standards. The aim is for these mechanisms to be sufficient to tackle ambush marketing and ticket touting effectively, while also providing sufficient safeguards to the use of enforcement powers.

27. It is expected that there will be an “engage, explain, encourage, and enforce” approach. This begins with **engagement**, where officers establish rapport and communicate with individuals. This is followed by **explaining** the rationale behind the provisions to foster understanding. Next, officers **encourage** voluntary compliance by emphasising the benefits of cooperation. People who are found in breach of the offences could be given a warning and to be reminded of how to comply. Finally, if necessary, officers proceed to **enforcement**, applying penalties or other measures only as a last resort. The Scottish Government has discussed this approach with Glasgow City Council and Police Scotland.

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28. If an organisation commits an offence created by the Bill, and a person with relevant responsibility either consented to it or neglected to prevent it, both the individual and the organisation are deemed responsible for the offence.

29. The Bill enables Glasgow City Council to appoint people with relevant experience, for example in trading standards, as “enforcement officers” for EURO 2028 offences. It also enables those enforcement officers to bring people with specialist skills to help them with enforcement activity, for example by operating a cherry picker, towing a parked vehicle with advertising or a locksmith to help gain entry to a property.

30. The Bill gives enforcement officers powers to take appropriate and reasonable measures to terminate EURO 2028 offences. This includes powers to conceal, seize or destroy an article if necessary to prevent or end an offence. However, an article may only be concealed if it concerns the advertising offence and the article must be revealed when concealment is no longer necessary to prevent or end an offence. Similarly, an article may only be seized if it concerns the advertising offence and the article must be returned when retention is no longer justified. An infringing article may only be destroyed if it concerns the advertising offence and if the officer does not consider seizing or concealing the article to be a reasonable alternative course of action in the circumstances.

31. The Bill gives enforcement officers powers to enter and search with permission or a warrant from the sheriff. A warrant will expire either when it is no longer necessary for the intended purposes or after a period specified in the warrant itself, whichever is earlier. A warrant may authorise the use of force, but a police officer must be present if force is used. Premises must be left at least as secure from unauthorised entry as they were found.

32. If there is a real and substantial risk that delaying in order to seek a warrant would defeat or prejudice the purpose of taking action, an enforcement officer can enter and search with neither permission nor warrant. However, reasonable force can only be used in these circumstances if the decision is taken by a police officer. Further, there are no circumstances in which a house can be entered without permission or warrant. There are also additional conditions for obtaining a warrant to enter and search a house.

33. The Bill gives enforcement officers powers to request any relevant information related to an offence, or conduct that reasonably raises suspicion of an offence. They can also make ‘test purchases for the purposes of finding out whether the Act is being complied with.’

34. The Bill makes it a criminal offence to intentionally prevent or obstruct an enforcement officer from performing their authorised duties. This includes, without reasonable cause, failing to provide information required by an enforcement officer. A person convicted of this offence will be liable on summary conviction to a fine not exceeding level 5 on the standard scale (currently up to £5,000). This is the same level

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of fine as was set for a similar offence in the Glasgow Commonwealth Games Act 2008 and the UEFA European Championship (Scotland) Act 2020.

Cost recovery and compensation

35. Glasgow City Council can recover the costs of carrying out any enforcement actions that the Bill authorises it to do from the person who committed the offence to which the action relates.

36. A person whose property is damaged by enforcement actions taken can claim compensation. If the damage is caused by an enforcement officer or by a constable accompanying an enforcement officer, they can apply to Glasgow City Council. If the damage is caused by a constable who is not accompanying an enforcement officer, provision under the Police and Fire Reform (Scotland) Act 2012 could apply.

37. The Bill sets out the procedure for applying for compensation. The amount of compensation a person is entitled to is the total of:

- either the cost of repairing the damaged property to its previous condition, or (if repair is impossible or the cost of repairing would be more than the property's market value) the cost of replacing the property at market value; and
- any further loss which was a direct result of the damage to property.

38. The process for applying to claim is to submit written notice of the claim to Glasgow City Council. Glasgow City Council must then consider the claim and, if it has sufficient information, make a decision on whether or not compensation will be paid. A claimant who receives a decision notice may request Glasgow City Council to review its decision. A claimant who is dissatisfied with the decision of Glasgow City Council on a review may appeal to the sheriff.

