The Committee will consider the following new petitions—

**PE991** Petition by Andrew Nicoll, on behalf of the Fight for the Pingat Jasa Malaysia medal campaign, calling for the Scottish Parliament to support the right of Scottish veterans to wear the Pingat Jasa Malaysia medal.

**PE992** Petition by Rev. Hugh M. Cartwright on behalf of the Synod of the Free Presbyterian Church of Scotland, calling for the Scottish Parliament to urge the Scottish Executive to consider and debate the need for a weekly day of rest from work throughout Scotland and to encourage business and commerce to close on that day and that the day appointed be the Christian Sabbath.

**PE1015** Petition by Alan Keith, on behalf of Association of Dumfries & Galloway Accommodation Providers, calling on the Scottish Parliament to urge the Scottish Executive to return the national tourism website, call centre and booking system to public ownership.

**PE994** Petition by Margaret McCabe calling on the Scottish Parliament to review the Succession (Scotland) Act 1964 in relation to the statutory right of surviving children to part of the deceased's moveable estate.

**PE1008** Petition by James Ward calling on the Scottish Parliament to urge the Scottish Executive to review the operation of the Accountant in Bankruptcy, particularly in relation to the implementation of the Social Security Administration Act 1992, section 187(1).

**PE1014** Petition by Neil Caple, on behalf of Independence First, calling for the Scottish Parliament to consider and debate what moves it could make to ensure the early presentation of a referendum on self determination to the people of Scotland.
Public Petitions Committee – a template for public petitions

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**Details of principal petitioner:**

*Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available*

Andrew Nicoll

**Text of petition:**

*The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.*

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Petition by Andrew Nicoll, on behalf of the Fight for the Pingat Jasa Malaysia medal campaign, calling for the Scottish Parliament to support the right of Scottish veterans to wear the Pingat Jasa Malaysia medal.
and additional signatures should be appended to this form and submitted to:

The Clerk to the Public Petitions Committee,
The Scottish Parliament,
Edinburgh
EH99 1SP
Tel: 0131 348 5186       Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk
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Rev. Hugh M. Cartwright

Text of petition:
The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.

The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

Full text of petition is enclosed.

Copy of the petition:

"The petitioner therefore calls on the Scottish Parliament to urge the Scottish Executive to consider and debate the need for a weekly day of rest from work throughout Scotland and to encourage business and commerce to close on that day and that the day appointed be the Christian Sabbath."

Additional information:
Any additional information in relation to your petition, including reasons why the action requested is necessary, should not be included here. However, it may be appended to the petition and will be made available to the Public Petitions Committee prior to its consideration of your petition. Please note that you should limit the amount of any additional information which you may wish to provide in support of your petition to no more than 4 sides of A4.
TO THE SCOTTISH PARLIAMENT

A WEEKLY DAY OF REST

Petition by the Rev Hugh Cartwright, on behalf of the Synod of the Free Presbyterian Church of Scotland, declaring that Scotland is presently suffering Economically, Socially, Morally and Spiritually because the Sabbath Day - the first day of the week - is not being kept as a day of worship and of rest from work, as God has appointed for His Glory and the good of mankind.

The last Census clearly showed that the vast majority of the people in our land stated that they were Christian, and the constitution of our land is Protestant, both supporting the Sabbath Day as a day of rest from work. I fear that due regard is not given to the Christian Constitution of our Nation and that a secular framework for society is being established by default.

During recent centuries there was no legislation in Scotland prohibiting working on the Sabbath Day because it was not considered necessary, as working was restricted to the other six days of the week.

ECONOMICALLY

There is no benefit to business to be trading for seven days each week because the same amount of money can be spent on purchases over six days. There is no extra money to be spent. Additional costs are incurred in Seven Day Trading as against trading for six days - Staff Costs - Heat and Light - Wear and Tear etc. Businesses which do not open on the Sabbath Day, e.g. certain motor traders, have not lost out and in fact are seen to benefit and have leading sales figures in the country.

SOCIALLY

Family life is disrupted because families are not together on the Sabbath Day and this has led to a serious breakdown in family relationships in our land and children suffer greatly. People have stated that they would attend church services on the Sabbath Day but they cannot because either they are working, or their spouses or other relations are working, and consequently are unable to do so. Stress is endemic in our land because of pressures at work and lack of rest which affects the whole family and home.

