

UEFA EUROPEAN CHAMPIONSHIP (SCOTLAND) ACT 2020

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Final provisions

Section 32: Regulation-making powers

71. This section makes provision about Ministers' powers to make regulations under the Act.
72. Subsection (1) provides that each power to make regulations in the Act may be used to make different provision for different purposes and includes power to make any incidental, supplementary, consequential, transitional, transitory or saving provision as the Scottish Ministers consider appropriate.
73. Subsection (2) provides that the trading regulations, advertising regulations and regulations under section 5 (on provision of electronic facilities) are subject to the affirmative parliamentary procedure.
74. Subsection (3) provides that regulations under the following sections are subject to the negative parliamentary procedure: under section 1(1) defining the scope of the event zones; under section 26(3) on compensation, and under section 29 on further due process for officers and constables taking enforcement action.
75. Subsection (4) provides that this section does not apply to commencement regulations under section 35(2). These will be subject to no procedure other than being laid before Parliament in accordance with section 30 of the Interpretation and Legislative Reform (Scotland) Act 2010. This also has the effect that it will not be possible to make incidental, supplementary, consequential, transitional, transitory or saving provision in the commencement regulations.

Section 33: Regulation-making powers: consultation and relevant considerations

76. This section requires the Scottish Ministers, before making the first trading and advertising regulations, to consult the Local Organising Committee and any other persons who the Scottish Ministers consider appropriate. Subsection (3) clarifies that such consultation may take place prior to the Act being passed or this section coming into force.

Section 34: Interpretation

77. This section provides definitions, or refers to the relevant provisions containing the definitions, for all the defined terms used throughout the Act.

Section 35: Commencement

78. This section sets out when provisions of the Act, once enacted, will come into force. The following “framework” provisions will come into force on the day after Royal Assent: sections 32 and 33 (on regulation-making powers); section 34 (on interpretation); section 35 (commencement); section 36 (on repeal); and section 37 (on the short title).
79. The sections listed in subsection (2) – on touting, trading, advertising and enforcement, including all substantive regulation-making powers under the Act – come into force on a day to be appointed by the Scottish Ministers in regulations.
80. The remainder of the Act, once enacted, comes into force after a period of two months following the day after Royal Assent.

Section 36: Repeal

81. This section provides for the automatic repeal of the Act, once enacted. It provides that the Act ceases to have effect on 31 December 2022.
82. However it should be noted the operation of section 17 of the Interpretation and Legislative Reform (Scotland) Act 2010 means that this repeal would not affect a liability to a penalty for a Championship offence under the Act which is committed before the repeal. Furthermore the Act would continue to have effect for the purposes of investigating the offence, bringing proceedings for the offence, and imposing a penalty for the offence.

Section 37: Short title

83. This section provides that the Act will be referred to as the [UEFA European Championship \(Scotland\) Act 2020](#)