

1/18/11

SECRETARIAT DEPARTMENT

FINAL INTERNAL THEME COMMITTEE REPORT

ERRATA

SCHEDULE OF MEETINGS

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CONSTITUTIONAL ASSEMBLY

18 January 1996

Please find attached an Errata to the Internal Theme Committee report compiled by the Secretariat dated November 1995.

It contains:-

Revised schedules of meetings for all Theme Committees *and*
A report from Theme Committee 6 giving an overview of the entire Theme Committee.

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You've made your mark



Now have your say

THE NEW CONSTITUTION

THEME COMMITTEE ONE

SCHEDULE OF MEETINGS HELD
(Revised)

NO.	DATE	TC / CG
1.	19/09/94	TC
2.	17/10/94	CG
3.	24/10/94	TC
4.	24/10/94	CG
5.	27/10/94	CG
6.	31/10/94	TC
7.	31/10/94	CG
8.	02/11/94	CG
9.	07/11/94	TC
10.	09/11/94	CG
11.	11/11/94	CG
12.	14/11/94	TC
13.	24/01/95	CG
14.	25/01/95	TC
15.	26/01/95	CG
16.	30/01/95	TC
17.	31/01/95	TC
18.	01/02/95	TC
19.	07/02/95	TC
20.	07/02/95	SUB-COMM
21.	08/02/95	TC
22.	09/02/95	TC
23.	14/02/95	TC
24.	20/02/95	TC
25.	22/02/95	CG
26.	27/02/95	TC

27.	28/02/95	CG
28.	06/03/95	TC
29.	13/03/95	TC
30.	14/03/95	CG
31.	16/03/95	JOINT CORE GROUP
32.	20/03/95	TC
33.	27/03/95	TC
34.	28/03/95	SUB-COMM
35.	29/03/95	CG
36.	30/03/95	SUB-COMM
37.	03/04/95	TC
38.	19/04/95	TC
39.	19/04/95	CG
40.	20/04/95	TC
41.	03/05/95	CG
42.	08/05/95	TC
43.	11/05/95	SUB-COMM
44.	15/05/95	TC
45.	22/05/95	TC
46.	29/05/95	TC
47.	05/06/95	TC
48.	12/06/95	TC
49.	26/06/95	TC
50.	31/07/95	TC
51.	01/08/95	TC
52.	07/08/95	TC
53.	14/08/95	TC
54.	15/08/95	TC
55.	28/08/95	TC
56.	11/09/95	TC

THEME COMMITTEE TWO
SCHEDULE OF MEETINGS HELD
(revised edition)

NO	DATE	TC\CG
1.	19/09/94	TC
2.	19/09/94	CG
3.	20/10/94	CG
4.	24/10/94	TC
5.	24/10/94	CG
6.	27/10/94	CG
7.	31/10/94	TC
8.	02/11/94	CG
9.	07/11/94	TC
10.	16/11/94	TC
11.	24/01/95	CG
12.	25/01/95	TC
13.	27/01/95	CG
14.	30/01/95	TC
15.	31/01/95	CG
16.	31/01/95	TC
17.	01/02/95	CG
18.	02/02/95	TC
19.	07/02/95	CG
20.	07/02/95	TC
21.	08/02/95	CG/TA/CA Adm.
22.	15/02/95	TC
23.	21/02/95	CG
24.	27/02/95	CG
25.	27/02/95	TC
26.	01/03/95	CG
27.	08/03/95	CG

