

Public Sector - LOCAL AUTHORITIES - GENERAL

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ed ● New evidence expected at Goniwe inquest

Residents pay for water leaks: expert

Sowetan 26/2/93

~~(SOWETAN)~~ (262)

By Joe Mdhlela

■ **WASTE NOT** Up to half of supplies

LOCAL AUTHORITIES IN CERTAIN cities and towns made no effort to preserve water, Water Research Commission research manager Mr Charles Chapman said this week

The wastage, argued Chapman, came about as a result of their failure to reduce leaks in the distribution systems

He said cases had been reported where up to 50 percent of purified water bought

councils buy don't reach users:

by local authorities did not reach users To recoup their losses, local authorities normally increased the tariffs, Chapman said

"Since local authorities pay for all water purchased by them — including the water which goes to waste in the distribution network — they normally

recoup their losses by increasing their water tariffs," he said

To combat this, the WRC, in conjunction with the South African Bureau of Standards and the City Council of Pretoria, has embarked on a project to help authorities improve the management of water



Services for whites 'have to decline'

By BARRY STREEK
Political Staff

THE level of service provided by municipalities to whites would have to decline dramatically because of the enormous differences in the services provided to blacks, the Democratic Party spokesman on local government, Mr Jasper Walsh, said yesterday.

Figures given to him by the Minister of Local Government, Dr Tertius Delport, indicated that the number of residents per municipal worker in six black townships ranged from 344 to 805. In five white municipal areas, however, the number per municipal worker ranged from 35 to 80.

Dr Delport's answers showed just how badly serviced black townships were, said Mr Walsh, and indicated that white municipal residents received a far higher quality of service from their municipalities than did black residents.

"When non-racial areas are established with the same levels of expenditure, the level of service for whites will have to decline dramatically in order to uplift service in black townships.

Civics owe Escom R643m

Political Correspondent *CT 25/2/93*

BLACK local authorities owed R1,9 billion in arrear rental and service charges at the end of last year.

Local Government Minister, Mr Tertius Delport, told the Conservative Party MP for Pretoria West, Mr Joseph Chiolo, yesterday that of this amount R643 million was owed to Escom.

Dr Delport said local authorities in the Transvaal, were in arrears to the tune of R1 606 billion of which R607 million was due to Escom, while those in the Cape owed R166,7m — R544 962 to Escom.

In the Orange Free State, local authorities were in debt to the amount of R128,795m while in Natal arrears amounted to R10,6m.

The non-payment by residents influenced the cash flow of the authorities which had a detrimental effect of the settlement of their accounts.

"Alternatively, to bring blacks on a par with whites, considerably more municipal employers will have to be engaged at a considerably increased cost," Mr Walsh said.

Dr Delport said Cape Town had 15 800 municipal employees and an annual personnel budget of R670 million for an estimated 1 234 708 residents, a ratio of 1 78, while Lingeletu West and Khayelitsha had 982 municipal employees and a personnel budget of R24,7m for an estimated 451 000 residents, a ratio of 1 459.

Local govt faces cash crisis ~~bank~~ bank

B/DMM 23/2/93.

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GRETA STEYN

SA's local government faces a financial crisis which will cause "severe and rapid" deterioration in urban services, the World Bank's Urban Economic Mission to SA says in its latest report.

The mission, which visited SA in late January and early February, has handed the report to the Witwatersrand Metropolitan Chamber as policy input. It is the latest in a series of in-depth studies undertaken by the Bank on urban development in SA. It called for a reform of the structure and functions of SA's public sector.

The bank noted serious attention would have to be paid to developing a "significant and buoyant" tax base at the local government level. The present (RSC) turnover and payroll taxes did not fit the bill. At their present low rates, they did not raise enough revenue, but, raising RSC levies was not a viable option. The turnover tax "competed" with VAT and would hit consumers, while the payroll tax could be "rolled backward" into lower wages.

Measures would also have to be taken to enhance local borrowing capacity, including writing off local authorities' debts. The report said the significant borrowing by black local authorities in the '80s and early '90s — primarily bridging finance from the provinces — should be written off as "sunk costs" of apartheid.

Revenue at the lower levels of government could be augmented through the introduction of a new personal income tax. Local governments could introduce a personal tax surcharge (or "piggy-back") at a rate in line

with their financing needs.

Other taxes that could be applied at lower levels of government were fuel and vehicle taxes, and a levy on agricultural land

There was also significant potential for expanding the property tax base, with all urban properties potentially part of the base.

But development of the regional tax base and writing off of debts might not be sufficient to enable local authorities to borrow enough on the capital market to finance infrastructure spending

Central government would have to assume responsibility for financing investment backlogs

The proposed surcharge on personal income tax could be used for this. The surcharge could be time-bound to represent a one-time transfer of wealth to finance the urban infrastructure backlog. It could also be leveraged so the public investment programme could be undertaken in a relatively short time.

The bank criticised the present structure of the public sector, saying the system of higher levels of government subsidising lower levels created economic distortions and had the potential to destabilise the macro-economy.

"Just as the apartheid structure could not survive the dynamics of urbanisation and demands of a productive urban economy, the public sector organisation and financing based on that system cannot survive if SA is to achieve sustainable and equitable economic growth."

Earlier deadline adopted for proposals on local elections

PRETORIA — Proposals on how SA's municipal elections should be conducted had been requested by the end of March from all political parties and interest groups, a President's Council spokesman said yesterday.

The council was instructed in January this year to conduct an investigation into possible voting and electoral systems at local government level.

But with the dissolution of the council scheduled for July this year, the deadline for electoral proposals has been moved forward by a month.

All town clerks, political parties and interest groups had been informed of the decision to speed up the process, the spokesman said.

The council is expected to hold a plenary session on local government elections before submitting its final report to the President's office some time in June.

The report would provide useful input for the newly-established local

government negotiating forum, although there did appear to be some overlap, the spokesman said.

The local government forum, including representatives from the civic associations, local authorities and government, will hold its inaugural meeting next month.

Among the issues to be discussed are the future structures of local government as well as a timetable and electoral procedures.

The council spokesman said he was confident the body could complete the four investigations currently under way before the council's dissolution in July.

The other investigations involved the introduction of daylight saving time, improving political and economic literacy and the development of indicators to assess health levels among the population.

ADRIAN HADLAND

B10M 16/2/93 (262)

Forum to tackle local govt

PRETORIA — A new national forum to debate the future of local government in SA would meet for the first time next month, it was announced yesterday

The forum, with representatives from government, civic associations, local authorities and the four provincial administrations, would tackle issues such as rent and service boycotts, guidelines for local government negotiations and the suspension or amendment of existing legislation

A statement by the local government negotiating committee, which drew up the terms of reference and constitution of the forum, said the body would not have statutory powers. While all parties would be bound by agreements signed by the forum, "any agreement concluded within the fo-

ADRIAN HADLAND

rum which contradicts agreements reached at a multiparty national negotiating forum such as Codesa, will be invalid", the parties agreed

The forum, which would meet next month in Johannesburg, would have as its mission "to contribute to the democratisation of local government and the bringing about of a democratic, nonracial, non-sexist and financially viable local government system", the statement said.

It would consist of 50 members, half from government or local authority bodies and half from the civic associations or non-governmental organisations. A 12-member

□ To Page 2

Local govt

management committee under an elected chairman would run its daily affairs

Issues to be discussed by the forum included supplying adequate services, financing and policy models for local government and writing off black local authority arrears

The forum committee agreed that government should be approached for funding

"Should Cabinet finance the forum, accountability will be the responsibility of the local government department's director-general, who will appoint a member of the management committee," the statement said "Such member will have to accept responsibility for all financial matters relating to the functioning of the forum and its components"

Talks on creating the forum have been under way since the middle of last year
WILSON ZWANE reports that the SA

National Civic Organisation (Sanco) said yesterday it rejected the unilateral restructuring of local government and would raise the issue at the forum

Sanco president Moses Mayekiso said other issues such as the implementation of joint administrations based on existing apartheid local government structures, the sale of strategically located public land and the privatisation of municipal services would be raised His organisation would propose to the forum measures which would address "the problem of non-participatory local negotiation forums which result in unilateral restructuring of local government"

He said Sanco had already begun consulting its allies in order to ensure that the forum was as inclusive as possible and would call a national consultative conference on local government next month to discuss these issues

□ From Page 1

New local body forum

Sowetan 12/2/93

By Ismail Lagardien
Political Correspondent

■ LGNF will comprise 50 members from statutory and representative bodies: (262)

A LOCAL Government Negotiations Forum has been established to run parallel with a new multiparty forum through the envisaged three stages of South Africa's transition period

The terms of reference of the LGNF have been left open so as to fit in with negotiations at the national level and the multiparty forum

The LGNF's mission is primarily "to contribute to the democratisation of local government and the bringing about of a democratic, nonracial, non-sexist and financially viable local government system", according to a statement from the Local Government Negotiations Committee or LGNC

The LGNC comprises the Minister of Local Government, MECs from the four provinces, members of organised local government and the SA National Civic Organisations

The forum will be as representative as possible and will be made up of 50 members — 25 of whom will be statutory and 25 non-statutory

It will be supported by a management committee, a secretariat and working groups in areas such as legal and constitutional services, finance, management, administration and training

The forum and the management committee — appointed by the body — will meet as often as possible and will sit for

the first official session sometime in March

During the envisaged first phase, that of pre-elections for a constituent assembly or constitution-making body, it will seek agreement on a range of issues such as the amendment or the repeal of existing local government legislation, guidelines for negotiations, boycotts of payments and transitional constitutional guidelines for local government

During the second phase, that of interim government, the forum will ostensibly work under instructions of or in terms of agreements reached in the constituent assembly

Forum dealing with local govt to be launched

Star 12/21/93

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By Peter Fabricius
Political Correspondent

CAPE TOWN — A Local Government Negotiating Forum, consisting of representatives of the central and provincial Government, town councils and the SA National Civics Organisation (Sanco) is to be launched next month to negotiate a new system of local government

This was announced in a joint statement yesterday by the Local Government Negotiating Committee (LGNC) representing the participating bodies

The aim of the forum is to help bring about a democratic, non-racial, non-sexist and financially viable local government system

It will have no statutory or executive powers and its work will be subject to any agreements on local government which might emanate from central nego-

tiations for a new national government

The LGNC said the forum's powers and functions would vary during the different phases of the transitional process

In the period before elections for a constitution-making body, its aims include

- Suspending or amending the Interim Measures for Local Government Act and sections of other provincial and local government legislation
- The possible suspension of rent and service charge boycotts and the writing off of arrears
- Promoting co-operation between different players in providing services
- Drawing up models for financing local government
- Drafting a framework for the demarcation of local government boundaries
- Drafting proposals for future local government

Meeting ²⁶² soon for SA local rule body

CLIVE SAWYER, Municipal Reporter

A LOCAL Government Negotiating Forum, involving statutory and non-statutory bodies and with the aim of democratising local government, will hold its first meeting next month

Details of an agreement on the forum, forged by a committee representing central and local government and the SA National Civics Organisation (Sanco), were released today

The launch of the forum, with equal representation for statutory bodies and a host of non-statutory civic and political organisations, follows months of talks

The main aim of the forum — a national negotiating body similar to the national housing forum — will be to help create a democratic and financially viable system of local government

Priorities are expected to include talks on guidelines for local negotiations, paving the way for the involvement of groups which have refused so far to take part in constitutional talks at local level

Other issues likely to be high on the agenda are the suspension, amendment and replacement of controversial legislation such as the Interim Measures for Local Government Act and the Provincial and Local Authorities Affairs Amendment Act

Also on the table will be boycotts of rent and service payments, the writing off of arrears "in the context of affordability", the establishment of minimum standards of services and planning guidelines for local authorities

The forum will have 50 members, 25 from statutory bodies and 25 representing other organisations. It is likely to play an advisory role to a future transitional executive council of an interim government, but when a government of national unity is founded it will be up to it to decide on the forum's future

The announcement today follows a series of meetings involving Sanco, the National Committee of Local Government Associations and the government

United Municipal Executive director Mr James Sadie told an Idasa seminar on local government transition that, while there was no unanimity on the future role of local government, there was agreement among all parties on the need for non-racial councils with single tax bases

Dr Chippy Oliver, a Sanco observer at talks preceding the establishment of the forum, said moves in terms of the Interim Measures and Provincial and Local Authorities Acts had caused confusion

Agreements made by the forum should be enacted in a new interim measures Act to give them the force of law

Mr Oliver said rent and service arrears would have to be written off, but amalgamation of adjoining white and black councils would be difficult if the established councils were asked to pick up the tab for crisis-hit black local authorities

Director of the Transvaal Local Government Association Mr Jan van Zyl said central government might be reluctant to give funds to cover written off arrears unless there were guarantees that debts would not mount up again

An African National Congress delegation said its Western Cape regional branch was not ready for negotiations "Capacity building" was needed to enable the movement to take part in talks on an equal footing with established bodies

Meanwhile, a seven-member facilitating group is circulating a questionnaire on local and metropolitan government options for Cape Town

It has been sent to a variety of councils and to political, labour and civic bodies and will be given to other organisations which want to take part in the survey

LOCAL GOVERNMENT

FM 22/1/93

The glacier melts 262

Details of a proposed multiparty forum on local government are due this week. This follows the first meeting of a working group set up in terms of an agreement between government and township civic organisations.

Sources say it's likely that the forum will be functioning by early March and start from scratch to negotiate a new local government dispensation. It will in essence be the Codesa of local government.

Formal agreement on the forum was reached at a meeting in Johannesburg on January 13 between a government delegation, headed by Local Government Minister Tertius Delport, and an SA National Civics Organisation (Sanco) team under its president, Moses Mayekiso. It was seen as a significant breakthrough after months of wrangling.

It was agreed that a working group representing interested parties would meet this week to debate details of how the forum should be structured and what its brief should be. It was also agreed that all parties to the proposed forum, including government, would be bound by agreements reached by consensus.

Sanco has previously said two controversial "apartheid" Acts were major obstacles to the establishment of a forum.

- The Provincial & Local Authorities Affairs Amendment Act (which facilitates the establishment of joint administrations between white and black local authorities); and
- The Interim Measures Act.

Though the Acts ostensibly provide, among other things, for government bridging finance to improve services in townships, Sanco argued that apart from being unilateral decisions by the white parliament, they were used to prop up unrepresentative and sometimes corrupt black local authorities to ensure the success of the joint administrations policy.

Government, on the other hand, regarded the continued Sanco-led boycott of township rent and service charges as an obstacle.

Both issues are expected to be priorities for the forum and speculation is that they will be disposed of quickly with government suspending both Acts and Sanco calling off payment boycotts. Sanco has said that it would call off the boycotts only if there were "sufficient movement" towards the democratisation of local and central government.

Suspending the Acts will mean the effective scrapping of government's earlier plan to force local authorities into joint adminis-

tions by July 1 or face financial penalties such as the loss of subsidies and additional income. It's not clear what will become of local authorities that have already formed joint administrations. Their fate will probably be decided by the forum.

In the Cape, nearly a third of the 93 black local authorities have established joint administrations with neighbouring white counterparts and in only seven towns have there been no negotiations aimed at establishing joint administrations.

Also likely to be high on the forum's agenda are the selling of land by white local authorities and the privatisation of services. Both topics have been criticised by Sanco.

The future financing of local government is probably the most thorny issue for the forum. Many white local authorities fear a massive burden on their rates base if they are forced to take over debts, provide new services and upgrade depressed townships.

But a member of the Cape provincial executive committee, Pieter Schoeman, said recently that the fear was largely unfounded. Additional financial burdens would be shared by central government, regional service councils and local authorities.

The forum may also consider the suspension of more — and possibly all — black

because the presence of the Soweto councils was rejected by the SCA. Last year Hough suspended the Lekoa and Tembisa councils for maladministration.

The SCA says Greater Soweto's third council, Dobsonville, should also be suspended.

Soweto and Diepmeadow councillors apparently plan to contest their suspension in court but TPA officials believe they have no chance of success. ■

TORTURE

Growing chorus FM 22/1/93

The trouble with the report of the Douglas Commission of Inquiry into ANC detention camps in exile, says the ANC, is that its author — Durban advocate Bob Douglas — was acting for an organisation with "a very clear rightwing bias." The reference is to the International Freedom Foundation (IFF), which commissioned the report.

The IFF describes itself as a registered educational body headquartered in Washington, promoting democratic institutions and the free market system. It has also earned something of a reputation for reds-under-the-bed paranoia. There is a whiff of this in the Douglas report, with its excursions into rather intemperate anti-communist tirades that seem out of place in a report of this kind.

Aside from naming those in the ANC who are allegedly implicated in the litany of awful torture and brutality by ANC cadres in exile, Douglas adds little to the findings of two earlier reports on the matter: the ANC-appointed Marcus Commission and that by Amnesty International (*Current Affairs*, October 23 and December 4 1992). The fact that extreme physical abuse of individuals took place is common cause.

In spite of being tainted because it was appointed by the ANC, the Marcus report "strongly recommended that urgent and immediate attention be given to identifying and dealing with those responsible for maltreatment of detainees." It was clear, said the Marcus report, that several people against whom serious allegations of brutality had been made are currently employed by the ANC's security department. Nobody guilty of the atrocities should ever again be allowed to assume positions of responsibility, it said.

Names were not divulged, though a list was given to ANC leader Nelson Mandela, with the recommendation that an independent inquiry be appointed to bring them to account.

A second commission was appointed by



Delport



Mayekiso

councils to smooth the way for transitional arrangements. A Sanco affiliate, the Soweto Civic Association (SCA), has repeatedly called for the scrapping of the debt- and corruption-plagued Greater Soweto councils, two of which were suspended by Transvaal Administrator Danie Hough last week. Soweto and Diepmeadow were unable to implement a TPA ruling in November that they must put their financial affairs in order. They are reported to have an aggregate debt of at least R700m. An interim administrator has been appointed to take control of the councils.

Hough's action was seen as a boost for the Witwatersrand Metropolitan Chamber, which has been unable to function properly

NEWS IN BRIEF

B1011 28/2/93 (262)
R1,9bn owed in arrears

CAPE TOWN — Black local authorities owed R1,9bn in arrear rental and service charges at the end of last year, R643m of which was owed to Eskom, Local Government Minister Tertius Delpport told Parliament yesterday

Delpport said local authorities in the Transvaal were in arrears to the tune of R1,606bn of which R607m was due to Eskom, while those in the Cape owed R166,7m — R544 962 to Eskom. In the Free State, local authorities were in debt to the extent of R128,795m — R35m to Eskom, while in Natal arrears were R10,6m, none of which was owing to Eskom

Options for local authorities under the spotlight ²⁶²

WILSON ZWANE

LOCAL Government Minister Tertius Delport will meet the SA National Civics Organisation (Sanco) on January 13 to discuss a draft document on options for future local government structures ^{Blom 5/1/93}.

The document was finalised last month by a working group of the local government negotiating committee comprising government and Sanco representatives.

The document has been circulated to Sanco regions and contains three options for local government:

- The inclusion of extra-parliamentary groups in the Council for the Co-ordination of Local Government Affairs,
- The scaling down of the Council for the Co-ordination of Local Government Affairs to make it more cost-effective and less unwieldy; and
- The establishment of a new forum for local government.

Civics Association of the Southern Transvaal (Cast) general secretary and Sanco negotiator Dan Mofokeng said yesterday Sanco would push for the acceptance of the third option.

Cast president Kgabisi Mosunkuthu hoped an interim agreement would be reached and be developed at subsequent meetings.

He said an interim agreement was necessary as a host of issues, including the resolution of rent and services boycotts, hinged on it.

No comment could be obtained from Delport's office.

Sanco president Moses Mayekiso said recently the time was not ripe for his organisation to advise members to suspend boycotts of rent and services.

Suspension of boycotts depended on "sufficient movement towards the democratisation of government at local and national levels", the scrapping of the Interim Measures for Local Government Act and the Provincial and Local Authority Affairs Amendment Act and the forging of a single tax base for towns and neighbouring townships.

Govt, ANC make progress in talks

^{Blom 5/1/93} GOVERNMENT and the ANC had made a lot of progress in talks and negotiators on both sides expected far-reaching discussions to be concluded by the end of January, sources said yesterday.

A joint committee set up by the parties at their December bosberaad was busy fine-tuning proposals on a range of issues, ANC negotiator Mohamed Valli Moosa said yesterday.

He said both sides had presented ideas on the constitutional process, violence, armed formations in the country and the resumption of multiparty talks leading to elections.

"In the committee we are looking towards making significant progress by the end of January with the two parties holding far-reaching discussions at our extended bilateral talks which will last quite a few days."

Talks are scheduled to start on January 20 and last about five days.

His optimism was shared by a government negotiator, who added that bilateral negotiations with the ANC should not be seen in isolation from a whole series of bilateral talks taking place on a range of levels "on an almost twice-weekly basis".

He said bilateral talks were deemed by most parties to be beneficial to the process and designed to ensure that

when multiparty talks resumed they would not run into the same start-stop problems experienced at Codesa.

Codesa was important in getting parties together but did not provide the conditions for them to come to grips with issues seriously and fully negotiate them, he said.

Bilateral negotiations were a lot tougher with parties making slower progress. But a "far firmer foundation" was being laid, he said.

Valli Moosa agreed that the seemingly endless rounds of preparatory talks were achieving success.

Government was meeting the Concerned South Africans Group on Friday in an attempt to resolve obstacles between it and the three homeland leaders — Mangosuthu Buthelezi, President Lucas Mangope and Brig Oupa Gqozo — as well as CP leader Andries Treurnicht and the Afrikaner Volksume.

The ANC was regularly meeting other parties in the patriotic front, as well as Inkatha, the Bophuthatswana government and other groups in the hope of reaching the necessary convergence by the end of February to allow a multiparty forum to resume during March, said Valli Moosa.

^{Blom 5/1/93}
^{30/1/93}
BILLY PADDOCK

Mandela to speak at Joseph funeral

ANC president Nelson Mandela will speak at a requiem mass for veteran anti-apartheid activist Helen Joseph at St Mary's Cathedral in Johannesburg on Thursday ^{Blom 5/1/93}.

ANC spokesman Carl Niehaus said yesterday Anglican Archbishop Desmond Tutu would deliver a sermon at the mass, which would also be addressed by ANC stalwart Albertina Sisulu.

Joseph, who died on Christmas Day at the age of 87, will be buried in Soweto's Avalon cemetery alongside

RAY HARTLEY ^(A)

fellow ANC Women's League founder Lillian Ngoyi.

Niehaus said the ANC would provide buses to transport mourners to the cemetery, but members of the public were requested to provide their own transport to ensure smooth progress from the cathedral to Soweto, he said.

Rev Timothy Stanton will conduct proceedings at the graveside.

A traditional purification ceremony would be held in Soweto later on Thursday, Niehaus said.

Public servants seek agenda

GERALD REILLY

(262)

PRETORIA — The 18 public service organisations — including six teacher bodies — representing more than 400 000 workers, have demanded an agenda before Friday's meeting with President F W de Klerk

In his invitation to the organisations, De Klerk said service conditions would be discussed

However, the co-ordinator of the caucus of 12 organisations, Anton Louwrens, said a December appeal to Administration Minister Org Marais for an agenda had gone unanswered, and without an agenda to assist preparations the meeting could be valueless — and some leaders feared it would be no more than a lecture

Finance and Trade and Industry Minister Derek Keys, National Health Minister Rina Venter and Marais will also attend the meeting. *SIDM 12/1/93.*

Louwrens said government workers wanted urgent answers to uncertainties relating to job security, pensions and retrenchments

"We want to know precisely how government intends cutting state spending in the public sector by 3% in the new financial year," he said

Poisoning after cholera scares

(262)
CT 13/11/92
HARARE — Medical authorities battling to control the country's worst cholera outbreak are alarmed over widespread cases of food poisoning caused by people eating insecticide-treated seed maize rather than taking a chance with suspect vegetables

Meanwhile cholera has claimed more than 200 lives in the Zambian capital Lusaka, a health ministry spokesman said — Sapa-AFP

ANC accused of trying to wreck Bekkersdal peace pact

INKATHA and Azapo accused the ANC yesterday of attempting to shatter a peace pact between them in Bekkersdal

Inkatha Transvaal organiser Themba Khoza told a news conference in Johannesburg that members of the ANC Bekkersdal branch had sent a memorandum to a multiparty committee, monitoring the situation in the West Rand township, in which it complained about the peace pact between Inkatha and Azapo

Azapo deputy national organiser Monwabisi Duna said ANC supporters in the township had threatened to "come down heavily on us" should Azapo and Inkatha reach an agreement on ceasing hostilities

However, a peace pact, signed by the ANC and Azapo in November 1991 after heavy fighting between supporters, precluded him from telling the media who the ANC members in question were, he said

Khoza said it was known the ANC was behind the Inkatha-Azapo feud, which had claimed five lives this year

Khoza and Duna said the allegations of the ANC's involvement in the feud would be discussed with the Bekkersdal monitoring committee, of which the ANC and PAC

WILSON ZWANE

were members

The two organisations, which had been holding a series of meetings in an attempt to end the feud, said they would hold a joint peace rally on Sunday

Duna said Inkatha had agreed to a condition — set by Azapo — that "traditional" weapons should not be carried at the rally, which was held to "ensure lasting peace in Bekkersdal"

ANC PWV spokesman Ronnie Mamoepa dismissed the allegations as false. He said the ANC was the first to call for a peace meeting between the organisations

It was unfortunate that some organisations wished to use the peace process in Bekkersdal, which was the outcome of multilateral deliberations involving the ANC, the PAC, Inkatha and Azapo "for narrow party political interests"

Sapa reports that the ANC also rejected a claim during bilateral talks earlier yesterday that ANC Youth League members had said they would "come down heavily" on Azapo if it held talks with Inkatha

tribal areas had come from the KwaZulu government and Inkatha.

He asked the committee to investigate the role of the KwaZulu and SA police in violence

The abuse of power by KwaZulu and SA government officials in the region also required investigation

In his preliminary submission Cosatu regional executive member Michael Mabuyakhulu asked the committee, led by Durban

Local govt forum set up

WILSON ZWANE

PROGRESS towards non-racial local government structures was made yesterday when government and township civic organisations agreed to set up a local government forum.

Agreements reached at this forum, in which government and civic organisations would be represented, would be binding on all parties.

After their meeting in Johannesburg yesterday, Local Government Minister Tertius Delpoort and the SA National Civics Organisation (Sanco) said a working group had been established to formulate the forum's terms of reference

A Sanco spokesman said recently an interim agreement between his organisation and government was necessary as a host of issues, including the resolution of rent and services boycotts, hinged on it

Sanco president Moses Mayekiso also said recently the time was not ripe for his organisation to advise its members to suspend the boycotts.

One condition he set for boycotts to be lifted was "sufficient movement towards the democratisation of government" at local and national levels

Nine people killed in Natal violence

DURBAN — At least nine people were killed and two injured in violence in Natal on Tuesday, KwaZulu and SA police reported yesterday.

Six of the victims were killed in a faction fight between Pondo and Zulu tribes in Inanda, near Durban

Meanwhile, a wave of violent attacks on the SAP is continuing, with eight policemen slain since the beginning of the year.

In the latest killings, an off-duty policeman was stabbed in the head near Germiston and a constable was gunned down by

three men in police uniform while guarding a suspect in an East Rand hospital.

Soweto policemen fired birdshot and teargas after allegedly being attacked by a crowd at Inhlazane station on Tuesday.

Police spokesman Capt Burger van Rooyen said 226 policemen were killed during 1992. Many were killed off duty, when they were most vulnerable.

Despite the killings there was no shortage of recruits, and 2 300 new policemen would be trained by July — Sapa-Reuter

PEANUTS

By Charles Schulz



NEWS IN BRIEF

BIDM 15/11/93
Local govt forum (262)

LOCAL Government Minister Tertius Delport and the SA National Civics Organisation will meet next Thursday to set the stage for the launch of a local government forum

It was agreed on Wednesday that the forum would comprise representatives from government and civic organisations and agreements reached in it would be binding on all parties

Govt salary bill 'rocketed' in 1992

PRETORIA — The 770 000 workers in state and provincial departments earned just more than R6bn in the third quarter of last year — R870m more than in the year-earlier quarter, Central Statistical Services (CSS) figures show

Early retirement and abolishing posts led for the first time in years to a significant cut in numbers in general affairs and own affairs departments

In the year to end September general affairs staff decreased by 4 715 to 369 768 and own affairs staff by 6 746 to 182 753. However, this shrinkage was almost neutralised by an increase of 9 268 provincial department workers to a total of 228 781

Homeland bureaucracies gained 25 993 staff, taking their numbers to 230 659

~~262~~ GERALD REILLY ~~262~~

Their earnings were R342,059m higher, at R1,314bn in the quarter, than a year earlier

Economists say the number employed by central government should decline significantly once own and general affairs departments merge

The CSS attributed the 8,6% increase in homelands personnel mainly to employing staff on anti-drought projects

The total employed in the public sector — including Transnet, the Post Office, universities, technikons and parastatals — rose 2 994 to 1 647 971. For the quarter they were paid R1 212,837bn, R1,643bn more than in the same quarter in 1991

19/11/92
SLOAN



Pay offer turns public servants gloomy

PRETORIA — Discontent is rife among more than a million public servants after President FW de Klerk's announcement last week that salary increases in the new financial year would be limited to 5%

Public Servants' Association (PSA) and Teachers Federal Council sources said real earnings and living standards of state workers would fall sharply

Council chairman Allan Powell said the 5% offer was "unacceptable" as teachers had already made sacrifices. Enforced retrenchments had saved government millions of rands.

The sources said that after taking into account double-digit inflation

and certain increases in indirect taxation, including VAT and the petrol tax, workers would still be up to 10% worse off in their buying power in the new financial year.

The council planned further "non-confrontational" talks with government on salaries, and the caucus of 12 public service organisations would have further negotiations with the Commission for Administration.

The actual cost to government of the 5% pay hike is estimated at R1,6bn, excluding the additional amount for teachers.

Central Statistical Service figures

GERALD REILLY

say salaries for the 1-million workers would total about R32bn in the year to end July

Sources said fears of an accelerated retrenchment programme had intensified after De Klerk's "dire" assessment of the economy last week

Meanwhile, DP finance spokesman Ken Andrew said despite high taxation government's essential services were deteriorating "Drastic action should be taken to improve government's efficiency, to eliminate corruption, to do away with continued apartheid duplication and to control expenditure in the TBVC states and the homelands"

● Comment. Page 6

Jo'burg tops interest paid poll

JOHANNESBURG's municipality has come out tops in a countrywide poll on interest paid on deposits for electricity and water supplies. *B.P.M. 19/1/93*

The snap poll showed that Johannesburg paid 9,5%, Port Elizabeth 4% and the Durban City Council 3% interest on termination of the contract, providing the account had been open for more than six months.

Eskom paid 5% interest, credited annually to clients' accounts.

Randburg, Sandton and Cape Town councils do not pay interest.

Randburg's senior public relations officer Edwin Dacomb said interest earned from customers' deposits was used for keeping tariffs as low as possible, so consumers did benefit indirectly.

Sandton City Council water department official Harold Kruger said interest earnings from deposits were used to cover the financial loss the council incurred because of the time lag between payments to the council's suppliers and the settling of accounts by customers.

Sandton paid its suppliers (Eskom and the Rand Water Board) on the 21st of each month, and consumers paid the council the following month.

(262) **KELVIN BROWN**
and **RALPH LAZAR**

Cape Town city treasurer Eddie Landsberg said the council did not pay interest. Interest earnings were used as security in case of non-payment by customers.

"Often by the time customers pay their accounts, they owe perhaps two months worth of supply," he said.

Interest earnings served as working capital, overcoming the need for the council to go into overdraft, he said.

As far as property transactions were concerned, industry sources said when deposits were called for clients could specify that the money be placed into an interest-bearing account for their benefit.

However, Estate Agents Board assistant manager Clive Ashpol said that in the absence of a written instruction, estate agents were not obliged to place deposits from lessees or purchasers in interest-bearing accounts.

But from April 1 this year failure by an estate agent to disclose the facility to place large deposits into interest-bearing accounts would constitute improper conduct in terms of a newly promulgated code.

Govt, civics edge closer to local negotiating forum

B1207 22/1193

(262)

LOCAL government Minister Tertius Delpont and the SA National Civics Organisation (Sanco) are edging closer to launching a local government negotiating forum

WILSON ZWANE

The parties would, however, meet again in Cape Town early next month to finalise the document, which would then be submitted to the parties' principals for ratification.

The Minister and Sanco met for more than three hours in Pretoria yesterday to discuss a document outlining the structure and objectives of the forum. The document was drawn up by a working group of the Local Government Negotiating Committee (LGNC) last year.

"Once adopted, the document will be made available to all interested parties," the statement said

The LGNC comprises representatives from the three levels of government and Sanco

Delpont and Sanco have agreed that the forum — which would include representatives from the three levels of government and Sanco — should be established to negotiate local government issues

In a statement last night the parties said an agreement on the document was reached.

This week Sanco said it was preparing itself for a key role in negotiations

aimed at formulating new policies on a wide range of issues, such as the economy, health care, education and local government.

Sanco's executive was meeting this weekend to plan for increases in the township representation at negotiations

The PAC and Azapo would be invited to local government negotiations, Sanco's Thozamile Botha said yesterday, Sapa reports.

He said everyone, irrespective of political ideology, should be involved in issues affecting the community.

PAC spokesman Waters Tobot said his organisation was awaiting the invitation, and Azapo could not be reached for comment

Mining ... said, it was not the only country ...

LABOUR

FW pre-empted wage talks'

W/Mail 22/1 - 28/1/93.

(260) (261) (262) (263)

The state president laid down the law on government spending on Friday. But public servants aren't happy about his announcement on wage increases.

By **FERIAL HAFFAJEE**

PRESIDENT FW de Klerk subverted collective bargaining in the civil service by announcing, prior to wage negotiations, that government employees will get only five percent increases this year.

Many in the sector had hoped the practice of negotiating, not implementing, increases — as provided in draft legislation for the sector — would start this year.

"The state president and the minister of finance used their position to pre-empt collective bargaining relations," believes Luci Nyembe of the Centre for Applied Legal Studies.

De Klerk's one hour "lecture" to public service representatives in Pretoria last week "could have been made at a collective bargaining forum", she says.

And, according to sources at the meeting, the agenda did not allow for presentations from the staff but only for "questions from the floor".

At the meeting, attended by 11 employee organisations representing 800 000 civil servants, it was also announced that the government's retrenchment programme would be completed by March.

In the same breath, De Klerk threw out the sop that civil servants would not become the "victims" of a new political dispensation.

Proposals for a wage freeze for the public service had been mooted, but the government was committed to the wage offer of five percent it made last year, he said.

The state president was guided by a recent International Monetary Fund report on South Africa which said "The main focus of efforts to reduce the budget deficit must lie in the area of



FW de Klerk ... Any questions?

pruning public expenditure. Curbing public sector employment and pay increases would constitute an obvious line of attack."

He also alluded to Britain, where budget constraints will entail wage freezes for most government workers.

De Klerk is not ignorant of burgeoning labour consciousness in the sector. "The government really did try to react positively to earlier criticism that real negotiations were not possible when the total sum available is a *fait accompli*."

"It is a disappointment to me that I have to interrupt the process while the new approach to negotiations is still in its infancy," he said.

Nyembe believes the announcement "sets the tone for conflict in the sector for the next year".

But it is also likely that the government realises it holds the upper hand, last year's hospital strikes have left the sector's most militant union the National Education, Health and Allied Workers' Union (Nehawu) in disarray.

Nehawu was weakened by the strikes and the dismissals which followed them and would be hesitant to call members out on strike again.

The more conservative employee organisations in the sector are also unlikely to undertake any form of industrial action. Last year, they pulled out of a planned wage stayaway at the last minute and since then the Public Service Caucus — the umbrella body in the sector — has not had any joint programmes.

The Medical Association of South Africa (Masa) this week issued a sharp statement on the wage proposals. "Medical care stands to be severely jeopardised by the government's offer of a five percent salary increase," said Masa representative Professor Ralph Kirsch.

He feared that "the small increase coupled with increased taxation, may result in further loss of staff".

Because doctors receive a non-pensionable allowance as part of their income, they will receive increases of between 3,7 and 4,2 percent.

Public Service Association (PSA) president Hans Olivier says his organisation is "not very excited" by the increases.

But he thinks members of the PSA are unlikely to come out on strike because the prevailing feeling among them is: "Thank heavens I still have a job".

De Klerk evidently feels the same, in his speech on Friday he said "How many private sector breadwinners would not give their right hands for the chance to bring their wives and children the good news that they would still have a salary cheque and the roof over their heads, even if they would have to tighten their belts a bit".

Federalism on the cards

Violence, intolerance, the dangers

CONSTITUTION-MAKING in South Africa appears to be heading for a federal system based on a compromise between conflicting viewpoints.

But the transition process is being threatened by continuing violence and political intolerance

This emerges from the latest findings in a study of attitudes among political opinion-leaders by the Stellenbosch University Centre for International and Comparative Politics

The researchers found that a decisive majority — 68 percent — of opinion-leaders, including some within the liberation movements, favoured a federal system.

Resistance to federalism was found mainly among supporters of the ANC-SACP and the PAC

The survey report, released to Weekend Argus today, says for supporters of all the parliamentary parties, except the CP, the first choice by a considerable margin is federation. The figures vary from 85 percent for the NP to 81 percent for the DP

Most supporters (85 percent) of the Indian parties also prefer a federal model, and so do 96 percent of Inkatha Freedom Party (IFP) supporters

Of CP members and supporters of other rightwing groups, 66 percent gave partition as their first choice, while 17 percent preferred a model of white domination

Other survey results show that 75 percent of the ANC-SACP respondents and 44,8 percent of PAC supporters chose a unitary state model

In both organisations there were opinion leaders who supported a class state — in which the black working class controlled the central government

Project leader Professor Henne Kotzé notes in his report that a relatively high number of ANC-SACP-orientated respondents (16 percent) and PAC-orientated respondents (17 percent) put a federal model as their first choice

■ A federal system, in a constitution spelling out a clear division of powers between central and regional governments, may be on the cards for South Africa if a new attitude survey of opinion-leaders reflects the future political direction. But there are forces that could disrupt the process, reports Weekend Argus Political Correspondent **FRANS ESTERHUYSE**.

Looking at second choices, it emerges that a unitary state is preferred by 65 percent of the NP, 76 percent of the DP and 79 percent of the IFP. In the case of the ANC-SACP, 41 percent indicate federation as their second choice

"It is clear once again that the differences between the parties are not so deep that some kind of compromise on a model could not be reached," says Professor Kotzé

He notes that the ANC-SACP has already expressed its support for elected regional bodies and that it appears it will be possible for the most important parties to reach a compromise on regional government powers

(In the survey questionnaire a federal system was defined as a system "dividing South Africa into a number of multiracial regions vested with considerable autonomy, but at a central level a mixed parliament with proportional representation, a Bill of rights, and checks and balances on the executive branch of government")

Attitudes revealed in the survey results also indicate that compromise is possible on the controversial issues of "power-sharing" and the protection of minority rights

The majority of respondents who support the parliamentary parties find proposed minority protection devices for the constitution acceptable, while the ANC-SACP and the PAC find these devices highly unacceptable.

The report says that although the NP has moved away from the protection of group rights to support for the view that individual rights must be protected, there is still a fear that groups such as whites, coloureds and Indians will be "overwhelmed"

"The real test for a new constitution is thus not only whether the majority approves, but whether the minority is going to accept it"

On the issue of political violence and intolerance, the survey report says the high levels of intolerance among certain opinion-leaders reveal "a pattern which spells danger"

"In fact a great deal of the violence could possibly be ascribed to this very high degree of intolerance among certain groups

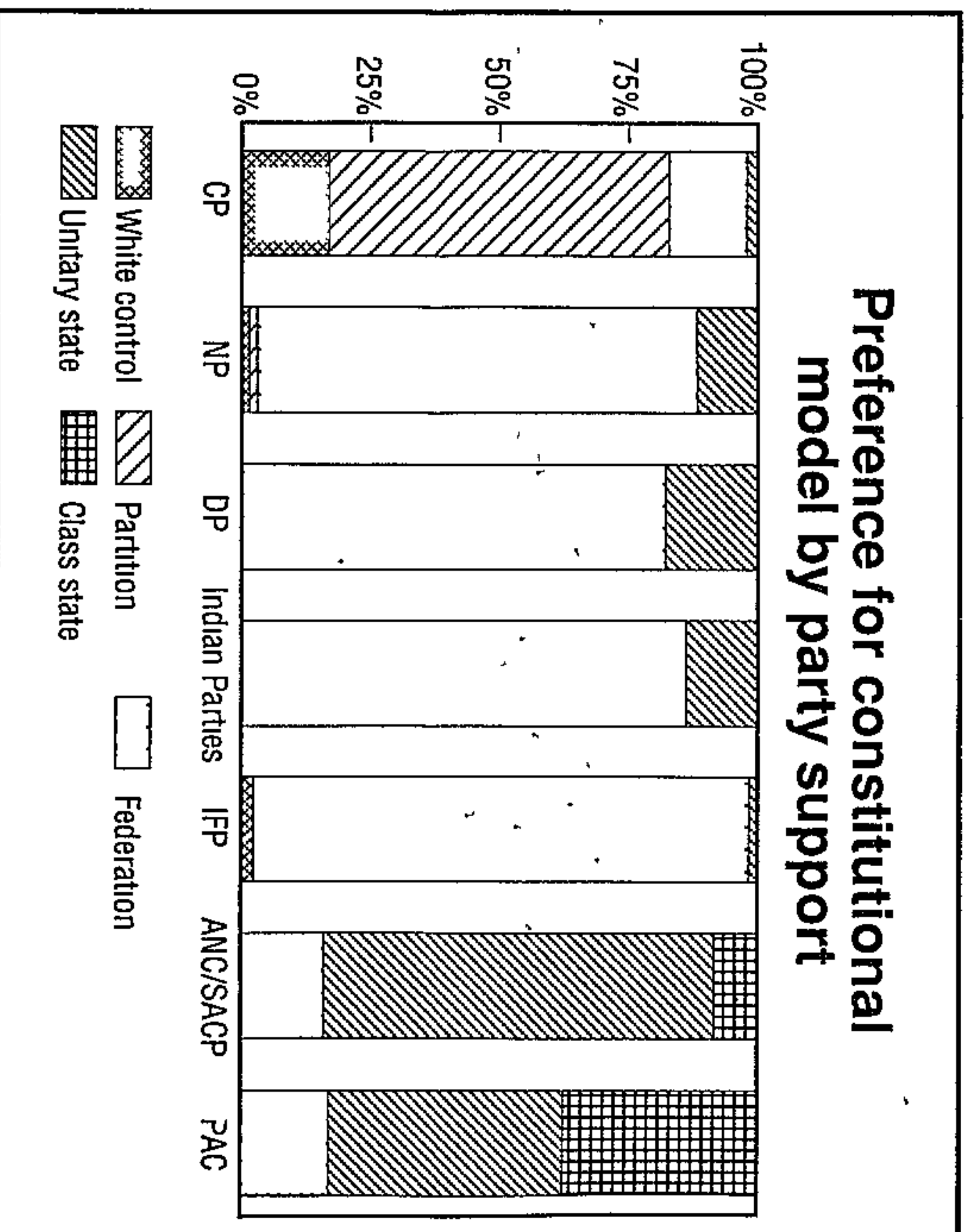
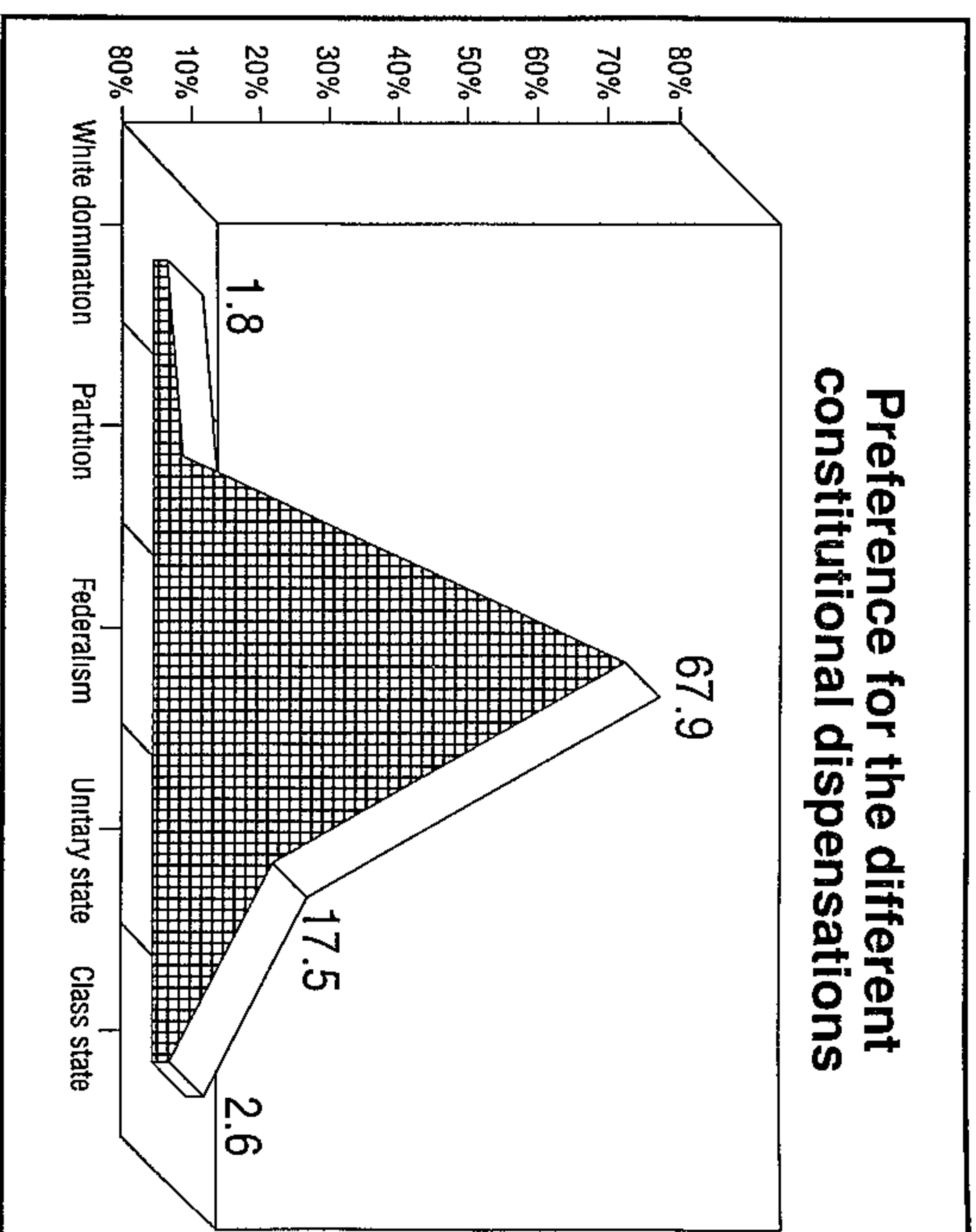
"Tolerance is a prerequisite for a democratic society"

The report says one of the greatest threats to South Africa's transition and to the creation of a climate of reconciliation is the continuing violence

On the issue of affirmative action, involving the inclusion of additional large numbers of blacks in the civil service, the response of opinion-leaders was largely positive

The rightwing groups were the only respondents who disagreed, saying the state did not have to appoint more black people to the civil service.

■ See page 13



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CP call to axe councils

RAY HARTLEY

THE CP yesterday called for the disbanding of the regional services councils, saying they were forcing white local authorities to subsidise "underprivileged" municipal areas.

CP MP Pikkie Coetzee accused the councils of "eroding the autonomy of local governments and removing financial resources which should be locally administered". (262)

He said the regional councils duplicated the functions of existing city councils, and rumours were rife that many were experiencing serious financial problems. (262)

"The levy payers do not benefit directly (from subsidising poorer areas) and sound infrastructure for white local authorities is being applied to the administration of large-scale services on the quiet," he said. (262)

"This effort to use money, which has been paid by trusting levy payers, to pay the accounts of boycotters, is not only a serious breach of trust, but also one of the major causes of the country's poor financial position," he added.

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Image of corrupt public service 'false'

PRETORIA — A perception of inefficiency, graft and dishonesty in the public service is unfounded, says the SA Institute for Public Administration

In an editorial in its journal, chairman Ian Robson appealed for balanced and rational reporting and commentary on public administration

The vast majority of public officials went about their duties in a responsible

GERALD REILLY

and ethical manner. However, the institute appealed to members to review control systems

Robson said it was not only necessary to ensure adequate control measures, but to ensure they were being applied

Sound administration demanded the maintenance of financial and other managerial control systems

A number of commissions and auditor-general reports had focused attention on the activities in certain public institutions. The media had been outspoken in its criticism and condemnation of instances of maladministration and corruption, he said.

Robson said officials guilty of misconduct or unethical behaviour were unconditionally censured by the institute

11/11/2007

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Slabbert on health care trip to Harare

MICHAEL HARTNACK

HARARE — SA Health Department director-general Dr Coen Slabbert will be discussing Zimbabwe's experience in developing mass primary health care when he visits Harare next week, Health Minister Timothy Stamps has disclosed.

