

TERMS OF REFERENCE FOR SUB-COMMITTEE 1 "TESTING THE WILL OF THE PEOPLE"

WORKING GROUP 4

1. Terms of Reference

IT IS RECORDED that the terms of reference of the Sub-Committee are as follows:

- 1.1 To investigate and report upon all proposals and make recommendations with regard to the relationships between South Africa, the TBVC states and the people of those states under a new South African constitution.
- 1.2 To identify the key issues and problems that need to be addressed.
- 1.3 To identify areas of commonality and aspects where agreement already exists between participating delegations.
- 1.4 Specifically, but without vitiating the generality of the above to consider:
 - (a) testing the will of the people concerned regarding re-incorporation or otherwise, of the TBVC states, by acceptable democratic means;
 - (b) strategies to keep the people of the TBVC states fully informed, especially to avoid unfortunate misunderstandings;
 - (c) the method to be employed to test the feeling of the people (referendum? opinion poll? election?);
 - (d) deciding on who will be entitled to express an opinion (citizens? residents of TBVC states? and/or citizens also resident outside these states, within South Africa).

TERMS OF REFERENCE FOR SUB-COMMITTEE 2 "CITIZENSHIP"

WORKING GROUP 4

1. Terms of Reference

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- 1.2 To identify the key issues and problems that need to be addressed.
- 1.3 To identify areas of commonality and aspects where agreement already exists between participating delegations.
- 1.4 Specifically, but without vitiating the generality of the above to consider:
 - (a) the question of citizenship (dual citizenship? single citizenship?);
 - (b) the time-frames for the sub-committee to report;
 - (c) the proposal of the ANC;
 - (d) the proposal of the NPP.

**TERMS OF REFERENCE FOR SUB-COMMITTEE 3
"THE ADMINISTRATIVE, FINANCIAL AND PRACTICAL
EFFECTS OF REINCORPORATION OF THE TBVC STATES"**

WORKING GROUP 4

1. Terms of Reference

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- 1.1 To investigate and report upon all proposals and make recommendations with regard to the relationships between South Africa, the TBVC states and the people of those states under a new South African constitution.
- 1.2 To identify the key issues and problems that need to be addressed.
- 1.3 To identify areas of commonality and aspects where agreement already exists between participating delegations.
- 1.4 Specifically, but without vitiating the generality of the above to consider:
 - (a) the retention of business confidence, particularly in relation to existing investments in the TBVC states;
 - (b) land transfers by South Africa to these states;
 - (c) disposal/transfer of assets of TBVC governments;
 - (d) optimal use of existing infrastructure;
 - (e) review of development project priorities;
 - (f) good administration during transition;
 - (g) the formulation of appropriate measures and steps to be taken to ensure that in the process of re-incorporation of a TBVC state, interruption or disruption in administration and the rendering of services and in the daily lives of people in the affected areas are reduced to an absolute minimum;
 - (h) consider future of civil service in such states;
 - (i) servicing and repayment of TBVC state debts.

**TERMS OF REFERENCE FOR SUB-COMMITTEE 4
"THE POLITICAL, LEGAL AND CONSTITUTIONAL EFFECTS
OF REINCORPORATION OF THE TBVC STATES"**

WORKING GROUP 4

1. Terms of Reference

IT IS RECORDED that the terms of reference of the Sub-Committee are as follows:

- 1.1 To investigate and report upon all proposals and make recommendations with regard to the relationships between South Africa, the TBVC states and the people of those states under a new South African constitution.
- 1.2 To identify the key issues and problems that need to be addressed.
- 1.3 To identify areas of commonality and aspects where agreement already exists between participating delegations.
- 1.4 Specifically, but without vitiating the generality of the above to consider:
 - (a) the exact form of authority in the TBVC territories;
 - (b) harmonisation of legislation and taxation;
 - (c) orderly termination of bilateral and multilateral agreements and treaties;
 - (d) ensuring public accountability of actions taken for the purposes of re-incorporation;
 - (e) the identification of specific constitutional, legal and political measures and steps which will have to be taken to effect re-incorporation.