

CONSTITUTIONAL ISSUES
Proposed Agenda: 24 August 1993

1. **Overview of Reports**
(Par 1 - 4 of 10th Report)

2. **Matters to be dealt with by the Planning Committee/Negotiation Council**
(Par 5 of 10th Report)

3. **Further preparatory legislation to be dealt with by the MPNP**
(par 6 of the 10th Report)

4. **The constitutional text**
 - 4.1 Chapters 1, 2 and 3 of the Draft
(par 7.1, 7.2 and 7.3 of the 10th Report)

 - 4.2 The legislature and the constitution-making process
(par 7.4 - 7.9 of the 10th Report)
 - 4.2.1 Delegation by Parliament
(section 38(2) of the Draft)

 - 4.2.2 The electoral system
(par 7.22 of the 10th Report and Schedule 5 of the Draft)

 - 4.2.3 "ordinarily resident"
(par 7.5 of the 10th Report)

 - 4.2.4 "anti-defection"
(par 7.6 of 10th Report and Tenth Schedule of the Indian Constitution (attached to 10 Report))

 - 4.2.5 Filling of vacancies in a PR system
(par 7.7 of 10th Report)

4.2.6 Single transferable vote
(par 7.8 of the 10th Report)

4.2.7 Conflict between the Houses of Parliament
(par 7.9 of the 10th Report)

4.2.8 Oaths and Affirmations of Office
(Schedule 6 of the Draft)

4.2.9 Proposed amendments to sections 39, 42, 43, 46, 48, 53, 54 and 60.

4.3 Adoption of a new Constitution
(Chapter 5 of the Draft)

4.3.1 Panel of constitutional experts *(section 67)*

4.3.2 Deadlock-breaking mechanisms *(section 68)*

5. SPRs

5.1 Law-making competence of SPR legislatures
(par 7.10 of 10th Report; section 101 of Draft)

5.2 Effect of dissolution of SPR legislatures
(section 112 of Draft)

5.3 Remuneration of SPR executives
(par 7.12 of 10th Report and section 113(6) of Draft)

5.4 Appointment of SPR officers
(par 7.13 of the 10th Report; section 113(7) of the Draft)

5.5 Criteria for the exercise of exclusive and concurrent powers

(par 7.14 and par 7.11 of 10th Report; section 118(3), (4), (5), (6) and (7) of Draft)

- 5.6 Transfer of administrative responsibilities and preparation therefor
(par 7.15 of 10th Report, section 119 of Draft and graphics attached to 10th Report)
- 5.7 SPR loans and taxes
(par 7.16 and par 7.17 of 10th Report)
- 5.8 Adoption of SPR constitutions
(par 7.18 of 10th Report)
- 5.9 Second election of SPR governments
(par 7.19 of 10th Report)
- 5.10 Commission on SPR Government
(par 7.20 and par 7.21 of 10th Report; sections 129 and 131 of Draft)

6 The National Executive

- 6.1 The Eleventh Report
- 6.2 Annexure to the Eleventh Report