"His principal reason for coming here is to find ways in which SA can follow our lead in developing primary health care centres for the majority population, but I have no doubt we will discuss cholera, human immunodeficiency virus (HIV) and AIDS."

Stamps told a briefing on the cholera epidemic that health problems afflicting southern Africa knew no geographical limits.

There have been reports in Harare that, making the first visit of its kind since Zimbabwe's 1980 independence, Slabbert will discuss a regional strategy for combating the cholera epidemic that has claimed at least 800 lives in Zambia and 183 in Zimbabwe, after spreading from endemic areas in the civil war zones of Mozambique.

Zimbabwe believes it is mastering the previously "explosive" spread of the disease, but fears the present 3 695 total of cases will continue to rise until the end of the present rains.

Home owners warned about 'bond insurance'

SA NATIONAL Civics Organisation (Sanco) president Moses Mayekiso yesterday warned township home owners to be on their guard against being taken for a ride by organisations promising to pay off their bonds in the event of unemployment.

Mayekiso's warning came as a company called Tri-Housing Repossession Busters flooded Reef townships with pamphlets urging residents to turn to it for financial assistance.

In the pamphlets, the company, which claimed to have been in existence since 1991, promised to bend over backwards to give residents peace of mind — at a price.

Manager Sam Chabalala said yesterday homeowners who wanted his company's services would have to pay an annual fee equivalent to 2% of the value of their bonds.

This fee was payable in 12 equal instalments, Chabalala said, adding that his company would settle a client's bond if he or she lost a job.

The company was not an informal savings club but a registered close corporation, he said.

WILSON ZWANE

Investigations by Business Day show that the company is not registered with the Registrar of Companies and Close Corporations. The company is also not known in the financial and housing sectors.

Pressed for further information, such as the number of clients the company had signed up, Chabalala refused to answer, saying the media sometimes killed rather than promoted business ventures.

Mayekiso said his organisation's affiliates would be asked as a matter of urgency to check the credentials of the Tri-Housing Repossession Busters and similar companies.

He said people should not be tempted by such companies before they had satisfied themselves of their authenticity.

It is understood that the matter could be raised at discussions between Sanco and the Association of Mortgage Lenders today.

The issue of some unemployment insurance cover for homeowners was being discussed by the association and the civic organisation.

Agreement on housing

WILSON ZWANE

STATE Expenditure Minister Amie Venter and National Housing Minister Sam de Beer this week agreed with the National Housing Forum that there was a need for an urgent programme to sustain — or even increase — current levels of housing delivery.

Details of the programme, which would supplement existing schemes to provide low-cost housing, would be worked out only after it was known whether funds would be forthcoming from government.

A source close to the Ministers said a plea for funds to be ploughed into the programme was made by the forum at its meeting with the Ministers on Tuesday night.

Sapa reports that a draft joint document by the Local Government and National Housing Department and the forum on additional funds for housing was discussed at a meeting on Tuesday.

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MA68993

Draft bills to outlaw sexism soon

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CT 6/2/93

By BARRY STREEK
Political Staff

SEX discrimination in South Africa will be outlawed if three draft bills, released by the government yesterday to promote women's rights, become law

It will be an offence for anyone to be discriminated against because of their sex, marital status or pregnancy — and men and women will have to be paid the same for the same job

Women will no longer have to have their husband's signature to open accounts and it will be illegal for banks and other institutions to ask for details about their marital status

It will also be an offence for women to be fired because they get married or fall pregnant

But the three bills do not provide for equality in taxes, medical and pension schemes and subsidies and exclude women from being liable for military call-up

The marital power, which gives husbands legal power over their wives, is to be abolished. Fathers will have no priority over guardianship of children

The Abolition of Discrimination Against Women Draft Bill, the Prevention of Domestic Violence Draft Bill and the Promotion of Equal Opportunities Draft Bill were released yesterday by the Minister of Justice, Mr Kobie Coetsee

They provide for the appointment of an Equal Opportunities Commission to monitor and prevent discrimination on grounds of sex

Benefits bonus for thousands of women

Political Staff

THOUSANDS of women civil servants and teachers, particularly those who are married, will receive substantial benefits when the government's proposals for equal rights for the sexes are implemented.

The Minister of Justice, Mr Kobie Coetsee, confirmed yesterday that women civil servants would receive the same benefits as men and women would not lose their housing benefits when they married.

Mr Coetsee also pointed out that the Ombudsman would receive increased powers to take action if there was sexual discrimination against civil servants.

He did not give any estimate of the cost of these reforms.

Mr Coetsee said he hoped it would be possible to submit the bills to Parliament this year but this would depend on public reaction, which had to be submitted by March 19

As presently drafted, the draft bills will make it a crime of rape — with a maximum penalty of death — if estranged husbands force sex relations on their wives, but it will not be rape if they are still living together as husband and wife.

The DP's spokeswoman on women's rights, Ms Dene Smuts, welcomed the proposed legislation but said the distinction on an assault inside and outside marriage said something very fundamental about people's views of marriage, the status of women in general and wives in particular

Mrs Margaret Lessing, executive director of the Women's Bureau of South Africa, said yesterday that the Draft Bill on the Promotion of Equal Opportunities was a major breakthrough for women, Sapa reports

Goodall says govt can now save taxpayers millions

GERALD REILLY

PRETORIA — Government's intention to phase out own affairs administrations and abolish the President's Council has the potential to save taxpayers tens of millions of rands a year, says DP finance spokesman Brian Goodall.

He stressed this would happen only if staff involved in duplicated and overlapping functions were not squeezed into other overstuffed state departments.

Some could be shifted to provincial administrations to staff the expanded provincial executive committees. And there were some functions which would have to continue even after the demise of own affairs, he said.

But there was still vast scope, Goodall said, for big administrative cost savings if government was serious about rationalisation and "went the whole way".

With the disappearance of own affairs, the need for the four Indian Ministers and a deputy Minister and the five coloured Ministers, a deputy Minister and four Ministerial representatives, would fall away.

Each Minister had a personal staff of between six and 10, including private secretaries, assistant secretaries, an administrative secretary and a liaison officer.

Coloured and Indian Ministers got the same pay deal as white Ministers. This consisted of a basic R155 000 a year, with a non-taxable, reimbursive allowance of R42 948. Deputy Ministers got R112 989 and a reimbursive allowance of R33 775.

Goodall said the six Ministerial representatives in the House of Assembly would also go. Each had a basic staff of a private secretary and a secretary.

The President's Council had 60 members who were paid a basic R78 000 a year.

Overspending by provinces

(262)

TIM COHEN

CAPE TOWN — A parliamentary committee recommended yesterday that Parliament condone provincial authorities' overspending of R132m in the 1989/90 financial year.

81 DM 29/11/93
The report on the joint committee on provincial accounts reluctantly recommended the appropriation of the Cape Province's overspending, which at R109m was by far the biggest transgression. The report, tabled yesterday, was also condoned by the provincial authorities of Natal (R5m) and Transvaal (R8m).

The Free State's R10m overexpenditure was singled out for special consideration by the committee, which expressed its concern that officials still failed to comply with the instructions of the accounting officer.

The report expressed concern at the failure of Free State and Cape white local authorities to submit financial statements in time.

Hospitals and health services were by far the most errant department in the Cape, overspending by R98m.

Black local authorities' debt may be wiped out

05/11/2/93 (262)

By PETER DENNEHY

THE government will announce this week the formation of a 50-member national negotiating forum which will try to formulate guidelines for a non-racial system of local government

An issue that the forum will address is the possible writing off of billions of rands worth of rent and service arrears owed to black local authorities, and debts owed by them

This was disclosed at an Institute for Democratic Alternatives in South Africa (Idasa) seminar in Bellville last night by Mr James Sadie, a director of the National Committee of Local Government Associations

Dr Crispian Olver, an observer on the SA National Civics Organisation

(Sanco) negotiating team, said it would be very difficult to achieve amalgamation of black local authorities with white ones if the latter were asked to pick up the tab for the non-payment of arrears

Mr Sadie said that half the members of the forum will be nominated by existing government and local authority bodies, and the other half by "non-establishment" bodies

Issues for discussion are

- The suspension or amendment or replacement of the two Interim Measures Acts
- Drawing up guidelines for local negotiations
- The suspension of rent, service-payment and other boycotts

Progress in local govt

Political Staff

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ET 12/2/93

A BREAKTHROUGH in moves toward non-racial local government was made yesterday when the government and an ANC-aligned civic movement agreed to form a Local Government Negotiating Forum

The forum will meet for the first time in Johannesburg next month

The agreement on the formation of the forum was announced yesterday by the Minister of Local Government, Dr Tertius Delport, the four MECs in

charge of local government, members of local government and a delegation led by the South African National Civics Organisation (Sanco)

The forum will consist of 50 members, 25 nominated by statutory bodies and 25 by non-statutory bodies

Sapa reports that Sanco announced yesterday it will initiate a move for consensus among extra-parliamentary organisations on proposed local government legislation during the transition to democracy

ANC 'welcome to take part in regional bodies'

Report 12/2/93

CAPE TOWN — Government would not object if political parties, including the ANC, participated in regional committees established to co-ordinate the consolidation of provincial authorities and self-governing states, Deputy Regional Affairs Minister Andre Fourie said yesterday.

It was unclear whether such a move was practical, or whether the self-governing states would react favourably, but government would have no objections in principle, Fourie said in an interview.

He was reacting to ANC objections to the announcement that enabling legislation would be promulgated to allow the integration of government and self-governing administrations.

He said the intention was not to create new structures or to preempt the negotiations process. A major aim was to reduce duplication of services.

For instance, pension payments were handled by provincial authorities as well as by self-governing states. Significant savings could be gained if the payment process was rationalised, Fourie said.

The administration of roads and even education could also be rationalised, if the

TIM COHEN

separate administrations were to come to an agreement on how this could be done.

Government envisaged the establishment of committees involving representatives of the states, government and provincial authorities, but even this was subject to the approval of the parties concerned. None of the structures had been formally set up, although discussions had taken place with the self-governing states.

Fourie said no time frames had been set, but it was possible that quick progress could be achieved.

Meanwhile, Sapa reports that Inkatha national chairman and Natal/KwaZulu Joint Executive Authority chairman Frank Mdlalose yesterday welcomed the prospect of the proposed legislation.

He said "This is a step towards a federal state type of constitution, as an interim measure."

It would give the joint authority a greater and more effective say on decisions affecting the region, he said.

There would be a widening of powers on such issues as health, education and housing, Mdlalose said.

Bill will help councils' fund-raising

CAPE TOWN — A Bill enabling local authorities to surmount their fund-raising difficulties on the capital market has been tabled in Parliament.

The memorandum to the Local Authorities Loans Fund Amendment Bill said the need for an amendment arose from the problems experienced by local authorities in obtaining sufficient loans on the capital market. The Bill proposes to allow the Local Authorities Loans Fund Board to grant loans to specified local authorities which do not have to be repaid by means of annuities, as required at present.

In terms of annuity loans, a portion of the capital and interest payments have to be paid back in six monthly instalments. Local Authorities Loans Fund Board secretary Neill Marais said yesterday the

LINDA ENSOR

amendment would allow larger local authorities to use the money they had set aside each year to repay the loan as collateral to raise additional finance.

Further funds would be released for utilisation by the local authorities as the amount set aside each year would be less than would have to be paid back to the board in six monthly instalments.

Marais said all annuity loans granted to date would continue on an annuity basis and only local authorities who met the criteria of the board's executive committee would be granted non-annuity funding. Once applications for non-annuity funding were received, the committee would consider the criteria to be employed.



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NOTICE IS HEREBY GIVEN that an interim dividend (No 78) of 39 cents per share, in respect of the year ending 31 October 1993 has been declared payable to members registered at the close of business on 26 February 1993.

The register of the company will be closed from 1 March 1993 to 5 March 1993, both days inclusive.

ANC takes serious look at regionalism

CT 15/2/93 Political Staff (262)

THE ANC is "refining" its policy on regionalism through regional and branch meetings which could culminate in a national conference on the subject, senior members said at the weekend

Regional meetings, normally a precursor to policy re-adjustments, have already taken place in Natal and some areas of the Transvaal

Senior ANC negotiator Mr Thabo Mbeki said at the weekend that one of the questions members were discussing was whether regions should be able to impose taxes separately from the central government

R4,5bn overspent by govt

CAPE TOWN — Provincial governments, self-governing territories and own affairs administrations were responsible for almost half the estimated R4,5bn overspent by government.

Figures provided by State Expenditure Minister Amie Venter yesterday show that institutions outside of central government overspent by R1,8bn, excluding the R2,4bn spent on drought relief channeled through the House of Assembly's budget.

Venter announced that the Additional Appropriation Bill, presented yesterday, made provision for R661m in additional expenditure by provincial administrations, R2,9bn by the own affairs administrations of the three Houses of Parliament and R629m for self-governing states.

Excluding the R2,4bn provided for drought relief, this amounted to R1,8bn.

Assistance to the self-governing territories were broken down into, among others, R175m to reduce

TIM COHEN
socio-economic backlogs, R169m for capital projects from the sale of assets, R123m for drought relief.

Of the provincial administrations, Transvaal was granted an extra R290m, the Cape R186m, the Free State R96m and Natal R88,4m.

Addressing the question of capital expenditure for socio-economic backlogs, Venter said it was originally estimated that an amount of R695m would be spent in the 1992/93 financial year.

Administrations and departments had subsequently indicated that an amount of R516m would be required. This amount, and the amount of R265m spent last year were provided for from the R1bn gained through the sale of strategic oil reserves.

R500m had been made available for the building of housing and related infrastructure and R264m had been requested this year, he said.

Councillors get buy-back pension offer

By PETER DENNEHY
TRUSTEES of the Municipal Councillors' Pension Fund have invited councillors and management committee members throughout the country to "buy back" years of fund contributions so that they eventually get bigger payouts and benefits. An informed source said this could theo-

retically cost the Cape Town City Council more than R500 000 for its councillors alone — apart from the management committee members. Last time councillors were given such an opportunity, in 1988, there was an uproar. Councillors are permitted to pay in sums

to the national pension fund which effectively buys back extra years of service in posts they have actually completed. Years not served cannot be bought back, but years served in which no contributions were made can be bought back. It takes eight years of contributions,

bought back or gradually accumulated in the normal way, to secure a pension. Eight years is also the maximum one may buy. Councillors pay just over 70% of buy-back costs, individuals the rest. Cape Town's representative, Mr Richard Friedlander, strongly opposed the further

buy-back proposal when it was put before the trustees. As control of the municipal pension fund is heavily influenced by participants from small inland towns, observers suspicious of a transition raid on the pension-fund piggy bank is in progress.

18/2/93

281

Cities agree to negotiate

GAVIN DU VENAGE

(262)

MANAGEMENT committees of the seven major cities in SA had resolved jointly last week to take part in the national local government negotiating forum, Johannesburg management committee chairman Ian Davidson said yesterday. *SDM 23/2/93*

The Major Cities' Association, representing Johannesburg, Cape Town, Bloemfontein, Durban, Pretoria, Port Elizabeth and Maritzburg, decided at a meeting last week that there was "a strong need for adequate representation" on the forum

The association felt that as it served approximately one third of SA's population, and was responsible for 80% of GNP, it had a place in constitutional negotiations

"It is therefore seen as extremely important that any constitutional dispensation agreed upon meet the needs of these cities," said Davidson

He said that cities were at the vortex of changes taking place in SA, so their stance on constitutional matters had to be taken note of

A technical task force had been set up to assist the association in the negotiation process, to conduct research into policy positions and to advise on the implications of decisions taken

Call to step up privatisation effort

8/0AM 23/2/93
PRETORIA — Business should exert pressure on local authorities to privatise more of their activities and step up deregulation, local government privatisation unit chairman Riaan Pienaar said yesterday.

In a bid to reduce the size of local government administrations and as a means of stimulating local economies, a growing number of local authorities were privatising their functions and activities, Pienaar said.

By 1991, a year after the privatisation unit was created, 216 municipalities had transferred more than 2 400 activities ranging from ambulance and fire services to engineering departments, park maintenance and refuse collection to the private sector.

And while a greater number were expected to have gone part of the way along the privatisation route last year, there was still much work to be done, Pienaar said.

Unlike the Johannesburg City Council, which has privatised 130 of its services, many of SA's 751 local

(262)
ADRIAN HADLAND

authorities were reluctant to get involved in the process.

Fear of retrenchments, insecurity about the future, pension funds concerns and a resistance to change discouraged officials and councillors.

"The aim of privatisation at this level is to build a closer relationship between the public and private sectors," Pienaar said.

With more local businesses becoming involved in a wider range of traditionally municipal functions, local government became more efficient, the size of the public service was reduced, small businesses and entrepreneurs were encouraged and competition was stimulated, he said.

The St Lucia local authority in Natal employed only two people, a town clerk and an administrative assistant, and had contracted out all municipal services, Pienaar said.

While this was not possible with larger municipalities, it was an indi-

cation of what could be done.

A local government privatisation working group — consisting of government, town clerks and local authorities — was currently working on a plan to reach as many municipalities as possible to explain the "theory and practice" of privatisation.

Pienaar said eight workshops would be held countrywide this year to boost the privatisation initiative.

A central reason for the initiative was to expand local tax bases.

Pienaar said businesses should put pressure on local authorities to investigate potential areas for privatisation and to consider deregulating.

He said he hoped that all local authorities would have begun contracting out services to the private sector within five years.

Pienaar also urged provincial administrations to apply the recently enacted Business Licensing Act. The Act, which had so far only been applied in the Cape, simplified licensing procedures.

missions or have access to the mechanism. To my mind, it is a public process, in a certain sense of the word.

We are in the final stages of setting this with interested parties. It is very difficult to take this matter further at this stage, but I invite the hon member, as well as all other parties who are represented in Parliament, to come and see me in my office so that we can discuss this matter.

However, I again want to say that the appointment of the board is not a panacea that will guarantee impartial reporting by the media. For that we shall also need a code of conduct which has to be settled, and also a media commission such as the Media Council in respect of the press. All of that has to be negotiated in order to have a foolproof system in addition to the board which the hon member has referred to.

Debate concluded

QUESTIONS

†Indicates translated version

For oral reply

General Affairs

Question standing over from Wednesday, 17 February 1993

Municipal by-elections for all citizens

*10 Mr R F HASWELL asked the Minister of Local Government

Whether it is his intention to sanction municipal by-elections in which all eligible South Africans, regardless of race, will be able to participate as voters or candidates, if not, why not, if so, what are the relevant details?

B50E

†The MINISTER OF LOCAL GOVERNMENT

I outlined my approach to municipal elections in general during the debate on the hon the State President's Opening Address. I referred to two existing anomalies, namely the system of management committees and local affairs councils on the one hand and the Black Local Authorities Act of 1982 on the other and I stated that an acceptable formula would have to be found in conjunction with

HOUSE OF ASSEMBLY

(2) Prosecutions were stopped pending the implementation of the 1992 amendments to the Defence Act which provided a wider scope for persons to reconsider their grounds for refusing to render military service. Subsequently new call-up instructions were issued to all such persons and if they once again fail to report for service, my answer above applies.

(3) No. I am of the opinion that I have fully replied to the question and do not regard a further statement as necessary.

†Lt-Gen Lothar Neethling: financial aid

*2 Mr D J DALLING asked the Minister of Law and Order

(1) Whether, with reference to his reply in Question No 112 on 24 March 1992, any further amount has been paid by the State in respect of the civil action instituted by Lt-Gen Lothar Neethling against certain publications, the names of which have been furnished to the South African Police for the purpose of the Minister's reply, and any subsequent appeal arising out of the said action, if so, (a) what total amount had been paid by the State in this regard as at the latest specified date for which information is available and (b) what are the names of the publications in question.

(2) whether any portion of the amount so paid by the State in respect of the said action has been repaid by Lt-Gen Neethling to the State, if not, why not, if so, what total amount had been repaid by him as at the latest date for which information is available?

B118E

†The MINISTER OF LAW AND ORDER

(1) Yes

(a) R688 319,91—18 February 1993

(b) *The Vrye Weekblad* and *The Weekly Mail*

(2) No. It can only be determined after the judgment of the Appeal Court whether Lt-Gen Neethling has forfeited State protection in terms of Treasury Instruction Chapter W.

Mr D J DALLING: Mr Speaker, arising from the reply of the hon the Minister, may I ask

him whether he has any security for the amount which was spent on behalf of this gentleman?

The MINISTER: Mr Speaker, as far as I know it is not normal practice to ask for security in cases like this. If it is found that the money is owing to the State, it will be recovered.

†Adv T LANGLEY: Mr Speaker, further arising from the reply of the hon the Minister, I would like to ask him whether it is not customary that the State stands surety for the legal costs of officials who are sued in the course of carrying out their duty?

†The MINISTER: Mr Speaker, the hon member will recall that certain protection is given. It is done in terms of Treasury Instruction Chapter W. I do not think that I can go into all the protective mechanisms now that are available to public servants, but basically the hon member is correct in that where the State is able to do so, it does give protection to officials. However, if it were to be found that officials had committed crimes in carrying out their duty, the State would not regard itself as liable for assistance to such officials.

†Adv T LANGLEY: Mr Speaker, further arising from the hon the Minister's reply, I would like to ask him whether in this case it is being implied that there is evidence that crimes have been committed?

†The MINISTER: Mr Speaker, I never insinuated that I replied to the hon member's question. He asked in which cases it is done and how it works. I gave him certain examples. Whether a crime was committed or not in this particular case, will depend on the judgment of the Appeal Court as the case is before this Court at present.

†Certificates: Senior Certificate examination

*3 Mr A GERBER asked the Minister of National Education †

(1) Whether the issue of certificates in respect of the National Senior Certificate examination for 1992 is dealt with by the South African Certification Council, if not, why not, if so,

(2) whether the issue of these certificates has been completed, if not, what stage has this issue reached,

(3) whether interim arrangements have been

HOUSE OF ASSEMBLY

or will be made to accommodate candidates who need these certificates, if so, what arrangements,

(4) whether he will make a statement on the matter? B127E

†THE MINISTER OF NATIONAL EDUCATION

(1) Yes As from 4 September 1992 the Senior Certificate is issued only by the South African Certification Council (SAFCERT) to all learners in the Republic of South Africa who comply with the prescribed requirements

(2) No The certificates are issued per examining body, as the necessary information is received from the examining bodies. The deadline for the provision of this information is 28 February 1993. A start will then be made with the issuing of the certificates and it is envisaged that this task will be completed by the end of May 1993. This is also the date on which this task was completed in the past

(3) No In the meantime, however, candidates may use the statements of examination results which they have already received from their respective examining bodies, in cases where they may require certificates

(4) NO

HSRC publications in Afrikaans

*5 Mr P H DE LA REY asked the Minister of National Education †

(1) Whether the publication "In Focus" of January 1993 and the pamphlet "Regional Powers in a new Constitution", No 4 of 1992, published by the Human Sciences Research Council (HSRC) appeared in English only, if not, what are the relevant details, if so, why,

(2) whether the HSRC issues any other publications that appear in English only, if so, why,

(3) whether he or his Department will take steps to ensure that Afrikaans receives equal treatment in this regard? B132E

†THE MINISTER OF NATIONAL EDUCATION

(1) Yes The publication "RGN/HSRC in Focus" is an external newsletter of the HSRC which appears ten times a year. The newsletter attempts to convey information on recent HSRC research in a popular-scientific manner. Articles are usually written in the language in which the research report concerned was originally written. The result is that the language proportion varies from one issue to the next.

The January 1993 issue of "In Focus" was published in English only. This was done so that it could be included and distributed as a special marketing supplement in three English magazines (*Finance Week*, *Enterprise* and *IMP Journal*). It is possible that the HSRC could do this in Afrikaans on another occasion. "In Focus" would then be published in Afrikaans only.

The pamphlet "Regional Powers in a new Constitution" No 4 of 1992, is a newsletter of the HSRC's Centre for Constitutional Analysis. The newsletter deals mainly with HSRC research in this field. It appears in English only so that those in our country who are not proficient in Afrikaans but are closely involved in the discussions on the constitutional future of South Africa may have first-hand access to research in this very topical field. The cost implication of publishing the newsletter in Afrikaans too is an important consideration in its being published only in English at this stage.

(2) Yes "Africa 2001" is a journal that reports exclusively on conferences relating to Africa. Both the editions that have appeared so far were published in English only because the conferences concerned had been exclusively in English. The journal is also distributed in other parts of Africa. "Information Update" is a syndicated news journal that is distributed to subscribers only. The journal contains strategic information on HSRC surveys on socio-political and economic matters in

particular. It is actively marketed in foreign countries. It is mainly for this reason and for business considerations that the journal appears only in English.

(3) The Department does not have such a jurisdiction regarding the HSRC, it is the responsibility of the Council of the HSRC to formulate its language and publication policy. I shall naturally bring the hon member's questions to the attention of the chairman of the Council of the HSRC. I shall also discuss the HSRC's language and publication policy with him.

Virginia/Odendaalsrus closure of hospitals

*6 Mr J M BEYERS asked the Minister of National Health †

(1) Whether her Department or the Provincial Administration of the Orange Free State is considering or has considered closing the provincial hospitals in Virginia and Odendaalsrus, if so, why, in each case,

(2) whether steps have been taken or are being taken in respect of the closing down of these hospitals, if so, what steps,

(3) whether she will make a statement on the matter? B159E

The MINISTER OF NATIONAL HEALTH

(1) No,
(2) no,
(3) no

Local authorities investments

*7 Mr J M BEYERS asked the Minister of Finance †

(1) Whether local authorities are prohibited from making investments in insurance concerns, if so, (a) why and (b) in terms of what statutory or other provisions,

(2) whether his Department intends lifting this prohibition, if not, why not, if so, when,

(3) whether local authorities have been informed of this intention, if not, why not, if so, when,

(4) whether he will make a statement on the matter? B160E

†THE DEPUTY MINISTER OF FINANCE (Dr T G Alant)

(1) Yes, during 1989 a ban was placed on investments with insurance concerns by Ministers concerned with public funds of statutory bodies and by Administrators with regard to local governments at the request of my predecessor

(a) Some insurance companies utilised the tax benefits received together with the non-taxability of certain government bodies in particular to compete with other financial institutions in order to offer guaranteed earnings on investments. The perception that an unequal playing field existed has been confirmed by the Margo Commission as evidence by the finding that the tax dispensation applicable to long term insurers has been a contributing factor to savings being channelled to these institutions which negatively influenced equal competition in financial markets. This matter has been investigated by the Special Economic Advisor of the Minister of Finance, Dr A S Jacobs, as a part of the investigation into the promotion of equal competition for funds in financial markets. The ban was introduced pending the result of this investigation.

(b) The request by the former Minister of Finance that statutory funds (funds of local governments included) may not be invested with long term insurers until further notice, was made after discussion in the Cabinet. The legal authorisation for such a ban, in the case of local authorities, is based on the authority to determine by Ordinance where public funds may be invested by the concerned authorities. The relevant Ordinances of the Cape Province, Natal, Transvaal and Free State are prescriptive regarding the type of investments that may be made by local authorities. Investments with insurance companies are currently excluded.

(2) As a result of the recommendations of the afore-mentioned investigation, the Insurance Act, 1943, has been amended by means of the Financial Institutions Amendment Act, 1992, in order to enable long term insurers to enter into amortisation business under certain conditions. The Department of Finance has recently, after further investigation of this matter, recommended that the investment of funds with insurance companies may be considered under certain conditions. I am currently considering these recommendations and my decision will be presented to Cabinet for ratification in the near future whereafter an announcement will be made to all parties concerned.

(3) Yes, local authorities have been consulted on a regular basis and have also been informed of the existing position by means of the Permanent Finance Liaison Committee (PFLC) in which organised local government is represented and which serves as a discussion forum on financial and administrative matters for local authorities.

(4) No

SARCC, safety on trams

*8 Mr J CHIOLÉ asked the Minister of Transport †

- (1) Whether the South African Rail Commuter Corporation has formed an alliance grouping for the purpose of monitoring safety on suburban trams and making suggestions with a view to improving security measures, if so, (a) what are the (i) aims and (ii) functional powers of this grouping and (b) (i) who are the members of this grouping and (ii) what organizations do they represent,
- (2) whether these members receive any remuneration or benefits, if not, why not if so, what is the nature of such remuneration or benefits? B161E

The MINISTER OF TRANSPORT

- (1) No
- (a) (i) and (ii) and (b) (i) and (ii) Fall away

(2) Falls away

†Mr J CHIOLÉ Mr Speaker, arising out of the hon the Minister's reply, I should like to ask him whether the reports that appeared in the press in this connection were not correct

†The MINISTER Mr Speaker, I do not know what reports appeared in the press, but we do not have any alliance grouping. What the Police and the Rail Commuter Corporation have, however, undertaken to do—and I shall read it in English, because the title of this extract is in English—is the following

Agreement between the South African Rail Commuter Corporation, Spoornet and the delegation of the Minister of Law and Order, and the delegation of community leaders representing the ANC, SACP, Cosatu, Cast, the ICP and Sarhwi

That is the agreement that was reached, but there was no forming of an alliance with anyone under any circumstances

Black local authorities' arrears re rental/service charges (262)

*9 Mr J CHIOLÉ asked the Minister of Local Government †

- (1) (a) What were the total arrears in respect of rental and service charges for Black local authorities in South Africa as at 31 December 1992 and (b) what portion of this amount due was owed to Eskom as at that date,
- (2) in respect of the latest specified date for which information is available, (a) the services of which Black local authorities were fully or partially resumed despite outstanding rental and service charges after they had been discontinued during the period 1 January up to and including 31 December 1992 and (b) which of these authorities owed outstanding amounts directly to Eskom,
- (3) whether he will make a statement on the matter? B162E

The MINISTER OF LOCAL GOVERNMENT

(Reply partially read upon the Table with leave of House)

PROVINCE	(A) DEBT OF RESIDENTS TO BLACK LOCAL AUTHORITIES ON 31 DECEMBER 1992	(B) DEBT OF BLACK LOCAL AUTHORITIES TO ESKOM
Orange Free State	R 128 795 760	R 35 084 301
Natal	R 10 650 641	Nil
Cape Province	R 166 716 725	R 544 962
Transvaal	R 1 606 640 880	R 607 587 684
TOTAL	R 1 912 804 006	R 643 216 947

It must be stressed that the debt of residents to black local authorities cannot be linked directly to the discontinuation of bulk services, seeing that these services are purchased by Black local authorities from bulk suppliers and not by individual residents. Non-payment or malpayment of residents to Black local authorities influence the latter's cashflow, which has a detrimental effect on the settlement of their services accounts

PROVINCE	(A)	(B)
Orange Free State	None	None
Natal	None	None
Cape Province	Bhongweni (Cookhouse) Tlakkalaton (Daneiskuit) Nomonde (Molteno) Ditlouw (Oltantshoek) Khayamjandi (Steynsburg) Paballelo (Ujington) Kutiwano (Windsorton) Boipelo (Reivito) Sabelo (Richmond) Lingcletthu (Adelaide) Mzwabantu (Bristown) Tydimalo (Delportshoop) Bongani (Douglas) Thembaletthu (George) Valspan (Jan)	Geen

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(4) No

SARCC: safety on trains

*8 Mr J CHIOLE asked the Minister of Transport †

- (1) Whether the South African Rail Commuter Corporation has formed an alliance grouping for the purpose of monitoring safety on suburban trains and making suggestions with a view to improving security measures, if so, (a) what are the (i) aims and (ii) functional powers of this grouping and (b) (i) who are the members of this grouping and (ii) what organizations do they represent,
- (2) whether these members receive any remuneration or benefits, if not, why not, if so, what is the nature of such remuneration or benefits? B161E

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The MINISTER OF LOCAL GOVERNMENT

(Reply partially laid upon the Table with leave of House)

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PROVINCE

(A)

(B)

PROVINCE	(A)	(B)
Orange Free State	None	None
Natal	None	None
Cape Province	Bhongweni (Cookhouse) Tklakalathu (Danietshun) Nomonde (Molteno) Dutloux (Olfantshoek) Khayamjandi (Steynsburg) Paballelo (Uppington) Kutlwano (Windsorton) Boipelo (Reivilo) Sabelo (Ruchmond) Lungelethu (Adelaide) Mziwabantu (Bristown) Tidimalo (Delpoortshoop) Bongani (Douglas) Thembaletu (George) Valspan (Jan)	Geen

PROVINCE	(A)	(B)
Cape Province	Kempdorp) Kwanonguaba (Mossel Bay) Gompo Town (East London) E'Thembeni (Prieska) Motswedimosa (Ritche) Ikhutseng (Warrenton) Sweletenba (Worcester) Mbekweni (Paarl) Kankatu (Cathcart) Luvolweni (Hofmeyr) Kuyasa (Colesberg)	Alexandra, Diepmeadow, Bekkersdal, Khutsong, Evaton, Dobsonville, Sebokeng, Soweto, Daveyton Duduza, Kathehong, KwaThema, Ratanda, Tembisa, Tokoza, Tsakane, Vosloorus, Wattville, Tswelang, Kgakala, Reagile, Ipelegeng, Lebaleng, Tigane, Ikageng, Khuma, Borolelo, Uitwanang, Bethal, KwaDela, Lebohang, Wesselton
Transvaal	Alexandra, Diepmeadow, Bekkersdal, Khutsong, Evaton, Dobsonville, Mohlakeng, Soweto, Daveyton, Duduza, Kathehong, KwaThema, Ratanda, Tembisa, Tsakane Vosloorus, Wattville, Ikageng, Kanana	Alexandra, Diepmeadow, Bekkersdal, Khutsong, Evaton, Dobsonville, Mohlakeng, Soweto, Daveyton, Duduza, Kathehong, KwaThema, Ratanda, Tembisa, Tsakane Vosloorus, Wattville, Ikageng, Kanana
TOTAL	57 Black Local Authorities	19 Black Local Authorities

(3) No

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

Medihelp benefits of breadwinners

*10 Mr A S BEYERS asked the Minister of National Education †

- (1) Whether he has received any representations from the organized education profession on the medical benefits of breadwinners who retired on accelerated
- (2) whether the persons who so retired had been informed of the implications their retirement would have regarding their membership of Medihelp, if not, why not, if so, what are the relevant details,

- (3) whether he intends taking steps to place these persons membership of Medihelp on an equal footing with that of persons retiring at the usual age, if not, why not, if so, what steps,
- (4) whether he will make a statement on the matter? B163E

THE MINISTER OF NATIONAL EDUCATION

- (1) (a) No representations relating specifically to the medical benefits of breadwinners have been received from the organised education profession. However, during a meeting with part of the organised teaching profession, discussion took place concerning general lack of clarity about the medical benefits of teachers who have retired early.
- (b) Early retirement has the effect that Medihelp reconsiders the continued membership of each individual member involved. If continued membership is allowed, the member is responsible for the payment of the full subscription levied by Medihelp on private members until the member has reached the age of 60 after which he will receive the same benefits as a person who has retired on the usual grounds of age.

- (2) The Office of the Commission for Administration have indicated that they informed all departments in writing concerning the changes in the management and benefits in regard to Medihelp. Medihelp itself has indicated that the alterations to the rules were provided to all members. The details of the changes to the rules are:
- (i) Medihelp was deregulated on 1 July 1992, but this deregulation in itself had no impact on the continued membership of members, and
- (ii) the subscriptions payable by members leaving service on reaching their retirement age were altered. Previously, these people contributed ml Rand, while from 1 October 1992 this was altered to 50% of the usual tariff paid by serving members.

- (3) one sixth of the full tariff. The State continues to pay the other five sixths
- (3) No Deregulation resulted in Medihelp determining its own rules and the State cannot prescribe to Medihelp in this regard
- (4) No

THE MINISTER OF FOREIGN AFFAIRS

- *11 Adv T LANGLEY asked the Minister of Foreign Affairs †
- (1) Whether, with reference to certain details that have been furnished to the Minister's Department for the purpose of his reply, a certain South African ambassador made a financial donation to an American organization, if so (a) what ambassador and organization were involved, (b) what was the amount of the donation and (c) (i) when and (ii) for what purpose was the donation made,
- (2) whether he will make a statement on this specific case in particular and on the question of donations by ambassadors to foreign organizations in general? B166E

- (1) (a) Yes Dr P G J Koorhof, who was during this period the South African Ambassador in Washington, made a contribution to the Safari Club International of the United States of America,
- (b) \$100,000 (approximately R250,000),
- (c) (i) 31st March 1989,
- (ii) The contribution was made to enable the Safari Club International to promote tourism from the United States of America to South Africa and to counter trade sanctions

Sanna-shoff Hospital	39,90%
Sybrand van Niekerk Hospital, Carltonville	59,80%
South-Rand Hospital,	
Johannesburg	44,50%
Tara H Moross Centre,	
Johannesburg	92,90%
Van Velden Memorial Hospital, Tzaneen	43,80%
Ventersdorp Hospital	67,50%
Vereeniging Hospital	50,90%
Far East-Rand Hospital, Springs	52,80%
Voorrekkker Hospital, Potgietersrus	40,30%
Warmbad Hospital	47,50%
Waterval-Boven Hospital	82,90%
Witrand Care and Rehabilitation Centre, Potchestroom	95,50%
Willem Cruywagen Hospital, Germiston	54,30%

Building of housing units

11 Mr P G SOAL asked the Minister of Housing and Works ⁽²⁶²⁾ whether his Department intends building any housing units in the Republic in 1993, if not, why not, if so, (a) in which centres will they be built and (b) how many units will be built in each of these centres? B153E

The MINISTER OF HOUSING AND WORKS

Yes, the Department of Local Government, Housing and Works has approved projects for the erection of housing units in 1993 in the regions as listed below in respect of local authorities and welfare organisations

(a)	(b)
Northern Transvaal	901
Southern Transvaal	1 170
Natal	579
Eastern Cape	313
Western Cape	964
Northern Cape	24
Orange Free State	227

State subsidies on bus fares for school pupils

12 Mr A GERBER asked the Minister of Education and Culture ⁽²⁵²⁾

- (1) Whether his Department announced at any time that State subsidies on bus fares for school pupils would be phased out over a period of seven years, if so, when,
- (2) whether this policy has been changed since, if not, why not, if so, what are the relevant details,
- (3) what are the costs in bus fares in respect of school pupils for the various distance categories in 1992 and 1993, respectively? B192E

The MINISTER OF EDUCATION AND CULTURE

- (1) No, but the South African Schoolbus Contractors Association was informed,
- (2) yes, the Minister's Council approved on 16 April 1991 that the full contribution by parents for the transport of pupils, organised by the Department of Education and Culture (House of Assembly), would be phased in over a period of three years and that parents would have a choice of either paying a larger amount or making alternative transport arrangements for the pupils,
- (3) costs of pupil transport per contract school bus in respect of existing state contracts only

Distance	Costs per term 1992	Costs per term 1993
km	1992	1993
0 - 3	R92,50	R192,50
4 - 10	R97,50	R206,25
11 - 20	R108,75	R233,75
21 - 30	R122,50	R266,25
31 - 40	R135,00	R300,00
41+	R142,50	R317,50

HOUSE OF REPRESENTATIVES

QUESTIONS

†Indicates translated version

For oral reply

General Affairs

Extradition treaty: RSA/Transkei

*1 Mr L T LANDERS asked the Minister of Justice

- (1) Whether the Republic of South Africa and the Republic of Transkei have entered into an extradition treaty, if not, why not, if so, what are the relevant details,
- (2) whether a request has been received from the Republic of Transkei for the extradition of two persons, whose names have been furnished to the Minister's Department for the purpose of his reply, if so, (a) when was the request received and (b) what are the names of these two persons,
- (3) whether the request has been acceded to, if not, why not,
- (4) whether he will make a statement on the matter? C3E

†The MINISTER OF JUSTICE

- (1) Yes An extradition treaty was entered into between the Republic of South Africa and Republic of Transkei on 19 June 1987 as promulgated by Proclamation No 99 of 19 June 1987 (*Government Gazette* No 10778)
- (2) Yes
- (a) 16 May 1991
- (b) In respect of the two persons whose names have been supplied
- (3) The request, as well as a possible amendment to the Extradition Act, 1962, are still under consideration
- (4) A statement is not necessary

Mr L T LANDERS Mr Chairman, arising from the hon the Minister's reply, I want to

point out that he has not given us the names of the two persons involved. Will he please provide the House with those two names?

The MINISTER Mr Chairman, for the very reason that that hon member has refrained from providing those names, I think that it is equally inappropriate for me to provide those names, since these people have, as yet, not been charged as such and convicted. I think it is inappropriate that, since we are dealing with the dispensation of justice in a foreign country, we should provide these names at this point.

Mr L T LANDERS Mr Chairman, further arising from the hon the Minister's reply, I want to ask whether he does not find it strange that no progress has been made in this regard after a lapse of almost two years since the request was made.

The MINISTER No, Mr Chairman, I do not find it strange, for the very reason that the hon member would perhaps try to discover something strange about the fact that two years have elapsed. I should perhaps ask him why he has suddenly become interested in this issue. Why the sudden concern about this issue? I can counter his question quite easily with such a reply. As a matter of fact, since the hon member has obviously been made aware of the situation, he should perhaps also be made aware of the fact that these two gentlemen are not in the country, or do not find themselves in a position in which these orders can be considered. That is apart from the technical situation.

Mr L T LANDERS Mr Chairman further arising from the hon the Minister's reply, I want to ask whether he is saying to this House that both Mr Sol Kerzner and Mr Sol Bloomberg are not in South Africa, and is he also saying to us that no hon member in this House or in Parliament should take up issues of this nature, and that—according to his reply—there must be a specific time when hon members should take up these issues? Perhaps the hon the Minister could also tell us what charges have been levelled against these two individuals.

The MINISTER Mr Chairman, I am not suggesting that the hon member should not ask questions. I am merely saying that for the very reason that he is refraining from providing the names, I think it is appropriate that I should refrain from doing so as well. Since he has now

Accepted as the basis for a...

Krugel commission told of councillors' obligations

ADRIAN HADLAND

PRETORIA — City and town councillors had a moral obligation to ensure they acted in the interests of their communities, Pretoria University School of Public Management and Administration director Chris Thornhill said yesterday.

Speaking at the Krugel commission investigation into councillor ethics, Thornhill said it was up to local authority representatives to act according to their own consciences.

"It is possible to pass an Act or ordinance outlining a code of ethics, but in the end the individual councillor must act with integrity and not on behalf of himself, his ward or an interest group," he said.

The Krugel commission was set up last year to examine allegations of corruption and bribery in the Pretoria City Council.

This month, however, the commission's mandate was extended to include all councils in the Transvaal and to look at a range of issues such as councillor ethics, responsibilities and the involvement of serving councillors in property deals.

"When a councillor takes a decision, as an elected representative, he must divest his own interests from the general interest of the municipal area as a whole," Thornhill said

On the first of three days of the commission's hearings, evidence was heard from a variety of local government experts and practitioners.

These included the SA Council for Town and Regional Planners, as well as city and town councillors Representatives of the building industry also gave evidence

Commission chairman Willem Krugel said he was very satisfied with the response to the hearings of those involved in local government issues.

Initially planned for two days, the commission would hear testimony, evidence and memoranda until Thursday afternoon, Krugel said

On completion of the hearings, a report will be drawn up and handed to Local Government Minister Tertius Delport.

24/12/79
51000



Tekere denies poll pact

362

Sowetan
24/2/93

■ Leader would like to question Ian Smith:

OPPOSITION Zimbabwe Unity Movement president Mr Edgar Tekere has denied forming an election pact with former Rhodesian Prime Minister Ian Smith to oppose President Robert Mugabe in the country's next general elections

Press conference

Speaking at a Press conference in Johannesburg, Tekere said that while many opposition forums were mushrooming in Zimbabwe prior to the elections scheduled for two years' time, his party would be careful when deciding who to form alliances with

"That doesn't mean I do not see Ian Smith," he said "Now that the country is economically devastated I want to ask Mr Smith how he survived economically under the strain of war and sanctions" — *Sapa*

No unilateral local govt changes

BIPM 2/3/93

CAPE TOWN — Any changes in local government would be negotiated "with all concerned", Local Government Minister Tertius Delport said yesterday

He was responding to suggestions by Durban management committee chairman Peter Mansfield that government might upgrade local affairs committee members to full city councillors "on or around" April 1

Delport responded that "one would expect people making public statements to do so on an informed basis"

Mansfield "casts doubt on my assurance that the proposed national negotiating forum for local government affairs would be consulted"

Delport said he had stressed in the past that two anomalies would exist

Political Staff

after April 1 when local government was shifted to general affairs in Parliament — and would no longer be the prerogative of the race-based town affairs administrations (262)

The first was the existence of the local affairs and management committees and the second the fact that "black" local authorities were governed by a different set of legislation, the Black Local Authorities Act.

He had emphasised that these anomalies would be addressed through negotiations, he said

"I have also emphasised the need to move speedily towards general elections for such restructured local governments," he said

(2) whether he has since received any further applications from mines in this respect, if so, from which mines? B197E

The MINISTER OF MINERAL AND ENERGY AFFAIRS

(1) Yes

(a) (i) with effect from 20 September 1992

(ii) with effect from 15 January 1993

(b) (i) Harmony Gold Mining Company Limited

(ii) Lorane Gold Mines Limited

(c) Section 9(1)(f) of the Mines and Works Act, 1956 (Act No 27 of 1956)

(2) Yes

(i) St Helena Gold Mines Limited

(ii) Hartbeestfontein Gold Mining Company Limited

†Mr F J LEROUX Mr Chairman, arising out of the hon member's reply, I should like to inquire whether he has consulted the relevant trade unions in this regard and what their attitude was in regard to this matter

The MINISTER Mr Chairman, I would like to tell the hon member that I had both the National Union of Mineworkers and the Mineworkers' Union in my office a week or two ago to discuss this particular matter. I assured them that there would be no change to the existing legislation in this regard without my discussing it with them. They were concerned that there was a trend towards Sunday work, and they were concerned that this might affect the working relationships of mineworkers of all races, those of both Cosatu's unions and the Council for Mining Unions. I can assure the hon member that I am in close contact with all unions concerned with mining.

Sugar industry financial assistance

*2 Mr A A BRUWER asked the Minister of Agriculture, †

(1) Whether the State has rendered any financial assistance to the sugar industry

HOUSE OF ASSEMBLY

in the latest specified period of 12 months, if not, why not, if so, (a) when and (b) what was the (i) nature and (ii) extent of this assistance,

(2) whether he will make a statement on the matter? B236E

†The MINISTER OF AGRICULTURE

(1) Yes, as announced on 7 May 1992

(a) Since May 1992

(b) (i) and (ii)

Interest subsidy on loans of sugar farmers at the Land Bank for crop loss loans, re-establishment loans and production loans

(2) No, it has already been done

*3 Mr L F Stofberg—Foreign Affairs † [Question standing over]

Local authorities: amalgamation

*4 Mr A GERBER asked the Minister of Local Government †

(1) Whether his Department has launched an investigation in order to determine the financial implications of the possible amalgamation of local authorities, if not, why not, if so, (a) what in broad outline were the results of this investigation and (b) what financial implications will such amalgamation have for the White taxpayer,

(2) whether he will make a statement on the matter? B243E

†The MINISTER OF LOCAL GOVERNMENT

(1) No special investigation has been conducted, but the Department is aware of the factual financial position of local authorities based on various surveys and the implications it might have with regard to amalgamation

(a) and (b) fall away

(2) Yes. The matter was discussed by the Council for the Co-ordination of Local Government Affairs last year. I also refer to a press statement issued by my predecessor on 27 March 1992.

HOUSE OF ASSEMBLY

Due to the policy directions of the past, economic activities were almost exclusively concentrated in white local authority areas and naturally benefited these areas. This factor, together with the lower income abilities of residents in Black towns and backlogs relating to service rendering in these areas, resulted in Black local authorities not being financially viable. The financial position of Black local authorities furthermore became intolerable due to political pressure on councillors to resign and the fact that boycotts and malpayment of services and other levies were abused as political instruments.

Of course one can continue with the current racially based system, which is not only unacceptable to the larger majority of the broad community, but which also places a heavy burden on the general taxpayer to support non-viable Black local authorities by way of intergovernmental grants. Such intergovernmental grants only address the symptoms of the actual problem. Unless the actual problem is solved, one may expect that the burden of intergovernmental grants on the general taxpayer will increase annually.

The other option is to move within the broad political reform process (and thus through negotiations) towards a system of amalgamated non-racial local authorities. Unrest, boycotts and malpayment can only be addressed through a legitimate political dispensation and effective administration. Such an approach will indeed have cost-implications for the existing White local authorities. With greater rationalisation of service rendering, improved utilisation of resources as well as better understanding for the needs of the broader community in general, stability can be restored, which will without doubt contribute towards making the cost-implications in the long term for the country's taxpayers, seen as a whole, much smaller than they are at present.

In conclusion I would also like to point out that Government accepts that the eradication of backlogs and socio-economic upliftment in general cannot simply

be devolved to third-tier authorities and that a system of intergovernmental grants will have to remain an important facet of the financing of local authorities. However, such grants can be applied with greater impact in a stable atmosphere and with an effective administrative base.

