

✓
2/4/21/10/29

THEME COMMITTEE	2
DATE OF MEETING	16/11/97
NUMBER OF TAPES	2
CONTENT OF ENVELOPE	
1) PRINT-OUT	✓
2) NOTES	✓
3) TAPES	✓
4) COMPUTER DISK	✓

Theme Committee 2 - 16 November 1994
Tape 1

NOTES

0466:

Who is speaker???

1202:

Who is speaker???

1483:

Who is speaker???

1487:

request that the ??? in ??? who were in paragraph No. 1

2317:

with regard to this ???

2671:

Who is speaker???

2760:

Who is speaker???

3577:

what the Democratic ???

3756:

Who is speaker???

3896:

Who is speaker???

3964:

Who is speaker???

4011:

Who is speaker???

4150:

Who is speaker???

4379:

Whos is speaker???

4716:

Who is speaker???

4821:

Who is speaker???

4928:

Who is speaker???

Theme Committee 2 - 16 November 1994

Tape 1

Chairperson Welcome to the Theme Group 2 meeting. Morning, Sir. May I request all the members to sign the attendance register, which will be circulated. And may I request those who are alternates to tell us who they are alternating for so that we know exactly who are alternates and who are full members. And, please, the attendance register on my left is going this way. May I request the other one to go this way? Are there any apologies on the second item, ladies and gentlemen? No apologies. Then we come to the minutes, ladies and gentleman, 3 to 5. May I take it that all members have read the minutes? Before confirmation, is there any correction?

??? Mr Chairman, I see on page 4, minutes, apologies, Mr Beyers. I think my name was also mentioned there.

Mr Rabie In fact, it is only your name and not Mr Beyers.

Chairperson Any other corrections? May I have a proposal for confirmation of the minutes? Mr Bester, seconded by Mr Rabie. Thank you very much. Matters arising. Are there any matters arising from the minutes? Thank you very much, ladies and gentlemen. We go now to the work plan. May I request your patience with these items as we have to go through them item by item because this is our last day to approve the work plan so that it can be forwarded to the Management Committee. Therefore I would request the members here, if they want to amend or dub or reduce or whatever, to raise the point as we are going step by step. It is important that the work plan is accepted by this

committee today. Are we all on the same path or should I wait for you for a little while? OK, let's start. No. 1, are there any corrections? I am placing it to the committee for correction or approval. Mr Rabie is approving. Approval?

(off mike talk)

How many of us don't have the minutes? You didn't receive it? Move over to the mike here, I want to hear what you are saying.

???

It might be in the pigeon hole. I am from the bush, my Chairman. Sorry for this.

Mr Maduna

Mr Chairman, I just want the house to know that we would like at some stage at least to raise a question with regard to the issue of traditional authorities. We notice in the document here, for instance, that for whatever reason, traditional authorities are not part of structures of government. It is as though they belong elsewhere whereas in fact I want to believe that it is proper for us to move from the notion that they are not part of the formal structure of this government and that therefore they have got to be catered for in some spatial way because they belong elsewhere, outside the Constitution. The Constitution specifically requires of us to find an appropriate place within the structures of government for traditional authorities and I think we need to bear this in mind. There might be some special reason of which I am not aware, why, for instance, here in the document traditional authorities is put out as a separate substantive element and not as part of the structure of government. But, as I say, we would like you to note it for now because we will come back to that debate.

??? May I request that ??? in ??? who were in paragraph No. 1

Chairperson We are coming to that, Sir.

(off mike comments)

Thank you very much for raising that, Sir. We noted. Do we go to paragraph 2? Oh, first of all, do we approve paragraph 1 as it stands, subject to debate?

Mr Rabie Can't we do it now, Mr Chair? If Mr Maduna feels that traditional authorities must become a structure of government, let's do it now.

Chairperson Mr Maduna?

Mr Maduna Mr Chair, all I am saying now is, at same point we need to discuss where exactly traditional authorities belong because the Constitution requires of us to find an appropriate place of traditional authorities and I am aware that in the context of the debate regarding local government, for instance, there is already a debate as to whether or not they are not essentially part of local government at that level and I am aware also, Mr Chairperson, that provinces are already setting up houses of traditional leaders and therefore they have a place somewhere. All I am saying is, something in me says it is not proper for us to regard them as entities belonging outside the formal structures as was the case all along. Because in the new Constitution we have to find an appropriate place for them as the Constitutional Principles quite rightly point out. That's all I am saying right now. So that therefore I am saying that rather than putting them where they are right now, they should actually be put in as part of the formal structures of government, then we would

define a relationship between them and the various structures or rather the various levels of government.

