

WORKING GROUP 2PROPOSAL BY THE SOUTH AFRICAN GOVERNMENT ON PARAGRAPH 3.2  
OF THE DRAFT DOCUMENT: PROPOSAL TO CODESA 23.2 Provisions regarding the drafting and adoption of a final Constitution

3.2.1 The final constitution for South Africa shall be drawn up by the National Assembly which, subject to clause 3.2.2 must adopt the constitution as a whole with a majority of 66,7%.

3.2.2 Every clause in the constitution shall separately be adopted by a majority of 66,7%, subject to the following qualifications:

(a) <sup>1</sup> A Charter/Bill of Fundamental Rights, <sup>2</sup> provisions dealing with the implementation of the principle that government shall be structured at national, regional and local level and the principle of multiparty democracy, including the effective participation for minority political parties <sup>3(b)</sup> (which principles shall form part of the principles to be enshrined in the final constitution and not be contradicted by any provision of the constitution as referred to in paragraph 3.8), shall require a majority of 75%;

(b) provisions affecting regional government and the distribution of power between central, regional and local levels of government shall in addition require a special majority of the regional representatives in the National Assembly, such special majority to be agreed upon by Codesa. *Must determine*

3.2.3 The constitution as drawn up and adopted by the National Assembly in terms of paragraphs 3.2.1 and 3.2.2 shall be submitted as a whole to the Senate for adoption by a majority of 66,7%. *X*

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