MORALLY

Many children are not given a good example of how to conduct their lives and are given various consumer "must haves" instead of love and instruction and as they learn a lot by example we are breeding a generation who know very little about morals. God has given us the Moral Law consisting of Ten Commandments by which to conduct our lives and this is for the good of the individual as well as for the good of the whole of society.
We have as a nation largely "forgotten" the Fourth Commandment which begins "Remember the Sabbath Day to keep it holy. Six days shalt thou labour and do all thy work: but the seventh day is the Sabbath of the Lord thy God: in it thou shalt not do any work."

SPIRITUALLY

We have spiritual needs which require to be met as well as physical needs and God has appointed one day in seven for our spiritual benefit, namely the Sabbath Day. We are not at liberty to choose which of His Commandments we observe, such as "Thou shalt not kill" or "Thou shalt not steal", but are required to keep all God's Commandments.

There are works of necessity and mercy which are appropriate on the Sabbath Day but some of these may not require the same effort as can be given on other days, which would contribute to an element of rest.

The sale of alcohol, whether through the Scottish Parliament Corporate Body, or at a hotel in the Western Isles, and the increase in entertainment events, on the Sabbath Day, culminate in an increased workload for the police, local authority workers and others. Some events inconvenience church going citizens, particularly in Edinburgh, and impinge upon their God-given and legally established right and freedom to worship, e.g. traffic restrictions and unacceptable levels of noise.

Those who are to govern are duty bound to legislate for the good of the people in our land, Economically, Socially, Morally and Spiritually.

Mainland Europe has legislated for a day of rest each week and so should our Nation.

The Petitioner therefore calls for the Scottish Parliament to urge the Scottish Executive to consider and debate the need for a weekly day of rest from work throughout Scotland and to encourage business and commerce to close on that day and that the day appointed be the Christian Sabbath.

PETITIONER
Public Petitions Committee – a template for e-petitions.

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<table>
<thead>
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<th>Details of principal petitioner:</th>
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<tbody>
<tr>
<td>Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to.</td>
</tr>
<tr>
<td>Mr Alan F. Keith (Chairman)</td>
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</tbody>
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<tr>
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<td>Closing date: 30 October 2006</td>
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</table>
Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

Expanding on the petition statement, it is to be an integral requirement that when the website is returned to public ownership, primary search listings are returned on a full & random basis with full contact details of businesses prominently shown whenever their listing is displayed. Agencies, booking agents and destination management companies should also not be denied appropriate website presence whether or not VisitScotland continues to operate a booking service.

The Private Public Partnership set up in 2002 to run a national tourism website and booking system has proved to be an unmitigated disaster. A national website should have, as a fundamental characteristic, facilities whereby tourists can readily find information about the whole range of places to stay & make contact with providers. Run by eTourism Ltd. (t/a visitscotland.com) as a commercial venture, providers’ listings are prioritised by their willingness to allocate rooms or provide availability information, making many of them inaccessible to enquirers. In all cases contact details (telephone numbers, email addresses & web-links) are deliberately obscured behind inconspicuous & disguised hyperlinks, thus denying many consumers direct access. This is harmful both to the provider who loses enquiries & the consumer who is prevented from finding the provider best suiting his needs.

Many providers fail to co-operate with the company for these reasons, & those who do are charged commission on all business referred to them. While the rate of commission is not high for businesses like large hotel chains, small providers have previously not suffered any commission on the business referred to them via their listing on the national website, so the present system represents an extra cost. Small businesses working at low profit margins are unable to absorb a 10% commission charge, so those who do accept bookings from the company are obliged to increase their prices. Scotland already suffers from being a relatively high cost destination due to high fuel costs & the value of the pound, so any extra costs are likely to reduce the number of tourists.

One of the justifications for the scheme was that it would enable a new market of Internet users to book on-line generating new business for Scotland. This theory is flawed, especially in the case of small providers where personal contact is part of the product. Such a market is only a small minority at present and unlikely to grow quickly. Although many consumers do use the Internet to research their holidays & locate places to stay, & some do use email as a means of communication, on-line booking as a facility is not important to them.

