



Dear Colleague,

The Law Society of Scotland has participated in the constitutional debate over the past few years and recently responded to the Scottish Government's consultation on a Referendum bill.

I hope you will find the following comments helpful in the debates over the course of this week:

- a. We believe that any Section 30 Order that might be agreed between the United Kingdom Government and the Scottish Government should be based on the same key principles as were in the agreement concluded in Edinburgh on the 15 October 2012. The conditions agreed in the Edinburgh Agreement were that the referendum should:-
 1. Have a clear legal base.
 2. Be legislated for by the Scottish Parliament.
 3. Be conducted so as to command the confidence of parliaments, governments and people.
 4. Deliver a fair test and a decisive expression of the views of people in Scotland and a result that everyone will respect; and
- b. An Order in Council under Section 30 of the Scotland Act 1998 will be an essential prerequisite for a lawful referendum to be held.

If you have any questions or if I can be of further help please let me know.

Yours sincerely

A handwritten signature in cursive script that reads 'Michael P. Clancy'.

Michael P. Clancy O.B.E.
Director, Law Reform
The Law Society of Scotland