28.	13/03/95	CG/TA
29.	13/03/95	TC
30.	16/03/95	Joint Core Group
31.	20/03/95	CG
32.	29/03/95	CG
33.	03/04/95	CG/TA/SECR.
34.	03/04/95	TC
35.	18/04/95	CG
36.	19/04/95	CG
37.	19/04/95	TC
38.	20/04/95	TC
39.	21/04/95	CG
40.	21/04/95	TC
41.	04/05/95	CG
42.	05/05/95	TC
43.	08/05/95	CG
44.	08/05/95	TC
45.	15/05/95	TC
46.	22/05/95	CG
47.	22/05/95	TC
48.	29/05/95	CG
49.	29/05/95	TC
50.	05/06/95	TC
51.	12/06/95	TC
52.	26/06/95	TC
53.	02/08/95	TC
54.	07/08/95	TC
55.	10/08/95	TC
56.	14/08/95	TC
57.	21/08/95	CG
58.	21/08/95	TC

59.	28/08/95	TC
60.	04/09/95	TC
61.	11/09/95	TC

**THEME COMMITTEE 3
1995**

**RELATIONSHIP BETWEEN
LEVELS OF GOVERNMENT**

TC	CG
19.04.95	18.04.95
20.04.95	20.04.95
08.05.95	04.05.95
11.05.95	11.05.95
29.05.95	15.05.95
05.06.95	22.05.95
12.06.95	29.05.95
15.06.95	12.06.95
26.06.95	26.06.95
01.08.95	31.07.95
07.08.95	
08.08.95	
15.08.95	
21.08.95	
28.08.95	

THEME COMMITTEE FOUR

**SCHEDULE OF MEETINGS
(Revised Edition)**

THEME COMMITTEE MEETINGS
19/09/94
24/10/94
31/10/94
7/11/94
14/11/94
25/01/95
26/01/95
31/01/95
01/02/95
07/02/95
14/02/95
27/02/95
06/03/95
13/03/95
20/03/95
27/03/95
03/04/95
19/04/95
20/04/95
08/05/95 (08h00)
08/05/95 (14h00)
15/05/95
22/05/95
29/05/95
05/06/95
12/06/95
15/06/95

26/06/95
07/08/95
08/08/95
14/08/95
CORE GROUP MEETINGS
19/09/94
23/09/94
24/10/94
31/10/94
2/11/94
9/11/94
14/11/94 (Informal)
24/01/95
26/01/95
08/02/95
09/02/95
20/02/95
09/03/95
22/03/95
27/03/95
03/04/95
18/04/95 (Informal)
20/04/95 (Informal)
15/05/95
05/06/95
12/06/95
08/08/95

THEME COMMITTEE FIVE

SCHEDULE OF MEETINGS

A THEME COMMITTEE MEETINGS

NUMBER	DATE	MEETING
1.	19th September 1994	Theme Committee Meeting
2.	24th October 1994	Theme Committee Meeting
3.	26th October 1994	Joint Core Group TC2, 5 & 6
4.	31st October 1994	Theme Committee Meeting
5.	7th November 1994	Theme Committee Meeting
6.	14th November 1994	Theme Committee Meeting
7.	25th January 1995	Theme Committee Meeting
8.	30th January 1995	Theme Committee Meeting
9.	1st February 1995	Theme Committee Meeting
10.	6th February 1995	Theme Committee Meeting
11.	6th March 1995	Theme Committee Meeting
12.	13th March 1995	Theme Committee Meeting
13.	20th March 1995	Theme Committee Meeting
14.	27th March 1995	Theme Committee Meeting
15.	19th April 1995	T C Members addressed by Technical Experts on Traditional Authorities
16.	8th May 1995	Draft Sub-Committee
17.	10th May 1995	Draft Sub-Committee
18.	15th May 1995	Draft Sub-Committee
19.	24th May 1995	Draft Sub-Committee
20.	29th May 1995	T C Members addressed by Attorneys-General
21.	31st May 1995	Draft Sub-Committee
22.	5th June 1995	T C Members addressed by Attorneys-General and Advocates
23.	13th June 1995	Draft Sub-Committee

