UEFA European Championship (Scotland) Bill – Final Business and Regulatory Impact Assessment

March 2025

Scottish Government
Riaghaltas na h-Alba

Introduction

This Business and Regulatory Impact Assessment estimates costs, benefits and risks for the UEFA European Championship (Scotland) Bill. The Bill aims to address UEFA's commercial rights protection requirements so that Scotland can host matches as part of the 2028 European Championship (EURO 2028). The proposals restrict street trading and advertising in designated zones in Glasgow during the event. They also restrict ticket resale for the event.

Executive summary

Issue and why it needs to be addressed

Scotland will co-host UEFA EURO 2028 as part of a joint UK and Ireland Championship. For EURO 2028, UEFA requires additional protections, including relevant criminal offences and enforcements powers, around:

- Unauthorised street trading
- Unauthorised advertising
- Unauthorised resale of tickets

Current laws in Scotland would not meet UEFA's requirements to host EURO 2028. If UEFA's requirements are not met, Scotland could lose the opportunity to host EURO 2028 matches.

Intended outcomes

The Scottish Government aims to sustain and develop a dynamic, resilient, and responsible events sector that is recognised as a valued part of Scotland's wellbeing economy. Securing a pipeline of mega events, like EURO 2028, is part of that approach.

The aim is to meet UEFA's requirements so that Scotland can host matches by:

- prohibiting unscrupulous touting of match tickets, often at significantly inflated prices, both in person and by electronic methods. This could also support a safe and secure event taking place.
- protecting UEFA's commercial rights and those of its sponsors and licensees, and preventing ambush marketing
- protecting the character and integrity of EURO 2028 by eliminating inappropriate advertising and street trading, including pedlars
- controlling advertising in designated areas (event zones)

Options

Option 1: Do nothing. This would mean relying on existing legislation on ticketing, street trading and advertising.

Option 2: Framework legislation. This would mean new legislation making general provision that could be used to meet the likely needs of future mega events, not just

UEFA EURO 2028. To meet UEFA's requirements, this would have to cover ticketing, street trading and advertising. To meet the rights holder requirements for a wider range of events, it would likely need to include other measures, for example, on traffic management.

Option 3: Bespoke EURO 2028 legislation – Proportionate and limited restrictions (recommended option). This would mean new legislation that would only apply to UEFA EURO 2028, regarding ticketing, street trading and advertising.

Sectors affected

Option 1. Without the Bill, there could be a breach of the agreement with UEFA to host. The rights and investment of UEFA's official partners in relation to the tournament would be undermined. Street traders and businesses that would otherwise have been in the Glasgow event zone(s) for EURO 2028 would be unaffected by restrictions. Businesses would not benefit from the opportunity hosting presents if matches were not played at Hampden as a result of the measures not being in place. Local authority and Police Scotland enforcement activity would relate only to existing provision in law.

Option 2. Rights holders of (yet to be designated) future events across Scotland could offer greater assurance of exclusivity to sponsors. Sponsors may be willing to spend more if given such assurance, which could increase revenue for rights holders. Street traders, including pedlars, could be restricted from operating in designated zones for such events. Businesses in designated zones could be restricted in their outdoor advertising and commercial distributions during such events. The Retail, Accommodation, and Food and Beverages sectors would be most likely to be affected by these kinds of restrictions. Those seeking to resell, or purchase resold, tickets for such events would require authorisation to do so. Local authorities across Scotland and Police Scotland would be expected to enforce restrictions.

Option 3. UEFA could offer greater assurance of exclusivity to sponsors of EURO 2028, which could increase revenue from this source. Street traders, including pedlars, would be restricted from operating in the designated event zone(s) in Glasgow during EURO 2028. Businesses would be restricted in advertising outdoors in the designated event zone(s) in Glasgow during EURO 2028. The Retail, Accommodation, and Food and Beverages sectors would be most likely to be affected by these kinds of restrictions. Those seeking to resell, or purchase resold, tickets for EURO 2028 would be required to do so at face value. Glasgow City Council and Police Scotland would be expected to enforce restrictions.

Engagement completed, ongoing and planned

A public consultation ran from 2 May to 26 July 2024, which received 26 responses. As well as the online CitizenSpace survey, there were in-person drop-in sessions at Glasgow Royal Concert Hall on 11 and 13 June 2024 and virtual sessions on 25 and 26 June 2024. The analysis of responses and Scottish Government response to the consultation were published on 11 October 2024.

Engagement has included businesses, EURO 2028 delivery partners and other key stakeholders. If the Bill is passed by the Scottish Parliament, it is expected that there will be further engagement before setting the times and locations of event zones where restrictions will apply.

Anticipated impacts (intended and unintended, positive and negative) and mitigating actions

Option 1. There would be resource savings for the public sector compared to Options 2 and 3. There would be no costs to business from complying with new restrictions. If Scotland were not permitted to host matches, there would be reduced economic and social benefit from EURO 2028. If there were reputational damage to Scotland, there could be future loss of economic and social benefit from other mega events. UEFA could have difficulty securing sponsor commitments. Members of the public could be at greater risk of inflated ticket costs and being unable to attend matches due to ticket terms and conditions. They could also be more vulnerable to market clutter and counterfeit goods.

Option 2. There would be a risk that the broader scope of the legislation would mean that it could not be fully developed on required timescales. There would therefore be a risk of not fully meeting UEFA's requirements within their deadlines with a similar effect to Option 1, or that meeting the deadline could lead to insufficient scoping, with potential increased costs to multiple interests. However, this option could potentially increase the chance of winning bids for some mega events due to clarity of legislative provision, and the economic and social benefits attached to them. A consistent approach could lead to resource efficiency in planning and budgeting for mega events for parts of the public sector but could also mean ongoing resource costs for enforcement in other parts of the public sector. It could also lead to an uncertain frequency and geographical spread of advertising and street trading restrictions, with greater costs to a larger number of businesses for compliance as a result (compared to Option 3).

Option 3. Economic and social benefits of hosting EURO 2028 would be secured. If EURO 2028 delivery were successful, it would maintain Scotland's reputation and could potentially increase the chance of securing future mega events. It would maximise potential sponsorship funding for EURO 2028. Public sector costs for enforcement would be clearly limited in place and time. Which businesses would be affected, where and when would be both clear and limited. Members of the public would be at reduced risk of inflated ticket prices in the resale market for EURO 2028.

Enforcement/ compliance

In establishing ticketing, trading and advertising offences for EURO 2028, the Bill provides a basis for enforcing these requirements and for preventative activity. The penalty for not complying is, on summary conviction, a fine of up to £20,000 or on indictment, a fine of any level prescribed by the court. The ticketing offence would apply throughout Scotland from when EURO 2028 tickets go on sale. Enforcement of street trading and advertising restrictions in event zones would apply for a limited

period of time during and around the event in summer 2028. The measures in the Bill would be enforced by Glasgow City Council and Police Scotland.

Recommendations/ implementation plans

The Scottish Government recommends Option 3 to meet UEFA's requirements for hosting EURO 2028 through proportionate restrictions on trading, advertising and ticket touting.

If the Bill is passed by the Scottish Parliament, the intention is to lay regulations approximately one year before EURO 2028. These would set event zone times and locations where restrictions would apply and make any final amendments that may be required to what activity is or is not permitted in these zones. Key stakeholders, including EURO 2028 delivery partners, UEFA and businesses in proposed event zones, would be involved in developing these regulations. This engagement would also support development of guidance to be issued to businesses by Glasgow City Council at a similar time.

Evaluation and monitoring of implementation/ review of BRIA

The Bill would cease to be in effect a short period after the end of EURO 2028. Evaluation plans for EURO 2028 as a whole are still to be developed. We expect legislation will be included in this evaluation and will be engaging with partners on this. Once tournament evaluation scope is clearer, the Scottish Government will determine whether any further specific evaluation of the legislation is required.

Section 1: Background, aims and options

Background to policy issue

In October 2023, the Union of European Football Associations (UEFA) announced that the UK and Republic of Ireland will host the European Championship 2028, also referred to as EURO 2028.[1] It is a four yearly tournament. It is held between UEFA's national member football associations. It is one of the most prestigious international men's football tournaments.

Scotland will co-host EURO 2028 as part of a joint UK and Ireland Championship. The event is scheduled to take place in Summer 2028 and last around four weeks.

Matches in Scotland will be played at Hampden Park. It is one of nine stadiums proposed to host EURO 2028. UEFA will confirm the final match split. Glasgow will be one of eight host cities across the UK and Ireland. Hampden Park and potential official fan zone(s) at location(s) in part of Glasgow city centre will be 'event zones' during the event. For EURO 2020, fan zones were originally intended to be at Merchant City and George Square.[2] When the event took place in 2021, the actual event zones were at Hampden Park and Glasgow Green.

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, cosmopolitan, dynamic city. This will build on the legacy of recent 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 an events and tourist destination.

Ambush marketing

Mega events such as UEFA EURO attract large audiences and have positive values associated with their brand. This makes them attractive to businesses seeking to promote their goods or services. Such businesses often pay significant sums to the organisers of these events to become officials sponsors and licensees. This secures them the exclusive right to promote themselves and their goods or services as associated with the event.

Selling these commercial rights provides significant revenue for the event. Without it, an event might have to rely more heavily on public funding. UEFA also invests such revenues back into grassroots football. We have heard from the events sector that it has been more challenging to secure sponsorship and other types of commercial revenue following the pandemic, with many previous sponsorship arrangements

[1] UEFA EURO 2028 and 2032 hosts confirmed | Inside UEFA | UEFA.com

[2] Legislation for EURO 2020 originally set event zones at Hampden Park, Merchant City and George Square. Maps of these event zones are at Schedule 3 of The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 (legislation.gov.uk)

having been scaled back because of increased costs for sponsors or changes in their commercial priorities.[3] This makes protecting sponsors' and other commercial rights even more important.