It has also been claimed that the system generates business for Scotland. In reality, it is more cost-effective for the company to convert existing enquiries to bookings, than to seek out new potential tourists. Conversions are but precipitation of business that was already destined for this country, so no overall benefit accrues. It is also a fact that for the visitscotland.com system to be able to function properly, it would be necessary for a high percentage of providers to allocate rooms to the system. Only by having a high level of inventory could the system ever hope to perform, as having to continually ring up providers to confirm availability is costly and does not allow on-line booking. Unfortunately it is a characteristic of the trade that small independent providers will not agree to participate to anywhere near the levels required. When the system was set up it was no doubt envisaged that small providers, threatened by the loss of Tourist Board referrals would be scared into submission. What was not appreciated was that a high percentage of most providers’ trade comes from their own sources, either regular clients, recommendations and in many cases the businesses own website. There is no reason to suppose that the ratio of actively participating providers will increase. Indeed the scheme is causing many providers to abandon VisitScotland totally, giving up Quality Assurance in the process.

There is a value in having a National website containing a full database of Quality Assured providers. There is no justification however for a monopolistic booking service competing unfairly with providers and other agencies, as such services can adequately be developed, both on the Internet and conventionally by independent private businesses. The Internet itself is the unifying platform and technology now enables availability information & on-line booking products to be freely transmitted between participating organisations operating under normal market forces.

a template for e-petitions, July 2004
Signature of principal petitioner:
When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature: ............................................................................................

Date ............4 July 2006...........................................................................

For advice on the content and wording of your e-petition please contact:

The Clerk to the Public Petitions Committee
The Scottish Parliament
Edinburgh
EH99 1SP
Tel: 0131 348 5186       Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
Completed e-petition forms should also be sent to petitions@scottish.parliament.uk

a template for e-petitions, July 2004
It is time therefore to correct the fundamental error and reclaim the website and booking system from visitscotland.com, to be run as a service for the tourism trade and the consumer, leaving the private sector to build the market unfettered. Whatever the cost and difficulty of doing this, it will surely be less than the on-going damage being caused to one of Scotland’s most important industries.

Further information can be found on a Campaign website that has been set up by the Association of Dumfries & Galloway accommodation Providers at www.reclaimvms.com

Action taken to resolve issues of concern before submitting an e-petition:

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In 2002 when the PPP was launched, the group ADGAP was formed with a dual intention of campaigning against the loss of the publicly controlled National website & supporting local accommodation providers. The group has consistently argued their position, attending meetings with both VisitScotland & visitscotland.com, visiting the call centre in Livingston and lobbying government officials & Members of Parliament.

Comments to stimulate on-line discussion:

Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

It is perhaps understandable that when the concept of an e-commerce platform was first mooted, that few people, even those in positions of authority or influence, possessed sufficient knowledge or experience of the rapidly developing medium that is the Internet to appreciate the implications of the decision to set up the PPP eTourism Ltd. It is now time for those with open minds to use the wisdom gained during the last four years to make the necessary changes so that the continuing problems that the PPP has caused may be brought to a halt, & Scotland’s tourism industry freed from their effects.

Petitioners appearing before the Committee

The Convener of the Committee may invite petitioners to appear before the Public Petitions Committee to speak in support of their petition. Such an invitation will only be made if the Convener considers this would be useful in facilitating the Committee’s consideration of the petition. It should be noted that due to the large volume of petitions it has to consider, the Committee is not able to invite all petitioners to appear before the Committee to speak in support of their petition.

Please indicate below if you do NOT wish to make a brief statement before the Committee when it comes to consider your petition.

I do NOT wish to make a brief statement before the Committee

a template for e-petitions, July 2004
Public Petitions Committee – a template for public petitions

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Details of principal petitioner:

*Please enter the name of person and organisation raising the petition, including a contact address where correspondence should be sent to, email address and phone number if available*

Mrs Margaret McCabe

Text of petition:

*The petition should clearly state what action the petitioner wishes the Parliament to take in no more than 5 lines of text, e.g.*

*The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS*

Petition by Margaret McCabe calling on the Scottish Parliament to review the Succession (Scotland) Act 1964 in relation to the statutory right of surviving children to part of the deceased's movable estate.

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Campbell Martin MSP
Law Commission

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I DO request to make a brief statement before the Committee [ ]

I DO NOT request to make a brief statement before the Committee [ ]

Signature of principal petitioner:

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Signature .................................................................

Date .................................................................

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James Ward

Text of petition:
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MSP Tom McCabe  
Accountant in Bankruptcy  
Justice Minister  
- Documentation enclosed.

