

[1]

MINISTRY OF LOCAL GOVERNMENT AND AGRICULTURE

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FAX MESSAGE

DESPATCHED TO : CODESA

ADDRESS : WGSC - 5

FOR ATTENTION : THEUNS ELOFF

FAX NUMBER : (011) 3972211


FROM : Kevin Edwards

TOTAL NO. OF PAGES INCL. COVER PAGE : 1

MESSAGE : I AM DIRECTED BY MR. Y MOOLLA, MP. TO  
INFORM YOU THAT THE ARRANGEMENT AS SET  
OUT IN YOUR FAX OF 31 JANUARY 1992 FOR  
A MEETING WITH THE D.M.C IS CONVENIENT  
FOR HIM.

THANK YOU FOR YOUR CO-OPERATION.

DATE : 1992-02-04

SIGNED : 

HAVE A NICE DAY !

# African National Congress

51 Plein Street  
Johannesburg 2001  
P O Box 61884  
Marshalltown 2107



Tel: (011) 330-7000  
Fax: (011) 333-9090  
Telex: 421252

## FAX COVER SHEET

TO: SECRETARY OF WORKING GROUP 5

ATT: THEUNS ELLOF

FAX NO: 397 2211

NO. OF PAGES INCLUDING THIS ONE: 1

SENT FROM: HEADQUARTERS

RE: \_\_\_\_\_

SENT BY: DIPLO MVELASE (SACP)

FAX NO: (011) 333-9090

MESSAGE: ① THE SUGGESTED TIME OF 16h00 ON  
THE 6<sup>th</sup> FEBRUARY IS CONVENIENT FOR ME.

2. ISSUES TO BE DISCUSSED WITH DMC

a. Relationship of our working group  
(s) with the DMC in view of the  
nature ~~of~~ and functions of working  
group 5

- Role of the secretariat in our  
working group

- How does working group 5 receive  
and disseminate information.

- How does working group 5 link  
up with the DMC to ensure  
dynamic communication.

**The People Shall Govern!**



HOUSE OF ASSEMBLY  
P O BOX 15 CAPE TOWN 8000  
TELEX 538889  
TELEPHONE (021) 463-2911



PARLIAMENT OF THE REPUBLIC  
OF SOUTH AFRICA

5 February 1992

TO: THEUNS ELOFF  
FAX NO: 011/397-2211  
FROM: ROGER BURROWS  
DEMOCRATIC PARTY

Issues to be raised at meeting between DMC and WG SC 5.

1. Procedure for obtaining information from all Working Groups (minutes, draft documents and summaries of decisions taken) for Working Group 5.
2. Overlap areas
  - (a) 1.1.1.(Terms of Reference) regarding time frames and target completion dates of all processes and assignments undertaken by Codesa, all workings groups, etc.
  - (b) 1.1.4 (a) (Secretarial Matters) - comprehensive list of all decisions, actions and processes.  
1.1.4 (b) Coordination of the activities of Codesa and its subsidiary bodies  
1.1.4 (c) - dissemination of information regarding Codesa 11 to Codesa participants and outside bodies.
  - (c) Interrelationship between activities of DMC in terms of process and WG 5 in terms of content - is this distinction valid?

C O D E S A

Tel: (0159) 22945

Fax: (0159) 23172

GROUP 5

Inquiries Neluvhalani M Christopher

CODESA SECRETARIAT IN VENDA

Box 5018

THOHOYANDOU

CODESA Secretariat

SANDTON

ATTENTION:

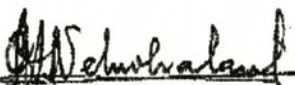
Steering Committee : WG 5

CODESA Secretariat in Venda presents its compliments and has the honour to state that:

the idea of forming Sub-Group(s) of Group 5 is acceptable. The establishment of sub-group(s) should however be considered only if and when such a need arises.

Venda is presently of the opinion that, such a need does not exist.

The Secretariat of the Convention of a Democratic South Africa in Venda, avails itself of this opportunity to renew to you, sir, the assurance of its highest consideration.

  
1992.02.14  
CODESA SECRETARIAT IN VENDA  
/jes



**STAATKUNDIGE ONTWIKKELINGSDIENS**  
**CONSTITUTIONAL DEVELOPMENT SERVICE**

Walkerstraat 260 Walker Street Sunnyside Private Bag X804 Pretoria 0001  
Telefoon/Telephone 012-3412400 Faks/Fax ~~012-3412400~~ 343-8043

**FAKSBOODSKAP/FAX MESSAGE**

DATUM/DATE:

25/02/92

AAN/TO:

Ferdinandus (Dingend asb)

KLASSIFIKASIE/  
CLASSIFICATION:

.....