If sponsors and other commercial partners are not confident that such sponsorship and commercial rights are exclusive, it can reduce their value as a source of revenue. Ambush marketing is when companies or advertisers try to capture these benefits without the event organiser's permission. It is also called parasitic marketing. These companies gain the benefits of association through unauthorised advertising and promotion without paying the sponsorship fee. Not paying this fee also allows them to put more resource into traditional marketing activities. This makes it more difficult for an event to attract private investment, which undermines its revenue base. UEFA obliges host nations to have protections against ambush marketing to protect major events rights owners and their commercial partners.

Often ambush marketing creates an association through being close to or intruding into venues where the event is being held. Ambush marketers could put in place adverts (such as banners or blimps) around venues. They could also hand out free branded merchandising (such as T-shirts) to spectators that could be carried into venues. These adverts could then be seen by spectators or picked up on television.

Some mega sporting events therefore require certain protections. For some, like the Olympics, specific legislation may need to be put in place as a result.[4] For EURO 2028, UEFA has requirements to protect its own and event sponsors' and licensees' commercial rights during the event. These are similar to the requirements for EURO 2020, when Scotland was one of eleven host nations. That event was postponed to 2021 due to the COVID-19 pandemic.

The Town and Country Planning (Scotland) Act 1997, the Trade Marks Act 1994, the Trade Descriptions Act 1968, the Control of Misleading Advertisements Regulations 1988 and the common law of "passing off" already provide some protection against these activities. Nonetheless, the nature of this protection, coupled with the short-term, high-profile nature of EURO 2028 means that it could be targeted by ambush marketing strategies which could operate successfully within the current law.

Current laws in Scotland would not meet UEFA's requirements to host EURO 2028.

UEFA's requirements include restricting street trading in and around event zones. There would be an event zone around Hampden Park (using the event zone for EURO 2020[5] as a basis), and potential event zones in part of Glasgow City centre. Trading is the sale or offer for sale, in an open public place, of an article or service.

[3] Consultation on Restricting Alcohol Advertising and Promotion: Analysis of responses - gov.scot (www.gov.scot)

[4] Birmingham Commonwealth Games Act 2020 (legislation.gov.uk); London Olympic Games and Paralympic Games Act 2006 (legislation.gov.uk)

[5] A map of the 2020 Hampden Park event zone is available at Schedule 3 of The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020 (legislation.gov.uk)

Restrictions on street trading is intended to restrict market clutter, prevent inappropriate marketing, and protect the high standards associated with the event. It also aims to protect the integrity of the event and prevent over-commercialisation.

UEFA's requirements include restrictions on advertising within and around the events zones, to control advertising space during the event. They are intended to restrict market clutter, prevent inappropriate marketing, and to protect the high standards associated with the event. They are also aimed at protecting the integrity of the event and preventing over-commercialisation.

Ticket touting

Demand for tickets for EURO 2028, both in Glasgow and in other host cities, is expected to exceed the number of tickets that will be available. There were over 50 million ticket requests for EURO 2024 and only 2.7 million tickets available. UEFA is the only authorised seller of Championship tickets. UEFA will have its own fan resale platform. People who have purchased tickets that they cannot use could sell these at face value on the platform. Prohibiting ticket touting both in person and online would act as a deterrent to touts who would seek to profit (potentially significantly) from resale of tickets. Evidence of EURO 2024 ticket resale prices suggests high mark-ups in some cases. A secondary benefit of prohibiting unauthorised resale could also contribute to the safety and security of the event.

In public spaces, the Civic Government (Scotland) Act 1982 prohibits ticket touting where it is causing a public nuisance. It also requires that street trading of any kind is licenced. The Consumer Rights Act 2015 requires that anyone selling a ticket must provide certain information, including any restrictions or conditions on the ticket. The Consumer Protection from Unfair Trading Regulations 2008 prohibit providing misleading information, for example, about restrictions or conditions. Enforcing conditions (such as prohibiting resale) at the stadium would affect the person buying the ticket, rather than the person selling it. This is unlikely to discourage ticket touts but may help to discourage the public from buying touted tickets. The Breaching of Limits on Ticket Sales Regulations 2018 prohibit using software to buy more tickets than allowed by the conditions of sale with a view to making a profit. This may help curtail larger scale touting. Although these laws could have an impact on ticket touting, they do not fully meet UEFA's ticketing requirements for EURO 2028. In particular, none of the current laws enable immediate seizure of tickets, require the offer of sale to stop immediately, or stop ticket resale that is not authorised by UEFA.

In early discussions on measures, UEFA stated that it would prefer that the Bill prohibits any unauthorised ticket resale, and that it does not include a charity exemption or any other exemption. However, it may not be proportionate to criminalise simple reimbursement. Further, there was some support for a charity auction exemption from respondents to the public consultation.

The UK Government launched a consultation on the resale of live events tickets and a call for evidence 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.

In the absence of the Bill, it is considered highly likely that ticket touting and unauthorised advertising and street trading would occur. We would be unable to provide the necessary level of rights protection required to host the event. Government intervention is therefore considered necessary to meet UEFA's requirements and enable Scotland to co-host EURO 2028.

An Act and Regulations were put in place in Scotland for EURO 2020.[6] They were also supported by guidance for businesses from Glasgow City Council. The Act and Regulations drew on legislation that was put in place for the 2014 Glasgow Commonwealth Games.[5] Legislation on street trading, advertising and ticket touting is again required in order to host EURO 2028 matches in Scotland.

Purpose/ aim of action and desired effect

The Scottish Government aims to sustain and develop a dynamic, resilient, and responsible events sector that is recognised as a valued part of Scotland's wellbeing economy. Securing a pipeline of mega events, like EURO 2028, is part of that approach.

For EURO 2028, UEFA requires additional protections, including relevant criminal offences and enforcements powers, around:

- Unauthorised street trading
- Unauthorised advertising
- Unauthorised resale of tickets

If UEFA's requirements are not met, Scotland could lose the opportunity to host EURO 2028 matches.

The Bill helps to ensure successful delivery of EURO 2028 by meeting the commercial rights protection requirements. It would prohibit ticket touting, which is considered to benefit the public as a whole. Ticket touting measures would apply throughout Scotland and apply to touting both in person and by electronic methods. It would also strengthen restrictions on street trading and advertising. This would meet UEFA requirements to protect its rights.

The Bill aims to meet UEFA's requirements by:

- prohibiting unscrupulous touting of match tickets, often at significantly inflated prices, both in person and by electronic methods. This could also support a safe and secure event taking place.
- protecting UEFA's commercial rights and those of its sponsors and licensees, and preventing ambush marketing
- protecting the character and integrity of EURO 2028 by eliminating inappropriate advertising and street trading, including pedlars
- controlling advertising in designated areas to protect commercial rights.

[6] The UEFA European Championship (Scotland) Act 2020, The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020, The UEFA European Championship (Scotland) Act 2020 (Ticket Touting Offence) (Exceptions for Use of Internet etc.) (Scotland) Regulations 2020, and The UEFA European Championship (Scotland) Act 2020 (Compensation for Enforcement Action) (Scotland) Regulations 2020.

The Bill provides for enforcement of measures related to street trading, advertising and ticket touting. These would be enforced by designated, experienced enforcement officers appointed by Glasgow City Council and by Police Scotland. This is considered appropriate given the nature of the proposed offences and the need to target resources effectively, in conjunction with trading standards enforcement under existing law.

Guidance for street traders and other businesses would be issued to help them to understand and comply with the street trading and advertising measures.

The Scottish Government wants to ensure that the measures are targeted and proportionate, drawing on experience from previous events. The objective is to meet UEFA's requirements for EURO 2028 around street trading, advertising and ticketing while allowing the vast majority of businesses in Glasgow to operate as normal.

Overall, the Bill aims to ensure the right balance between supporting local traders, minimising disruption for local people and businesses while protecting the integrity of EURO 2028 by restricting street trading and advertising in event zones. This will help to ensure successful delivery of the event.

In enabling Scotland to co-host EURO 2028, the proposed legislation would support the wider outcomes of the Scottish Government of growing equality and tackling poverty as set out in the Programme for Government, and the outcomes in the National Strategy for Economic Transformation. The event is expected to contribute to a number of National Outcomes in the National Performance Framework. In particular, it is expected to contribute to the Economy and International National Outcomes, including by driving tourism and hospitality, and by providing exposure for Scotland's nation brand and generating profile for Glasgow.

Initial analysis predicts cumulative socio-economic benefits of up to £2.6 billion (€3 billion) from EURO 2028 for the UK & Ireland overall. Further work will be done over the coming years to continue to assess socio-economic benefits. UEFA finals and tournaments traditionally attract a large number of international visitors, who often visit for a significant period of time and are evidenced to contribute materially to the host nation's economy. The 2007 UEFA Cup Final held at Hampden, between two Spanish clubs, generated gross spend of over £16.3 million. Against the backdrop of Covid-19 restrictions, with reduced capacities at four matches and minimal overseas fans, EURO 2020 saw gross direct spend of £5.6 million in Glasgow. The reported worldwide television audience for EURO 2020 was 5.23 billion.

