

Tuesday, 24 May 1994]

No 1 - 1994]

FIRST SESSION, FIRST PARLIAMENT

REPUBLIC OF SOUTH AFRICA

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MINUTES OF PROCEEDINGS  
OF  
CONSTITUTIONAL ASSEMBLY

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TUESDAY, 24 MAY 1994

- . Members assembled in the Chamber of the National Assembly at 11:00.
- . The Usher announced the President of the Senate, Mr H J Coetsee, who was received by members standing.
- . Members observed a period of silence for prayer and meditation.
- . The President of the Senate stated that the meeting had been convened in terms of section 68(3)(a) of the Constitution and requested the Returning Officer to read out the Notice calling the meeting.
- . The Returning Officer read out the following Notice, dated 20 May 1994:

FIRST MEETING OF CONSTITUTIONAL ASSEMBLY

It is hereby notified for general information that under and by virtue of the power vested in me by section 68(3)(a), read with section 69(1) of the Constitution of the Republic of South Africa, 1993, I, Hendrik Jacobus Coetsee, President of the Senate, have fixed Tuesday, 24 May 1994, at 11:00, as the date and time, and the Chamber of the National Assembly in the Houses of Parliament, Cape Town, as the place for the nomination and election of a Chairperson and Deputy Chairperson of the Constitutional Assembly.

H J Coetsee  
President of the Senate.

- . The Returning Officer submitted to the President of the Senate a list of the names of the members of the Constitutional Assembly, as follows:

National Assembly: Abrahams, M; Adam, F; Ahmed, M O; Alant, T G; Albertyn, J T; Ally, A; Andrew, K M; Appelgryn, M S; Arendse, J D; Asmal, A K; Badenhorst, M J; Bakker, D M; Baloyi, S F; Bekker, H J; Bengu, S M; Bester, B C; Beyers, A S; Bhengu, F; Bikitsha, P I; Biyela, B P; Blaas, A; Booie, M S; Botha, R F; Botha, T; Botha, W A; Botha, W J; Breytenbach, W N; Bunting, B P; Buthelezi, M G; Cachalia, I M; Camerer, S M; Carelse, G M E; Carrim, Y I; Cassim, M F;

