

*Embargoed until 18h00 on Saturday 30/10/93*

**A191**

28 October 1993

[91]

In bilateral discussions between the SA Government and the African National Congress the following framework document on a Government of National Unity was formulated for submission to the Technical Committee on Constitutional Issues. This is a preliminary draft and both parties may propose modifications in due course.

## **GOVERNMENT OF NATIONAL UNITY**

1. There shall be a Government of National Unity to endure for five years from the date of the election. (This means that although there may be changes in the membership, the method of appointment and the formula for the composition shall remain the same.)
2. The President shall be elected by the National Assembly by majority vote. After his/her election he shall vacate his seat in Parliament.
3. Executive Deputy Presidents.
  - 3.1 Every party with 20 % or more of the seats in the National Assembly shall be entitled to designate an Executive Deputy President.
  - 3.2 Where no or only one party attains more than 20 % of the seats, the party with the largest number of seats will be entitled to designate one and the party with the second largest number of seats, one.
  - 3.3 The Executive Deputy Presidents shall preside at meetings of the Cabinet not attended by the President and shall act as President on a rotational basis in the event of his or her absence or temporary incapacity. They shall also perform other functions assigned to them by the President after consultation with them.
  - 3.4 The Executive Deputy Presidents shall be members of the Cabinet.
  - 3.5 The President shall consult the Executive Deputy Presidents about matters of governmental policy and Cabinet business.

- Executive Deputy Presidents may vacate their seats in Parliament.
4. A party with 5 % or more of the seats in the National Assembly shall be entitled to a number of Cabinet posts in proportion to the number of seats held by it in the National Assembly.
  5. The Cabinet shall consist of not more than 27 Cabinet Ministers.
  6. The allocation of portfolios shall be determined by the President after consultation with the Executive Deputy Presidents and the leaders of parties who are entitled and intend to be represented in the Cabinet.
  7. Cabinet Ministers will be appointed by the President to the extent of a party's entitlement on the advice of the leaders of the respective parties. Cabinet Ministers must be members of Parliament.
  8. The Cabinet shall at all times enjoy the confidence of and be accountable to Parliament.
  9. Provisions of clauses 4, 5, 6 and 7 shall apply *mutatis mutandis* to Deputy Ministers.
  10. The President will exercise his/her powers in consultation with the Cabinet, except for those powers which he at present exercises without having to consult.
  11. The Cabinet will seek to take decisions by consensus but where this is not possible, it will decide by an increased majority to be determined. In this regard there may be a differentiation between financial and state security matters and other matters.