The EURO 2028 partnership is planning a legacy programme to spread the societal benefits of this event across Scotland and beyond. Previous football-themed social programmes have been able to demonstrate a range of social benefits. For example, Football Memories Scotland, which supports people with memory loss conditions, was a partner of the EURO 2020 legacy programme. The Social Return on Investment (SROI) model, created by UEFA, demonstrates the impact football can

have in communities. The SROI reports that community football in Scotland is worth £728 million per year and has significant, health, social and economic outcomes.[7]

Evaluation plans for EURO 2028 as a whole are still to be developed. We expect legislation will be included in this evaluation and will be engaging with partners on this. Once tournament evaluation scope is clearer, the Scottish Government will determine whether any further specific evaluation of the legislation is required.

[7] Value of Scottish Football | SROI | Scottish FA

Options (considered so far/ still open)

Option 1: Do nothing

Without the Bill, Scotland would have to rely on existing legislative provision. Relevant existing powers are as follows:

Street Trading – In Scotland, street trading is regulated under the Civic Government (Scotland) Act 1982, administered by local authorities. The 1982 Act provides for a street trader's licence to be required for trading by a person whether trading on their own or as an employee. There are certain exemptions set out, relating to the sale of certain goods, and for activities in respect of which a pedlar's certificate has been granted. However, governance under the Civic Government (Scotland) Act 1982 is generally not sufficient to meet UEFA's likely requirements. This is largely due to the inability to suspend current licences in the event zones on particular days and limit trading to approved event sponsors. Further, the Pedlars Act 1871 lets a chief officer of their area grant a Pedlar's Certificate when an application is made.[8] This means that under current legislation, a pedlar can obtain a certificate in any part of the UK and turn up at a host city to trade. A pedlar must not regularly trade at the same pitch or set out goods on a stall or pitch.

Advertising – In Scotland, the display of advertisement is controlled by the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. Local authorities are responsible for the day-to-day operation of advertising control. They can require the removal of illegal advertisements on private property. However, the removal process is too slow to enable Glasgow City Council to deal effectively with advertisements installed during EURO 2028. Ambush marketers in particular are becoming particularly innovative in finding ways to associate their brand, in an unauthorised fashion, with large-scale high-profile events.

Ticketing – Scots law restricts ticket touting through section 55 of the Civic Government (Scotland) Act 1982. This does not specifically criminalise the touting of tickets but rather causing annoyance, either to persons being approached to purchase tickets, or any other person who has reasonable grounds to be annoyed by the selling operation. The offence can be committed only by touting in a public place and therefore does not cover ticket touting by electronic methods. Furthermore, the offence arises only where touting has continued in spite of a request from a constable in uniform that the tout desists. The Civic Government (Scotland) Act 1982 is not truly concerned with the prevention of ticket touting but rather the prevention of a public nuisance. As such, it would not satisfy UEFA's likely requirements. In addition, anyone selling a ticket would have to provide information regarding the face value, location, any unique ticket number and any restrictions or conditions as per the Consumer Rights Act 2015 Chapter 5. Any ticket conditions (such as prohibiting resale) could be enforced at the stadium to try to discourage touting. However, by that point the person buying the ticket would be the one affected, rather than the person selling the ticket. This is unlikely to discourage ticket touts, though it may help to discourage the public from buying touted tickets. For street trading of tickets, if this

[8] Pedlar's Licence - Police Scotland

is not licensed under the Civic Government (Scotland) Act 1982 or the Pedlar's Act 1871, an offence will have been committed. The Breaching of Limits on Ticket Sales Regulations 2018 prohibit the use software to buy more tickets than allowed by the conditions of sale with a view to making a profit. They therefore do not tackle ticket touting where software has not been used to acquire more tickets than permitted.

Existing legislation was not drafted to support an event like EURO 2028. It is therefore insufficient for example, to prevent illegal ambush marketers from benefiting from an association with EURO 2028. Nor is it considered sufficient to discourage ticket touting.

Overall, relying solely on existing legislation would not act as a sufficiently strong deterrent to ambush marketing and illegal trading. Without the proposed legislation, Scotland would likely not meet UEFA's requirements.

Option 2: Framework legislation

While the Bill arises from a need to meet UEFA requirements for EURO 2028, broader provision could be made to meet the likely needs of future mega events. Such legislation could provide a consistent framework for applying rights protection requirements for mega events, or a sub-set of mega events. It could strengthen the chances of future mega events bids being successful, as rights holders would have greater certainty of appropriate legislative provision. The Major Events Act 2009 in Victoria, Australia and the Major Events Management Act 2007 in New Zealand are examples of general major events framework legislation from other jurisdictions.

More general legislative protections for events rights owners and sponsors for mega events could impact on the rights of existing businesses in the area a mega event was held. There is a risk that framework legislation may not meet the exact requirements for specific mega events and then a specific Bill could then still be required. While an increasing number of rights holders may look for legislative provision, not all mega events hosted in Scotland have required this. The 2014 Glasgow Commonwealth Games and UEFA EURO 2020 did require legislation. The 2018 European Championships and the 2023 UCI Cycling World Championships did not.

The need for framework legislation for mega events was not a strong theme in responses to the 2023 public consultation on the national events strategy. There was no specific question on this in the consultation, but there was an opportunity to provide views on the regulatory context for events in Scotland. Ongoing engagement with events stakeholders has indicated that some parts of the sector might welcome, for example, provisions around Police Accredited Traffic Officers (PATOs). Such officers could undertake some traffic management roles at events that must currently be done by Police Scotland. This could bring Scottish provision more into line with England and Wales and could enable more choice for traffic management at events.

The Scottish Government has discounted this option in favour of Option 3 for meeting EURO 2028 requirements.

Option 3: Bespoke EURO 2028 legislation – Proportionate and limited restrictions (preferred option)

In meeting UEFA's requirements for rights protection, the Scottish Government wants to create a backdrop that will be fit to present Scotland's celebration of EURO 2028 locally and to the world. This includes Hampden Park, where there will be spectators and extensive television camera coverage. It is also expected to include parts of central Glasgow, where it will be important to create the celebratory look and feel of EURO 2028. This should safeguard sponsor brand association rights.

Street Trading – The Bill would restrict street trading activity, including pedlars, in the event zone area around Hampden Park, and event zone(s) in part of Glasgow City centre. Trading is the sale or offer for sale in an open public space, of an article or service. Street trading by a non-UEFA partner would not be allowed when the event zone was operational. For Hampden, this would be expected to be for the whole tournament and a period before this. The Bill includes exemptions to this, including permission for selling newspapers, busking, and public transport services.[9] There would be guidance for street traders and other businesses to help them to understand and comply with the street trading measures. Penalties for committing a street trading offence would be:

- On summary conviction, a fine not exceeding £20,000
- On conviction on indictment, to a fine

Advertising – The Bill would restrict outdoor advertising activity and commercial distributions in the event zone area around Hampden Park, and event zone(s) in part of Glasgow City centre. Advertising that did not have agreement from UEFA as an official sponsor would not be permitted when the event zone was operational. The Bill includes exemptions to this, including demonstrating support for or opposition to the views or actions of any person, and publicising political or religious beliefs, causes or campaigns. Penalties for committing an advertising offence would be:

- On summary conviction, a fine not exceeding £20,000
- On conviction on indictment, to a fine

Ticketing – The Bill would prohibit ticket touting both in person and online. It would provide a basis for both preventative and punitive action in the event of any breach. There would be penalties for committing a ticket touting offence. For EURO 2020, a person convicted of a ticket touting offence was liable on summary conviction to a fine not exceeding level 5 on the standard scale. This is £5,000. The approach the Scottish Government takes in proposing maximum fine levels for legislation is that offences which attract a Level 5 (£5,000) penalty should be capable of causing, or be liable to cause, substantial and direct damage to the property or interests of others or of the community as a whole. The Glasgow Commonwealth Games Act 2008 originally considered the appropriate penalty for ticket touting and established a precedent for using a maximum fine level of £5,000 through Scottish legislation for relevant events where ticket touting needs to be regulated. Since then, there has been an increase in the use of the internet and smartphones. This could make it easier for significant profit to be made from touting at scale (rather than an individual

[9] This is similar to The UEFA European Championship (Trading and Advertising) (Scotland) Regulations 2020

touting one or two tickets). We have therefore considered whether a penalty of £5,000 remains appropriate or if it should be set at a higher level. For example, it is noted that the penalty in Scotland for touting Birmingham Commonwealth Games tickets (which was set through UK Government legislation) was a fine not exceeding £50,000.[10] Other legislation in force in England and Wales sets a penalty of an unlimited fine on summary conviction.[11] Having considered the options, penalties for committing a ticketing offence would align with those for street trading and advertising:

- On summary conviction, a fine not exceeding £20,000
- On conviction on indictment, to a fine

Enforcement - The Scottish Government recognises the need for effective enforcement activity. It is also important that an undue burden is not imposed on the pool of resource available to carry out relevant activity. As with UEFA EURO 2020 and the 2014 Commonwealth Games, Glasgow City Council would be able to designate appropriately qualified staff as enforcement officers. The extent of enforcement officers' powers has been considered carefully in developing the Bill, so that appropriate limits are placed on these. These include:

- 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
- Power to enter and search a home are restricted to reasonable times when the officer is accompanied by a police constable, or where a sheriff has granted a warrant

The measures put in place by the Bill aim to ensure the effective running of the event. They would not be required once the event was completed. They would therefore end a reasonable period after event activity finished. There is no Bill in relation to any of the broader preparations to host EURO 2028, nor would it apply to any other events.

Sectors/ Groups affected

The key purpose of the Bill is to regulate street trading and advertising and ticketing activity for the reasons outlined under the policy objectives. The sectors and groups affected for each option are outlined below, with a brief description of how they would be affected.