FAXNO:

(021) 461-0859

AANTAL BLADSYE  
NUMBER OF PAGES:

5

ONDERWERP/BOODSKAP:  
SUBJECT/MESSAGE:

Scars telefonies besprek  
volg hier die byline by die  
brief wat reeds aan jn  
aankomstig is. Kan jy asb. net vir  
die minister na water blykhou by ind be?

AFGESTUUR DEUR:

Chris de Plessis

SKAKEL GERDA WILLIAMS  
BY TEL NO. (012) 341-2400  
INDIEN U PROBLEME ONDERVIND

GENIET U DAG

MIN1702.WP (5)

THESE ARE DRAFT MINUTES. THEY ARE CONFIDENTIAL AND RESTRICTED TO THE MEMBERS OF THE WORKING GROUP, THE DAILY MANAGEMENT COMMITTEE AND THE MANAGEMENT COMMITTEE. THEY ARE SUBJECT TO RATIFICATION BY THE WORKING GROUP AT ITS NEXT MEETING.

MINUTES OF THE FOURTH MEETING OF WORKING GROUP 2  
(CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON  
MONDAY, 17 FEBRUARY 1992 AT 10H00

PRESENT :

Delegates and Advisors (See Addendum A)  
M J Mahlangu (Chair)  
M Phillips (Secretary)  
R Hartley (Minutes)

DOCUMENTS DISTRIBUTED :

1. Ratified minutes of the second meeting of Working Group 2 held on 6 February 1992.
2. Draft minutes of the third meeting of Working Group 2 held on 11 February 1992.
3. Draft agenda.
4. Working Group 2 addresses, telephone numbers and fax numbers of delegates and advisers.
5. Travel and accommodation forms.
6. Ciskei Government : The Balance Between Central, Regional and Local Government.
7. The Labour Party of South Africa : General Constitutional Principles.
8. The National Party : Constitutional Principles which should be Enshrined the a New Constitution for the Republic of South Africa.
9. United People's Front : Constitutional Principles.
10. Ximoko Progressive Party : The Balance Between Central, Regional and Local Government.



MIN1702.WP (5)

## 1. Apologies

Z Yacoob

Prof Cloete  
R Cronje

S G Mothibe

G H Grove

Chief Ndamame

M J H Mahlangu

M M Makhalamele  
Adv Mushaha  
V R Zietsman

Natal and Transvaal Indian Congress  
(Alternate : I Meer)  
Ximoko Progressive Party  
Bophuthatswana Government  
(Alternate : Dr Scheepers)  
Bophuthatswana Government  
(Alternate : I Findlay)  
South African Government  
(Alternate : J H E Basson)  
Transkei Government  
(Alternate : Prof Koyana)  
UPF (In the Chair)  
(Alternate : Adv Maake)  
Dikwankwella Party  
Venda Government  
Ciskei Government

## 2. Ratification of Agenda

2.1 The agenda was ratified with the following changes :

2.1.1 Item 3R - "Further submissions by parties" - was added.

2.1.2 Item 5 was deleted.

## 3A. Adoption of Minutes

3A.1 The minutes were adopted with the following change :

3A.1.1 The document - "Ciskei Government Constitutional Principles" - was added to the list of documents.

## 3B. Further Submissions by Parties

3B.1 The following parties made submissions on their general constitutional principles :

3B.1.1 Labour Party

3B.1.2 National Party

3B.1.3 United People's Front

## 4. Discussion of Steering Committee Documents

4.1 It was noted that the document "Provisional Areas of Commonality that Already Exist" should not have been released to the press.

4.2 It was agreed that parties could make written proposals to the Steering Committee regarding additions to the documents "Provisional Areas of Commonality that Already Exist" and "Key Issues to be Addressed" and that the Steering Committee would consider amending the document accordingly.

MIN1702.WF (5)

## 5. Handling of Submissions by Public

- 5.1 This item was removed from the agenda.

## 6. Discussion of Key Issues

6.1 The Balance Between Central, Regional and Local Government

- 6.1.1 Written and verbal submissions were presented by :

- 6.1.1.1 Ciskei Government
- 6.1.1.2 Ximoko Progressive Party
- 6.1.1.3 Democratic Party
- 6.1.1.4 Labour Party
- 6.1.1.5 Solidarity
- 6.1.1.6 Venda Government
- 6.1.1.7 Inkatha Freedom Party

- 6.1.2 It was agreed that those parties who had made verbal submissions will supply delegates with written submissions at the next meeting.

