

2/4/21/9/6.

CONSTITUTIONAL ASSEMBLY

**THEME COMMITTEE 2
STRUCTURE OF GOVERNMENT**

THEME COMMITTEE MEETING

**MONDAY
27 FEBRUARY 1995
9H00-12H00
M46**

TECHNICAL COMMITTEE REPORT

2

**THE PRESIDENCY AND CABINET
POWERS, DUTIES, AND FUCTIONS**

THE PRESIDENCY AND CABINET

As requested we list herewith some of the powers, duties and functions of a ceremonial head of state and an executive head of state and government.

CEREMONIAL HEAD OF STATE

1. Appoint and accredit, receive and recognise ambassadors and other diplomatic officers;
2. Appoint the times for the holding of sessions for the National Assembly and the Senate;
3. Pardon or reprieve offenders;
4. Confer such honours as it considers appropriate on residents and friends;
5. Assent, sign and promulgate laws;
6. Officiates in all matters of State which are non-party political in nature etc.;

EXECUTIVE PRESIDENT

The Executive President acts either in consultation or on advice of the Cabinet. His powers incorporates all those mentioned under Ceremonial Head of State and in addition he has the power to:-

1. To administer and execute the laws of the country;
2. Declare martial law or state of emergency;
3. Establish and dissolve government departments and ministries;
4. Appoint Ministers and other high ranking government functionaries, etc.

THE CABINET

Members of the Cabinet shall have the following functions:

1. To direct, coordinate and supervise the activities of Ministers and government departments;
2. To initiate Bills for submission to the national Assembly;
3. To formulate, explain and assess for Parliament the budget of State and its economic plans and to report to Parliament thereon;
4. To explain and analyse to Parliament the goals of foreign policy and its relationship with other States;
5. Advise the President on matters including National defence, maintenance of law and order, etc.;
6. To issue notices, instructions and directives to facilitate the

What you write today could be *your* rights tomorrow.

There is still time for all South Africans to make history happen now. The following topics are presently under discussion at the Constitutional Assembly. The 490 elected members of the Constitutional Assembly would like to hear from you.

Theme Committee 2

THE STRUCTURE AND FUNCTIONING OF GOVERNMENT

1. AT NATIONAL LEVEL

The Legislature including

- Bicameral or unicameral legislature
- Composition of house/s constituting parliament
- Powers and functions of house/s

The Executive including

- Head of State
- Head of Government
- Method of appointment of Head of Government/Head of State
- Structure and functioning of Cabinet

Checks and Balances including

- Accountability of Executive to Parliament
- Votes of no confidence
- Approval of budgets and expenditure

2. AT PROVINCIAL LEVEL

The Legislature including

- Composition and functioning of legislature

The Executive including

- Head of the Executive, method of appointment, powers, etc.
- Structure and functioning of Executive Councils

Checks and Balances including

- Relationship between Executive and Legislature

These are very important issues that will affect your life now - and for the future. To air your views, contact any member of the Constitutional Assembly, your organisation, or write direct to The Executive Director, Constitutional Assembly, P.O. Box 15, Cape Town 8000. Remember, the closing date for submissions is 10 March 1995.

Do the write thing, and make your mark in the pages of history.

1994 **× You've made your mark.** 1995 **Now have your say.**

THE NEW CONSTITUTION