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CONSTITUTIONAL ASSEMBLY

THEME COMMITTEE 2

STRUCTURE OF GOVERNMENT

CORE GROUP MEETING

FRIDAY
17 FEBRUARY 1995
14H00 - 15H00
E216

DOCUMENTATION

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CONSTITUTIONAL ASSEMBLY

THEME COMMITTEE 2 STRUCTURE OF GOVERNMENT

CORE GROUP MEETING

Please note that a meeting of the Core Group will be held as indicated below:

Date : Friday 17 February 1995
Time : 14h00 - 15h00
Venue : E216

AGENDA

1. Opening and Welcome
 2. Theme Committee Agenda
 3. Minutes of Core, Technical Committee & Administration meeting:
Pages 2-4
 4. Guidelines: Theme Committee Reports: Pages 6 - 8
 5. Closure
-

**HASSEN EBRAHIM
EXECUTIVE DIRECTOR
CONSTITUTIONAL ASSEMBLY**

Enquiries: James Nene & Thomas Smit (245031)

CONSTITUTIONAL ASSEMBLY

THEME COMMITTEE 2

**MINUTES OF MEETING OF
CORE GROUP, TECHNICAL
COMMITTEE & MANAGEMENT**

**Wednesday 08 February 1995
14h00
M46**

PRESENT

Ndlovu VB (chairperson)

**Ebrahim AG
Eglin CW
Groenewald PH
Mahlangu MJ
Pahad EGH
Rabie JA**

TC2 Technical Committee members Dlova V, Steytler N, and Motimele AMM, as well as Technical Committee on Traditional Authorities member, Dlamini C, were in attendance.

Ebrahim H, Nene J and Smit T, were in attendance.

1. OPENING AND WELCOME

- 1.1. The meeting was opened by Ndlovu VB, and the Technical Experts in attendance were welcomed. The absence of Prof Van Wyk was again noted and the TC2 Secretariat was requested to secure his attendance in due course.

2. WORK PROGRAMME IN RESPECT OF BLOCK 2

(a) TIME FRAMES

(i) SEMINARS/WORKSHOPS FOR THE NEXT TWO WEEKS

- 2.1. The meeting agreed that an "in-house workshop" shall be held on the form of the executive on Wednesday 15 February 1995.

- 2.2. It was agreed that thereafter a workshop shall be held in respect of a unicameral/bicameral system.

- 2.3. It was agreed that the public was welcome to attend, but that the purpose of the in-house workshops were to inform the members of the Committee, and that at this stage there shall be no specific invitation to the public to attend the first in-house workshops.

(ii) TOPICS TO ADDRESS

- 2.3. The meeting agreed that in respect of the workshop on the executive, the presentations shall have to represent a comprehensive vision, and not the opinions of a particular person or particular persons.

(iii) PERSONS TO GIVE INPUT

- 2.4. The meeting agreed that the Technical Experts

shall plan and make the presentations, and should they be of the opinion that it is necessary to invite further persons to make presentations, then they are mandated to invite such further persons.

- 2.5. It was emphasised that there were no honorariums payable to persons making presentations to the structures of the CA.

(b) ADVERTISEMENTS

- 2.6. The meeting agreed that Mr C Eglin be mandated to prepare and place with the assistance of the Technical Experts and Administration an advertisement for block 2/3.

- 2.7. It was agreed that the advertisement shall be drafted as was generally agreed to by the Technical Committee.

- 2.8. It was noted that it was only in extraordinary circumstances that separate advertisements shall be placed for a Theme Committee, and consequently it was agreed that the advertisements of the Theme Committees would be placed together in respect of block 2.

(c) COMMUNITY LIAISON PROGRAMME

- 2.9. The meeting agreed that this matter be deferred until the Management Committee had deliberated upon it.

