



Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
and Minister for the Cabinet Office
Cabinet Office 70 Whitehall London
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Sir John Holmes GCVO KBE CMG
3 Bunhill Row
London
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Our reference: MC2020/00604

6 March 2020

Dear Sir John,

I am writing following the Scottish Government's recent request that the Electoral Commission retest the question used in the 2014 independence referendum.

I understand the Scottish Government has made this request under section 10 of the Political Parties, Elections and Referendums Act 2000 (PPERA), which enables the Electoral Commission to provide advice and assistance to relevant bodies as respects any matter in which the Commission has skill and experience. I understand you will take a decision on whether to agree to the Scottish Government's request later this month.

The UK Government's clear position is that it is outside the legislative competence of the Scottish Parliament to legislate for and hold a referendum on Scottish independence absent a transfer of relevant powers. The Prime Minister wrote to the First Minister of Scotland on 14 January 2020 to confirm that he cannot agree to such a transfer of powers. The people of Scotland voted decisively in 2014 to remain part of the United Kingdom and the UK Government is committed to respecting and upholding that result.

The UK Government has been very clear that the Scottish Government should focus on delivery of its significant domestic responsibilities, including the ongoing implementation of the welfare powers in the Scotland Act 2016, and work with the UK Government to ensure 2020 is a year of opportunity for Scotland, not one of constitutional wrangling and grievance.

The Electoral Commission of course has an important role in testing the suitability of referendum questions where there is a referendum in prospect. However, there is no lawful referendum on Scottish independence in prospect and in view of that, I believe the Scottish Government's request to you represents a poor use of time, resource and public money and is an exercise designed to persuade Scottish National Party members that a referendum is imminent.

I am copying this letter to the Secretary of State for Scotland. I will share a copy of this letter with the First Minister of Scotland.

With every good wish,

A handwritten signature in black ink, reading "Michael Gove". The signature is written in a cursive style with a large initial 'M' and a long, sweeping tail.

**Rt Hon Michael Gove MP
Chancellor of the Duchy of Lancaster
and Minister for the Cabinet Office**