24.	15th June 1995	Draft Sub-Committee
25.	19th June 1995	Draft Sub-Committee
26.	26th June 1995	Theme Committee Meeting
27.	31st July 1995	Draft Sub-Committee
28.	7th August 1995	Theme Committee Meeting
29.	11th August 1995	Draft Sub-Committee
30.	14th August 1995	Draft Sub-Committee
31.	14th August 1995	Final Theme Committee

Many Theme Committees were utilised as Public Hearings

THEME COMMITTEE FIVE

B CORE GROUP MEETINGS

NO.	DATE
1.	25th October 1994
2.	27th October 1994
3.	31st October 1994
4.	3rd November 1994
5.	24th January 1995
6.	30th January 1994
7.	7th February 1995 (informal / ad hoc)
8.	8th February 1995 (informal / ad hoc)
9.	14th February 1995
10.	15th February 1995
11	20th February 1995 (informal / ad hoc)
12	21st February 1995
13	22nd February 1995 (informal / ad hoc)
14	6th March 1995
15.	13th March 1995 (informal / ad hoc)
16.	4th April 1995
17.	7th April 1995
18.	20th April 1995 (informal / ad hoc)
19.	3rd May 1995
20.	15th May 1995 (informal / ad hoc)
21.	24th May 1995 (informal / ad hoc)
22.	29th May 1995 (informal / ad hoc)
23.	22nd May 1995 (informal / ad hoc)
24.	2nd June 1995 (informal / ad hoc)
25.	26th June 1995
26.	29th June 1995 (informal / ad hoc)

27.	1st July 1995 (informal / ad hoc)
28.	31st July 1995 (informal / ad hoc)
29.	1st August 1995 (informal / ad hoc)
30.	2nd August 1995 (informal / ad hoc)

THEME COMMITTEE 6.1

TC6.3, during its existence, held 24 meetings.

1st	24 October 1994	Theme Committee
2nd	31 October 1994	Theme Committee
3rd	7 November 1994	Subtheme Committee
4th	14 November 1994	Subtheme Committee
5th	25 January 1995	Subtheme Committee*
6th	26 January 1995	Subtheme Committee*
7th	31 January 1995	Subtheme Committee
8th	7 February 1995	Subtheme Committee
9th	14 February 1995	Subtheme Committee
10th	29 March 1995	Subtheme Committee
11th	3 April 1995	Subtheme Committee
12th	19 April 1995	Subtheme Committee
13th	20 April 1995	Subtheme Committee
14th	2 May 1995	Subtheme Committee
15th	8 May 1995	Subtheme Committee
16th	15 May 1995	Subtheme Committee*
17th	16 May 1995	Subtheme Committee
18th	22 May 1995	Subtheme Committee*
19th	1 June 1995	Subtheme Committee
20th	5 June 1995	Subtheme Committee
21st	13 June 1995	Subtheme Committee
22nd	26 June 1995	Subtheme Committee
23rd	19 June 1995	Subtheme Committee
24th	1 August 1995	Subtheme Committee

THEME COMMITTEE 6.2

SCHEDULE OF MEETINGS

In the course of its work the Theme Committee has held 29 meetings.

1.	24/1/95	TC Meeting: Nominations for Technical Advisors to serve on the TC.
2.	31/1/95	TC Meeting: Consideration of Parties' Submissions.
3.	1/2/95	TC Meeting.
4.	7/2/95	TC Meeting.
5.	08/2/95	TC Meeting: Invitations for submissions extended to stakeholders.
6.	09/2/95	TC Meeting.
7.	14/02/95	TC Meeting.
8.	20/02/95	TC Meeting.
9.	27/02/95	TC Meeting.
10.	06/03/95	TC Meeting.
11.	13/3/95	TC Meeting.
12.	03/4/95	TC Meeting: TC6.2 members to attend TC3 meetings and TC6.2 would reconvene on 8 May 1995.
13.	08/5/95	TC Meeting: Consideration of Reserve Bank report and draft formulations.
14.	11/5/95	TC Meeting: No quorum, but members present held an informal discussion.
15.	16/5/95	TC Meeting: Consideration of Auditor General report and draft formulations.
16.	22/5/95	TC Meeting: (1) Consideration of AG draft formulations; and (2) Further deliberations on the Reserve Bank.
17.	29/5/95	TC Meeting: Consideration of the draft formulations on the AG.
18.	05/6/95	TC Meeting: Presentation on the goal and operational independence of central banks by C Rustomjee (Technical Advisor to TC6.2).