3. AVAILABILITY OF TECHNICAL EXPERTS

- 3.1. The meeting agreed that at least one Technical Expert shall be available at all meetings of the Theme Committee.
- 3.2. It was noted that the Technical Experts shall consider their availability and arrangements, and discuss this with the Administration

4. CLOSURE

- 4.1. The meeting rose at 15h15.

CONSTITUTIONAL ASSEMBLY

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REPUBLIC OF SOUTH AFRICA

REF No:

14 February 1995

MEMORANDUM

To All Theme Committees

Re : Public Submissions

Please note that concern was expressed at the Management Committee meeting of 10 February, that Theme Committee reports have to date not included a report on the content of public submissions received.

The decision of the Management Committee in this regard is to ask all Theme Committees to ensure that technical experts conduct a survey or brief examination of public submissions received by the Theme Committee thus far and that the Theme Committee include a brief report on public submissions in their reports to the Constitutional Committee. This should include a list of public submissions received i.e. list of names of individuals and/or organisations from whom submissions have been received.

The report on public submissions should therefore indicate :

- * from whom submissions were received; and
- * how germane or otherwise were these to the subject under discussion in the Theme Committee by briefly reporting on the content of the public submissions.

Those Theme Committees who have already issued reports, should please compile Supplementary Reports on Public Submissions and forward these to the Administration.

Please note also that, arising from discussion in the Constitutional Committee of 13 February 1995, the Management Committee will this week be considering guidelines for the format of Theme Committee reports. These will be issued as soon as they are complete. This should not however deter or delay Theme Committees in their work at present.

**HASSEN EBRAHIM
EXECUTIVE DIRECTOR**

GUIDELINES: THEME COMMITTEE REPORTS

1. In reporting to the Constitutional Committee, Theme Committees must distinguish between progress and final reports.
2. Each Theme Committee must submit either a progress or a final report in respect of each ordinary session of the CC.
3. Reports must be submitted on the Tuesday before the scheduled CC meeting.
4. Progress reports are required to keep the CC on a continuous basis informed of developments and progress in Theme Committees in relation to their respective work programmes and time frames.
5. A final report must be produced by a Theme Committee as soon as any agenda item on a Theme Committee's work programme has been completed.
6. The contents of a report should be finalised in the Theme Committee and not in meetings of the CC.

7. Structure and contents of reports

7.1 The cover page must contain the following particulars:

- a reference to the Theme Committee submitting the report;
- whether its a progress or final report;
- date of report; and
- if final report, the block number and agenda item on the work programme to which the report relates.

7.2 Final reports should be structured in such a way to facilitate discussions and negotiations in the CC. It is recommended that final reports consist of three parts.

7.3 The first part should give particulars of material processed by the Theme Committee in relation to the relevant agenda item. These particulars should include:

- a list of submissions received and processed by the Theme Committee, distinguishing between submissions received from political parties, organisations of civil society and individuals;
- a reference to any report submitted by a technical committee/experts on the specific agenda item;
- perspectives which emerged from public meetings held under the public participation programme;
- perspectives which emerged from workshops, seminars, etc., organised by the Theme Committee;
- the constitutional principle(s) to which the agenda item relates.

7.4 All technical committee reports listed in the Theme Committee's report must be attached as an annexure to the report.

7.5 The second part of the report should give an overview of the above material as processed by the Theme Committee. This part should include -

- (a) a general discussion of the material taken as a whole, indicating any specific or identifiable trends;
- (b) a list of non-contentious issues in relation to
 - the above material generally;
 - party positions;
- (c) a list of contentious issues indicating briefly
 - the gist of the contentiousness in each case;
 - the positions of the parties in relation to each issue;
 - the positions of organisations of civil society;
 - general trends emerging from submissions received from the public and at public meetings;
 - possible approaches, i.e. suggestions from the Theme Committee on possible models, alternatives and generally how the CC can proceed to deal with conflicting positions.

7.6 The third part of the report should deal with miscellaneous or related issues, such as

- notification to the CC of the agenda item the Theme Committee is about to deal with;
- suggested advertisement for this agenda item.