Alternative approaches

Learning from EURO 2020

39. In taking forward consideration of approaches, the Scottish Government has considered lessons identified from EURO 2020. However, scope to report on, and evaluate, the EURO 2020 Act was severely limited due to the Coronavirus pandemic's impact. The rescheduled event took place in 2021 with a limited number of spectators present. A summary of feedback received from partners has been published.³

³ [Written question and answer: S6W-27180 | Scottish Parliament Website](#)

Rely on existing legislation

40. Without the Bill, Scotland would have to rely on its existing legislative provisions. Analysis of these provisions has highlighted that they are insufficient in meeting UEFA's requirements for EURO 2028.

Ticketing

41. Existing legislation that might contribute to meeting UEFA's requirements in relation to ticketing includes:

- Section 55 of the Civic Government (Scotland) Act 1982, which prohibits causing annoyance in a public space.
- Sections 90 to 95 of the Consumer Rights Act 2015, which require certain information to be provided when selling a ticket.
- The Consumer Protection from Unfair Trading Regulations 2008, which prohibit providing misleading information when selling a ticket.
- Section 106 of the Digital Economy Act 2017 and the Breaching of Limits on Ticket Sales Regulations 2018, which prohibit using software to buy more tickets than allowed by conditions of sale with a view to making a profit.

42. Although these laws could potentially impact ticket touting, they do not fully satisfy UEFA's ticketing requirements for EURO 2028. None of the current laws allow for the seizure of tickets, mandate that a website or seller immediately cease the offer of sale, enable prosecution of unauthorised ticket sellers, or prevent ticket sellers from operating in designated areas.

43. The UK Government launched a consultation⁴ on the resale of live events tickets and a call for evidence⁵ on pricing practices (dynamic pricing) in the live events sector on 10 January 2025. However, it is not yet known whether this will result in a change to legislation and if so, whether that change would meet UEFA's requirements.

Street Trading

44. Existing legislation that might contribute to meeting UEFA's requirements in relation to street trading includes:

- The Civic Government (Scotland) Act 1982, which requires street traders to be licenced by the Local Authority and comply with conditions of such a licence.
- The Pedlars Act 1871, which requires pedlars to have a certificate in order to trade.

⁴ [Putting fans first: consultation on the resale of live events tickets - GOV.UK](#)

⁵ [Putting fans first: call for evidence on pricing practices in the live events sector - GOV.UK](#)

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45. These laws do not satisfy UEFA's street trading requirements for EURO 2028. This is mainly because there is no appropriate way to revoke or suspend normal street trading licences or pedlar certificates in designated areas during tournament time. UEFA requires authorities to have the power to suspend licences for temporary or pop-up traders in designated areas and ensure no new licences are issued except those approved by UEFA, including pedlars even where pedlars have obtained permits from outside of Glasgow. This is not possible under existing legislation.

Advertising

46. Existing legislation that could contribute to meeting UEFA's requirements in relation to advertising includes:

- The Town and Country Planning Act (Scotland) 1997 and the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, which require local authority consent to display advertisements, in order to protect public safety and visual amenity.
- The Control of Misleading Advertisements Regulations 1998, which prohibits misleading advertisements.
- The Trade Marks Act 1994, which prohibits unauthorised use of identical or similar signage that may cause confusion.

47. Although current law could allow for action against the unauthorised use of UEFA trademarks and associations, there is no mechanism to address advertising by non-UEFA partners, where normal advertising consent applies. The existing processes for tackling advertising and consent breaches are lengthy, typically taking around 28 days to implement. This delay would hinder swift enforcement action against ambush marketing.

Framework legislation

48. A more general piece of legislation could create a consistent framework for applying rights protections, where these are required, to mega events that Scotland successfully bids for. This might improve the chances of future bids being successful, as rights holders would have greater assurance of adequate legal protections. It could reduce the amount of work required to put rights protections in place for mega events.

49. By the end of 2028, Scotland will have hosted three mega events requiring additional primary legislation in a twenty year period. A more general piece of legislation could lead to more frequent effects on how existing businesses operate in areas where mega events are often held. This is as having a framework to draw on could potentially lead to more events seeking this type of protection if there is a swifter route through the framework that enabled these measures to be put in place than at present.

50. Not all mega events hosted in Scotland have required additional protections for rights holders. For example, the 2018 European Championships and the 2023 UCI

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Cycling World Championships did not require new legislation, and the 2026 Commonwealth Games will not.

