

codesa.2

NOTES ON GENERAL PRINCIPLES

7. 5. 92

ON AGREED COMMONALITIES

REGIONS

The interpretative note made by the ANC with reference to neither implying nor rejecting concurrent powers with a central government override, the possibility of having metropolitan government and the possibility of transfer payments to secure regional socio-economic equalisation and regional development should be given stronger status.

The key thing is to ensure that the issue remains open at the National Assembly and that the formulation in 1.2 in Provisional Areas of Commonality, and especially the use of the word entrenched in 1.2.3, cannot be interpreted by the independent mechanism as excluding the three concepts mentioned above.

The crucial element is the overriding power of central government legislation. There might turn out to be certain areas where a case could be made out for exclusive regional jurisdiction, but whatever happens, the NEC insistence that effective regional government should be coupled with the central government being able to determine general national policy should get clear recognition in the report. Nothing should be left to chance: just as the express federal option should expressly remain on the agenda at the National Assembly, so should the ANC position be protected.

The Regional element is accounted for by the following:

1. Representation of regional Ministers of police in the National Policing Advisory Council which advises the President and is the senior organ of civilian control of the police.
2. Regional Police Commissioners are members of the national Police Command which advises the National Police Commissioner as operational head of the Police Service.
3. The Regional Police Commissioners are appointed by the President on the advice of the National Advisory Council after consultation with the Regional Premier.
4. Special functions and powers in connection with regional policing will be delegated by legislation to the regional commissioners.
5. The Regional Assembly will debate, supervise and scrutinise the performance of all South African police personnel in the area of the region; in relation to matters which fall within the delegated powers and functions of the Regional Commissioner, the Regional Assembly shall exercise direct supervision and control through the Regional Minister of Police who will be accountable to it in this respect; in relation to other matters, the Regional Assembly shall instruct the Regional Minister and Commissioner respectively to take up the matter at the national level.
6. There shall be a National Police Board and a National Machinery to receive complaints which shall have regional components

Deadlock breaking

Rights

Local govt.

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13 JULY 1993

TO: ANC H.Q.

FAX NO:

ATTENTION: BILLY COBBETT
DEPARTMENT OF LOCAL GOVERNMENT

FROM: ALBIE SACHS

Dear Billy

I attach a copy of a fax from Steve Merrett.

Regards.

Albie

Albie Sachs
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1 July 1993

Dear Albie,

Thanks so much for your note. Stephanie put the sculpture in the basement where it could have caused dry rot so it now adorns the back-garden.

No, since we last spoke I have received no communication of any kind from anyone in the ANC, nor from the ODA nor from the British Embassy in South Africa. Of course, I assumed the whole thing was dead, so I now have absolutely no idea what the ANC concretely has in mind.

Do get in touch with us once you're back in London.

Warmest wishes from us both

Steve
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