†Mr H J COETZEE Mr Chairman, arising out of the reply of the hon the Minister, may I ask whether this means that a study was not done on what the financial implications will be for White local authorities? Is he saying that the White taxpayers and White municipalities should take responsibility for the costs of the Black town councils that have failed?

†The MINISTER Mr Chairman, I refer the hon member to the reply in the statement I made.

Pact: talks between TPP/ANC

*5 Mr A GERBER asked the Minister of National Education †

(1) Whether at the end of 1992 the Performing Arts Council of the Transvaal was directly or indirectly involved in talks between the Transvaal Provincial Administration and the ANC, if so, (a) to what extent and (b) what, in broad outline, was discussed and/or agreed upon during these talks,

(2) whether similar talks have taken place since then, if so, (a) when and (b) what, in broad outline, was discussed and/or agreed upon on these occasions,

(3) whether he will make a statement on the matter? B244E

†The MINISTER OF NATIONAL EDUCATION

I would like to point out that I have no formal jurisdiction concerning this matter and that the details provided in the answer were obtained from the Administrator of the Transvaal.

(1) Yes, the Performing Arts Council of the Transvaal was indirectly involved.

HOUSE OF ASSEMBLY

Road accident deaths: minibuses/other vehicles

*24 Mr J CHIOLÉ asked the Minister of Transport +

How many persons died in motor vehicle accidents in 1992 (a) in the Republic as a whole and (b) in which minibuses taxis with Black drivers were involved? B273E

The MINISTER OF TRANSPORT

(a) In 1992 there were 428 751 collisions in which 10 103 people were killed,

(b) According to statistics provided by the Central Statistical Services no distinction is made between a minibus and/or minibus-taxi, as there is only one category, namely minibus/combi Statistics as requested by the hon member are not kept in that format by the Central Statistical Services.

Reply substituting reply to Oral Question No 18 on 24 February 1993, put by Mr D H M Gibson (col 215)

Death sentences for killing policemen

*18 Mr D H M GIBSON asked the Minister of Law and Order

Whether he intends recommending to the State President that death sentences be carried out upon persons convicted of killing members of the South African Police, if not, why not? B175E

The MINISTER OF LAW AND ORDER

No, but I would like to draw your attention to the opening speech of the State President on 29 January 1993, in which he stated the following point of view

The Government is also reviewing its position on the carrying out of the death penalty. At present a moratorium on carrying out death sentences is in force with a view to the negotiation of a bill of fundamental rights

However, the wave of cruel murders and manslaughter, the prevailing disrespect for

human lives and the delays in negotiation make it very difficult for the Government to allow the moratorium to continue indefinitely. Parliament will be consulted in the process of reconsideration

It is also my point of view that the death penalty must not be imposed and carried out on a select group of persons, but that the death penalty should be applicable to the entire spectrum of society

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language. *Own Affairs*

Local government negotiating forum

1 Mr J WALSH asked the Minister of Local Government

(1) Whether a local government negotiating forum is to be established, if so, what are the details of this forum,

(2) how is it envisaged existing local bodies, including Black local authorities and management committees, will be dealt with once local government ceases to fall under own affairs departments? B349E INT

The MINISTER OF LOCAL GOVERNMENT

Mr Chairman, it is envisaged that a local government negotiating forum will be established on 22 March in terms of the rules and regulations with which I have furnished the hon interpellant and which I have also given to the CP

As far as dealing with local authorities is concerned, there are two aspects to be distinguished firstly, the administration of local government as a general affair as from 1 April and, secondly, how it will be dealt with locally as of that date

With reference to the administration, the Commission for Administration has already reached an advanced stage in its investigation into the allocation of functions and the administrative capacity to deal with those functions. It should be borne in mind that the definition of local government as a general affair will affect the administration of the relevant legislation. It will not affect the contents of the legislation in question. The latter must be addressed politically, and should result in legislative amendments

I am of the opinion that we must find an acceptable formula to achieve newly constituted local government, through negotiations, so as to allow for elections which will designate the legitimate leaders. This should be achieved through a package approach as part of an inclusive process of reform

On the Government side we will, in the near future, table, for the purposes of negotiation, a package containing a series of reform measures. It speaks for itself that the elimination of racial references regarding voters and candidates would be the first step and, indeed, a cornerstone of such reform measures

Mr J J WALSH Mr Chairman, the DP obviously welcomes the creation of this local government negotiating forum which has the prime function of thrashing out a system of local government acceptable to the majority of our citizens

We have also stressed that local government is of vital interest to the people, as it brings government down closer to the level of the people. Therefore it is a matter that has to be dealt with very sensitively

We are concerned about the process that has been outlined by the hon the Minister. We do not believe that the way in which the new forum is to be constituted, in terms of which one half of the members will be from statutory organisations and the other half from non-statutory organisations, is sufficiently going to represent the vast majority of our people

When reading the press statement made by the

hon the Minister, it becomes clear that central and provincial Government officials, over which the NP has control, have been involved. From the non-statutory side the prime organisation involved was Sanco, in which the ANC has a major influence. We believe that this forum is not setting out to deal with local government matters as such, but to define and draw up a constitution for local government

Political parties should have an input, which they do not at the moment because of the way in which this forum is to be constituted. The forum will be responsible to the national negotiating forum, which we believe to be right, and on that national body will be represented all the major political actors in the country. However, that will not be so, as I understand the make-up of the local government negotiating forum

The DP believes there should be a third component leg. It should comprise local authorities and people drawn from a political source. It must, for obvious reasons, comprise people who have been excluded in the past. Thirdly, it must also comprise the political actors who will be charged with drawing up a constitution for our country. We believe it does not do that, and therefore we are concerned

In dealing with the transition, the hon the Minister has not totally answered my question. He has constantly used the phrase "reconstituted local authorities." We would like to ask what he means by that. Before we get to our new constitution, clearly an interim step has to be taken during which other people have to be brought into local government

*Mr A P OOSTHUIZEN Mr Chairman, the first part of this interpellation deals with the establishment of a central local government negotiating forum. The hon the Minister has indicated here this afternoon that this forum is to be established on 22 March. There are only two reasons why the Government is establishing this negotiating forum. The first reason is that the ANC has insisted on this and that the Government has once again, as in the past, given way to the demands of the ANC

The second reason is that negotiation at local

level has failed. Negotiations in respect of joint administration should have been under way, as determined by the Government, as early as 1 January 1993. They are not under way. That date has been postponed to 1 July 1993. The Government has been unable to succeed in getting negotiations off the ground at local level. Those are the reasons why the Government is now establishing a central local government negotiating forum.

According to the document which the hon the Minister has provided me with in the House this afternoon, it is very clear that the Government is planning to establish a codesa for local government. Codesa has failed at the central level. Now the Government is trying to implement it at the local level. It is simply going to fail once again. When we look at the survey conducted by the HSRC, which was published in January of this year, we see that 84% of the Whites in South Africa do not want an interim government at the central level. Now, however, the Government wishes to implement and enforce this by way of a negotiating forum at local level.

I want to warn the Government that local communities will not accept this [Time expired.]

*The MINISTER OF LOCAL GOVERNMENT Mr Chairman, it is true that the overwhelming majority of White South Africans answer no when they are asked whether they want the present Government to resign in favour of an interim government or any other government [Interjections.]

The hon member for Smithfield has missed the mark entirely if he thinks that what we are dealing with here is a miniature codesa. There is more to it than that. This also relates—we have provided him with the rules of procedure—to the fact that we are going to address the boycotts and the instability that are prevailing at local level at present.

I am not afraid to come up against anyone in a forum because I have a strong case and people must be called to account. I have already said that the civic associations must now prove that they have the ability to discipline their people. We have insisted that this does not relate solely

HOUSE OF ASSEMBLY

to so-called unilateral restructuring. It relates to any unilateral action, such as boycotts and non-payment. We are going into this with a view to making a sincere and honest attempt to address the problems.

I now wish to turn to the hon member for Pinelands. This is not the negotiating forum. This is not the forum in which, if one looks at the rules, a new system of third-tier government will be devised and negotiated. However, this forum could, firstly, become an important clearing house and, secondly, one in which the practical problems we are encountering at third-tier level could be addressed. This forum could also advise the national negotiating forum. I am not opposed to parties other than the Government taking part. In fact, organised local government and not the NP will be represented there.

Mr E W TRENT Mr Chairman, I would like the hon the Minister to think back to June 1991. At that time the Government took a unilateral decision and the Interim Measures for Local Government Bill became an Act of Parliament. We all know what happened. This branch of the hon the Minister was stillborn and the ANC and the civics pulled out of most of the negotiations that were taking place at the time. The hon the Minister knows that they withdrew.

That happened more than 18 months ago and little has happened in those 18 months. We have wasted 18 valuable months of negotiating time. The hon the Minister has now taken a tiny step and moved from unilateral decisions to bilateral agreements. He has entered into a bilateral agreement with a civic organisation, namely Sanco. I accept that that organisation represents a large number of people, but they are not the only civic organisation in this country.

He said this forum would decide whether or not more inclusivity—he used that very word—was necessary. That forum will decide. In other words, the hon the Minister's forum will decide whether anybody else should be invited. That is not the way to do it. Why does the hon the Minister not take advice from people who have been along this road, people who have been agonising for a long time over how to create the

political climate for successful negotiations? Unless this forum is inclusive, unless it includes the civic organisations, labour, business, political parties and local government structures, unless it includes all those bodies and interest groups, the hon the Minister will not succeed. We know this. We have been through this trauma and we know that it does not work unless it is inclusive.

provide the hon member with facts in connection with all the agreements that had been reached. It is also interesting that one of the aims of this forum is the drawing up of guidelines for local negotiations. So the mere fact that we did embark on local negotiations created a new atmosphere in South Africa, and I think it was a positive step.

Debate concluded

I want to ask the hon the Minister to give us the assurance right here and now in this House that he will make sure that this forum becomes far more inclusive as soon as possible.

Mr J J WALSH Mr Chairman, despite what the hon the Minister has said, and looking at what the activities of the forum will be, it does deal with the sort of issues in which political parties of necessity have to have an input. I would ask him to reconsider and would merely state that if he does not reconsider, this forum is doomed to failure.

As regards the second part of my question, may I just sound one note of warning. In doing so, I ask the hon the Minister to resolve the matter of negotiations that are taking place at a local level. These are creating tension amongst communities because various local level negotiations are taking place under the existing Interim Measures for Local Government Act while, at the same time, this forum is to be established. People who are not part of the statutory system are asking themselves if they are being excluded, or how they can be included, and if those who elected to take part in earlier times are being favoured at the expense of those who did not. It is a point of potential tension that needs to be dealt with.

The MINISTER OF LOCAL GOVERNMENT Mr Chairman, I have no problems whatsoever in stating that we will certainly deal with the issue of making the forum more inclusive. Sanco came forward and negotiated. Sanco initiated talks or responded when there was an open invitation from the Government's side to talk.

May I also point out to hon members that indeed the Interim Measures for Local Government Act was successful in so many instances. I will

provide the hon member with facts in connection with all the agreements that had been reached. It is also interesting that one of the aims of this forum is the drawing up of guidelines for local negotiations. So the mere fact that we did embark on local negotiations created a new atmosphere in South Africa, and I think it was a positive step.

Debate concluded

QUESTIONS

†Indicates translated version

For oral reply

Own Affairs

Teachers paying school fees for own children

*1 Mr P J PAULUS asked the Minister of Education and Culture †

Whether any teachers at a certain school, the name of which has been furnished to the Minister's Department for the purpose of his reply, whose children are pupils at that school, are paying compulsory school fees in respect of those children, if so, what amount is paid per child, if not, (a) why not and (b) what is the name of the school concerned?

B199E

†The MINISTER OF EDUCATION AND CULTURE

No, children of teachers and administrative staff at this school have been exempted from paying school fees,

(a) it used to be customary at this school for these children not to pay school funds. Under the old dispensation before 1 August 1992, it was extremely difficult to recruit capable staff for the school. One of the benefits offered was that children of staff members did not need to pay school funds. Under the new dispensation, as the school is now a State-aided

HOUSE OF ASSEMBLY

Local authorities recognise the benefits

LOCAL authorities are

gearing up to improve their credit ratings in a bid to attract new business to their areas, and for short- and long-term borrowings in the open market

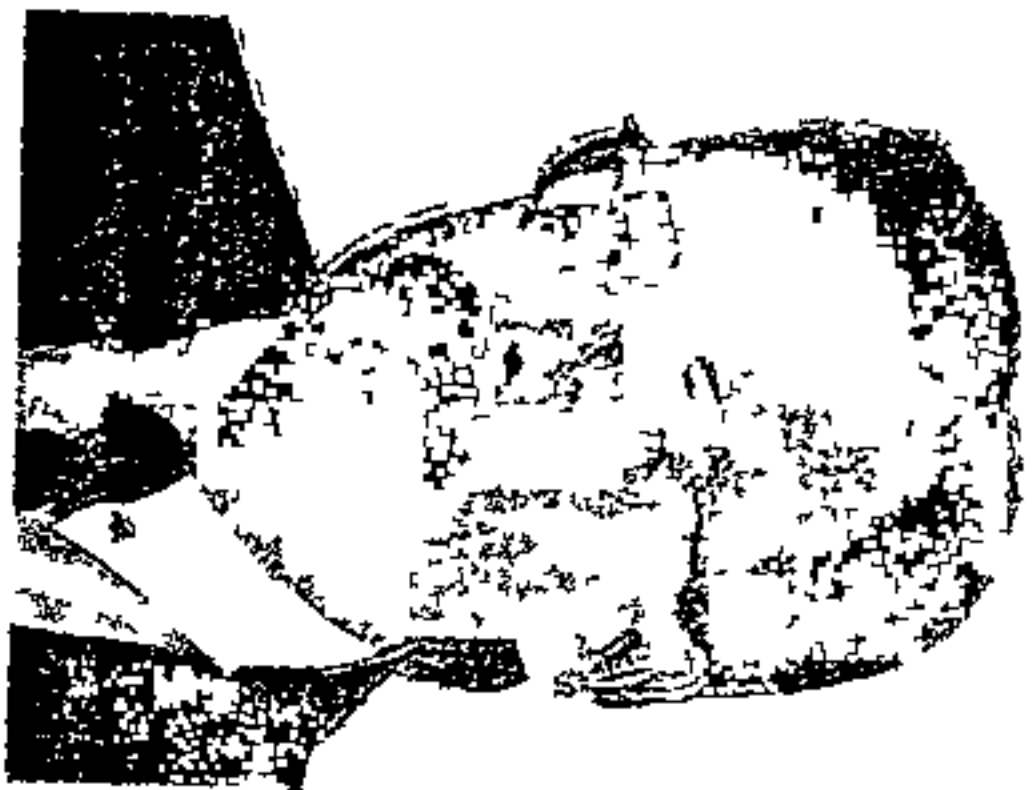
The concept and practice of awarding third-tier government authorities a formal rating in terms of their credit standing is fairly new in SA, but already some local authorities see great value in it

Republic Ratings marketing executive Neilson Kaufman says that within its operating environment municipal debt, like corporate debt, is subject to default risk and should be rated as to its probability of default

"A rating for a local authority can have a significant effect on the amount of finance it will be able to raise from the money and capital markets

"Not only have prescribed asset requirements been abolished by central government, but a rapidly changing socio-political environment has created uncertainty as to the structure of future local governments," he says

Finance Department Dr-



NELSON KAUFMAN

rektor-General Gerhard Croeser says independent ratings are a growing trend abroad where organisations often find it impossible to borrow money without a formal rating

In SA, there has been too little concern by lenders for solvency ratings of public sector organisations, particularly local authorities, he says The overemphasis instead has been on the marketability of loan bonds, instead of on the soundness of public sector organisation

He says this stems mainly from the belief that should the borrower experience difficulties, the local

authority will be "bailed out by government"

"This is not necessarily the correct view as there is no implied or expressed guarantee that such a local authority will be rescued"

Croeser sees particular value in voluntary ratings that differentiate between the high and low risk profiles of private and public sector organisations — in terms of long-term paper and corporate short-term industry borrowings

Several major local authorities have received formal ratings

Kempton Park's "A1" short-term and "A" long-term local debt ratings suggest it has substantial capacity to generate future revenues

Treasurer Henne Venter says Kempton Park perceived a rating would provide certain advantages when the municipality sought external loans via local government stock

"It is important for a local authority to have a good credit standing in order to raise short-term finance on the money market or long-term loans from the capital market"

Johannesburg City Coun-

cil town clerk Willie Stebert says a decision to be formally rated was taken, even though the council had good credit standing with its banks

"We saw additional merit and several beneficial possibilities arising from having an independent and scientific assessment carried out," he says

Rodepoort City Council town clerk Adriaan de Villiers says an independent rating is an asset in trying to encourage SA businesses and foreign investors to set up shop in any major local authority

He says a good rating can be used to raise finance and may be an effective public relations tool in the difficult task of selling one's town or city

De Villiers foresees mounting pressure on local authorities to take on more responsibility for development, which will require borrowing additional capital from the open market

"The pressure will really mount as more predominantly 'white' municipalities become responsible for the infrastructural upliftment of black townships," he says

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Double pay for councillors in some new authorities

262
ARCS/3/93

CLIVE SAWYER
Municipal Reporter

COUNCILLORS in some municipalities which have formed joint administrations are taking "double allowances" and are being paid more than MPs, the SA Association of Municipal Employees annual congress has been told.

National president Mr Hans Deetlefs cited the case of a municipality which had merged with a neighbouring local authority and had arranged that councillors be paid the sum of the allowances paid when the municipalities were separate.

The chairman of its management (executive) committee was paid R14 406 monthly and other exco members got R11 930. The mayor's allowance was R9 906 and councillors got R2 470 a month.

Mr Deetlefs declined to name the municipality.

He said the association was not opposed to negotiations for joint administrations, but it would advise members not to work in areas affected by violence.

Special allowances should be paid if members were asked to work in violence-hit areas, Mr Deetlefs said.

The formerly whites-only union, which has mainly white-collar staff as members, became non-racial in June last year.

He said joint administrations had created the problem that officials in some municipalities got extra work

with which they were unwilling or unable to cope.

He repeated the association's opposition to privatisation because it prevented job creation.

"Every now and then we become aware of new attempts to privatise some or other service, the latest being electricity.

"I cannot understand the rationale behind privatisation as it is being done because it is not in the interests of ratepayers. They may pay less rates, or increases may be smaller, but they will still have to pay for services.

"There is no way privatised services will be cheaper for the ratepayer because privatisation is being done by handing services to monopolies," he said.

Councillors were meant to be accountable and to ensure an efficient and cost-effective service, but private monopolies were not accountable.

"Privatising services as it is being done at the moment amounts to neglect of responsibility to ratepayers."

Mayor Mr Frank van der Velde, opening the congress, said he was worried by municipal employees being represented by two separate unions.

While SAAME had opened its ranks to all races, artificial barriers of income and qualification remained.

"I loathe racism and believe in freedom of association, and I call on you to be honest in the way you distinguish the two," Mr Van der Velde said.

'Shaky' start' for local govt body

CT 6/3/93

Political Staff

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THE proposed Local Government Negotiating Forum had got off to an extremely shaky start, the Democratic Party said yesterday.

Political parties had been excluded but the National Party and the ANC had gained majority membership through the back door — through central and provincial government structures and the South African National Civics' Organisation (Sanco).

"We want democracy, not a continuation of control by non-representative political elites," the DP said in a statement issued by its spokesman on local government, Mr Jasper Walsh.

Sanco, particularly, was a largely suspect organisation which in recent outbursts had viciously attacked the democratic process.

Its national chairman, Mr Moses Mayekiso, had stated that Sanco would do everything in its power to persuade township residents to stay away from pre-election campaign meetings by the NP and the DP.

"Yet on the Local Government Negotiating Committee set up to establish a negotiating forum, Sanco is the sole representative of the so-called 'non-statutory' organisations," Mr Walsh said.

Voter education role for Sanco

27 6/3/13
ALTHOUGH the South African National Civics Organisation (Sanco) was not a political party, it had a great role to play in voter education, it said in a document given to the press yesterday.

Sanco held a special media conference to introduce itself to the press in the Western Cape before the launch of its Peninsula sub-region on March 13.

Important challenges included the role of civics in the transitional period and local government restructuring, the organisation said.

"We also wish to condemn the harassment by the police and local authorities of our membership" — Sapa (262)

Hardliners on way out

Old guard is losing control

Sowetan 8/3/93
 ■ Improvement in relations between
 Pretoria and Harare: 362

By Trevor Grundy
 Sowetan Africa News Service

HARARE — A new generation of Southern African businessmen and politicians are bringing about an improvement in relations between South Africa and Zimbabwe that the old guard hardliners had been unable or unwilling to achieve

The establishment of full diplomatic relations will still have to await the installation of an interim government in South Africa, which is expected next year

But in the meantime important advances are being made under the pressure of hard economic reality

According to one Zimbabwe ruling party official, who asked not to be named, "the days of the hardliners in both countries are coming to an end. Let's face it, a lot of people in the government here would add up to the square root of nothing unless they were able to bang on night and day about South Africa."

Last week Derek Keys, South Africa's Minister of Finance and Trade and Industry, met Zimbabwe's Minister of Industry and Commerce, Christopher Ushewokunze, in Cape Town

The Zimbabwean Minister also met the new South African Minister of Tourism, Professor Bhada Ranchod, and Foreign Minister Pk Botha.

Ushewokunze's trip to South Africa — the first by a black Zimbabwean Cabinet Minister and the first which enjoyed the support of President Mugabe — was prompted largely by pressure from the domestic textile industry

"The industry could collapse," a Midlands mill owner said during the Cape Town talks

"For God's sake, when is this government going to wake up and realise that we need one another"

for the same cause that the late William Marsh sought to make provision in his will

With regard to the requirement that the provision in question must be in conflict with the public interest the Court *inter alia* held that—

~~the interest of the public in this country, the inhabitants of which are mainly non-white in colour, cries out for the need to house and to care for destitute children, whatever their ethnological characteristics may be~~

- (2) No
- (3) A statement is not necessary

Melamet Commission: transcriptions of telephone conversations

*13 Adv J J S PRINSLUO asked the Minister of Transport †

- (1) Whether he intends making public the contents of transcriptions of telephone conversations of a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, which were submitted to the Commission of Inquiry into the Affairs of the Multilateral Motor Vehicle Accidents Fund (Melamet Commission) in 1992, if not, why not, if so, (a) when, (b) in what manner and (c) what is the name of the person concerned,
- (2) whether he will make a statement on the matter? B321E

The MINISTER OF TRANSPORT

- (1) No, because I never received the transcriptions and their contents are therefore also not known to me
- (a), (b) and (c) fall away
- (2) No

Unlawfully absent teachers salaries

*14 Mr J M BEYERS asked the Minister of Education and Training †

- (1) Whether there are any teachers in the service of his Department to whom, while they are unlawfully absent from duty, teachers' salaries are still being paid, if so, (a) how many and (b)

HOUSE OF ASSEMBLY

improvement of personnel administration is continuously attended to.

Private accommodation of political office-bearers: compensation

*15 Mr P G SOAL asked the Minister of Public Works

With reference to the reply to Question No 33 on 23 February 1993, (a) when was the scheme introduced in terms of which compensation is paid to political office-bearers who occupy private residences as official accommodation, (b) why was this scheme deemed necessary, (c) subject to what conditions is approval given for a political office-bearer to reside in private accommodation and (d) what total amount was so paid to political office-bearers since the introduction of the scheme up to and including 28 February 1993? B324E

The MINISTER OF PUBLIC WORKS

- (a) From 1982 until 31 December 1990 individual requests were approved on an ad hoc basis. The present scheme, as dealt with in the answer to Question 33, has been in operation since 1 January 1991
- (b) Due to a shortage of official ministerial residences at the time and in view of the high cost of administering and maintaining the official residences, this optional scheme was approved to provide an equitable basis to compensate political office-bearers for expenses should they elect to use private dwellings as official residences
- (c) To qualify for full participation in the scheme, a private residence must be of similar status to official residences and comply with guidelines set by the Department of Public Works for evaluation purposes. In cases where comparative standards are not met after evaluation, the Minister of Public Works has been empowered by the Cabinet to approve a reduced compensation, after consultation with the Chairman of the relevant Ministers' Council or the Administrator where applicable
- (d) From 1982 to 28 February 1993 a total amount of R4 785 520,95 has been paid

N3 bypass road: Pietermaritzburg

*16 Mr R F HASWELL asked the Minister of Transport

Whether a final decision has been made on the routing, construction and financing of the N3 bypass road at Pietermaritzburg, if so, what are the details? B327E

The MINISTER OF TRANSPORT

No. Three routes have been identified and evaluated from an environmental viewpoint. A draft report in this regard was submitted during December 1992. There are no real differences between the three routes and a decision regarding a route will be taken based on engineering principles.

In the meantime the Department is still undertaking the evaluation of the effects of fog conditions on the routes. This year was not favourable for this evaluation because fog conditions seldom occurred. This evaluation will most probably be done during the next rainy season.

Until the above-mentioned investigations are completed the Department will not be able to make any recommendation regarding a route to the South African Roads Board.

City/town councils: Coloured/Indian representation

*17 Mr R F HASWELL asked the Minister of Local Government

Whether he intends introducing legislation in terms of which Coloured and Indian management and local affairs committees will be granted full representation on city and town councils, if not, why not, if so, what are the relevant details? B328E

The MINISTER OF LOCAL GOVERNMENT

Yes, but as part of comprehensive and negotiated reform steps

As I stated in reply to question 10 of 17 February 1993 and the Interpellation Question of the hon member for Pietermaritzburg on 3 March 1993 concerning the political management of the whole matter, an acceptable formula will have to be found in consultation with all interested parties and through negotiation, so as to arrive at restructured local authorities,

HOUSE OF ASSEMBLY

also as far as Black local authorities are concerned
I further stated that an inclusive package approach will be followed and that I do not intend to deal with the matter of representation of areas of jurisdiction of management and Local Affairs Committees in City Councils in isolation, but as part of a comprehensive process. The package that I envisage will include the present black local authority areas

Medical aid schemes: false claims

*18 Mr M J ELLIS asked the Minister of National Health †

- (1) Whether, with reference to certain information that has been furnished to the Minister's Department for the purpose of her reply, her Department has investigated a claim that approximately R2.5 billion or 25 per cent of payments made by medical aid schemes are in respect of fraudulent or false claims, if not, why not, if so,
- (2) whether any substantiation has been received of such payments, if so, what are the relevant details,
- (3) whether she will consider recommending the appointment of a commission of inquiry and/or appointing a departmental committee of inquiry to investigate the payments allegedly made in respect of such fraudulent or false claims, if not, why not, if so, what steps is it envisaged will be taken in this regard? B329E

THE MINISTER OF NATIONAL HEALTH

- (1) No, there is no substantiation or scientific grounds on which the estimated figure is based,
- (2) no,
- (3) no, since medical schemes apply controlling measures and take action against such parties. This action includes
 - the termination of such members' membership of the scheme and the collection of amounts due, and
 - litigation and/or reporting unethical behaviour by suppliers of services to statutory bodies

Cost of medicine: forum

*19 Mr M J ELLIS asked the Minister of National Health †

- (1) Whether a forum entitled "Curtauling the Cost of Medicine" was held on or about 28 February 1992, if so, what are the names of the members of the working group appointed to investigate the recommendations of the forum,
- (2) whether this working group has completed the investigation, if not, why not, if so,
- (3) whether she will release the recommendations referred to above, if not, why not, if so, in what manner,
- (4) whether this working group consulted with interested parties in the private sector, if not, why not, if so, with whom,
- (5) whether she will make a statement on the matter? B330E

THE MINISTER OF NATIONAL HEALTH

- (1) Yes, a working group has not yet been constituted. Some of the proposals were referred to the statutory councils—the South African Medical and Dental Council, the Medicines Control Council and the Pharmacy Council. Even before the forum they were attending to these proposals. They have already implemented some of these proposals. The amendments to the Medical Schemes Act also make it possible to implement some of these proposals. The only proposal which cannot be implemented at present is generic replacement. A working group will be constituted should it become clear that the implementation of the other proposals do not have a meaningful influence on the cost of medicines
- (2), (3) and (4) fall away,
- (5) No

Armscor: LM4s/LM5s sold to Transkei

- *20 Mr L FUCHS asked the Minister of Defence
 - (1) Whether Armscor or any of its affiliates have sold and/or are selling LM4s and LM5s to (a) the Government of and/or (b) any private institutions in Transkei,

(2) whether he will make a statement on the matter? B333E

THE MINISTER OF DEFENCE

- (1) and (2) The disclosure of details regarding the sale of armaments by Armscor is prohibited by Sec 11 A of the Act on Armaments, Development and Production, Act No 57 of 1968, as amended, unless so authorised by the Minister

I am, however, prepared to make a once-only exception to the rule and announce that some 5 years ago, in July 1988, a single consignment of 15 LM5s was sold to the Transkei Development Corporation. In passing it should also be mentioned that since 1 April 1992, Armscor no longer has any affiliates which produce armaments and Armscor itself is in no way directly involved with the manufacture of armaments anymore

Hi-jacking of motor vehicles Johannesburg

*21 Mr D H M GIBSON asked the Minister of Law and Order

- (1) Whether there has been an increase in hi-jackings of motor vehicles in the north-eastern suburbs of Johannesburg during the past year, if so, to what extent,
- (2) whether any steps are contemplated in this regard, if not, why not, if so, what steps? B334E

THE MINISTER OF LAW AND ORDER

- (1) No
- (2) The steps which have already been taken and which are being taken on a continuous basis are
 - Increased police patrols,
 - Quicker reaction to cases which are reported, and
 - A special unit has been established in order to deal with the hi-jacking of vehicles

*22 Mr J A Jordaan—National Health † [Question standing over]

Ballito: electricity supply

*23 Mr J A JORDAAN asked the Minister of Mineral and Energy Affairs †

- (1) Whether any communities in the vicinity of the municipal area of Ballito have made direct or indirect representations to the Electricity Control Board for the supply of electricity to them to be taken over by an institution other than that municipality, if so, what are the relevant details,
- (2) whether he will make a statement on the matter? B339E

THE MINISTER OF MINERAL AND ENERGY AFFAIRS

- (1) Yes, the relevant details are as follows
 - (a) The Borough of Ballito supplies electricity to extra-municipal consumers in the vicinity of its municipal area under the authority of a licence which was issued by the Electricity Control Board (ECB) on 1 April 1987
 - (b) From the outset the Borough of Ballito experienced problems with the poor electricity supply network which had been taken over from a previous operator and which had to be upgraded at a considerable cost. This expenditure had to be recovered in the form of increased tariffs to the consumers
 - (c) The Durban City Council applied in a letter dated 10 December 1992 for the transfer of the right of supply in Ballito's extra-municipal supply area to that council. The ECB considered this application together with the Borough of Ballito's objection on 12 February 1993 and has called for the Durban City Council's explanation of how it intends supplying the consumers in the Borough of Ballito's extra-municipal supply area, ie whether it intends using Ballito's existing facilities such as its substation and/or transformers or whether it intends obtaining a direct supply from Eskom. The said council was also requested to inform the ECB of whether there would be separation costs and if so, what this would amount to. Ballito was also requested by the ECB to furnish its comments on these matters

Howard

Howard

necessary injections and vaccinations as applicable are administered by a qualified nursing sister, or otherwise arrangements are made for the administration thereof at the local clinic

At every prison where children are with their mothers a member of the nursing profession is responsible for the necessary supervision. This member sees to it that all prescribed directives regarding the care of the children are strictly adhered to and that the children's general health and well-being is promoted

In general it can be mentioned that the Department of Correctional Services places a high premium on the medical treatment of all persons entrusted to its care. In this regard the nursing staff of the Department of Correctional Services are guided by the medical officer (district surgeon) and his prescriptions and orders are meticulously carried out. This includes general treatment which can be provided in the prison and prison hospitals, hospitalization in private or provincial hospitals and treatment by specialists

Howard

Howard

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Revenue/deficit before borrowing: categories

102 Mr G C ENGEL asked the Minister of Finance

Whether he will furnish information on the (a) latest estimate of State revenue for the current financial or tax year in respect of each category of revenue and (b) expected deficit before borrowing, if not, why not, if so, what are the relevant figures? B263E

The MINISTER OF FINANCE

The Minister of State Expenditure stated in his Additional Budget Speech on 15 February 1993 that, given the total expenditure figure of R104,877 billion and the estimate of total revenue at that stage of R75,057 billion, the budget deficit may amount about 9 per cent of GDP. This remains the latest state of affairs. As in the past details of the revised estimates of revenue for the 1992/93 financial year will, however, be published in the Budget Review on 17 March 1993

Land and Agricultural Bank of SA: farms

bought

115 Mr A A B BRUWER asked the Minister of Finance †

Whether the Land and Agricultural Bank of South Africa purchased or bought in any farms during the latest specified period of 12 months for which information is available, if not, why not, if so, (a) why and (b) how many in each province? B240E

The MINISTER OF FINANCE

Yes

(a) During the period of 12 months ending 31 December 1992 the Land and Agricultural Bank of South Africa was compelled to buy in farms at public auctions

In 129 cases in terms of the provisions of the Land Bank Act No 13 of 1944, since offers to satisfy the Bank's claims could not be obtained at the auctions. The relevant auctions occurred due to the following reasons

- 1 Insolvencies of the mortgagor 54 cases
- 2 Attachments by other creditors of the property mortgaged to the Bank, in pursuance of an order of the court 9 cases
- 3 Abandonment of farming by the mortgagor 23 cases
- 4 *Mortgagor's total burden of debt has escalated to such an extent that the Bank's security margin was eliminated and financial recovery has become impossible 43 cases

Howard

*In these 43 cases the Bank launched a final rescue attempt in co-operation with the State, but the relevant mortgagors could not be furnished with any form of assistance

(b)	Cape Province	24
	Natal	3
	OFS	59
	Transvaal	43
		129

Powers of Directors-General

123 Mr D H M GIBSON asked the Minister of Finance

(1) Whether any steps have been taken to implement the recommendation contained in the First Report of the Joint Committee on Provincial Accounts (C5-91), dated 19 June 1991, to the effect that his Department should determine the powers of Directors-General of the Provincial Administrations to

HOUSE OF ASSEMBLY

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local authorities to submit their financial statements timeously and to take disciplinary action against the chairmen and/or council members and/or accounting officers of the authorities concerned should they fail to comply, if not, why not, if so, what steps,

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- (2) whether consideration has been given to amplifying the existing powers of Directors-General in this regard, if not, why not, if so, what are the relevant details?

B293E

The MINISTER OF FINANCE

- (1) Yes A document which contains a comprehensive reply to this question was submitted to the Joint Committee on Provincial Accounts on 20 January 1993, during a meeting of the Committee in Cape Town. A copy of the document is attached. The Committee's decision(s) regarding this submission is (are) not yet known to the Department of Finance

- (2) Yes However, it was concluded that the solution to the problem would rather be found in the enhanced public accountability of local authorities. The full motivation and recommendations are also contained in the above-mentioned document

First report of the Joint Committee on Provincial Accounts, 1991

(3) AUDITING OF BOOKS AND ACCOUNTS OF WHITE MUNICIPALITIES

In an earlier reply the Department of Finance, on behalf of the Permanent Finance Liaison Committee (hereafter referred to as the PFLC), reported *inter alia* as follows

"The PFLC concluded that the late or non-

submission of financial statements by White local authorities is indicative of primarily two underlying problems

- The suitable establishment of accountability in respect of local authorities' financial accounts and statements

- The non-viability of a large number of small local authorities "

And further

"The issue of accountability in particular is subject to developments in the longer term such as future constitutional structures and the establishment of proper electoral control. At this stage, the PFLC concluded as follows

- The accountability issue differs in respect of those funds which local authorities receive from the Exchequer (e.g. as subsidies on emergency services) and own revenue from for instance property taxation and tariffs on trading services, with own revenue being by far the largest component of local authorities' revenue

Concerning the latter component, there is serious doubt about the legal accountability, in terms of the Act on the Auditor-General, 1989, of the Director-Generals of the Provincial Administrations to first level Government and Parliamentary institutions such as the Auditor-General and Joint Committee on Provincial Accounts, in respect of the financial decisions and actions of institutions at the local government level

Similarly, the Provincial Administrations do not seem to have the legal authority to impose significant measures of coercion or punishment on White local authorities in this respect

Irrespective of the current legal position, the accountability for financial regularity and the timeous preparation of financial statements for auditing should be established unequivocally at the level of local authorities themselves, in the person of the Chief Executive Officer and/or Chairman of the Board, and such persons should be called to account directly to the Auditor-General and Joint Committee. As long as the current practice persists, where intermediaries in the persons of the Director-Generals of the Provincial Administrations are

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called to account, there will be little or no sense of urgency on the part of erring local authorities to rectify the present unsatisfactory situation

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- The initiation of action to remedy the situation of legal uncertainty in an effective and lasting manner, falls primarily in the functional domain of the Department of Local Government and National Housing, which Department (upon request of the PFLC) has formed a working group in order to formulate further recommendations as a matter of urgency "

The working group exercised great care in ascertaining the abovementioned legal position and obtaining consensus regarding recommendations on how to alleviate the basic problem. This delayed the completion of the working group's report, which was subsequently accepted by the PFLC and is summarised below. The working group emphasised that, in view of the current constitutional negotiations process in the RSA, its recommendations should be seen as interim proposals aimed at strengthening the accountability process in the transition period without jeopardising any possible future constitutional dispensation in the process

In general, the PFLC's points of view as quoted above were supported by the working group and will therefore only be amplified as follows

- In terms of article 28 of the Profession of Town Clerks Act, 1988 (Act 75 of 1988), read with article 15(3)(b) of the Exchequer Act, 1975 (Act 66 of 1975), the Town Clerk is both Chief Executive Officer and Accounting Officer of a local authority

Against the background of the own and general affairs approach of the 1983 Constitution, as well as the system of racially segregated local authorities, references to "the Director-General" in article 6(5) of the Auditor-General Act, 1989

(Act 52 of 1989) can be interpreted as referring to either the Director-General of an Own Affairs Administration or Provincial Administration depending upon the particular local authority involved. In its report on constitutional models, the SA Law Commission analysed all legislation in respect of local authorities in the RSA and concluded that there is little or no legal certainty regarding the control of local authorities' powers and actions. Merely amending the aforementioned article 6(5) in isolation, in order to mention the Director-Generals of the Provincial Administrations specifically, will not solve this problem and is contrary to the policy of devolution of powers

Thus, whereas there is serious legal uncertainty as to the role of provincial Director-Generals there is certainty about the position of the Town Clerk and the latter should be specifically involved in unequivocally establishing proper accountability at the local authority level

Town Clerks would sometimes be able to claim that they were merely carrying out the instructions of their councils. The normal procedure in this respect is that accounting officers should warn their political superiors, in writing if necessary, should any of their intended actions be *ultra vires*. However, depending on the nature of irregularities involved, it may sometimes be advisable to call a mayor to account together with his Town Clerk

Within the current constitutional framework, the Joint Committee on Public (Provincial) Accounts appears to be the institution most suitable for exacting accountability directly from local authorities, for which it has sufficient jurisdiction. On occasion, this committee already meets by means of sub-committees in the various provinces and this approach could poss-

ably be the foundation for future Joint Committees at the regional level

The involvement of the provincial Directors-General in this matter stems primarily from an administrative arrangement between themselves and the Auditor-General. Whilst they cannot be held directly *accountable* for the affairs of local authorities, they should still—in terms of their regulatory and facilitating functions in respect of the financial administration of local authorities—render *support* to the Auditor-General and Joint Committee on Public Accounts to ensure that local authorities comply with prescribed audit requirements

Should the Auditor-General need to report to the Joint Committee on all local authorities individually and the committee has to call them all to account, the workload would be insurmountable. It is therefore proposed that only the more serious misdemeanours—which

HOUSE OF DELEGATES

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Tax concessions for shows featuring overseas artists

7 Mr M RAJAB to ask the Minister of Finance

- (1) (a) How many promoters of shows featuring overseas artists (i) applied and (ii) qualified for tax concessions for such shows in 1992, (b) what was the total amount involved in the granting of such concessions and (c) what criteria are applied in connection with the granting of concessions of this nature
- (2) whether he will disclose the amounts of the individual concessions granted in 1992, if not, why not, if so, what are they? D38E

THE MINISTER OF FINANCE

- (1) (a) (i) None
(ii) None
- (b) Nil
- (c) The sponsorship allowance which was provided for in the Income Tax Act was withdrawn last year and only shows which have been approved on or before 14 February 1992 by the Minister of Finance on

the recommendation of the Minister of National Education, as an international event could have been taken into consideration for such allowance. No applications were received during the period 1 January 1992 to 14 February 1992.

The following criteria was applicable up to 14 February 1992 when granting concessions of this nature

The expenditure which served as a basis for the determination of the concession must have in the first instance, complied with the general deduction formula contained in section 11(a) or (b) of the Income Tax Act, before it could have been considered for the sponsorship allowance. Furthermore, the Minister of Finance in consultation with the Minister of National Education, must have been satisfied that the cultural event which was sponsored, was of an international nature. The guidelines which the Act prescribed in this regard were the following—

- (1) it must have been an event which is commonly participated in on an international basis,
- (2) a substantial number of the participants or the key participants must have been non-residents of the Republic, and
- (3) the holding of the event must have been of material advantage to cultural activities in the Republic
- (2) Not applicable

262 ARS 11/8/93

'Strong' local government

FUNDAMENTAL changes in political culture and independent control over finance are among the keys to strong local government. Municipal reporter CLIVE SAWYER reviews an Urban Foundation study.

CIVIC associations will wield little power in future local government unless they move from being "reactive watchdogs" to working within the system.

This is one of the conclusions of an Urban Foundation study into the options for strong local government.

"International experience may support the desirability of strong local government, but it also illustrates the difficulty of achieving it," the report said.

The government, extra-parliamentaries and free-marketeters had all said they favoured strong local government, but had different visions of what this meant.

The government saw strong local government as having extensive decision-making and fundraising powers, as a means of limiting the socio-economic effects of political change.

Extensive powers envisaged for local government by the present regime would enable municipalities with white, or at least middle-class, majorities to "maintain standards," which meant protecting established interests.

Extra-parliamentary groups expected strong local government to be a means to empower township residents, by spreading the benefits of a single tax base in a non-racial municipality.

Participation in local government would develop the skills of civic activists and ordinary citizens, according to this view.

Free marketeters expected

strong local government would be more efficient because council spending was more "visible" and more easily called to account than that of central government.

"Local authorities will be compelled to offer the best possible conditions, in water and electricity prices, local taxes and infrastructure, to commerce and industry."

The study said there was international enthusiasm for strong local government. The policy was supported by the World Bank and other international development agencies.

The strength of local government depended largely on how much a local authority controlled its own finances.

In many countries, local government was not democratic. Instead, it was distorted by control by elites or by being a "client" of central government.

Local government often was not able to mobilise residents to resist encroachment on power by higher tiers of government.

Attempts to create strong local government in South Africa would have to take into account historical obstacles such as racially divided cities, underdeveloped townships, higher costs imposed on township residents, and townships' fear of exploitation.

Problems in townships could not be solved simply by transferring revenues from white local authority areas.

In any event, many smaller white local authorities lack crucial engineering and finance skills. "This raises doubts about the financial capacities of all but the largest white local authorities to actively utilise, and thus maintain, extensive autonomy."

The erosion of local autonomy went back decades, and included events such as the creation of administration boards, and growth of executive and security establishment power in the 1980s.

While the security establishment has been weakened in the 1990s, legislation passed in 1991 and last year enhanced the powers of provincial administrators over local government.

Most white municipalities and civic associations were "deterrential" to national institutions.

The potential for strong local government was sapped further by the long-standing entrenchment of centralisation in South African political culture.

New traditions take time to evolve, the report said.

"The current system has no legitimacy in the eyes of most black residents. If strong local government is to be institutionalised in future, it will have to create legitimacy from scratch."

Widespread corruption had been another factor which had prevented black local authorities "working." But corruption was inevitable in times of scarcity, and was unlikely to disappear even if a new local government was legitimate.

During the process of transition, "cherry-picking" by white municipalities had been noted. This was the process of forming relationships with certain townships that would be the least burden should amalgamation follow, at the expense of poorer, more heavily populated areas.

There was also the possibility that boycotts would be the rule rather than the exception in future local government.

"If civic associations stick to their declared intention to remain watchdogs, rather than participating in the new system, their main means of wielding power could be mass action and boycotts."

"This might place an intolerable burden on those who do occupy office in local government."

"Alternatively, it could lead to the demise of the civics, if the future system does deliver, because residents will see little reason to support civic campaigns," the report said.

Even if the system failed, continuous mobilisation was important for the mobilised and impossible to maintain without coercion.

Civic activists should prepare themselves to operate inside and alongside democratic local institutions.

"This does not necessarily mean running for office, but it does mean acceptance that elected representatives will have final authority and the role of voluntary groups is to persuade and lobby rather than to pressure," the report said.

Political actors at odds over local government

Business Day Reporter

(262)

WHILE all three main political actors in SA have expressed support for "strong local government", they each attach a different meaning to the term.

And none is likely to fully achieve its goals, although they can avoid the trap of weak and ineffective local government if they are prepared to moderate their goals and adapt to a democratic culture

This is the conclusion of an Urban Foundation development strategy and policy unit research report published yesterday.

BIDM 11/3/93
The report notes that government sees the purpose of strong local government as a means of "limiting the socioeconomic effects of political change". It would enable highly decentralised local authorities to "maintain standards" and thereby protect "white and/or middle class interests".

The extra-parliamentary groups have exactly the opposite vision. They see strong local government acting to transfer resources to previously excluded (black) parts of cities — spreading the benefits of a single tax base.

The third grouping — the "free market position", with which Inkatha largely identifies — aims at "nonracial, market-driven economic efficiency".

However, the report argues that future local authorities will have to operate against the background of the apartheid legacy of racially divided cities, underdeveloped townships with low administrative and fiscal capacities, higher service costs imposed on township residents, township residents' perceptions of exploitation and the deep social and political divisions coinciding with spatial divisions.

Students, IDT clash

BIDM 11/3/93
THE dispute between black university students and the Independent Development Trust (IDT) showed no signs of abating yesterday as students disregarded the IDT's offer of R30m to pay outstanding fees from last year, saying that the offer fell far short of the need.

The IDT said it was funded by taxpayers to alleviate the plight of the "poorest of the poor", and that funding for tertiary education was not one of the priorities of the trust.

SA Students' Congress (Sasco) spokesman Mogo-motsi Mogodiri said the IDT plan to reallocate the R30m to pay outstanding fees from last year would not resolve the problems of black institutions which

11/3/93
KATHRYN STRACHAN
faced a deficit of R52m in outstanding fees.

IDT spokesman Jolyon Nuttall said the trust's principal obligation was to the very poor, "and the more we give to the students, the less we can give to the poor".

The IDT regarded tertiary education as a privilege and not a right, and it focused on the areas of housing, health, job creation and schooling, he said.

□ Meanwhile, Sapa reports Soweto schools were operating normally yesterday as unionists and education authorities continued negotiations over the reinstatement of 30 teachers

Formula for councils

A REPORT recommending a formula to serve as a manual for local authorities has been accepted by the action committee of the Council for the Co-ordination of Local Government Affairs, it was announced yesterday.

A statement by Minister of Local Government Dr Tertius Delpont on behalf of the committee said the

move was intended to further encourage negotiations at local level.

The committee also noted steps town clerks should be taking to prepare for general municipal elections.

"It is government policy that racially-based elections should not be held again," Dr Delpont said.

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Power and the people

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AROUND the world "strong" local government has found favour, but it rests heavily on conditions and resources that are in short supply in South Africa, the Urban Foundation warns in a new report by its Development and Policy Unit

"The apartheid legacy has left huge backlogs, insufficient capacity to address these and political conditions that are not conducive to resolving such challenges," the report concludes

It notes at the outset that major political players have different notions of what "strong" local government means (see story alongside) — and ventures the view all "are unattainable in their pure form"

The Urban Foundation makes the following points about the foundations of "strong" local government

- That the willingness of the central government to allow local autonomy is critical, irrespective of whether the constitution provides for a federal or unitary state
- That effective, strong local government depends on financial and administrative capacity at that level and "the degree to which a local authority

The Urban Foundation says "strong" local government, like most things in politics, is the art of the possible. JO-ANNE COLLINGE reports.

exercises control over its own revenues"

Local authorities are typically financed by grants from central government and by property rates. The Urban Foundation observes that, internationally, central government grants often come with strings attached, while rates require fair administrative capacity in order to assess changing property values

"Such capacity is a scarce resource at local government level in all countries, even the most developed local authorities therefore often lack the capacity to exercise the autonomy which strong local government requires."

The Urban Foundation adds that the common wisdom that local government is most democratic because it is "closest to the people" is an oversimplification. In practice, "the highly acclaimed responsiveness of local government generally means responsiveness to the demands of local elites, not to the voice of the people"

On the strength of financing and capacity, it is plain that the townships cannot be viewed as candidates for autonomous "strong" local government. "The shortcomings (in townships) are so large that they will not be rectified by simply transferring revenues from white local authority areas," the report observes

It adds that, in any event, many of the smaller white municipalities are lacking in critical engineering and finance skills

"This raises doubts about the financial capacities of all but the largest white local authorities to actually utilise and thus maintain, extensive autonomy."

