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Bruce Crawford MSP
Convenor, Devolution (Further Powers) Committee
The Scottish Parliament
Edinburgh
EH99 1SP

18 September 2015

Dear Bruce,

Thank you for your letter dated 14 September 2015. I am grateful for the work the Committee has undertaken over the summer to seek further evidence on the Scotland Bill ahead of Report stage.

As I have said previously, I am reflecting on the debates that have taken place to date and I look forward to returning to the House of Commons to consider the Bill after the conference recess.

You will have seen today the Prime Minister has announced that the Government will be bringing forward an amendment to the Scotland Bill relating to the permanence of the Scottish Parliament and Scottish Government. I know, in particular, your committee has expressed views about this clause.

I have been clear throughout the consideration of this clause and the Smith Commission Agreement that I consider the existence of a Scottish Parliament a prerequisite of the United Kingdom. There has never been any question in the past 16 years that the Scottish Parliament and Scottish Government are anything other than permanent. However, having considered the points raised by your Committee and during Parliamentary debate on the Bill, my intention is to bring forward an amendment that takes account of those comments.

My proposed amendment will remove the words 'recognised as' from the clause and will state the commitment of the UK Parliament and the UK Government to the Scottish Parliament and the Scottish Government. My amendment will also provide that no Minister of the Crown may bring forward a Bill to abolish the Scottish Parliament without a referendum of the people of Scotland. I am absolutely clear that such a scenario has never been, and never will be, envisaged. I have annexed the text of my proposed amendment to this letter.

I am copying this letter to the Deputy First Minister of Scotland and the Chair of the Scottish Affairs Committee of the UK Parliament.

**Rt Hon DAVID MUNDELL MP
SECRETARY OF STATE FOR SCOTLAND**

Annex: Proposed Amendment to the Scotland Bill

To move the following Clause—

“Permanence of the Scottish Parliament and Scottish Government

In the Scotland Act 1998 after Part 2 (the Scottish Administration) insert—

“Part 2A

PERMANENCE OF THE SCOTTISH PARLIAMENT AND SCOTTISH GOVERNMENT

63A Permanence of the Scottish Parliament and Scottish Government

- (1) The Scottish Parliament and the Scottish Government are a permanent part of the United Kingdom’s constitutional arrangements.
- (2) The purpose of this section is, with due regard to the other provisions of this Act, to signify the commitment of the Parliament and Government of the United Kingdom to the Scottish Parliament and the Scottish Government.
- (3) In view of that commitment, a Bill to abolish the Scottish Parliament or the Scottish Government is not to be brought forward by any Minister of the Crown except on the basis of a decision of the people of Scotland voting in a referendum.””