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 ,the Transitional
 Council (TEC)
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 The Technical Cummings on ma Transitional
 5ng fly. Amneriw (TEC) has produced a vapor: in
 this am of I um: um. Thu upon in lulu
 discussed in lh. Negotiating Cnunell. y
 The BIII upon agmament M" be pIICId before the
 Tricarneral Paniarnent when it reconvene: in
 September to be pummel.
 A summary of the report is as follows:-
 _____.--_____"-
 Obiects of the TEC
 The object! of the Council shill be to promote me
 prparation for a transition to a democratic order In
 South Afrlca by -
 1. Creating and promonnu a climate for free
 pumicll pmlcipltion by onduvouring to:-
 ' oliminau any obstacle to legitimata political
 actiy'ruaaiz
 ' eliminate any form of Intimidation;
 ' ensure that all political parties are free to
 canvass support from yqters, to organise
 and hold meetings and to have apcess to
 an voters; 1
 ' ensure that no Government or
 administration axerelses any of its powers
 in such a way 59 I8 tn advantage or
 prciudicm any political party;
 2. Creating and pumming condition: condunivn
 to the holding of free and fair elections;
 3. Perfonnlnga such function: Is may he jnianod
 to it.
 1a Auguu, 19:33
 Constitution of Council '
 Each Government. party or organisation whigh is
 rezmunted in the Multi-Party Negotiations Process
 an . "'
 n commits itself to thn objects of the Catgmil:
 ' undertakes a be bound by :ndtolmpln%lnm
 the decisions of tin Council: and
 ' renounces violence as a means of achining
 polltlcal objects: "g:
 sh_all be a participant in the Council am; he
 entnhd to be represented by one mamher oh thc
 Council. ..
 Contents
 ' omen of m 7E0: w
 ' Cmaiam'an of the Comm;
 ' Gum! Pawn: of the Council:
 ' Sub Councils
 - cansmw'on of the Sub Cameils: 1")
 - Gamma! Pam of the Sub Comedy
 ' Mona! and Local Government: E
 ' m. md-Ordw. sunny hhcurim;
 ' Donna 9:.
 - National Mummy force
 Fimnce
 Forum Main
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 General
 The way Forward

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NEGOTM "ONE? BULLETIN No. 35 '

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General Powers of Council

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The council shall, for purposes of achieving its objects, have the power to:-

' request and obtain all such information, including records, as may be necessary; m
h .direct a club council to enquire into and to

advise the Council on any matter in

connection with the functions of the Council:

' Initiate or participate in negotiations relating to its functions and objects:

The Council may delegate to a Sub Council any of its powers, but it shall not be divested of a power so delegated.

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Sub councils 1

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Provision has been made for the establishment of the following Sub Councils:-

' Regional and Local Government: 1 .

' Law and Order, Stability and Security:

' Defence: 2

' Finance;

' Foreign Affairs; 3

" Status of Women. 4

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Constitution of Sub Councils

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' The members of Sub Councils shall be appointed by the Council; ,

1 Each Sub Council shall not exceed 6 and shall not be restricted to members of the Council; '2

' No person or organisation shall have more than one representative on a particular Sub Council. 1

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General Powers of Sub Councils

The sub council: shall have the power to -

' request and obtain all such information including records as may be necessary for the purpose of performing its functions:

' initiate or participate in negotiations relating to its functions and objects;

' appoint a person or body to investigate any matter relating to the Council's function.

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18 August, 1.9.93

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The powers and duties in regard to the various sub councils are as follows:- f, "-

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Regional and Local Government

' To acquaint itself with and monitor developments..policy objectives and targets in relation to regional and local government for the period of the transition;

To propose amendment, repeal or enactment of legislation, including subordinate legislation; g

' To promote the object: of 'the Council in regard to regional and local government elections and to educate the public on the

electoral procesus;

' T9llaluewllhallorganlntlunuhd ,uatumu,
including the Local Government N 1 admin;

Forum. Hegionll Government 3. the
Electrification qum. the National Peace
eSecreurlal, Domarcular Bend: or
Commissions, the Independent rE-zlec-tlurttl
Commission and the National Hausidb Forum;

h To be advised of and make proposals
regarding - 1

- regional and local government b&dgete.
- powers. duties and functions, ail'd
- restructuring and rationalisation off regional
and local oovommmnt administrations.
- Interim local government structures. Ind
- the demarcation of boundaries:

' To monitor. make recommendations and
render aulmnca, where practicabreording
the collapse of services and sllortfall at
finances in local government;

" To request and obtain informatiori regarding
the disposal of provincial, regionalism! local
gevemment assets and Intendeq. loans by
any local government; '

' To make recommendations on legislative
and executive measures which they affect
traditlonal leaders and free and fall- political
participation in the areas of traditlorlal leaders.