Chabane, O C; Chait, E J; Chalmers, J; Chauke, P; Chiba, L; Chikane, M M; Chiolé, J; Chuenyane, L D; Coetzee, M P; Coetzer, P W; Coleman, M; Copelyn, J A; Cronjé, P C; Cupido, P W; Dalling, D J; Davhana, M K D; Davies, R H; De Beer, S J; De Klerk, F W; De Lange, J H; De Lille, P; De Villiers, D J; Dexter, P D; Dingani, Z A; Dlamini, B O; Dlamini, C; Doidge, G Q; Dowry, J J; Duna, M W; Du Toit, D C; Dyani, Z D; Ebrahim, A G; Ebrahim, E I; Eglin, C W; Ellis, M J; Erwin, A; Fanie, L M; Fankomo, F C; Farisani, T S; Fazzie, E; Felgate, W S; Ferguson, J; Ferreira, E T; Fihla, N B; Fisser, C L; Fourie, A; Fredericks, G A; Gandhi, E; Gasa, X F; Gcabashe, S J; Gcina, C I; Geldenhuys, B L; George, C M; George, M E; Gibson, D H M; Gininda, M S; Ginwala, F N; Gogotya, N J; Golding, M J; Goniwe, T; Goosen, A D; Gordhan, P J; Govender, D; Govender, P; Graaff, D de V; Green, L M; Grobbelaar, P W; Groenewald, P J; Groenewald, R H; Gumede, A J; Gxowa, N B; Hajaig, F; Hamman, M van S; Hanekom, D A; Hangana, N E; Hani, L; Hendrickse, P A C; Hlengwa, M W; Hofmeyr, W A; Hogan, B A; Holomisa, B H; Holomisa, S P; Jacobsz, F P; Jana, D P; Janse van Rensburg, A P; Jassat, E E; Jele, K J; Jiyane, Z B; Jordaan, D A; Jordaan, J A; Jordan, P; Kasrils, R; Kathrada, A M; Kekana, N N; Keys, D L; Kgauwe, G J; Kgositsile, B; Khasu, M J; Khoza, T S; King, T J; Kondlo, N; Koornhof, N J J van R; Kota, Z A; Kuzwayo, N E K; Landers, L T; Lee, T D; Leeuw, S J; Lekgoro, M K; Leon, A J; Le Roux, J W; Ligege, M G; Lockey, D; Loots, H G; Louw, L; Louw, S K; Love, J Y; Lucas, E J; Luthuli, B N; Mabandla, B S; Mabudafhasi, R T; Mabude, N; Mabuza, M C; Mabuza, L; Macozoma, S J; Madide, D R; Maduna, P M; Mafolo, M T; Maharaj, S R; Mahlalela, A F; Mahlangu, G L; Mahlangu, M J; Mahlangu, N J; Mahlangu, S J; Maine, M S; Majola, N T; Makhanya, D W; Makume, N J; Makwetla, S P; Makwetu, C M; Malan, T J; Malebo, S M; Maloney, L; Malumise, M M; Mandela, N W; Mangaliso, Z K; Manie, M S; Manuel, T A; Mapisa, N N; Marais, J A; Marais, P G; Marcus, G; Maree, J W; Mars, I; Marshoff, F B; Martins, B A D; Masango, N E; Maseko, T M J; Mashamba, H J; Masher, M G; Mashimbye, J N; Mathebe, P; Matthee, P A; Matthews, V J; Mayekiso, J M; Mayimele, H W; Mbeki, T M; Mbongwe, R R; Mboweni, T T; Mbuyazi, L R; Mdladlana, M M; Mentz, J; Meshoe, K R; Meyer, A T; Meyer, R P; Mfayela, S B; Mfebe, M W; Mgidi, J S; Mkhathswa, S; Mkhwanazi, T R; Mlambo, P G; Mlangeni, A; Mncwango, M A; Mngomezulu, G P; Mnguni, L L A; Mnguni, Z D; Moatshe, P; Modise, J; Modisenyane, L J; Moeti, S E; Mohale, M E; Mohamed, A G; Mohamed, I J; Mohlamonyane, G M; Mokaba, P R; Mokitlane, M C; Mokoena, D A; Mokoena, M L; Molekane, R S; Moleketi, G J; Molewa, B G; Momberg, J H; Mompoti, R S; Montsitsi, S D; Moosa, M V; Mosunkutu, E; Mpahlwa, M B; Msane, A T; Msimang, M M T B; Msomi, M D; Mti, L M; Mtintso, T E; Mtshali, L P; Mufamadi, F S; Mulder, C P; Mulder, P W A; Mushwana, G M; Myakayaka, Y L; Myburgh, G B; Mzimela, S E; Mzizi, M A; Naidoo, J; Nair, B; Nash, J H; Ncinane, Z I; Ncube, N Z; Ndawonde, D; Ndlovu, M C; Ndlovu, V B; Neerahoo, H M; Nel, A C; Nel, A H; Netshimbupfe, M A; Ngubane, B S; Ngubane, H; Ngwane, L B; Ngwenya, M L; Nhlanhla, J M; Nhleko, N P; Niehaus, C G; Niemann, J J; Njobe, M A A; Nkadimeng, J K; Nkobi, T T; Nkomo, S A; Nkondo, S D; Nkosi, D M; Nkosi, T J; Nqemesha, K W; Ntaopane, T E; Ntsizi, T C; Ntuli, B M; Nwedamutswu, M J; Nxumalo, S D; Nyembe, N D; Nzimande, B E; Nzimande, B M; Nzo, A B; Odendaal, W A; Olifant, D A A; Oliphant, G G; Omar, A M; Oosthuizen, G C; Padiachey, D K; Pahad, A G H; Pahad, E G; Pandor, G N

M; Peires, J B; Peters, E D; Phakathi, N E; Phillips, I M; Phohlela, S; Piliso, M M; Pretorius, I J; Rabie, J A; Radebe, J T; Rajoo, K; Ramaphosa, C; Ramaremissa, N G; Ramgobin, M; Ramusi, M C; Ranchod, B G; Rhoda, R T; Richards, I; Ripinga, S S; Rockman, G; Routledge, N C; Saaiman, P W; Saloojee, E; Saloojee, R A M; Schoeman, E A; Schoeman, R S; Schoeman, S J; Schreiner, J A; Schutte, D P A; Scott, M I; Seaton, S A; Sekgobela, P S; Selebi, J S; Seperepere, M S; September, R K; Serfontein, J L H; Serote, M W; Sethema, B E E; Shabangu, J M; Shabangu, S; Shandu, E E N; Shilubana, T P; Shope, N G; Shope, N R; Sigcau, S; Sigcawu, A N; Sikakane, M R; Singh, L; Sisulu, L; Sisulu, M V; Sisulu, N A; Sizani, R K; Skosane, B M; Skweyiya, S T; Slabbert, J H; Slovo, J; Smit, H A; Smith, P F; Smuts, M; Sonjica, B P; Steenkamp, P J; Stofile, M A; Streicher, D M; Suttner, R S; Tambo, A F; Thabethe, E; Tiry, M; Tshabalala, M E; Tsheole, N M; Tshivhase, T J; Tshwete, S V; Turak, M E; Vadi, I; Van den Heever, R P Z; Van der Merwe, J H; Van Deventer, F J; Van Eck, J; Van Heerden, F J; Van Schalkwyk, M C; Van Wyk, A; Van Zyl, I D; Verwoerd, M; Vilakazi, B H; Vilikazi, J N; Vilakazi, M I; Viljoen, C L; Viljoen, V; Vos, S C; Watson, A; Waugh, J C N; Welgemoed, P J; Wessels, L; Williams, A; Woods, G G; Wyngaard, C A; Xingwana, L M; Yengeni, T S; Zitha, D A; Zitha, M C; Zulu, M I; Zuma, N C.