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I DO request to make a brief statement before the Committee

I DO NOT request to make a brief statement before the Committee

Signature of principal petitioner:

When satisfied that your petition meets all the criteria outlined in the Guidance on submission of public petitions, the principal petitioner should sign and date the form in the box below. Other signatures gathered should be appended to this form.

Signature:                      
Date: 26th September, 2003  

Please note that any additional information, copies of relevant correspondence and additional signatures should be appended to this form and submitted to:

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The Scottish Parliament,  
Edinburgh  
EH99 1SP  
Tel: 0131 348 5186  
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Details of principal petitioner:
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| Neil Caple |

Text of petition:
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The petitioner requests that the Scottish Parliament considers and debates the implications of the proposed Agenda for Change legislation for Speech and Language Therapy Services and service users within the NHS

| Petition by Neil Caple, on behalf of Independence First, calling for the Scottish Parliament to consider and debate what moves it could make to ensure the early presentation of a referendum on self determination to the people of Scotland. |

Period for gathering signatures:
Please enter the closing date for gathering signatures on your petition, which we would usually recommend is a period of between 4-6 weeks

| Closing date: 29 September 2006 |

a template for e-petitions, July 2004
Additional information:

Please enter any other information relating to the issues raised in your e-petition, including the reasons why the action requested is necessary. The text entered in this field should not exceed 2 pages. However, you may wish to provide further sources/links to background information.

While Tony Blair claims his government is bringing democracy to Iraq, some campaigners in Scotland have decided that “democracy begins at home”. Independence First, the campaign for a referendum on independence for Scotland, which was formed just last year, has put forward a claim that such a referendum is nothing less than a basic human right, guaranteed by the United Nations, and that the British government is in breach of international law if they refuse this right.

Letters signed by Angus Coull on behalf of Independence First, putting this claim, have been delivered to Jack McConnell, First Minister of the Scottish Executive, and to Douglas Alexander, the Secretary of State for Scotland - a member of Tony Blair’s government, and one of his closest political allies.

The two recipients were asked to pass on the contents of the letter to their colleagues - that is, to the Liberal-Democrat and Labour Party MSPs in the case of Jack McConnell, and to the members of Tony Blair’s government in the case of Douglas Alexander - so that they could consider this demand for a referendum on independence for Scotland without delay.

Independence First is planning a march through the heart of Edinburgh, in support of their demand, on Saturday 30th September.

For more information about Independence First and the march in September please log on to our website: - http://www.independence1st.com

Action taken to resolve issues of concern before submitting an e-petition:

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Letters have been delivered to Jack McConnell, First Minister of the Scottish Executive, and to Douglas Alexander, the Secretary of State for Scotland.
Comments to stimulate on-line discussion:
Please provide at least one comment to set the scene for an on-line discussion on the petition, not exceeding 10 lines of text.

Recent opinion polls have indicated that there is a growing wish amongst the people who live in Scotland for Scotland to take control of her destiny and become Independent. This does not mean that we would have anything but good relations with all our neighbours. We at Independence First, which is a non-party political organisation, would like to hear your views and we would like you to sign our petition in support of holding a referendum on independence as soon as possible.

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I DO NOT request to make a brief statement before the Committee

Signature of principal petitioner:
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Signature .................................................................

Date ...14 August 2006................................................................

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The Scottish Parliament
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EH99 1SP
Tel: 0131 348 5186        Fax: 0131 348 5088
e-mail: petitions@scottish.parliament.uk

Note
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a template for e-petitions, July 2004
Submission to the Public Petitions Committee of the Scottish Parliament
in support of petition PE1014, on behalf of Independence First

The Scottish Parliament is the servant of the people of Scotland. Members of the Scottish Parliament are elected to serve the people of Scotland. How can the Parliament and its Members serve the people if they do not know what the people want? And how are they to know what the people want if they do not ask them? Throughout the history of Scotland there has never once been a plebiscite on whether or not Scotland should be independent. That is a scandal of monumental proportions, and it must end.

The right to self-determination is considered so basic a human right that it is guaranteed in the very first Article of the Charter of the United Nations, as well as Article One of the International Covenant on Civil and Political Rights and of the International Covenant on Economic, Social and Cultural Rights, documents signed and supported by the government of the UK. Expanding upon Article One, UN documents state that the factors which give rise to a right to self determination include “a history of independence or self-rule in an identifiable territory, a distinct culture, and a will and capability to regain self-governance.” We know that Scotland has a history of independence from its beginning until 1707. We know that Scotland has a clearly identifiable territory. We know that Scotland has a distinct culture. We know that Scotland is capable of self-governance. All that remains to be determined is whether or not there is a will to regain self-governance. How will we ever know the will of the people of Scotland if we do not ask them?