6.1.3 Common Ground on Possible Principles

- 6.1.3.1 The South African Government suggested there was common consensus on the following four principles :

## 6.1.3.1.1

A three tier government structure with the first tier being central government, the second regional government, and the third being local government.

## 6.1.3.1.2

Each tier of government should be based on democratic representation.

## 6.1.3.1.3

Each tier shall have legislative, judicial and fiscal autonomy and the duties, powers and functions of each shall be set out in the constitution.

## 6.1.3.1.4

In addition to those powers, duties and functions enshrined in the constitution, the central government may delegate further powers to the lower levels of government.

- 6.1.3.2 The IFP and the ANC expressed support for the four principles. The ANC added that each level of government should respect the constitution and the Bill of Rights.



MIN1702.WP (5)

6.1.3.3 It was agreed that the Steering Committee would draft a document setting out these principles and present this to the next meeting as a working document.

6.1.4 The Inyandza National Movement proposed that consideration should be given to whether different tiers of government should have concurrent jurisdiction regarding certain duties, powers and functions.

6.1.5 It was agreed that discussion of the principles of communality regarding the balance between central, regional and local government would not prevent any party from putting forward arguments and presentations at future meetings.

7.

#### Next Meeting

It was agreed that the Working Group will meet on Monday, 24 February 1992 from 10h00 to 17h00 and on Tuesday, 25 February 1992 from 09h00 to 15h00.

FEB 25 '92 16:22

MIN1702.WP (5)

24 FEBRUARY 1992

**DRAFT DOCUMENT ON COMMON PRINCIPLES REGARDING THE BALANCE BETWEEN  
CENTRAL, REGIONAL AND LOCAL GOVERNMENT PREPARED BY THE  
STEERING COMMITTEE OF WORKING GROUP 2**

1. Government shall be structured at national, regional and local levels.
2. At each level there shall be democratic representation and the general principles of the constitution, including the terms of the Bill/Charter of Fundamental Rights shall apply to each level.
3. Each level of government shall have legislative and executive powers, duties and functions which shall be entrenched in the constitution.
4. In addition to the powers, duties and functions entrenched in the constitution, the central government may delegate powers, duties and functions to regional and local government.



C O D E S A

Codesa Secretariat in Venda  
Box 5018

THOHOYANDOU  
1992. 02. 18

CODESA Admin.  
SANDTON

GROUP 5

Codesa Secretariat in Venda, has the honour to submit to you the names of persons to serve on subgroups of Working Group 5.

SUBGROUP 1

Prof EK LUKHAIMANE (member)  
Mr EM RANDIMA (supporter)

SUB GROUP 2

Mr LS RAMAVHOYA (member)  
Mr M MPHAPHULI (supporter)

CODESA Secretariat in Venda, renews to you sir/madam, the assurance of its highest consideration.

A. Neluhalant.

1992.02.18 10:10  
CODESA Secretariat in VENDA

GOVERNMENT ADVISORS/DELEGATES TO WORKING GROUP 5 SUB GROUPS

WORKING GROUP 5: SUB GROUP 1: *"Monitoring, implementation and time frames"*

- Min ABE Williams (Delegate)
- Dr HP Fourie (Advisor)

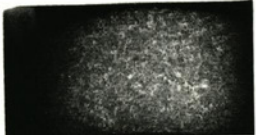
Delegate of the National Party: Min GS Bartlett

WORKING GROUP 5: SUB GROUP 2: *"Legislation"*

- Min L Wessels (Delegate)
- Mr JM Spaarwater (Advisor)



Ash.



"November" phoned. Says the following delegates are attending meetings. He's from Intando Yesizwe.

Wg 5 Sg 1.

SS Mabona (Del)

S Mhweni (Ado).

Wg 5 Sg 2.

N Nbonani (Del)

Vs Mahlangu (Ado).

Apparently Wg 5 now has 2 sub-groups.





VAN/FROM: Dikwankwetla Party of South Africa

P.O.Box 17688

Verw. No./Ref. No.: 3/3

WITSIESHOEK

9870

Tel No.:

21 February 1992

01438 - 30314

FAX NO. 01438 - 36306

Navrae/Enquiries:

Sec. General D.T. Mokoena

## TELEFAX / TELEFAX

AAN/TO:

The Secretary

Daily Management Committee

CODESA

VIR AANDAG/FOR ATTENTION:

The Secretary

TEL NO.:

011 - 3972198/9

FAX/FAX NO.:

011 - 3972211

AANTAL BLADSYE/NO. OF PAGES:

1

BOODSKAF/MESSAGE:

GROUP 5 NOMINEES

Sub-Group 1 : Mr S.T. Leekapeke

Mr Pule Thaele

Sub-Group 2 : Mr D.T. Mokoena

Mr A.R.L. Xaba



OFFICE OF THE MILITARY COUNCIL  
REPUBLIC OF TRANSKEI



FAX TRANSMISSION

TO DR Eloff

COMPANY CODESA

FAX NO 011 397 2211

DATE 20 -02 -92

TIME 15H00

FROM MR M. Lusamua

NUMBER OF PAGES FOLLOWING THIS PAGE .....