Mr Bester

Thank you, Mr Chairman. I think that while I want to agree, I think that, that has already been done. This whole document we have in front of us is part of the structure of government and now the different issues that must be dealt with during our discussions, that is how I see point 1 and the rest of this document. The different aspect that must be attended to must be named in that list and one of those aspects is the traditional leaders. If we are now going to say that the traditional leaders must form part of, say for instance, the structure of government, then we will only be able to give one single line to the Core Group and that is: We will be working on structures of government. Then they will come back to us and say: Give us some more detail. And then we'll come back to the Volkstaatraad and the traditional leaders. You see, Mr Chairman, I think that the whole idea of the Council of Traditional Leaders in this country, which is recognised in the Constitution of our country, provides for us the opportunity to say: Maybe we must also consider. And I didn't find their name in the list – maybe I just missed it – of NGOs and other organisations that must be consulted in the process; maybe we must go back to the Council of Traditional Leaders, asking them to conduct a research programme and to come back to us with some scientific facts and traditionally accepted motivations why we must then in a specific way include them into the new structures of government. Maybe they don't want to be part of the new structures of government, maybe they want. And I think we must leave that up to them. Thank you.

Chairperson Mr Pahad?

Dr Pahad I don't think this matter should detain us and what Mr Bester raises is a totally separate issue from what is in point 1. I thought what Mr Maduna was saying was that he was noting... asking the meeting to note his concern with regard to this ????. We are not taking decisions here. This work plan has to be submitted to the Administration and the Management Committee and the Constitutional Committee will make a final decision with regard to this question. I think it is perfectly normal to say that we've got it here. He didn't say withdraw it. What I understood Mr Maduna to say is: You've got it here, here are some concerns about the way it is put and whether it is the right place to put it. That's all. It seems to be perfectly normal to note his concern and to pass his concern on to the Administration so that when having an overall assessment of all the work plans of the Theme Committee, they can take it into account. So there I don't think we should now spend our time discussing an issue which is a non-issue as far as I can see.

Chairperson Thank you, Mr Pahad. Mr Mahlangu?

Mr Mahlangu Just to add to what Mr Pahad referred to, Mr Chairman. I think there are a few issues that are not yet properly dealt with at the moment. You are aware that we have other topics that overlap with other Theme Committees that we still need to deal with. So, as Mr Pahad says, I don't think we need to waste our time on this. For example, we have the question of the provincial governments which we still have to sort out with Theme Committee 4, the question of

the judiciary with Theme 5, and all those things. I think at the moment we go as Mr Maduna is saying, we don't have to interrupt our work plan. That will be sorted out as time comes.

Chairperson The last thing on this. General Groenewald?

Gen. Groenewald Thank you, Mr Chair. I think that's the point I wanted to make. That it is also a matter which has to be discussed by three different Theme Committees jointly and that point will also be made there.

Chairperson Thank you very much, gentlemen. In other words, we approve paragraph 1, with the note noted with what Mr Maduna has said. We go to paragraph 2. Any queries. Do we approve it? Can I take it, it is approved? Paragraph 3.

??? Just one question, Mr Chairman. I just want to be clear. The whole question of separation of powers – we are just naming them judiciary, it overlaps with Theme 5 – is it not overlapping with Theme 1 as well? I just want to make sure. Theme 1 deals with the character of state. I think it does overlap with Theme 1 as well. I don't know whether... should we also note it as overlapping with Theme 1?

??? I think it does. It does overlap with Theme 1, because it is about the structure of government.

Chairperson Should we include that under judicial and then we include Theme 1 too? Is there any objection on that? No. We go to paragraph 4. Mr Pahad?