Option 1: Do nothing

Without the Bill, Scotland would be unlikely to meet UEFA's criteria to host.

The rights and investment of UEFA's official partners in relation to the tournament would be undermined.

[10] Birmingham Commonwealth Games Act 2020

[11] Criminal Justice and Public Order Act 1994 sets a football ticket touting fine of up to level 5 on summary conviction. For offences committed before 13 March 2015, the level 5 maximum is £5,000. For commences committed after that date, the level 5 maximum is an unlimited fine.

Street traders and businesses that would otherwise have been in the Glasgow event zone(s) for EURO 2028 would be unaffected by restrictions. These and other businesses in Glasgow and Scotland more generally would not benefit from the opportunity hosting presents if matches were not played at Hampden as a result of the measures not being in place.

Local authority and Police Scotland enforcement activity would relate only to existing provision in law.

Consumers attending matches would have to do so elsewhere, if matches were not played at Hampden. There may not be a reduction in opportunities for unscrupulous suppliers to target consumers in Scotland with regard to EURO 2028 tickets.

Option 2: Framework legislation

Street traders operating in areas across Scotland that could be designated event zones for a range of (yet to be designated) events in future. Street traders, including pedlars, could be restricted from operating in these zones at event time. This would include event zones in Glasgow during the period EURO 2028 is being hosted.

Businesses seeking to advertise in areas across Scotland that could be designated event zones for a range of (yet to be designated) events in future. Businesses in these zones could be restricted in their outdoor advertising and commercial distributions at event time. This would include event zones in Glasgow during the period EURO 2028 is being hosted.

Those seeking to resell, or purchase resold, tickets for (yet to be designated) future events in Scotland would require authorisation to do so. This would include event zones in Glasgow during the period EURO 2028 is being hosted.

The Retail, Accommodation, and Food and Beverages sectors would be most likely to be affected by these kinds of restrictions.

- There are around 14,000 retail businesses in Scotland, employing 223,000 people, 136,000 of which work part-time. This represents 8.2% of the total businesses in Scotland and 8.7% of the total number of employees respectively.
- There are around 3,000 accommodation businesses in Scotland, employing 59,000 people, 29,000 of which work part-time. This represents 1.8% of the total businesses in Scotland and 2.3% of the total number of employees respectively.
- There are around 12,000 food and beverage businesses in Scotland, employing 164,000 people, 93,000 of which work part-time. This represents 7.0% of the total businesses in Scotland and 6.4%% of the total number of employees respectively.
- 49,000 people in the accommodation and food services sectors in Scotland (representing 46.40% of industry jobs) and 82,000 people in the wholesale and retail trade, and repair of motor vehicles and motorcycles sectors (32.4% of industry jobs) earn less than the Real Living Wage.

- Additionally, UK-wide, a further 139,000 people are self-employed in the accommodation and food services sector, and 317,000 people are self-employed in the wholesale and retail trade, and repair of motor vehicles and motorcycles sectors.[12]

Rights holders of (yet to be designated) future events could offer greater assurance of exclusivity to sponsors. Sponsors may be willing to spend more if given such assurance, which could increase revenue for rights holders. This would include the rights holder (UEFA) and sponsors of EURO 2028.

Local authorities and Police Scotland would be expected to enforce measures on street trading, advertising and ticket touting for (yet to be designated) future events. This would include enforcement for EURO 2028.

Consumers could have a more limited choice in the number and range of suppliers in designated event zones for a range of (yet to be designated) events in future. Consumers could have greater assurance that they were buying official merchandise when in such zones. There could be a reduction in opportunities for unscrupulous ticket suppliers to target consumers.

Option 3: Bespoke EURO 2028 legislation – Proportionate and limited restrictions (preferred option)

Street traders, including pedlars, would be restricted from operating in the designated event zone(s) in Glasgow during EURO 2028. The 2024 public consultation set out that there were approximately 146 street trading licences for the area around Hampden Park. There were approximately 3 street trading licences for Glasgow City Centre. A total of 94 Pedlars Licences were issued nationally between 2 April 2023 and 2 April 2024.[13]

Businesses would be restricted in advertising outdoors in the designated event zone(s) in Glasgow during EURO 2028.

Those seeking to resell tickets for EURO 2028 would be committing an offence if they did so above face value or to make a profit.

UEFA could offer greater assurance of exclusivity to sponsors of EURO 2028, which could increase revenue from this source.

[12] UK Business Counts - Data Sources - home - Nomis - Official Census and Labour Market Statistics
Business Register and Employment Survey/Annual Business Inquiry - Data Sources - home - Nomis - Official Census and Labour Market Statistics
Business Register and Employment Survey/Annual Business Inquiry - Data Sources - home - Nomis - Official Census and Labour Market Statistics
EMP14: Employees and self-employed by industry - Office for National Statistics
Supporting documents - Annual survey of hours and earnings: 2024 - gov.scot

[13] UEFA EURO 2028 - commercial rights protection: consultation - gov.scot

Glasgow City Council and Police Scotland would be expected to enforce measures on street trading, advertising and ticket touting for EURO 2028.

Consumers would have a more limited choice in the number and range of suppliers in the EURO 2028 event zones when these were in operation (providers of food, beverages and Championship memorabilia, in the main). Other businesses in the zones such as those based inside buildings (such as bars, shops and restaurants) should be able to operate largely as normal. Consumers may have greater assurance that they are buying official merchandise when in event zones. There should be a reduction in opportunities for unscrupulous ticket suppliers to target consumers.

Section 2: Engagement and information gathering

Engagement approach

The Scottish Government has engaged with businesses and others that are expected to be affected when developing the Bill's provisions.

There was a public consultation to seek views. In addition to an online CitizenSpace survey, people could contribute to the consultation by attending an in-person drop-in session or a webinar. The consultation was promoted to representative groups, including the Federation of Small Businesses and Glasgow Chamber of Commerce, to help raise awareness. With the help of Glasgow City Council and Glasgow Life, there was a maildrop to those in the areas around Hampden Park, George Square and Glasgow Green. An offer was made to community councils in these areas for Scottish Government and Glasgow Life officials to attend and hear views. Street traders in these areas were also contacted by email or post. Scottish Government officials also sought to raise awareness among street traders operating around Hampden Park before an international football match. See **Business / Third sector engagement** and **Public consultation** for more information.

Scottish Government officials also met other governments hosting EURO 2028, Glasgow City Council and justice bodies in Scotland. See **Internal SG engagement/ engagement with wider Public Sector** for more information.

The restrictions under consideration and the places they are expected to apply are similar to those considered for UEFA EURO 2020. The Scottish Government has therefore also drawn on views gathered as part of the development of the UEFA European Championship (Scotland) Act 2020 and associated regulations.

Information on street trading licences and pedlar certificates has been sought from Glasgow City Council and Police Scotland respectively. Published statistical and survey data has been used to gather evidence on sectors, businesses and workforce that may be affected by the Bill, for example the Annual Survey of Hours and Earnings.

It is expected that there will be further engagement with Glasgow City Council, UEFA and those most likely to be affected by event zone restrictions in developing regulations to set the boundaries of these zones and the times that restrictions will be in force.

Internal SG engagement/ engagement with wider Public Sector

Internal SG engagement

Engagement within Scottish Government has included: Directorate for Chief Economist; Directorate for Performance, Delivery and Resilience; Directorate for Justice; Directorate for Safer Communities; Directorate for International Trade and Investment; and Directorate for Constitution. These discussions have informed shaping of the Bill to support delivery of EURO 2028, and to identify potential investment and trade impacts.

UK/ Devolved Administrations

Scottish Government officials have engaged with officials in the UK Government Department for Culture, Media and Sport (DCMS), Welsh Government, Northern Ireland Executive and UK Sport. This has included regular meetings of the EURO 2028 UK and Ireland Legislation Working Group, which coordinates work towards the goal of having an aligned legislative framework across the tournament hosts that meets the commitment made to UEFA. This is not a decision-making group, but is designed to build collaborative, consistent approaches across administrative boundaries. To date these discussions have informed shaping of the Bill to support delivery of EURO 2028.

Wider Public Sector

Government and enforcement bodies consulted include: the Crown Office and Procurator Fiscal Service (COPFS), the Scottish Courts and Tribunals Service (SCTS), Scottish Legal Aid Board (SLAB), Police Scotland, Glasgow City Council and Glasgow Life. To date these discussions have informed shaping of the Bill to support delivery of EURO 2028, including enforcement provisions and estimated costs.

In addition, officials from South Lanarkshire Council, Highland Council, East Renfrewshire Council and VisitScotland took part in the drop-in and virtual sessions run as part of the public consultation.

International

Scottish Government officials have engaged with officials from the Government of Ireland, which is part of the EURO 2028 UK and Ireland Legislation Working Group. To date these discussions have informed shaping of the Bill to support delivery of EURO 2028.

Business / Third Sector engagement

Engagement was undertaken on Option 3 (see **Public Consultation**), based on event zones around Hampden Park (where matches will be held), and around Glasgow Green or George Square (where there would be an official fan zone). This set out the evidence of need for regulation over voluntary action, as part of an evidence based decision-making approach. It was supported by a Partial Business and Regulatory Impact Assessment of all three options, as part of a consistent approach to involving business in policy-making. This Business and Regulatory Impact Assessment also takes account of views gathered from business as part of previous engagement on legislation for EURO 2020.