51. It is uncertain how many rights holders would seek protections through framework legislation for mega events or how frequently. It is also not certain that all rights holders would have the same requirements. This means framework legislation would have a more uncertain impact on local businesses from advertising and street trading restrictions. An event-specific Bill enables legislation to be tailored to the specific needs of each event, and clearly limits it to a specific time and place.

52. Given the more complex and wider scope of framework legislation, there is a risk that impacts could not be sufficiently scoped and understood with key stakeholders within the time available to put the measures in place for EURO 2028 specifically. This risks longer term unintended costs from framework provisions. There would also be a risk that legislative provision was not put in place within the timescales required for EURO 2028.

53. The option of framework legislation is also considered in the Business and Regulatory Impact Assessment for the Bill.

Consultation

54. On 2 May 2024, a consultation paper⁶ and Partial Business and Regulatory Impact Assessment⁷ were published. The public consultation sought views on:

- the impact of legislation for UEFA EURO 2020, which took place in 2021
- how businesses could be affected if similar legislation was put in place for EURO 2028
- what kind of measures and exemptions would be most appropriate when meeting UEFA's requirements

55. Businesses, street traders and residents in areas likely to be affected by street trading and advertising restrictions were contacted about the consultation by email or letter. Key stakeholders were also emailed about the consultation at launch, ahead of the engagement sessions, and toward the end of the consultation period.

56. The consultation received 26 responses. The analysis of responses⁸ and Scottish Government response⁹ were published on 11 October 2024.

⁶ [UEFA EURO 2028: Commercial Rights Protection Consultation](#)

⁷ [UEFA EURO 2028 - proposed legislation: business and regulatory impact assessment - partial - gov.scot](#)

⁸ [UEFA EURO 2028 Commercial Rights Protection: Consultation Analysis – Final Report](#)

⁹ [UEFA EURO 2028: Commercial Rights Protection – Scottish Government response](#)

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57. The analysis of responses offers a summary of views on the Bill, emphasising key feedback from respondents and potential considerations for its development.

58. In the context of street trading, several key themes emerged. There was a general view that the restrictions for EURO 2020 had no or minimal impact, and this sentiment was expected to carry over to EURO 2028. However, a small number of respondents highlighted the potential effects on businesses, With Advice Direct Scotland and The Federation for Small Businesses suggesting the need for communication with those expected to be affected to ensure awareness. A representative from the Piper Whisky Bar echoed this, stating that businesses would find it useful to be informed of arrangements for the tournament in advance for adequate planning. Some respondents noted that restrictions could lead to reduced unauthorised trading and enhanced consumer rights and confidence.

59. In the context of advertising, fewer respondents were aware of the restrictions for EURO 2020 compared to those for street trading. Like street trading, there was a general view that the restrictions would have no or minimal impact for EURO 2028. However, some respondents highlighted the effect on businesses, particularly their restricted ability to advertise. Some respondents felt that an exemption for certain types of businesses, such as charities or community advertising should be considered. Depending on the specifics of the advert, charity and community advertising could be covered by the exemption in the Bill for advertising that is intended to demonstrate support for or opposition to the views or actions of any person, publicise a belief, cause or campaign, or mark or commemorate an event.

60. In the context of ticket touting, most respondents felt the restrictions for EURO 2020 had no impact on them, and anticipated a similar outcome for EURO 2028. Some respondents noted the positive impact of the restrictions on visitors, such as reduced interaction with ticket touts and avoiding the purchase of unauthorised tickets. Additionally, some respondents suggested that an exemption for charitable ticket sales should be considered.

61. As well as encouraging responses to the consultation using the CitizenSpace survey, Scottish Government officials worked with Glasgow Life to organise in-person drop-in sessions on 11 and 13 June 2024 and virtual sessions on 25 and 26 June 2024. These sessions were held to provide attendees with an overview of the legislation, encourage engagement and hear their views. Key points raised during these sessions included:

- The opportunity for a robust communications strategy to ensure businesses and residents are well-informed and not caught off guard by the Bill coming into force
- Businesses would find it useful to be informed of arrangements approximately one year prior to the tournament taking place, in order to plan accordingly

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- The potential for the development of standardised access plans that, if done well, could be reused for other events held in the area, thereby creating a legacy
- The development of an 'Events Bill' which could be activated as needed, as well as the exploration of additional provisions, such as traffic management powers to support event delivery

62. Scottish Government and Glasgow Life officials attended a meeting of the Mount Florida Community Council on 28 May 2024 to hear views related to EURO 2028 and the proposed legislation. These included the directing of spectators along Aikenhead Road during the 2014 Commonwealth Games had diverted them away from local businesses and reduced the opportunity for additional footfall. Concerns were raised about attendees using residential areas due to insufficient toilet facilities outside the stadium. There was a general sentiment that city centre businesses, such as hotels, benefits more from the matches than local businesses. There was a desire for advertising restrictions not to interfere with shop windows' regular displays.

