

2/8/96

**CONSTITUTIONAL  
ASSEMBLY**

**MANAGEMENT  
COMMITTEE**

**THURSDAY  
22 FEBRUARY 1996  
(08h00)  
V16**

***DOCUMENTATION***

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## CONSTITUTIONAL ASSEMBLY

### MEETING OF THE MANAGEMENT COMMITTEE

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

Date : Thursday 22 February 1996

Time : 08h00 - 10h00

Venue: V16

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#### AGENDA

1. Opening
  2. Minutes: *Pages 2 - 4*
  3. Matters Arising: See Agenda Items Below
  4. Evaluation
  5. Provincial Briefings
  6. AOB *G.1. Prov. Bandwidth*
  7. Closure *G.2. Inuitaban.*
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***Please bring to the meeting your copy of the Management Committee documentation pack for 15 February 1996***

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**H EBRAHIM  
EXECUTIVE DIRECTOR  
CONSTITUTIONAL ASSEMBLY**

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**Enquiries: Ms M M Sparg, Tel 245-031, ~~Page 402 403 code 6910~~**

**CONSTITUTIONAL ASSEMBLY  
MINUTES OF THE MANAGEMENT COMMITTEE MEETING  
THURSDAY 15 FEBRUARY 1996**

**PRESENT**

**RAMAPHOSA M C (CHAIRPERSON)**

**de Lille P\***  
**Eglin C W**  
**Meshoe K R**  
**Meyer R P**  
**Moosa M V**

**Myakayaka-Manzini M**  
**Sizani R K**  
**Van Breda A**  
**Viljoen C**  
**Wessels L (Deputy Chairperson)**

**\* Alternate**

**Apologies:** O C Chabane and R K Sizani.

**Absent:** P F Smith.

**In Attendance:** H Ebrahim, P Lilienfeld, M Sparg, and M Keegan.

**1. OPENING**

1.1 The Chairperson opened the meeting at 08h06. The meeting approved the agenda.

1.2 It was agreed that Mrs. P. de Lille would replace Mr. R. K. Sizani in this meeting of the Management Committee.

**2. MINUTES**

2.1 The meeting agreed that the words "*the first complete draft of*" would be inserted in paragraph 4.6.i to read:

*"End of March: complete the first complete draft of the new constitution;"*

2.2 The meeting adopted the Minutes of the Management Committee Meeting of Thursday 1 January 1996 with this amendment.

**3. MATTERS ARISING**

None - included in agenda items below.

#### 4. EVALUATION

- 4.1 Mr. Ebrahim briefly spoke to the document entitled "*Proposals on Process*," contained in the documentation, and introduced the document entitled "*Survey of Issues Requiring Attention*," tabled at the meeting.
- 4.2 The meeting agreed to defer discussion on the "*Proposals on Process*" until 22 February 1996, so that political parties could consider the document further.
- 4.3 The meeting, however, noted the following points:
- 4.3.1 Mr. Ebrahim reported that Parliament had agreed to set aside days for the Constitutional Assembly, as indicated in "*Annexure 1*."
- 4.3.2 Mr. Moosa of the ANC requested that the matter of intergovernmental relations be added as item 48 on the "*Survey of Issues Requiring Attention*."
- 4.3.3 Regarding procedures the Constitutional Assembly would use to pass the new constitution:
- i. Mr. Eglin of the DP expressed concern that this was a critical matter and should be discussed by the Constitutional Committee.
  - ii. Mr. Moosa of the ANC requested that the Constitutional Assembly look at the opinions and views that flowed from the debate in the Kwa Zulu Natal legislature on whether the provincial constitution should be passed as a bill or by resolution.
  - iii. The meeting agreed that this matter needed greater clarity. The Constitutional Assembly would follow the matter up and report back at the 22 February 1996 meeting of the Management Committee.

#### 5. ANY OTHER BUSINESS

##### 5.1 NATIONAL TERRITORY

- 5.1.1 The meeting noted the document entitled, "*Definition of National Territory*," tabled at the meeting, and agreed to

forward it to the Constitutional Committee Sub-committee for its consideration.

5.1.2 The following concerns were raised with the document, however:

- i. Mrs. Myakayaka-Manzini of the ANC said that certain place names in the document were misspelled; and
- ii. Mr. Eglin of the DP queried whether the term "*and the territorial waters*" was drawn from a clearly defined concept in international law; and
- iii. Mr. Eglin of the DP observed that the document did not define South Africa's boundary with Lesotho, which might result in disputes in the future.

5.1.3 Mr. Ebrahim reported that the Administration was currently consulting experts on the definition of provincial boundaries for inclusion in the constitution. The Administration would forward a report on this matter to the Constitutional Committee Sub-committee.

## 5.2 MEETINGS WITH PROVINCIAL CABINETS

5.2.1 Mr. Ebrahim reported that the Administration was exploring using the following days for meeting with provincial cabinets: 19, 20, 21 and 26, 27, 28 March 1996.

5.2.2 The meeting agreed to place this matter on the agenda for the meeting of the Management Committee on 22 February 1996.

## 6. CLOSURE

The Chairperson closed the meeting at 08h35.

