

Laetitia Meter.

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**CONSTITUTIONAL ASSEMBLY**

**MANAGEMENT COMMITTEE**

**MINUTES OF MEETING  
ON  
THURSDAY 25 APRIL 1996**

# CONSTITUTIONAL ASSEMBLY

## MINUTES OF MANAGEMENT COMMITTEE THURSDAY 25 APRIL 1996

### PRESENT

MC Ramaphosa (Chairperson)

Chabane OC

Eglin CW

Meshoe K

Meyer RP

Myakayaka-Manzini M

Van Breda A

Viljoen C

Wessels L

**In attendance :** H Ebrahim, P Lilienfeld, M Sparg, L Zondo

### 1. **OPENING**

The chairperson opened the meeting at 08h10. The agenda was adopted.

### 2. **MINUTES OF MEETING OF MONDAY 15 APRIL 1996**

2.1 The meeting agreed that the word "*simply*" would be removed from 8.2 of the minutes.

2.2 The meeting agreed to correct 7.3 to read as follows: "*Mr Viljoen of the FF agreed with the idea of a small celebration now, but felt that the major occasion should be a solemn affair after the certification of the Constitution.*"

2.3 With these corrections, the minutes were adopted.

### 3. **MATTERS ARISING**

3.1 As a matter arising from 7.2 and 7.3 of the minutes, Mr Eglin of the DP asked when the CA was going to consider what kind of celebration should take place after certification.

3.2 The Chairperson responded that members should think about the matter and submit proposals.

### 4. **SCHEDULE FROM 25 APRIL TO 8 MAY 1996**

4.1 The meeting considered the schedule for 25 April to 8 May contained in the documentation for the meeting.

### 4.2 **CONSTITUTIONAL COMMITTEE OF 25 APRIL 1996**

4.2.1 Mr Eglin asked whether members would have sight of the proposed amendments before the Constitutional Committee meeting set for 14h00.

4.2.2 The Chairperson responded that the proposed amendments would be distributed by 12h00.

- 4.2.3 It was agreed that the Constitutional Committee would start at 14h00 as scheduled, but would start by considering how to deal with the proposed amendments, rather than considering immediately the substance of these proposed amendments.
- 4.2.4 It was noted that most of the amendments appeared to deal with issues that had already been raised in previous discussion. Very few of the amendments appeared to raise completely new matters.
- 4.2.5 It was further noted that the best way of handling the proposed amendments, may be for the Constitutional Committee to meet in subcommittees. However, it was agreed that this would be discussed in the meeting of the Constitutional Committee.
- 4.2.6 It was agreed the Constitutional Committee would attempt to finalise matters by Monday 29 April, but that Tuesday 30 April would be kept in reserve for further discussions.

#### **4.3. REMAINDER OF SCHEDULE**

The following was agreed to on the remainder of the schedule leading up to 8 May 1996:

- 4.3.1 The Constitutional Assembly would not meet on Monday 3 May 1996.
- 4.3.2 The Technical Refinement Team would need access to members on 3 and 4 May to check that the final draft was approved for printing on Sunday 5 May 1996.
- 4.3.3. The final draft would be distributed on Monday 6 May 1996.
- 4.3.4 The Constitutional Assembly would meet on Monday 6 May at 16h00 to table the final draft and to allow the Chairperson to introduce the Bill. No debate would take place.
- 4.3.5 The Constitutional Assembly would meet at 10h00 on Tuesday 7 May when the structured debate would begin. This session would be extended beyond 18h00 to ensure that as many members as possible were given a chance to speak.
- 4.3.6 In response to a query by Mr Van Breda of the NP, it was agreed that if a flaw was found in the Bill on 7 May 1996, this matter could be referred to the Constitutional Committee to deal with. If any amendments were necessary, these would be printed and distributed to members separately from the Bill.
- 4.3.8 Ms Myakayaka-Manzini of the ANC said it would be highly unlikely that problems would only be detected on 7 May when members

would have had the opportunity on 3,4 and 6 May to study the final draft.

4.3.9 In response to a further query from Mr Meyer of the NP, it was agreed that whilst 10h00 on Thursday 25 April was the deadline for submission of amendments, the Rules as amended, did give the Chairperson the discretion to accept further amendments during the course of discussions in the Constitutional Committee and was not necessarily bound only by the proposed amendments.

4.3.10 Mr Eglin said these new amendments during the course of discussions in the Constitutional Committee should however be of a consequential nature and not deal with entirely new matters.

## **5. SCHEDULE OF PROPOSED AMENDMENTS**

It was noted that the schedule of proposed amendments was not available as the deadline for submission of amendments had been shifted to 10h00 on Thursday 25 April 1996.

## **6. PROGRAMME FOR 8 MAY 1996**

6.1 Mr Ebrahim requested that members consider the draft programme carefully and further mandate the Chairpersons to finalise the programme for 8 May.

6.2 In response to a query by Mr Eglin, Ms Sparg said it appeared that two of the major events would be sponsored by the private sector but that this information would be made available at a later stage.

6.3 Mr Ebrahim said that the budget circulated in the previous meeting had contained estimates, rather than exact costs and that a number of errors had also been made. One of these was that the cost of a photographer was estimated at R2 000.00 rather than R20 000.00.

6.4 It was agreed that a revised budget would be made available soon.

## **7. REQUEST FOR SWAZI VISIT ON CONSTITUTIONAL MATTERS**

7.1 The meeting considered the request from Aurora Associates for assistance in arranging a programme for members of government of Swaziland and other stakeholders on the South African constitution-making process, contained in the documentation for the meeting.

7.2 It was agreed that this matter would be referred to the Department of Foreign Affairs. If the CA was requested to provide names of speakers, this would be done. However, it was agreed

the matter was best dealt with by government, rather than the Constitutional Assembly. The Management Committee would be kept informed of developments.

**8. ANY OTHER BUSINESS**

8.1 Mr Ebrahim said that in light of the fact that the next meeting of the Management Committee on 2 May 1996 was the last scheduled meeting of the Management Committee, it was necessary to consider several important matters in relation to the Administration. This included matters such as the accountability of staff, financial accountability, the legacy project and the certification and publication of the Constitution.

8.2 It was agreed that the Directorate would consider proposals in discussion with the Chairpersons and that these would be circulated to members before the next meeting to allow members the time to apply their minds.

**9. CLOSURE**

The meeting ended at 09h30.