Mr Pahad

Not to repeat what Mr Maduna raised, but both the traditional authorities and the Volkstaat form part of a much bigger discussion: the case of the Volkstaat, there is now a Volkstaatraad in place, which is going to do a lot of work. It should go in like this, but I think we should note that it is possible that an agreement could be reached with the Volkstaatsraad that they do all of the necessary work in order to supply whatever information may be necessary. You might not have to set up some other little group to do things that other structures are already doing. So, I am not saying delete here, I am just saying, just note that, that is a possibility that could arise in terms of some other events taking place outside of our Theme Committee.

Chairperson

Thank you very much, my brother. Is there any comment on paragraph 4? Approved. Paragraph 5? I don't think there is anything here. Approved. Paragraph 6?

Mr Mahlangu

Paragraph 6, Mr Chairperson. We, I don't know whether we are ready now, but we are required to set up the deadline of the submission of our reports there, but we are just saying the deadlines to be established, and especially for the separation of powers... I don't know, maybe... Shouldn't we qualify that sentence a little bit if we do not have the necessary time frames or maybe to say: Reports will be submitted as and when they are completed by the Theme Committees and that the final report should be ready by the end of May. Something like that. At least it gives us a sort of a wide time frame within which we can work rather than just to leave it to say: Deadlines to be established. Especially for the separation of powers. I don't know, that's my thinking.

Chairperson Colin?

Mr Eglin Chairperson, I think Mr Mahlangu is correct. Other than under item 10, there are general time frames which don't relate to specific subjects. I am concerned because on the question of the separation of powers, until the CC or the CA has come to some understanding about the separation of powers, it is very difficult for anybody to get on with the structures at national or local level, the question of the judiciary, the executive, all of those things hang together and I would really suggest that for the question of the separation of powers, we should aim at producing a report by the end of April. In other words, it then gives other committees... Or even earlier, but not later than the end of April so that the others can then take note of that and everything else can fit into it, but if we only leave separation of powers to the end, then virtually all the other committees that are dealing with specific structures, have got difficulty in finalising their report. So whether it is March or April, I would suggest that we put a target date of the end of April for that particular subject.

Chairperson General?

Gen. Groenewald Mr Chairman, I'll second that motion.

Chairperson The motion has been seconded. How does the house feel about it? Agreed. According to my understanding, it says that our deadline for the separation of powers is from now up to end of April, but the deadline for all the inputs from this Theme Committee is up to end May to give us a leeway of consulting the provinces and getting all the inputs to our

committee.

Dr Pahad

I don't have an objection to what Mr Eglin is saying. But I think the way we should put it is that when there is an overall report made to the Constitutional Committee by the Administration, taking into account what all other Theme Committees are going to do, we might get a better picture because it may be that there are certain elements that we can deal with concurrently with the separation of powers. I don't think we should take an approach which says: Right, nothing will happen until you finish with the separation of powers. Because you can have hearings on any number of questions with a given number of options. So whilst I agree with Mr Eglin that separation of powers is really vital because it does impact on the rest, I don't think we should be... I didn't know the Democratic Party could be dogmatic and just say that you need to finish one thing in order to go on to the next. I am agreeing in broad terms with Colin, but I don't think we should tie ourselves to any specific elements.

Mr Eglin

Dogmatic interpretation is what the Democratic??? All I think is, all of us... There are six Theme Committees. We are all going to be working concurrently, but there are practical realities and I think within that concurrency, priority should be given to the separation of powers. That's all I am saying. And I think if we just said: Deadline for the separation of powers, end April; balance, or the others, in terms of the work schedule until item 10. Or in terms of the time phrase set out under item 10.

Chairperson

Let us reflect on this matter because we have already said

if we are dealing with a specific separation of powers, if we give ourselves a leeway up to April, the Management Committee maybe will come up with a solution within that time. Then we give ourselves a leeway until the end of May to come up with a proper report of this Theme group. I think we must take it as that. Could we agree on that? Is it OK? Right. We go to No. 7. Yes, Sir?

???

Just one little question. I know for certain that the Constitution does not refer to tribal authorities, but to traditional authorities and then something in me, in any event, says that there is some negative connotation with the word "tribal". May I suggest therefore that we stick to the word used in the Constitution, "traditional" authorities?

Chairperson

Thank you very much. General?

Gen. Groenewald

Mr Chairman, in 7.2, we have Volkstaat Council and Volkstaatraad. As the document is in English, I suggest you scratch Volkstaatraad because it is the same institution.

