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**INTERIM GOVERNMENT: A NOTE FOR A WORKSHOP  
TO BE HELD ON 28 NOVEMBER 1991**

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1. This is a discussion document for a workshop to be held on 28 November 1991 on issues relating to the proposed All Party Conference (APC). One of the issues that will be discussed at the workshop will be the development of an agenda for an APC working group on interim government. This document is concerned with that issue.
2. A number of matters relevant to interim government are identified in the working document dated September 1991 and the notes on a workshop held on 25 September 1991 at which the working document was discussed. The working document and the notes are attached hereto as Schedules I and II. They will have to be amplified in the light of discussions which have taken place and decisions that have been made since 25 September 1991.
3. Logically the APC working group on interim government should first address the principle of interim government. Why it is necessary, and the purpose it is intended to achieve.
4. If agreement can be reached on the need for interim government, or interim government structures, such agreement will lead naturally into a discussion on the particular form that interim government will take, participation, decision making and mechanisms for resolving deadlocks. It is suggested that in this part of the discussions the parties should concern themselves with broad principles rather than with detail.
5. If agreement can be reached on the broad principles of interim government, it will then be necessary to proceed to discussions of the details of the legal forms through which interim government will be established, and according to which it will function. This will involve matters such as the impact that interim government will have on existing governmental organs and structures, including the Tri-Cameral parliament, Own Affairs Administrations, Administrations of Homelands including the "independent homelands" of Transkei, Bophuthatswana, Venda and Ciskei, Provincial Administrations and Local Government Structures. It will also be necessary to address the relationship between the interim government and the President, the existing Cabinet, and other organs of government. Questions that will arise will include the day to day control and administration of government departments at all levels of government including the homelands, the enactment and repeal of laws, and the commencement and duration of interim government.
6. The final stage will be to define the legal documentation that will be necessary to give effect to the decisions that have been taken, and to prepare drafts of such

documentation.

7. It will be helpful to prepare a draft agenda for an APC working group on interim government in anticipation of such a working group being established. A question that will have to be decided is whether the draft agenda should be detailed or abbreviated. A detailed agenda may give rise to lengthy discussions in regard to terminology and details and for that reason there may be advantages in developing an abbreviated agenda which as far as possible uses "neutral" language.

8. The following might serve as such an agenda:

- (i) The need for interim government *in the period up to the adopt of*
- (ii) Structures, participation, decision making and mechanisms for resolving deadlocks *them. 7.5*
- (iii) The details of interim government and the impact that they will have on existing organs of government and the day to day control and administration of government departments *const*
- (iv) The commencement and duration of interim government
- (v) Details of agreements between the parties and amendments to legislation that will be necessary to give effect to decisions
- (vi) Drafts of the legal instruments which will be required for the purposes of implementing decisions taken under paragraph (v)

9. If a more detailed agenda is considered to be more appropriate, then the following could serve as a basis for discussion:

- 1. The need for interim government and the purpose that it is intended to achieve
- 2. The broad principles of interim government
  - 2.1 The structures of interim government
  - 2.2 The parties who will participate in the interim government
  - 2.3 How individuals will be chosen to represent the participating parties
  - 2.4 How decisions will be taken by the interim government
  - 2.5 Mechanisms for resolving deadlocks in the

## decision making process

3. The details of interim government

- 3.1 How interim government will affect the Tri-Cameral parliament, Own Affairs Administration, Governments of the National States, Governments of the Transkei, Bophuthatswana, Venda and Ciskei, Provincial Administrations and Local Government Structures
- 3.2 How interim government will affect the powers of the State President and the present Cabinet
- 3.3 The day to day control and administration of government departments at all levels of government
- 3.4 The date of commencement of interim government
- 3.5 The duration of interim government

## 4. Legal forms and instruments

- 4.1 Amendments to legislation and agreements between the parties that will be necessary for the purposes of establishing an interim government
- 4.2 Drafts of the legal instruments which will be required for the purposes of implementing decisions taken under paragraph 4.1

26 November 1991

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