Businesses were invited to contribute through the CitizenSpace online survey, or by attending an in-person drop-in session or webinar. Awareness was raised through a press release, social media posts, a maildrop to those likely to be in or near event zones (facilitated by Glasgow Life and Glasgow City Council), and leaflets distributed to street traders around Hampden Park before the Scotland v Finland football match on 7 June. Emails were also sent to key stakeholders, including Glasgow Chamber of Commerce and the Federation of Small Businesses. This supported meaningful communication by providing opportunities for business to input to early policy development, avoid surprise, and help mitigate concern about the potential business impacts of the legislation. Businesses provided views and information about impacts of events like EURO 2028 beyond the scope of the legislation. This has contributed to an understanding of business priorities and potential cumulative impacts of the legislation and other aspects of EURO 2028 delivery.

During this engagement, DF Concerts noted that it was almost impossible to give a clear response, particularly on the advertising proposals, without the location, proximity or duration that restrictions would be in place. It asked for further consultation to take place once these options have been formally identified. The Federation of Small Businesses noted that the majority of small businesses struggle to find additional time over and above running their businesses to engage with consultations which will affect them in the future. Engagement with small businesses should therefore not solely rely on written responses.

It is currently expected that the exact times and locations of event zones where restrictions apply would be set by regulations around a year in advance of EURO 2028. There will be further engagement with businesses before such regulations are laid before the Scottish Parliament.

One retailer (ROX), an event organiser (DF Concerts), two other individuals who identified as sole traders and the Federation of Small Businesses responded to the online survey. Festivals Edinburgh, the umbrella body promoting Edinburgh's many festivals, also responded to the survey. Attendees at the in-person drop-in sessions and webinars included representatives from two food and drink businesses (Piper Whisky Bar and La Vita Restaurants), five hotels (Ibis Hotels, Motel One, Hilton Hotels, Atlas Hotels, Marriott Hotels), one retailer (Timberland), one real estate company (Avison Young), and the Scottish Tourist Guides Association.

Views from CitizenSpace survey

The Federation of Small Businesses noted that small businesses in general find street trading restrictions frustrating, and some of them might not be aware of such restrictions at all. It was therefore important to ensure that the organisers focus on proactive engagement and communication with small businesses about restrictions. For event-related restrictions, they encouraged engagement with those expected to be impacted, a comprehensive Business and Regulatory Impact Assessment (focussed on small businesses) and drawing on learning from past events to assess where changes could be made, and which practices were successful. This would ensure that preparatory work could be used to avoid some of the adverse impacts. One sole trader highlighted their catering business had been affected by similar street trading restrictions for EURO 2020, as they were not allowed to operate at their usual designated position. This affected them financially as a small business owner.

ROX noted the positive impact of similar advertising restrictions put in place for EURO 2020. They were a stockist of one of the sponsors and the measures protected the brand. The Federation of Small Businesses expected that the impact of advertising restrictions for small businesses was likely to be minimal. However, DF Concerts fundamentally disagreed with UEFA having such pulling power over the spaces that small, medium, and large local businesses rely on. It highlighted the substantial impact on local businesses if they are not able to operate as normal. DF Concerts expected EURO 2028 advertising restrictions would have a detrimental impact on them. This included the ability to reach its audience, promote the growth of its events and continue to make a positive impact on the cultural identity of Scotland. UEFA has stated that while it expects restrictions to target temporary or pop-up trading, it does not expect permanent businesses to stop operating as a result of restrictions, only to prevent those businesses from promoting unauthorised associations with EURO or brands that are not sponsors.

DF Concerts' events have headline sponsors that are vital to the successful running of its events. It therefore expected a detrimental impact from restrictions on event signage and branding across the city via digital screens in stations, roadsides, posters, or at event spaces. As a local business driving substantial tourism every year, which does not have sufficient budgets to sponsor EURO 2028, DF Concerts wanted an exemption from these restrictions. UEFA has stated that, as DF Concerts has its own sponsors, such an exemption would create a conflict between EURO 2028 sponsors and DF Concert's sponsors. As DF Concerts has pointed out, it is not a EURO 2028 sponsor and so such an exemption will result in ambush marketing opportunities for DF Concerts and its sponsors in and around event zones during the tournament.

The Federation of Small Businesses did not expect there would be an impact on small businesses from the ticketing restrictions. One sole trader felt that people would not be deterred from trying to tout tickets regardless of what fine is applied. One sole trader was supportive of banning ticket touting and supported a fine of up to £20,000.

DF Concerts highlighted Scotland's position as a world leader when it comes to events, with a fantastic track record across many different industries. It contrasted public sector support for 'mega events' with a lack of financial or advertising support for commercial businesses who are taking a huge financial risk and play a key role in cultural tourism, a key driver for the economy. It called for support on a national level to a variety of events, not just those subsidised by government. This included a ban on secondary sales for profit across all event sectors, and granting street trading restrictions to events and the areas surrounding the event spaces more generally. In particular, it wanted additional measures to be put in place to prevent pedlars trading in zones using existing legislation across all mass events. This was due to the crowd management risk from their presence at critical access and egress locations.

Festivals Edinburgh believed consideration of the following five areas could enhance Scotland's position for events: the reinstatement on a more permanent basis of the multi-agency groupings coordinated during Covid restrictions by the Scottish Government through the Gateway process to aid signature events; best practice in effective integrated events governance; whether amendments to the Civic Government (Scotland) Act 1982 are needed to improve the operation of the current licensing systems as it affects events; whether the 28-day planning rule for temporary structures takes sufficient account of the construction and demounting of event infrastructure; and reviewing the initial operation of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 to determine the effect it is having, and may have, on the accommodation offer and requirement for major events in Scotland.

The Federation of Small Businesses noted that micro, small and medium businesses comprise almost all enterprises in Scotland (99%), employ 1.2 million people and contribute £110 billion to the economy. Many small businesses are unaware of new restrictions when it comes to large events. It is therefore important to ensure that the organisers act proactively to engage and communicate with them. Small businesses are operating in a complex policy landscape where new regulations are regularly being introduced. If they are given plenty of time and information to be prepared, small businesses will positively engage and do what is right for them.

Views from engagement sessions on EURO 2028

Benefits of hosting events and the importance of good communication were key themes from the in-person drop-in sessions and webinars. Businesses around George Square could potentially benefit from the placement of a fan zone, including increased footfall and higher overall profits. Hotels also see significant benefits from events like EURO 2028 with a substantial increase in footfall during such times.

Some business plans happen well in advance. This includes pubs or bar scheduling musicians and hotels engaging with tour groups and businesses seeking multi-year arrangements. Timely communication about key dates helps businesses to coordinate these efforts. Regular updates on the legislation, event zones, and general planning would support a co-operative relationship that could help ensure businesses benefit from increased footfall. Being informed of event arrangements about a year in advance would support adequate planning, with detailed information

provided a few months before the event. This includes sufficient notice and good planning for both customer and delivery access to business premises.

The Scottish Tourist Guides Association highlighted that it would like to work more closely with Glasgow Life as EURO 2028 approaches in order to plan city centre tours.

Views from previous engagement on legislation for EURO 2020

In 2019, prior to introducing the Bill that became the UEFA European Championship (Scotland) Act 2020, Scottish Government worked with Glasgow City Council to identify the businesses, other organisations and individuals who were potentially affected by the Bill. This was mainly street traders, media owners and other businesses based in the proposed event zones which had external advertising (for example, bars and restaurants). Scottish Government, Glasgow City Council and other partners held two drop-in sessions to engage with street traders and local businesses who might be affected to better understand any concerns they may have had, and any changes to the approach in the Bill that might be possible in order to respond to such concerns. Individual meetings were offered to businesses that could not attend the drop-in sessions. There were a number of telephone calls with individual street traders and businesses, and the Scottish Government also attended the Hampden Park area before a Scotland match to raise awareness of the proposals with street traders, and offer follow up engagement on the detail.

Most of the businesses in the George Square and Merchant City zones that attended the two drop-in sessions were generally content with what was proposed on advertising and street trading at that time. Feedback from these was that the advertising restrictions would have a minimal impact on them and the recognised the likely positive economic impact of the event. However, it should be noted that not all businesses in the event zones attended the drop-in sessions. The businesses that did attend were often concerned about road closures and what was planned in terms of public transport given the number of people that would be in the city, neither of which were affected by the proposed legislation.

Other points raised during the drop-in sessions and a follow up phone call with a street trader on EURO 2020 legislation included: costs to business of covering or removing advertising; street trader concerns about the size of the event zones and competition for alternative trading locations; and the need for good communication about the restrictions so businesses knew what was and was not permitted.

Public consultation

A public consultation ran from 2 May to 26 July 2024, which received 26 responses. This was based on event zones around Hampden Park (where matches will be held), and around Glasgow Green or George Square (where there would be an official fan zone). It sought views on:

- What the impacts were of the measures put in place for UEFA EURO 2020, which took place in 2021.
- How business could be impacted by the measures that are likely required by UEFA for EURO 2028
- What kinds of measures and exemptions would be most appropriate to meet likely UEFA requirements

As well as the online CitizenSpace survey, there were in-person drop-in sessions at Glasgow Royal Concert Hall on 11 and 13 June 2024 and virtual sessions on 25 and 26 June 2024.

There were various communications to raise awareness of the consultation. These included:

- A press release and social media posts
- Emails to key internal and external stakeholders at different stages (launch, before engagement sessions, and nearing the consultation's end), including to event sector stakeholders via EventScotland's e-newsletter
- Emails and letters to businesses, street traders, and residents in areas likely to be impacted by the proposed legislation, facilitated by Glasgow Life and Glasgow City Council
- Leaflets distributed to street traders around Hampden Park before the Scotland v Finland football match on 7 June

The analysis of responses and Scottish Government response to the consultation were published on 11 October 2024.

