

PRELIMINARY SUBMISSION FROM THE AFRICAN NATIONAL CONGRESS

REGARDING THE PUBLIC SERVICE

1. Preamble
 - 1.1 It would be important to avoid some of the characteristics of the Interim Constitution which was too detailed and purported to deal with issues which should be left to Parliament to legislate on. It is unwise to insert provisions in the Constitution which can and should be dealt with by statute. Rather, it is important to ensure that there are no unnecessary Constitutional limitations on the expression of the will of Parliament.
 - 1.2 The Constitution should avoid providing for an excessive set of structures which duplicate functions, often boosting the costs of government without any clear benefit to our people.
2. Principles and points of departure
 - 2.1 The Constitution needs to guarantee and foster the unitary nature of the South African state.
 - 2.2 The public service shall be non-sexist, non-racial and shall serve all the members of the public in an unbiased and impartial manner, functioning on a basis of fairness.
 - 2.3 There shall be an efficient, non-partisan, career-orientated public service broadly representative of the South African community.
 - 2.4 The law should establish ways through which the views and concerns of the public, with regard to the public service, can be pursued and acted upon.