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Law and Order

' To establish a national inspectorate
cemprlsed of policemen and homewomen
or other persons to investigate arid monitclr
all noliclng agencies: I

' To establish a national independent
eamplalnte mechanism under theicontrol of
a civilian. which shall be tankea with the
receipt and investigation of complelnts ludged

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by members of the publlic concerning alleged

police miaeehpuct: ,1

to request and obtain any infennatlen m

erlme Intelligence reports complied by any

poIIeing aeencv: '1

to eetablish a committee of Ieeal eapelte or

including International experts to evaluate or ..

monitor my pullce aetion, eanduet or return

which raletmlm the nblem 9f th' \$00M";

to call for a report on and evaluate the impact

of any steps taken by any policing a eney to

prevent prlitifal violence; f

to recommend steps to Improve the

effectiveneeaoof and community eo- peretlen

with peiieing agencies; I

to receive all recommendations of e Police

Board;

to make teeommendatlens reaarnding

effective and co-ordlnated control peiicmg

agencies;

A Minister who has the authority declare

a state of emergency or an unrest tee and

future South Afrlcan Defence Force. the

policy towards unntfielal military and para-

military organisations, and, the future at the

arms and related matters;

To oversee any planning. preparation and

training of a Mute defence force;

.To establish a ee-erminating council

hnmprinnd etthe commanders or web other

persons appointed by the commanders of

each military force wIllulv will lie leaked with

liaising with the structures of all mllitary

forces:

Te budget for and receive resources for the

daily maintenance and administration of all

nen-goverhntental military force: which are

governed by and accept the supervision of

the Council;

A defence force may be deployed, with the

approval of the approprlete Minister or

Commander, In erirne prevention and

peacekeeping operations under specific

condition: and in terms of regulations

specifically promulgated by the Sub Ceunell:

to premumnu emergency regulatl nu. ahell

only de an In consultation with he Sub ,

Council on Law and Order. 2

Naatlionl Peacekeeping Force

The Sub Council en Defence ehall establish

monitoring mechanisms to ensure that its

directives are complied with and that the

activities of any military force have no

negative impact on the creation of the

conditions for free and fair elections and

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Defence ' 1

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'I To be kept informed by each military force

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regarding the plannlna, preparahenuend

execution of any action by such Military

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To be kept; informed by any Government or

' The SADF shall be responsible for supplying
the NPF with the necessary agreed upon
uniforms. transport. accommodation.
equipment and logistical support.
Finance 4

' To be informed of recent economic
developments. economic policy objectives
and targets for the medium-term and more
particularly. for the fiscal year of 1994/
1995): 1

' To be represented on all function and
budgeting committees with a view to ensuring
that funds are not applied in a manner
favouring: one or other political party;
t To approve any measures designed to
rationalise Treasury functions in the process
of realignment of governmental structure:
during the transition; I

' To advise the relevant departments
concerning the privatisation or tendering out
of functions currently performed by relevant
departments of state:

' To investigate or require the investigation of
allegations of general or specific corruption
and inefficiency;

' To make recommendations regarding the
prevention of wasteful expenditure:

' To monitor any expenditure of public funds:

' The views of the Sub Council shall, in the
course of the preparation of the 1994/ 1995
government budgets. be taken into account;

t The Sub Council shall be informed of the
creation of any new post in the public
service at any government. of the filling of
vacant posts and of any deviation from the
rules and regulations applicable to retirement:

' The 5th Council shall be provided with all
details concerning any new international
financial agreement which is being
negotiated.

Foreign Affairs

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The Sub Council shall liaise. monitor, make
recommendations and. where it considers it
necessary, assist with a view to: J
t achieving progressively the broadest possible
cooperation on matters affecting international
Interests' I

" securing appropriate agreements with the
international community regarding the
contribution to a peaceful transition to
democracy:

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' securing international assistance to address
socioeconomic needs of the people:

promoting such international relations
including trade. finance. culture and sports
relations to the benefit of the country.

Status of Women

The focus of the powers and duties of the Sub
Council' I: to ensure the full and equal participation
of women in the preparation for the implementation
of and the transition to a free and democratic order
in South Africa at national. regional and local
levels.

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General

' Daemon: In the Council shall be taken by
consensus. Should no consensus be possible,
a majority of 80% would be necessary.
t Where there is a dispute in the Council, the
matter shall be referred to the Election
Adjudication Directorate with the right of a
final appeal to the Independent Electoral
Commission.

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The Way Forward

The matter is presently being debated in the
Negotiating Council. A final agreement is expected
shortly. This will be reported in due course.

Notwithstanding-

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