19.	12/6/95	TC Meeting: Presentation on the practical aspect of the goal and operational independence of the South African Reserve Bank by Dr CJ de Swart (Deputy Governor, South African Reserve Bank) and Adv. M van Rensburg.
20.	14/6/95	TC Meeting: Further deliberations on the SARB.
21.	23/6/95	TC Meeting: Resolution tabled by the ANC component of the TC following what the ANC called an attack on the integrity of Mr Rob Davies (TC Chair) by Dr Francois Jacobsz in the Finance budget debate.
22.	01/8/95	TC Meeting: Discussion of work plans on the Financial and Fiscal Commission and General Financial Matters.
23.	02/8/95	TC Meeting: Discussion on General Financial Matters.
24.	03/8/95	TC Meeting: Further discussion on the draft formulations on SARB.
25.	07/8/95	TC Meeting: DP table a resolution expressing its dissatisfaction over the manner in which the draft formulations on the AG were handled by the CC. Mr Ken Andrew (DP MP) walk out of the TC meeting.
26.	08/8/95	TC Meeting: CA Chairs and Directorate address the TC on the CC debate on the AG as well as the DP's walk out from the TC.
27.	10/8/95	TC Meeting: Discussion on General Financial Matters
28.	01/9/95	TC Meeting: Consideration of reports and draft formulations on General Financial Matters and Financial and Fiscal Commission.
29.	05/9/95	TC Meeting: Last TC meeting. Finalisation of draft formulations on the FFC.

THEME COMMITTEE 6.3

1st	24 October 1994	Theme Committee
2nd	31 October 1994	Theme Committee
3rd	7 November 1994	Theme Committee
4th	14 November 1994	Theme Committee
5th	31 January 1995	Theme Committee
6th	1 February 1995	Theme Committee
7th	2 February 1995	Theme Committee
8th	7 February 1995	Theme Committee
9th	8 February 1995	Theme Committee
10th	14 February 1995	Theme Committee
11th	21 February 1995	Theme Committee
12th	27 February 1995	Theme Committee
13th	6 March 1995	Theme Committee
14th	13 March 1995	Theme Committee
15th	20 March 1995	Theme Committee
16th	27 March 1995	Theme Committee
17th	5 April 1995	Theme Committee
18th	18 April 1995	Theme Committee
19th	8 May 1995	Theme Committee
20th	15 May 1995	Theme Committee
21st	22 May 1995	Theme Committee
22nd	29 May 1995	Theme Committee
23rd	12 June 1995	Theme Committee
24th	19 June 1995	Theme Committee
25th	26 June 1995	Theme Committee
26th	3 August 1995	Theme Committee

27th	21 August 1995	Theme Committee
28th	4 September 1995	Theme Committee
29th	11 September 1995	Theme Committee

THEME COMMITTEE 6.4

SCHEDULE OF MEETINGS

The Committee held 29 meetings.

The first four meetings of the Committee were held in 1994. At that stage Theme Committee 6.4 had not yet been formalised as a substructure of Theme Committee 6, as such the first meetings were held informally and they were not minuted.

