

**CONSTITUTIONAL ASSEMBLY  
MINUTES OF  
FIRST MEETING OF  
THEME COMMITTEE 1  
CHARACTER OF DEMOCRATIC STATE  
MONDAY 19 SEPTEMBER 1994 (AT 14h00)**

**PRESENT**

Booi MS	Moorcroft EK
Chiba L (Alternate)	Mukhuba TT (Alternate)
Chiwayo LLL (Alternate)	Mulder PWA
Cwele SC	Nair B (Alternate)
Dyani ZD	Niehaus CG
Fani LM (Alternate)	Nobunga BJ (Alternate)
Felgate WS	Nzimande BE
Green LM (Alternate)	Pikoli G (Alternate)
Kekana NN	Ripinga SS
Lamani NE (Alternate)	Schoeman EA
Lekgoro MK	Seaton SA
Macozoma SJ	Selke J (Alternate)
Mahlangu NJ	Shope NR
Marais A	Swanepoel L (Alternate)
Marais PG	Van Deventer FJ
Meshoe KR	Vilakazi BH
Momberg JH	Viljoen CL (Alternate)
	Williams AJ

H Ebrahim, L Meyer and L Rammble were in attendance.

**1. OPENING AND WELCOME**

The meeting was opened by Mr Ebrahim who chaired the meeting in terms of Rule 25 of the Standing Rules.

## **2. APPOINTMENT OF CORE GROUP MEMBERS**

2.1 The following members were appointed to the Core Group :

- \* Dyani ZD (PAC)
- \* Felgate WS (IFP)
- \* Marais PG (NP)
- \* Mahlangu NJ (ANC)
- \* Meshoe KR (ACDP)
- \* Moorcroft EK (DP)
- \* Mulder PWA (FF)
- \* Ripinga SS (ANC)

2.2 It was agreed that the matter of the nomination of Mr Meshoe to the Core Group be referred to the Constitutional Committee for a decision.

## **3. ELECTION OF A CHAIRPERSON**

3.1 The Chairperson referred to Rule 25(1) which deals with the committee electing one of its members as the chairperson of the committee. He pointed out that in terms of the decision of the Constitutional Committee of 12 September 1994, this rule would need to be amended to provide for the appointment of no more than three chairpersons from each core group who would chair meetings on a rotational basis.

3.2 The theme committee however should proceed to appoint acting chairpersons until a resolution had been passed by the Constitutional Assembly and the Rules Committee.

3.3 It was agreed that one acting chairperson be appointed and that members of the core group should meet to discuss the nominations of the chairpersons and report back at the next Theme Committee meeting.

3.4 Mr Mahlangu was appointed as the acting chairperson for the present meeting.

## **4. GENERAL DISCUSSION ON THE OBJECTIVES OF THE COMMITTEE**

It was agreed that the proceedings of the Theme Committee must be driven by the resolutions of the Constitutional Assembly.

**5. GENERAL DISCUSSION OF PROGRAMME OF WORK**

- 5.1 A query was raised with regard to whether the Committee could call for evidence by interested parties and in response to this Mr. Ebrahim highlighted Rule (27) which stipulates that a committee may summon persons to appear before it to give evidence on oath or affirmation and to produce any document required by the committee.
- 5.2 The meeting was also reminded of the document attached for circulation, Page 9, point 6.1, Second Draft - Theme Committee Briefing which indicates that the Constitutional Committee is reviewing the role of theme committees and therefore the committee should be flexible.

**6. INVITE PARTIES TO MAKE SUBMISSIONS RE: 5 ABOVE**

It was agreed that submissions should be made in writing and that the core group should look at logistics and a time frame. However, parties should feel free to submit submissions before 7 October.

**7. AGENDA FOR NEXT MEETING**

It was agreed that the core group would deal with this matter.

**8. CLOSURE**

The meeting rose at 14h50.

## RESOLUTIONS AND AGREEMENTS

No.	Detail
1.	<p>The following members were nominated as members of the core group:</p> <p><b>Walter Felgate - IFP</b> <b>C Marais - NP</b> <b>NJ Mahlangu - ANC</b> <b>Prof. SS Ripinga - ANC</b> <b>EK Moorcroft - DP</b> <b>PWA Mulder - VF</b> <b>MM Dyani - PAC</b></p>
2.	<p>Agreement on the participation of the ACDP:</p> <p><b>The Chairperson suggested that the matter be referred to the Management Committee to be tabled at the Constitutional Committee meeting where a ruling and direction could be obtained. The meeting agreed to this proposal.</b></p>
3.	<p><b>It was agreed that one acting chairperson be elected and that members of the core group should meet to discuss the nominations of the co-chairpersons and report back at the next Theme Committee meeting.</b></p>
4.	<p><b>Mr. CG Niehaus nominated Mr. NJ Mahlangu as the acting chairperson which was unanimously accepted by the meeting.</b></p>
5.	<p><b>The proceedings of the Theme Committee must be driven by the resolutions of the Constitutional Assembly and Rules Committee.</b></p>
6.	<p><b>It was agreed that submissions should be made in writing and that the core group should look at logistics and a time frame. However, parties should feel free to submit submissions before 7 October.</b></p>
7.	<p><b>The meeting agreed that the core group should decide on the agenda for the next meeting.</b></p>

