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WORKING GROUP 2\MINUTES\24&25 FEBRUARY

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MINUTES OF THE FIFTH MEETING OF WORKING GROUP 2  
(CONSTITUTIONAL PRINCIPLES) HELD AT THE WORLD TRADE CENTRE ON  
MONDAY 24 AND TUESDAY 25 FEBRUARY 1992

ADOPTED AT THE MEETING HELD ON 2 MARCH 1992

PRESENT:

Delegates and Advisors (See Addendum A)

J Slovo (Chair)

M Phillips (Secretary)

R Hartley (Minutes)

DOCUMENTS DISTRIBUTED ON 24.2.92:

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Draft agenda

24.2.92: Draft document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2

Ratified minutes of the third meeting of Working Group 2 held on 11.2.92

Draft minutes of the fourth meeting of Working Group 2 held on 17.2.92  
Delegate factsheet No 1

Solidarity Party: Working Group 2 - Constitutional principles

Codesa Working Group 2: Key issues to be addressed (Venda Government)

The balance between central, regional and local government (Venda Government)  
Inyandza National Movement: Proposals for central, regional and local government

National Peoples Party: Position paper on the balance of power between central, regional and local government

United People's Front proposals on the balance of power between central, regional and local

government

Reservations recorded and tabled by the government of Bophuthatswana regarding its participation in  
Codesa

ANC Working Group 2: What is meant by general principles

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Dikwankwetla Party: The balance between central, regional and local government

25.2.92 Draft document on common principles regarding the balance between central, regional and local government prepared by the Steering Committee of Working Group 2

National Party submission to Working Group 2, 25.2.92: The meaningful participation of political

minorities.

Ximoko Progressive Party, 25.2.92: The meaningful participation of political minorities

Apologies for 24.2.92

Z Yacoob

M Hendrickse

D Worrall

Prof Cloete

J Slovo

MM Makhalemele

M Alachouzos

TM Krishna

H M Neerahoo

G H Grove

Apologies for 25.2.92

R Cronje

SG Mothibe

J Rabie

T Leon

S Ismail

J Slovo

Natal and Transvaal Indian Congresses  
(Alternate: IC Meer)

Labour Party

(Alternate: Prof Devenish)  
Democratic Party

(Alternate: T Leon)

Ximoko

(Alternate: EPP Mhinga)

SA Communist Party (in the chair)

(Alternate: E Daniels)

Dikwankwetla Party

(Alternate: Mopeli)

Inkatha Freedom Party

Solidarity

(Alternate: K Reddy)

National People's Party

SA Government

(Alternate JHE Basson)

Bophuthatswana Government -

(Alternate: TE Scheepers)

Bophuthatswana Government

National Party

(Alternate: S Camerer)

Democratic Party

(Alternate: D Welsh)

National People's Party

(Alternate: A Rajbansi)

SA Communist Party (in the chair)

(Alternate: E Daniels)

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Ratification of Agenda

2.1 The agenda was ratified with the following addition:

2.1.1 Item 2A: Bophuthatswana Government Information Item.

Bophuthatswana Government Information Item

2A.1 The Bophuthatswana Government read a document entitled "Reservations recorded and tabled by the Government of Bophuthatswana regarding its participation in Codesa". The document was noted and not discussed.

Adoption of Minutes

3.1 The minutes were ratified with the following change:

3.1.1 The last line of item 6.1.3.1.3 was amended to read: "each shall be set out and enshrined in the constitution".

Key Issues to be Addressed

4.1 The Balance Between Central, Regional and Local Government

4.1.1 The following parties spoke to written submissions:

4.1.1.1 United People's Front

4.1.1.2 Solidarity Party

4.1.1.3 National People's Party

4.1.1.4 Inyandza National Movement

4.1.1.5 Venda Government

Steering Committee Proposal

4.1.2.1 Mr Eglin spoke to the document entitled "Draft document on common principles regarding the balance between central, regional

and local government" on behalf of the Steering Committee.

4.1.2.1.1 The document was amended at the suggestion of Mr Eglin as follows:

4.1.2.1.1.1 Item 2: At each level there shall be democratic representation.

4.1.2.1.1.2 Item 5 (new item): The general principles of the constitution, including the terms of the Bill/Charter of Fundamental Rights shall apply to each level of government.

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4.1.2.1.2 Paragraphs 1,2 and 5 were agreed without changes.

4.1.2.1.3 Paragraph 4 was agreed after being amended to read: "In addition to the powers, duties and functions entrenched in the constitution, each level of government may delegate powers, duties and functions to the lower level of government."

