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NATIONAL PARTY OF SOUTH AFRICA

CHAPTER 13

SECURITY SERVICES

GOVERNING PRINCIPLES

174. The following principles govern the national security in the Republic:

- (a) National security must reflect the resolve of all South Africans, as individuals and as a nation, to have equal rights [live as equals].

Establishment, structuring and conduct of security services

175. (8) The security services must act impartially.

Defence civilian secretariat

Section 179 can be deleted in total as it is implied in section 175 (4) and because the Constitution should not reflect the structure of a department - that can be done in detail in national legislation.

(Submission by Minister Modise).

POLICE

Police civilian secretariat

Section 183 can be deleted in toto. If it is retained, it should be amended as follows:

183. A civilian secretariat for the police service must be established by national legislation to function under the direction of the Cabinet member responsible for policing, and to exercise any powers and perform any functions entrusted to it by that Cabinet member in terms of [, or by] the legislation.

Powers of provinces

The present draft does not satisfy the requirements of constitutional Principle XVIII(2). The N.P. proposes the following amendments:

Police service

- 180(2) National legislation must establish the powers and functions of the police service and must enable the police service to discharge its responsibilities effectively, taking into account the requirements of the provinces.

(This amendment was originally proposed by the DP.)

Political responsibility and accountability

- 181 (1) A member of Cabinet must be responsible for policing.
- (2) In each province a member of the Executive Council must be responsible for policing.
- (3) The relevant member of Cabinet must develop national policing policy in consultation with the relevant members of the Executive Councils.
- [(2)] (4) A multi-party committee of Parliament must have oversight.....

Control of police service

The N.P. supports the proposed D.P. amendments to sections 182(3), 182(4) and 182(5).