Furthermore, it is imperative, says the Urban Foundation, that new forms of local government break clearly with the racial past. Looking back at the disastrous attempts to make impoverished townships self-financing, the report warns "If the policy of self-sufficiency

for low-income areas is used again it will undoubtedly be as much a cause of instability as it was in the past"

The potential for introducing "strong" local government is further sapped by the fact that centralisation has long been entrenched in the political culture of South Africa and new traditions take time to evolve, and that, in the black community, local government has been seen as illegitimate and local development issues as "somebody else's problem"

The Urban Foundation warns against parties getting so caught up in the adversarial dynamic of negotiation that they press their ideal views of local government oblivious of the costs. "The most appropriate "strength" for local government is likely to be found in a trade-off, the report implies

"Devolution is in step with international trends and might, to an extent, be achievable provided it does not entrench the inequalities of the past," it concludes. "Although a degree of protection for entrenched interests is needed if the future system is to be financially viable, this cannot be achieved by entrenching any sort of racial discrimination" □

How the parties see the issue

THESE are the contending versions of "strong" local government that the Urban Foundation (UF) says are favoured by different parties

- From the Government: Small local authorities — down to neighbourhood level — with extensive decision-making and taxing powers, intended to "place limits on the ability of central government to intervene locally (and to ensure white, or at least middle-class, majorities in some local areas"

- From extra-parliamentary groups: Local authorities responsive to civic association demands, spreading the benefits of local property taxes to residents of all races and "empowering" township residents by offering them a role in development and government

- From the free marketers (including Inkatha): Local authorities functioning with high visibility (and therefore with high efficiency), vying with each other for investment and therefore compelled to offer competitive services and infrastructure

The UF also defines a "minority" non-parliamentary position that sees strong local government as undesirable because it weakens the centre's capacity to redistribute political and economic power

Govt will watch over regions

Own Correspondent

JOHANNESBURG — The ANC was committed to a central government which would interfere in regional affairs only when necessary

It would only interfere if regional governments acted in contravention of the national constitution, bill of rights and national legislation, Local and Regional Government Co-or-

dinator Mr Billy Cobbett said yesterday

However, the central government would have the right to override regional legislation in specified areas and have concurrent powers in others.

These decisions were taken at the organisation's weekend conference on regionalism

Mr Cobbett emphasised the contravention had to be proven

and not just the central government disagreeing with the regional government's policies

Where regions' functions and powers were entrenched in the constitution, central government could override if contraventions occurred. In areas such as education the central government would hold concurrent powers, ANC local and regional government head Mr Thozamile Botha said

March 1993

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'Regions must have say'

TZANEEN — Foreign Affairs Minister Mr Pik Botha says the National Party is a staunch supporter of the principle of regional government and believes that regions and their leaders should have a say over their future

Mr Botha was speaking here on Saturday in what could be regarded as the start of the NP's multi-racial election campaign

About 140 traditional leaders, including members of the Gazankulu cabinet, heard Mr Botha say the NP would not permit traditional leaders to disappear in the new South Africa

Mr Botha said apartheid had been a mistake and he sympathised with blacks who had grievances arising from the injustices of the policy

President F W de Klerk reportedly intends visiting the region in June — Sapa

(262) CT 15/8/93

Group warns on regionalism

Political Staff

JOHANNESBURG — There is a danger in determining the powers and functions of regions too early in the negotiations process and this should rather be left to the last stages of constitution-making. (262) (30/11)

This is the conclusion of a report on regionalism drafted by local and foreign academics and

constitutional experts and released by the Consultative Business Movement yesterday

The group is led by Anglovaal's Mr Clive Menell and includes Professor Marinus Wiechers, Dr Oscar Dhlomo, Dr Frederik Van Zyl Slabbert, Professor Charles Simkins and academics from the US, Britain and Canada. CT 16/3/93

The group also warned against

deciding on principles for regions "that are so broad and vague that their interpretation leads to conflict and dispute and minimises confidence"

It suggested agreement be reached "on a framework" of principles, definitions and criteria for approaching regional issues, before moving to the final stages of constitution-making"

Study on regionalism unveiled

THE Consultative Business Movement yesterday released a study on regionalism it said it hoped would help speed up negotiations by giving political parties options for dealing with this sensitive issue

The report concludes that there is a danger in determining the exact powers and functions of regions too early in the negotiations process. It should be left to the final stages of the constitution-making process, such as an elected constitution-making body. *BIDAM 16/3/93*

However, the group also warns against deciding on principles for regions "that are so broad and vague that their interpretation leads to conflict and dispute and minimises confidence"

It suggests the best way forward is to strike a balance between these two. This

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BILLY PADDOCK *31*

would be possible by "reaching agreement on a framework of principles, definitions and criteria for approaching regional issues, before moving to the final stages of constitution-making" *(Set A)*

The group also warns that regions must be involved in the negotiation or consultation process in some way

The report, drawn up by a group of 19 local and international academics and constitutional experts late last year, examines three key issues regarding regionalism: regions and their demarcation, levels of government and their relationships, and regions and constitution-making

The group, led by Anglovaal's Clive

To Page 2

Regions *BIDAM 16/3/93*

Menell, includes Tony Ardington of the SA Sugar Association, Bertus de Villiers of the HSRC, Oscar Dhlomo of the Institute for Multiparty Democracy, Prof Nick Haysom and Prof Charles Simkins of Witwatersrand University, Van Zyl Slabbert of the Metropolitan Chamber, Prof David Welsh of UCT and Prof Marinus Wiechers of Unisa. It also includes academics from the US, Britain, Denmark, Canada and France.

The report has been discussed with leading political bodies. Menell said their response was such that he was optimistic a solution to regionalism could be found

One suggestion is that regions be allowed maximum flexibility to draft their own constitutions using guidelines drawn up by the national negotiations forum

The group suggests two possible frameworks — for the demarcation of regions and for establishing powers, functions and duties of regions

Demarcation criteria include economic functionality and a human and natural resource base, geographic coherence, institutional and administrative capacity, and socio-cultural issues

A delimitation commission could play a

262 From Page 1
useful role in allowing the democratic consultation of national, regional and local interest groups in the determination of boundaries. This could involve holding local referendums where necessary

"While consideration should be given to the potential tax base of regions, a central mechanism such as a fiscal commission should be considered to facilitate a fair allocation of revenue to poorer regions," the report says

It lists nine broad guidelines for dividing power between the centre and the regions. Essentially the centre should predominate where a state needed to act as a single entity or where minimum standards of services and equity were needed. These included defence, foreign affairs, immigration, currency, national standards regarding weights and measures etc

"In aspects of those functions where variety, regional or cultural diversity is desirable, power should be allocated to the regions (eg certain aspects of education, language policy and culture)" Functions relating to territorially fixed matters (eg town and regional planning) should be allocated largely to regional authorities

Land bar on
councillors
is proposed

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13/10/93 16/3/93
ADRIAN HADLAND

PRETORIA — Town councillors should be barred from either selling or buying rezoned land for five years to prevent local authority corruption, the Krugel commission heard yesterday

Former deputy director of the local government department Peter Auret told the commission that several amendments to the town planning and townships ordinance were required

This would "make it more difficult for councillors and officials to abuse their positions and enrich themselves unjustly", he said

The amendments would include a five-year clause concerning land subject to a rezoning or township establishment application as well as the referral to township boards of property deals in which councillors had a financial interest

Evidence on the question of local authority corruption will be heard today for the last time before a preliminary working document is drawn up, commission chairman Willem Krugel said

Once the document had been discussed, a formal report would be forwarded to the Administrator within the next few months

Also giving evidence yesterday was a representative from the Association of Law Societies

In the association's memorandum it was stated that councillors, officials and their relatives should not engage in contracts or applications in which they had a financial interest

Krugel said although all who gave evidence before the commission agreed on the need to prevent corruption, the means for achieving this were controversial and emotive

Possible legislation to prohibit councillors from being involved in land use applications or property development could be seen as discriminatory

Star 1d3/93 (264) (262)

Call to resolve debate on regions

By Patrick Laurence

Resolution of the debate over regions is essential to achievement of a national accord, according to experts assembled by the Consultative Business Movement (CBM)

The team, whose report was released yesterday, notes that there is virtual unanimity among key political players on the need for regions and regional government

There are, however, different approaches on how and when boundaries should be drawn, by whom and on what criteria, as well as on the division of power between central and regional government

The team, which was

led by businessman Clive Menell and which held discussions with the main political organisations, sought to identify criteria for the demarcation of regional boundaries and powers, rather than prescribe what the answers should be

It did, however, take a stand on one issue: it came out in favour of a second legislative chamber — where regional interests would be represented — in the debate over whether South Africa's future constitution should have one or two chambers

The report gives several reasons for its preference for a second chamber: it would involve regions in the leg-

islative process by giving them a role in forming national policy, and it would provide a check on the power of the lower Houses and thus ensure that laws had increased legitimacy and broader acceptability

The report suggests that these criteria should be used to demarcate boundaries: economic viability, geographic coherence (they should not be too big or too small), administrative capacity, socio-cultural elements (ethnicity should not be overstressed but cannot be ignored), and historical boundaries

The report advises in favour of between seven and 10 regions in a new South Africa.

Talks to focus on local govt

27/10/93
Municipal Reporter

THE first meeting of the National Negotiating Forum (NNF) on the future of local government is due to be held before the end of this month, SA National Civics Organisation (Sanco) spokesman Mr John Neels said.

He said yesterday Sanco did not yet have a detailed blueprint of exactly how it wanted cities to be run, but it did tend to agree with an ANC document on the topic (262)

Large handouts for white farms

TIM COHEN

CAPE TOWN — Just under 40% of the Agricultural Development Department's 1991/92 expenditure was spent on subsidies, according to a report tabled in Parliament yesterday

The department, which is concerned with "white" agriculture, published its report on the 1991/92 financial year.

Agricultural financing was the largest expenditure item of the department's R771,7m allocation, accounting for 40,3% of spending.

Almost all of the agricultural financing was devoted to subsidies.

Financial assistance consisted mainly of loans and subsidies made available to farmers from the agricultural credit account

Aid for debt consolidation came to R98,7m, crop production loans were R157,1m Land bought was R10m.

Subsidies paid came to R305,3m of which interest subsidies on carryover debt and new production credit accounted for R112,6m Drought aid to stock farmers was R50,3m and farm labourer housing R16,5m

ANC branches to thrash out regionalism policy

BILLY PADDOCK

THE ANC will hold a national conference at the weekend to finalise its position on regionalism and it is understood that the Consultative Business Movement's (CBM) report on the issue will be discussed

All 14 ANC regions will meet in Johannesburg on Friday and Saturday to discuss amendments to a draft policy on regionalism, which ANC negotiators say has contributed positively in talks with government

They claim positions in the draft document contributed to a deal on a government of national unity

The draft did not specify the number of regions that should be demarcated But the ANC has at other times proposed 10-region and 16-region demarcations Experts gathered by the CBM favoured the smaller number of regions

An ANC source yesterday said the draft policy was not expected to be altered substantially, although there would be considerable debate on the number of regions

Another issue that will draw heated debate is the status of regions in a new SA It is understood that some branches within the ANC would favour greater autonomy than others

All the branches appear to favour a strong central government that would devolve powers to regions but retain ultimate control over them

The source said the final proposal on regionalism would be presented to the proposed commission on delimitation, and then to the elected constitution-making body

Our political staff reports from Cape Town that the ANC yesterday called on government to unilaterally end the "independence" of Transkei, Bophuthatswana, Venda and Ciskei The ANC warned that there could be no resolution of the SA conflict unless and until the TBVC homelands were reincorporated and citizenship restored unconditionally to their inhabitants

It said there was no possibility of holding national elections without the participation of the millions of people in the TBVC homelands

The ANC said it was disturbed in the light of this to learn government was "touting for the concept that Bophuthatswana should be treated as a special case and not be subject to agreements on reincorporation"

Bill modernises rights around movable goods

CAPE TOWN — A Bill was tabled in Parliament yesterday aimed at modernising the rights of notarial bondholders of movable goods

The Security by Means of Movable Property Bill also strengthens the rights of the grantors of credit compared to those of landlords where a lessee is in default

The Bill notes that although pledge offers an excellent form of security, it no longer satisfies the needs of the modern commercial world, primarily because the pledgor loses the use

and enjoyment of the goods

The Bill acts on a finding of the SA Law Commission which recommends changes that will mean goods will be deemed to have been pledged to the bondholder as if they have been delivered to him in pledge

The Bill effectively extends to the whole country the situation that exists in only Natal

Currently a notarial bond regis-

tered in Natal with regard to specified movable property has the effect of a real right, because legislation provides that the property is deemed to have been given in pledge even though delivery has not taken place

A landlord currently has a tacit hypothec (a charge in property in favour of a creditor) over the lessee's property if the lessee is in arrears with rent

The legislation proposes removal of this right in respect of most goods sold in terms of credit agreements

Wider finance range for locals

LOCAL authorities would be offered a wider range of financing instruments when the Local Authorities Loan Fund Act was amended, Keys said in his Budget Review *B10M 183/93 (262)*.

He said local authorities were increasingly experiencing problems in obtaining long term loans on the capital market and even some larger cities and towns were resorting to the fund for long term project financing at market related rates

ARG 18/3/93 (262)

Wider powers for provincial bodies as own affairs goes

CLIVE SAWYER, Municipal Reporter

PROVINCIAL administrations will get wider powers with the scrapping of own affairs local government departments next month, Minister of Local Government Dr Tertius Delport said today

He told the United Municipal Executive congress the decision to drop own affairs departments heralded a new era

Administrative rationalisation of government was vital

In phasing out own affairs, not all functions now handled by racially based departments would be taken over by central government.

"There will be maximum devolution to provincial authorities, in line with the belief of most political role players that local government should be a regional and not a central matter," he said

Dr Delport said he had asked his department to compile reform plans to be tabled for discussion

This would include the disappearance of management and local area committees and their replacement by single councils for each area of jurisdiction

There would be proposals for the consolidation of legislation and the merger of different authorities

Government would advise local authorities on preparatory steps for elections scheduled for next year, he said

Dr Delport said the Local Government Negotiating Forum, to be launched on Monday, was a non-statutory body and could not interfere with the national negotiating process

No one could pretend the forum was representative, he said

Big challenges facing the forum, which is to be made up of establishment and non-establishment groups, were rent and service boycotts and arrears, and the future of legislation such as the Interim Measures for Local Government Act

The forum would have a limited role in removing obstacles to negotiations, he said

Dr Delport told the UME, an umbrella body of provincial municipal associations, that the continuation of race-based bodies in organised local government would be divisive.

Mayor of Cape Town Frank van der Velde said his council was trying to promote and establish direct dialogue with all metropolitan stakeholders.

There could be negotiations on local government level only when a national framework was established.

"What is needed is accountable, democratic, non-racist, non-sexist local government which could provide an acceptable standard of services to all residents, and the pooling of income so that poor areas benefit from wealth generated in the city as a whole," Mr Van der Velde said

**Amendment to
Loan Fund Act**

ET 18/3/93
LOCAL authorities
would be offered a wider
range of financing
instruments when the
Local Authorities Loan
Fund Act was amended,
Finance Minister Mr
Derek Keys said in his
Budget review

He said local authori-
ties were experiencing
problems in obtaining
long-term loans on the
capital market. (267)

Wealth redistribution scheme for councils

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APR 19/3/93

CLIVE SAWYER
Municipal Reporter

COUNCILS are to be asked to set aside 10 percent of their operating budgets for use in neighbouring areas as part of a plan to redistribute wealth

Until now, city and town councils have had the main benefit from rates income from industrial and commercial areas

Minister of Local Government Dr Tertius Delport said that apportioning income from non-residential areas had caused difficulties in local negotiations

A working group of the Council for the Co-ordination of Local Government Affairs had produced a report which could be used as a manual by all local authorities

Dr Delport said that dealing out "non-residential" income meant fair distribution of income for all residents of an economically bound area

So far, this income had benefited only some of these residents because of racially based local government

Circulars on details of the plan are being distributed by all four provincial administrations

The circular to be sent out by the CPA directorate of local government finance says local authorities should set aside 10 percent of their income for redistribution

The figure was suggested because the time involved in calculating revenue and deciding on a formula was likely to be too long to be in time for the new local government financial year beginning on July 1

The CPA formula defines non-residential properties as

industrial and commercial properties, but excludes schools and institutions which do not render significant income

Income from these is calculated according to the net income from commercial and trading services — electricity, water, refuse and sewerage — and property rates. However, the costs of maintaining service infrastructures, cleansing and overheads such as adminis-

trative costs are to be deducted from property rates

This figure is regarded as the total available for distribution

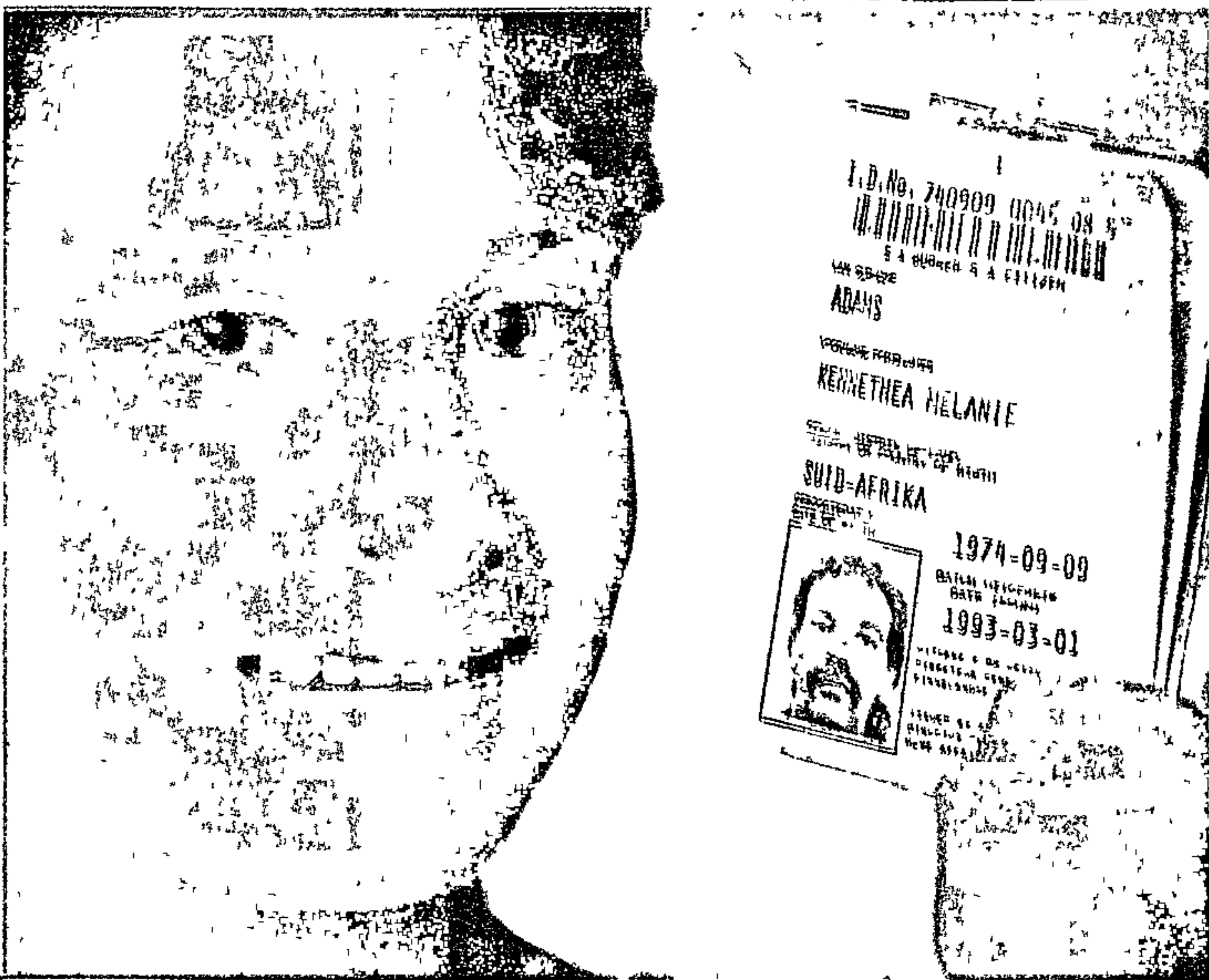
The formula for distribution should be based on the contribution of various sectors of the population to the economy, but provincial sources conceded there would be difficulty in doing this because statistics were not available

It was most likely the num-

ber of serviced sites in a community would be used as the basis for its claim on spending

Just how money would be spent would be subject to negotiation. Money would be spent either on development or on writing off deficits, sources said

If joint administrations were formed, decisions on spending money would take place according to normal council procedures



Picture BRENTON GEACH, The Argus

CHANGE OF FACE: Kennetha Adams as she really is... and how the Department of Home Affairs sees her.

She couldn't believe her moustache!

UME hopes to end constitution impasse

Municipal Reporter

262 of 19/3/90
THE United Municipal Executive congress hopes to break a deadlock today over changing its constitution

Debate stalled yesterday when no agreement could be reached on a proposal to change membership qualifications.

The body, meant to be the voice of organised local government, faced a dilemma because there were two Transvaal municipal associations.

The Transvaal Local Government Association broke away from the Conservative Party-dominated Transvaal Municipal Association last year

At yesterday's meeting at the Civic Centre, the two delegations sat metres apart, surrounded by representatives of the Cape, Free State and Natal municipal associations.

UME president Mr Henry Symington could not get members to agree on whether the constitution should provide for the president being elected on merit, or whether — as in the past — the presidency should rotate among the provinces.

Cape delegate Mr Louwtjie Rothman proposed debate be adjourned until August.

Other provinces wanted to decide during the congress, but the Cape's power of veto caused a deadlock.

Mr Symington postponed debate until today.

3bn debt clouds future of local govt

By PETER DENNEHY

RDENING joint white and
ck authorities, most of
ch have yet to be formed,
h the R1,3 billion debt that
ck local authorities in the
nsyaal alone have built up
ll destroy the financing of
al government"

Mr Ian Davidson of Johannes-
burg during a debate on what
steps the United Municipal
Executive (UME) should take
in regard to accumulated ar-
rears when it negotiates the
future of local government
next week

"We have got to be realistic
about our financial ability,"
he said "Making white muni-
cipalities pay these debts will
pull the plug on local authori-
ties These monies are not gc-
ing to be collected "

Mr Davidson said the pros-
pect of joint administrations
was looming close now, and
he feared if debts were still
on a black local authority's
books when it linked up with
a neighbouring body, the debt
would automatically spread

"There is no way that rate-
payers of the central Wit-
watersrand are going to
stomach debts of that order
(R1,3bn)," he said "Before we
take the step into joint admin-
istrations, we must make sure
we inherit a clean slate "

UME president Mr Henry
Symington said the UME's
standpoint, in principle, was
that all services must be paid
for The question of arrears
would have to be addressed

Several delegates ex-
pressed the view that either
the state, the provincial ad-
ministrations or the regional
services councils should pick
up the tab for the arrears

Petrol hike aimed at wiping out taxis

Staff Reporter

government's 15c/l petrol in-
se was designed to wipe out the
industry, and could result in more
lration and violence

is was said by Convention for a
ocratic Taxi Association (Codeta)
ident Mr Kidwell Magwayi at a
sport forum convened by the
ern Cape Peace Committee at the
nsula Technikon yesterday

e petrol hike would force taxi
rs to increase their fares, forcing
nuters to make use of buses and
is, said Mr Magwayi

e are competing with transport
stries who get millions of rands in
ubsidies whilst we are not being
idised," he said

Local govt reform deal 'imperative'

CT 19/3/93

THE municipal elections slated to take place next
year could not be held under the existing racially-
based system, the Minister of Local Government, Dr
Tertius Delport, said yesterday

He told the official opening of the Congress of
United Municipalities in Cape Town yesterday that it
was imperative for interested parties to finalise a
package of reform measures on local government
that could be tabled at the national negotiating pro-
cess

"A salient feature of such a process will obviously
be the disappearance of Management Committees
and Local Affairs Committees as separate entities
and the creation of one single council for the whole
of the jurisdictional area of a municipality," he said.

Dr Delport predicted that the launching of the
local government negotiating forum in Johannes-
burg on Monday would be a milestone in the area of
local government in South Africa

Back belts 'premature'

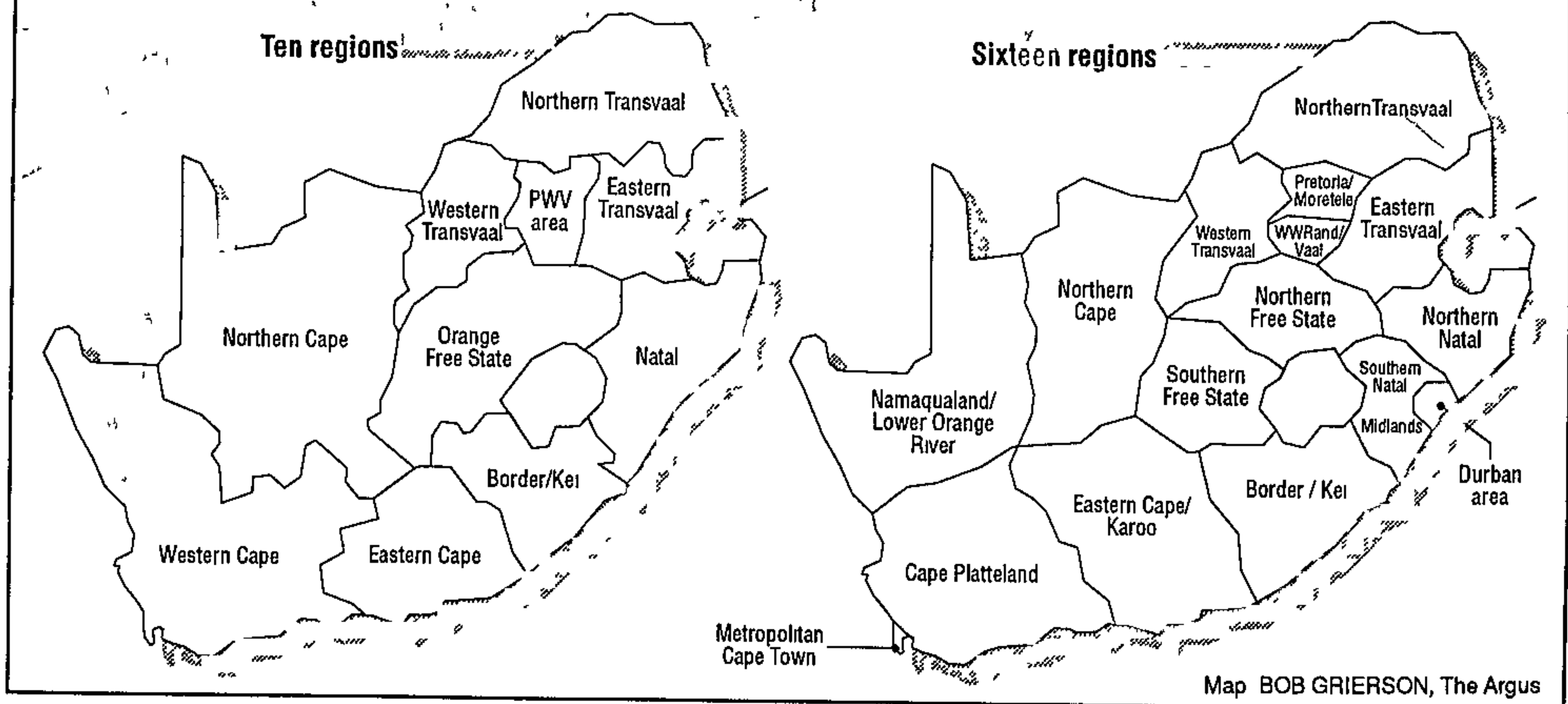
CT 19/3/93

IT is premature to intro-
duce legislation to com-
pel passengers in the
back seats of cars to
wear seat belts, the De-
partment of Transport
has told the United Mun-
icipal Executive (UME)

The UME executive
had asked the depart-
ment last year to make it
compulsory for people
in the back of cars fitted
with back-seat safety
belts, to wear the belts

The department said,
in a report-back before
the UME congress yes-
terday, that much more
publicity was still re-
quired before such legis-
lation could be intro-
duced It was not able to
say when the time would
be right for it

The new regions of SA - two ANC proposals



The ins and outs of federalism, regionalism

ARG 20/3/93
262

THE average South African might be forgiven for being confused about the meaning and interpretation of regionalism and federalism, especially since these concepts seem to have surfaced from nowhere in the last year or so to dominate political debate

This confusion must be all the greater since the deadlocked Codesa 2 convention. Before the convention, it was widely, if uncritically, argued that the National Party and the African National Congress were moving closer to each other on regionalism, even if they disagreed on federalism

Now, in the wake of Codesa 2, the media bombard their audiences with analysis, pointing out the major differences between regionalism and federalism and how the major political parties and movements stand on these issues

In its most simple form, their positions could be captured in the following way. The Democratic Party is probably the only unqualified, and long-standing advocate of, federalism, the National Party is a little more coy, arguing for "regionalism based on sound federal principles". The IFP seems to be approaching the stage where it will be defending federalism (perhaps even confederalism) for KwaZulu while the ANC accepts the existence of regions, but it is still not certain how much political power should be vested in regional authorities

The differences between regionalism and federalism are important in their own right. Yet, the debate takes on an added significance at this stage of the negotiations process since fundamental constitutional questions about the distribution of political power between contending tiers of government are involved.

Thus, a choice, either way, between regionalism or federalism will have long-term consequences for the way South Africa is to be governed.

■ The federalism/regionalism debate has become something of a political football. **RICHARD HUMPHRIES** argues that the discussion is too simplistic and calls for a closer look at the implications of these options.

Put another way, the differences between the ANC and the NP cannot be equated, at this stage, with the policy differences between, say the Tories and Labour in the United Kingdom

There, both parties accept the constitutional parameters within which politics take place, what is at issue are policy differences and emphasis within an accepted overarching constitutional order

Here, we still have to decide on the shape of our constitution. This explains why President De Klerk, at the opening of the recent short session of parliament, reiterated the NP's determination to bind a future constitutional drafting body to principles which would guarantee regional authorities substantial political power

The ANC rejects this because it, in *EFFECT*, gives the present minority-based government and the interests it represents undue power over a constitution-drafting body elected by all South Africans

In a sense, the NP refuses to countenance suggestions that one way out of the regionalism/federalism deadlock would be to let the issue play itself out through process politics over a defined period. If a majority of voters came to accept that regional powers were important to their daily existence then this ought to be sufficient to ensure that authorities would be instituted

For the NP, the problem is that the regional pressures which it thinks exist might be contained by other dynamics

during such a period. The ANC, also, might be uncomfortable about such a suggestion, given its historic opposition to homeland balkanisation

It might be argued that both regionalism and federalism share a common point of departure — that power should be vested in the regions — which makes the differences between them rather irrelevant

This is not so. At its weakest, regionalism refers only to the granting of either executive or political capacity to the regions, as an intermediate tier of government between central and local government. Regionalism could be categorised as a decentralised unitary state. It does not necessarily imply that these powers and functions will create powerful regional authorities which undercut the capacity of the central government

Federalism, at its most basic, however, ensures that the regions (normally called states) have substantial political capacity. This power cannot be taken away by the federal (central) government without recourse to procedures laid down in the constitution which are designed to protect the powers of the regions. In a nutshell, the difference between regionalism and federalism amounts to the extent to which the powers of the central state are mitigated by powers granted to the states or regions on specific issues

The chief advantage of regionalism or a decentralised state is that it would allow a new government to undertake the type of macro planning in social, physical or economic fields which are sorely needed

Federalism's chief advantage must be its dispersal of power away from the central state to smaller units. In the South African context, this could translate into allowing regional minorities the ability to decide on important matters what might be seen as the dominance granted to a majority in a unitary state

Local law concept has cash catch

CLIVE SAWYER
Municipal Reporter

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ARG 20/3/93
COUNCILS will agree to take over running local police forces if the government provides funds

The United Municipal Executive yesterday debated a proposal by Law and Order Minister Mr Hernus Kriel to restructure the force along regional lines, with a national police force tackling national security and serious crimes, and regional and municipal forces handling "less serious" offences

Cape Town city councillor Mr Dick

Friedlander said the concept should be welcomed, because local authorities had been asking for an extension of police powers to their law enforcement officers for years

Randburg councillor Mr F C Lourens said his council had paid for 60 policemen to patrol the town "24 hours a day"

But, reservists could not be called out because there was no money to equip them, he said

Delegates from smaller councils objected, saying they lacked funds to pay for their own police forces

East London councillor Mr T Badenhorst said delegation of powers meant delegation of the responsibility to pay

"In East London, we have 32 municipal police and there are 400 SA police. If this plan goes ahead, we will have to employ 400 more people," he said

Durban city councillor Mr Derek Watterson said his city had had its own municipal police for more than 100 years and the system had worked well

■ More reports, page 6.

Councillor gets top job after constitutional row

Municipal Reporter

(262)

ARG 20/3/93
Johannesburg and Pretoria
are among the members of the
TLGA, which was given mem-
bership in terms of the new
constitution.

THE new president of the United Municipal Executive is Stellenbosch councillor Dr Danie Schumann. His election followed vigorous debate over changing the constitution of the body, meant to be the mouthpiece of provincial municipal associations.

This year the UME faced a dilemma at its 62nd annual congress over being faced with two Transvaal delegations — one the conservative Transvaal Municipal Association, the other the more enlightened Transvaal Local Government Association.

Deadlock over passing the constitution was broken after the Cape backed down on demands the president be elected on merit, and that the vice-president be promoted to the presidency as a matter of course.

However, Cape delegate Mr Louwtjie Rothman warned the Cape would table an amendment to the clause about the presidency at the UME meeting in August.

Rightwingers oppose joint administration

Municipal Reporter

262 ~~37E~~
ARG 20/3/93

STRONG dissent has been expressed by the rightwing Transvaal Municipal Association against the decision by the United Municipal Executive to approve the concept of joint administrations for cities and towns divided by apartheid

The TMA had asked the UME to reject the "unitary concept" of joint administrations, which it said did not take account of ethnic, political and cultural differences

"The government will not give financial guarantees White local government and the TMA cannot be asked to commit suicide

"If prejudicial legislation is promulgated, we shall even have to consider secession," the association said in a report.

The conservative association, from which the more progressive Transvaal municipalities split last year, said vested interests and investments of established local government should remain untouched

Cape delegate Dr Dame Schumann said the UME already had accepted the ideal of nonracial local government, and the "one city, one tax-base" principle

Natal delegates said joint authorities should not be imposed, but should be a "local option"

Johannesburg city councillor and member of the Transvaal Local Government Association, Mr Ian Davidson, said economic reality meant apartheid towns had to be merged

Bethal councillor Mr J P le Roux said provincial administrations had threatened councils they would not get loans unless they agreed to joint administrations.

Consultants had warned that black consumers would not pay for services, he claimed

UME president Mr Henry Symington said the government would be told the body supported the principle of joint administrations, but the TMA had "strong feelings" about the matter

The main contending political groupings apparently agree on the necessity of a number of constituent regions in the New South Africa. But which criteria will determine the final number, size and borders of those regions? asks **RICHARD HUMPHRIES** of the centre for Policy Studies, HSRC.

^{(262) 20/3/93}
THE concept of regions or regionalism presents far more difficulties and complexities than is indicated by the widespread agreement among political parties that "regions" do exist and ought to be vested with some degree of political power.

Part of this complexity is illustrated by the almost bewildering array of proposals for new regions — proposals seem to range from a minimum of six to a maximum of about thirty regions

Yet if one examines the criteria which underlie many of these proposals one finds very similar variables presented as the basis on which the regions were drawn

For example, judging by statements of spokesmen of the major contending political groupings, there is near consensus on how the regions should be demarcated

President F W de Klerk says historical boundaries, constitutional, demographic and cultural (that is language) "realities" and criteria which ensure economic and development viability could be used in defining regions

Thozamile Botha, a senior ANC spokesman on regional government, says that historical evolution, functionality, language and economic viability should be the criteria

Although the ANC and the NP initially agreed that the nine development regions should form the basis of the new regions, the two parties seem to be moving further away from one another in terms of the numbers of regions that should be created

The centre of gravity within the NP and government now seems to favour fewer regions than the nine development regions. Although it is not the only indicator of this position, the Department of Constitutional Development presented proposals for seven regions at the recent state-sponsored federalism conference in Pretoria

Within the ANC there is a strong current of opinion which favours much smaller regions than those proposed by the NP

Senior spokesmen have recently suggested 14 as a possible number

Part of the difficulties posed by regions stem partially from differing assumptions which are made about the nature and boundaries of regions themselves

Are regions essentially physical or economic entities whose boundaries can be scientifically determined on the basis of various related criteria? Or are they sha-

Regionalism trickier than it looks

(262) 30/3/93
 ARG 20/3/93

ped/determined by the political and cultural views and preferences of the persons who happen to live in them?

Or do spatial entities only make sense when situated within an over-arching or wider constitutional/political or economic system? Alternatively, if it is a combination of the above, how much weight is then to be attached to differing variables, such as language, history or economic functionality, to name only three variables?

If one takes a specific example, that of the contending proposals for a boundary between what is now southern Natal and northern Transkei, the way different actors use the same criteria to formulate different proposals is well illustrated

This dividing line is a point of dispute between the ANC, NP and IFP

The regional development boundary, between regions D and E, presently runs just north of Umtata. The ANC, in suggesting that a tenth region be created, effectively from a combined Transkei, Border and Ciskei region, has suggested that the existing northern boundary of Transkei be expanded to include the East Griqualand region

This region was part of the Cape Province until the 1970s when it was transferred to Natal

The Department of Constitutional Development, in turn, suggests the existing Transkei and Natal boundary be maintained, thus keeping East Griqualand in Natal/Kwazulu

The IFP has not yet published specific proposals for a division but the chief minister of Kwazulu has on occasion suggested

that Kwazulu (or the Zulu kingdom) has historical claims to parts of northern Transkei. Clearly different aspects of "history" are being appealed to in this context by these three actors

But what is economic functionality seen as an important variable? Northern Transkei surely enjoys greater economic linkages, in terms of employment and access to markets, with southern Natal and Durban than it does with the southern Transkei or Border region. In turn the commercial farming community of East Griqualand enjoys even greater linkages with Natal

If language is seen as a primary variable, then clearly the existing Transkei border is more appropriate for a division between Xhosa and Zulu speakers

Thus what constitutes a balance between history, language and economic functionality in this case?

Language brings other problems if it is to be used in establishing regional boundaries. Many of the proponents of using language as a variable do so on the basis that it defines ethnicity and group identity

From this follows the rather questionable assumption or belief that language does, or should, determine political values and hence support for a specific political party

Two examples in present-day South Africa illustrate the problems of this position

In Natal/Kwazulu, the ANC has succeeded in extending its strength at the expense of the IFP during the last decade, similarly

divisions among Afrikaners, which have emerged in the last decade too, undercut the viability of some of the proposals for a specific area of South Africa to be set aside as an Afrikaner homeland

The lessons of this are that the connections between language and political preferences are not cast in stone, but are responses to changing political dynamics

At another level what utility does language have in this respect in areas where a variety of languages are spoken?

The Eastern and Northern Transvaal are examples of this, as is the PWV region and perhaps even some of the other metropolitan areas

If language is to be used as a variable, some of these difficulties might be removed if language boundaries emerged out of process politics rather than from exercises in political engineering

Finally, decisions about the size of regions are also dependent on broader political or constitutional questions

If regions are to be vested with extensive political power it would seem more logical that they be larger rather than smaller regions

Yet this need not necessarily follow if taxation rights were centralised and an elaborate system of inter-governmental financial transfers was put in place to fund smaller regions with limited economic viability

A potential benefit of small regions might be that they would facilitate higher levels of community participation in their executive structures than large regions

Federalism an escape from reality — Van Eck

ARG 20/3/93

A voice from the African National Congress claims that "reactionary forces" are behind the current enthusiasm for federalism or regionalism. This report by FRANS ESTERHUYSE, Weekend Argus Political Correspondent...

262

PROponents of a federal system of government have been hit by a cold blast of disapproval from inside the African National Congress.

Mr Jan van Eck, ANC MP for Claremont, says concepts of regionalism and federalism are being used by a South African minority to escape from "the reality of a future ANC government".

His argument is that "reactionary forces" are trying to convince South Africans that a safe future lies in again dividing the country and its people into powerful separate regions, federal or even confederal states.

This is being done at a time when "South Africa and all its people need to be united into one South African nation".

Speaking at an ANC public meeting at Great Brak River this week, Mr Van Eck said it should be clear to anybody that the country and its people needed to be unified to overcome the deep divisions created over more than 40 years by "the divide-and-rule architects of apartheid".

"Over all those years, our people were torn apart into white, coloured, African and Indian group areas while Xhosas, Zulus, Sothas, Vendas, Tswanas and others were dragged into separate ethnic homelands. All this was an attempt to divide those South Africans who were not white and so ensure white minority rule."

Mr Van Eck suggested that a look at those most strongly agitating for dividing the country into independent regions was enough to indicate their enthusiasm had nothing to do with a true belief in regionalism and federalism.

The enthusiasts included the National Party, the Freedom Party, the Bo-phuthatswana, the Conservative Party, the Afrikaner-Volksunie (AVU) and "a legion of other conservative white and black political groupings". (In a written extract from his speech, Mr Van Eck did not mention the former political home, the Democratic Party, which also favoured a federal system).

Their enthusiasm was "a desperate attempt to ensure some kind of hold on power by the minority who have been in power for so long that they cannot accept that in the new South Africa they will be out of power".

"In view of our past experience, surely it should be clear by now that we cannot yet again adopt constitutional models that have nothing to do with the individual merits of these models, but are based on and motivated by nothing other than fear of the reality of South Africa."

Name of School	Ss A		Ss B		Sid 1		Sid 2		Sid 3		Sid 4		Sid 5	
	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)	(a)	(b)
Mqhayi	—	—	—	—	—	—	—	—	235	192	200	155	190	160
Mtonjeni	—	—	—	—	—	—	—	—	340	321	319	307	290	278
Nokhwezi	262	163	230	161	133	109	190	154	149	80	136	122	86	60
Nosipho	362	318	222	191	213	178	215	190	119	109	67	62	—	—
Ntlemaza	161	139	159	138	101	97	121	116	—	—	—	—	—	—
Phakamle	112	112	126	126	178	180	180	180	122	122	128	128	155	155
Phindubuye	227	158	92	92	141	141	183	183	134	104	181	128	91	90
R H Godlo	—	—	—	—	—	—	—	—	258	245	299	280	268	264
Stephen Nkomo	—	—	—	—	—	—	—	—	179	159	211	203	236	202
Vuba	193	164	177	145	144	137	128	107	—	—	—	—	—	—
Nomathamsanga	73	46	78	45	91	80	61	58	58	44	59	50	69	51
James Gndulula	155	142	156	140	192	172	132	112	—	—	—	—	—	—
Dr Osmond*	1	1	2	2	2	2	—	—	2	2	—	—	—	—
Total	2 876	2 332	2 299	1 960	2 089	1 919	2 123	1 968	1 866	1 582	1 816	1 604	1 605	1 460

De Meyer Commission: cost/completion of task

190 Mr M J ELLIS asked the Minister of Regional and Land Affairs

- (1) (a) What is the total cost that has been incurred to date by the Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement in Lebowa (De Meyer Commission) and (b) for what date is this information furnished,
- (2) whether this Commission has completed its task, if not, (a) why not, (b) when is it expected to do so and (c) what estimated additional cost will have been incurred by this Commission by the time it has completed its task, if so, what are the relevant details? B422E

The MINISTER OF REGIONAL AND LAND AFFAIRS

- (1) (a) and (b) The total cost that has been incurred by the Commission of Inquiry into the Appropriation of the Lebowa Revenue Fund and Alleged Mismanagement in Lebowa (De Meyer Commission) is
- 1 April 1990-31 March 1991 R56 924
 1 April 1991-31 March 1992 R193 103
 1 April 1992-2 March 1993 R126 141
 Total R376 168

- (2) No
- (a) The activities in the Office of the Receiver of Revenue in Lebowa still has to be investigated

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Black local authorities' housing rentals/service charges

71 Mr P G SOAL asked the Minister of Local Government

What total amount was owing to Black local authorities in respect of (a) housing rentals and (b) service charges in each (i) province and (ii) municipal area as at 31 December 1992? B152E

The MINISTER OF LOCAL GOVERNMENT

It is not possible to analyse arrear accounts in terms of housing rentals and service charges separately since local authorities in most instances supply consolidated accounts to residents and no analysis of payments is being made. The total amount of housing rentals and service charges which was due to black local authorities as at 31 December 1992, is however indicated below

(i) Transvaal	(ii) Transvaal
Orange Free State	R 1 287 957 760
Natal	R 10 650 641
Cape	R 166 716 725
Transvaal	R
Alexandra	18 461 139
Bekkersdal	6 082 316
Boipatong	16 707 830
Bophelong	10 322 585
Diepmeadow	146 281 877
Dobsonville	25 216 500
Evaton	22 986 611
Kagiso	29 215 634
Khutsong	5 910 090
Kokosi	1 797 280
Mohlakeng	6 291 924
Munsieville	1 959 756
Sebokeng	120 514 661
Sharpeville	46 034 481
Soweto	562 082 794
Wedela	729 151

(ii) Transvaal

Botleng	R 2 462 954
Daveyton	44 173 354
Duduza	12 830 137
Impumelelo	268 946
Katlehong	92 642 215
Nthorwane	159 088
Ratanda	6 648 954
Siyathemba	1 208 142
Tembisa	94 423 519
Tokoza	63 948 099
Itsakane	17 479 247
Vosloorus	58 376 774
Wattville	3 576 888
Atteridgeville	27 532 987
Mamelodi	69 355 838
Refilwe	444 197
Zithobeni	656 512
Agsanang	383 426
Boikutsi	1 041 865
Bortumelong	459 309
Boroelo	144 035
Ikageleng	76 824
Ikageng	4 880 826
Ipelegeng	1 627 256
Jouberton	9 438 083
Kanana	5 609 175
Kgakala	897 893
Khuma	6 069 097
Lebaleng	302 096
Letsoipa	582 110
Reagile	815 714
Tigane	992 583
Tlhabogang	108 337
Tsung	359 138
Tsweleng	782 336
Uitwanang	501 393
Embalenle	7 259 528
Emgwenya	415 072
Emjondini	1 046 273
Emhongenji	494 865
Emzinoni	2 362 448
Esizameleu	203 642
Ethandakukhanya	1 146 086
Ezamoqhule	321 084
Kwachibikhulu	15 030
Kwadela	410 812
Kwaguga	6 243 727
Kwanthandeka	65 818
Kwazamokhule	4 377 352
Kwazanele	2 091 703
Lebohlang	1 456 384
Mashushung	633 828
Mhluza	245 854

Hansard

The absence of a political forum where grievances could be discussed, resulted in a total country-wide boycott of rent and service charges during 1990, instigated by local civic associations

After negotiations, by the four provinces, the situation improved to the extent of a fifty percent payment by the end of 1990. This situation has however deteriorated since April 1992

Effective suppression of violence, the achievement of the political aspirations of all inhabitants and the rendering of effective services is seen by black communities as the solution to rent and service boycotts

The still to be formed local government negotiation forum will address, as a priority, various problems experienced on local level

The suspension of the boycotts of rent and service charges will inter alia be one of these problems

A culture of non-payment has however already established itself and it will take a major effort to vest the responsibility of payment of service charges on residents. After this, economic tariffs could be negotiated, and only then a shift could be made to the principle of one city, one tax base

SADF personnel, drug abusers/addicts

85 Mr L FUCHS asked the Minister of Defence

(1) Whether any Defence Force personnel and national servicemen were found to be drug abusers and drug addicts during the latest specified 12-month period for which information is available, if so, (a) what estimated number of persons was involved, (b) which drugs were most commonly used and (c) what were the sources of the drugs,

(2) (a) what steps are being taken to (i) treat and (ii) rehabilitate drug abusers and addicts in the Defence Force and (b) what results have been achieved,

(3) whether he will make a statement on the matter? B219E

The MINISTER OF DEFENCE

(1) Yes, for the period 1 January 1992 to 31 December 1992

HOUSE OF ASSEMBLY

Hansard

(a) 907, including alcohol abusers

(b) Alcohol and a combination of other substances among others dagga and Mandrax

(c) Alcohol and certain medicines are purchased legally from registered tradesmen and pharmacies. Where illegal trade is concerned the same sources exist as in the civilian sector, viz retail and wholesale drug-dealers who maintain a black market network. If illegal trading is suspected, the matter is referred to the SA Police for further investigation

(2) (a) (i) and (ii) A multi-professional team provides treatment in the SA Defence Force. Serious cases requiring long term treatment are referred to State Institutions

(b) 847 members were successfully treated in the SA Defence Force while 60 members were initially referred to institutions outside the SA Defence Force and are at present receiving internal after care

SADF: failure to report for duty

93 Lt-Gen R H D ROGERS asked the Minister of Defence

Whether, with reference to his reply to Question No 14 on 14 February 1992 he will now furnish particulars in regard to the number of persons who failed to report for (a) national service, (b) Citizen Force camps and (c) Commando duty, if not, why not, if so, how many failed to report for (i) national service in February 1992, August 1992 and February 1993, respectively, and (ii) (aa) Citizen Force camps and (bb) Commando duty in 1992? B228E

The MINISTER OF DEFENCE

The hon member is referred to my oral reply to Question No 27 on 17 March 1993

Natal Drakensberg controls r/o development

136 Mr R J LORIMER asked the Minister of Local Government

(1) Whether any authorities falling under the Natal Provincial Administration ap-

Hansard

ply controls in respect of development in the (a) Mont-aux-Sources, (b) Cathedral and (c) Cathlin areas of the Natal Drakensberg region, if not, why not, if so, (i) what is the (aa) nature and (bb) extent of these controls and (ii) what authority or authorities (aa) enforce these controls and (bb) grant permission for development,

(2) whether environmental impact assessments are required in each case before such permission for development is granted, if not, why not, if so, what are the relevant details? B308E

The MINISTER OF LOCAL GOVERNMENT

(1) (a), (b) and (c) Yes

(i) (aa) Nature

— Natal Town Planning Ordinance No 27 of 1949

— Natal Roads Ordinance No 10 of 1968

— Advertising of Roads and Ribbon Development Act No 21 of 1940

— Local Authorities Ordinance No 25 of 1974

(bb) Extent

Development, whether it be in urban or rural areas, or with or without subdivision is controlled through the provisions of the Natal Town Planning Ordinance within the objectives set out in Section 40 (1) being to secure "co-ordinated and harmonious development"

The Town Planning Ordinance also regulates the subdivision of land, the development for urban purposes of land without subdivision—and the use which is made of that land or of any buildings on it. Broadly speaking this is a private township and as such the establishment thereof requires the Administrator's approval in the form of need and desirability, development and/or private township applications

The other Acts and Ordinances referred to in 1 (a) (i) (aa) inclusive above, supplement these provisions and are normally included in the form of conditions of approval relating to for example, access, building lines and/or incorporation into a

Hansard

local authority area. The main headings are as follows—

Need and Desirability application (Section 11bis)

Such applications are to be submitted where more than 10 lots or units are proposed in rural areas and in urban areas where there is no town planning scheme control. Here the principle of urban development in the public interest has to be established. Consultation with a wide range of agencies including local communities provides a comprehensive base for assessing such applications in the public interest. Where objections are received or concerns expressed, the Town and Regional Planning Commission whose responsibility it is to formulate recommendations to the Administrator-in-Executive Committee, normally calls for a hearing and site inspection to enable the affected parties to present their case. Thereafter the documents together with a recommendation are submitted to the Executive Committee for a decision.

