

2/4/8/2/1/4

T3/13

CONSTITUTIONAL ASSEMBLY

THEME COMMITTEE 3
RELATIONSHIP BETWEEN
LEVELS OF GOVERNMENT

Monday 27 February 1995

Room E249

(11H30)

DOCUMENTATION

(Minutes of the meeting held on 15/2/95)

TABLE OF CONTENTS

1	Minutes of the meeting of 15 February 1995	Pages 1 - 3
2	Minutes of the Core Group meeting held on 6 February 1995	Pages 4 - 6
3	Minutes of the Core Group meeting held on 7 February 1995	Pages 7 - 8
4	Minutes of the Core Group meeting held on 8 February 1995	Pages 9 - 11

**CONSTITUTIONAL ASSEMBLY
MINUTES OF THE MEETING OF
THEME COMMITTEE 3
RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT
WEDNESDAY 15 FEBRUARY 1995 (AT 08H30)**

**PRESENT
K ANDREW (Chairperson)**

Albertyn JT (Alt)
Andrew KM
Applegryn MS (Alt)
Bhabha M
Blaas A
Carrim YI
de Lille P
Dingani ZA (Alt)
Gordhan PJ
Groenewald PJ
Gxowa NB
Khobe ON
King TJ
Koornhof GW
Kota Z

Leeuw SJ (Alt)
Losabe LK (Alt)
Mabude NI (Alt)
Mahlalela AF
Manie MS
Marais G
Maree JW
Mashamba HJ
Modisenyane LJ
Saaiman PW
Shandu EEN
Smith PF
Suttner RS
Verwoerd M
Vilakazi MI

Technical Experts
None

Apologies
DC Du Toit and R Rabinowitz

Absent
MP Coetzee, PC Cronje, NN Mapisa-Nqakula and MS Seperepere

In Attendance
Sandra Haydon and Mbaso Mxenge

1. OPENING

- 1.1 Mr Andrew opened the meeting at 08h30.
- 1.2 The meeting agreed to deal with the minutes of the previous meetings and adjourn so as to allow the Report drafting committee to complete the 2nd draft.

2. MINUTES OF THE MEETINGS HELD ON 1 & 2 FEBRUARY 1995

- 2.1 The minutes of the meeting held on 1 February 1995 were adopted with the following amendment:

Page 6, first line of the last para, between the autonomy

- 2.2 The minutes of the meeting held on 2 February 1995 were adopted.

3. MINUTES OF THE MEETING HELD ON 7 FEBRUARY 1995

The minutes of the meeting held on 7 February 1995 were adopted.

4. ADJOURNMENT

The meeting agreed to adjourn at 08h50 and reconvene at 12h00.

5. MEETING RECONVENED

The meeting reconvened at 12h00.

6. DRAFT REPORT ON HEADING 1

- 6.1 Mr Gordhan gave an overview of the 1st draft.
- 6.2 It was agreed that the Political parties would study the document and fax any amendments to the Secretariat on the evening of 15 February 1995. The Report committee was mandated to edit the document on the same evening.
- 6.3 The Report committee advised that meeting that the Executive Director had advised approval had been given for the Report to be submitted to the Constitutional Assembly on Monday 20 February 1995.
(Note: the Report on Heading one and the Political Party submissions would be submitted to the next meetings of the Management Committee and the Constitutional Committee).

6.4 The meeting agreed that the Theme Committee would meet at 16h30 on 16 February 1995 to approve the final report.

7. CLOSURE

The meeting closed at 13h00.

CG3/9

CONSTITUTIONAL ASSEMBLY

CORE GROUP 3

**RELATIONSHIP BETWEEN
LEVELS OF GOVERNMENT**

Tuesday 14 February 1995

Room G26

(14H00)

DOCUMENTATION

(Minutes of the meeting held on 6/2/95)

Adopted

CONSTITUTIONAL ASSEMBLY
MINUTES OF THE MEETING OF
CORE GROUP 3
RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT
MONDAY 6 FEBRUARY 1995 (AT 14H00)

PRESENT
P DE LILLE (Chairperson)

Andrew KM
Carrim Y (Alt)
de Lille P
Gordhan PJ (Alt)
Groenewald PJ
King TJ
Smith PF

Apologies
DC Du Toit and NN Mapisa-Nqakula

Attendance
Sandra Haydon and Mbaso Mxenge

1. OPENING

Ms P de Lille opened the meeting at 14h00.

2. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting were adopted subject to the following amendments:

- i. The date on page 2 to read 31 FEBRUARY;
- ii. Para 2 the words" today's meeting." to be deleted and replaced with when this agenda item was discussed;
- iii. Para 3.3.5 to read 'A view was expressed for';
- iv. Para 4 heading to read 'WORK PROGRAMME';
- v. Para 4.4.3 be amended to read 'One view was expressed that financial and fiscal issues are complicated and should be allocated sufficient time to be processed'; and

- vi. Para 6.1 be amended to read 'The meeting were of the view that the role of the Senate will be discussed in context of the relationship between levels of government'.

