

Scotland (Self-Determination) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

A

B I L L

TO

Amend the Scotland Act 1998 to transfer the power to legislate for a Scottish independence referendum to the Scottish Parliament; to provide that that power may only be exercised where the Scottish public has demonstrated its support for the holding of such a referendum; to provide that no such referendum may be held sooner than seven years after the previous such referendum; and for connected purposes.

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Scotland Act 1998

- (1) The Scotland Act 1998 is amended as follows.
- (2) After section 63A (permanence of the Scottish Parliament and Scottish Government), insert—

“PART 2B

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REFERENDUMS ON THE INDEPENDENCE OF SCOTLAND

63B Referendums on the independence of Scotland

- (1) The Scottish Parliament may make provision for a referendum on the independence of Scotland from the rest of the United Kingdom to take place. 10
- (2) Provision made under subsection (1) must—
 - (a) provide that no referendum may be held unless the Scottish public has demonstrated its support for such a referendum by a method approved by the Scottish Parliament, and
 - (b) provide that, for the second or subsequent referendums under this section, the date of the poll at the referendum must be no sooner than the end of the period of seven years beginning with the date of the poll at the previous such referendum.” 15

- (3) In Part 1 of Schedule 5 to the Scotland Act 1998 (general reservations), after paragraph 5 insert—
- “5A Paragraph 1 does not reserve a referendum on the independence of Scotland from the rest of the United Kingdom.”

2 Extent, commencement and short title

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- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Scotland (Self-Determination) Act 2023.

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*Presented by Neale Hanvey
supported by Kenny MacAskill, Joanna Cherry,
Angus Brendan MacNeil, Douglas Chapman and
Margaret Ferrier.*

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