Development application (Section 11 (2))

This falls under the "development without subdivision" category of a small scale nature and again is for those rural areas or areas without town planning scheme control. As with Need and Desirability applications there is consultation and thereafter approval can be granted under delegated authority within the Community Services Branch of the Natal Provincial Administration.

Applications for private townships (Section 12 to 32 and Chapter 3)

Such applications are for subdivision and/or follow the favourable granting of a Need and Desirability application. Here the focus is on the provision of adequate access and infrastructural services, environmental management during and after construction, the provision of public uses, conditions ensuring security of title for purchases, the layout, design etc. Again there are extensive consultations and a hearing and site inspection is normally held where there are objections. Approval can be granted

HOUSE OF ASSEMBLY

Star 22/3/93

Forum to mould town councils

By Jo-Anne Collinge (262)

Months of planning bear fruit today with the launch of the Local Government Negotiating Forum (LGNF), in which government institutions and civic bodies will join in equal numbers to pave the way for nonracial town councils

The LGNF is seen as a means to bring coherence to the diverse — and often confusing — attempts to reintegrate towns and townships at administrative and governmental levels

The Government, the South African National Civic Organisation and the National Committee of Local Government Associations have been closely involved in bringing the forum

into being

The launch will take place in the council chamber of the Johannesburg Civic Centre

It is proposed that the LGNF will immediately tackle the following problems

- The abolition or amendment of controversial legislation on local government, notably the Interim Measures for Local Government Act, which used the non-representative apartheid councils as building blocks for new forms of local administration, and the Provincial and Local Government Affairs Act

- The need to end rent boycotts and achieve affordable services of an acceptable standard in the affected areas

- The development of models

for financing local government

- The setting of guidelines for local-level negotiations

- The establishment of mechanisms and frameworks for demarcating new boundaries for local authorities in preparation for the phase of interim government.

In contrast to national constitutional negotiations, where there is a proliferation of parties, the LGNF has been designed as a "two-sided table"

On the one side there will be 25 representatives of "statutory local government institutions", including town councils and relevant officials in central and provincial government, on the other, 25 representatives of "non-statutory bodies"

Forum formed to pave the way for non-racial councils

The Argus Correspondent

JOHANNESBURG — Months of planning bear fruit today with the launch of the Local Government Negotiating Forum (LGNF), in which government institutions and civic bodies will join in equal numbers to pave the way for non-racial town councils.

The LGNF is seen as a means to bring coherence to the diverse — and often confusing — attempts to reintegrate town and township at the administrative and governmental levels.

The government, the South African National Civic Organisation (Sanco) and the National Committee of Local Government Associations (NCOLGA) have been closely involved in bringing the forum into being. The launch will take place in the council chamber of the Johannesburg Civic Centre.

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- The establishment of mechanisms and frameworks for demarcating new boundaries for local authorities in preparation for the phase of interim government

In contrast to national constitutional negotiations, where there is a proliferation of parties, the LGNF has been designed as a “two-sided” table. On the one side, it is envisaged, there will be 25 representatives of “statutory local government institutions”, including town councils and relevant officials in central and provincial government, on the other, 25 representatives of “non-statutory bodies”

The forum will take decisions by consensus

Local govt forum to be launched today

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AFTER more than a year of negotiations between government and Sanco, the local government negotiating forum was to be formally launched today

Set up in 1992 to discuss services to townships and township tensions, the committee has grown into a forum that will investigate issues such as the democratisation and restructuring of local government, as well as rent and service boycotts

The forum will consist of 50 representatives from statutory and non-statutory organisations — 25 each. Membership may be extended through consensus

Each organisation will be permitted five advisers without speaking rights, but additional consultants will have to be approved by a management committee

In government's corner are bodies such as the self-governing territories, organised local authorities, central government departments, and provincial MEC's

Sanco will lead the civics and other non-

8/0 AM 22/3/93
GAVIN DU VENAGE

governmental organisations, such as Cosatu and the ANC

Invitations have also been sent to the Patriotic Front, which could lead to parties such as the PAC and Azapo having a voice in the forum, sources say

The chairmanship of the forum has yet to be confirmed, but it is likely to be on a rotating basis, they say

The forum has no statutory authority and all resolutions will be put before the local government subcommittee of the planned transitional executive authority

Today's meeting will concentrate on the technical aspects of the forum

Once the forum is up and running the Interim Measures of Local Government Act and the Provincial and Local Authorities Affairs Amendment Act are expected to be high on the agenda

Road to nonracial town councils

Sowetan 22/3/93

262

MONTHS of planning will bear fruit today when the Local Government Negotiating Forum is launched

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The LGNF is expected to tackle the following problems immediately

- The abolition or amendment of controversial legislation on local government, notably the Interim Measures for Local Government Act and the Provincial and Local Government Af-

■ Negotiating forum the first step towards reintegration of councils:

fairs Act,

- The need to end rent boycotts and achieve affordable services of an acceptable standard in the affected areas,

- The development of models for financing local government,

- The setting of guidelines for local level negotiations, and

- The establishment of mechanisms and frameworks for demarcating new boundaries for local authorities in preparation for the phase of interim government

In contrast to national constitutional negotiations where there is a proliferation of parties, the LGNF has been designed as a "two-sided" table

On the one side, it is envisaged, there will be 25 representatives of "statutory local government institutions", including town councils and

relevant officials in central and provincial government,

On the other, 25 representatives of "non-statutory bodies"

The forum will take decisions by consensus and such decisions will be binding on parties represented

To avoid clashes between the LGNF and Codesa, it is proposed that where they take decisions on the same matters and there is a difference of outcome, the constitutional negotiating body's view will prevail

The draft terms of reference of the LGNF also make the point that its "powers and functions could vary during the different phases of the transitional process", as the legislature and the government itself undergo change — *Sowetan Correspondent*

Local affairs forum

Star 23/3/93

off to a smooth start

By Jo-Anne Collinge

262

The Local Government Negotiating Forum (LGNF), designed to promote democracy and non-racialism at local level, lifted off smoothly in Johannesburg yesterday to unqualified noises of satisfaction from Government and civic movement delegates.

The urgency of the task of overhauling local government was the common note sounded by Minister of Local Government Tertius Delport and South African National Civic Organisation (Sanco) president Moses Mayekiso.

That Sanco and the Government differed basically on the mechanisms of change became clearer as the day progressed. But it was evident that the 60 delegates, drawn equally from statutory and non-statutory bodies, saw such

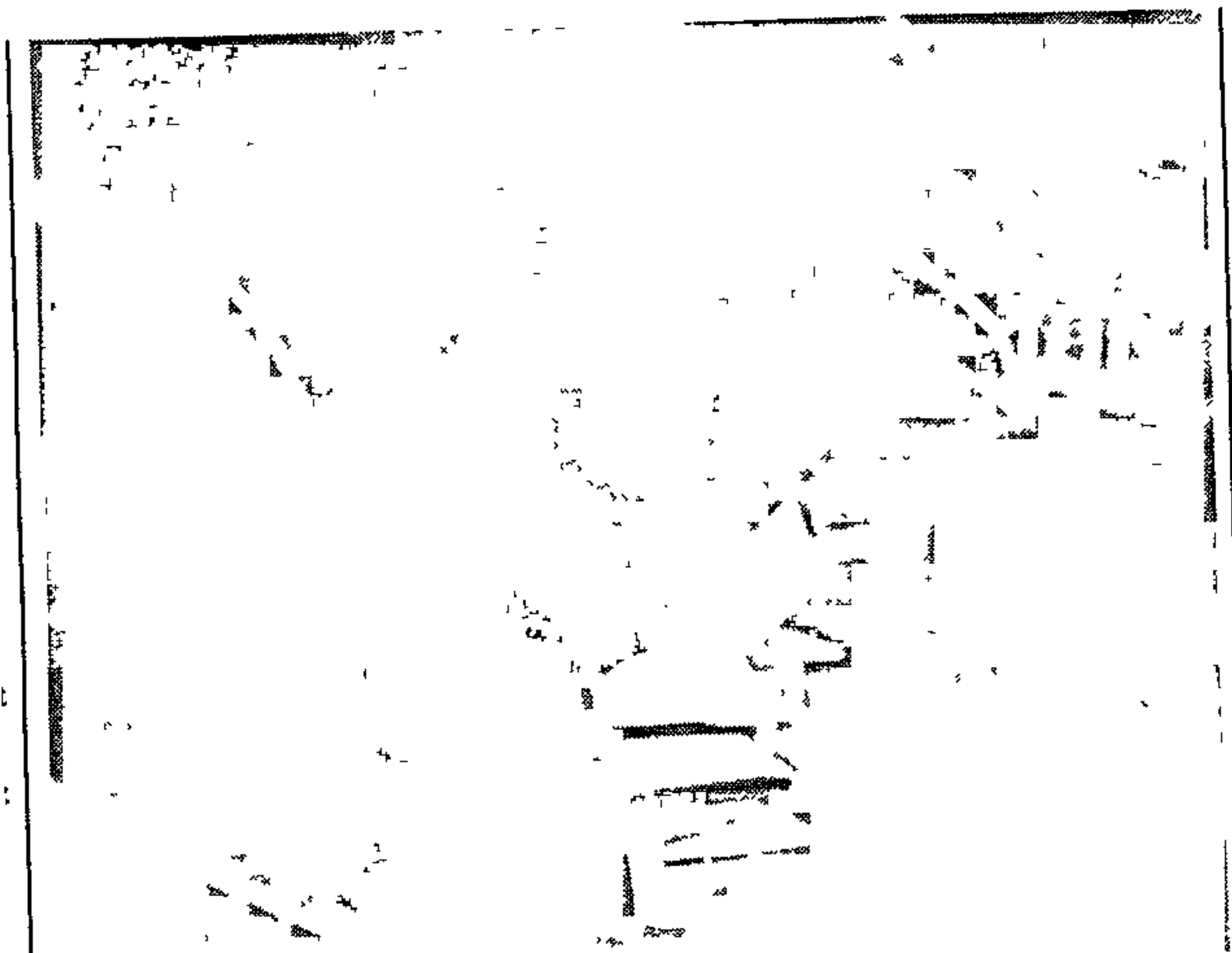
differences merely as food for further work.

Delport opposed the option of appointed transitional councils taking control in the short term, while Sanco executive member Thozamile Botha made it plain that his organisation viewed such structures as an inescapable first step.

"Appointed councils can have no legitimacy. We should rather move quickly and reach a point as soon as possible where elections could be held at local levels for newly established local government councils," Delport said.

He added that racial differentiation should be removed from the law.

Mayekiso said the imperative of eradicating "racial and unequal budgets" at local government level demanded a very rapid move to non-racial structures.



Delegate Laurence Boya in a buoyant mood at the launch of the local government negotiation forum in Johannesburg yesterday. Picture BRIAN HENDLER

New negotiation body gets off to smooth start

6/10 AM
23/3/93. GAVIN DU VENAGE (262) (262)

THE local government negotiation forum got off to a smooth start in Johannesburg yesterday, with all parties accepting the proposed structure after less than 15 minutes debate

The forum was set up to discuss local government issues, and take proposals on these matters to the national negotiation forum. It consists of statutory and non-statutory bodies.

Speaking for the statutory group, Local Government Minister Tertius Delport said the forum had to establish its legitimacy "by its actions, agreements and deeds".

Delport said the forum would have two main objectives: to put in place effective administrative structures, and to end service boycotts. "The money lost by non-payments, which now runs to R3bn, should rather find its way back to the community in the form of effective services and effective administration and in the form of improved living conditions," he said.

In the meantime government was taking steps to rationalise administration, he said. From April 1 local government would be administered by a single central government department with devolution of functions to the provincial administrations.

Sanco president Moses Mayekiso, speaking for the non-statutory bodies, said the civics were concerned about the extent to which unilateral restructuring had already taken place. He hoped all South Africans would now be part of the process of restructuring.

The forum should also provide measures to bring "conservative white local authorities, and certain homeland authorities" into the negotiation process, he said.

Mayekiso listed six key issues which he said the forum had to address to solve service delivery and payment problems. Among these were the legitimacy of structures to which payment was made, the quality of service provision and the ongoing maintenance of services.

ANC 'minimise'

THE ANC was committed to government which would inter regional government only when acted in contravention of the constitution, Bill of Rights and national legislation, local and regional government coordinator Billy Cobbett said.

However, the ANC still insisted that central government could overrule legislation in certain specific areas where it has concurrent powers in order to maintain the constitution.

At a media briefing yesterday, the organisation's weekend coordinator, Billy Cobbett, said the aim was to avoid regionalism, he said. The aim was to avoid interference in regional government by the central government was only if the constitution was contravened.

He emphasised the contravention must be a proven one and not just an allegation. It must be proved by the central government that the regional government's policies were in contravention of the constitution.

ANC spokesman Gill Marcus said that no agreement had been reached in negotiations on the form of a court or which particular body would be the guardian of the constitution. "We are looking at a constitutional court and there are other options, either a commission, legal body that would evaluate the agreed criteria and adjudicate on contraventions," she said.

ANC local and regional head Thozamile Botha said where functions and powers were exercised by the central government, the ANC would not object.

New forum for local government

(262)
CT 23/3/93

JOHANNESBURG — Statutory and non-statutory groups yesterday took a first step here to making local government democratic when they launched the Local Government Negotiating Forum (LGNF)

President of the South African National Civics Organisation Mr Moses Mayekiso and leader of the non-statutory groups said the restructuring of local government was no longer "the preserve of those currently in power in local government"

Local Government Minister Dr Tertius Delpport and leader of the statutory local government groups said the

LGNF was not the end of the road, but the beginning

Dr Delpport said the LGNF would exist side by side with multi-party negotiations at a national level. He believed constitutional reform of local government should lead to elections

The LGNF will comprise 60 members, equally divided between the statutory and non-statutory groups

Three working groups were established and a 12-member management committee, again equally divided, was set up. A timetable, starting with meetings next week, was adopted for the next four months — Sapa

Blacks owe R2-bn for service charges

Star 24/3/93

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Own Correspondent

CAPE TOWN — Black South Africans who refused to pay for rent and service charges now owed nearly R2 billion in arrears to the four provincial administrations, said Minister of Local Government Dr Tertius Delpoort yesterday.

And only when black people started paying for municipal services could the principle of one city, one tax base be introduced, he warned.

He was replying to a question raised in Parliament yesterday by Peter Soal, the Democratic Party MP for Johannesburg North.

Soal asked what amount of money was owed to black local authorities for house rentals and service charges on December 31 last year.

Black local authorities fall

under the four provincial administrations, and these figures exclude areas falling under the homelands.

Delpoort said it was not possible to analyse arrear accounts in terms of separate housing rentals and service charges, as most local authorities sent out consolidated bills.

However, the housing rentals and service charge arrears were: Transvaal R1 606 640 880, Cape R166 716 725, Orange Free State R128 795 760, and Natal R10 650 641.

Of the 18 townships in Natal that fell under the Natal Provincial Administration, the biggest arrears build-up was in Ningizimu — R5 620 730, followed by Sibongile with R1 074 823.

The arrears backlog in Soweto was R562 082 794, Diepmeadow R146 281 877, and Sebokeng R120 514 661.

Delpoort said the debt owed by residents to black local authori-

ties had increased substantially since 1984 because of rent and service charge boycotts supported by residents.

The absence of a political forum where grievances could be discussed had resulted in a total countrywide boycott of rent and service charges during 1990, instigated by local civic associations.

"Effective suppression of violence, the achievement of the political aspirations of all inhabitants, and the rendering of effective services is seen by black communities as the solution to rent and service boycotts," he said.

"A culture of non-payment has, however, already established itself, and it will take a major effort to vest the responsibility of payment of service charges on residents. After this, economic tariffs could be negotiated, and only then could a shift be made to the principle of one city, one tax base."

R2bn owed to black local govt
ALMOST R2bn was owed to black local authorities for rent and service charges, Local Government Minister Tertius Delport said in Parliament yesterday. R1,6bn was owed in the Transvaal, Free State R128m, Natal R10,6m and the Cape R166m. (262)

SA to have 10 regions, says ANC

262

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CT 22/3/93

JOHANNESBURG — The ANC committed itself to dividing South Africa into a maximum of 10 regions at a crucial conference over the weekend

ANC secretary-general Mr Cyril Ramaphosa said the policy was adopted unanimously and would be unveiled today

The regions are Western Cape, Eastern Cape, Border/Kei, Natal, Free State, Northern Cape, Western Transvaal, PWV, Eastern Transvaal and Northern Transvaal

But with some of the 200 delegates at the conference having called for only eight regions, the ANC said that some mergers may eventually take place if the residents in the areas agreed

ANC sources said the Border/Kei and Eastern Cape, and Northern Cape and Western Transvaal regions could eventually merge

A proposal that 16 regions be demarcated was rejected by the conference

Delegates said the borders, powers and functions of national, regional and local government would have to

be set out in the constitution, which they said would be decided by a future constituent assembly

They said the constitution would also have to provide a mechanism for financing regional and local government. But the national government would have to assign taxes and set limits via an advisory commission on fiscal decentralisation, which could be chaired by a judge

Borrow

The judge could be assisted by two appointees from the central government, while local and regional government could appoint one representative each

The ANC said that local and regional government would possibly be allowed to borrow money for capital expenditure subject to approval from the national government and the Reserve Bank

Delegates also decided that there would have to be some regional representation on the constituent assembly, preferably through elections in the four existing provinces — Sapa

Winnie's kidnapping appeal to start today

BIDAY 24/3/93

SUSAN RUSSELL

WINNIE Mandela's appeal against her conviction and six-year prison sentence for kidnapping teenager Stompie Seipei and three other young men begins today before a full bench of five judges in the Appellate Division in Bloemfontein.

Judge M Stegmann sentenced Mandela on May 14 1991 to five years for the kidnappings and a further one year's imprisonment for being an accessory to assault.

Mandela was acquitted of assaulting the four after the judge found that her alibi that she was in Brandfort when the assaults took place could "reasonably, possibly be true".

The state is to ask the Appeal Court to confirm her conviction and sentence on the kidnapping charges and to also find her guilty on the four counts of assault, with an appropriate adjustment of her sentence.

Her co-accused Xoliswa Falati is also appealing against her conviction and six-year sentence on all eight counts of assault and kidnapping.

Mandela's driver, John Morgan, who was found guilty of kidnapping for driving the minibus in which the four were abduct-

ed from the manse, was sentenced to one year's imprisonment which was wholly suspended.

He is also appealing against his conviction and sentence.

Seipei, 14, Gabriel Mekgwé, 22, Barend Mono, 21, and Kenneth Kgase, 31, were kidnapped from the Methodist manse in Orlando West, Soweto by Falati, Morgan and Mandela United football coach Jerry Richardson on December 29 1988.

The judge found that the four were kidnapped and held in rooms behind Mandela's house, where they were assaulted, as part of a campaign aimed at ousting the Rev Paul Verryn from the manse.

During the trial the state was unable to disprove Mandela's alibi.

However, the judge convicted her of being an accessory after finding she had been aware the four had been assaulted and kept against their will by Richardson, but had done nothing to secure their release.

Mandela has been out on R200 bail since her conviction and sentence.

Civics call for the removal of white local authorities

THE civics and the ANC are calling for the removal of white local authorities, and mass action may be used if they do not make way for "interim structures" within the next year.

The organisations, which have run campaigns since the early '80s aimed at removing black local authorities, say the emphasis will now switch to removing white town councils.

On Monday, ANC department of local government head Thozamile Botha told the Local Government Negotiation Forum. "Up to now the emphasis has been on black local authorities, as if these were the only apartheid structures."

"White councils must

GAVIN DU VENAGE

also be replaced with interim structures," he said, adding that these should be in place before an interim government was installed.

Cast general secretary Dan Mofokeng said yesterday that the civics wanted to see white local authorities replaced "very soon" with a system that would lead to non-racial cities with a single tax base.

He said Sanco did not recognise the legitimacy of the white local authorities, which were also set up under apartheid law. Now that a forum had been set up to establish interim structures, the white au-

thorities should resign, he said.

Mofokeng said that while the forum was the preferred avenue for facilitating their removal, he did not rule out mass action.

If no agreement was reached, he said, "the masses will respond."

Alexandra Civic Association general secretary Richard Mlakane said yesterday that the Sandton Town Council should resign "by the end of July." The launch of the forum this week would lead to their replacement, whether they liked it or not, he said.

He added to the call for white local authorities to resign.

DP slates local govt forum

Political Staff

CAPE TOWN — The composition of the new local government negotiating forum was non-representative and undemocratic, the DP said yesterday

"It results from a cosy agreement between the NP and Sanco which excludes other parties and organisations," DP local government spokesman Jasper Walsh said

The forum, made up of 60 members equally divided between statutory and non-statutory groups, was

launched in Johannesburg on Monday

Walsh said "NP domination in government has brought us to the disastrous state we are now in

"Sanco, a recently formed umbrella body of civics, cannot claim it represents all non-statutory organisations and has recently displayed totally undemocratic tendencies"

Walsh said that to succeed, the forum had to be representative

26/10

CITY

DP hits out at new forum on local rule



Mr Jasper Walsh

CLIVE SAWYER
Municipal Reporter

THE bilateral nature of the Local Government Negotiating Forum means anyone left out can upset any negotiated settlement, says Democratic Party local government spokesman Mr Jasper Walsh.

The forum was set up on Monday in an effort to resolve crises over rent and service boycotts, and to discuss constitutional solutions for local government as part of the national process

The DP was seeking representation on the forum but was unhappy that the bilateral working group meant acceptance was effectively up to the National Party and African National Congress, Mr Walsh said

"The 25-25 split between statutory and non-statutory bodies means that most of the statutory side is being driven by the NP, while the SA National Civics Association makes up the other side," he said

"Admittedly, DP member Ian Davidson of the Johannesburg City Council is there but only as a representative of organised local government"

The forum in its present form was undemocratic and should be broadened to include political parties.

Mr Walsh said he had told Local Government Minister Dr Tertius Delpert that the DP disapproved of the bilateral set-up at the local government, economic and housing forums

"He said the local government negotiating forum working group would discuss the parameters for membership, but this is not acceptable"

Mr Walsh said Sanco was not the only body that could claim representation in the townships

He said there had been tension between the DP and Sanco since the association vowed to keep the DP out of the townships — a vow since retracted — but said the

make-up of the forum was a separate point of principle

"The answer is not simply to get DP membership

"We welcome the establishment of the forum and accept, as has happened nationally, a bilateral process can sometimes get talks going, but now a whole range of organisations should be involved in this process," Mr Walsh said

Unless this was done, those excluded could upset the results

Commenting on calls by the ANC and Sanco for white town councils to be replaced by interim local authorities, he said negotiators should avoid hasty action that could result in chaos in the administration of major cities and towns

"We recognise white local authorities are unrepresentative and welcome urgent moves to create non-racial, democratic structures, but this should be decided in the forum," Mr Walsh said

ARC 26/3/93 (262)

Forum not a closed shop, says the ANC

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ARC 2/14/93

CLIVE SAWYER
Municipal Reporter

IT was a mistake to say the Local Government Negotiating Forum accommodated only the African National Congress and the National Party, ANC local government department head Mr Thozamile Botha said today.

In the past week, there has been criticism that the forum is a closed shop run by the NP and ANC.

At a Chamber of Commerce symposium today, Mr Botha said the forum was set up to provide a platform for bodies not represented at Codesa to contribute to the shaping of their own towns and cities.

The government had wanted the issue of local government decided by Codesa, but when it collapsed interest in the forum was revived because of the crisis at local level.

Mr Botha said the forum was open and there had been a number of applications to join.

He said political parties were in effect represented by councillors from various municipalities.

He said the ANC envisaged provinces and the TBVC states

being run by transitional regional authorities during the pre-election phase.

While regional boundaries could be finalised later, provinces and homelands had existing infrastructures and bureaucracies.

Appointed transitional regional and local authorities would operate during a "messy, undemocratic" phase but would lay the basis for future democratic structures.

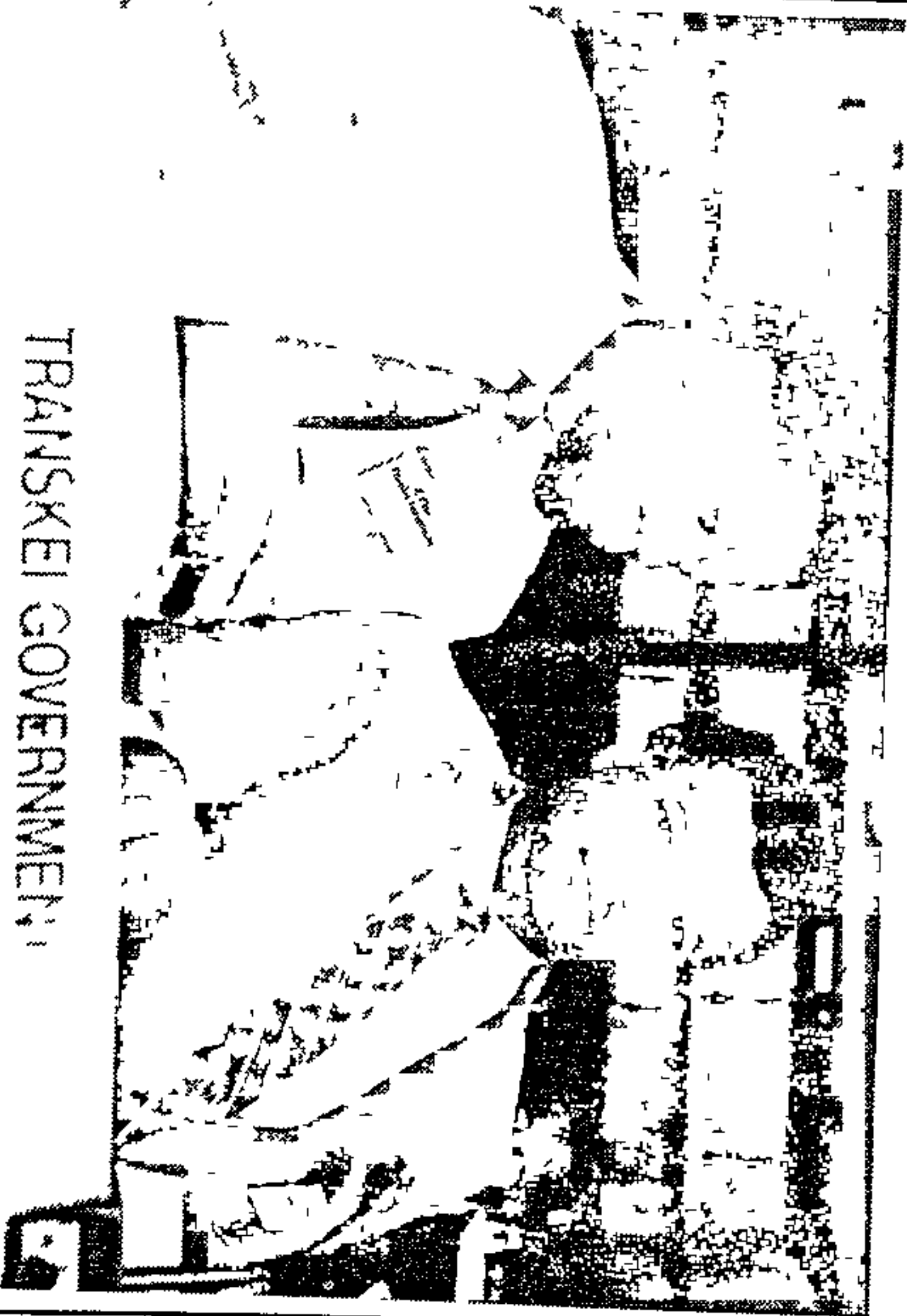
Mr Botha said the issue of the future of local and regional government was at the heart of constitutional negotiations.

He said diversity had to be accepted, but was not a license for the fragmentation of the country.

The ANC believed national government should set standards for the whole country, and decide which powers be given to regions.

"I do not accept regions should have powers of veto, but they should be consulted on issues which affect them," he said.

There would be a need in future local government to create local assemblies for ordinary people to debate policies with politicians.



TRANSKEI GOVERNMENT

Maj-Gen Bantu Holomisa, right, and Z. Trius of the Transkei delegation at the multiparty talks in Kempton Park yesterday.

PAC gives Owen '14 days to explain'

UMTATA — The PAC in Transkei has suspended its call for a boycott of the Sunday Times newspaper.

PAC spokesman Zingisa Mkabile said yesterday that Sunday Times editor Ken Owen had 14 days to explain the editorial comments published on March 21 describing the PAC's leadership as "thugs and murderers".

The PAC called for the boycott earlier this week and accused the newspaper of conducting a campaign of "vilifying and denigrating our leadership".

Mkabile said if no explanation was forthcoming in 14 days, the PAC would relaunch the boycott campaign.

Sunday Times deputy editor Brian Pottinger said a meeting between Owen and Mkabile was being arranged.

Transkei leader Maj-Gen Bantu Holomisa said on Monday the PAC should campaign at the newspaper's source, in SA.

Holomisa promised the newspaper police protection for distribution purposes in the homeland — Sapa

Backing for urgent probe into new role of regions

BUSINESS DAY, Friday, April 2 1993

LINDA ENSOR

CAPE TOWN — The Urban Foundation supported the idea of urgently setting up commissions of inquiry to investigate the role of regions and cities in a new constitution, the foundation's Ann Bernstein said yesterday at a Cape Town Chamber of Commerce conference on local government.

Bernstein said the commissions could gather evidence from around the country and make proposals to the constituent assembly.

She questioned the assumption in the regional government debate that development between regions had to be balanced. While all should have equal opportunities, there should not be social engineering to prevent migration of people and capital. Such flows were vital for development.

Bernstein said she was committed to the concept of regions promoting their own comparative advantage and competing for investment and people. Economic policy should be decentralised to allow for diversity and not be subjected to a central government dictatorship.

She expressed concern over the "deafening silence" of the role of cities in the national constitutional debate and warned that in negotiating parties' scramble to arrive at a deal the rights and welfare of individuals under a new constitution would be ignored.

This was apparent in the fact that in proposals proportional representa-

tion was not linked with constituency representation, eliminating the accountability and responsibility of those elected.

Frederick van Zyl Slabbert of Idasa emphasised the need for the creation of a strong community ethic if the delivery of services was to take place. Without community involvement the transition would be painful, whatever the constitutional arrangements agreed upon.

"We do not have a South African way of life that can sustain us through to the 'new SA'. We are going to have to have to fashion it out of our own transition," he said.

ANC local government spokesman Thozamile Botha said interim constitutional arrangements at local and regional level would be necessary in the transitional period. There was a need for a fairly representative interim executive council to deal with the metropolitan budget and rationalisation of personnel rather than this being left to the provincial councils and white local authorities.

The ANC proposed the dissolution of existing local government structures during the transitional phase and the appointment of interim local councils and interim metropolitan councils. They should be appointed on the basis of lists submitted by local and metropolitan negotiation forums.

Federal or unitary state is key issue

Political Staff

262
IN KATHA Freedom Party negotiators have convinced other delegations at the multiparty talks in Kempton Park to decide before anything else if South Africa should have a unitary or federal constitution

This now becomes the top item on the constitutional agenda

This was something of a coup for the IFP and it had the full blessing of African National Congress secretary-general

ARC
Mr Cyril Ramaphosa

In the same spirit of accommodation, a Conservative Party negotiator got the negotiating forum to agree to place self-determination on the list of issues to be debated

Mr Benny Alexander persuaded the forum to agree to debate the Pan Africanist Congress version of a constitutional assembly.

Delegates did not go into the details of the federal versus unitary debate yesterday —

2/4/93
they just agreed that, when the negotiation council meets on April 15, this will be the first constitutional point they start off with

Dr Ben Ngubane, speaking as leader of the Kwazulu government team, said the form of state was the most fundamental issue of the negotiation process

"We owe it to the people to make a great effort in facing the harsh realities of these negotiations," he said

Let regions decide own futures — call

CLIVE SAWYER
Municipal Reporter

Annual South Africans
ARC 2/4/93

REGIONS and cities in a future South Africa must be free to compete economically with one another, a Chamber of Commerce symposium has been told

Urban Foundation development strategy and policy unit executive director Mrs Ann Bernstein said billions of rands were wasted on the old policy of "bribes" to industrialists to move to areas near homelands

The choice was between centrally or regionally-controlled development strategies

She said the African National Congress was worried about migration of people and money between regions in future

"They should not worry The free movement of people and capital is absolutely essential"

Different regions would need different strategies and trying to apply a national policy could mean national disaster.

"Regions and cities must be able to compete Citizens could vote representatives out, or they could vote with their feet," said Mrs Bernstein

The aim of all policies should be the welfare of people, not places

"Our success will be judged by the quality of life of individ-

Another change needed was in the concept of the role of the civil servant

"We must get away from the public servant who controls, regulates and stop things — public servants must facilitate and enable what communities want," she said.

The Urban Foundation wanted a commission of inquiry into the boundaries, powers and functions of future regions

Another commission should probe the future of South African cities and towns

Department of Finance chief director of intergovernmental transfers Dr Deon Brand said any new regional or local taxes should be offset by a drop of other taxes, like income tax or VAT

SA Chamber of Business tax committee chairman Mr Bob Wood said regional services taxes should be scrapped because they were flawed and difficult to administer

A surcharge on VAT or income tax should replace these levies, he said.

ANC local, regional and housing department head Mr Thozamile Botha said RSC levies should be kept as a means of getting income to redress inequalities of the past.

ANC backs autonomy for cities

ARC 2/14/93
Municipal Reporter

262

SUPPORT for a Western Cape forum on local government has had a significant boost through African National Congress endorsement.

The head of the ANC local, regional and housing department, Mr Thozamile Botha, said a negotiating forum was overdue.

"We need a negotiating forum now, because the local community must get involved in discussions about the shape of Cape Town."

Monitoring would be needed to see local talks conformed to national guidelines.

He was responding to a challenge at a Chamber of Commerce symposium from Mayor Mr Frank van der Velde, that a negotiating forum be convened.

"Cape Town has pleaded for negotiations at local level for five or six years," said Mr Van der Velde.

He asked Mr Botha whether an ANC call for strong central government was repeating the behaviour of the government.

Mr Botha said they didn't favour "absolute" centralisation.

"We need central government to be the head prefect, to ensure imbalances are redressed."

Scrap councils by July, says ANC

By JAMES BRITTAIN
and DIANA STREAK

THE ANC is pressing for all town and city councils to be scrapped by July **STIMES**

The organisation sees two possible routes for the dismantling of the councils. **4493**

- Either, the ANC — and other local government negotiating partners — rely on the national negotiators at the multi-party talks to establish local transitional executive councils cities and towns, or

- If this has not happened by July, the Local Government Negotiating Forum takes matters into its own hands and appoints the transitional executives disregarding the state of national negotiations **(MA)**

2620 Other ways

Although not a member of the forum — no political parties are — the ANC is strongly represented by SA National Civic Organisation members

This was the scenario sketched this week by Mathole Motshekga, the ANC's deputy head of local government

"As the ANC we don't want to de-link from national negotiations, but the breakdown of services in townships has reached such a crisis point that we may have to take drastic steps," he said

Cape Town deputy mayor Clive Keegan said the council agreed it should move "as quickly as possible to a non-racial democratic government" but added that "there are other ways of doing it" than those proposed by the ANC.

"There are other electoral systems which should be explored," he said

DP welcomes local forum

THE Democratic Party has welcomed the formation of a local government negotiating forum, but is "highly critical" of its composition.

"It largely represents the wishes of the ANC through Sanco and the National Party through local government institutions," DP Pinelands MP Mr Jasper Walsh said yesterday in the parliamentary debate on the Cape Provincial Administration budget.

He said all political parties should take part in negotiations.

(262)

MEC calls for youth strategy

LITTLE had been done to formulate a comprehensive youth strategy in South Africa, Cape MEC Mr Temba Nyati said yesterday.

All youth had been subjected to the most harrowing pressures, demands and sacrifices imaginable during the past decade and a half, he told a Parliamentary committee.

"We are now faced with terrible consequences for our youth," he said.

Louis Shill quits Sage to join the Cabinet

8/20/93 8/4/93
SAGE Group chairman and CE Louis Shill has been appointed National Housing and Public Works Minister

Announcing the appointment yesterday, President F W de Klerk said the move would strengthen private sector representation in government

Shill, whose appointment to the newly created department surprised observers, pledged speedy action to remove bottlenecks in the provision of housing

When announcing his recent Cabinet reshuffle, De Klerk said government considered urbanisation and housing to be of critical importance

De Klerk said Shill had indicated that he

TIM COHEN

would be available for public office from June 1 until the next general election

Shill, who has been part of the National Housing Forum and the national economic forum while a representative of the Life Offices' Association, said he would contribute a private sector perspective to the job

Asked whether it was possible to make a meaningful contribution in a single year, Shill said medium- and long-term planning needed to be done, but more importantly it was necessary for houses actually to be built as a matter of urgency

Anxious that no conflict of interest

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should arise, Shill said he would resign from all his posts. He would return to the group after his term

Shill said he was confident of the support of the Finance ministry

The Sage board said it had agreed Shill would be released from all duties in the group during his term, recognising that the private sector should assist wherever possible "at this vital juncture"

The Sage Group announced that recently retired Rembrandt Group senior executive director Gerard Steinmetz would assume chairmanship of the group on June 1

- Picture Page 3
- Comment. Page 6

Regional executive councils suggested

CT8/4/93 Political Staff (262)

REGIONAL transitional executive councils (TECs) to mirror negotiations at the national level were called for yesterday by Mr Eddie Trent, MP for Port Elizabeth Central

Speaking during the provincial budget debate, Mr Trent said creating a number of TECs in the Cape would bring about forums for negotiating on issues relating to provincial governments

Mr Trent said afterwards that he envisaged four TECs for the Cape, with one each for the Western Cape, Northern Cape, Eastern Cape and Border

He said the present provincial system had removed government from the people. The creation of multi-party councils would remedy this

Fm 9/14/93

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LOCAL GOVERNMENT

Commonsense

Fm 9/14/93

In a significant break with past policy, the ANC has proposed the appointment of non-racial interim local authorities from July 1. These would take over local government until a new constitution is negotiated.

The wide-ranging proposal, tabled at the first meeting last month of the newly formed Local Government Negotiating Forum, includes provision for redefining the boundaries of local authorities and financing procedures.

The ANC hopes the document will form the basis of negotiation in the forum, which represents government, local authorities, township civic organisations and similar organisations with a stake in local government. Central to the plan is the appointment of interim local and metropolitan councils, based on lists of names submitted by various negotiating forums.

Only consult

Appointments could be made either by provincial administrators or the proposed interim regional executive councils (which would be responsible for regional government during the transition). In either case, there should be consultation with the local government forum.

ANC local and regional government specialist Thozamile Botha concedes that the appointed councils would be undemocratic but he believes the process is the only way to bridge the transition between apartheid structures and elected councils. Elections for permanent councils can be held only after acceptance of a new national constitution which will clarify the structure of local and regional government. But the ANC proposal provides for interim local elections in the event of a constituent assembly taking a long time to draw up a new constitution.

The ANC says its plan should be based on a Transitional Measures for Local Government Act — to be drafted by the negotiating forum — applicable to all local authorities

including the homelands and TBVC states. No existing local authority should have the power to choose other structures — as is the case with interim local government legislation, which allows conservative councils to entrench apartheid measures.

All councils would disappear and new boundaries would be drawn for metropolitan and local authorities. The new boundaries should make it easy to establish local government financial systems, rationalise administration and achieve political goals such as nonracial cities and towns.

Transitional financial measures would be put in place to ensure more equitable funding of local government during the interim phase. These should include single budgets. The debts of black local authorities would be written off. Central government should continue to subsidise metropolitan and local councils.

Service tariffs would be calculated within the framework of a single budget based on cross-subsidisation.

The ANC says the aim of the proposal is to ensure the proper provision of municipal services during the pre-interim and interim periods and to ensure that all residents pay for services. This can be achieved by legitimising the structures to which payments are made, writing off arrears, ensuring the quality and quantity of services and maintaining them, making tariffs affordable, and educating people.

The proposals represent refreshing pragmatism in the ANC whose approach to local government was based on the view that reform at regional and local levels would have to wait for constitutional progress at national level. ■

Rates charges
apply to RSCs
FROM July, regional
services councils will
have to pay rates on
properties in areas con-
trolled by other local
authorities. (2642)

Until now, RSCs did
not have to pay because
of a "shortcoming" in
the 1974 Ordinance

A notice in the Pro-
vincial Gazette amend-
ing the ordinance will
take effect from July —
Municipal Reporter.

Botha proposes Interim councils

By Sabata Ngcai

South 10/4-14/4/93.
262
ANC local government head, Mr Thozamile Botha, proposed interim local councils to replace existing council structures at a symposium on "Local and Regional Government In a Democratic South Africa" organised by the Cape Town Chamber of Commerce in the city last week.

Botha said the councils would operate until a new constitutional structure was adopted. They would be run by appointed interim councillors with the responsibility of drawing up a budget, rationalising resources and ensuring services.

He emphasised that all local authorities needed to be rationalised "to reduce operational costs".

He called for the establishment of a constitutional structure at local and regional levels to ensure stability and sustain economic growth.

Local and regional governments would be accountable to the state which should "remain the supreme power to keep the nation together".

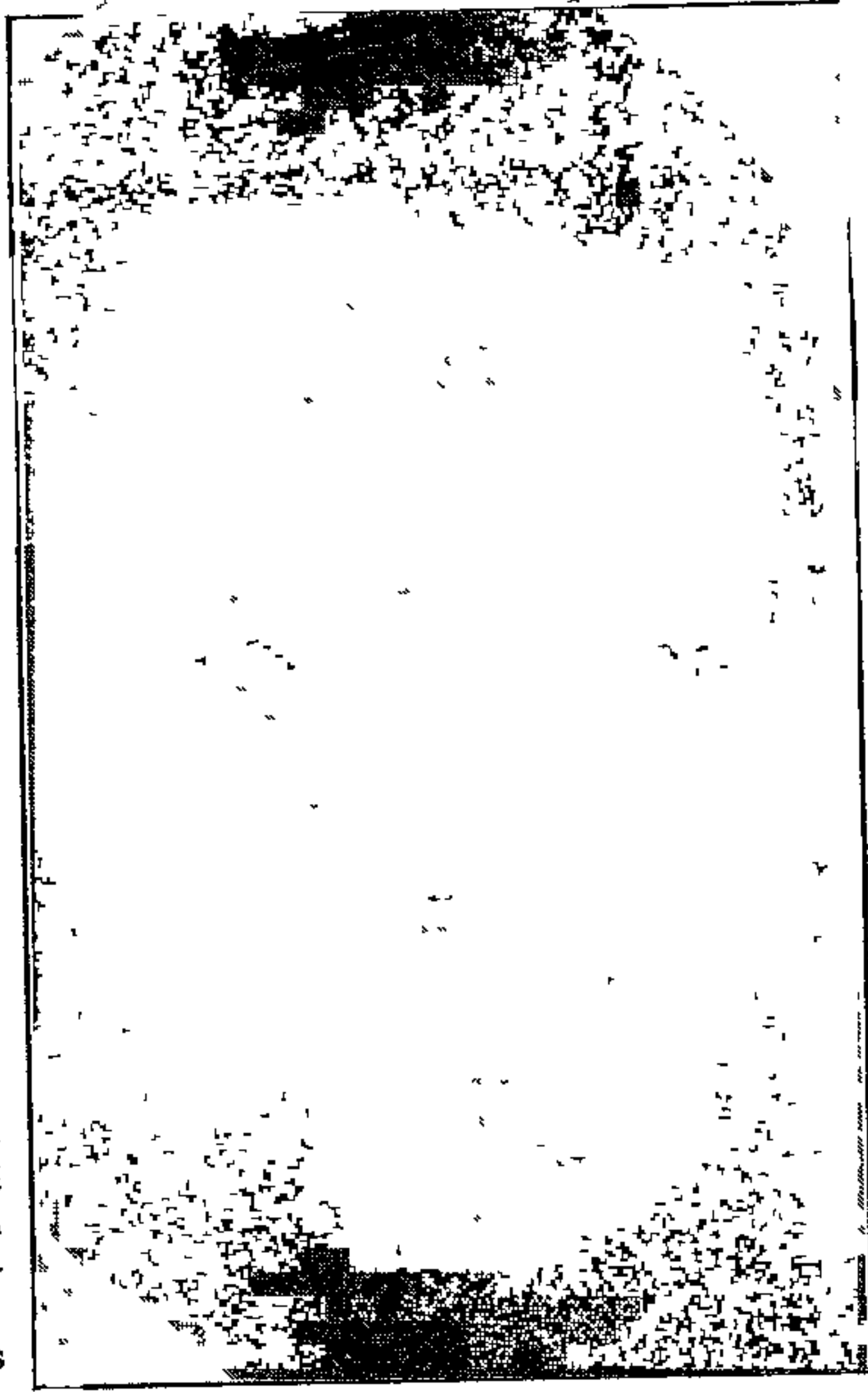
"This is due to our heritage of unequal distribution of resources, cultural diversity and distant townships from towns," he said.

The state would have to redress these imbalances but should not be allowed to "bulldoze the local and regional government structures".

Botha said people should participate in decision making on matters affecting them.

He insisted there should be one national constitution. There should be a negotiation forum which would take recommendations on restructuring from the community.

"The community should discuss its envisaged shape of local authorities and pass its recommendations to the forum," he said.



THOZAMILE BOTHA

Nat concern over 'tyranny of the majority'

South 10/4-14/4/93.
262
By Waghied Misbach

IT WOULD be impossible to create a single "pure white" region or city under a federal government, said Dr Frik van Heerden at a conference on local government last week.

Van Heerden, speaking on behalf of the Minister of Local government, Dr Tertius Delport, said there were 306 magisterial districts in South Africa, but none had a white majority population.

A new form of government must take account of the diversity of the country's people.

"The needs of the people will differ in terms of language, culture and religion," Van Heerden said.

He defined a federal government as one in which "different geographical societies have their own government to

look after their own affairs where federal government will hold control over affairs common to the larger federation".

The geographical societies formed under the federalist state must never continue the "old apartheid system with its racially-based geographical societies", said Van Heerden.

While supporting democracy, he said the principle of majority could not be "unlimited or open-ended".

"If that is the case, the majority can disenfranchise a strong minority through simply applying a majority vote".

He argued that "the people" could never rule as this amounted to "tyranny of the majority".

"Government must be strong enough to secure the rights of the people, but not so strong as to violate those very rights in the process".

Van Heerden called for checks and balances to protect the rights of minorities in South Africa.

"One such check would be the electoral process and another would be the division of power between the central government and the regions".

These checks and balances would have to be entrenched in the constitution.