The following meetings of the Committee were held:

1st		Theme Committee
2nd		Theme Committee
3rd		Theme Committee
4th		Theme Committee
5th	31 January 1995	Theme Committee
6th	1 February 1995	Theme Committee
7th	7 February 1995	Theme Committee
8th	8 February 1995	Theme Committee
9th	9 February 1995	Theme Committee
10th	14 February 1995	Theme Committee
11th	16 February 1995	Theme Committee
12th	20 February 1995	Theme Committee
13th	27 February 1995	Theme Committee
14th	6 March 1995	Theme Committee
	6 March 1995	Joint meeting with Theme Committee 5
15th	8 March 1995	Theme Committee
16th	14 March 1995	Theme Committee
17th	27 March 1995	Theme Committee
18th	3 April 1995	Theme Committee
19th	19 April 1995	Theme Committee
20th	15 May 1995	Theme Committee
21st	22 May 1995	Theme Committee
22nd	29 May 1995	Theme Committee

23rd	5 June 1995	Theme Committee
24th	12 June 1995	Theme Committee
25th	15 June 1995	Theme Committee
26th	26 June 1995	Theme Committee
27th	31 July 1995	Theme Committee
28th	1 August 1995	Theme Committee
29th	8 August 1995	Theme Committee

CONSTITUTIONAL ASSEMBLY

Internal Report

Theme Committee 6

Specialised Structures of Government

Final Report

2 October 1995

1 INTRODUCTION

Theme Committee 6 was established in terms of a resolution of a meeting of the Constitutional Assembly of 15 August 1996. The brief of the Theme Committee was to develop constitutional proposals on the following issues:

- 1.1 Public Administration;
- 1.2 Electoral Commission;
- 1.3 Auditor General;
- 1.4 Central Bank;
- 1.5 Financial and Fiscal Commission;
- 1.6 General Financial Matters;
- 1.7 Commission on Gender Equality;
- 1.8 Human Rights Commission;
- 1.9 Public Protector;
- 1.10 Land Rights; and
- 1.11 Security Services.

2 STAFF DEPLOYED

The following staff made up the secretariat of Theme Committee 6.1:

- * Mr Nkateko "Snakes" Nyoka : Managing Secretary
- * Ms Saaliegah Zardad : Minute Secretary
- * Ms Pat Fahrenfort : Minute Secretary
- * Ms Bronwen Levy : Minute Secretary
- * Ms Katherine Mackenzie : Minute Secretary
- * Ms Penny Carelse : Administrative Secretary
- * Ms Agness Mrubata : Administrative Secretary

4. THEME COMMITTEE MEMBERS

The Chairpersons of the Theme Committee were:

- * Mr Sam de Beer;
- * Ms Baleka Mbete-Kgositsile; and
- * Mr Phillip Powell.

The Theme Committee comprised of the following members:

Name & Initials	Party	Room
Alant TG	NP	M137
Balie A	NP	M204

Bekker HJ (Alt)	IFP	G100
Bloem D (Alt)	ANC	V363
Booi MS (Alt)	ANC	E483
Botha WJ (Alt)	FF	M507
Camerer S (Alt)	NP	M134
Chabane OC (Alt)	ANC	E309
Chiole J (Alt)	FF	M506
Davies RH	ANC	E410
De Beer SJ	NP	M107
De Lille	PAC	M570
Dexter PD	ANC	V218
Dyani MMZ	PAC	M567
Ebrahim EI (Alt)	ANC	E435
Erwin A	ANC	P369
Fankomo FC	ANC	E578
Fenyane SLE	ANC	V302
Fihla NB (Alt)	ANC	E447
Gasa XF	IFP	G29
Gcina C	ANC	E318
Gibson DHM (Alt)	DP	M548
George ME	ANC	E534
Gogotya NJ	NP	M328
Groenewald PJ	FF	M504
Hani L (Alt)	ANC	E543
Hlengwa MW	IFP	G123
Jacobsz FP	NP	M248
Jordaan JA	DP	M540

