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**CONSTITUTIONAL ASSEMBLY**

**THEME COMMITTEE 2  
STRUCTURE  
OF GOVERNMENT**

**31 OCTOBER 1994**

**ROOM M 515**

**DOCUMENTATION**







# CONSTITUTIONAL ASSEMBLY

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## MEETING OF THEME COMMITTEE 2

### STRUCTURE OF GOVERNMENT

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

**Date:** Monday, 31 October 1994

**Time:** 08h00 - 10h00

**Venue:** Room M515

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### AGENDA

1. Opening and Welcome
2. Apologies
3. Theme Committee Minutes (24/10/94)
4. Core Group Minutes
  - i) 24/10/94
  - ii) 26/10/94 (Joint Core Group meeting : 2, 5, 6)
  - iii) 27/10/94 to follow
5. Matters arising
6. Work Programme
7. Any Other Business
8. Closure

**NB: ALL MEMBERS ARE REQUESTED TO BRING TO THE MEETING COPIES OF THE CONSTITUTION, THE STANDING RULES OF THE CONSTITUTIONAL ASSEMBLY AND THIS PARTICULAR DOCUMENTATION**



[Theme Committee 2 : 31 October 1994]

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**H EBRAHIM  
EXECUTIVE DIRECTOR:  
CONSTITUTIONAL ASSEMBLY**

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If you have been appointed as an alternative member of the committee, please discuss your participation in the meeting with your chief whip.

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Enquiries: Ms N Cetywayo & Ms P Fahrenfort, Room CS211 (Tel 403-2281)



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## CONSTITUTIONAL ASSEMBLY

### THEME COMMITTEE 2 STRUCTURE OF GOVERNMENT

MINUTES OF THE SECOND MEETING  
MONDAY 24 OCTOBER 1994 (AT 10H00)

#### PRESENT

**Rabie JA (Chairperson)**

Ackerman C  
Badenhorst MJ (Alternate)  
Bester B  
Beyers AS  
Dexter P (Alternate)  
Diale N (Alternate)  
Doidge GQ  
Eglin CW  
Groenewald PH  
Lebona HJP  
Ligege MG  
Louw SK  
Mabudafasi J

Maduna P  
Mahlangu JL  
Mahlangu MJ  
Mars I  
Mlangeni A  
Mwedamutsu MJ  
Nxumalo SDW  
Olifant D  
Pahad EGH  
Steenkamp PJ  
Taunyane DP  
Tolo J (Alternate)

#### APOLOGIES

Ebrahim AG  
Msomi M  
Ndlovu VB

N Cetywayo, H Ebrahim, P Fahrenfort and P Lillienfeld were in attendance

#### 1. OPENING AND WELCOME

The meeting was opened by Mr JA Rabie.

#### 2. MINUTES

The minutes of 19 September 1994 were confirmed subject to the following corrections:

##### *Register*

- Mr HJP Lebona's name to be added to the list of members present at the Theme Committee meeting of 19 September 1994



**Spelling Correction**

- Mr D Olifant and **not** Oliphant

**Minutes 19 September 94 : Item 1.2**

- Two concerns were expressed namely:
  - a) that translation facilities be provided for all official languages **and**
  - b) Views expressed by minority parties be recorded

**3. CORE GROUP MINUTES AND REPORT**

The following minutes and report of Core Group were noted:

Minutes 19 September 1994  
Report 23 September 1994  
Minutes 20 October 1994

**4. MATTERS ARISING**

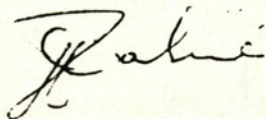
It was noted that the language issue was referred to the Constitutional Committee.

**5. WORK PROGRAMME**

- 5.1 After a long discussion it was agreed that the Core Group draw up a work plan and submit it to the Theme Committee meeting of Monday 31 October 1994.
- 5.2 It was further agreed that the Secretariat extend an invitation to all political parties to submit names of structures, organisations and individuals whose expertise are necessary to deal with sub-themes of Theme Committee 2 as stipulated in the Resolutions of the Constitutional Assembly.

**6. CLOSURE**

The meeting rose at 10:40.





# CONSTITUTIONAL ASSEMBLY

## THEME COMMITTEE 2

### MINUTES OF THIRD CORE GROUP MEETING MONDAY 24 OCTOBER 1994

#### PRESENT

**Rabie JA (Chairperson)**

Eglin CW  
Groenewald PH  
Mahlangu MJ  
Mars I  
Rabie JA (Chairperson)

#### **APOLOGIES**

Ebrahim EG  
Ndlovu VB

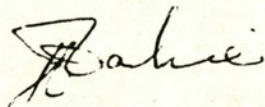
N Cetywayo, H Ebrahim and P Fahrenfort were in attendance.

#### **1. WORK PROGRAMME**

- 1.1 The Core Group confirmed the agreement of the Theme Committee meeting of 24 October 1994 that: the Secretariat extend an invitation to all political parties to submit names of structures, organisations and individuals who in their opinion can help the Theme Committee achieve its objectives.
- 1.2 It was agreed that these submission should be made by **Wednesday 26 October 1994** in preparation for the Core Group meeting scheduled for **Thursday 27 October 1994 at 17h00**. It was further agreed that **Mr JA Rabie** chair this meeting as well as the Theme Committee meeting of **31 October 1994**.

#### **2. CLOSURE**

The meeting rose at 11h05.





# CONSTITUTIONAL ASSEMBLY

## MINUTES OF A JOINT MEETING OF CORE GROUPS OF THEME COMMITTEES 5, 6 AND 7 WEDNESDAY 26TH OCTOBER 1994 AT 08H00

**PRESENT:** (D. Schutte, Chairperson)

Dyani Z.D.  
Ebrahim G  
Hlengwa I M W -  
Ngwane L  
Rabie J

In attendance: Cetwayo N, Fahrenfort P, Nyoka N, Taft N, Van Eck E.

### 1. OPENING AND WELCOME

- 1.1 The meeting was opened by Mr. D. Schutte who chaired the meeting.
- 1.2 The purpose of the meeting was to establish areas of overlap between Theme Committees 2, 5 and 6 with regard to Traditional Leaders.

### 2. CONSULTATION OF TECHNICAL EXPERTS RE TRADITIONAL LEADERS

- 2.2 The committee consulted the Constitutional Assembly document dated 2nd September 1994 containing the resolutions on the establishment of Theme Committees. The following interpretations were agreed to:-

2.2.1 Theme Committee 2 - Structure of Government - Point 2.10 would be interpreted to mean to represent Traditional Leaders in structures of government apart from Traditional structures.

2.2.2 Theme Committee 5 - Judiciary and Legal Systems - Point 5.2 interpreted to mean Indigenous Law and Point 5.4 interpreted to mean Tribal Courts.

2.2.3 Theme Committee 6 - Specialised Structures of Government - Point 6.7 interpreted to mean Traditional Tribal Authorities, i.e. Tribal Structures of Government.

- 2.3 It was agreed that a joint commission consisting of all 3 Theme Committees be appointed to hear evidence from Traditional Leaders and other relevant bodies.



**3. CLOSURE**

The Meeting rose at 08h25