63. Scottish Government officials distributed leaflets to street traders at Hampden Stadium on 7 June 2024, to make them aware of the consultation and listen to their views. At that time, some traders expressed annoyance at potentially being moved from their usual trading sites for EURO 2028, highlighting that they had been trading in the vicinity of Hampden Stadium for a long time.

64. Scottish Government officials have had a number of meetings with key stakeholders before, during and after the public consultation period. This has included keeping EURO 2028 partners up to date on developments at various meeting, including through UK & Ireland Legislation Working Group and meeting with UEFA. It has also included meetings with the Scottish Courts and Tribunals Service, the Crown Office and Procurator Fiscal Service, Glasgow Life, Glasgow City Council and Police Scotland to discuss enforcement provisions and costs arising.

65. Scottish Government officials offered to meet with several representative organisations to discuss the proposed legislation during the consultation period. These included the Glasgow Chamber of Commerce, the Federation for Small Business, LEAP Sports, LGBT Youth, LGBT Health, BEMIS, Cemvo Scotland, Interfaith Scotland, Equality-Network, Disability Equality, AccessAble, Age Scotland, Euan's Guide, Scottish Youth Parliament, Children's Parliament, Youth-Link Scotland and Young Scot.

66. In summary, the consultation analysis found there was general support for the proposed measures to protect commercial rights for EURO 2028. The most common view was that there would not be a noticeable impact on respondents. Benefits to consumers were often noted. Planning and communication to help people prepare for, and mitigate adverse impacts, were encouraged.

Effects on equal opportunities, human rights, island communities, local government, sustainable development etc.

Equal opportunities

67. An Equality Impact Assessment of the Bill's provisions was carried out. It concluded that the Bill has a neutral impact on the protected characteristics: age, disability, gender reassignment, race, religion or belief, sex or sexual orientation. This is primarily because the Bill is technical in nature and focuses on a relatively small segment of the population, including street traders, advertisers, and advertisers in event zones in Glasgow.

68. A lack of evidence was identified related to street traders, pedlars, advertisers and communities affected by the Bill who may also have protected characteristics. For example, there is no equalities data collected as part of Glasgow City Council's application process for street trading licences. However, the Bill's provisions are not expected to affect people with protected characteristics in a different way from the rest of the people affected, due to the nature of the Bill.

69. The Equality Impact Assessment highlighted that providing guidance on trading and advertising restrictions, which the Bill requires Glasgow City Council to issue, in accessible formats could be particularly helpful for some groups.

70. A Fairer Scotland Duty Assessment of the Bill's provisions was carried out. Overall, this concluded there is no evidence to suggest that the Bill includes measures that would impact on the inequalities experienced by socio-economically disadvantaged or vulnerable groups.

71. Street trading licences issued by Glasgow City Council are only valid for three years. As such, licences that will be valid during EURO 2028 will not be issued until summer 2025. Street traders will be prohibited from trading within event zones, even if their licences permit them to do so otherwise. Therefore, the Bill places a duty on Glasgow City Council to offer alternative trading arrangements to affected traders when the restrictions are in effect. These arrangements will help minimise any potential financial impact of the Bill's provisions, including for street traders residing in more disadvantaged areas.

72. Data from Glasgow City Council on 7 August 2024 comparing street traders' home addresses by SIMD decile revealed that a significant portion of street traders reside in the most deprived areas (decile 1), comprising 42% of their population. This is in contrast to only 13% of all Glasgow City postcodes being in the same decile. This disparity suggests that street traders may be more likely to inhabit more impoverished areas compared to the general population. However, the limited sample size of traders operating in the Hampden Park and Glasgow Green areas means that these findings

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are indicative rather than definitive. Additionally, living in an area of multiple deprivation does not necessarily imply that an individual is experiencing poverty themselves.