???

In this list, may I request the National Party because they have forwarded their list at the eleventh hour, to include some which are not included here and take out some which are here, please?

Mr Rabie

Mr Chairman, you can't say we submitted at the eleventh hour, it was submitted timeously, so don't blame the National Party.

Chairperson

Thank you very much. I don't blame the National Party.

??? Do I understand it correctly, Mr Chairman? Those submissions will then be included?

Chairperson That's what I am trying to say, my brother. I will be calling names here, then I will request that if there are names there that are supposed to be taken out here, members must say if we must take it out. And those who have not been called here, they must say if we must include them.

??? A final remark, sir. If you look at Afrikaner institutes, I do not think the Balieraad qualifies for that. 7.2.

Chairperson Ladies and gentlemen, may I... There is a list that I have here which I don't think you have. It is an amended list, at the last minute. May I call this list? All of you listen. Look at the lists that are in front of you, in your minutes. If there are names which are being called here, which are not there, they will be included. And there are names that will be called here which are supposed to be removed from here. Therefore may I request your indulgence on this? Let me just call these names. Sorry for the wrong spelling or wrong calling of the names.

??? Chairman, may I just ask you. If that is the National Party's list that you have there, I compiled that list and I found all the names in these lists, but in the wrong places. For instance, the FAK was with the business sector and the Balieraad, which is a law organisation, with the Afrikaner Institutions. And I think after you have read that list of names, may we then also ask to maybe have another heading, Cultural Organisations, and then we can put all the other organisations, the cultural organisations... We can

take them out of the 7.7 business sector and we can put them all together under the heading of Cultural Organisations. If you approve.

Dr Pahad

Mr Chairman, I think that's fine. I also wanted to suggest that perhaps you don't read all these names. It will take a long time. Different parties submitted names, if there is a problem in terms of a slight typographical or administrative error, it is not a problem to fix it up, to go to the Administration, or to go to one of the co-chairs and say: We think this name should belong to such a category. Otherwise we are going to spend a lot of time... So, I agree, we can put in another category: Cultural Organisations. It's no problem. I am just asking the different parties who submitted lists if they find a problem, they will find that the Administration has already corrected the mistakes after the Core Group meeting. I don't think we should read the whole list, Mr Chairman.

Chairperson

Thank you very much, Mr Pahad.

???

Mr Chairman, thank you. Mr Pahad has taken the words out of my mouth.

Chairperson

Thank you very much, ladies and gentlemen. I would ask your indulgence. If you think there is anything that you think that should be corrected on the list, please get in contact with the Administration. Did you want to say something, Mr Bester?

Mr Bester

Mr Chairman, I just wanted to ask you. Point 5, political parties or organisations. Can we add to that "outside

parliament". Otherwise we should also add the parties in the parliament also to that list.

Chairperson "Outside parliament"?

Mr Bester "Outside parliament", yes thank you.

Chairperson We can move up to 7.10. If there is any correction or amendment or whatever?

Mr Eglin Chairperson, just on coming back to 7.1, the issue where it says "tribal authorities in all nine regions" we are not going to have traditional authorities, that's local government. And it should then also read: "traditional authorities and houses of traditional leaders (where established)". Unless you want to do both levels. You have tribal authorities and houses of traditional leaders (where established). The council is the next one. The traditional authorities is local level, the houses are provincial level and the council is national level.

Chairperson Will you repeat what you just said for the Administration? Yes, Mr Rabie?

Mr Rabie I received from somewhere a note that there are no traditional authorities in the Northern Cape.

Mr Eglin Then you don't consult them.

Mr Rabie But we say nine regions.

Mr Eglin I say "traditional authorities and houses of traditional leaders (where established)". Wherever they are

established, they have to be consulted.

???

Chair, we... Last time... We need to penetrate through the rural areas and we were actually saying we are lacking terribly in organisations operating in the rural areas. We might find ourselves leaving those people out in participation or involvement in drawing up the Constitution. But since then I think Ms Mabudafasi had done very good homework to get us a lot of NGOs in some of the rural areas which are existing there and that document got missing between the Administration somewhere. But she is trying to establish another copy. I just want to establish whether... Is there any objection from the members of this Theme Committee if that list is attached as an addendum to this later on?

