

OFFICIAL-SENSITIVE

Annex A - The following information is provided as extracts because it comes from documents containing other information outwith the scope of your request.

Item 1 – Extract from briefing document

TRANSFER OF POWER OVER AN INDEPENDENCE REFERENDUM

1. The Scottish Government's position on the case for a transfer of powers to allow the Scottish Parliament to legislate for an independence referendum was set out in December 2019 in the publication 'Scotland's Right to Choose'.
2. Since then, the Supreme Court has confirmed that such a transfer of power would be necessary for independence referendum legislation to be passed by the Scottish Parliament.
3. On more than one occasion since the publication of Scotland's Right to Choose, the First Minister has requested a transfer of power from the Prime Minister, and been refused.
4. It is important that it continues to be the Scottish Government's position that it is seeking, through constitutional means, the steps that would allow a lawful referendum to be legislated for and held.

Item 2 – Extract from briefing document

People in Scotland have given a clear mandate for a referendum on independence.

- The majority of MSPs in this chamber were elected on manifestos that commit them to a referendum on Scottish independence during this Parliament.
- In repeated elections both to the Scottish Parliament and Westminster, people in Scotland have elected majorities of MSPs and MPs that support a referendum.
- I stand ready to engage at any point with the UK Government to begin talks about the change to the Scottish Parliament's powers to allow the Scottish people to choose their future.