4.1.2.1.3 It was agreed that the Steering Committee would propose a suitable amendment to paragraph 3 to the meeting of the Working Group scheduled for Monday 2 March 1992.

4.1.2.1.4 The Inkatha Freedom Party proposed the addition of the following clause: "The relationship of regional to local government should also take cogniscence of the special form of local government in terms of traditional territorial authorities". It was agreed that this would be discussed under item 4.6 on the agenda.

#### 4.2 Meaningful Participation of Political Minorities

4.2.1 The following parties made submissions:

4.2.1.1

4.2.1.2

4.2.1.3

4.2.1.4

4.2.1.5

4.2.1.6

4.2.1.7

National Party (written and oral)

Intando Yesizwe Party

Ximoko Progressive Party (written and oral)  
TIC/NIC

Inyandza National Movement

Democratic Party

Venda Government

4.2.2 It was agreed that the Steering Committee would consider drafting a principle on this issue for consideration at the next meeting.

#### Next Meeting

The next meeting will take place on Monday 2.3.92 from 10h00 to 16h30 at the World Trade Centre.

ADDENDUM A

The following delegates and advisors signed the Attendance Register of Working Group 2 meeting held

on 24 February 1992:  
Organisation

African National Congress

Bophutatswana Government

Ciskei Government

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Inyandza National Movement

Labour Party

Natal/Transvaal Indian Congresses

Delegate/Advisor

C Ramaphosa  
MV Moosa  
F Grinwala  
A Sachs

SG Mothibe  
R Cronje

TE Scheepers  
I Findlay

MC Kashe

UJ Smuts

J Laubuschagne  
VR Zietsman

CW Eglin  
AJ Leon  
D Welsh

SOM Moji  
S Mopeli  
M Mopeli

N Brits  
SH Gumede  
BS Ngubane

EN Ginindza  
C Albertyn  
I Lephoko  
BE Mabuza

IM Richards

G Devenish  
C Nason

T Pillay  
F Cachalia  
IC Meer  
F Haysom



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National Party F van Heerden  
JA Rabie  
S Camerer  
I Rautenbach

National People's Party M Mohanlall  
S Ismail  
B Singh

Solidarity Party DS Rajah  
K Reddy  
R Arenstein

SA Communist Party J Slovo  
B Nzimande  
N Hoosain  
E Daniels

SA Government G Viljoen  
JT Delpont  
F Venter  
JHE Basson

Transkei Government S Holomisa  
PZ Ndamase  
DS Koyana

R Nogumla

United People's Front MJ Mahlangu  
MC Ramusi  
SJ Maake  
RJ Dombo

Venda Government GM Legege  
MP Nthabalala  
A Budeli  
Adv Mushasha

Ximoko Progressive Party EE Ngobeni  
KR Myakayaka  
J Ackron  
Prof Cloete

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ADDENDUM A

The following delegates and advisors signed the Attendance Register of Working Group 2 meeting held

on 25 February 1992:

Organisation

African National Congress

Bophutatswana Government

Ciskei Government

Democratic Party

Dikwankwetla Party

Inkatha Freedom Party

Inyandza National Movement

Labour Party

Natal/Transvaal Indian Congresses

National Party

Delegate/Advisor

C Ramaphosa

MV Moosa

F Grinwala

A Sachs

TE Scheepers

MC Kashe

UJ Smuts

J Laubuschagne

VR Zietsman

CW Eglin

AJ Leon

D Welsh

SOM Moji

S Mopeli

M Mopeli

N Brits

SH Gumede

BS Ngubane

EN Ginindza

C Albertyn

I Lephoko

BE Mabuza

D Lockey  
IM Richards  
G Devenish  
C Nasson

T Pillay  
F Cachalia  
IC Meer  
F Haysom

F van Heerden  
S Camerer  
I Rautenbach

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National Peopleâ\200\231s Party M Mohaniall  
: S Ismail  
B Singh

Solidarity Party DS Rajah  
K Reddy  
R Arenstein

SA Communist Party J Slovo  
B Nzimande  
N Hoosain  
E Daniels

SA Government G Viljoen  
JT Delport  
F Venter  
JHE Basson

Transkei Government S Holomisa  
PZ Ndamase  
DS Koyana

R Nogumla

United Peopleâ\200\231s Front MJ Mahlangu  
MC Ramusi  
SJ Maake  
RJ Dombo

Venda Government GM Legege  
MP Nthabalala  
A Budeli  
Adv Mushasha

Ximoko Progressive Party EE Ngobeni  
KR Myakayaka  
Prof Cloete