It is established beyond doubt that the people of Scotland have the right to self determination but does the Scottish Parliament have the right to consult the people of Scotland to determine its will? No-one denies that constitutional matters are reserved to Westminster, but no-one denies either that the Scottish Parliament can hold a consultative referendum to gauge public opinion on any matter it sees fit to consult on.

What is the true level of support for independence in Scotland? In the 2003 Scottish General Election, The SNP polled 23.8% in the constituency vote, and 20.9% in the regional list vote. However all pro-independence candidates combined polled 33.5% in the constituency vote, and 36.1% in the regional list vote. So what is the true level of support for independence in Scotland? Is it equal to the SNP vote, as many Unionists try to portray? Is it equal to the level of pro-independence support in the regional vote in 2003? Is it equal to the 54% indicated by almost all opinion polls which ask how people would vote in a referendum? The fact is we don’t know and we will never know without a referendum. At the very least there is a substantial minority of the population which supports independence and the numbers are more than sufficient to justify a referendum to test the will of the electorate.

Some of the same opinion polls which show majority support for independence also show the level of support for a referendum to be over 70%, sometimes as high as 80%! How can the Scottish Parliament justify ignoring the will of ¼ of the population?
Why is it false to equate support for independence with support for the SNP alone, or even with support for pro-independence candidates of whatever party? Support for independence covers a spectrum from those for whom independence is their main priority to those for whom the Union is to be defended at any cost. Most people fall somewhere between these extremes. Many people would sooner have independence than not, but perhaps feel that supporting the NHS is more important, or that the economy is their priority. These people might vote for a Unionist party because of its stance on their own priority areas, but still favour independence. The only way to know for sure is to strip out all other issues and ask the independence question alone.

Will a referendum be expensive? According to the UK Government, a referendum will cost 80p per registered voter (see http://www.publications.parliament.uk/pa/cm200203/cmbills/003/en/0300003x-a.htm) and according to the General Register Office for Scotland there are 3,884,464 registered voters in Scotland. These figures suggest a referendum will cost 3.1 Million Pounds. While this is no small sum, it is barely more than the recently reported cost of the Scottish Executive’s advertising campaign on hand washing.

Will a referendum cause economic chaos? There is a commonly reported story that the 1995 independence referendum in Quebec caused instability in Canada’s financial markets and this is generally extended to imply that the same thing would happen in the UK markets in the event of a referendum. But is it true? In actual fact it isn’t; a report in a leading Canadian newspaper investigated these claims and found that the actual market data did not support them. However, what if it were true? Every General Election leads to uncertainty and that is often reflected in the performance of the financial markets during election times. Does anyone suggest abolishing elections to avoid market instability? No, because we consider exercising our democratic rights to far outweigh a temporary blip in the markets. If we didn’t we’d have a dictatorship and just concentrate on making money. Furthermore, the economic uncertainty argument cuts both ways; at the moment there is constitutional uncertainty in the UK as Scotland’s position is being questioned more and more. Might not the lack of a referendum be damaging to the financial markets? Might not settling the independence question one way or the other provide a boost to Scotland’s economy?

Will a referendum be fair? Provided the question asked is clear and simple, and that the independence question is decoupled from any other issue, there is no reason to believe that the result will not be a true reflection of the will of Scotland’s electorate.
To recap:

- The fundamental right to self determination is recognized in international law.

- The UK is a signatory of various UN charters and documents which entrench the right to self determination.

- Scotland meets all the UN criteria for self determination, with the possible exception of the will to regain self governance. The only way to determine whether or not that will exists is to hold a referendum and ask the electorate.

- The Scottish Parliament has the right, indeed the duty, to organise a consultative referendum.

- The true level of support for independence is significant but cannot be determined without a referendum. It is certainly large enough to justify holding a referendum.

- The level of support for holding a referendum is over 70%.

- A referendum would cost just over Three Million Pounds.

- Any economic instability (which is by no means certain) caused by a referendum is more than offset by the electorate’s democratic rights.

- A referendum will be fair if the question posed is clear, simple and framed in such a way as to exclude all other considerations from the independence question.

- Scotland’s constitutional position will never be settled until there is a referendum on independence.

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