73. The Scottish Survey of Adult Literacies 2009¹⁰ shows that approximately one-quarter of the Scottish population (26.7%) encounters occasional challenges and limited opportunities due to their literacy difficulties. While they generally manage to cope with their daily lives, a significant portion of this group (3.6% or one person in 28) faces severe challenges in their literacy practices.

74. Poverty emerges as a crucial factor associated with lower literacy capabilities. Adults residing in the 15% most deprived areas in Scotland are more likely to have literacy skills at the lower end of the scale. Moreover, there is a strong correlation between literacy skills and income. Notably, 14% of individuals with an income of below £9,500 scored at the lowest level of skills.

75. Based on the evidence gathered, the data indicates clear, inclusive guidance and other communications could be particularly helpful for some groups.

76. A Child Rights and Wellbeing Impact Assessment of the Bill's provisions was carried out. It concluded that the Bill has no immediate or significant impact on children or young people under the age of 18.

77. The findings of the Equality Impact Assessment, Fairer Scotland Duty Assessment and Child Rights and Wellbeing Impact Assessment for the Bill will be published in more detail on the Scottish Government website.

Human rights

78. The Scottish Government is satisfied that the Bill is compatible with the European Convention on Human Rights ("the ECHR").

79. The Bill creates four new criminal offences: the touting offence, the trading offence, the advertising offence, and the obstruction offence. Whenever a new offence is created it is vital for the purposes of compliance with Articles 5 and 6 of the ECHR that each offence be effectively prescribed by law, which is to say that the offence must be set out with enough clarity and certainty so as to allow the citizen to regulate their behaviour and to allow the authorities to effectively inform an offending citizen of the reasons for their arrest, detention and/or subsequent charge in relation to that offence. The offences will be set out in the Bill and in regulations made under the Bill and, therefore, the four offences created within this Bill meet these criteria.

80. Consideration has been given to Article 1 of the First Protocol to the ECHR, which relates to the protection of property. The Bill will regulate street trading and advertising within the event zones at Hampden Park, and in other locations to be

¹⁰ [Scottish Survey of Adult Literacies 2009: Report of Findings](#)

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specified in regulations. This could prevent existing businesses from trading or advertising during this period, potentially restricting or interfering with their right to the peaceful enjoyment of their possessions. Enforcement officers will also be empowered by the Bill to destroy or conceal any article which infringes the advertising offence. This is a measure of last resort, however, and is only available when there is no reasonable alternative course of action. The Scottish Government is putting these restrictions in place in order to meet commitments to hold the event. The restrictions in relation to trading and advertising constitute interference with property which will be time limited. There is provision in the Bill requiring Glasgow City Council to offer alternative arrangements for the street traders who are affected by the ban during the prohibited times when the restrictions apply. The restriction in relation to ticket touting does not prevent the private resale of tickets at face value, however, the resale of tickets may be subject to contractual terms and conditions. These measures are proportionate to the aim and are in the public interest. The power of destruction results in deprivation but is very limited and is subject to safeguards. It is an exceptional measure and one that is proportionate to the aim. These provisions are therefore compatible with the ECHR.

81. Article 8 of the ECHR, which relates to the right to respect for private and family life, was also considered during drafting of the Bill. Given the potential interaction of enforcement powers with the rights set out in that Article, additional safeguards have been included in the Bill. In particular, there are restrictions on the powers of enforcement officers to enter houses in the course of enforcement action, in particular that entry can only be granted with permission or with a warrant.

82. The Bill takes a similar approach to the UEFA European Championship (Scotland) Act 2020, which was considered to be compatible with the ECHR. In addition to sales by UEFA, or persons authorised by UEFA, to which the touting offence does not apply, there is an exception from the touting offence for sales of tickets in auctions by charities or for the benefit of charities. The exception for charity auctions applies regardless of the jurisdiction in which charities are registered or established, and therefore does not engage Article 14 (prohibition of discrimination) of the ECHR by distinguishing among charities on the basis of national origin.

Statement of compatibility under section 23(1) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024

83. The Deputy First Minister and Cabinet Secretary for Economy and Gaelic, Kate Forbes MSP, has made the following statement regarding children's rights:

“In accordance with [section 23\(1\) of the United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024](#), in my view the provisions of the UEFA European Championship (Scotland) Bill are compatible with the UNCRC requirements as defined by [section 1\(2\) of that Act](#).”