Respondents called for advance planning to help businesses prepare for EURO 2028.

On street trading, the most common view was that there would be no or little impact from the restrictions. A few respondents highlighted potential impacts on businesses. This included the need to provide information and guidance on the measures or having to relocate temporarily. Potential positive impacts were also mentioned. These included minimised unauthorised trading and improved consumer rights and confidence. There was no consensus as to whether any exemptions or other measures should be applied to help manage adverse impacts of street trading. Other comments included one call for the restrictions to apply to pedlar certificates too. This was due to a rise in issues related with these.

On advertising, the main view was that there would be no impact from the restrictions. Impacts on businesses, such as restricting their ability to advertise, was the second most common theme. Just over half of respondents did not feel there

were appropriate exemptions or other measures that should be applied. There were some calls not to apply advertising restrictions to charities or community groups.

On ticketing restrictions, the most common view was that there would be no impact on respondents. Some respondents highlighted positive impacts for visitors. This included visitors having less contact with ticket touts or inadvertently buying unauthorised tickets.
Some suggested exemptions. This included tickets sold for charitable purposes. There were mixed views around which level of penalty was most appropriate. Most commonly there was uncertainty around the level that would be appropriate. Higher penalties were more likely to be supported than lower ones. Some felt the penalty should be proportionate to the situation or amount made by ticket touts. A few felt the penalty should be publicised and act as a deterrent.

A range of other community impacts were highlighted beyond the scope of the proposed legislation. These included:

- vulnerable people or disabled people were more likely to be the target of scams
- the impact on communities of littering and noise during EURO 2028
- over-crowding and the impact this has on, for example, commuting to work
- parking issues for residents or their carers

Other stakeholders

Through the process of bidding for EURO 2028 and through further discussions to progress hosting, Scottish Government have consulted with bid partners to develop legislation. Bid partners include the football associations and government administrations and agencies of Scotland, Wales, England, Northern Ireland and the Republic of Ireland. UEFA has also been consulted on its likely requirements for hosting EURO 2028.

Officials from Scottish Government and Glasgow Life met Mount Florida Community Council on 28 May 2024. Some aspects of the legislation for EURO 2020 (which proposals for 2028 are similar to) seemed very heavy handed to the community council. Powers granting a warrant to access homes was a particular example of this. The community council felt that the focus on outdoor advertising should mean that legislation should not be disruptive to shop windows' usual displays.

They also gave feedback on event organisation at Hampden Park and its impacts on the surrounding community. The community council wanted a long-term solution on toilet provision in Mount Florida for EURO 2028, not just at Hampden Park itself. They suggested there is an ongoing problem of people using people's closes and gardens instead on match days.

They felt that while Mount Florida sees the disruption of matches and other events held at Hampden Park, the majority of business benefit is felt by businesses in town rather than locally. While some local pubs and restaurants do gain some benefit, some businesses choose to close on match days rather than deal with the

disruption. In general, disruption is worse for concerts because it lasts all day than for football matches, where supporters largely come and go for the match itself.

For the 2014 Commonwealth Games, eventgoers were diverted over Aikenhead Road. This meant that local shops did not get the benefit of business as people passed by. Further, access to some businesses was blocked.

Section 3: Costs, impacts and benefits

Quantified costs to businesses

Option 1: Do nothing

Scottish Government would not propose legislation for parliamentary consideration. UEFA's requirements would likely not be met.

If UEFA did not permit Scotland to host, Glasgow and Scotland may still see some economic and social benefit from the UK and Ireland hosting EURO 2028, for example, through visitor tourism. But it is likely that this would be much more limited than if Scotland were a co-host.

There may be a longer-term reputational cost to Scottish Government, Glasgow and Scotland as an event host if EURO 2028 does not take place at Hampden Park as a result of not having commercial rights protection measures in place. This could limit Scotland's ability to secure future event opportunities, and the economic and social benefits attached to them.

Current provision on ticketing could result in members of the public buying tickets at inflated prices and still being unable to attend the matches due to the ticket terms and conditions. Not prohibiting unauthorised resale could add risks to the safety and security of the event.

If UEFA did permit Scotland to host, the lack of more detailed legislative provision to prevent unauthorised advertising or street trading activity may make it more difficult for UEFA to secure investment commitment from sponsors, for example to purchase advertising space.

Option 2: Framework legislation

There would be costs to Scottish Government, Local Authorities and Police Scotland in scoping and developing proposals, as well as to businesses to engage with and contribute to proposals. This would be more extensive than for Option 3 because framework legislation would affect people, organisations and businesses across Scotland on an ongoing basis.

It is uncertain how many rights holders would seek protections through framework legislation for mega events or how frequently. This means a more uncertain impact on local businesses from advertising and street trading restrictions compared to option 3. Due to infrastructure requirements for mega events, impacts would most likely affect businesses in Glasgow and Edinburgh. However, the 2025 Tall Ships Races in Aberdeen and the 2025 International Island Games in Orkney are examples of large scale events hosted in other parts of Scotland. The recent UCI Cycling World Championships also spread events around Scotland, including to Fort William, the Scottish Borders, and Dumfries and Galloway.

There would likely be ongoing costs for Police Scotland, Glasgow City Council and other local authorities to ensure sufficient capacity to enforce legislative measures for events. Again, it is relatively uncertain how many future mega events in Scotland might seek this provision and therefore what these costs would be. However, we could expect these costs to have longer term impacts than the specific and short-term provision for EURO 2028 only.

Framework legislation would likely require some kind of assessment process for eligible events, which has already been undertaken for EURO 2028. There would be costs to assessing a specific mega event. This would likely include rights holders, event organisers, local authorities, VisitScotland, Police Scotland and Scottish Government.

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. This could risk a more rushed bespoke provision to meet UEFA's requirements for hosting EURO 2028 with less time for scrutiny or even failure to meet the requirements altogether. If UEFA's requirements were not met, this would incur similar costs to Option 1.

Option 3: Bespoke EURO 2028 legislation – Proportionate and limited restrictions (preferred option)

There would be costs to Scottish Government, Local Authorities (mainly Glasgow City Council) and Police Scotland in scoping and developing proposals, as well as to businesses to engage with and contribute to proposals. This may cost less than for Option 2 because the effect of the advertising and street trading proposals is limited to EURO 2028 in Glasgow, and the ticket touting provisions to EURO 2028.

Costs as a result of the Bill include for Glasgow City Council in relation to enforcement and communication activity that is required to ensure compliance. These are estimated to be around £65,000-£125,000 in 2028/29 prices, although some of this could be covered by the redeployment of existing resources. Glasgow City Council would be expected to incur these costs from early 2028 until the event ends (and a short period following), with the bulk of costs arising during the tournament in Summer 2028.

The Scottish Government estimate approximately £195,000 of staff costs will be required from April 2026 to September 2027 to support development of regulations, including event zone locations and times of operation. This would be met from the existing Scottish Government staff budget. Police Scotland also estimate costs of around £45,000. Police Scotland expect to be able to meet costs from within existing EURO 2028 and business as usual budgets.

There would also likely be some small costs to other organisations including, SLAB, SCTS and COPFS. The overall cost to these three public sector organisations was estimated at £0-50,000 in 2028/29 prices.

There would be costs to businesses in Glasgow affected by restrictions on advertising and street trading in event zones. Provision would include a duty for Glasgow City Council to offer affected traders alternative trading arrangements to mitigate the impact of the restrictions and allow them to still benefit from the opportunity the Championship represents.

One of the event zones will be around Hampden Park. The other(s) are expected to be around official fan zone(s) in a Glasgow city centre location. Businesses in the Retail Trade, Accommodation or Food and Beverage industries in these areas are most likely to be affected by the restrictions. Latest data from the 2024 Annual Survey of Hours and Earnings estimates that the median hourly wage in Scotland in these industries is £12.15, £12.28 and £11.80 respectively. These businesses will need to read and, where relevant, apply guidance that will be provided by Glasgow City Council.

Provisions propose that certain advertising that is in place in the event zones to remain such as fixed/permanent branding of businesses, to help to minimise the impact of the advertising restrictions on businesses. This would not permit any advertising installed specially for EURO 2028, in addition to usual branding. If so, there would be a cost to Glasgow City Council in carrying out an audit of existing branding before the event.

Other impacts

The Bill would have an impact on a relatively small number of street traders and other businesses in comparison to those operating in Glasgow as a whole. Only external advertising and trading is captured by suggested restrictions. Many existing businesses in these zones could therefore continue to trade unaffected, though outdoor areas would be affected. Certain advertising in place in the event zones could be allowed to remain if the Bill were to come into force, reducing the impact on business. The duty on Glasgow City Council to offer affected street traders alternative trading arrangements would help mitigate the impact on this group.

Scottish firms' international competitiveness

The Bill is not expected to affect Scottish businesses' ability to compete internationally.

Events make a significant contribution to Scotland's economy, driving tourism and hospitality, providing a platform from which to showcase Scotland and its international trading strengths. They provide exposure for Scotland's nation brand and can generate profile for a city or region. This international profile can enhance Scotland's reputation, bring people together to make and maintain international relationships, and support global recognition of our cultural assets, including our landscapes, festivals, artists and historic landmarks. EURO 2028 will enhance

Scotland's reputation as the perfect stage for events. It will continue the strong pipeline of events. This included the World Athletics Indoor Championships in 2024 and the first ever UCI Cycling World Championships in 2023.