???

We did agree that there should be a time frame for adjusting the list, but I understand the reasoning behind the matter about the list that got lost. I don't think that will be a problem unless the members say so. There won't be a problem to attach an addendum list in our work plan. I don't think so.

Mr Rabie

Mr Chairman, we have agreed that we don't close the list at any given time so even in future names can be added to the list.

Chairperson

Yes, Madame???

Ms Mabudafasi

I just wanted to add that I had submitted a list on time, but now I don't know what happened to the Administration. It was there last week. Something happened. I submitted it

and gave it to Administration and it got lost. So, today I will submit a copy of that again.

???

Let us agree again that we said that the submission of lists won't be closed. All the parties are requested to submit their lists. If they want to amend it, or submit the new list, it is OK because we are dealing with the Constitution. It mustn't be a late Constitution, it must be the people's Constitution, therefore we are opening the door, we are not closing it.

(end of tape 1)

Theme Committee 2 - 16 November 1995
Tape 2

NOTES

0083:
Who is speaker???

0201:
Who is speaker???

0273:
Who is speaker???

0321:
Who is speaker???

0337:
Who is speaker???

0396:
Who is speaker???

1617:
Who is speaker???

0638:
traditional healers of dinaga??? association

0748:
Who is speaker???

0866:
Who is speaker???

0929:
Who is speaker???

1105:
Who is speaker???

1170:
Who is speaker???

1319
was it Sono???

1384:
Who is speaker???

1452:
Who is speaker???

1472:
Who is speaker???

1488:
that L. Zama??? is an advocate

1560:
Who is speaker???

1678:
Who is speaker???

1826:
Who is speaker???

1990:
Who is speaker? Is it Mr Beyers???

2046:
Who is speaker???

2477:
Who is speaker? Ms???

2551:
Who is speaker???

3219:
Who is lady speaker?

3349:
Who is speaker???

3446:
Who is speaker???

3554:
Who is speaker???

3632:
Who is speaker???

3701:
Who is speaker???

3823:
Who is speaker???

Theme Committee 2 - 16 November 1995

Tape 2

??? Another correction, Mr Chairperson. 7.10. It just says "Other Miscellaneous". I am noticing there INP is the Inyanga National Party and I think IYP In... or something like that. Are those not political parties? Should they not fall under political parties under 7.5? I am just thinking.

??? I think they are. If those initials stand for those parties, they will really fall under political parties.

Mr Rabie They are all sitting here in parliament.

Chairperson They are not in parliament.

Mr Rabie They are. Members of the ANC.

??? They are not in parliament. But we shouldn't raise a big argument. If you think they fall under Other Miscellaneous, I don't have any problem with that but I thought it would...

Mr Rabie If it is parties, then it belongs there.

??? It would be right that they belong under parties.

??? Because they are parties they belong under 7.5.

Chairperson Okay we throw them under 7.5. Thank you very much. Is there anything from 7.9 up to 7.10? Do we approve?

??? Just before we approve, Mr Chairperson. 7.8. I think

Administration has omitted a list which was submitted to them. The professional associations like NADELL and Lawyers Association. They haven't typed that in.

Chairperson It is an omission. Maybe they could just include that. PLA, NADELL, List of Bar Counsel? That's right. If you think of something, just stop me and say it. Do we approve 7 up to 10, with amendments? Yes, sir?

??? I am trying to look all over here. I can't see traditional healers or ??? association somewhere.

Chairperson Are there any other names? If you think of any names while I am carrying on with our programme, just stop me. Yes, ???

??? Mr Chairman, I thought we also said some sports organisations should be included. I don't see them appearing anywhere here. We had mentioned, among others for example, the NSL, PGA, and so on and so forth. Sports organisations.

Chairperson Where do we put them? Under sports organisations.

??? We don't have that category here of sports organisations.

Chairperson Can you just give us names, sir? Sorry.

??? NSL, SAFA. PGA – Professional Golfers' Association, boxing...

(names being mentioned and discussed too far away from mike)

???

...Mr Chairperson, when they have to at a later stage consult them as individual bodies, but I think for now it suffices just to create that category and then if we so wish, we could add names, but if we don't, it doesn't mean that we are not going to consult them. We are not tied down to the list.

