

Penny Curtis  
Head of Elections and FOI Division  
Directorate for Constitution and Cabinet  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

26 February 2020

Dear Penny

### **S.10 request to provide advice and assistance**

Mike Russell, Cabinet Secretary for Government Business and Constitutional Relations wrote to Sue Bruce, Electoral Commissioner, on 5 February requesting under S.10 of PPERA that the Commission provide it with advice and assistance in connection with a possible referendum question. The fact of the request was the subject of public reporting.

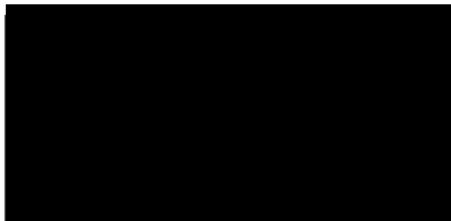
Prior to today's meeting of the Electoral Commission Board we received (copy attached, with text of our response) correspondence from the UK Cabinet Office indicating its view that it was important that the UK Government is able to fully consider the constitutional and legal implications of the Scottish Government's request before the Commission Board takes a decision on whether or not to agree to the request.

The Commission Board had a first discussion of the issue today. Consistent with current information and legal advice, the Commission is making necessary preparations in order to enable us to respond in a timely fashion, should the assessment proceed. The Board agreed to consider the request more fully, consistent with its understanding of its limited scope as a S.10 request, at the next Board meeting on 18 March.

We have set a deadline for receipt of UK Government views of 4 March. Our intention is then to share those views with Scottish Government, for comment if necessary, allowing sufficient time for the Commission Board to give the matter due consideration before it meets on 18 March. We will similarly make available to the UK Government any representations made by the Scottish Government.

Please feel free to call to discuss further.

Yours sincerely



Andy O'Neill  
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