"Whites turned their backs on apartheid in the referendum. We are facing a future when the colour of a person's skin will not be a factor any longer".

There were no "ready-made" answers for South Africa. These would have to come from the negotiations, he said.

"We must learn from the mistakes of the world, in particular the centralised African states which have failed after 30 years of experience in post-colonial Africa".

SOUTH reporters review the debate on the changing role of local government

Local govt: Yes, but...

By Edwina Booysen

SOUTH Africa's history has created a number of serious obstacles to achieving "strong" local government, according to the Urban Foundation

In a research document, "Strong local government in South Africa Exploring the options", the foundation describes the obstacles as

- Racially divided cities
- Underdeveloped townships with low economic capacity
- Higher costs imposed on township residents
- Township residents' perceptions of exploitation
- Deep political and social divisions

The document says any ambition to create strong local government, however defined, must take this legacy into account

History has ensured that black local authorities have poor fiscal and administrative capacities and this will continue to hamper local government in these areas

Townships lack the economic

base to provide sufficient capacity necessary to support strong local government

"Our research indicates that the shortcomings are so large that they will not be rectified by simply transferring revenues from white local authority areas," the Urban Foundation says

"Furthermore, it is not only the townships which lack the economic base for achieving strong local government

"Urban Foundation research shows that many of the smaller white municipalities lack capacity, particularly in the engineering and finance functions

"This raises doubts about the financial and administrative capacities of all but the largest white local authorities to actually utilise, and thus maintain, extensive autonomy"

A tradition of local autonomy is almost entirely absent in South Africa. Its absence can be observed in the deference which most white municipalities and civic associations (with some significant exceptions) show to national actors

A tradition of autonomy can only

evolve over a long period of time, it cannot be rapidly and deliberately created, the document says

"The current system has no legitimacy in the eyes of most black residents. If strong local government is to be institutionalised in future, it will have to overcome not only capacity problems, but also create legitimacy from scratch

"The difficulty of meeting the legitimacy requirements for strong local government, is exacerbated by a number of factors"

● Firstly, there is a pressing need to address the enormous developmental backlog in the townships, if visible results are not delivered, it is unlikely that the new system will enjoy legitimacy

● Secondly, the difficulty of delivering maternal results "on the ground" is compounded by high expectations of the future local government system, especially among township residents

● Thirdly, the view, widely held among township residents, or at least many township leaders, that many urban problems are products of past discrimination, implies that

development is "somebody else's problem" — in other words the responsibility solely of central government and/or white municipalities.

The combination of these political factors, together with the limitations on the available resources and capacity, means that it will be difficult to meet the legitimacy requirements of a viable future system of local government

● Finally there exists a vast gulf between towns and townships in terms of their various interests, perceptions of issues and of each other, and their respective hopes for the future.

While many white voters and their representatives see even limited changes as a threat, many extra-parliamentary organisations expect the current system's total "transformation".

One consequence is the considerable reluctance on the part of white municipalities to get politically, administratively and financially involved in the townships, at least not until central government has promised some sort of financial "cushion".

What they say:

(262)

South 10/4-14/4/93

THE GOVERNMENT:

When the government talks about strong local government it is referring to small local authorities, down even to neighbourhood and school committees, each with extensive decision-making and fund-raising powers.

Such a system, the government believes, will act as a mechanism for limiting the socio-economic effects of political change

Not only will it place limits on the ability of central government to intervene locally but it will also ensure white, or at least middle-class, electoral majorities in some local areas

The extensive powers envisaged for local government would enable such municipalities to "maintain standards", thereby protecting the interests and values of their (white and/or middle class) constituents

THE "EXTRA-PARLIAMEN- TARY MOVEMENT":

The "extra-parliamentary" movement has very different expectations of strong local government.

Extra-parliamentary policy-makers expect strong local government to respond to civic organisations and to be used as a vehicle for "empowering" township residents — precisely the opposite expectation to that of the government

Democratic demands on local

government would transfer resources to the previously excluded parts of the cities — thus spreading the benefits of the "single tax base" under a non-racial regime

In addition participation in government and/or development will enable both civic activists and ordinary citizens to acquire skills and thus to be empowered.

However, it must be noted that a few extra-parliamentary thinkers are sceptical because they see strong local government impeding central government's attempts to redistribute political and economic power

FREE MARKETEERS:

"Free Marketeers" expect something different of strong local government. In their view it will maximise efficiency because council expenditure is more visible and hence more easily called to account than central government's.

Local authorities will be encouraged to compete with one another for investment, and thus be compelled to offer the best possible conditions, in water and electricity prices, local taxes and infrastructure, to commerce and industry.

There is considerable overlap between this view and that of the government. However, despite the fact that some government thinkers have voiced the free-market approach, the positions are, in principle different, the first seeks to protect established interests, the second to promote what it sees as nonracial market-driven economic efficiency. The free market position has been publicly advocated by Inkatha Freedom Party speakers and others.

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NOTICE 327 OF 1993**DEPARTMENT OF MANPOWER**

LABOUR RELATIONS ACT, 1956

**APPLICATION FOR VARIATION OF SCOPE OF
REGISTRATION OF A TRADE UNION**

I, Gerhardus Coenraad Papenfus, Assistant Industrial Registrar, do hereby, in terms of section 4 (2) as applied by section 7 (5) of the Labour Relations Act, 1956, give notice that an application for the variation of its scope of registration has been received from the National Union of Employees of Local Authorities. Particulars of the application are reflected in the subjoined table.

Any registered trade union which objects to the application is invited to lodge its objection in writing with me, c/o the Department of Manpower, Manpower Building, 215 Schoeman Street, Pretoria (postal address Private Bag X117, Pretoria, 0001), within one month of the date of publication of this notice.

TABLE

Name of trade union National Union of Employees of Local Authorities

Date on which application was lodged 18 December 1992

Interests and area in respect of which application is made All persons employed in the Local Authority Undertaking in the Magisterial Districts of Hennenman, Odendaalsrus, Theunissen and Ventersburg.

For the purposes hereof—

“**Local Authority Undertaking**” means the undertaking in which employers and their employees are associated for instituting, continuing and finishing any act, scheme or activity which is undertaken by a local authority, and

“**local authority**” bears the same meaning as that assigned to it by section 1 of the Labour Relations Act, 1956

Postal address of applicant P O Box 13023, Katlehong, 1832

Office address of applicant 1 Khumalo Street, Katlehong

Attention is drawn to the following requirements for sections 4 and 7 of the Act

- (a) The representativeness of any trade union which objects to the application shall in terms of section 4 (4) as applied by section 7 (5) be determined on the facts as they existed at the date on which the application was lodged and, as far as membership is concerned, only members who were in good standing in terms of section 1 (2) of the Act as at the aforesaid date shall be taken into consideration
- (b) The procedure laid down in section 4 (2) must be followed in connection with any objection lodged

G. C. PAPENFUS,
Assistant Industrial Registrar
(16 April 1993)

KENNISGEWING 327 VAN 1993**DEPARTEMENT VAN MANNEKRAG**

WET OP ARBEIDSVERHOUDINGE, 1956

AANSOEK OM VERANDERING VAN REGISTRASIEBESTEK VAN 'N VAKVERENIGING

Ek, Gerhardus Coenraad Papenfus, Assistent-nywerheidsregistrator, maak ingevolge artikel 4 (2) soos toegepas by artikel 7 (5) van die Wet op Arbeidsverhoudinge, 1956, hierby bekend dat 'n aansoek om die verandering van sy registrasiebestek ontvang is van die National Union of Employees of Local Authorities. Besonderhede van die aansoek word in onderstaande tabel verstrek.

Enige geregistreerde vakvereniging wat teen die aansoek beswaar maak, word versoek om binne een maand na die datum van publikasie van hierdie kennisgewing sy beswaar skriftelik by my in te dien, p a die Departement van Mannekrag, Mannekraggebou, Schoemanstraat 215, Pretoria (posadres Privaat Sak X117, Pretoria, 0001)

TABEL

Naam van vakvereniging National Union of Employees of Local Authorities

Datum waarop aansoek ingedien is 18 Desember 1992

Belange en gebied ten opsigte waarvan aansoek gedoen word Alle persone in diens in die Plaaslike Owerheidsonderneming in die landdrostdistrikte Hennenman, Odendaalsrus, Theunissen en Ventersburg

Vir die doeleindes hiervan—

beteken “**Plaaslike Owerheidsonderneming**” die onderneming waarin werkgewers en hul werknemers met mekaar geassosieer is vir die instelling, voortsetting en afhandeling van enige handeling, skema of werksaamheid wat deur 'n plaaslike owerheid onderneem word, en

het “**plaaslike owerheid**” dieselfde betekenis as dié wat daaraan geheg is by artikel 1 van die Wet op Arbeidsverhoudinge, 1956

Posadres van aplikant Posbus 13023, Katlehong, 1832

Kantooradres van aplikant Khumalostraat 1, Katlehong

Die aandag word gevestig op onderstaande vereistes van artikels 4 en 7 van die Wet

- (a) die mate waarin 'n beswaarmakende vakvereniging verteenwoordigend is, word ingevolge artikel 4 (4), soos toegepas by artikel 7 (5), bepaal volgens die feite soos hulle bestaan het op die datum waarop die aansoek ingedien is, en wat die lidmaatskap betref, word alleen lede wat ingevolge artikel 1 (2) van die Wet op voormelde datum volwaardige lede was, in aanmerking geneem
- (b) Die prosedure voorgeskryf by artikel 4 (2) moet gevolg word in verband met 'n beswaar wat ingedien word

G. C. PAPENFUS,
Assistentnywerheidsregistrator
(16 April 1993)

26 APR 1993

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GOVERNMENT GAZETTE

STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

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Vol 334

CAPE TOWN, 16 APRIL 1993

No. 14703

KAAPSTAD, 16 APRIL 1993

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No 563

16 April 1993

No 563

16 April 1993

It is hereby notified that the State President has assented to the following Act which is hereby published for general information —

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word —

No 41 of 1993 Local Authorities Loans Fund Amendment Act, 1993

No 41 van 1993 Wysigingswet op die Leningsfonds vir Plaaslike Besture, 1993

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions from existing enactments
- Words underlined with a solid line indicate insertions in existing enactments

ACT

To amend the Local Authorities Loans Fund Act, 1984, so as to further regulate the repayment of loans by local authorities; and to provide for matters connected therewith.

(English text signed by the State President)
(Assented to 25 March 1993)

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BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows —

Amendment of section 13 of Act 67 of 1984

1. Section 13 of the Local Authorities Loans Fund Act, 1984, is hereby amended by the substitution for paragraphs (a) and (b) of subsection (1) of the following paragraphs, respectively 5

- “(a) within such period and at such interest rate as the board may from time to time determine Provided that the board may only reduce the period of repayment with the concurrence of the local authority concerned, 10
- (b) except in so far as it has otherwise been agreed upon by the board and a local authority, in such instalments of capital, together with interest on any portion thereof which has not been repaid, and on such dates as the board may from time to time determine [when the loan is granted] ” 15

Short title

2. This Act shall be called the Local Authorities Loans Fund Amendment Act, 1993

ALGEMENE VERDUIDELIKENDE NOTA:

- [] Woorde in vet druk tussen vierkantige hake dui skrap-
pings uit bestaande verordenings aan
- _____ Woorde met 'n volstreep daaronder, dui invoegings in
bestaande verordenings aan

WET

Tot wysiging van die Wet op die Leningsfonds vir Plaaslike Besture, 1984, ten einde die terugbetaling van lenings deur plaaslike besture verder te reel; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken)
(Goedgekeur op 25 Maart 1993)*

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg —

Wysiging van artikel 13 van Wet 67 van 1984

1. Artikel 13 van die Wet op die Leningsfonds vir Plaaslike Besture, 1984, 5 word hierby gewysig deur paragrawe (a) en (b) van subartikel (1) deur onderskeidelik die volgende paragrawe te vervang

- 10 “(a) binne die tydperk en teen die rentekoers wat die raad van tyd tot
 tyd bepaal Met dien verstande dat die raad slegs die tydperk van
 terugbetaling met die instemming van die betrokke plaaslike
 bestuur mag verkort,
- 15 (b) behalwe vir sover die raad en 'n plaaslike bestuur anders
 ooreengekom het, in die paaemente van kapitaal, tesame met
 rente op 'n gedeelte daarvan wat nog nie terugbetaal is nie, en op
 die datums wat die raad van tyd tot tyd bepaal [wanneer die lening
 toegestaan word] ”

Kort titel

2. Hierdie Wet heet die Wysigingswet op die Leningsfonds vir Plaaslike Besture, 1993

THE debate about the "regional question" has been a discussion confined to the political parties and their mainly legal constitutional advisers. Yet how we resolve the regional issue will fundamentally affect the country's chances of dealing successfully with our great national challenges: broadly based socio-economic development and building a democracy.

Negotiation about regions has so far been a debate between political elites about three core issues: how to reincorporate the homelands, how to accommodate the fears of minority groups, and how to accommodate the largest party's concerns about the dilution of its power to govern from the centre.

It has not been primarily about socio-economic development, the rights of individuals or the kind of democracy that would best serve citizens and communities. There is a grave danger of these crucial issues being ignored or overridden in the scramble to strike a deal.

The basis of any regionalism policy must be a democratic constitution in which all citizens have the vote, a justiciable Bill of Rights applicable throughout SA, and an effective non-political mechanism for equitable fiscal transfers between the different regions. Beyond that, there are key questions to be decided.

At the heart of the debate is a critical development question: should diversity and competition between different parts of the country (regions and cities and towns) be allowed? For example, should the government of Region X be allowed to follow a high-tech approach to economic growth and less immediate social spending, while Region Z implements a policy of massive social welfare and slower economic growth?

In principle, decentralisation and regional and local diversity would be preferable. Essentially, all policies and all actions, whether by the public or the private sector, are experiments. However powerful the state (or the corporation), however virtuous its intentions, its policies can

Regional debate at risk of ignoring fundamental issues

B/Dm 19/4/93.

ANN BERNSTEIN

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fail horribly. We don't know what will work.

Regions and cities must compete with each other as a demonstration of which policy experiments do work. A failure in one part of the country and perhaps a success somewhere else would be preferable to what we have today — an entire national disaster, as a result of the arrogant and failed experiment of apartheid.

Citizens have protection from failure. They elect their regional governments, they can vote them out. In extreme cases they can vote with their feet and move from one region to another as a clear message to the decision-makers.

A complex question, worth a discussion on its own, arises over whether central government should have the power to determine minimum standards of education, health care and infrastructure per capita.

Of particular concern in the ANC draft document on regional policy is that they are worried about migration between regions, of either people or capital, in response to different policies. For the past 40 years governments tried to control peoples' movements and "bribe" industrialists to locate factories in uneconomical locations in or near to the homelands. Don't let us repeat the costly errors of the past. The objective of all future policies — and in particu-

lar good regional policy — should be the welfare of people, not places.

One of the great dangers to be avoided in the rush to create regional governments, legislatures and bureaucracies is the creation of a large and inflexible army of officials which "knows" what is best.

An expanding population and limited resources means that South Africans will be faced with tough choices about priorities for public expenditure. These choices should not be made by democratically elected representatives at all levels of government and by communities themselves. Civil servants should facilitate this process and empower communities to make these decisions for themselves. This new role for the future entails a very different kind of civil service.

has a critically important question for the future is raised by the regional debate: What kind of government role do we envisage at the central, regional and local levels — in short, the facilitator and empowering agent or the controller and doer? How will we control the size of the bureaucracy, its transparency and accountability?

What kind of democracy will SA become? One vote every 3-5 years is a lot better than no vote at all, but the value of that vote is greatly affected by the nature of the system in which it takes place.

Why are the national negotiations not looking at coupling proportional representation with constituency representation so that at least citizens and communities have a public representative who is accountable to a geographic community? The system we are creating (of national and regional lists) gives power to the party bosses who will choose the names on the lists. What should the aggrieved individual or community do — phone Pretoria to NP headquarters or Shell House, the ANC HQ? Who would you ask for if you ever got through?

Why, as SA becomes democratic for the first time, are we giving such power to the party bosses and taking it away from individual citizens and communities?

In the debate about SA's future constitution the almost total silence about the cities has been deafening. The vast majority of SA's economic growth takes place in the urban areas; the largest percentage of educational and social opportunities are concentrated in the cities; the key technological innovations necessary for our survival as a society take place in the cities; and the greatest and most explosive political, com-

munal and social and economic tensions are found in the cities. Who is worrying about the powers, functions and growth of cities in the drafting of the new constitution?

If we are to have strong regional government, we need to ensure the independence of the cities from both regional and central governments.

On the question of regional boundaries, there are a number of proposals on the table indicating different political parties' preferences. No major political grouping has explained their particular choice. Why do politicians draw the lines where they do? Are they thinking of power or development? Will regional and local communities get a chance to comment on boundaries? and

How do the different political parties envisage development policy in a new constitution? What will be the respective powers and functions of the central, regional and local levels of government and why? Surely the development experts on what they think would work best?

The Urban Foundation would make two proposals which we hope the politicians will consider.

First, we would strongly support the idea of the negotiating parties establishing an urgent commission of inquiry (not a panel of experts) into these questions. This commission should itself be broadly based and should hold public hearings throughout the country. Its report would be of critical importance when a new constitution is finally drafted. The decisions that need to be made in the interim should not close down other longer term options.

Second, another commission of inquiry should be established by the negotiating parties to look at the future of SA's cities and towns, their role in national development and reconstruction, and the powers, functions and financing of such centres.

The regional debate is not only, or even primarily, a constitutional and legal debate. It is one with important implications for the nature of future democracy and the prospects for development and economic growth.

Bernstein is director of the Urban Foundation's development strategy and policy unit.

HOUSE OF DELEGATES

involved Black minibus taxis and (ii) how many persons died in accidents involving such taxis? D149E

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Motor vehicle accidents: figures

22 Mr M RAJAB asked the Minister of Transport

(a) How many motor vehicle accidents occurred in each province of the Republic in 1992 and (b) in respect of each province in that year, (i) how many of these accidents in-

The MINISTER OF TRANSPORT.

(a) In 1992 there were 428 751 collisions of which 106 591 occurred in the Cape Province, 77 191 in Natal, 221 801 in Transvaal and 23 168 in the OFS

(b) Statistics as requested by the hon member are not kept in that format by the Central Statistical Services. No distinction is made between a minibus and/or minibus taxi, as there is only one category, namely minibus/combi.

(i) Falls away

(ii) Falls away.

Hansard

WEDNESDAY, 21 APRIL 1993

Hansard

HOUSE OF ASSEMBLY

INTERPELLATIONS

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language

General Affairs

Amalgamation of town councils: fiscal measures

* Mr A P OOSTHUIZEN asked the Minister of Local Government

- (1) Whether he intends introducing any fiscal measures aimed at White town councils that are not prepared to amalgamate with adjacent non-White townships, if not, why not, if so, what kind of fiscal measures does he envisage,
- (2) whether he will make a statement on the matter?

B657E INT

The MINISTER OF LOCAL GOVERNMENT Mr Chairman, not I, but the administrators of the various provinces have the authority to introduce fiscal measures that are directed against those town councils that are not prepared to amalgamate with neighbouring local authorities

However, I want to state clearly as general Government policy that it is no longer acceptable to expect residential towns to continue to exist independently without substantial business and industrial sectors. No municipality can make ends meet without a financial basis established by these business and industrial sectors. Established Government policy therefore provides for a movement in the direction of a common municipal tax base in respect of various municipalities and authorities that in fact constitute a logical, geographic and economic unit

†† present section 29 of the Provincial and Local Authority Affairs Amendment Act of last year provides for such a process, culminating in the sharing of sources of revenue. This process must be introduced after the appointment of an advisory commission on financial aspects by the hon Minister of Finance

The action committee of the Council for the Co-ordination of Local Government Affairs adopted a recommendation on 8 March 1993 regarding a formula in respect of the division of tax revenue from non-residential areas. This recommendation can serve as a guideline for local authorities intending to participate in this plan on a voluntary basis

Moreover, the Government is of the opinion that the time is ripe to take further initiatives and introduce proposals in the negotiation process that will allow the amalgamation of neighbouring and economically linked local government areas to become a reality. I intend elaborating on this very important matter tomorrow during the discussion of my budget Vote in Parliament

Such an amalgamation will automatically result in the sharing of sources of revenue within economically linked areas. The great challenge lies in creating both an economic and a political balance that will allay the fears and accommodate the aspirations of people who have lived in separate worlds for decades

* Mr A P OOSTHUIZEN Mr Chairman, as usual, the hon the Minister has once again not replied to the question directly, but when one reads between the lines it becomes clear that the Government is in fact going to introduce measures to force local authorities together by way of the provincial administrations

As yet the CP is refraining from practising civil disobedience. However, if the Government forces together neighbouring local authorities in any way whatsoever, the Government will enable local communities to do everything that is required to orchestrate the failure of the system. One of those methods could be the withholding of municipal rates

South Africa possesses an excellent local government system which has been developed over many years by using various systems in order to adapt to our unique circumstances. This system works well in White communities, but has failed in non-White communities. The Government now intends forcing together local authorities so that the system will fail even where it has worked very well. I want to warn the hon the Minister that he will destroy the entire system of local government

The failure of the Interim Measures for Local Government Act is no longer a secret. The hon the Minister knows this. Negotiation at local level has also failed. It has failed in spite of the fact that State funds were used to bribe town councils to negotiate. [Interjections.]

In the Orange Free State town councils received moneys with which to create a certain climate in which agreements could be reached with neighbouring local authorities. The Provincial Administration of the Orange Free State has paid R1,137 million up until March 1993 for this purpose. Town councils that were able to present a draft agreement received R20 000, and those that had not yet been able to reach agreements received R13 266. In spite of these payments the negotiations failed at local level, and the hon the Minister knows this. It should be clear to the hon the Minister that communities do not want joint administrations, and that communities do not want joint decision-making bodies or amalgamated town councils either.

As a result of this, and at the insistence of the ANC, a central negotiating forum has now been introduced. This is a miniature Codesa or a Codesa at the local level. Codesa failed at the central level. It will also fail at the local level. This forum is the result of an agreement entered into with the ANC. This constitutes part of the secret agenda of the ANC and the Government. This secret modus operandi is denounced by the 19 Cosag parties. [Time expired.]

Mr E W TRENT: Mr Chairman, we are very pleased to hear that the hon the Minister is not about to use the big stick. To do so at this stage would completely upset delicately poised local negotiations that are already in progress. The only way to achieve progress is to immediately expand representation of the local government negotiating forum. This forum must be transformed into a full-blooded, all-inclusive and urgent initiative. We must work day and night to achieve success.

The challenges facing local authorities are awesome. However, the positive spin-offs that will result from success make this challenge a worthwhile one. Whilst many local authorities are reluctant to share their limited resources, there is a price to pay for restitution. By spending money on creating an acceptable living environment for the underprivileged now, we will guar-

HOUSE OF ASSEMBLY

antee immense long-term, medium-term and short-term benefits.

Firstly, jobs will be created and a happier, healthier and more satisfied community will emerge. This will lead to increased productivity from the workforce, less crime and therefore less expenditure on the maintenance of law and order, and healthier communities and therefore less expenditure on curative health services. Then we will have communities which will willingly pay for their services. It is only by doing that that we are going to be able to put local government on a solid footing.

In conclusion, I would just like to appeal to the hon the Minister to give a tremendous amount of thought to the debt of Black local authorities. There is no way that one can saddle combined local authorities with that debt burden.

THE MINISTER OF LOCAL GOVERNMENT: Mr Chairman, I would like to respond to the hon member for Port Elizabeth Central by saying that I did not have a serious problem with what he said. In fact, I think he may well be pleasantly surprised by what I am going to table tomorrow as a basis for further negotiations. Negotiation is the key, and we must also, at local government level, allow for options so that people may find their own solutions. [Interjections.]

That is why I find it so strange that the hon member for Smithfield is reacting as he is.

*Apparently this hon member is unaware of the fact that there are town councils under CP control that are taking part in negotiations in various parts of the country, *inter alia*, in the Free State specifically. [Interjections.] This hon member is simply talking. He said negotiations at the local level had failed, and the hon the Minister knows this. I must tell that hon member that his statement is, at least partially, incorrect—the Minister does not know this. If this is the case, the hon the Minister does not know it, and that would be a disgrace.

No, negotiations at the local level have made very good progress. There are certain areas in the country that definitely do not want to negotiate. That is true. However, on the whole local negotiations have produced surprising results. I can also say this in respect of negotiations that are taking place outside the provisions of the Interim Measures for Local Government Act 1

an referring, for example, to the negotiations that are at present being conducted on the Witwatersrand. I do not think we should prescribe absolutely what a metropolitan council ought to look like. I think that if people can agree at grass-roots level, this offers the best possible alternative.

Having said that, and having placed the emphasis on negotiations, I also want to say, however, that we must have a position to fall back on in order to launch a process that will culminate in a result that is acceptable to everyone. This position to fall back on. [Time expired.]

Mr P J GROENEWALD: Mr Chairman, a British communist called Israel Cohen said as long ago as 1912 that by instilling an exaggerated guilt complex in a people that it is wronging other peoples and by persuading those other peoples that they are being wronged, communism will triumph.

The NP and its members have such an exaggerated guilt complex that some of the hon Ministers and even the hon the State President have started making confessions in this regard and begging for forgiveness for the so-called cruelty of separate development and in fact the right of a people to govern itself. They do not hesitate to do their own people an injustice for the sake of their own personal guilt complexes.

The present hon Minister of Manpower was the first to apologise for the past in this Chamber. His feelings of guilt drove him so far that in March last year, when he was the Minister of Local Government, he threatened White town councils to form joint administrations with Black local authorities, failing which he would introduce fiscal measures forcing them to agree to joint administrations.

That hon Minister's feelings of guilt drove him so far that he wanted to force White town councils to act to the detriment of their own people. That hon Minister's feelings of guilt drove him so far that he openly wanted to take the money of those citizens of the country who regularly pay their water and electricity accounts and give it away to those people who openly say they will not pay water and electricity accounts. This is quite simply tantamount to doing the White communities an injustice. Surely that hon Minister's feelings of guilt have turned him into nothing but a "useful idiot" of communism.

I want to say in this Chamber today that those

who do not remember the past will be forced to relive it. That hon Minister's feelings of guilt about his part have grown to such an extent that he is ashamed of being an Afrikaner. [Time expired.]

Mr A P OOSTHUIZEN: Mr Chairman, the hon the Minister said the negotiations at local level were successful. In that case it is very clear that he does not know what is happening in the country.

He did not tell us how many local authorities in the Free State have amalgamated and how many in the Cape Province and how many in the Transvaal have taken this step. No, he does not know what is going on. He said the CP town councils were negotiating. Yes, we are negotiating. We are not opposed to negotiation in principle, but we are negotiating about rendering services on an agency basis and not what the Government wants to negotiate about, viz one town council. We are negotiating about something completely different.

The NP is boasting about democracy. They now have the opportunity to prove their sincerity in this regard. A democratic arrangement would be to afford neighbouring communities the opportunity to decide whether they want to be part of this new authority that will be a joint authority. A democratic way of doing this would be to hold a referendum in every community so that every community can decide separately whether or not it wants to constitute part of this new authority. Then it will be successful, otherwise not.

THE MINISTER OF LOCAL GOVERNMENT: Mr Chairman, in the Free State 22 agreements have been reached with the Administrator. I take it the CP does not control many town councils in the Free State. They are probably mostly town councils under the control of the NP, otherwise the CP are significant negotiators, and they would not admit that. [Interjections.]

We may disagree vehemently on this issue, and deal one another blows, but there is one truth that we cannot get away from. Just as they cannot create a White world, they cannot get away from the fact that in the long run there will be joint control boards, municipalities or local authorities. This is the inexorable flow of history in this country.

We are going to present them with a plan. I think even they will be surprised when we

HOUSE OF ASSEMBLY

discuss this tomorrow. We can consider the balance to which I have referred, viz a balance between two worlds which we have shared separately for such a long time. We have to ensure that there is also political and economic balance in this process, of course. The sooner we are able to achieve this balance, the sooner change and reform can take place.

Debate concluded

262

Cost of optical dispensing/frames/lenses: steps

2 Mr R V CARLISLE asked the Minister for National Health and Welfare:

Whether she or her Department has taken or intends taking any steps in regard to the alleged (a) exorbitant cost of optical dispensing, frames and lenses and (b) unacceptable practices in this field apparently condoned by professional bodies, if not, why not; if so, what steps?

B653E INT

THE MINISTER FOR NATIONAL HEALTH AND WELFARE Mr Chairman, the hon member for Wynberg raised a very important topic today.

One of the major problems of present-day health care services is the fact that the man in the street can no longer afford them.

I would like to emphasise one point. Neither the Minister nor the department has any direct input into costs in professional practices. Fees are determined by medical schemes. Professional practices are controlled by the SA Medical and Dental Council. The council recently had an in-depth discussion on their ethical rules. The report by the Competition Board on the deregulation of the professions was an important stimulus for these discussions.

It was obvious that some of the ethical rules were there for the protection of the professions and not for the protection of the public. The council therefore amended the rules. The recommendations of the Competition Board can be summarised as follows. There should be no maximum or minimum price-fixing, a greater degree of advertising should be allowed, and professionals should be allowed to work with and be employed by non-members of the profession. The council accepted the first two of these recommendations.

HOUSE OF ASSEMBLY

so that free-market principles can operate

THE CHAIRMAN OF THE HOUSE Order! I can hardly hear the hon member for Durban North. Hon members must lower their voices. [Interjections.] Order! The hon member for Durban North may proceed.

Mr M J ELLIS: Mr Chairman, much of the noise is coming from the hon members wearing flow-ers to commemorate, I believe, their first year as members of the ANC in the House of Assembly. [Interjections.]

We in the DP are not wearing flowers, but perhaps we should be to commemorate the one year since they left us. [Interjections.]

Let me come back to what I was saying. The hon the Minister, in the debate on the Medical Schemes Amendment Bill, said that the whole aim of that particular Bill was to deregulate medical schemes, and I quote from her speech so that free-market principles can operate to offer health care cover suited to the real needs and financial means of members.

The DP fully accepts this principle.

However, what we are calling for today is the further deregulation of all private health services, including the fields of optometry and optical dispensing. By all accounts these fields have become completely monopolised with serious effects on the costs of the services offered by the professions involved, and ultimately on the cost of spectacles. Consequently, there are probably millions of people in this country who should be wearing spectacles, but who are not. In many cases this is simply because people cannot afford them.

In an article in *Fair Lady* dated February 1990 the SA Optometric Association themselves acknowledged the seriousness of the situation when they said, and I quote:

Two million South Africans wear visual aids and up to six million more should be wearing them.

These two professions, registered by the SAMDC—as the hon the Minister quite rightly said—and controlled through their respective associations and presumably the professional board for optometry have, by all accounts,

restricted entry to their profession and have effectively excluded competition in any real sense. [Time expired.]

*Dr F H PAUW: Mr Chairman, I should like to add a few words about the cost of spectacles. I, too, am sorry that the hon member for Wynberg is not present.

Because a person's ability to see and to read is so fundamental to the quality of his life, the services relating to this issue require special attention from the department and the hon the Minister. We cannot simply allow the ordinary market forces to operate and determine the prices of materials and services in this regard. In situations where exploitation is possible, it is not only right that the hon the Minister should intervene, it could also be regarded as her duty to take action in order to protect the public.

The situation regarding equipment and aids over the entire spectrum of the delivery of health services lends itself to abuses. Materials, especially imported materials, are becoming more expensive due to the continued weakening of the rand. The consumer is not always in a position to judge whether the article that he is paying for is being offered at a reasonable price.

As is the case with other health service professionals, the weakening economy is putting practitioners in this field under increasing financial pressure. As is the case with other health service professionals, the cost of running a practice—costs relating to staff, rooms and equipment—is escalating. This probably explains the attitude of the professional bodies.

A person such as the hon member for Wynberg, who is inclined to be impetuous and to make hasty judgements about issues that are not clear at first sight, must be very careful when accusing professional bodies of condoning unacceptable practices.

***THE MINISTER FOR NATIONAL HEALTH AND WELFARE** Mr Chairman, I am on record as having said in various debates and on various occasions that market forces alone cannot be allowed to impact upon health services. I concede this to the hon member. The reason for this is that the doctor's decision determines 80% of the supply and demand in health services. That is one of the problems we need to look into.

The fact that professional associations deter-

HOUSE OF ASSEMBLY

Non-racial civic polls soon?

Municipal Reporter

(26)

CT 20/4/93

MUNICIPAL elections could be held before a general election if enough progress was made in negotiating a new non-racial dispensation, Local Government Minister Dr Tertius Delport said last night

Speaking in The Strand at the annual congress of the Cape Province Municipal Association, Dr Delport said legislative changes would be made during the present parliamentary sitting to en-

able him to announce or postpone municipal elections

The government believed there should not be another race-based election "If the necessary progress can be made, there is no reason why municipal elections cannot take place before a general election," he said

It was not necessary to scrap the present local government model, but it was necessary to rationalise the 17 separate pieces of legislation and the many different structures

It was untenable to go on with race-based legislation like the Black Local Authorities Act, and management committees

Dr Delport said the time had come for a social contract to bridge the gap between the country's "first" and "third worlds"

"I believe that is the lesson that must be learned out of the stormy events of the past week. A new world for the whole of South Africa can only be built if the aspirations and fears of both 'worlds' can be accommodated"

Councils must toe line on joint administration

Star 21/4/93
(262)

Own Correspondent

CAPE TOWN — The Government is planning prescriptive legislation to force city councils into joint administrations, Minister of Local Government Dr Tertius Delport said.

Measures to be introduced tomorrow during the Parliamentary debate on his vote would go beyond "empowering" legislation, such as the Interim Measures for Local Government Act

Legislation

And legislation on local government would be purged of all racial references and made applicable to all local authorities

Delport told the opening this week of the Cape Province Municipal Association meeting in The Strand the law would be amended to allow him full control over whether municipal elections were postponed or held.

"There is no reason that mu-

nicipal elections cannot take place before a general election," he added.

It was not necessary to scrap local government and rebuild it. It could provide security during transition and the stability needed for further reform.

But change was essential, and there were three basic needs — rationalisation, political reform and a new vision, Delport said.

He confirmed the Local Government Negotiating Forum was investigating criteria for membership because several bodies, including political parties, had applied to join.

Local government should be more orientated towards development. But while calling for a new vision, he acknowledged events of the past week had thrown a cloud over negotiations and reform.

As delegates from cities and small towns all over the province arrived for the two-day congress, African National Congress and SA National Civic Organisation members handed out

a statement calling on all councillors to resign.

They demanded that their statement be added to the CPMA agenda for discussion.

The statement called for:

- The immediate resignation of all councillors of apartheid local government
- The scrapping of the Interim Measures Act.
- The establishment of democratic interim local government structures.
- The scrapping of racial local government budgets

Action

"Racist local government has denied our people the services and facilities we need," the statement said.

Affirmative action and training programmes to support it were among other demands.

CPMA president Dr Danie Schumann said the congress might be the last of its type

He called on members to set up interim arrangements to match the forthcoming transitional government.

Resign now, local govt officials told

Municipal Reporter

ALL councillors of apartheid local government should resign immediately, the ANC and the SA National Civics Organisation demanded yesterday

A group of about 200 demonstrators pressed home this point yesterday by turning up at the Strand Town Hall, where about 600 delegates from white municipalities were attending the annual Cape Provincial Municipal Association congress

The ANC and Sanco want interim local government structures to be set up immediately, and want racially-based local government budgets scrapped

They demanded priority be given to improving the poor's living standards, a commitment to capacity-building and affirmative action

Professor Danie Schumann, outgoing president of the CPMA, said the association acknowledged that non-racial local government had to be established as soon as possible, infrastructure improved, and local authorities combined on a "one council, one tax base" principle

Local govt proposals anger negotiating forum

B/D/AM 23/4/93

(262)

GAVIN DU VENAGE

GOVERNMENT, announcing plans to change local government legislation, has angered other members of the national local government negotiating forum

Local Government Minister Tertius Delport announced the proposals in Parliament yesterday, saying they could lead to wide-scale restructuring and amalgamation of existing municipal authorities

If the plans were translated into law, white, coloured, Indian and black local authorities could be amalgamated wherever they formed "logical geographic and economic units" This would enable local authorities to negotiate jointly legally binding settlements and set a mechanism for redefining boundaries for metropolitan, local and regional service structures

Elections would have to be held soon to establish legitimate forms of local government. Legislation would have to be rationalised and racial connotations removed from ordinances. This was likely to lead to repeal of the Black Local Authorities Act and abolition of Indian and coloured management committees

Other aspects of the proposals included creation of metropolitan councils, services boards and ward councils. Rearrangement of the electoral system and establishing voting rights would fit into this process.

ANC local government department deputy head Motole Motchekga said it appeared that government was using the forum as a front while continuing to make unilateral changes. "We are not interested in their tinkering with the system. If they want to initiate changes, there is an appropriate forum," he said.

Cast general secretary Dan Mofokeng said the proposals should have been put to the forum for discussion instead of being routed through Parliament

Johannesburg management committee chairman Ian Davidson was surprised that the Minister had chosen to make public the proposals in Parliament, instead of the forum. It was not so much the substance of the proposals that was worrying as the process chosen to launch them.

Two-tier plan for local government

(262) ARG 24/4/93

ARG 24/4/93

JO-ANNE COLLINGE

Weekend Argus Correspondent

PLANS for nonracial local government are founded on separate voters' rolls: One for owners of property and one for adult residents

This was disclosed in parliament by Minister of Local Government Dr Tertius Delport, when he released details of the Local Government Reform Bill soon to be published for comment

Irrespective of the ratio of property owners to other residents, seats in town or city councils should be split on a 50/50 basis between those candidates elected by voters on the property roll and those on the general roll, the government suggests

In addition, ward councils, intended "to maintain the 'own character' of smaller communities", should be set up on a voluntary basis and be given statutory powers, the minister said

Among other things, such councils — or "sub-municipal" structures — should set norms and standards in their areas, regulate the use of property and deal with "security affairs" and civil protection, said Dr Delport

In addition, they should be empowered to levy additional rates on residents to undertake specific community projects.

Where interest groups in a given area negotiated a "local option" which deviated from the government's framework, such solutions should be given legal recognition, the minister said. It was possible the government's position should be a "fallback position", when local negotiations failed to produce results

Dr Delport rejected the notion that

the dual voters' roll and ward councils were designed to protect the privileged classes. "There's no way you can entrench privileges. You can entrench rights, but not privileges," Dr Delport insisted

Other proposals in the government's reform package, which will be presented to both the Local Government Negotiating Forum and the national constitutional negotiating structure, are

- Consolidating legislation and removing all racial references in law. This implies that, in the short term, black local authorities would be treated as other municipalities and the coloured and Indian management committees would disappear

- The creation of metropolitan councils and, in less urbanised areas, services boards. These would be viewed not as part of regional government, but as co-ordinating mechanisms on local level

- Institution of a process to encourage locally negotiated restructuring of local government and providing legal sanction for such negotiated structures.

- Prescribing a process to amalgamate local authorities and set areas of jurisdiction for municipalities, metropolitan councils and services boards

Dr Delport stressed that the priority in local government would be development, or "addressing backlogs, not only in respect of infrastructure, but also as regards the development of our people potential". He stressed that central government would continue to bear considerable financial responsibility through special project funding

Clashes

Star 26/4/93

loom over

local govt

proposals

By Jo-Anne Collinge

262

There are clear warning signs that the Government's reform plan for local government will run into opposition at national constitutional negotiations, in the Local Government Negotiation Forum and in Parliament.

Details of the plan would appear in the Local Government Reform Bill, Minister of Local Government Tertius Delpont said last week. Speaking during his budget vote, he gave a good idea of what could be expected.

Particularly controversial are the proposals that town councils be elected on the basis of a dual voters roll — one roll for property owners and another general roll — and that ward councils be given statutory powers to set standards, control property usage and impose additional levies.

ANC local government department head Mathole Motshekga said the plan smacked of apartheid.

"We believe all adult citizens should have an equal vote with equal value," he said.

Referring to ward councils and their powers to set standards and control property usage, Motshekga said this was a new attempt to keep blacks out of the former white group areas.

"The victims of apartheid are being victimised again"

NATIONAL

Forum for ⁽²⁶²⁾ local rule likely

CLIVE SAWYER
Municipal Reporter

A METROPOLITAN Cape Town local government negotiating forum could be set up at a special meeting convened by the Institute for a Democratic Alternative for South Africa (Idasa) at the end of May.

Meetings with key city and town councils, political, business and labour groups are being sought this week, Idasa Western Cape director Mr David Schmidt said.

The meetings follow a series of seminars in the past year on the constitutional future of greater Cape Town.

At the most recent meeting, last month, there was strong consensus that a negotiating forum on local government should be set up.

Main issues to be put to stakeholders included terms of reference of the proposed forum, representation, procedures and capacity building, Mr Schmidt said.

There was a strong feeling that planning the metropolitan forum should go ahead, in spite of the national Local Government Negotiating Forum not having issued guidelines for local talks.

He doubted whether a controversial proposal by Minister of Local Government Dr Tertius Delport to table a Local Government Reform Bill — which would effectively force local authorities into interim joint administrations — would prejudice local talks.

"We are in a transitional phase and I doubt that a negotiating forum, as a non-statutory body, would be affected," he said.

It was hoped to make the forum as inclusive as the seminars had been, but it was doubtful organisations such as individual ratepayers associations would be able to have their own representatives.

Asked whether meetings of the forum would be open to public and Press, Mr Schmidt said Idasa was acting as facilitator and could not prescribe to the organisations involved.

Clashes loom over local govt proposals

Star 26/4/93
By Jo-Anne Collinge 262

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"The victims of apartheid are being victimised again."

THE SA National Civics Association will join the ANC-alliance rolling mass action unless its demands on local government are met by the end of the month.

Sanco has demanded of Minister of Local Government Dr Tertius Delport

- Abolition of all racially-based local authorities, including white municipalities, by June,

- Replacement of councils by interim non-racial authorities appointed by the Local Government Negotiating Forum,

- Abolition of all local government laws by June,

- Writing off of all rent and service arrears owed by black, Indian and coloured people,

- An end to privatisation of community services,

- Replacement of provincial administrations by non-racial interim regional authorities

The Local Government Reform Bill announced by Dr Delport on Thursday was a National Party attempt to take power at local level in advance of national elections, Sanco national general secretary Mr Dan Sandi said

Dr Delport said the Bill would provide for consolidation of all local government legislation, removal of racial connotations from the ordinances — which would imply abolishing management committees — creation of metropolitan councils, and offering ward councils as an option

The Bill would replace the Interim Measures for Local Government Act and set deadlines for "local option" arrangements to be negotiated

Municipal elections could be held before national elections, Dr Delport said

Mr Sandi said the Bill had not taken account of the majority of the people

He said local government elections should be held after the first non-racial parliamentary elections

"The regime's aim is to frustrate multi-party negotiations and it should be remembered that Dr Delport is the man who caused a deadlock in Codesa last year"

Sanco rejected Dr Delport's proposal of separate voter's rolls for property owners and others as apartheid in disguise

Proposed different types of councils for urban and rural areas would confuse people

Ward councils would promote apartheid, because they would remain racially-based in a new South Africa, he said.

CLIVE SAWYER
Municipal Reporter

Sanco threaten to join mass action

1994 27/4/93

0152

Official moves on Star 29/4/93 local govt attacked

By Jo-Anne Collinge

The South African National Civic Organisation (Sanco), the ANC and Cosatu have warned the Government against treating the Local Government Negotiating Forum (LGNF) as "its advisory committee"

The three organisations issued a joint statement yesterday in response to the budget speech given by Minister of Local Government, Tertius Delport last week.

They took particular exception to the Minister's references to the fact that the LGNF was not fully representative and that it would not have a final say on local government policy issues

"We accept that the forum does not represent all interests and parties in South Africa," said the ANC's Thozamile Botha, speaking for the three organisations "But the Minister is aware that the forum has an inclusive policy and that criteria for participation by different interest groups (are) being worked out."

Furthermore, said Botha, the founding agreement of the LGNF made it clear that decisions taken and guidelines set by the forum were binding on all participating bodies

He remarked that Sanco, the ANC and Cosatu found it unacceptable that the Government should contain its proposals for local government reform in a parliamentary Bill. Any such Bill should be the result of negotiations in the LGNF, not the exclusive product of the National Party, he said

The LGNF, formed a little over a month ago, consists of a "two-sided table" — that is half its members come from statutory organisations, such as central government, the provinces, the major municipalities and local government umbrella bodies, and half come from non-statutory organisations, primarily the civic movement

Botha said it was already clear that some of the statutory participants in the forum would refuse to be associated with the central government's proposal

'Trial and error necessary'

810PM 29/4/93
A PROCESS of trial and error lasting several years may be needed to find the best options for new local government structures, says Vista University's senior lecturer in Public Administration, Victor Hilliard

Writing in the latest issue of Boardroom, Hilliard said that despite the desire for consolidated municipal areas spanning racial divides, this has up to now been little more than an ideal. And finding a solution could even stretch into decades.

What would emerge was a system of compromise for each urban area, and even this would fail to satisfy everyone affected.

But there were a number of issues that all parties agreed had to be resolved, including the speedy removal of all remnants of discrimination.

However, disbanding racially-based local authorities would not be feasible. Where existing structures were working they should be left intact. And as it was political heads such as town councillors, rather than municipal officials who caused antagonism, they could be removed while the administrative mechanisms were left in place.

White local authorities should share

GAVIN DU VENAGE

their expertise with those which lacked skills

(262)
Finding solutions should be left to local political leaders themselves

Impartial, independent agents could be appointed to initiate negotiations and effect a smooth changeover, to avoid disruption of essential services.

Consumer resistance would have to be addressed, not through the paternalistic methods previously used, but by negotiation. However, service charge payment should be enforced, and effective measures for revenue collection introduced.

One method of revenue collection could be to extend property rates to all inhabitants. There could be a joint budget compiled for all urban areas within a region, with all resources to be exploited on a regional basis.

There was still a danger, said Hilliard, that local authorities would be expected to provide services as a "democratic right" irrespective of whether people could pay or not. A likely compromise would be to introduce a means test so that the very poor paid only a nominal amount.

Auditors

query board expenses (262)

Municipal Reporter

INDEPENDENT auditors found irregularities in expense claims by members of the Board on Remuneration of Town Clerks.

Alleged irregularities included three claims put in by members who had already been paid out for them.

The board is a statutory body which decides on pay and service conditions of town clerks.

The November 1992 audit found internal accounting controls were inadequate.

Many expense claims were not supported by proof, the auditors said.

Claims totalling R21,123 were not backed by receipts.

In one case, an invoice submitted in February 1992 for an air ticket and car hire was a copy of one submitted in November 1991.

The auditors recommended internal controls should be implemented.

Records of the board showed 55 local authorities had not paid their 1991/92 membership fees.

- Merging areas of jurisdiction,
- Scrapping the controversial Interim Measures for Local Government Act and all remaining racial connotations from provincial ordinances,
- Consolidation and rationalisation of local government legislation,
- The creation of metropolitan councils and services boards,
- The voluntary creation of ward councils,
- New regulations to give property owners special voting rights,
- The postponement (yet again) of local government elections due later this year, and
- Central government financial assistance for local authorities

Delpont rejected a suggestion that the proposed ward councils were meant to entrench existing privileges. Their purpose was to retain the "own character" of communities and to give them a say in the "residential environment."

Their powers and functions would include regulating "norms and standards," the use of property, the supply of community facilities, security and civil protection.

They would have the authority to levy additional rates on residents within the ward to finance their own structures and specific projects within their areas of jurisdiction.

Nevertheless, the proposal conjures up the image of similar provisions in the notorious (and subsequently dumped) Residential Environment Bill, published in 1991 as part of a trilogy of measures apparently aimed at filling the void left by the scrapping of the Group Areas Act (*Current Affairs* April 12 1991). Delpont's proposal includes a dual voters' roll system. One would include all residents over 18, the other all property owners. Voters on the general list would elect half the council, property owners the other half. The ANC, on the other hand, has proposed the appointment of nonracial interim local authorities from July 1 to take over local government until a new constitution is negotiated.

In response last week, Delpont said such a move was "definitely out." The alternative, he said, was government's proposal. Central to the ANC's plan is the appointment of interim local and metropolitan councils based on lists of names submitted by local and metropolitan negotiating forums.

Appointments could be made either by existing provincial administrators or the proposed interim regional executive councils (which would be responsible for regional government during the transition). In either case, there should be consultation with the proposed provincial monitoring commissions or the local government negotiating forum (*Current Affairs* April 9).

Elections for permanent councils, says the ANC, would be held after acceptance of a new constitution, which will clarify the structure of local and regional government.

■

LOCAL GOVERNMENT FM 30/4/93
Collision course (262)

Government and the ANC are set for a major showdown on local government reform following the release last week of proposals that indicate a huge gulf between their positions.

There were even suspicions that the plan unveiled by Local Government Minister Tertius Delpont was an attempt to entrench race and class privileges in upmarket residential areas — a charge he strongly denied.

Nevertheless, his proposals are not likely to find much favour with the ANC and could threaten sensitive multilateral talks now under way in the recently formed Local Government Negotiating Forum.

