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**CONSTITUTIONAL ASSEMBLY**

**THEME COMMITTEE 2  
STRUCTURE  
OF GOVERNMENT**

**14 November 1994**

**DOCUMENTATION**

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## CONSTITUTIONAL ASSEMBLY

### THEME COMMITTEE 2 STRUCTURE OF GOVERNMENT

#### MINUTES OF THE FIFTH MEETING MONDAY 14 NOVEMBER 1994 (AT 08H30)

#### PRESENT

VB Ndlovu (Chairperson)

Ackerman C  
Badenhorst MJ (Alt)  
Bester BC  
Diale N (Alt)  
Doidge GQ  
Ebrahim AG  
Eglin CW  
Foster JA  
Groenewald PH  
Holomisa SP  
Ligege MG  
Louw SK  
Maduna P

Mabudafhasi RT  
Mars I  
Mashile NL (Alt)  
Mahlangu JM  
Mlangeni A  
Mohlamonyane GM  
Mutsila I  
Pahad EGH  
Rabie JA  
Sekgobela PS  
Sethema BEE  
Shabangu S  
Steenkamp PJ  
Taunyane DP

#### APOLOGIES

Beyers AS  
Moloto CP

Nwedamutswu MJ  
Tolo J

#### ABSENT

Jana P  
Marshoff FB  
Msomi M  
Mushwana GM

Nxumalo SDW  
Olifant D  
Phakati NE  
Tyobeka V

N Cetywayo, P Fahrenfort and S Lebetho were in attendance ..

**1. MINUTES**

The minutes of 7 November 1994 were adopted subject to the following correction:

Mr AS Beyers' name recorded incorrectly under the Apology category. The name should read: Mr BC Bester.

**2. MATTERS ARISING**

None.

**3. CORE GROUP REPORT ON WORK PLAN**

The meeting adopted the Work Plan with amendments and it was approved for submission to Management.

It was agreed that the list of the contact group will remain open for submission and that anthropologists be included when the time arises.

**4. QUESTIONNAIRE AND SURVEY**

The meeting agreed that this matter be held over in the absence of Mr Groenewald who left the meeting early to attend another meeting.

**5. ANY OTHER BUSINESS**

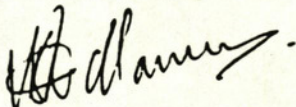
**5.1 Workshop on Provincial and Local Government**

The meeting noted that the following Theme Committee 2 members will be attending the above workshop:

Mr PH Groenewald  
Mr MJ Mahlangu  
Mr VB Ndlovu  
Mr EGH Pahad (a possibility)  
Mr JA Rabie

**6. CLOSURE**

The meeting rose at 09h28.



# CONSTITUTIONAL ASSEMBLY

## THEME COMMITTEE 2 STRUCTURE OF GOVERNMENT

### WORK PLAN

1. **Which constitutional issues within the broad theme need to be attended to?**

- Separation of Powers
- Structure of Government
  - i) National including Parliament and the Executive
  - ii) Provincial
  - iii) Local

The meeting noted that Traditional Authorities should be part of the Structure of Government

- Electoral System including participation of minority parties in the legislative process
- Traditional Authorities
- Volkstaat
- Amendments to the Constitution

2. **Which of these constitutional issues need to be dealt with as a priority?**

- Separation of Powers
- Structure of Provincial Government (Const. Sec 161)

3. **Which are the areas of overlap with each other in the Theme Committees?**

- Separation of Power
  - Judiciary (5)
  - Character of Democratic State (1)
  - Specialised structure of Government (6)
- Structure of Government
  - Provincial Government (3)
  - Local Government (3)
- Electoral System (1)
- Traditional Authorities (5.6)
- Volkstaat (5.6)

4. **Which constitutional issues need to be dealt with in commissions?**

- **Commission**  
Electoral System
- **Committees**  
Separation of Powers
- **Structure of Government**
  - i) National
  - ii) Provincial
  - iii) Local
- **Traditional Authorities**
- **Volkstaat**

5. **Which groups of constitutional issues do the committees anticipate will require separate reports?**

Each of the above (4)

6. **How many such reports are to be issued and what are the deadlines for the submission of same?**

- i) As and when the reports are completed by the Theme Committee but
  - a) Separation of Powers - end of April 1995
  - b) Final draft at the end of May 1995

7. **What are the structures and who are the role players that are to be consulted?**

7.1 *Traditional Authorities*

- Amakhosi AkwaZulu (All Zulu chiefs)
- Contralesa
- TTLA
- Traditional authorities and House of Traditional Leaders (where established)
- The Council of Traditional Leaders (when established)

## **7.2 Afrikaner Institutions**

- Afrikanerbond
- Afrikaner-Volksfront
- AVSTIG
- FAK
- Federale Vroueraad
- Kontak
- Oranjewerkers
- Rapportryers
- Volkstaat Council
- Volkseenheidkomitee
- Volkswag

## **7.3 Religious Organisations**

- AGS Kerk
- Baptist Union
- Bible Society of South Africa
- Church Unity Commission
- Church of the Province of South Africa
- Diakonia
- Evangelical Lutheran Church of SA
- Gereformeerde Kerk
- Hervormde Kerk
- Hindu
- IDAMASA
- Institute for Contextual Theology
- Jewish
- Kwa-Shembe
- Methodist Church of SA
- Moslim
- NG Kerk
- Presbyterian Church of SA
- SA Council of Churches
- SA Catholic Bishops' Conference
- SARK
- Theological Education by Extension College
- United Congregational Church of SA
- Zionist Christian Church
- Zululand Council of Churches

#### **7.4 Trade Unions**

- COSATU
- Landbou Unies
- NACTU
- POPCRU
- Rapportryers
- UTUSA
- UWUSA

#### **7.5 Political Parties/Organisations Outside Parliament**

- AWB
- AZAPO
- Conservative Party
- HNP
- INP
- IYP
- Minority Front
- SACP
- Unity Movement
- WOSA
- XPP

#### **7.6 Tertiary Institutions**

- All South African universities

#### **7.7 Business Sector**

- AHI
- Business SA
- Chamber of Commerce and Industry
- Escom
- FABCOS
- Gencor
- KwaZulu/Natal Inyanda
- NAFCOC
- SACOB
- Small Traders Association



### **7.8 Para/Professional Associations**

- Association of Lawyers Society
- Balieraad
- BLA
- MASA
- Mediese Navorsingsraad
- Nadel
- NATU
- NBC (National Bar Council)
- National Inyanda Association of KwaZulu
- Prokureursorde
- Traditional Healers
- Vereeniging van Staatsamptenare

### **7.9 Women's Organisations**

- Songoba Women's club
- Yinhle Lentfo Women's Club

### **7.10 Other/miscellaneous**

- Civic - Sanco
- Cultural Organisations
- Landlike Stigting
- Metacoc
- National Sports Organisations
- RGN
- SASCO
- Taxi Associations
- WNNR

## **8. What community and Media liaison assistance will facilitate the committee's work?**

**Media:** Electronic and print Media  
SACS  
Proposal for sub-committee to draw up media plan

**Community:** Provincial legislatures as vehicles for community liaison