Kgauwe QJ (Alt)	ANC	V280
Kgositsile B	ANC	V402
Khoza TS (Alt)	IFP	G122
Louw L (Alt)	FF	M505
Love JY	ANC	E307
Luthuli Inkosi BN	IFP	G50
Mabudafhasi J(Alt)	ANC	E446
Makana SS (Alt)	ANC	V304
Makgothi HG	ANC	
Malan TJ (Alt)	NP	M105
Malatsi DM	NP	M365
Malumise M (Alt)	ANC	E559
Marais G	NP	M240
Mashimbye JN (Alt)	ANC	E520
Mdutyana SNN	ANC	V325
Mkwayi ZW	ANC	V102
Mlambo-Ngcuka PG	ANC	E459
Moatshe P	ANC	E571
Mokitlane MC	ANC	E509
Mokoena ML	ANC	E438
Molekane RS (Alt)	ANC	V409
Mompatlani RS	ANC	E345
Motshabi CH (Alt)	ANC	S33
Mpahlwa MB (Alt)	ANC	E528
Mtintso TE	ANC	E469

Mti LM	ANC	V180
Mufamadi FS	ANC	P464
Naidoo J	ANC	G1
Nair B	ANC	E501
Neerahoo HM	IFP	G54A
Netshimbupfe MA	ANC	E352
Ngubane BS	IFP	P1008
Ngubane H	IFP	G94
Nhlanhla JM	ANC	E510
Nogumla RZ (Alt)	ANC	V531
Phillips IM (Alt)	ANC	E576
Powell P	IFP	G16
Schreiner J	ANC	V174
Scott MI (Alt)	ANC	E317
Selfe J	DP	M541
Singh N	IFP	G15
Sisulu L	ANC	V225
Skweyiya ZST (Alt)	ANC	P337
Smuts M	DP	M546
Sosibo JE (Alt)	ANC	V310
Tshabalala ME (Alt)	ANC	E465
Turok ME (Alt)	ANC	V275
Vadi I (Chair)	ANC	E481
Van Eck J (Alt)	ANC	E445
Van Wyk A	NP	M303
Vos SC	IFP	G52

Watson A	NP	M372
Welgemoed PJ	NP	M24
Woods GG	IFP	G99
Yengeni T (Alt)	ANC	E344
Zitha DA	ANC	V260

5. ESTABLISHMENT OF SUBTHEME COMMITTEES

Given the expanse of the work of Theme Committee 6, the Theme Committee resolved at its meeting held on 24 October 1995 to establish the following four Subtheme Committees for convenience and expediency's sake:

5.1 Public Administration:

- a) The Public Service Commission
- b) The status and role of the Public Service
- c) Establishment, powers and functions of the Public Service Commission and Public Service
- d) The S A Elections Commission

5.2 Financial Institutions and Public Enterprises:

- a) Auditor General
- b) Reserve Bank
- c) Financial and Fiscal Commission
- d) Public enterprises

5.3 Transformation and Monitoring:

- a) Public Protector
- b) Human Rights Commission
- c) Gender Commission
- d) Commission on restitution of land rights

5.4 Security Apparatus:

- a) The Police
- b) The Military
- c) Intelligence

The Theme Committee also resolved, for the sake of the smaller parties, to allow each party to nominate any of its members from either House, other than its Theme Committee members, to serve in the Subtheme Committees.

6. SCHEDULE OF MEETINGS

The Committee held 8 meetings.

The following meetings of the Committee were held:

1st	19 September 1995	Theme Committee
2nd	24 October 1994	Theme Committee
3rd	31 October 1994	Theme Committee
4th	7 November 1994	Theme Committee
5th	14 November 1994	Theme Committee
6th	7 February 1995	Theme Committee
7th	14 February 1995	Theme Committee
8th	27 February 1995	Theme Committee

9. **ASSESSMENT OF THE WORK OF THE THEME COMMITTEE**

The Theme Committee, as a Theme Committee, did not do much work. However, the decision to divide the Theme Committee into Subtheme Committees was probably the best most revolutionary, daring and innovative decision to have emerged from one of the CA's Theme Committees.