3. WORK PROGRAMME

3.1 The meeting agreed on the following Work Programme:

- * Block 1 - should remain as is
- * Block 2 and 3 - should be merged under the heading 'National and Provincial Legislative and Executive Competences'
- * Block 3 - Local Government
- * Block 4 - Financial and Fiscal Relations
- * Block 5 - Miscellaneous Matters, which will run vertically and horizontally and accommodate areas which are not covered in the headings above (eg The role of the Senate).

3.1 The Technical Experts will be consulted to finalise the Sub-headings in each of the above.

4. REPORT ON BLOCK 1

The Core Group and the Technical Experts will draft the report on Block 1 which will be tabled in the Theme Committee for confirmation.

5. PUBLIC PARTICIPATION

The meeting discussed the idea of inviting the premiers from all nine Provinces to address the Theme Committee on a number of issues. (This item will be carried forward for discussion in Block 2 as soon as the framework is confirmed).

6. GENERAL

The Secretariat was asked to provide further information of the Public Participation Programme and in particular details of the launch of the Programme in Paarl (ie how many members from the Theme Committee can be accommodated).

7. CLOSURE

The meeting closed at 15h30.

CG3/9

CONSTITUTIONAL ASSEMBLY

CORE GROUP 3

**RELATIONSHIP BETWEEN
LEVELS OF GOVERNMENT**

Tuesday 14 February 1995

Room G26

(14H00)

DOCUMENTATION

(Minutes of the meeting held on 7/2/95)

Adopted

CONSTITUTIONAL ASSEMBLY
MINUTES OF THE MEETING OF
CORE GROUP 3
RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT
TUESDAY 7 FEBRUARY 1995 (AT 10H00)

PRESENT
P DE LILLE (Chairperson)

Andrew KM
de Lille P
Gordhan PJ (Alt)
Groenewald PJ

King TJ
Mapisa-Nqakula NN
Smith PF

Technical Experts
Professors Basson, Davis, Majola and Venter

Apologies
None

Attendance
Sandra Haydon and Mbaso Mxenge

1. TECHNICAL EXPERTS

The Core Group met briefly with the Technical Experts to discuss their availability and the working relationship between the Core Group and the Technical Experts.

- 1.1 The Technical Experts agreed to attend the Orientation Workshop to be held on 8 February 1995.
- 1.2 The meeting agreed that the Technical Experts would draft a report on the Political Party submissions (and the minutes of the TC where political parties made oral submissions) in accordance with the Framework as decided by the Theme Committee.
- 1.3 The meeting agreed that the Core Group and the Technical Experts would meet after the Workshop to discuss the first draft which would be circulated to the Core Group on the 8 February 1995.
- 1.4 It was suggested that the Technical Experts could give guidance regarding the framework for Heading 2.

2. CLOSURE
The meeting closed at 10h45.

CG3/10

CONSTITUTIONAL ASSEMBLY

CORE GROUP 3

**RELATIONSHIP BETWEEN
LEVELS OF GOVERNMENT**

Tuesday 14 February 1995

Room G26

(14H00)

DOCUMENTATION

(Minutes of the meeting held on 8/2/95)

Adopted

CONSTITUTIONAL ASSEMBLY
MINUTES OF THE MEETING OF
CORE GROUP 3
RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT
WEDNESDAY 8 FEBRUARY 1995 (AT 16H30)

PRESENT
P DE LILLE (Chairperson)

Andrew KM
Carrim YI (Alt)
de Lille P
Du Toit DC

Gordhan PJ (Alt)
King TJ
Mapisa-Nqakula NN
Smith PF

Technical Experts
Professors Basson, Davis, Majola and Venter

Apologies
None

Attendance
Sandra Haydon and Mbaso Mxenge

1. OPENING

Ms de Lille opened the meeting at 16h30.

2. DRAFT REPORT ON HEADING 1

2.1 Some members expressed the view that the draft report was unacceptable to the parties concerned.

2.3 The Technical Experts explained that they had difficulty working within the Framework requested by the Core Group and asked for clarification as to the format.

2.3.1 The Core Group requested the Technical Experts be guided by the following parameters:

- i. Identify and Summarise points of agreement and dis-agreement in line with the Framework laid out by the Theme Committee;
- ii. Identify and illuminate the key issues of the five headings;
- iii. Some content issues may be resolved in later Headings.

2.4 The Core Group requested that Technical Experts redraft the report and distribute it prior to meeting with the Core Group at 15h00 on Monday 13 February 1995.

3. CLOSURE

The meeting closed at 17h30.