Senate: Ackermann, C; Balie, A; Bhabha, M; Bhengu, G B; Bloem, D V; Bogacwi, K A; Botha, Y R; Bruwer, A A B; Chiwayo, L L L; Coetsee, H J; Cwele, S C; De Ville, J R; Diale, N L; Direko, I W; Fenyane, S L E; Fisher, S D; Foster, J A; Gamdana, T; Gous, P J; Groenewald, P H; Grové, S P; Hendrickse, H J A; Jooste, J A; Kgoali, J L; Khobe, O N; Koornhof, G W; Lamani, N E; Lausberg, C E; Lebona, H J P; Losabe, L K; Lubidla, E N; Lubisi, S W; Mahlangu, J L; Makana, S S; Makgothi, H G; Malatsi, D M; Marais, A; Marais, G; Mashamba, T G G; Mashile, N L; Mbeki, G A M; Mchunu, E S; Mduyana, S N N; Metele, A T; Mkwai, Z W; Mnisi, W F; Mogale, M P E; Mohamed, M; Moloto, C P; Mongwaketse S J; Moorcroft, E K; Moosa, M W; Mothoagae, P K; Motshabi, C H; Motsuenyane, S M; Mthembu, J M; Mukhuba, T T; Mushwana, M L; Mutsila, I; Naidoo, A G V; Naidoo, E N I; Ndzanga, R A; Ngcuka, B T; Nobunga, B J; Nogumla, R Z; Nqemesha, K W; Powell, P; Rabinowitz, R; Radue, R J; Rasmeni, S M; Redcliffe, C R; Selfe, J; Sifora, T V; Singh, N; Sosibo, J E; Sulliman, M A; Surty, M E; Swanepoel, L J; Taunyane, D P; Tinto, C F; Tolo, L J; Tonjeni, T L; Tshivhase, M P K; Tyobeka, V M; Van Breda, A; Van Niekerk, A E; Van Niekerk, A I; Werth, C H; Wiley, M G E; Williams, A J; Zondi, K M.

. The meeting proceeded to the election of a Chairperson of the Constitutional Assembly.

. The President of the Senate reminded members that nominations had to be submitted in the prescribed form and that a person could not be elected unless he or she was a member of the Constitutional Assembly.

. The President of the Senate informed members that in terms of Item 3 of Schedule 5, read with section 69(2) of the Constitution, no debate would be allowed.

- . The President of the Senate called for nominations.
- . Rev M A Stofile, seconded by Mrs R S Mompati, nominated Mr C Ramaphosa for election as Chairperson of the Constitutional Assembly.
- . The Returning Officer reported to the President of the Senate that the nomination paper had been properly completed.
- . There being no further nominations, the President of the Senate declared Mr C Ramaphosa properly elected as Chairperson of the Constitutional Assembly.
- . The meeting proceeded to the election of a Deputy Chairperson of the Constitutional Assembly.
- . The President of the Senate reminded members that nominations had to be submitted in the prescribed form and that a person could not be elected unless he or she was a member of the Constitutional Assembly.
- . The President of the Senate informed members that in terms of Item 3 of Schedule 5, read with section 69(2) of the Constitution, no debate would be allowed.
- . The President of the Senate called for nominations.
- . Dr D J de Villiers, seconded by Mr S J Schoeman, nominated Mr L Wessels for election as Deputy Chairperson of the Constitutional Assembly.
- . The Returning Officer reported to the President of the Senate that the nomination paper had been properly completed.
- . There being no further nominations, the President of the Senate declared Mr L Wessels properly elected as Deputy Chairperson of the Constitutional Assembly.
- . The Chairperson of the Constitutional Assembly, having been conducted to the Chair by his proposer and seconder, expressed his sense of the honour conferred upon him.
- . Rev M A Stofile moved: That -
  - (1) the Chairperson of the Constitutional Assembly shall for the duration of this Assembly appoint a Rules Committee consisting of not more than 50 members, inclusive of the Chairperson and Deputy Chairperson, such committee to recommend to this assembly at its next meeting draft rules and orders in connection with the conduct of its business and proceedings;
  - (2) the Chairperson of the Constitutional Assembly shall be ex officio Chairperson of such committee, and if the Chairperson is unable to be

present at a meeting of the Committee the Deputy Chairperson shall act as chairperson at that meeting.

- (3) the Chairperson of the Constitutional Assembly be empowered to appoint, in consultation with the Rules Committee, bodies as specified in section 72(1) of the Constitution.

Agreed to.

The meeting adjourned at 11:18.

R C DOUGLAS,  
RETURNING OFFICER  
(Secretary to Parliament)