The UCI Cycling World Championships had broadcast coverage in 130 countries, reaching a cumulative audience of over 537 million. There were 1,000 items of global press coverage reaching over 1.5 billion, with an 81% positive sentiment in media coverage. 93% of spectators felt proud of Scotland hosting the championships.

The reported worldwide television audience for EURO 2024 in Germany was 5.4 billion. Around 2.6 million spectators attended the 51 matches played during EURO 2024, with fans present from more than 190 countries. The official UEFA EURO 2024 channels on TikTok, Instagram, Facebook, X and WhatsApp have added more than 14 million new followers since the start of the championship. The channels accumulated 335 million engagements and 2.8 billion video views during the event.

Benefits to business

Option 1: Do nothing

It is expected that EURO 2028 would still go ahead under this option, but Scotland would not meet UEFA's requirements to host. There is a risk that UEFA would not permit Scotland to host matches.

The Scottish Government would save resource from not progressing legislation any further. This resource could be diverted to other Scottish Government work.

Without any enhanced legislative provisions to enforce, there would less need for increased resource from Glasgow City Council and Police Scotland. Costs for the EURO 2028 legislation are estimated to be around £65,000-£125,000 for Glasgow City Council and £45,000 for Police Scotland in 2028/29 prices. This would be a saving of resource compared to the other options.

Option 2: Framework legislation

General provision for mega events could meet UEFA's likely requirements for hosting EURO 2028.

In addition to the benefits outlined for the Bill for EURO 2028 only (Option 3), this option could help Scotland "future proof" itself for other mega events in future years that may require rights protections. This could increase the range of hosting opportunities Scotland could consider and derive benefit from. In so doing, it could more strongly fulfil the 2023/24 Programme for Government commitment to support a pipeline of strong hosting opportunities.

Framework legislation might create an opportunity for rights holders of other large-scale events in Scotland to seek similar protections to those proposed for EURO 2028. It could also seek to address a wider range of points identified by the events sector. This could benefit a larger number of event organisers in Scotland.

A consistent approach to measures for mega events and associated enforcement could make it easier for Scottish Government, Local Authorities and Police Scotland to plan and budget for such events.

Option 3: Bespoke EURO 2028 legislation – Proportionate and limited restrictions (preferred option)

The Bill would meet commitments that have been made to UEFA on protection of commercial interests. It will help to ensure successful delivery of the event, which will bring broader economic benefits to Glasgow and Scotland. This may help Scotland's chances in securing any future mega events.

Glasgow residents and visitors would benefit from a celebratory look and feel where there is EURO 2028 related activity.

By ensuring that sponsors' and licensees' exclusive rights to associate their brands with the EURO 2028 is safeguarded, the proposed legislation will maximise potential sponsorship funding for the event.

Provisions on ticket touting would reduce the likelihood of this being attempted. This protects UEFA's commercial interests and would also benefit members of the public, who might otherwise buy tickets at inflated prices and still be unable to attend the matches due to the ticket terms and conditions. UEFA's current terms and conditions prohibit resale and transfer save in the explicit circumstances permitted by those terms and conditions. For example, tickets purchased from a secondary ticket platform or social media are invalid under UEFA's current terms and conditions. Prohibiting unauthorised resale could also contribute to the safety and security of the event.

By directing measures to cover only EURO 2028, any negative impacts are clearly limited to a particular place and time, and can be consulted on, providing those affected to provide a view on impacts. This includes the costs of measures to Police Scotland and Glasgow City Council, and any adverse impacts to local businesses from restrictions to advertising and street trading.

There is no uncertainty of the Bill applying to other events, places or times.

Small business impacts

The main costs identified for small businesses are the time required to understand and comply with restrictions. Feedback from the Federation of Small Businesses has highlighted that small businesses are often time-poor and can be unaware of new restrictions for large events. Proactive engagement and communication with small businesses about restrictions, giving them plenty of time and information to be prepared, is therefore important.

Option 1 would mean no new restrictions for small businesses to comply with but may also see no or less increase in revenue if no EURO 2028 matches were hosted

in Glasgow. For EURO 2028 specifically, the effects of Options 2 and 3 on small business would be the same. However, Option 2 could mean similar restrictions being put in place for other events, whether in Glasgow or elsewhere. Restrictions put in place might vary from event. This increases the potential scale of impact on small businesses.

Option 3 does not rule out similar restrictions being put in place for other events. However, because no new primary legislation would be required, Option 2 might mean less advance notice for businesses of restrictions applying for future large events.

Impacts could be mitigated by setting and communicating restrictions well in advance of EURO 2028, giving small businesses more time to plan in preparations. Issuing guidance on the restrictions could also help small businesses to understand what is required more quickly.

Investment

While EURO 2028 is expected to raise Scotland's international profile, the Bill itself is not expected to make Scotland a more, or less attractive place for global investment. It is not expected to impact on investors or investment sentiment.

Workforce and Fair Work

Policy options are not expected to affect the workforce, beyond time taken to understand and comply with the restrictions in the Bill. They are not expected to affect business ability to meet the Fair Work First principles.

Climate change/ Circular Economy

Policy options are not expected to impact on business ability to contribute to climate and circular economy targets. They are not expected to contribute to the reduction, reuse or recycling of resources by businesses. Although hosting EURO 2028 is expected to increase the goods or services consumed in Scotland (through the visitor economy), the Bill itself is not.

Competition Assessment

Will the measure directly or indirectly limit the number or range of suppliers?

The Bill would limit the number of street traders operating in the event zone(s) while they were in operation. The Scottish Government anticipates that the impact on street traders could be mitigated by a duty on Glasgow City Council to offer them alternative trading arrangements.

Will the measure limit the ability of suppliers to compete?

Restrictions on trading and advertising in the event zones for specified event periods could have some impact on competition. This could likely benefit EURO 2028

sponsors and authorised traders, who would be able to operate in event zones with reduced competition. We think that this impact on competition is proportionate given the overall size and economic benefit of the event to Glasgow (and Scotland) as a whole. Where the restrictions in the Bill apply, it would be for a short time and within a limited geographical area. This would not make a permanent change to business.

There are some exemptions to the advertising offence in the Bill. These include certain advertising to which the Town and Country Planning Regulations 1984 do not apply (because, for instance, it forms part of the fabric of a building), and advertising to commemorate events. This would help to minimise the impact on businesses and their ability to compete.

Will the measure limit suppliers' incentives to compete?

The Bill is not expected to limit suppliers' incentives to compete.

Will the measure affect consumers' ability to engage with the market and make choices that align with their preferences?

The Bill may limit the choices of consumers within the designated event zone(s) specifically for the time that they are in operation. However, it is not expected to affect their ability to engage with the market and make choices that align with their preferences overall or in the long term.

Will the measure affect suppliers' ability and/or incentive to introduce new technologies, products or business models?

The Bill is not expected to affect suppliers' ability and/or incentive to introduce new technologies, products or business models.

Consumer Duty

The Bill aims to protect the commercial rights of UEFA and its partners for EURO 2028. It does so by restricting street trading and advertising within designated event zones at specific times, and by restricting the resale of EURO 2028 tickets.

The street trading and advertising restrictions may limit the choices of consumers within the designated event zone(s) specifically for the time that they are in operation. The Bill would limit the number and range of suppliers in the event zones when these are in operation (providers of food, beverages and Championship memorabilia, in the main). However, other businesses in the zones such as those based inside buildings (such as bars, shops and restaurants) should be able to operate largely as normal. These provisions are considered to be proportionate as they would only apply to the relatively small geographical area covered by the event zones and would only be in effect for a short period of time around the time of the event.

The Bill may also have a positive impact on consumers as a result of people being assured that they are buying official merchandise.

While the primary driver of the EURO 2028 legislation is commercial rights protection, in its response to the public consultation Advice Direct Scotland found that similar street trading for EURO 2020 had a positive effect on consumer rights and confidence. Limiting the number of traders in prescribed zones and ensuring that the ones that were allowed were regulated increased accountability and minimised bad actors. An event such as EURO 2028 is an opportunity to strengthen trust in Scotland's consumer landscape to residents and abroad. Advice Direct Scotland noted the adverse impact that poor quality goods and services have on consumer experiences and the damage it can do to consumer trust. This is compounded by rampant and ever evolving scam tactics that seek to deprive consumers of money and personal information. Street Trading, to any extent that it occurs, must provide goods that are in good condition, as described and of suitable quality. Any deviation from this lowers trust and causes consumer detriment. They encouraged raising awareness among consumers of both street trading restrictions in event zones, and potential scams and poor-quality goods outwith event zones. In addition, there should be counter-scam initiatives and investigations into repeat offenders.

Advice Direct Scotland believed that advertising was key in reducing the risk of scam advertising and ambush marketing for EURO 2020. Both of these use the popularity of events to take advantage of consumers, using urgency and lack of information to pressure consumers into regrettable decision making. Restrictions reduced the opportunities to take advantage of consumers. They therefore anticipated a significant positive effect on consumer experiences from similar restrictions for EURO 2028. The removal of advertisements that lead to consumer issues would boost consumer confidence and minimise detriment. The targeting of ambush advertising would also reduce the risk of scams and poor goods and services. The regulation of advertising would ensure that whatever organisations can advertise are accountable to consumers. However, Advice Direct Scotland considered that exemptions for charitable purposes would be appropriate. This would allow charitable acts to be performed without compromising the curtailment of scams and ambush advertising. Charitable acts should also be authenticated in order to protect consumers and promote accountability.