In its initial reaction, the ANC warned government not to attempt unilateral restructuring and questioned Delpont's decision to release the document at a press conference in Cape Town, rather than table it for discussion at the forum — as the ANC did last month with its proposals.

Government's proposal includes provision for

- Dismantling coloured and Indian management committees and local affairs committees as well as black local authorities,



Delpont

Approval of public service Bill 'likely to provoke clash'

B10m 3/5/93

GERALD REILLY

PRETORIA — The passing of the Public Service Labour Relations Bill in Parliament was likely to lead to a major clash between government and public service workers over a 5% pay hike, senior public servants said last week.

When the Bill was passed — which would probably be during the current session — government workers for the first time would have “real muscle” in bargaining for pay and service improvements.

The Bill provided for negotiations up to arbitration. Some workers in “nonessential” services would have the right to strike in support of demands.

The Bill, which had passed a first reading in Parliament, was with a parliamentary committee which had been hearing representation on its content from interested parties, including Codesa.

Earlier last week the public service said it wanted the 5% increase to be extended to allowances.

Caucus spokesman Anton Louwrens said President F W de Klerk’s “bad faith” display in cutting short negotiations — which had been in progress for months — with the Commission for Administration remained a major grievance.

Last month De Klerk bluntly told the Teachers’ Federal Council government would not budge on the 5% pay increase.

The TFC was pressing National Education Minister Piet Marais to agree to a new bargaining mechanism for teachers.

The Medical Association of SA had registered its dissatisfaction with the fact that the allowances of doctors in government service would remain frozen.

Their salary increases amounted to 3.7%.

This, Masa said, was totally unsatisfactory, especially in the light of the shortage of doctors in state and provincial hospitals.

Hansard

	(a)	(b)	(c)	(d)
Soqhayisa Secondary School	1	1	4	5
Vernon Gamaanda Secondary School	2	1	2	3
Vulumzi Secondary School	—	2	4	4

(ii) IBHAYI

Same schools as in Port Elizabeth

(iii) UITENHAGE

Phaphani Secondary School
Sisonke Secondary School
Solomon Mahlangu Secondary School
Thanduxolo Secondary School
Tinara Secondary School

	(a)	(b)	(c)	(d)
	3	4	2	9
	—	1	3	3
	2	2	3	5
	—	1	4	3
	5	2	3	7

(iv) KWA-NOBUHLE

The Uitenhage metropole includes the Kwanobuhle area. Therefore the answer coincides with the answer for (iii)

Note

— In the answer a dash (—) indicates that the subject is not offered at a school

— In determining "appropriately qualified teachers" the following criteria were applied.

- (a) A teacher is considered to be appropriately qualified should he be in possession of (i) a three year (post standard 10) or higher professional qualification for secondary education with appropriate degree course(s) as well as a professional (teaching) qualification
- (b) Persons in possession of appropriate academic qualifications, (degrees) without any professional teaching qualification are not considered to be "appropriately qualified"

Black local authorities: bridging finance

284 Mr J J WALSH asked the Minister of Local Government

- (1) What was the total amount outstanding per (a) province and (b) lender in re-

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- (b) Transvaal Falls away

- (2) what was the total amount of guarantees in respect of loans and other finance provided to Black local authorities by each (a) province and (b) guarantor as at the above date?

The MINISTER OF LOCAL GOVERNMENT

- (1) (a) Transvaal—None (What was previously treated as "bridging finance" has subsequently been treated as "inter-governmental grants" which is not repayable and therefore no amounts are outstanding)

Natal—R136 666 861,00

Orange Free State—R195 524 056,98

Cape Province—None (What was previously treated as "bridging finance" has subsequently been treated as "inter-governmental grants" which is not repayable and therefore no amounts are outstanding)

Hansard

Natal
(Bridging finance as at 31 March 1991)

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Bhekuzulu	6 796 069
Bhongweni	5 018 266
Brunville	3 879 100
Dunbe	1 605 593
Enthalakahle	7 173 733
Hambanani	10 416 644
Isokolele	2 170 839
Klaarwater	5 547 910
Kwanevana	1 655 754
Mzingizi	456 979
Ningizimu	58 053 113
Nkanyesi	2 229 329
Sibongile	6 276 179
Sithembile	4 171 471
Shakaville	3 294 120
Shayamoya	603 241
Sobantu	10 547 398
Steadville	6 771 123
Total	R136 666 861,00

Orange Free State
(Bridging finance as at 31 March 1991)

Allanridge/Nyakallong	500 000,00
Arlington/Leratswana	28 065,00
Behulue/Lephot	445 051,59
Bethlehem/Bohlokong	1 559 883,47
Boshof/Seritse	185 725,36
Bothaville/Kgotsoeng	8 277 136,91
Bultfontein/Phahameng	2 850,00
Brandfort/Majwemaswen	873 428,99
Clarens/Kgubetswana	1 325,00
Clocolan/Hlohlwane	170 490,07
Cornelia/Ntswanatsatsi	6 068,00
Dealesville/Tswaraganang	393 009,33
Dewetsdorp/Morojaneng	778 523,19
Edenburg/Ha-rasebei	1 143 781,09
Edenville/Ngwathe	1 375,00
Excelsior/Mahatswetsa	168 750,14
Fauresmith/Ipopenng	361 122,67
Fouriesburg/Masjanng	59 560,79
Frankfort/Namahadi	276 981,38
Hartsmith/42nd Hill	384 403,24
Heilbron/Phrintona	169 824,00
Hennenman/Phomolong	174 888,15
Hertzogville/Malebogo	173 556,10
Hobhouse/Thapeleng	162 787,18
Hoopstad/Tikwana	118 103,56
Jagersfontein/Iumeleng	863 584,51
Jacobsdal/Ratanang	54 216,54
Kestell/Thololong	27 435,82
Koffiefontein/Ditlake	884 425,84
Koppies/Kwakwatsi	80 402,74
Lindley/Ntitha	1 195,00
Marquard/Moemaneng	57 874,78

HOUSE OF ASSEMBLY

Answered

TUESDAY, 4 MAY 1993

Answered

Answered

TUESDAY, 4 MAY 1993

Answered

Orange Free State
(Bridging finance as at
31 March 1991)

Memel/Zamani	10 198,00
Odenaasrus/Kutlwangong	2 632 899,32
Oranjeville/Meismaholo	9 522,48
Paul Roux/Motlomo	105 994,00
Petrusburg/Bolokanang	112 167,75
Petrus Steyn/Mamatubedu	24 130,00
Philippolis/Poding-tse-rola	176 899,86
Reddersburg/Ohoweng	210 036,15
Reitz/Petsana	605 783,13
Rosendal/Mautse	12 686,53
Rouxville/Rweleleyathunya	248 257,73
Senekal/Matwabeng	20 273,48
Smithfield/Tshepong	293 831,60
Soupran/Ikgomotseng	65 572,96
Springfontein/Maphodi	1 344 753,29
Steynsrus/Matlwangtlwang	2 160,00
Trompsburg/Madikgetla	210 168,16
Tweeling/Mafahlaneng	107 346,87
Van Stadenrus/Thapelang	11 888,00
Viljoenskroon/Rammuloisi	202 413,35
Villiers/Qalabotjha	2 025,00
Virginia/Meloding	1 633 805,50
Vrede/Thembalhle	157 750,28
Vrededorf/Mokwallo	60 681,38
Warden/Ezenzeleni	0,00
Welkom/Thabong	26 241 705,38
Wesselsbron/Monyakeng	162 793,53
Wepener/Oibing	474 542,34
Winburg/Makeleketla	21 485 190,28
Zastron/Malakeng	4 321 907,95
Bloemfontein/Manganga	13 608 678,35
Ficksburg/Megheleng	2 964 979,67
Kroonstad/Moakeng	8 185 348,81
Ladybrand/Manyatseng	45 702,11
Parys/Tumahole	4 065 452,94
Tweespruit/Borwa	210 509,34
Vanderbijlpark/Lekoa	45 747 138,00
Vanderbijlpark/Evaton	9 420 658,00
Orange-Vaal	16 116 436,00
Suid OVS	17 196 489,32
Total	R195 524 056,98

Cape Province
Falls away

(2) (a) Transvaal—R361 565 939 at 31
March 1993
Natal—R891 900 at 31 March 1993
Orange Free State—None
Cape Province—None

(b) Transvaal—None
Natal—None

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Orange Free State—None
Cape Province—None

Para-statal bodies: audits conducted
292 Mr L. FUCHS asked the Minister for Public Enterprises.

(1) (a) (i) How often are audits conducted in each para-statal body falling under his

control, (ii) how does the regularity of these audits compare with that of audits in the private sector and (iii) what are the reasons for the intervals between audits conducted in para-statal bodies, (b) (i) what are the minimum qualifications for the audit staff of para-statal bodies and (ii) what, on average, is the (aa) nature and (bb) extent of the experience of such staff and (c) (i) what was the cost of each audit conducted in each para-statal body in 1992 and (ii) (aa) how many hours were spent auditing each such body in that year and (bb) what are the details of the time so spent,

private sector and are, therefore, fully comparable to audits in the private sector
The reply is otherwise as follows
Eskom

- (1) (a) (i) A variety of audits are continually performed throughout Eskom and its subsidiaries
- (ii) The audit coverage is more extensive and regular than in the private sector
- (iii) *Vide (i) supra*

(2) whether reports are produced as a result of each audit, if not, what is the position in this regard, if so, to whom are these reports referred,

(b) (i) The requirement for entry to the Audit Department is a recognised qualification plus articles of clerkship with a recognised firm of registered accountants and auditors. An appropriate university degree or a professional qualification, such as Chartered Accountant or Certified Internal Auditor, is preferred

(3) whether the results of each audit are referred to audit committees, if not, why not, if so, (a) what are the relevant details and (b) what are the functions of such committees,

(ii) (aa) On average, the nature of the experience of audit staff is financially orientated with specialisation in areas such as human resources, information technology, treasury, engineering and management consulting. In addition, skills are brought in when necessary through external consultants

(4) whether the results of these audits are verified by auditors in the private sector, if not, why not, if so, what are the relevant details? B678E

(b) (ii) On average, the extent of the experience of the audit staff is vast, ranging from the longest serving auditor with 30 years' experience to new recruits with a minimum of three years' external audit experience. There is a wealth of experience covering all different areas and disciplines, both operational and financial. The current qualification profile of the Audit Department is as follows

THE MINISTER FOR PUBLIC ENTERPRISES

The hon member refers to "each parastatal body". According to a definition of a parastatal body obtained from the Commission for Administration, it is "a State institution not falling within the purview of the Public Service Act but which can claim funding in part or in full by the Exchequer and/or which can attribute its right of existence to its own enabling act". In terms of this definition, only Eskom will fall within the scope of the question. However, it is assumed that the hon member means all the public enterprises within the Minister's portfolio. If so, only some of the subsections of the question will be applicable to the other public enterprises. The public enterprises incorporated under the Companies Act are subject to the directives and disciplines of the Companies Act, also as far as their audits are concerned. Their audits are carried out by auditors in the

HOUSE OF ASSEMBLY

fact that we are rationalising with meticulous planning and certainly have to adapt.

There is one point on which the hon. member and I are in complete agreement. We agree that, in spite of rationalisation and cutbacks, we must try at the same time to maintain the best possible defence force with the same means and, if it is necessary, even to expand. Then we can talk about it, because then it is a matter of merit being placed against merit.

If the hon. member, for instance, differs on the decisions of the South African Defence Force regarding headquarters, we can debate this. We say, however, that it was absolutely necessary in order to ensure that one obtained better grouping and that there should be a greater variety of elements within the group. In group headquarters one therefore now has more elements which have a variety of capabilities at their disposal. Surely that is an improvement. [Time expired.]

Debate concluded

Creation of unified city councils

2 Mr M A TARR asked the Minister of Local Government

- (1) Whether he intends sanctioning the appointment of interim local councils, if not, what steps does he contemplate taking to address the alleged crisis in local government in respect of the creation of unified city councils, if so,
- (2) whether he intends introducing enabling legislation to facilitate the creation of such unified city councils, if not, why not, if so, what are the relevant details?

B77ZE INT

The MINISTER OF LOCAL GOVERNMENT Mr Chairman, for a brief moment I was tempted to say that I understood the question but not the problem.

I can only sanction the appointment of interim councils, or any other council for that matter, in terms of legislation empowering me to do so. At present duly composed councils can be negotiated, and eventually legally sanctioned, in terms of the procedures laid down by the Interim Measures for Local Government Act.

Looking ahead, however, may I remind the hon HOUSE OF ASSEMBLY

member that on 22 April, during the discussion of my Vote, legislation pertaining to local government reform was recommended as an instrument for moving towards a new dispensation. This is a proposal the Government is tabling in the negotiation process.

Let me reiterate the main features of such legislation. Firstly, there will be measures relating to the consolidation and rationalisation of legislation relating to local government, so that all local government institutions are controlled by the four provincial ordinances. This would entail the repeal of the Black Local Authorities Act.

Secondly, there is the removal of racial connotations from the ordinances. This means the disappearance of management committee and local affairs committee systems. Thirdly, there is the creation of metropolitan councils and services councils, fourthly the creation of ward councils, fifthly a proposed new electoral system, sixthly allowing a local negotiating forum to develop local options, in the seventh place prescribing a process for the amalgamation of different local authority bodies and redefining the areas. This involves a demarcation board and how it should operate. In the eighth place there is the question of dealing with personnel affairs, debts, financial and fiscal arrangements, and finally arrangements regarding elections as soon as a new municipality has been negotiated or demarcated.

Government's first option and priority is therefore to reconstitute local government through a process leading to elections. If, however, local negotiations lead to a request for an appointed council, and such a council were to have legitimacy and the support of the community, we would, in principle, not reject this as an alternative.

Mr M A TARR Mr Chairman, this interpellation was tabled some time before the debate on the hon the Minister's Vote. So many of the issues have already been debated in this House. However, let me put my party's viewpoints.

We believe that negotiating structures of local governments should be put into place at local level as soon as possible and that this is of vital importance. It is at the local level that people live, that they turn on a tap and switch on a light. This, of course, is vital to the man in the street.

This is historically what the average man is looking for. He is not looking for sophisticated constitutional tiers of government at central level. However, when there is no water in the tap, or the light does not come on when he turns on the switch, those are the things that must actually be dealt with.

The IFP is generally encouraged by the hon the Minister's speech during his Vote recently, with the flexibility which he displayed then and displayed again today. There are many problems that need to be addressed at local level which the hon the Minister has given recognition to. He mentioned them again today, for example the boundaries of cities and metropolitan areas, the boundaries of wards, the registration of voters, the problem of not even being able to identify a voter's address, as is the case in many rural and peri-urban areas, the voting systems, the amalgamation of the various administrations, etc.

However, the IFP still have a few problems. We are convinced that the only negotiating approach that will work at local and regional level is a bottom-up one. We are worried that the composition and mode of operation of the Local Government Negotiating Forum can or will tend to impose a top-down approach.

We also believe this forum needs to be more representative. It can play a very useful role, for example as a clearing house for ideas. However, I again emphasise that there must be flexibility because no two areas are the same. I refer, for example, to the Pietermaritzburg region, where large areas that are going to be incorporated into the new local authority are still under the control of traditional leaders. Clearly some or other way will need to be found to accommodate them.

The other thing the IFP is concerned about is the apparent lack of urgency in promoting negotiations at local level. It appears that everyone's attention has been focused on the national negotiations, while local negotiations have been relegated to an essentially secondary position. We believe this is dangerous, as local level negotiations are as important as those at national level. Judging by the hon the Minister's speech he personally seems to recognise this problem, but I must tell him that many local councillors seem to have no sense of urgency whatsoever and no idea. [Time expired.]

*Adv C H PIENNAAR Mr Chairman, like the

hon colleague who spoke before me, I also want to congratulate the hon the Minister on the fact that he is adopting a flexible attitude in regard to this matter.

However, I want to refer to the speech he made during the discussion of his Vote, and express my concern with regard to the impression that is being created that as far as local government is concerned, things are following their own course, separate from the course that is being adopted in the constitutional negotiations that are underway. That impression does indeed exist, and we are concerned about it.

Negotiations at the local government level and the results of such negotiations will have to be in line with the negotiations that are taking place at the national level. We cannot have two conflicting approaches here.

The standpoint of our party is that decentralisation is welcomed. Local choices are also to be welcomed. Our standpoint is that the principles of federalism should also be applied to the level of local government. We must face up to certain facts, and one cannot get away from this. As a people, our people, the Afrikaners, are intertwined with other population groups. They live together in the same towns and cities. It is true that there are groups of people in the different residential areas, but we feel that this can be utilised in accordance with federal principles, at the third level of government too.

The transfer of funds that is typical of a federal state can be utilised in this case. However, we say we cannot continue with this if progress is not made in exact accordance with these principles at central level as well as with regard to the greater whole. We say the Afrikaner, whose cause we are championing, can only be a majority in certain regions that are still without boundaries at present. This also applies at local government level. [Time expired.]

*The MINISTER OF LOCAL GOVERNMENT Mr Chairman, first let me react very briefly to the hon member for Heilbron. I appreciate the hon member's contribution. I should like to refer to page 7 of the speech under the heading "Reform Proposals" and the subheading "Negotiation as a point of departure".

We will not get negotiations off the ground if somebody does not take the initiative and put forward proposals and discussions. This is the

attitude with which these proposals are being placed on the table. The attitude is that the local level should also enjoy a high priority. The hon member for Pietermaritzburg North—I am afraid of mixing up north and south—also pointed out that this was a high priority.

It is important that we proceed with this immediately and that we should do so in tandem with the larger developments. We cannot go into a new dispensation while nothing is happening at the local level. Nor can we bring about reform exclusively at the local level, and this is why there should be close liaison.

I appreciate the attitude of the hon members. On more than one occasion we have invited parties to participate in this debate, to participate in the discussion and to make contributions. I want to repeat that invitation today. The co-ordinating council is examining the proposals at present. They will then be worked out further and discussed in detail at the local negotiating forum. We shall create the necessary mechanism in order to introduce them into the national negotiations as well, but it is important for us to receive as many contributions as possible, because the view of the hon members of the AVU and other hon members as to how it affects their people at grass-roots level is important.

In fact, the hon member for Pietermaritzburg North once again emphasised something that was also referred to in the speech, namely that we should also accommodate traditional leaders at local level. [Time expired.]

Mr R F HASWELL, Mr Chairman, local government, as it is currently constituted, is not just facing a crisis, as is suggested in this interpellation. It is largely irrelevant and, in many areas, also nonexistent.

The financial crisis confronting Black local authorities is well known. They generate less than one third of the revenue they are due, and even if everyone paid, they would still not be viable. Many, if not most, White local authorities are unable or unwilling to meet the challenge of one city, one tax base. They are busy budgeting for another business-as-usual year, buttressed by the belief that their terms of office will be extended until the negotiations at national level have run their weary course.

Given this chronic state of affairs, the hon the HOUSE OF ASSEMBLY

Minister needs to act urgently by doing everything he can to ensure that the next meeting of the Local Government Negotiating Forum on 18 May produces interim local and metropolitan councils. Our towns and cities cannot wait any longer.

This is the message that is coming from places like Kokstad and Vrede. We in Pietermaritzburg could rapidly move towards an interim metropolitan council, perhaps the first in the country. However, we need the go-ahead at the next meeting of the forum.

The hon the Minister still smarts under the label of the man who deadlocked Codesa 2. He now has a golden opportunity to redeem himself as a negotiator by contributing positively and urgently to the creation of interim local government structures. [Interjections.]

THE CHAIRMAN OF THE HOUSE Order!

Mr R F HASWELL, In short, the country needs agreement at the forum, enabling legislation in the form of a new Interim Measures for Local Government Act and a pooling of financial resources to empower interim local authorities to begin operations by perhaps as early as 1 July this year. This means that the hon the Minister has "min dae" to act. He should do this rather than propose red herrings such as dual voters' rolls. The hon the Minister should deal with the final rather than the interim dispensation. [Time expired.]

Mr M A TARR, Mr Chairman, I should like to make two very brief points. I believe it is important for the hon the Minister to instill in local authorities the sense of urgency which is necessary for them to address this problem.

A second point concerns the question of finance. These negotiating forums require money, and I do not believe local authorities always have this. We also need money for voter education. Many of these people have never voted before and do not know what the powers and functions of local authorities are and what they should do. We need voter education as far as this is concerned. Many of these people do not have a good understanding of the concept of civic responsibility. We therefore need money to educate the voters, and I do not believe that the State is setting aside enough in its budgets for voter education at local level or, for that matter, at central level.

THE MINISTER OF LOCAL GOVERNMENT Mr Chairman, I react by stating that voter education is indeed very important. As far as urgency is concerned, I did say that we may even get to a point where we shall have elections at local government level before we have elections at central level. This is how urgent I believe the position to be.

Therefore I agree with what the hon member for Pietermaritzburg South has said, apart from his trying to instill in me a sense of urgency on other grounds, namely that of not reaching a further deadlock.

*I am not falling for that one. [Interjections.]

THE CHAIRMAN OF THE HOUSE Order!

The MINISTER, I agree with what the hon member has said. This is why we are in the process of reform. This is why I am inviting parties to support this process. This is also why I cannot for one moment accept the proposal by Sanco that local governments should simply be scrapped at a certain point in time and replaced with appointed local councils. We need a clear, legal, legitimate process. We need to thrash it out, and we need to do so immediately.

Debate concluded.

QUESTIONS

Indicates translated version

For oral reply

General Affairs

State President

Hani funeral: flags half-mast

*1 Mr J H MOMBBERG asked the State President:

- (1) Whether he was requested by the National Peace Secretariat to fly all national flags on State buildings at half-mast on the day of Mr Chris Hani's funeral, if so,
- (2) whether this request was granted, if so, what are the relevant details, if not, why not,
- (3) whether he will make a statement on the matter? B735E

THE STATE PRESIDENT

- (1) No
- (2) Falls away
- (3) No

Mr J H MOMBBERG, Mr Chairman, arising from the reply of the hon the State President, if he did not receive such a request, did he not want to do it of his own accord?

THE STATE PRESIDENT, Mr Chairman, we did not receive a request from the National Peace Secretariat. A few requests were received from members of the public, one written and four telephonic. Exploratory discussions were also held with us by certain people.

If we were to fly flags at half-mast after the demise of prominent members of the South African community, however tragically their death may have occurred, we would have to develop a policy that could apply to all members of the community. In all the conventions of our entire history there are no fixed rules for this, except in respect of heads of state or government.

According to our historic conventions there is one rule, and that is that if someone who served as Minister dies, then the flag will fly at half-mast at State buildings in the place where he is buried. The decision was taken against the background of the convention and taking into account that one would have to develop a new policy which time and again would confront one with the question of how important someone who had died really was. To some people political leaders are very important. To others business leaders are very important. Other sectors of the population, again, have heroes. One would therefore time and again find oneself in a situation which would eventually be chaotic and could end in long-drawn out argumentation. There were therefore no negative intentions, but against the background of the framework of the convention it was judged to be inadvisable.

Mr J CHIOLÉ, Mr Chairman, arising from the hon the State President's reply, I would like to ask whether it is true that South Africa's flag was flown at half-mast at the embassy in America and, if so, why? [Interjections.]

THE CHAIRMAN OF THE HOUSE Order!

THE STATE PRESIDENT, Mr Chairman, my information is that it was not a Government

Cosatu public sector workers plan protests

COSATU affiliates in the public sector yesterday announced a programme of action to protest against government's planned rationalisation of the public service

Marches, sit-ins and a possible strike will form the first stage in Cosatu's rolling mass action campaign for May

The six unions represented have demanded an end to public sector spending cuts, an end to retrenchments and unilateral restructuring, a living wage, one Labour Relations Act for all workers, an interim dispute resolution mecha-

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nism and the right to freedom of association
Speaking on behalf of the unions, Post and Telecommunications Workers' Association president Kgabiso Mosonkutu said if demands were not met, a "tools down" across the public sector would be called as a last resort

Elaborating on rolling mass action, Cosatu spokesman Bheki Nkosi said regions and affiliates were devising individual plans of action
He said if no progress had been made by May 31 a general strike would be considered



Urgency called for in local govt

CAPE TOWN — Local government elections were so urgent they could be held before national elections, Local Government Minister Tertius Delport said yesterday. *BIDAY 6/5/93*

Delport told a parliamentary mini-debate this depended on rapid progress in negotiations on the form of local government. He could not accept the demand of the SA National Civics Organisation (Sanco) that all existing councils be scrapped. A process of reform was needed, rather than the sudden abolition of existing structures, he said.

A clear, legal and legitimate procedure was necessary to ensure lasting structures. Introducing the interpellation debate, Inkatha MP Mike Tarr said he was concerned about the lack of urgency in negotiations at local level, and many local councillors seemed to be affected

TIM COHEN

by this. *(262)*

The ANC's Rob-Haswell said black local government was in crisis, while many, if not all, the white local authorities were unable or unwilling to meet the challenge of "one city, one tax-base".

"They are busy budgeting for another business-as-usual year, buttressed by the belief that their terms of office will be extended," he said.

It was vital the next Local Government Negotiation Forum meeting on May 18 produced proposals for interim local and metropolitan councils.

He said the country needed enabling legislation such as a Transitional Measures for Local Government Act, and a pooling of financial resources, so as to empower interim authorities by July 1.

Interest groups want open SABC board appointments

BIDAY 6/5/93
INTEREST groups represented at a meeting called by the secretariat selecting a new SABC board yesterday called for open hearings to ensure maximum public participation in selection of board members

Campaign for Independent Broadcasting (CIB) spokesman Dave Dison told a panel convened by Codesa judges Ismail Mohammed and Piet Schabert that the large number of nominations (more than 700) pointed to a groundswell of public interest and support for the new process

DP MP Peter Soal said the panel's acceptance of public hearings would help establish the principle of accountability.

Lawyers for Human Rights delegate Frans Viljoen supported the call for transparency, and proposed that anyone who actively promoted racism "should be viewed with extreme caution"

Electronic Media Education spokesman Kumi Naidoo called for the appointment of seven members actively involved in education and development, while Black Sash spokesman Laura Pollecut called for a 50% representation of women

SABC executive director Wynand Harmse suggested the election of four or five incumbent SABC board members to the new board to ensure continuity

LLOYD COUTTS

Harmse said financial and technical skills would be required to deal with the complex operations of the broadcaster

He said the new board would face the challenge of determining a new role for the SABC, would have to investigate ways of funding the corporation in the light of pending deregulation and would have to consider the unbundling of certain sectors of the corporation.

The new board would come under political pressure and would be responsible for ensuring the independence of the SABC.

"We should have people (on the board) who have and feel a responsibility to serve the public of SA, the whole public.

"We should have people with the required skills, but we cover 360 degrees of life. This board should see to it that the SABC fulfils its responsibility because it is a medium with great impact."

Harmse admitted that previous board members had been sympathetic to government. However, there had never been any "official" contact between board members and government. Top management appointed by the board had shown "a certain loyalty" to the board, he added.

Inkatha plans 'mass march for peace'

BIDAY 6/5/93
THE ANC must stop its "nonsense" now, because SA could not afford to allow the negotiation process to be held hostage by its demands, Inkatha-supporting Jeppe MP Hennie Bekker said yesterday

Announcing Inkatha's "march for peace" in central Johannesburg on Saturday, Bekker said moderates were "fed up" with violence and rolling mass action.

Inkatha Youth Brigade chairman Carter Ndlovu said between 8 000 and 10 000 people were expected at the march. Bekker said it would be monitored by the SAP and Wits Vaal peace secretariat monitors. In-

DIRK VAN EEDEN

katha would also appoint 100 to 150 marshals and 50 monitors. *(278)*

Plans to deliver a petition to ANC headquarters calling for a halt to rolling mass action were cancelled after intervention by the peace secretariat. The petition would be handed over to a senior member of the secretariat at the City Hall, Bekker said. Another petition would be delivered to SABC headquarters in Auckland Park calling for the levelling of the playing fields regarding political coverage

Main SA
cities set
to defy
govt plan

By PETER DENNEHY

ALL major South African cities except Pretoria look set to defy a government directive that they set aside millions of rands in their budgets for the government to pass on to non-viable black local authorities.

The government has suggested that the income which municipalities throughout a metropole get from non-residential properties be pooled and redistributed to local authorities according to how many each has of the total number of serviced sites.

The amount for which Cape Town would be liable could be "in excess of R50 million", city treasurer Mr Eddie Landsberg said.

In his report he said: "The major cities organisation does not support the (government's) guidelines/formula, and except for Pretoria, no major city appears willing to make provision therefor on the 1993/4 budget".

Cape Town's executive committee decided yesterday that no specific contingency provision, as suggested by the government, should be built into the council's budget for 1993/4.

No. R. 738**7 May 1993****REGULATIONS MADE UNDER THE BLACK AUTHORITIES' SERVICE PENSIONS ACT, 1971**

The Minister of Finance has in terms of section 5 of the Black Authorities' Service Pensions Act, 1971 (Act No 6 of 1971), made the regulations contained in the Schedule

SCHEDULE**Definition**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. R 317 of 24 February 1978, as amended, and any word to which a meaning has been assigned in the Regulations and the Black Authorities' Service Pensions Act, 1971, shall bear that meaning

2. If a member retires or is retired or discharged on or after 2 July 1992 and on or before 1 August 1992, that is with the last working day being 1 July 1992 up to and including 31 July 1992, in accordance with the provisions of regulation 10 (1) of the Regulations, such member's pensionable emoluments for the purpose of the calculation of his benefits in accordance with the Regulations, shall be deemed to be the pensionable emoluments to which he would have been entitled should his service have terminated on 2 August 1992

Date of commencement

3. The provisions of this Schedule shall be deemed to have come into effect on **1 July 1992**.

No. R. 739**7 May 1993****REGULATIONS MADE UNDER THE BLACK AUTHORITIES' SERVICE PENSIONS ACT, 1971**

The Minister of Finance has in terms of section 5 of the Black Authorities' Service Pensions Act, 1971 (Act No 6 of 1971), made the regulations contained in the Schedule

SCHEDULE**Definition**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No R 1954 of 29 October 1971, as amended, and any word to which a meaning has been assigned in the Regulations and the Black Authorities' Service Pensions Act, 1971, shall bear that meaning

2. If a member retires or is retired or discharged on or after 2 July 1992 and on or before 1 August 1992, that is with the last working day being 1 July 1992 up to and including 31 July 1992, in accordance with the provisions of regulations 9 (2), 10 (2) or 11 (2) of the Regulations, such member's pensionable emoluments for the purpose of the calculation of his benefits in accordance with the Regulations, shall be deemed to be the pensionable emoluments to which he would have been entitled should his service have terminated on 2 August 1992.

Date of commencement

3. The provisions of this Schedule shall be deemed to have come into effect on **1 July 1992**.

No. R. 738**7 Mei 1993****REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP DIE PENSIOENE VIR SWART OWERHEIDSDIENS, 1971**

Die Minister van Finansies het kragtens artikel 5 van die Wet op Pensioene vir Swart Owerheidsdiens, 1971 (Wet No. 6 van 1971), die regulasies vervat in die Bylae uitgevaardig

BYLAE**Woordoms krywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R 317 van 24 Februarie 1978, soos gewysig, en het 'n woord waaraan in die Regulasies en die Wet op die Pensioene vir Swart Owerheidsdiens, 1971, 'n betekenis geheg is, daardie betekenis.

2. Indien 'n lid op of na 2 Julie 1992 en voor of op 1 Augustus 1992 uit diens tree of afgedank of ontslaan word, dit wil sê met die laaste werkdag 1 Julie 1992 en voor of op 31 Julie 1992, ingevolge die bepalings van regulasie 10 (1) van die Regulasies, word sodanige lid se pensioengewende verdienste vir doeleindes van die berekening van sy voordele ingevolge die Regulasies, geag die pensioengewende verdienste te wees waarop die lid geregtig sou gewees het indien sy diens op 2 Augustus 1992 beëindig sou gewees het

Datum van inwerkingtreding

3. Die bepalings van hierdie Bylae word geag op **1 Julie 1992** in werking te getree het

No. R. 739**7 Mei 1993****REGULASIES UITGEVAARDIG KRAGTENS DIE WET OP PENSIOENE VIR SWART OWERHEIDSDIENS, 1971**

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3. Die bepalings van hierdie Bylae word geag op **1 Julie 1992** in werking te getree het

Topping up ^{Fm} 7/5/93

The Democratic Party has entered the growing debate on the future of local government by rejecting key aspects of the proposals put forward by government and the ANC

DP local government spokesman Jasper Walsh says his party can't accept either a qualified, property-based franchise on a second voters' roll, as suggested by government, or the scrapping of existing local councils and their replacement, as an interim measure, with political appointees as proposed by the ANC (*Current Affairs* April 9 and 30)

Walsh says that while the DP recognises in principle that people who pay more rates should be entitled to a greater say in local affairs, SA's "abnormal society" has given a minority of residents an edge in accumulating wealth

A qualified franchise would perpetuate artificial disparities created by apartheid and is "morally indefensible" He says whites will simply have to accept this as a "cost of apartheid"

Walsh says that while the DP accepts the need for interim measures to give disenfranchised communities a voice in local government, it cannot accept the ANC's proposal for the replacement of existing councils with individuals appointed by the major negotiating parties

"No matter how inadequate and undemocratic the existing system is, it will be a retrogressive step to replace it with political appointees A compromise will, therefore, have to be sought"

He says if progress towards a settlement is quick, elections could be held soon Alternatively, a structure similar to the proposed Transitional Executive Council at national level could be considered at local level

The DP also rejected government's proposed ward council system, the aim of which would be to retain the "own character" of communities and to give them a say in their "residential environment" Their powers and functions would include regulating "norms and standards", the use of property, the supply of community facilities, security and civil protection They would have the authority to levy additional rates on residents within the ward to finance their own structures

CURRENT AFFAIRS

and specific projects within their areas of jurisdiction

Walsh says the DP is concerned that such a system would run counter to the needs of the broader community

"Local government's aim is to provide an equal appropriate service to all residents Needs for additional or better quality services can and should be met by the private sector"

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Fm 7/5/93

would represent wards and one quarter would come from the "top-up"

The future financing of local authorities should include an independent audit commission to augment financial transfers from central government

The transfers would need to continue for as long as it took to upgrade depressed areas and to ensure that services were provided as equitably as possible

IN MY OPINION

ROBERT CHARLTON

Robert Charlton is a freelance journalist and author of 'The South African State' (Penguin, 1992)



Sanco warns government local elections will backfire

THE civics may substitute mass action for local government negotiations if government goes ahead with "unilateral restructuring" of local government structures

SA National Civic Organisation (Sanco) secretary-general Moses Mayekiso warned yesterday that government was "inviting" the civics to act if municipal election plans went ahead before elections for a constituent assembly

He was reacting to Local Government Minister Tertius Delport's speech to Parliament on Wednesday

Delport said in that speech that local government elections were "urgent" and would take place soon, possibly even before national elections Delport also had rejected Sanco calls for the resignation of existing councils, to be replaced by interim appointed administrators

Mayekiso said if government went ahead with "unilateral restructuring", the civics would have to reconsider their participation in the Local Government Negotiating Forum

"We thought we understood each other, but the government is now acting against the spirit of the forum," he said The civics would not allow the forum to become a toothless advisory body

He said that should government attempt to launch local government elections, the civics would boycott them "We are not going to support apartheid elections"

GAVIN DU VENAGE

Civic leader Cas Coovadia said Delport's statements were "a mockery of good faith" built up during negotiations Coovadia said it was generally accepted that present councils were unrepresentative.

Meanwhile, Sapa reports that Sanco national deputy president Lechesa Tsenoli said in Durban yesterday the organisation would vigorously and militantly oppose "threats to outlaw mass action"

He was reacting to Constitutional Development Minister Roelf Meyer's statement in Parliament this week that government would condemn mass action as a cause of violence when the negotiating council met today *Blom 7/5/93*

Tsenoli said violence would not be ended by outlawing mass action

Law and Order spokesman Capt Craig Kotze said in Cape Town yesterday that an ANC plan to train 3 000 marshals to form the nucleus of a "future police force" would spark violence and polarisation.

The plan was "a fundamental contradiction of the principle that the police force should serve the entire community on the basis of apolitical professionalism and impartiality A future police force cannot be based on a blatant jobs-for-pals system owing loyalty only to a specific political organisation," Kotze said.

Alliance rejects early local vote

262 CT10/8/93
JOHANNESBURG. — A workshop of the ANC/SACP/Cosatu alliance and civic associations yesterday rejected calls attributed to Local Government Minister Dr Tertius Delport for local elections to be held before national elections.

The workshop discussed reports from the recently-established Local Government Negotiating Forum (LGNF).

The workshop also discussed proposals of the Central Witwatersrand Metropolitan Chamber (CWMC) on a service delivery crisis in Soweto.

Political parties

The ANC head of the Local and Regional Government Commission, Mr Mathole Motshekgo, said the workshop had resolved that a need now existed for political parties/organisations to participate in local negotiating forums. The workshop further resolved:

- That the South African National Civics Organisation (Sanco) and other "patriotic forces" in the PWV region should participate in the CWMC and other local government negotiation forums,

- That the CWMC and other local negotiation forums should be restructured accordingly;

- That appointed interim local government structures be installed by July 31 this year;

- That interim boundaries "be demarcated for purposes of the said interim structures", and

- That interim local structures should include TBVC and self-governing states. — Sapa

A guide to local structures

Star 11/5/93
262

The structures and processes in the jigsaw of local government restructuring include

● **The Local Government Negotiating Forum:** Launched earlier this year, the LGNF consists of equal numbers of statutory and nonstatutory members

The former include central and provincial government and local government umbrella groups. Sanco is the major non-statutory player.

Agreements are binding on all parties, *except* where they impinge on national constitutional negotiations

● **Multiparty constitutional negotiations:** These resumed, more or less, where Codesa left off, with 26 participating organisations — political parties, the central government and homeland governments

These negotiations, together with an elected Constituent Assembly, will determine the shape of local government

● **Local negotiating forums:** More than 120 exist, mostly in the Free State and Transvaal, and more are in the pipeline

The precise composition varies from place to place, but can include white and black local authorities, coloured and Indian management committees, local civic associations and branches of political parties, business organisations and provincial representatives

The forums focus on new mechanisms of service delivery and new structures of administration and local government.

Some of the forums function under the Interim Measures for Local Government Act

In this case, civic input is less and agreements reached (for instance, for white local authorities to take over township servicing, or to merge racially discrete councils) have statutory force

In other cases, such as the Central Wits Metropolitan Chamber, the Act has been deliberately ignored and agreements between the parties take the form of contracts or pacts □

MANY a home-owner will meekly bear in-come tax increases, but be angry enough to storm the city hall when property rates go up. In the townships, residents have waged enduring wars against the local authorities which they have branded illegitimate, ineffective and, often, untrustworthy.

Reshaping our cities

Star 11/5/93
262

So why is there so little excitement about the total reshaping of more than 1 000 local authorities countrywide?

Maybe because the process has been protracted, diffuse and downright confusing. In every corner, for close to three years, local negotiations involving town and township representatives have been going on.

There has been a strong sense that these multi-negotiations are not the real thing.

In recent weeks, however, national political players have begun to spell out how they intend to approach the refashioning of our cities and towns.

First, the South African National Civic Organisation (Sanco) — with the support of the ANC and the Congress of

South African Trade Unions — put forward its views to the nationally organised Local Government Negotiating Forum (LGNF).

Then Minister of Local Government Tertius Delpoit spoke in Parliament about major features of the Local Government Reform Bill, to be published shortly.

But if anyone hoped these moves would make matters easy to understand, be warned like the proverbial apples and pears, the two plans just don't add up. They are negotiating positions pitched, virtually, on different planes.

The Sanco proposal is clearly intended just to hold the fort during the period before a new constitution is in place. It talks about upgrading services, improving the legitimacy of local structures, getting the costing

The reform of our racial cities has been piecemeal and muddling. Now national political players are making their pitch to reshape local government, reports JO-ANNE COLLINGE.

of services right. It makes no claim to ultimate local government solutions.

The Government's proposal is more open-ended and takes giant strides into contentious constitutional areas, such as electoral systems.

Some common ground does exist between Sanco and the Government. Both proposals stipulate an end to racially exclusive town and city councils, envisaging new financially vi-

able authorities embracing town and township. Both stress development of the neglected townships and informal settlements.

Both allow for a differentiation of local and metropolitan structures. And both envisage that, for some time, central government cannot abdicate financial responsibility for repairing the urban wreckage wrought by apartheid.

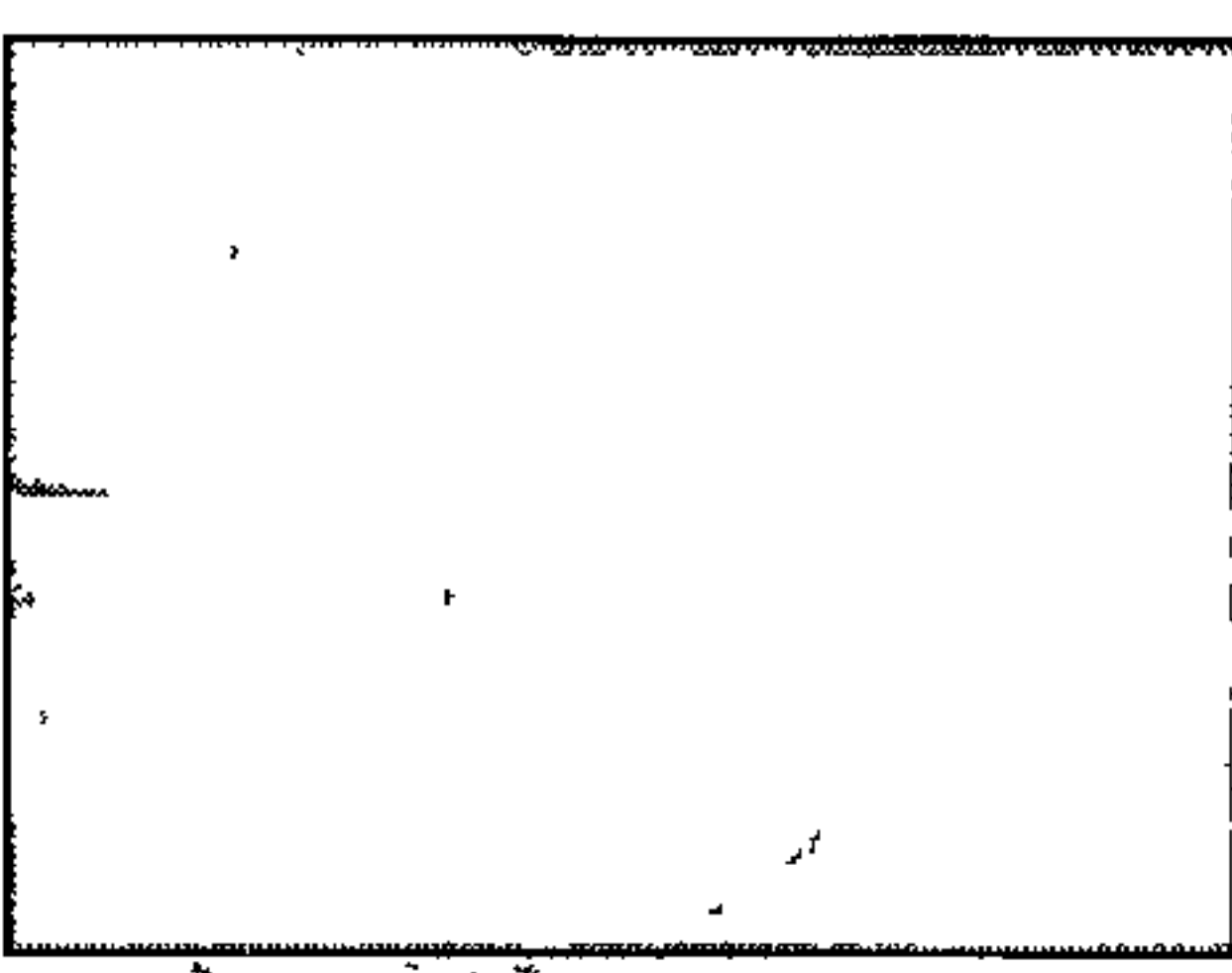
From there on, the paths diverge all the way — firstly, on the question of appointed versus elected structures.

Sanco proposes that all existing racially based local authorities should be disbanded by mid-year and be replaced by appointed nonracial interim local councils (ILCs) and interim metropolitan councils (IMCs).

The legal power of appoint-

Tertius Delpoit . . . Minister of Local Government.

ing such bodies could vest with existing provincial administrators or with second-tier multi-party transitional authorities



Tertius Delpoit . . . Minister of Local Government.

cities

continue



The boundaries of new local authorities and the range of parties to be included in the ILCs would be guided by local negotiations, within guidelines laid down in national negotiations.

Sanco is emphatic that no elections for interim local government should take place before an elected Constituent Assembly is in place.

The Government wants to skip the appointed phase and move to elections as rapidly as possible and probably before national polls.

Particularly controversial is the Government's proposal that these elections be based on twin voters rolls — one for property owners and a general roll for all other residents of a given area.

Sanco and the Government

differ on national implementation versus local options. The Government proposes that national legislation on local government reform should constitute a "fallback position that will come into effect when an own local agreement has not been reached."

Sanco insists that national procedures and guidelines must be laid down by national negotiating forums. While local forums would continue to play an important part in the Sanco scheme, their latitude would be limited by the national guidelines, which could be given statutory effect.

Sanco has long held the view that "local options" operate to the detriment of black residents where civic organisations are inexperienced.

Sanco and the Government are at odds on time frames.

While Sanco says quite clearly that its proposal extends from the present to about a year beyond the election of a Constituent Assembly, when a second interim phase or the new constitution takes over, the Government sets no point for the demise of its elected councils.

The two parties clearly seek different social and economic goals by restructuring local government. The civic movement, with its rallying cry of one city, one tax base, has long been committed to redistribution through amalgamation.

The Government sets out to give property owners a special vote. By providing for sub-municipal "ward councils" with statutory powers, it attempts to protect standards of living in well-developed areas.

Nonracial democratic government at local level is going to result in changes in public spending that will — in all likelihood — be visible from each resident's doorstep. The Government's plan attempts to pile up sandbags to stem the tide. Sanco allows for an interim period of "easing in" to the new order.

'Hold local govt polls soon'

JOHANNESBURG — Local government elections should be held as soon as possible so that leaders could be identified and legitimacy restored, the Minister of Local Government Affairs, Dr Tertius Delport, said

Addressing a symposium here yesterday, he said a legal framework should be created for this "as a matter of urgency"

Dr Delport said "decisive steps" had to be taken to bring

the country back from the abyss and it was time for all South Africans to become part of a grand plan — "our own Social Reform Contract"

Also at the symposium, ANC local government spokesman Mr Mathole Motshekga said local government elections could not be held while apartheid government structures were still in place and would have to wait until an interim government of

national unity had been established.

Mr Motshekga said the democratisation of local government could only occur within a framework agreed to in national negotiations

He said newly formed, non-racial local authorities could in the interim be legitimised by appointing representatives rather than having them elected — Political Staff, Sapa

More local govt agreements ²⁶²

^{STILL 1973}
THERE has been an increase in agreements between towns and townships, although only a few South African towns have joint local government administrations.

The annual report of the Council for the Coordination of Local Government Affairs, tabled in Parliament, indicates that only about 10% of towns and cities have reached agreements. The number of negotiating forums rose to 69 by November

Local govt must take 'more responsibility'

IT WAS time for the emphasis on political power to shift towards political responsibility, Local Government Minister Tertius Delpont said yesterday.

Speaking at a conference on local government reforms, held in Sandton, he said all major political players should have that responsibility. He reiterated his call made in Parliament last month for a "social pact".

He spelled out his controversial proposals for a Local Government Reform Act which, he said, would provide social stability and set guidelines for reform.

The proposed Act would consolidate and rationalise legislation on local government, so all institutions would fall under the provincial ordinances. All racial connotations would be removed from ordinances.

Metropolitan councils would serve urban areas and ward councils would be set up. Rural areas would fall under service boards. Provision would be made for local forums to develop options within a prescribed period, within a legal framework. The Interim Measures for Local Government Act would be repealed.

A process for the amalgamation of different local authorities would be introduced, and areas of jurisdiction redefined by a demarcation board.

Local elections would be held as soon as "new" municipalities had been demarcated.

GAVIN DU VENAGE

SA National Civic Association general secretary Moses Mayekiso rejected Delpont's proposals, accusing him of acting outside the local government negotiating forum, despite government being a key member.

Mayekiso said while Sanco had tabled detailed proposals to the forum, and had added additional proposals to forum working groups, government had still not responded.

