Consultation on the Scottish Government’s proposals for a referendum on independence

The people who live in Scotland are best placed to make decisions about Scotland’s future.

Under independence, Scotland would have the rights and responsibilities of a normal, sovereign state. It would continue in membership of the European Union. It would forge a new partnership with the rest of the former United Kingdom where the nations co-operate on shared interests. Her Majesty the Queen would remain as Head of State. The Scottish Parliament would gain full responsibility for governing Scotland. The ability to make choices about how the country is governed would lie with those who care most about Scotland.

The referendum will be held in autumn 2014. This timetable allows for proper public and parliamentary consideration of the proposals for the referendum and independence so that the people of Scotland can make a fully informed choice about the future of the country. A Referendum Bill will be debated by the Scottish Parliament in 2013. A white paper drawing together the Scottish Government’s proposals for independence will be published in November 2013. The timetable will avoid clashes with major international sporting events such as the Commonwealth Games and complies with the recommendation of the Gould report into the 2007 Scottish elections that the regulations for a poll should be in place at least six months before polling day.

Your Scotland, Your Referendum is an important first step in the process which will lead to the referendum. It sets out proposals for the question to be asked and the rules governing the campaign and the vote. The referendum will meet the highest standards of fairness, transparency and propriety. The consultation paper:

- sets out a proposed ballot paper with the question:
  
  Do you agree that Scotland should be an independent country?

- seeks views on the inclusion of a second question. The Scottish Government is willing to include a question about further, substantial devolution on the lines of “devolution max” if there is sufficient support for such a move.

- proposes that the referendum should be run in exactly the same way as an election. Local returning officers will have operational responsibility for the poll and the count, under the direction of a Chief Counting Officer. The Electoral Commission will be responsible for regulation of the campaign and for oversight and reporting the referendum process and in this role will be accountable to the Scottish Parliament. Restrictions on Government publicity will apply in the run-up to polling day as they would for elections.

- asks whether 16 and 17 year-olds who are on the electoral register should be eligible to vote in the referendum. With this exception, eligibility will be the same as for Scottish Parliament and local government elections and for the 1997 referendum on devolution. This reflects the internationally accepted principle that the franchise for constitutional referendums should be determined by residency and the Scottish Government’s view that sovereignty lies with the people of Scotland.

- seeks views on proposed spending limits of £750,000 for the lead campaign organisations designated by the Electoral Commission, £250,000 for each political party represented in the Scottish Parliament and £50,000 for others who want to spend more than £5,000 on campaigning. This approach is based on the legislation which applies to UK-wide referendums with the limits tailored to reflect that the referendum will be held in Scotland only.

The total cost of the referendum is likely to be around £10 million, the bulk of which will be spent on running the poll and the count. This cost is broadly in line with the cost (per voter) of the Welsh Assembly and AV Referendums in 2011. There will be no public funding for campaign organisations.

The Scottish Government is ready to work with the UK Government to agree a clarification of the Scotland Act 1998 that would put the referendum effectively beyond legal challenge. This would be achieved through an order under section 30 of the 1998 Act and subject to the agreement of both parliaments. The Scottish Government does not accept that conditions should be placed upon the order. The Scottish Government’s mandate to hold a referendum is clear. As a matter of democratic principle it is for the Scottish Parliament to decide on the timing and terms of the referendum and the rules under which it is to be conducted.

The consultation closes on 11 May 2012. Responses can be submitted on-line, by e-mail or by post. Details can be found at www.scotreferendum.com.

Scottish Government

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