Tickets are often sold on the secondary market significantly above face value; for example, research by the Competition and Markets Authority found that most tickets sold through Viagogo and StubHub in 2019 had a mark-up over their face value of more than 50%. Demand for EURO 2028 tickets is expected to be high. There were over 50 million ticket requests for EURO 2024 and only 2.7 million tickets available. Evidence of EURO 2024 ticket resale prices suggests much higher mark-ups than 50% in some cases. Creating a criminal offence of ticket touting is expected to discourage this practice and allows for action to be taken to punish ticket touting both in person and by electronic methods. For these reasons, the Bill should reduce opportunities for unscrupulous suppliers to target consumers.

In its response to the public consultation, Advice Direct Scotland reflected on contacts through its consumer.advice.scot service regarding the touting of tickets during EURO 2020. The demand for tickets, coupled with the urgency placed on getting them created fertile ground for fake tickets. These caused consumer

detriment and significant difficulty in getting any kind of redress. The market for touted tickets remains prevalent to this day and it is important that efforts to raise consumer awareness and prevent tactics from being used. Nevertheless, it considered that ticket touting restrictions for EURO 2028 would reduce the effect of touting tickets and increase in ticket scams in the runup to the events. This highly publicised event will have a large demand on the tickets and the incentive for resale will be very high. Pointing to UEFA EURO 2024 championships, where ticket resale prices rose to over £10,000 in some cases, Advice Direct Scotland stated that this kind of demand increases the detriment faced by consumers and gives scammers additional resources to conduct the same scams repeatedly. Strict measures should be used to prevent these kinds of tactics. In addition, reducing the resell practicality of the tickets with exclusive codes and non-transferable methods would also reduce the practicality of selling the tickets (e.g. with paper tickets).

Advice Direct Scotland considered the exemption of selling tickets by auction for charitable purposes to be reasonable and ethical. This is a purpose that is aimed to perform a good deed, without a view of illicitly profiting from the resale of tickets. The removal of a profit motive would curtail the common incentive for ticket resale. The regulation of charity work would mitigate the risks of this exemption and would not mislead the public about resales.

It also highlighted that ticketing restrictions should be paired with clear public information and additional preventative tactics. Proper channels for the sale of tickets should be clearly indicated and secure against reselling. The use of electronic and non-resalable tickets for EURO 2024 minimised the ability to tout and made scam tickets much easier to identify. It is far better for a consumer to avoid detriment.

Some respondents to the public consultation supported a ban on ticket resales more generally, which could benefit consumers. The UK Government launched a consultation on the resale of live events tickets and a call for evidence on pricing practices (dynamic pricing) in the live events sector on 10 January 2025.

The Equality Impact Assessment and Fairer Scotland Duty Assessment for the Bill have considered impacts on consumers who may be living in vulnerable circumstances. Advice Direct Scotland has found that certain groups, including older people, isolated people and those with disabilities, are frequently targeted by scams and illicit practise that takes advantage of their situations. It had seen scammers use tent-pole events to market scam products and services, using popularity as a sales pressure and false sense of security. It thought the measures proposed had the potential to provide additional protection and safeguards to vulnerable and marginalised people. They would otherwise be vulnerable to poor goods and services from traders that were not sufficiently regulated.

It is unlikely that harm will be experienced by consumers as a result of the Bill. It should not affect the essential services market. It should not have an impact on consumers' ability to seek advice. It will be possible for consumers to inform enforcement officers of breaches of the restrictions so that these can be addressed, as appropriate. The Bill will not affect the information available to consumers on

either goods or services, or their rights in relation to these. The Bill does not involve storage or increased use of consumer data.

Section 4: Additional implementation considerations

Enforcement/ compliance

EURO 2028 will be a large event, hosted in Glasgow. It will attract significant levels of commercial activity in public spaces in the proximity of the event venue, unless it is proportionately controlled. It is essential that trading and advertising is managed safely, for residents and visitors alike, or the integrity of the Championship will be affected. The Bill should strengthen the ability of Glasgow City Council and Police Scotland to regulate and enforce activity at the right level to ensure this is the case.

In establishing ticketing, trading and advertising offences for EURO 2028, the Bill provides a basis not only for enforcing these requirements but for preventative activity. The penalty for not complying is, on summary conviction, a fine of up to £20,000 or on indictment, a fine of any level prescribed by the court.

The Bill provides enforcement mechanisms for these street trading, advertising and ticketing 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.

At minimum, compliance must mean being able to tackle ambush marketing if it occurs. Enforcement powers therefore include powers of entry and search, and to conceal, seize or destroy infringing articles to prevent or stop an offence happening. These are similar to enforcement powers for the 2014 Commonwealth Games and UEFA EURO 2020.

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. Finally, if necessary, officers proceed to enforcement, applying penalties or other measures only as a last resort. This is with the aim of achieving a level of compliance that proactively keeps event zones free of unauthorised trading and advertising activity.

All businesses and sectors would be subject to the restrictions at the same time. The Bill makes a number of exemptions, including for providing certain types of services within event zones, certain types of notices, and for charitable activity.

UK, EU and International Regulatory Alignment and Obligations

Internal Market/ Intra-UK Trade

The Bill is not likely to impact on intra-UK trade.

The provisions (particularly Parts 1-3) of the United Kingdom Internal Market Act 2020 are not relevant to the Bill – including the implications of the Act for planned policy and any associated impacts on Scottish businesses, people, and policy outcomes. The mutual recognition and non-discrimination principles are not relevant to the Bill.

The Scottish Government is working closely with the UK Government, Welsh Government and Northern Ireland Executive on EURO 2028. This is likely to limit policy divergence across UK nations in relation to hosting EURO 2028.

The measure does not fall within the scope of an existing Common Framework agreement.

International Trade Implications

The Bill is not likely to have a direct impact on international trade and investment, but the opportunity to co-host UEFA Euro 2028 presents an opportunity for services export (as international tourism and hospitality is a Mode 2 services export).

It will not have a significant impact on imports and is expected to have a positive impact on Mode 2 services export of tourism and hospitality services. The Bill does not include different requirements for domestic and foreign businesses. It does not place particular technical requirements upon (imported) goods.

There is not expected to be a differential trade impact on groups with certain characteristics.

The Bill is considered to be in line with international obligations under World Trade Organization (WTO) agreements and UK Free Trade Agreements (FTAs).

EU Alignment consideration

This Bill is not likely to impact on the Scottish Government's policy to maintain alignment with the EU.

It does not affect the Scottish Government's commitment to maintain and advance the high standards that Scotland shares with the EU.

It does not affect access to EU markets for people, goods, and services.

There are no potential implications for EU alignment associated with the United Kingdom Internal Market Act 2020 or Common Framework agreements.

Legal Aid

The Bill is considered to have minimal implications in terms of legal aid. While any individual (excluding a “body corporate or unincorporate”) is entitled to advice and assistance on a matter of Scots law, subject to financial eligibility and liability to pay a contribution, the number of prosecutions of individuals as a result of the proposed legislation is expected to be very low. This may be dependent on the specific teams who are playing, as some games may need stricter controls and police presence. Prosecution would be expected to be a last resort, and the potential impact is also reduced due to the time-limited nature of the proposed measures.

Any individuals prosecuted for any alleged breaches of the new legislation, would also be entitled to apply for criminal legal assistance, subject to the usual financial eligibility and any appropriate interests of justice tests, which may apply.

Digital impact

The Bill would make it an offence to tout a EURO 2028 ticket, either electronically or in person. This is considered to be important as increasingly there are opportunities to tout tickets electronically, through both public and private methods (such as WhatsApp groups). As such, the Bill takes account of changing digital technologies. Its aims could not be circumvented by digital or online transactions.

Business forms

The Bill is not expected to result in new business forms.

In order to ensure affected businesses and others were aware of and understanding the restrictions, Glasgow City Council would publish guidance. Awareness raising through local press and other media channels would be another consideration, as appropriate.

Section 5: Next steps and implementation

Recommendations/ preferred options

The Scottish Government recommends Option 3 – Bespoke EURO 2028 legislation to meet UEFA's requirements for hosting EURO 2028 through proportionate restrictions on trading, advertising and ticket touting.

This would meet the requirements to co-host the event. It would protect against ambush marketing, protect sponsorship rights, and proportionately restrict trading activity to meet the key objectives already set out. It would do so while ensuring, as far as possible, that existing businesses can continue to operate as usual.

Implementation considerations/ plan

If the Bill is passed by the Scottish Parliament, the current intention is to lay regulations approximately one year before EURO 2028. These would set event zone times and locations where restrictions would apply and make any final amendments that may be required to what activity is or is not permitted in these zones. Key stakeholders, including EURO 2028 delivery partners and businesses in proposed event zones, would be involved in developing these regulations. This engagement would also support development of guidance to be issued to businesses by Glasgow City Council at a similar time.

The ticketing offence would apply from when EURO 2028 tickets go on sale. Enforcement of street trading and advertising restrictions in event zones would apply for a limited period of time during and around the event in summer 2028.

Post implementation review

The Bill would cease to be in effect a short period after the end of EURO 2028. Evaluation plans for EURO 2028 as a whole are still to be developed. We expect legislation will be included in this evaluation and will be engaging with partners on this. Once tournament evaluation scope is clearer, the Scottish Government will determine whether any further specific evaluation of the legislation is required.

Declaration

I have read the Business and Regulatory Impact Assessment, and I am satisfied that it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and that these have been taken into account when making the policy decision. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

I am also satisfied that officials have considered the impact on consumers as required by the Consumer Scotland Act 2020 in completion of the Consumer Duty section of this BRIA.

Signed: Richard Lochhead MSP, Minister for Business

Date: 5 March 2025

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Riaghaltas na h-Alba

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