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# CONSTITUTIONAL ASSEMBLY

## CORE GROUP 3

### RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT

11 MAY 1995  
ROOM E305  
14H00

#### ***DOCUMENTATION***

(Minutes of 4/5/95)

*Embargoed until 14h00 8 May 1995*

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**CONSTITUTIONAL ASSEMBLY**

**MEETING OF CORE GROUP  
THEME COMMITTEE 3**

**RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT**

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

**Date : 8 May 1995**

**Time : 14h00**

**Venue : E305**

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**AGENDA**

1. Opening
2. Minutes of the previous meeting
3. Matters arising
4. Work Programme
5. Phase 2
6. General
7. Closure

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**H Ebrahim  
Executive Director  
Constitutional Assembly**

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Enquiries: Mbasa Mxenge, Regis House Room 9-09 (tel 403 2108)  
Sandra Haydon, Regis House Room 9-08 (tel 403 2275)

**CONSTITUTIONAL ASSEMBLY**  
**MINUTES OF THE MEETING OF**  
**CORE GROUP 3**  
**RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT**  
**THURSDAY 4 MAY 1995 (AT 14H05)**

**PRESENT**  
**T KING (CHAIRPERSON)**

Andrew KM  
Carrim Y \*

de Lille P  
Du Toit DC

*( \* denotes alternate standing in for full member)*

**Apologies**  
None

**Absent**  
PJ Groenewald, NN Mapisa-Nqakula and PF Smith

**Technical Advisors**  
None

**Attendance**  
S Haydon and M Mxenge

**1. OPENING**

The meeting was opened by Dr T King at 14h05 and the agenda was adopted.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

2.1 The minutes of the meeting held on 18 April 1995 were adopted subject to an amendment to para 7 which is quoted in full as follows:

*'A dispute arose at the end of the meeting as some members started to leave believing that all business had been dealt with. The Chairperson subsequently closed the meeting to which Dr T King objected. Mr P Gordhan took exception to Dr King's reference to his leaving the meeting. The matter was discussed and Mr Gordhan requested an apology. This matter is unresolved.'*

- 2.2 The minutes of the meeting Committee held on 20 April 1995 were adopted subject to the following amendment to para 5:

*Mr Cronje agreed to communicate the decision to the ANC.*

### 3. MATTERS ARISING

#### 3.1 Technical Advisors - Remuneration

The meeting expressed their concern regarding the articles which appeared in various newspapers referring to the high remuneration paid to the Technical Advisors and to Prof Basson in particular. Prof DC Du Toit advised the meeting that following the discussion in the Core Group meeting he felt it his duty to audit Prof Basson's account and is satisfied that the fees are in order when one takes into account the volume of work undertaken by Prof Basson.

#### 3.2 Workshops

3.2.1 The meeting agreed to changing the dates of two scheduled workshops as follows:

- |     |             |                              |
|-----|-------------|------------------------------|
| i.  | 15 May 1995 | Local Government             |
| ii. | 22 May 1995 | Inter-governmental Relations |

3.2.2 The Administration was asked to liaise with Prof Davis, the Canadian High Commissioner, Mr R Humphries, Mr D van Wyk and the Centre for Policy Studies with a view to inviting two persons to address a workshop on Inter-governmental Relations. These persons should reflect the differing points of view for and against institutionalisation of mechanisms.

### 4. SUMMARY: AREAS OF AGREEMENT & CONTENTION

The meeting agreed that the document '*Summary: Areas of Agreement & Contention*' prepared by the Technical Advisors on Heading 2 Phase 1, be circulated to the members of the Theme Committee for discussion at the meeting on Monday 8 May 1995.

### 5. WORK PROGRAMME

The members agreed that the draft Work Programme would be discussed at the next Core Group meeting to be held at 14h00 on Thursday 11 May 1995.

## 6. PHASE 2

The administration was asked to circulate the document '*Framework on Inter-Governmental Relations*', as prepared by Prof BC Majola, for discussion at the meeting of the Theme Committee on Monday 8 May 1995. The Core Group will discuss the document at the next meeting on 11 May 1995.

## 7. GENERAL

### 7.1.1 Transvaal Municipal Association

The meeting discussed the request by the Transvaal Municipal Association for a hearing. The Administration was asked to:

- i. Acknowledge the letter and advise TMA that the matter will be followed up;
- ii. Advise the TMA of the dates for the report on Local Government;
- iii. Fax the TMA asking them as to how much time they would need to make their verbal submission with a view to including them in public hearings which would involve national structures; and
- iv. Refer the issue to the Executive Director for his comments and report back to the Core Group as soon as possible with a list of suggested role-players.

7.1.2 The meeting suggested that the hearings be held on 29 - 30 May 1995.

### 7.2 Advertisement for remaining Blocks

The Administration referred the members to the paper from the Media Department which outlines the advertisements which cover the remaining Blocks for Theme Committee 3. The Advertising Agency is currently preparing a draft which would hopefully be available on Monday 8 May 1995.

### 7.3 Public Sector Hearings

7.3.1 The meeting discussed the memorandum from the Executive Director which refers to the programme of National Sector Public Hearings. The meeting agreed that attendance will be as follows:

- i. **Business 8 May 1995** - Ms P de Lille, Prof DC Du Toit and Dr T King;

- ii. **Traditional Authorities 12/13 May 1994** - Prof DC Du Toit and any other interested members; and
- iii. **Commission on Provincial Government 18/19 May 1995** - Prof DC Du Toit and Dr T King. Mr KM Andrew or Ms P de Lille or Mr Y Carrim would be approached to fill the third position.

#### **7.4 Constitutional Public Meetings**

The meeting discussed the memorandum from the Executive Director regarding the schedule of CPM's scheduled from 13 May - 24 June 1995. The Administration was asked to circulate the document (which includes sufficient confirmations forms to cover all CPMs), to all members of the Theme Committee.

#### **7.5 Draft Text**

The Administration advised the meeting that the Technical Advisors have asked for a meeting with the Core Group to discuss the draft text for each Block.

#### **7.8 Workshop reportback**

The Administration reminded the meeting that no report-back had been made by members who have attended workshops on behalf of the Theme Committee. The meeting were of the opinion that members do not have time to prepare a written reports. The meeting agreed that as all papers submitted at the workshops are circulated to the Theme Committee the members would be adequately informed.

### **8. CLOSURE**

The meeting closed at 15h35.