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CONSTITUTIONAL ASSEMBLY

CORE GROUP 3

RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT

**1 JULY 1995
E249
(Immediately following TC Meeting)**

DOCUMENTATION
(Minutes of 31/7/95)

Embargoed until 18h00 1/8/95

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Embargoed until 18h00 1/8/95

CONSTITUTIONAL ASSEMBLY

MEETING OF CORE GROUP THEME COMMITTEE 3

RELATIONSHIP BETWEEN LEVELS OF GOVERNMENT

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

Date : 1 August 1995

Time : Immediately following Theme Committee meeting of 1/8/95

Venue : E249

AGENDA

1. Opening
 2. Minutes of the previous meeting (pp 2-4)
 3. Matters arising
 4. Reports
 5. Work Programme
 6. Hearing on Local Government
 7. Report on Competencies to CC 4/8/95
 8. International Republican Institute (Letter)
 10. Report on Commonwealth Conference
 11. General
 12. Closure
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3. MATTERS ARISING

3.1 Fiscal Analysis

3.1.1 The meeting noted the document prepared by '*The Unit for Fiscal Analysis of the Department of Finance*' which reported on issues relating to: the collection of taxes by each province; how much each province received from the Exchequer; type of taxes levied at provincial level; rates and property transfer duties; breakdown of all elements of income at all levels of government; and profile of combined expenditure of local authorities.

3.1.2 The Administration advised that the document had been distributed to the members of Theme Committee 3.

3.2 Schedule 6

The administration advised that the document '*Commission on Provincial Government - Information regarding Schedule 6 Functional Areas*' had been distributed to the members of Theme Committee 3.

4. REPORTS FROM TECHNICAL ADVISORS

4.1 After lengthy discussion the meeting agreed that the Administration would ask the Technical Advisors to be present at the Theme Committee meetings on Monday and Tuesday, 7 - 8 August 1995, for full discussions of the following reports:

- (a) Local Government
- (b) Inter-Governmental Relations
- (c) Financial and Fiscal Relations

4.2 The meeting further agreed that all parties must caucus on the reports and come with a clear mandate on issues relating to these reports which are to be discussed on 7 and 8 August. This would ensure that the reports are adopted by the Theme Committee and forwarded to the Constitutional Committee expeditiously.

5. WORK PROGRAMME

5.1 The meeting agreed to the following:

- (i) The Technical Advisors should, as a matter of principle, attend all meetings of the Theme Committee and Core Group. Due

consideration should be taken to ensure that their time is fully utilised:

- (ii) Prof Basson would be asked to represent the Technical Advisors at the meeting of the Constitutional Committee on 4 August 1995, when the Theme Committee Report on National and Provincial Legislative and Executive Competencies will be discussed;
- (iii) The Administration should redraft the Work Programme so as to ensure that all reports are completed timeously for presentation to the Constitutional Committee and the Constitutional Assembly before 15 September 1995;
- (iv) The Administration would circulate the revised Work Programme to the members of the Theme Committee;
- (v) At the Theme Committee meeting on 1 August 1995, members would be briefed as to how it was proposed to process the reports, with input by Professors Davis and Venter;
- (vi) The Theme Committee meeting of Wednesday 2 August would be cancelled; and
- (vii) The Core Group would meet immediately following the Theme Committee meeting of 1 August 1995.

6. HEARING ON LOCAL GOVERNMENT

No discussion.

7. GENERAL

7.1 The meeting discussed the letter from the Ministry of Provincial Affairs and Constitutional Development which referred to the resolutions of the meeting of the Intergovernmental Forum (IGF), held on 15 May and 12 June 1995 respectively, for discussion at the IGF on 24 July 1995:

- (i) The Department of Finance should draft a document on financial relations; and
- (ii) The Department of Constitutional Development should draft a document on "*principles with regard to intergovernmental consultation, co-operation and co-ordination*", for distribution to the provincial premiers.

7.2 The meeting agreed that these papers should be made available for discussion at the Theme Committee meetings on 7 and 8 August 1995.

8. CLOSURE

The meeting ended at 15h45.