Chairperson

In other words, we should add there under 7.10, behind Taxi Association, National Sports Associations. OK. May I have approval for 7 to 10 with amendments? Mr Bester? Seconded. Thanks. We come to number 8. Is there any problem with number 8? Approved, Number 9?

Mr Rabie

Mr Chairman?

Chairperson

Yes, Mr Rabie?

Mr Rabie

Somehow or the other our names that we submitted, the National Party has been omitted. Professor Themba Sono??? and Professor Albert Venter. I have indicated their expertise to the secretary.

Chairperson

Noted, Mr Rabie. We will take that into account.

???

Ja, Mr Chairman, we also omitted one name to be given under General. We will submit that during the course of the day.

Chairperson

When can you submit the name?

???

Right after this meeting.

Chairperson Please. Thank you very much.

??? 9.1, is it of concern the fact that L. Zama??? is an advocate? I know her to be an attorney. Is that not a mistake? We say advocate?

Chairperson That's what the list said, my brother. The Administration took it from the list. But if you are correcting it, I think it would be wise. Because it is not wise to call a person something else. It is unprofessional.

??? The other thing which I want to raise, Mr Chairman, 9.6. Did we raise that as one of the categories where we could have technical experts to assist us? I can't remember.

Chairperson I am not quite sure.

Mr Rabie At the Core Group meeting we suggested that each party indicates in which field their experts specialise and that's how it is listed now.

??? Mr Chairman, I discussed the other day with one of the members of our committee who is a member of the majority party in parliament the necessity to also either with 9.5 or 9.7 to have available the expertise of a group of anthropologists in South Africa. He agreed and he would have put the name on the table, but apparently he didn't. May I also then add either the name of an anthropologists or just the category of anthropologists in South Africa?

Chairperson Are you wanting to respond?

???

Mr Chairperson, indeed it is correct that we need the advice of some anthropologists because for one thing, whilst lawyers might help us address the issue of traditional authorities, it is a fact that in fact there are matters which are larger than just the laws and so on, the issues of customs and so on, which the anthropologists might have done research into and therefore they will help us. But I don't think that therefore we should now call for names because we are going to end up tying ourselves down on names when in fact there may be other people who have done some specialised work in other areas who may then be excluded. Let's just say: We will also look for anthropologists. Say one or two anthropologists.

Chairperson

Thank you, sir. Mr ???

Mr Beyers???

Mr Chairman, just a follow up. Are we going to agree on that now or are you going to insist on names?

Chairperson

I don't think we must insist on the names. People must take it as a general point of view. Do we agree on that? Yes, sir?

???

Mr Chairperson, it's a different point. I notice that Professor M.G. Erasmus is listed as an assistant in respect of 9.1, 9.3, 9.6 and so on. He must be a real all-rounder. Will he cope, really? Couldn't we find other people?

Mr Eglin

Mr Erasmus, I was going to raise a different point. He is such a good all-rounder that he is one of the seven names proposed for the independent panel of experts. As from today he will not be available as a technical adviser because his name is going forward as one of the seven persons to

serve on the panel. I was going to say his name should be deleted from this list for practical purposes because his name is going to appear on the list of experts.

Chairperson Do we delete the name of Professor Erasmus?

Mr Eglin Chairperson, under 9.3 you've got Professor Welsh whose name originally also appeared under 9.4; in other words, separation of powers and structure of government. I think his name should appear there as well, under 9.4. Well it links things up.

Chairperson Are you saying that it is supposed to appear in 9.3 and 9.4? Right. What other names do you want to change around there? My assistant here tells me that there is another name which does not appear in the list, I think the name came from the ANC.

Ms??? It's Christina Marais.

(off mike discussion)

Chairperson Do we agree with amendments?

??? Sir, the Volkstaat will remain with one person.

Chairperson At this moment in time it seems as if so, unless they give us another name. Unless they have a leeway of getting hold of Professor Erasmus to help them too.

Mr Eglin Mr Chairperson, I think you might assume that Volkstaat overlaps with two or three other Theme Committees and

they may well put forward other names. You'll see when they all come together.