Island communities

84. The Scottish Government is satisfied that the Bill is not expected to have distinctive impacts or broader effects on island communities or businesses. This is because street trading and advertising provisions will only be applicable within event zones situated in Glasgow during event time. Ticketing measures will have a positive impact by addressing ticket touting, and this effect will be consistent across Scotland in terms of demographics, economy, and society.

85. There are no apparent unique impacts related to Gaelic. This is largely due to the fact that it is not deemed essential unless consultations or responses are conducted in Gaelic, of which there were none, and the assumption that Gaelic speakers also communicate in English.

86. The findings of the Island Communities Impact Assessment for the Bill will be published in more detail on the Scottish Government website.

Local government

87. There will be an impact on Glasgow City Council in enforcing the Bill and ensuring compliance. There are potentially minor impacts on other councils if additional enforcement officers are seconded to Glasgow during the event.

88. Glasgow City Council will be required to issue guidance on the trading and advertising restrictions that will apply in event zones. They will also be required to offer alternative trading arrangements to affected street trading licence holders, and to provide compensation under section 29.

89. The potential impact on Glasgow City Council is set out in more detail in the Business and Regulatory Impact Assessment for the Bill.

Sustainable development

90. The Scottish Government considers the Bill will have minimal direct impact on sustainable development. The Bill will have wider positive indirect impacts on sustainable development in supporting the events, tourism and hospitality sectors through delivery of the EURO 2028 tournament more generally. Hosting the tournament, in turn, supports delivery of Scotland's National Events Strategy. This sets out that not only can events provide world leading and authentic experiences for Scotland's citizens and visitors (which supports wellbeing), but they can drive positive change on multiple fronts. They serve as catalysts for economic growth, have the power to transcend boundaries, instil a sense of civic and national pride, and help develop solutions to worldwide challenges including contributing to UN Sustainable Development Goals.¹¹

¹¹ [Scotland's National Events Strategy | VisitScotland.org](#)

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91. A pre-screening report confirmed that the Bill will have no impact on the environment. This is as the Bill would only apply to commercial rights protection in the designated event zones for the duration of the Championship. It will not set a framework for projects and other activities. In addition, as was the case for the legislation that was in place for EURO 2020, we do not expect the Bill to have any effects on areas or landscapes which have a recognised national, community or international protection status. Finally, the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected) is expected to be minimal. There are no complex, widespread, long lasting or serious environmental effects expected as a result of the Bill. It is therefore exempt for the purposes of section 7 of the Environmental Assessment (Scotland) Act 2005. Consequently, there is no need for a full Strategic Environmental Assessment to be undertaken.

Business

92. The Bill aims to help secure substantial positive economic opportunities for Scotland, particularly Glasgow, by meeting UEFA's requirements to co-host EURO 2028. This event provides the opportunity to showcase Glasgow's vibrant and dynamic character, positioning Scotland as a desirable destination for people seeking to live, work, study and conduct business.

93. The Bill's provisions will restrict business activity, but only for a limited number of businesses over a short period. If such restrictions are not implemented, there is a significant risk that Scotland would lose the opportunity to co-host EURO 2028. Additionally, for commercial partners of UEFA who can trade within the event zones, the Bill will have a positive impact.

94. During the public consultation, businesses expressed a strong desire to be informed about tournament arrangements approximately one year in advance, allowing them to plan effectively. Adequate notice and thorough planning were emphasized to ensure smooth access to premises for customers and deliveries. A particular concern was raised about potential roadblocks in the George Square zone, which could result in a decrease in footfall for nearby businesses. On a positive note, businesses around George Square highlighted the potential benefits of a placement of the fan zone, including increased trade and an economic boost.

95. The potential impact on businesses is set out in more detail in the Business and Regulatory Impact Assessment for the Bill.

Crown consent

96. It is the Scottish Government's view that the Bill as introduced does not require Crown consent. Crown consent is required, and must be signified during a Bill's passage, where the Bill impacts the Royal prerogative, the hereditary revenues of the Crown or the personal property or interests of the Sovereign, the Prince and Steward of Scotland or the Duke of Cornwall. The Scottish Government's view is that this Bill does none of those things.

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97. For the source of the requirement for Crown consent, see [paragraph 7 of schedule 3 of the Scotland Act 1998](#), and [rule 9.11 of the Parliament's Standing Orders](#). For further information about the considerations that go into determining whether Crown consent is required for a Bill see [Erskine May](#), the guide to procedure in the UK Parliament.

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UEFA European Championship (Scotland) Bill

Policy Memorandum

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