Thank you for your letter of 13 December 2012 seeking further information on the planned content and timing of the two Government Bills providing for a referendum on independence in 2014. I understand that Scottish Government officials had an informal briefing with Referendum (Scotland) Bill Committee Clerks on 12 December to discuss these issues.

Bill dealing with Referendum Franchise

As you know, the Scottish Government’s consultation document *Your Scotland, Your Referendum* set out our proposals for lowering the voting age to 16 for the referendum. A clear majority of respondents to the consultation who commented on that issue were in favour of this policy. The First Minister subsequently announced on 20 October that the Scottish Government would be bringing forward ‘paving’ legislation to ensure that all 16 and 17 year olds are able to vote in the referendum.

Since then, Scottish Government officials have been working with electoral administrators and others to develop detailed proposals for how that can best be achieved. We are now conducting a short engagement exercise with key stakeholders (i.e. electoral administrators, the Electoral Commission and child protection groups) on those proposals, to ensure their workability and robustness before the Bill is introduced into the Parliament. A copy of the proposals and initial draft of a Bill to put them into effect was provided to the Committee Clerks on 12 December and is attached to this letter.

In order to ensure that the necessary arrangements are in place in sufficient time for the collection of data to take place as part of the annual household canvass in 2013, they will need to be legislated for before the Referendum Bill itself becomes law.
As outlined by Scottish Government officials at their meeting with the Clerks, our intention is to introduce the Bill dealing with Franchise in early March 2013. This will be shortly after the meeting of the Privy Council in mid February which will consider the Scotland Act 1998 (Modification of Schedule 5) Order 2013 (subject of course to Westminster’s agreement of that Order). If supported by the Scottish Parliament, our intention is for the Bill to complete its parliamentary passage by the end of June 2013 and be in force by later in the summer. Electoral Registration Officers have confirmed that this will allow them sufficient time to prepare for the canvass.

I understand that timescale may be challenging, but I hope we can work together to achieve it while of course ensuring thorough scrutiny of the Bill.

Referendum (Scotland) Bill

Our intention is for the Referendum (Scotland) Bill to be introduced shortly after the Bill dealing with franchise, later in March 2013. Subject to the support of the Scottish Parliament, our aim is for that Bill to have completed its Parliamentary passage by around late October 2013, ahead of the referendum in autumn 2014.

Content of the Bills

The precise split between the two Bills is still under consideration, and will be partly informed by the engagement exercise mentioned above. However, we anticipate that the Bill dealing with the franchise will: set out who is entitled to vote at the referendum; provide for collection of data on young people who will not appear on the local government register; provide for a compilation of register from that data to be held separately from the other electoral registers and for the maintenance of that register; and set out who will have access to it and data held on it.

The Referendum (Scotland) Bill would provide for all other referendum issues. Given the support for the Government’s proposals in the consultation, the Bill’s general coverage will be largely unchanged from the version we consulted on in January 2012, although there will be changes to a number of specific details, arising from the consultation.

I look forward to working with the Committee on these Bills to deliver effective legislation ensuring a referendum organised and run to the highest standards of fairness and propriety.

As indicated at their meeting with the Clerks on 12 December, officials would be happy to continue having regular meetings to provide further detail of what the Bill includes, or to provide you with any other information which might be helpful.

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