Chairperson

I need a proposal for 9 to 9.7. Agreed? Thank you. 10, time frames? Mr Rabie has proposed. Approval? Is there anything? No. May I then take this work plan, with amended version, as approved by this committee, so that when the Administration compile it, to forward it to the Management Committee before the 15th, it will be a work plan for us, Theme Group 2? May I have an approval of that first? Yes?

Mr Rabie

Mr Chairman, in the minutes of the 7th November, the decision must also form part of the report. "It was agreed that an advertisement be placed for the general public to make submissions with regard to the Theme Committee 2's Constitutional issues." It should be part of this report.

Chairperson

The resolution Mr Rabie is talking about... You mean two of them? The last one? It appears on the minutes of the 31st October 1994. That resolution reads as follows: "It was agreed that an advertisement be placed for the general public to make submissions with regard to the Theme Committee 2's Constitutional issues (CA resolution)." I am sorry, that resolution does not appear in our minutes today, but Mr Rabie says that it is supposed to appear on our work plan. How does the meeting feel about it? Mr Mahlangu?

Mr Mahlangu

Is it not exactly what we are doing here? Because we are now sending this plan to the CC. And the CC is now going to co-ordinate all the work plans of the Theme Committees and from that then the CC's going to come out with a

format looking at time frames as to how and when can they invite for public participation. I think that is exactly what we are doing here by recommending to CC that, for example, we want a hearing starting in January. We are alerting them. And then they've got to look at all the Theme Committees together and say who will start with the public hearing, for example in January, and then work on the programme for all the Theme Committees together. I think that is exactly what we are saying unless I misunderstood.

Mr Rabie

If you will recall, Mr Mahlangu, when we had that meeting it was suggested from members that we place advertisements during the recess so that Administration can then submit it to members to study. When we come back then we will have received written submissions already on which to work immediately.

Ms ???

If the meeting allows me to respond to this. We did raise this with the Administration and if I remember very well, the meeting agreed that the advertisements be placed for the submissions to be done, in fact even before we go for recess, so that the members have a time to study the submissions during the recess. When we raised this with Administration, we were told that we were the only Theme Committee which wanted that. The other Theme Committees said that they did not want to work during the recess and therefore the advert will only be placed while the members are on recess and that the members can only be able to get the submissions a few days, just before they come back from the recess. Thanks.

Mr Rabie

Treasure mustn't interfere in the decisions of the Theme

Committee! I do understand, but we mustn't interfere.

???

I think what he is saying is that our Theme Committee has successfully done their job and they were willing to work while they were on recess. The problem is that other Theme Committees didn't see fit to do that and when they submitted our resolution, they thought it would be wise to make a uniformity so that all the Theme Groups will have something to do when they come back. Now they are, in other words, prohibiting us, who are very fast in doing the job, to wait for the others. How does the committee feel about that?

???

Mr Chairman, maybe the other committees do have a point. As they seem to me in the majority, maybe we should submit to that just for the sake of conformity.

Chairperson

Do we then take it as if what Mr Rabie is proposing is in fact what Mr Mahlangu is saying we are doing? That the Management Committee will come with a time frame of doing this which is requested? Do we take that as agreed? I need a proposal now for the whole work plan to be submitted.

Mr Rabie

I propose.

Chairperson

Proposal seconded.

???

Well, that item, Mr Chairperson, was raised by a member of Volks Front, I think, General Groenewald, and I don't think he is here at the moment. I don't think we can enter into any discussion at the moment in that regard.

Chairperson Should it lapse then, item 6?

???

This whole question of clarity, Mr Chairman, are we suggesting that the submissions we are talking of after the advertisement will then be sent to our physical residential addresses during the recess? Is that the final decision of this meeting?

Mr Rabie The meeting has decided that we don't do that. So we will only receive submissions when we return.

Chairperson Item No. 7. May I give notice to the members that the Core Group has been invited to a workshop in Pretoria, which is commissioned for provincial government, for the 28th, 29th and 30th November. Members of the pre-chair have agreed to go with General Groenewald to attend that workshop. We would like to give notice that we will be attending that on behalf of this Theme Group 2. Are there any other items before we close the meeting? Mr Pahad will also attend this, time permitting, if possible.

???

You can't say two things when there is one.

Chairperson Are there any other items before the meeting closes? We take it we will meet when we come back from recess. The meeting is adjourned. Thank you very much.