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*Rennie Smith*

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FCS/79/160

CHANCELLOR OF THE DUCHY OF LANCASTER

Southern Rhodesia: Legislation

1. My minute of 7 September <sup>PKG.</sup> sought your agreement to instructions to Parliamentary Counsel to prepare a Southern Rhodesia Independence Bill.
2. I am at present considering various options for the interim period between agreement on the Constitution and the grant of independence. There is a possibility that we shall want to grant the new Constitution in advance of Independence. There may also be circumstances in which we shall wish to make provision for new elections in Rhodesia. The Attorney General's advice is that we could not make provision for either of these eventualities under the 1965 Southern Rhodesia Act. A short Enabling Act would be required to allow the Government to make the necessary Orders in Council.
3. The need for such a Bill could arise at very short notice so as to come into force before 15 November (in the event that Section 2 of the 1965 Act lapses). I should therefore be grateful for your agreement on a contingency basis to the issue of further instructions to Parliamentary Counsel for the drafting of a Bill on the lines which I have described. This will, of course, be subject to agreement on the policy.
4. I am sending copies of this minute to recipients of my minute of 7 September.

(CARRINGTON)

Foreign and Commonwealth Office

11 October 1979

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