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**CONSTITUTIONAL
ASSEMBLY**

THEME COMMITTEE 5

**JUDICIARY AND
LEGAL SYSTEMS**

30TH JANUARY 1995

ROOM M515

DOCUMENTATION

CONSTITUTIONAL ASSEMBLY
MINUTES OF
THEME COMMITTEE 5
JUDICIARY AND LEGAL SYSTEMS
WEDNESDAY, 25TH JANUARY 1995 AT 2.00PM

PRESENT: (DPA Schutte, Chairperson)

Dalling DJ
De Lange J
De Ville R
Fredericks GA (Alt)
Fisher SD
Gibson DHM
Groenewald RH
Hofmeyr WA
Jassat EE
Le Roux JW (Alternate)
Mahlangu GL
Matthews VJG

Mduntyana SN
Mkhatshwa S
Moeti SE
Mogale MPE (Alternate)
Moosa MW
Mushwana ML (Alternate)
Mzizi M
Nel AC
Ngcuka B
Singh H (Alternate)
Sonjica BP
Van Heerden F

APOLOGIES:

Ngwane L
Van der Merwe JH

Noel Taft and Eunice van Eck were in attendance.

1. OPENING AND WELCOME

- 1.1 The meeting was opened by Mr DPA Schutte who chaired the meeting and wished the Theme Committee a very good year. He also informed the meeting that co-chairperson, Ms Ngwane, had been involved in a car accident and wished her a speedy recovery on behalf of the Members.
- 1.2 Mr. Schutte welcomed the Danish Ambassador, Mr. A. Jönsson, to the meeting.
- 1.3 The Agenda was adopted.

(Theme Committee 5 - 30th January 1995)

CONSTITUTIONAL ASSEMBLY

THEME COMMITTEE 5 JUDICIARY AND LEGAL SYSTEMS

Please note that a meeting of the above Committee will be held as indicated below:

Date : 30th January 1995

Time : 16.30

Venue : Room M515 (Marks Building)

AGENDA

1. Opening
2. Minutes
3. Matters arising
4. Core Group Report
5. Technical Committees
6. Submissions
7. General
8. Closure

H Ebrahim
Executive Director
Constitutional Assembly

Enquiries: Noel Taft, Room CS213 (Tel: 403-2278)
Eunice van Eck, Room CS213 (Tel: 403-2294)

2. MINUTES

The minutes of the previous meeting were adopted.

3. MATTERS ARISING

None

4. CORE GROUP REPORT

4.1 The Core Group report on the Work Programme was adopted subject to the following considerations and amendments regarding the Workshop planned for 9th, 10th & 11th February:-

- a) that participants be informed that the workshop was intended to be essentially an information-gathering exercise to seek options and to record agreement on various issues.
- b) that the Core Group be mandated to isolate the key issues contained in blocks 1 and 2 of the work programme and to advise participants accordingly.
- c) that participants be requested to provide papers and cover all issues as identified in point 4.1 (b)
- d) that the Core Group advertise the public participation programme i.e. Theme Committee members to receive submissions telephonically from the general public on Saturday, 11th February.
- e) that the Core Group consider inviting representatives from all the Provincial Legislatures.
- f) that the role players listed (a) - (i) in the draft proposal for the Workshop be telephoned personally to give evidence at Theme Committee meetings; the remaining participants to be sent a letter inviting submissions on Block One and Two.
- i) that Law teachers, besides Deans of Law faculties, also be invited.
- h) that recording facilities be made available.

4.2 Point (3) of the Report was adopted.

4.3 The Secretariat was requested to make a set of copies of all Codesa submissions available to each party of the Theme Committee.

5. **WORK PLAN AND SCHEDULE OF MEETINGS**

It was agreed to cancel the Theme Committee meeting for Thursday 26th January and the Core Group meeting for Friday 27th January.

6. **TECHNICAL COMMITTEES**

The matter regarding the Technical Experts would be held over until Monday when the names would be made known.

7. **SUBMISSIONS**

Mr. Taft informed the members that the submissions received to date for Theme Committee 5 were more of a personal rather than substantive nature.

8. **GENERAL**

It was agreed that the Core Group would meet with the Directorate to make representations on the issue of air tickets for out-of-town Theme Committee members.

9. **CLOSURE**

The meeting rose at 2.55 pm