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CONSTITUTIONAL ASSEMBLY

CORE GROUP 3

RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT

18 APRIL 1995
ROOM G26
11H00

DOCUMENTATION
(Minutes of 3/4/95)

Embargoed until 11h00 18/4/95

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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 : 18 April 1995

Time : 11h00 - 13h00

Venue : G26

AGENDA

1. Opening
2. Minutes of the previous meeting
3. Matters arising
4. Draft Report Heading 2 Phase 1
5. Election of Co-chairperson to replace KM Andrew
5. General
6. Closure

**H Ebrahim
Executive Director
Constitutional Assembly**

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CONSTITUTIONAL ASSEMBLY
MINUTES OF THE MEETING OF
CORE GROUP 3
RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT
MONDAY 3 APRIL 1995 (AT 20H10)

PRESENT
P de LILLE (CHAIRPERSON)

Andrew KM
Gordhan PJ (Alt)*

King TJ
Smith PF

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

Apologies
None

Absent
DC Du Toit, PJ Groenewald and NN Mapisa-Nqakula

Attendance
D Basson, H Ebrahim, S Haydon, B Majola, M Mxenge and F Venter

1. OPENING

The meeting was opened by P de Lille and the agenda was approved.

2. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30 March 1995 were adopted to show that KM Andrew opened the meeting (para 1).

3. MATTERS ARISING

None

4. WORK PROGRAMME

- 4.1 The Technical Advisors will meet in the Transvaal early next week to put together a report on Heading 1 Phase 2 to be cast as far as possible in the format as agreed upon by the Constitutional Committee outlining the contentious and non-contentious issues. Prof

Venter was of the view that it is not very easy to identify contentious and non-contentious issues before there has been a debate.

4.2.1 Prof Venter advised that there is a real difficulty in rewriting the report on Block 1. The submissions on which that report was based were very wide ranging often in vague and general terms.

4.2.2 The meeting agreed the Technical Advisors would:

- a) Write a report on those issues contained in the first report which are prima facie in contrary to the those issues which are Constitutional Principles, for submission to the Constitutional Committee.
- b) Write a report recapping what workshops the Theme Committee has been involved in, what papers have been submitted and give their perspective of where we are going.

4.3.1 The meeting agreed on the following programme:

Tues 18 April 11h00	Core Group to discuss the report on Heading 2 Phase 1, amend where necessary and distribute to the members of the Theme Committee.
Wed 19 April 14h00-18h00	Theme Committee to discuss the draft report and Technical Advisors to rewrite as necessary, Secretariat to distribute on the same day or very early on Thursday 20 April. Prof Basson and Prof Majola will attend.
Thur 20 April 14h00-18h00	Theme Committee to discuss the second draft of the report. Prof Basson and possibly Prof Davis will attend.
Fri 21 April 09h00-12h30 V454	Workshop on Local Government with input by the Technical Advisors attached to the Ad Hoc Committee on Local Government.

The Core Group will meet if necessary.

4.3.2 The meeting agreed that there are three purposes of the discussions around the report:

- i. To understand party positions;
- ii. To be able to define where the contentious areas are; and

- iii. To explore whether there is a way forward in terms of those contentious issues. This is very important so that the Constitutional Committee does not have to rehash the debate which has taken place in the Theme Committee.

4.3.3 Prof Venter will not be able to attend Theme Committee meetings until the end of June due to prior teaching commitments. Prof Majola will not be able to attend meetings on 20 - 21 April. Professors Basson and Davis will be available for the week of 18 - 21 April.

4.4 The meeting agreed that the Technical Advisors will present a paper on *Intergovernmental Relations* on Monday 24 April 1995.

5. GENERAL

5.1 Resignation of Co-chairperson

Mr Andrew's letter of resignation as Co-chairperson of the Theme Committee was tabled for discussion at the next meeting of the Core Group.

6. CLOSURE

The meeting closed at 20h55.