COMMENTS : .....

.....

SHOULD YOU HAVE DIFFICULTY IN RECEIVING CLEAR COPIES

PLEASE CONTACT : Lusamua

AT (27) (0471) 22510 INTERNATIONAL CALLS

OR (0471) 22510 LOCAL CALLS

IRIPHABLIKI YETRANSKEI



No. PM 10/1/1/1.....

REPUBLIC OF TRANSKEI

IQFISI YEQUMRHU LEZOMKHOSI  
OFFICE OF THE MILITARY COUNCIL  
UMTATA

iAdilesi yoCingo } "BOTWE"  
Telegraphic Address  
iNgxowa eYodwa yePosi  
Private Bag X6039

iMibuzo  
Enquiries

iFoni }  
Tel. } 249111

.20....:..02... 19 .92...

ATTENTION DR. ELLOF.

FROM W/C5 TRANSKEI GOVERNMENT

RE: SUB - GROUPS DELEGATES

SUB - GROUP 1

MONITORING, IMPLEMENTATION AND TIME FRAMES

- (a) MR N. BEBEZA (DELEGATE)
- (b) MR P.G. QOKWENI (ADVISOR)

SUB - GROUP 2

LEGISLATION

- (a) MR G.E. ZILWA
- (b) MR M. MABUDE



FROM UPF

SECRETARIAT: CODESA

1992 2. 2

TO WORKING GROUP 5

APOLOGY FOR MRS R. RAMONTJA

1. You are kindly informed that Mrs Ramontja from UPF will not be available on the 24/2/92 because of commitment. The alternative will be Advocate Malatjie.

Yours

**MR. M. J. MAHLANGU**  
M.J. MAHLANGU

1992 2. 2



# **DIE NASIONALE PARTY, NATAL** **THE NATIONAL PARTY, NATAL**

Derde Verdieping/Third Floor STAFMAYERHUIS/HOUSE Beachlaning/Grove 26 DURBAN 4001

☎ 301-2737  
☒ 2649 DURBAN 4000  
FAX 304-5886

1992 -02- 26

Mr P J Gordan  
Chairman: Daily Management Committee of  
CODESA  
P O Box 307  
Isando  
1600

Dear Mr Gordan

I am writing to you in my capacity as Chairman of the Steering Committee of Working Group 5, which met at the World Trade Centre on Monday 24 February 1992.

You will note from the Terms of Reference of Working Group 5 that this Working Group has to monitor the agreements, recommendations, etc, of the other four working groups and for this reason it was requested that Working Group 5 be provided with the minutes of all the other working groups' meetings.

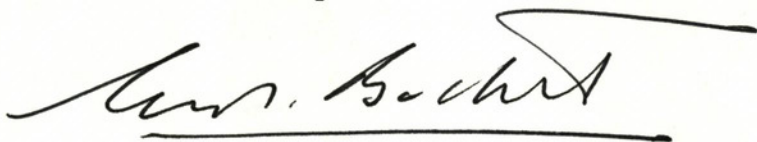
Our main concern and interest are the decisions, resolutions and recommendations of the various working groups and to facilitate our work we would like to recommend that all minutes should follow the line which we note has been adopted by Working Group 2. Here I am referring in particular to the minutes of the fourth meeting of Working Group 2 held on Monday, 17 February 1992 (see Annexure A). Page 4, item 6.1.3.3, states "it was agreed that the Steering Committee would draft a document setting out these principles and present this to the next meeting as a



working document". At the end of these minutes is attached a draft document with the heading, "24th of February 1992 - Draft Document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2". If each working group would provide as an addendum to their minutes, such a document itemising agreements, proposals, etc, this would facilitate the task of Working Group 5 considerably.

As I am sure you will appreciate, Working Group 5 has a great deal of paper work to get through, and an additional suggestion that would assist us greatly is that the minutes should reflect primarily resolutions, recommendations and decisions and not too much of the content of the debate. Underlining the words, "it was agreed" or "it was recommended" whenever an agreement is reached or a recommendation is made, so that this can be picked up quickly, would also be helpful.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'G S Bartlett', with a long horizontal line extending from the end of the signature.

G S Bartlett

Chairman of Working Group 5 Steering Committee