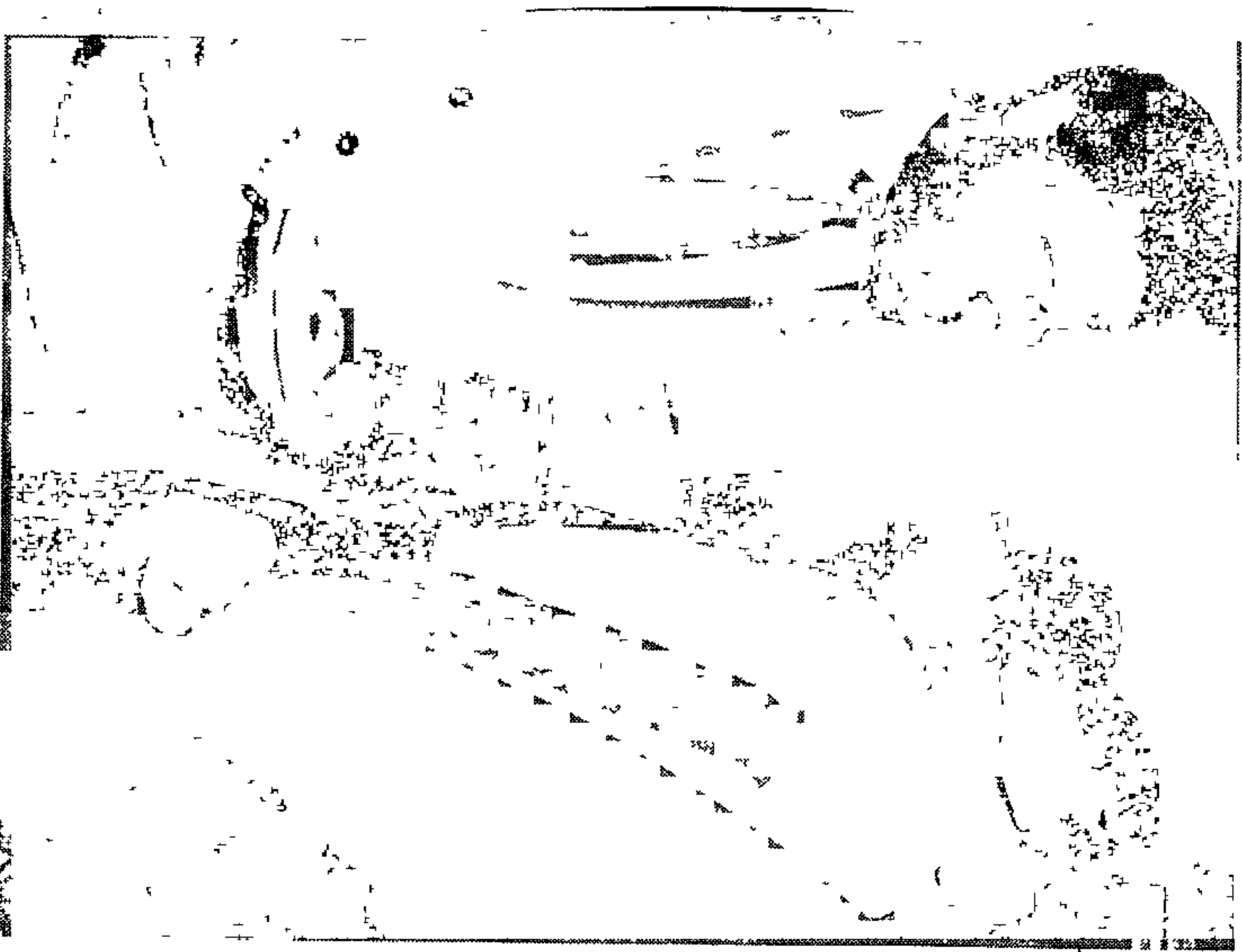
ANC head of local government issues Mathole Mthsekgga said harassment of illegitimate black local authorities should be extended to equally "illegitimate" white municipal councils.

As more than 60% of Johannesburg's people were black, the council could not claim to be legitimate.

Mthsekgga said government's present interim legislation was forcing people into agreements to pay for services that were not being delivered. "There is no culture of non-payment. Rather, there is a culture of non-delivery of services." Rent and service payment boycotts would end only with the introduction of appointed structures.

Civic leader Moses Mayekiso and Local Government Minister Tertius Delpont at yesterday's conference on local government reforms.

Picture ROBERT BOTHA



Increase in negotiating forums

(262)

TIM COHEN

CAPE TOWN — There has been a marked increase in agreements reached between towns and townships, although only a small percentage of towns have joint local government administrations

The Council for the Co-ordination of Local Government Affairs' annual report, which was tabled in Parliament yesterday, indicated that only about 10% of SA's town and cities had reached such agreements

However, the number of negotiating forums operating under the Interim Measures for Local Government Act's ambit had risen to 79 between March 1992 and April this year.

There were 34 local authorities operating with complete joint administrations by April this year

Agreements reached under the am-

bit of the Interim Measures Act increased from two to 57 over the same period, while those reached outside the Act's ambit rose from 23 to 42

A comparatively large number of Cape local authorities (26) have reached agreement in terms of the Act, compared to only seven in the Transvaal. Conversely, many agreements have been reached outside the Act's ambit in the Transvaal (25) compared to the Cape (11)

Government sources suggest this difference might reflect the influence of Transvaal civic organisations which have rejected the Act

Negotiations are under way in more than 200 towns and cities

BL/AM 11/5/92

HOUSE OF DELEGATES

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

General Affairs

1 Mr A RAJBANSI—Regional and Land Affairs [Withdrawn]

QUESTIONS

†Indicates translated version

For oral reply

General Affairs

Question standing over from Wednesday, 5 May 1993

Loan to banking group

*3 Mr M F CASSIM asked the Minister of Finance

- (1) Whether a loan of approximately R1 billion was made available through (a) any State structures or (b) the Reserve Bank to a certain banking group, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, (i) when, (ii) why, (iii) for what purpose was the loan required and (iv) what is the name of the banking group concerned,
- (2) whether he will make a statement on the matter? D207E

The DEPUTY MINISTER OF FINANCE

- (1) (a) No
- (b) In terms of section 33 of the South African Reserve Bank Act 1989, (Act No 90 of 1989), details of business conducted between the Reserve Bank and banks is confidential and cannot be disclosed to third parties. As lender of last resort the Reserve Bank provides assistance to banks on a regular basis. The normal banking business code, how-

ever, also applies to such transactions, namely that no details may be disclosed

- (2) No

New questions

Resettling of persons on State-financed land

*1 Mr A RAJBANSI asked the Minister of Regional and Land Affairs

- (1) Whether he or his Department has taken steps, or is contemplating taking steps, with a view to enabling State Departments to make use of State-financed land owned by municipalities for the purpose of resettling persons who were displaced or dispossessed in terms of the Group Areas Act, if not, why not, if so, (a) what steps and (b) which Departments are involved,
- (2) whether he will make a statement on the matter? D212E

The MINISTER OF REGIONAL AND LAND AFFAIRS

- (1) The question is not clear
- (a) I would nevertheless like to inform you that it is intended to amend the Abolition of Racially Based Land Measures Act, 1991, to enable the Advisory Commission on Land Allocation also to identify certain land owned by certain local authorities and which land has, for example, been acquired in terms of the Group Areas Act, 1966 by the application of the provisions thereof or in terms of the Communities Development Act, 1966 (Act 3/1966), and which at the date of the commencement of the proposed amendment bill had not yet been disposed of or alienated in terms of a law or in any other manner for a specific purpose. After the identification of the land it will be dealt with in terms of the procedures and directions of the Act. If circumstances permit, the proposed amendment should still be tabled during the current session of Parliament
- (b) The Department of Regional and

Land Affairs in consultation with all relevant departments

- (2) The Deputy Minister of Land Affairs has already issued a statement on 7 April 1993 in this regard and also discussed the issue during his budget vote held on 30 April 1993

Mr A RAJBANSI Mr Chairman, arising out of the hon the Minister's reply, is he aware of the fact that the statement of the hon the Deputy Minister does not satisfy the cries of the people? Secondly, he mentioned the Group Areas Act and the Community Development Act. Is he aware that many of the resettlement schemes were established in terms of the Housing Act?

The MINISTER Mr Chairman, I am not aware that the public is not satisfied with the statement made by the hon the Deputy Minister. The people in the communities the hon member represents should draw that to our attention and raise the issue with my colleague, the hon the Deputy Minister. With regard to the second question, obviously I am aware that that is the case. This is a very sensitive situation. I should like to invite the hon member, if he has any particular problem, to discuss it with the hon the Deputy Minister to whom this responsibility has been delegated.

Mr A RAJBANSI We have done that. The MINISTER. If the hon member is not satisfied, he can come to me. I shall listen to his problems in that regard.

Purchase of textbooks

*2 Mr A RAJBANSI asked the Minister of State Expenditure

- (1) Whether, with reference to the reply to Question No 2 on 21 April 1993, he will furnish reasons as to why schools under the control of the Administration House of Assembly, including those administered by the provincial administrations, are not obliged to purchase textbooks on the same basis, ie in accordance with the provisions of the State Tender Board Act, 1968 (Act No 86 of 1968), as applies to schools under the control of the Administrations of the House of Delegates and the House of Representatives and the Department of Education and

Training, if not, why not, if so, what are the reasons,

- (2) whether he intends investigating the matter, if not, why not, if so, when,
- (3) whether any instances of publishing firms being allowed to compete with retailers in supplying textbooks to Indian schools have been brought to his or his Department's notice, if so, what are the relevant details,
- (4) whether schools under the control of the Administration House of Assembly are required to also consider Indian bookshops when allocating orders for the purchase of textbooks, if not, why not, if so, what are the relevant details? D213E

The MINISTER OF STATE EXPENDITURE

- (1) As already mentioned on 21 April 1993, at least 94% of all the schools under control of the Administration House of Assembly are State-sponsored schools (Model C schools) including those administered by the provincial administrations. These schools received a subsidy only from the State for the salaries of the personnel on their approved fixed establishment. The purchasing of school textbooks by the schools is financed from school funds paid by the parents directly. Therefore the State Tender Board Act, 1968 (Act No 86 of 1968) does not apply to the purchases of these schoolbooks.

The remaining approximately 6%, known as public schools, purchase their books individually on a tender basis by virtue of the State Tender Board Act, 1968 and standing powers delegated to state departments by the State Tender Board. These schools invite tenders individually for the purchasing of textbooks. In so far as the tender procedure and administrative actions are concerned these schools are bound to comply with the directives as contained in the State Tender Board's General Conditions and Procedures (ST 36) as well as the User Manual Directives to Departments in Respect of Procurement (ST 37) which rules that tender invitations are to be mailed to all potential tenderers.

Toilet towns mean more injustice'

South 15/5 - 19/5/93



Somsook Boonyabancha

TOILET towns — site and service developments — have failed in all developing countries, Asian delegates told the People's Dialogue seminar.

Ms Somsook Boonyabancha, secretary of the Asian Coalition for Housing Rights, said site-and-service had failed in several Asian countries because it was not related to people's lifestyles.

"They produce 10 000 sites, and a community of 10 000 families, but the complex processes of community interaction are lacking in the mind of the planner."

She added that the World Bank's endorsement of the site-and-service concept has led to governments sticking to the idea even when it is clearly not working

"The Indian government is in love with site-and-service because it brings in a lot of money from the World Bank. They have had to hire families to stay at the sites to convince World Bank officials that the scheme is working"

"In Bombay there are 4.7 million squatters, and the authorities responded by providing 10 000 serviced sites 40km from the city," said Mr Jockin from India's National Slum Dwellers' Federation.

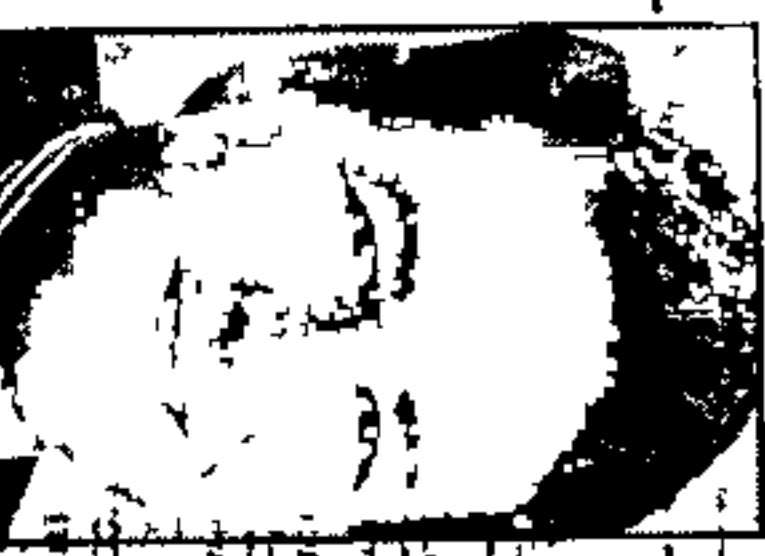
The bureaucracy involved in applying for a place in a site-and-service scheme defeats most people in India, Jockin said. The illiterate cannot understand the paperwork, and the fees demanded of applicants are beyond the means of most homeless people

In this country site-and-service has been promoted by organisations such as the Independent Development Trust (IDT).

IDT spokesperson Mr Jolyon Nuttall said the IDT is aware of the limitations of site-and-service if development went no further than building toilets. All the schemes funded by the IDT have now moved into a consolidation phase which would "turn the spaces into communities"

The consolidation phase involves the appointment of co-ordinators paid by the IDT, who find out the service needs of each community, be they schools, shops, or recreation facilities.

The DP Bill of Rights could bridge the divisions in SA, claims Tony Leon



Tony Leon MP is chairman of the DP's Bill of Rights drafting committee

A Shield . . . and a sword

Stear 18/5/93

262

3/2/93

MORE than 50 years ago, Judge Learned Hand, the aptly christened wise man of American jurisprudence, cautioned Americans not to place their reliance on a Bill of Rights. He observed: "I often think that we place too much faith on Bills of Rights, constitutions and courts of law. Liberty lies in the hearts and minds of men and women — and when it dies there no Bill of Rights, no constitution and no court of law can save it."

Thus, no Bill of Rights can be introduced into a society which has descended into a Bosnian polar night of icy darkness. But a durable, thoughtfully constructed charter of fundamental freedoms can act as a bridge, a bridge, built of law, designed to span the great divides of our society.

An instrument so fashioned will allow, in the words of Professor Etienne Muretink, both the minority and the majority to relinquish their claims to absolute power, since it allows the individual citizen an entitlement to a core of essential rights which he or she can claim against any government, authority or neighbour.

The Bill of Rights of the Democratic Party is designed as both a shield and a sword. It will protect the individual against the state in

the exercise of his or her fundamental freedom (to practise his religion or her culture; to be inviolable in his home and in estate) — but it will also empower the individual, the citizen of the new South Africa will be able, under our Bill, to enforce a minimum code of conduct from the new government, without which other democratic rights remain in the realm of abstract theory.

Unlike the ANC and the National Party, however, we have not attempted to ram our policy proposals or political manifesto into the Bill of Rights. Our drafting committee — consisting of DP members of Parliament and specialist academic consultants — did not believe that every, or even most, policy claims qualified as constitutional rights.

We did attempt to formulate a core of essential rights for the courts to adjudicate. In so doing we had special regard for the need to establish conditions of equality and for the restoration of dignity — the denial of which has caused the dark stain of apartheid on the fabric of our society.

Our Bill of Rights therefore commits the new South Africa to equality — and sets its face against racial and gender discrimination. The DP charter outlaw

"unjustified differentiation" based on grounds of race, gender, sexual orientation, age and disability.

Despite the generality of this thrust, it also recognises that precisely because such discriminations in the past have created pervasive inequality, we also have to give legal recognition to the need for affirmative programmes to undo existing inequalities. Our Bill authorises such programmes — but to prevent the quest for equalisation destroying fundamental liberties, we have drawn this clause tightly "Rationally".

Has to be rational. If, say, it was not focused to reach its intended beneficiaries, or if it continued to operate after it had done its work. Justified differentiation, which our Bill will also legalise, will allow for desirable, for instance, to educate members of different religions separately, and for that reason it may be necessary to differentiate certain schools on the grounds of religion.

We also recognise a sphere of privacy which our document defines as "the decisions made in the exercise of the type of choice necessary to guarantee personal autonomy". This category will prevent the Orwellian state from intruding into every nook and cran

ny of private life. But this is not an invitation for racists and other discriminators to seek shelter by privatising apartheid. We have drawn this clause narrowly — and have invited the courts to determine, in the light of this clause, the shifting boundaries of privacy. The courts will have to interpret and redefine these boundaries as society's conception of that idea matures and develops.

A key point in our Bill is also the rebuttal of the Government's absurd and contradictory notion that while rights should be enforceable against the state (so-called vertical application), it should not be applicable as between individuals, or horizontally.

Most of the rights contained in the Democratic Party Bill are terse, simple and easy to understand. This is crucially necessary if it is to take root in the hearts and minds of citizens. Several, however, are elaborate and detailed. We make no apologies here. It is in these sections which provide for fundamental safeguards of procedural safeguards and liberties and procedural safeguards that precision was required. Our history has taught us to take elaborate measures against oppression.

A distinctive feature of our Bill is its enforceability mechanisms. These too are detailed in this

charter, including novel provisions to secure information from the organs of state, innovative rights to administrative justice and ease of procedures to allow the poor and harridan to approach the courts for relief. Fundamental to our Bill is recognition of the fact that without effective means of enforcement, legal rights will become little more than moral claims, readily ignored when the forces of government find it convenient to do so.

Our Bill takes the view that policy formulation — from the detailed provision of health services to the allocation of housing — is the preserve of Parliament, not the constitution. We hope that governments — and their policies — will change to meet changing circumstances. But because the promises of a Bill of Rights could be empty, cruel words echoing in a wasteland of deprivation and denial, we provide for a standard of justification which empowers the citizen to obtain from government the entitlements to the means of survival.

This article, together with associated provisions relating to equality and affirmative action, is tightly drawn. This Bill does not, therefore, provide a laundry list offering the panoply of human happiness or perfection. It demands of government rational,

honest justifications for policy decisions providing such entitlements. Our document also provides a legal building block: an accountable government in the framework of a party democracy. It is an attempt to foster democratic decision-making, the surest guarantee of good government.

It is not the province of this Bill to determine the hierarchy of the future court structure. However, the committee was unanimously of the view that the Bill of Rights should be enforceable through the existing Supreme Court structure, with a final appeal lying with the Appellate Division which might, in turn, provide for an expert constitutional appeal court. We do, however, warn of the significant danger of vesting sole power for constitutional interpretation in one, specially created court. Such a device could become too contentious, powerful and politicised. It is hoped that the Democratic Party's draft Bill of Rights offers the reality of an open, democratic society governed by principles of personal freedom and simple justice, anchored in the rule of law.

Tony Leon MP is chairman of the DP's Bill of Rights drafting committee

Govt 'split' on local authorities

GAVIN DU VENAGE

GOVERNMENT was "badly divided" in its approach to local government negotiations, a Sanco spokesman said yesterday, reacting to postponement of today's scheduled meeting of the local government negotiating forum.

The meeting had to be put off because government had failed to come up with a list of proposals for discussion, or even counter-proposals to those put forward by Sanco two months ago. A normal working group meeting will take place instead of the full planning session.

The Sanco spokesman said while delegates from statutory bodies represented on the forum were prepared to make "pragmatic" concessions on issues like appointed pre-interim representatives, government was not

Sanco wanted all elected local government officials to be suspended, and replaced by temporary appointed officials. However, government was insisting on elections before final negotiations.

The spokesman said even government negotiators had conceded that this would not be practical, as boundaries would have to be redrawn, new voters' roles compiled and the question of the homelands attended to, as some municipal regions fell on both sides of TBVC borders.

The forum was launched in March to investigate issues such as the democratisation and restructuring of local government, and to resolve problems like rent and service boycotts.

● Slovo plot suspect in court for remand

IFP expresses concern about MK

Sowetan 18/5/93

■ **COMMITTEE'S DECISION** Demands for its disbanding

are being buried under other considerations:

Sowetan Correspondent

WHILE THOUSANDS of Inkatha Freedom Party members took to the streets of the province at the weekend, the party's central committee was meeting at Ulundi where it expressed concern that demands for the disbanding of Umkontho we Sizwe were being buried under other considerations.

This was part of one of the resolutions taken at the meeting.

Possibly the most striking event during Saturday's marches was when a phalanx of IFP leaders carrying 275-

coffins made its way through the Durban city centre.

The coffins were carried in memory of IFP leaders killed since 1983 — one for each of the 275 leaders killed.

The marches were the start of the IFP's mass action campaign to protest against the continuing violence.

In both Durban and Maritzburg there were claims that the marches there were the biggest Natal had ever seen.

Streets were packed from side to side but official estimates of numbers varied widely.

At the Ulundi meeting, the IFP

central committee expressed "deep concern and consternation" about the escalating violence and intimidation which it said was hampering the proper course of negotiations and the holding of fair and free elections.

The committee resolved:

1 To applaud the firm stand its negotiation team has taken in demanding the reduction of violence and the disbanding of Umkontho we Sizwe, and

1 To express appreciation to the negotiation council for receiving the IFP resolution on violence and the disbanding of MK

1 To express concern that the MK issue was being submerged

Strike ballot for public workers

THOUSANDS of municipal workers countrywide are to be balloted for industrial action against Government-initiated restructuring and wage-pegging, the SA Municipal Workers Union said yesterday.

In a statement after a weekend national executive committee meeting, the 70 000-member union warned that attempts to thwart the ballot would be met with retaliation.

■ **Disgruntlement over unilateral restructuring:**

It said the Samwu executive had received "extremely disturbing" reports that local authorities were "collaborating with the (President FW) de Klerk regime in implementing the Government's restructuring and rationalisation plans, as well as De Klerk's decision to peg wages".

"All worker protests have been

completely ignored. It is clearly a waste of time and energy for workers and unions to make further appeals or protests."

Samwu said it was left with no option but to mobilise its membership and public sector workers for immediate action to stop "the Government and its agents in their tracks" — Sapa

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(262)



ANC backs down on

CT 19/5/93

Own Correspondent

JOHANNESBURG — The ANC yesterday backed down on its demand that an elected constituent assembly be the only body to decide on the powers, functions and duties of regions — clearing the way for the most significant breakthrough in negotiations in the past two years.

At the World Trade Centre yesterday the ANC accepted a resolution giving the technical committee

the go-ahead to formulate recommendations on the structures, powers and functions of regions

"We are showing doubters that we are serious about moving speedily forward," one ANC negotiator said

The aim of the ANC's decision is to accommodate the fears of, among others, the IFP. It also signals acceptance that the multi-party forum could decide on such issues. Negotiators speculated the

trade-off the ANC sought was for the IFP to accept the establishment of a transitional executive council

Senior IFP negotiator Mr. Walter Felgate said that, taken with the ANC's concession that regions should have original powers and central government should have overriding powers only in areas where there were concurrent powers, the IFP would have little problem in accepting this position.

But he cautioned against over-optimism. Until a constitutional court had been established to prevent the ANC from "changing its mind during the interim government stage" his party would be suspicious.

Government delegation leader and Minister of Constitutional Development Mr. Roelf Meyer told a press conference afterwards, he was "convinced the most important part of today were the unanimous

resolutions on constitutional matters". He was referring to the technical committee on constitutional issues which was mandated, as a matter of urgency, to make recommendations on the question of constitutional principles, the structure, powers, and functions of regions, and the constitution-making process itself.

"Those three issues will tell us within the next few weeks whether

we can achieve agreements on the matters that we have included in the Declaration of Intent on April 30 (to set an election date).

If these three matters can be resolved, I have no doubt that the constitutional-making process in South Africa is well on its way. CP delegation leader, Mr. Tom Langley, squashed speculation after yesterday's meeting that the CP planned to walk out of the talks because it wanted a separate state.

Regions

262

Discrimination is geographical as well as racial

BIDM 21/5/93

THE distorted distribution of income and state expenditure in SA is usually seen only as a black/white issue. The geographical dimension is usually overlooked.

There are discrepancies between the country's nine development regions, and the manner in which resources are to be shared out between them will have to receive attention in constitutional talks.

To take but a few examples (from Development Bank statistics).

- Personal income a head in region G (northern Transvaal, including Lebowa, Gazankulu and Venda) was R725 in 1985 prices, but in region H (the PWV area) and in region A (western Cape) it was about six times that amount.
- The unemployment rate in region E (KwaZulu/Natal) is twice the figure for region F (eastern Transvaal), and in region D (Transkei, Ciskei, and the eastern Cape) it is three times the region F figure.
- Region E and region H each have a population of about 8.8-million, but the economy of region E is not much more than a third of the size of region H's.

The distribution of public sector personnel differs both racially and

regionally.

For example, in Venda there was an average of 21 nurses for every 10 000 people in 1989, and in Kwa-Ngwane, 15 for 10 000 — both less than half the national average of 45.

Comparing "black Natal" with the rest of Natal, there were 17 nurses for 10 000 people in KwaZulu and 111 for every 10 000 outside KwaZulu.

Doctors are also unevenly spread.

While in 1989 there was an average of six doctors for 10 000 people in the whole country (including all 10 homelands), this figure varied from one for every 10 000 in parts of Bophuthatwana to 13 for 10 000 in the western Cape. In "white" Natal there were 13 doctors for every 10 000 people, while KwaZulu had one doctor for every 10 000 people.

To address these and other distributional inequalities the state essentially has two choices. Either it will have to increase the number of nurses, doctors (and teachers) in poorer regions to bring them up to the levels in better off regions (which would increase the size and the cost of the public sector), or it will have to transfer people from one region to another. This would mean reducing the number of teachers, nurses and

JOHN KANE-BERMAN

doctors in some areas, an option which would be unpopular both with areas of the country losing their services and with the transferred personnel.

If there are disparities between regions (which incorporate both homeland and non-homeland areas), there are also discrepancies between the former white-designated area and the homelands.

Many people are familiar with the ratio of four to one in state spending on white versus black education. But if one takes state spending on black education in the white-designated area and compares it with state spending on black education in KwaZulu, for example, there is a gap there, too, of two to one.

A study a few years ago showed that in Ciskei the infant mortality rate was three times what it was in Soweto. Other research disclosed that a third of metropolitan black households were living below a minimum living level of R700 a month. In the rural parts of the homelands, the figure was 84%.

Some people believe that finally getting rid of apartheid will yield a huge dividend. In the long term this may be true. In the short term it will make the average person poorer. Because the four independent homelands are poorer than the rest of the country, reincorporating them will reduce average national GDP a head. If getting rid of apartheid includes getting rid of discriminatory state spending (as it obviously must), the costs will be enormous.

Reintegrating the 10 homelands with the rest of the country will cost far more in equalising public spending than it will save in dismantling ethnic bureaucracies. It is well known that the state spends more on white people than on black. Less well known is that rural black people are the victims of double discrimination: when it comes to state spending, once because they are black, and then again because they live in the homelands.

A Standard Bank study pointed out that R15bn was spent by government on the 14-million inhabitants of the 10 homelands in fiscal 1990/91, while R67bn was spent on the 22-million people living in the rest of the country — in per capita terms, nearly

three times as much.

If public spending on people in the homelands had been on the same level as on people outside them, the cost would have been an extra R28bn on the 1990/91 national Budget. This is what it would have cost merely to bring homeland spending up to the level of non-homeland spending, without altering the racially discriminatory structure of such spending.

Far from the final disappearance of apartheid yielding a huge dividend, our experience is much more likely to be akin to that of Germany, where the old federal republic has found the cost of reincorporating East Germany to be much higher than expected.

This is not an argument against reintegrating the homelands with the rest of the country.

It is an argument for finding ways to meet the costs rather than carry on pretending that there will be some huge "post-apartheid" dividend, until we discover the hard way that it is a mirage.

□ Kane-Berman is executive director of the SA Institute of Race Relations.

Unions get major say in Electricity Council

RESHUFFLING the Electricity Council, which controls Eskom, has given trade unions and township residents a major say in the parastatal.

Public Enterprises Minister Dawie de Villiers, appointing the council for a two-year term, has replaced almost half its 19 members

The nine new members are Numsa national organiser Bernie Fanaroff, NUM national organiser Gwedi Mantashe; National Black Consumer Union president Ellen Khuzwayo, Dan Mofokeng of the SA National Civic Association, Gengold's Gary Maude, representing the Chamber of Mines, C Pretorius, representing the Eskom Employees' Association; C van Verjeren of the SA Agricultural Union, N

PETER DELMAR

Majja of the SA Housewives' League and S Immelman of United Municipal Management, representing large electricity suppliers other than Eskom.

Eskom chairman John Maree has been reappointed, while SABC board chairman Christo Viljoen is among those to lose their positions. Eskom CE Ian McRae will retire from the council when he leaves his position next March.

Maree said the new council would ensure continuity and that "we continue to run this business as a business".

The recommendations of the multiparty national electricity forum are expected to affect the future form and membership of the Electricity Council

BIDAM 25/5/93

(262)



1739

WEDNESDAY, 26 MAY 1993

Answered

1740

Answered

such as the possible introduction of a capital subsidy coupon for first-time home buyers in South Africa

(1) No

(2) No

Hindu Seva Samaj Temple: investigation

* 6 Mr M RAJAB asked the Minister of Law and Order

(1) Whether any progress has been made in the investigation into the bombing of the Hindu Seva Samaj Temple in January 1993, if not, why not, if so, what are the relevant details,

(2) whether he will make a statement on the matter? D276E

The MINISTER OF LAW AND ORDER

(1) No

A reward has been offered for any information leading to the arrest and conviction of the responsible person(s) No information has yet been received and the investigation is continuing

(2) No

Death of person at Pollsmoor: action

* 7 Mr M RAJAB asked the Minister of Correctional Services

(1) Whether, with reference to information furnished to the Minister's Department for the purpose of his reply, any action has been taken by his Department against two of its officers who were allegedly involved in the death of a person who died at Pollsmoor Prison on or about 29 June 1989, if not, why not, if so, what are the relevant details,

(2) whether he will disclose the names of the persons involved, if not, why not, if so, what are their names? D277E

The MINISTER OF CORRECTIONAL SERVICES

(1) No

The matter was handed over to the SA

HOUSE OF DELEGATES

1741

WEDNESDAY, 26 MAY 1993

Answered

1742

Answered

Police for investigation, whereafter the case was referred to the Attorney-General for a decision regarding the possibility of instituting criminal proceedings against the members concerned The decision of the Attorney-General is not yet known and the Department of Correctional Services cannot act prematurely by anticipating his decision Action against the personnel will be considered once the Attorney-General has reached a decision

(1) Yes

(2) Yes

The names of the members concerned are as follows
— Major S Muller
— Captain I Oersen

Housing development boards: amalgamation

* 8 Mr A RAJBANSI asked the Minister of National Housing

(1) Whether it is the intention to introduce and implement any interim measures to amalgamate own affairs departments with the various housing development boards, if not, why not, if so, when are such measures to be implemented,

(2) whether he intends obtaining the views of any other interested parties before a final decision in this regard is taken, if not, why not, if so, what are the relevant details,

(3) whether he will make a statement on the matter? D279E

The MINISTER OF CORRECTIONAL SERVICES (for the Minister of National Housing)

(1) In anticipation of the reclamation of housing from own affairs to general affairs, the interested parties are reconsidering the matter No decision on any interim measures has been taken in this regard

(2) Falls away

(3) Falls away

(1) No

(2) No

(3) No

(4) No

(5) No

(6) No

1741

WEDNESDAY, 26 MAY 1993

Answered

1742

Answered

Management committee. Police investigations

* 9 Mr P PADAYACHEE asked the Minister of Law and Order

(1) Whether, with reference to certain information which has been furnished to the South African Police for the purpose of his reply, a member of Parliament has approached the Police in regard to police investigations into allegations relating to members of a certain management committee, if not, what is the position in this regard, if so, (a) what was the nature of the approach, (b) what is the name of this management committee and (c) to whom was the approach made,

(2) whether he will disclose the name of the member of Parliament in question, if not, why not, if so, what is the name of this member,

(3) whether he will make a statement on the matter? D270E

The MINISTER OF LAW AND ORDER

Yes

(1) (a) To enquire about alleged charges brought against a businessman, who appeared in the Protea Court on 5 March 1993

(b) Lenasia South East Management Committee

(c) Warrant-Officer D P Garnett, South African Police Liaison officer to the office of the Commissioner of the South African Police in Cape Town

(2) Yes Mr D K Padachey

(3) No

Own Affairs

Recommendations of Mail Committee

* 10 Mr M F CASSIM asked the Minister of Education and Culture

(1) Whether any steps have been taken or are being contemplated to implement

the various recommendations of the Mail Committees, if not, why not, if so, (a) what steps and (b) which recommendations,

(2) whether she will make a statement on the matter? D242E

Mr M F CASSIM Mr Chairman, I am willing to have the two questions on the Question Paper in my name stand down if precedence can be given to the last notice of motion printed in my name on the Order Paper

The CHAIRMAN OF THE HOUSE Order! The hon member is willing to have these questions stand down provided that precedence is given to what?

Mr M F CASSIM To the member printed in my name on the Order Paper, Sir

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Mr M F CASSIM Can we arrange for a speakers' list, Mr Chairman?

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The MINISTER OF EDUCATION AND CULTURE.

(1) Yes

(a) Since the handing of the Report of the Committee of Enquiry into Education Matters on 29 October 1992, the Department is implementing the recommendations

(b) Since the time allocated for this oral reply is very limited, I shall refer to a few of the recommendations to substantiate that the Report is being used by the Department

(1) "It is recommended that the Department investigate and

HOUSE OF DELEGATES

conf

1739

Answered

WEDNESDAY, 26 MAY 1993

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HOUSE OF DELEGATES

cont'd

ensure that this document to which he referred cannot easily be forged. In the second place, it is procedure to make use of fingerprints

Any person can be bribed in any circumstances. No country in the world can prevent people from being bribed or forged, from taking place. We can introduce measures, however, to prevent this. I referred again to the document itself and to the fact that the procedures in all respects required fingerprints and also that we had made the legislation much stricter earlier this year. We increased penalties, from a fine to two years imprisonment, and six months' imprisonment was increased to five years' imprisonment. [Interjections]

I submit that it is very easy to present vague allegations here. Hon members should present more positive proof and solutions. I submit that this Government introduces the sternest measures to strengthen our identity documents.

Debate concluded

QUESTIONS

†Indicates translated version

For oral reply

General Affairs

SABC: footage of Mr Hami's death/funeral

*1 Mr J H W MENTZ asked the Minister of Home Affairs

- (1) Whether the South African Broadcasting Corporation was requested by the Goldstone Commission recently to furnish full and unedited footage of video material in respect of the death and funeral of Mr Chris Hami, if so,
- (2) whether this request was acceded to, if not, why not, if so, to what extent,
- (3) whether he will make a statement on the matter? B810E

†THE MINISTER OF HOME AFFAIRS.

- (1) Yes
- (2) Yes, all available material was furnished to the Goldstone Commission. The SABC does not keep all unedited ver-

HOUSE OF ASSEMBLY

†THE MINISTER OF LOCAL GOVERNMENT

†Mr Speaker, in opening, allow me to congratulate you on the fact that you are occupying the Chair on 26 May 1993, 45 years after 26 May 1948. [Interjections]

- (1) (a) March 1993
- (b) Councillor G C Cooney

(2) Yes—Chapter III of the Municipal Elections Ordinance, No 16 of 1970, Transvaal

Traffic officers: remuneration

*3 Adv C H PIENAR asked the Minister of Education and Training and of National Housing (Minister responsible for the Commission for Administration) †

Whether, in the 1991-92 and 1992-93 financial years, the Commission for Administration took steps to improve the remuneration packages of provincial traffic officers, if not, why not; if so, what steps? B812E

†THE MINISTER FOR NATIONAL HEALTH AND WELFARE (for the Minister of Education and Training and of National Housing (Minister responsible for the Commission for Administration))

Yes 1991-92 financial year. In addition to the incorporation of the 10% non-pensionable allowance, which had been payable to all Public Service Act personnel since 1 April 1990, into basic pensionable salary and the granting of a differentiated salary adjustment of 9,6% at the lowest level and 6,6% at the highest level, the following steps were taken

- A non-pensionable occupational allowance of R1 200 per annum was instituted for the four lowest post levels of provincial traffic officers
- The gradings of the remaining two post levels were upgraded by one post level each

1992-93 financial year. An average pensionable general salary adjustment of 9,2% was granted to all Public Service Act personnel

†Adv C H PIENAR Mr Chairman, this question has arisen every year for the past three years now and I have also put it at provincial debates

Arising out of the hon the Minister's reply, I should like to ask why the remuneration package of provincial traffic officers, who make up the front line of law enforcement, especially on the roads, is still so far behind that municipal traffic officers generally get better remuneration packages than provincial traffic officers

Although these adjustments mentioned by the hon the Minister have been made, they are still so far behind that provincial traffic officers are some of the worst-paid law enforcers in this country. I want to know why attention is not being given to this

If one asks the question on a provincial level, they refer one to the central level. When one asks it on a central level, they refer the matter back and say that it has been attended to. Why are these people's remuneration packages not brought onto the same level as, for example, the SA Police? [Interjections]

†THE MINISTER Mr Speaker, the hon member may table the question so that the relevant hon Minister can reply to it for him

Slagboom: accident involving school cadets

*4 Mr E W TRENT asked the Minister of Defence

- (1) Whether, with reference to an accident which occurred at Slagboom on or about 18 March 1993 and in which a number of pupils were killed and injured, school cadets attending cadet camps have the same status as do members of the public undergoing national service, if not, (a) why not and (b) how does their status differ;

(2) whether the South African Defence Force has paid or intends paying compensation in respect of each pupil killed or injured in the above-mentioned accident, if not, why not, if so, (a) what amount and (b) how is this amount calculated? B836E

†THE DEPUTY MINISTER OF DEFENCE

Mr Speaker, before I answer the question, on behalf of the Government and the SA Defence Force I should like to express our sincere sympathy to the parents and family and friends of the three boys who passed away in this tragic accident

HOUSE OF ASSEMBLY

Talks forums for councils 'could become compulsory by legislation'

Meeting next month to formulate policy on future of local government

CLIVE SAWYER
Municipal Reporter

LEGISLATION could soon force city and town councils to form local government negotiating forums

Thus emerged at a meeting last night of local government, political and civic organisations, hosted by Idasa

Such legislation should first be cleared by all groups, including civic groups, said the deputy chairman of the national Local Government Negotiating Forum, Mr Salie Manie

Meanwhile, the government and four provincial administrations are to meet on June 7 to formulate a policy on the future of local government to be put to the forum

Last night's meeting followed agreement on Monday by 18 major local government bodies and political parties to probe setting up a negotiating forum for the Cape Town metropolitan area

A committee to investigate issues such as representation and terms of reference of the forum includes representatives of Tygerberg councils, the southern Peninsula, Cape Town City Council, the Democratic Party, Cape Province Municipal Association and the Labour Party

There was some resentment among smaller councils and ratepayers' associations that they had been excluded from the agreement on Monday

Cape Town deputy mayor Mr Clive Keegan said the purpose of Monday's meeting had been to test support for a metropolitan local government negotiating forum

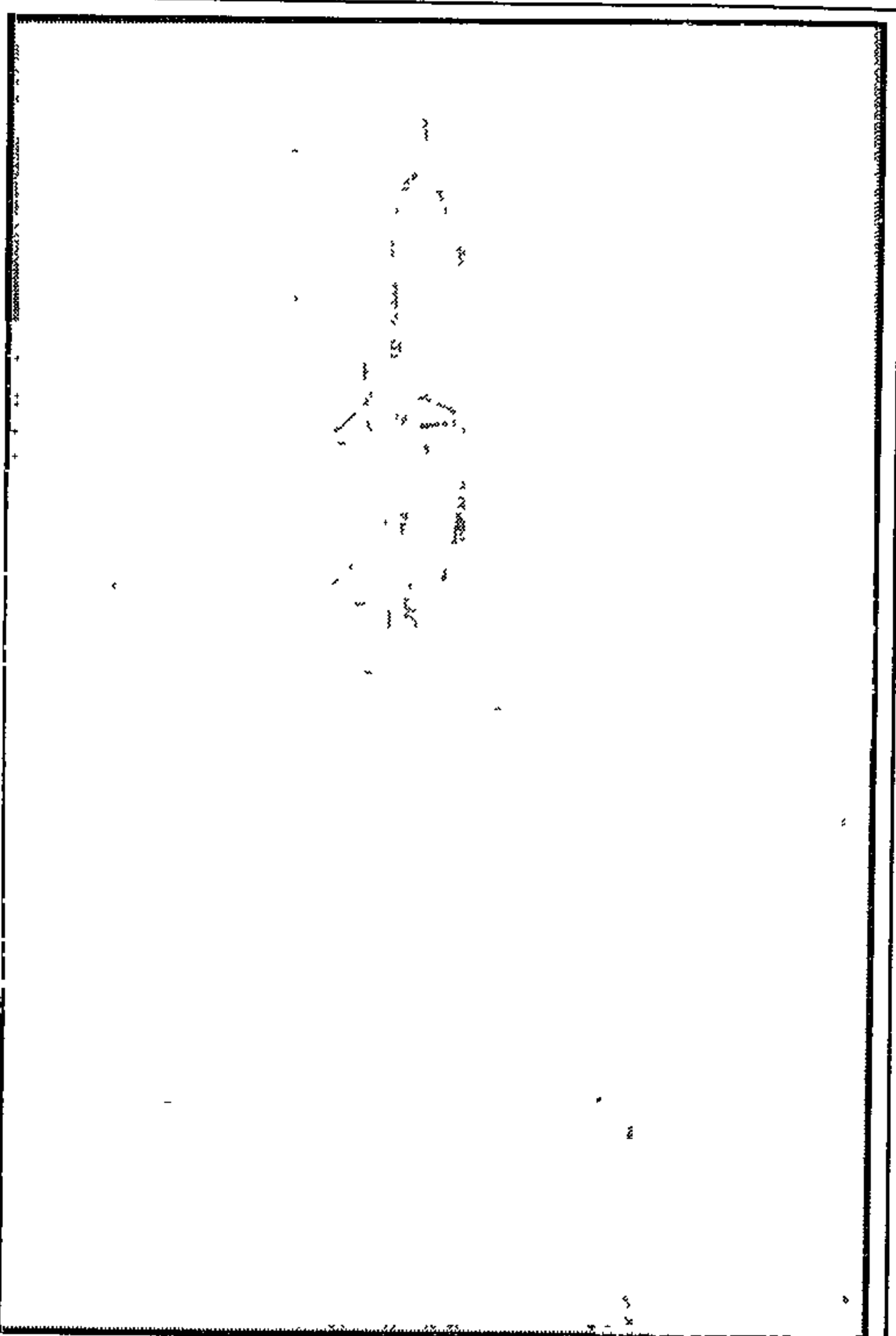
All should make submissions to the interim committee about how the forum should work

Legislation would soon compel councils to take part in such forums and the sooner the Peninsula was ready, the better, Mr Keegan said

Reporting on progress at national level, constitutional adviser Dr Donald Craythorne said key issues were elections and interim structures and boundaries

Mayor Mr Frank van der Velde said he was worried by the "two-sided table" nature of the forum, which lined up statutory bodies on one side and non-statutory bodies, such as the ANC and SANCO, on the other

"I do not want to be the political bedfellow of the Minister of Local Government," Mr Van der Velde said
Mr Manie said legislation



WET FLIP: A curious bystander examines this overturned car after it landed on its roof on De Waal Drive near Woodstock yesterday.

Picture WILLIE DE KLERK, The Argus

"Non-establishment" groups taking part are the African National Congress, the Congress of SA Trade Unions, the Communist Party, the Western Cape United Squatters Association the Pan Africanist Congress and SA National Civics Organisation

was needed to force compliance with interim local government measures

Unlike the Interim Measures for Local Government Act this should be drawn up to the satisfaction of all parties before being passed by parliament, he said

Regional focus urged for SA

REGIONAL bankers ended their three-day meeting in Somerset West yesterday amid general agreement that a post-apartheid SA should avoid inward-looking protectionism and invest more in the region.

Conference organiser and Financial Mail editor Nigel Bruce told a media briefing that the central and commercial bankers were concerned there would be a preoccupation with the reconstruction of South Africa rather than the region.

They also fear that South Africa would tend to dominate regional trade and that investment in their countries would

help balance this out. In a statement, the bankers said that their meeting had been "informal and private" and that they had adopted no resolutions that would commit their governments to any plan of action.

However, they decided to form a committee of central bank governors to examine various issues of common concern "to provide momentum to the general process of change" in the region.

Key points of agreement that had emerged included the need for greater regional co-operation in fiscal and monetary policy.

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Bruce said the fact that many were undertaking IMF structural adjustment programmes meant that there was already a great deal of harmonisation of regional fiscal and monetary policies. The bankers felt that this should be more closely coordinated.

They also wanted to see the dismantling of regional exchange controls and tariff barriers and gradual moves towards creating a regional trading bloc.

This could be preceded by the enlargement of the preferential trade area for Eastern and Southern Africa and the Southern African development

community to include South Africa.

They accepted the point made on Tuesday by Finance Minister Derek Keys that South Africa could not afford to enlarge the Southern African customs union.

The bankers said the Development Bank of Southern Africa should become involved in the region as a whole and that commercial banks should set up small business units to make more funds available to small businesses.

They would also like to see infrastructure improved on a regional basis and a greater co-ordination of aid projects.

(c) deur die tabelle in regulasie 4 3 3.3.1 deur die volgende tabelle te vervang:

"MEGANIES—

Indien die koste van die werke in die hoeveelheidslyste (BTW uitgesluit) —		is die gelde die som van die primêre gelde gemeld in kolom 3 en die sekondêre gelde bereken ingevolge kolom 4	
meer is as— (Kolom 1)	maar nie meer is nie as— (Kolom 2)	Primêre gelde (Kolom 3)	Sekondêre gelde Bereken op die waarde in kolom 1 en 2 teen die volgende persentasies (Kolom 4)
R	R	R	%
0	346 000	0	3,15
346 000	1 729 000	865	2,90
1 729 000	4 582 000	5 188	2,65
4 582 000	9 164 000	12 060	2,50
9 164 000	13 812 000	25 806	2,35
13 812 000	20 681 000	39 619	2,25
20 681 000	—	70 640	2,10

"ELEKTRIES—

Indien die koste van die werke in die hoeveelheidslyste (BTW uitgesluit) —		is die gelde die som van die primêre gelde gemeld in kolom 3 en die sekondêre gelde bereken ingevolge kolom 4	
meer is as— (Kolom 1)	maar nie meer is nie as— (Kolom 2)	Primêre gelde (Kolom 3)	Sekondêre gelde: Bereken op die waarde in kolom 1 en 2 teen die volgende persentasies (Kolom 4)
R	R	R	%
0	314 000	0	3,15
314 000	1 556 000	785	2,90
1 556 000	4 133 000	4 675	2,65
4 133 000	8 259 000	10 874	2,50
8 259 000	12 448 000	23 263	2,353
12 448 000	18 641 000	35 711	2,25
18 641 000		63 672	2,10"; en

(d) deur ná regulasie 4 3.5 die volgende regulasie in te voeg:

"4.3.6 Heffing van BTW

BTW moet by die gelde of vergoeding bereken volgens regulasie 4 gevoeg word."

(28 May 1993)/(28 Mei 1993)

BOARD NOTICE 55 OF 1993

EXCLUSION OF BENEFITS FROM THE DEFINITION OF "LEAVE SCHEME" IN THE REMUNERATION OF TOWN CLERKS ACT, 1984

I, Jacobus Venter, Acting Secretary to the Board of Remuneration and Service Benefits of Town Clerks, duly authorised thereto by the said board in terms of section 2 (2) of the Remuneration of Town Clerks Act, 1984 (Act No 115 of 1984), and with the concurrence of the Commission for Administration, hereby

RAADSKENNISGEWING 55 VAN 1993

UITSLUITING VAN VOORDELE VAN DIE OMSKRYWING "VERLOFSKEMA" IN DIE WET OP DIE BESOLDIGING VAN STADSKLERKE, 1984

Ek, Jacobus Venter, Waarnemende Sekretaris van die Raad op Besoldiging en Diensvoordele van Stadsklerke, handelend kragtens magtiging deur die gemelde raad aan my verleen ingevolge artikel 2 (2) van die Wet op die Besoldiging van Stadsklerke, 1984 (Wet No 115 van 1984), en met instemming van die Kommissie vir Administrasie, kondig hiermee vir algemene kennisname aan dat die paragraaf getiteld

→ PTC →

announce for general information that the paragraph titled "New Exclusion" of Board Notice 26 of 1989, as amended, is amended by the following deletions in square brackets and underlined additions: ~~23 June 1993~~ 30 June 1994

"All leave benefits in terms of an approved scheme applicable to employees in the service of local authorities on or before ~~30 June 1993~~ 30 June 1994 and more beneficial than those applicable to a deputy director-general, are excluded from 'leave scheme' as defined in the Act, with the exception of those leave conditions amended during the period 1 January 1987 to ~~30 June 1993~~ 30 June 1994 and of a more beneficial nature than the benefits in force before 1 January 1987. This exclusion applies to individual cases for as long as the employee concerned stays in the service of the local authority where the benefit was earned, or until such time as he chooses to receive his leave benefits in terms of the scheme within the Board's determination." (262)

J. VENTER,
Acting Secretary.
(28 May 1993)

NATAL LAW SOCIETY

AMENDMENT OF RULES

It is hereby notified that the following amendments to the Rules of the Natal Law Society as published in *Government Gazette* No. 6316 dated 2 March 1977, and as amended by—

- Government Gazette* No 6848 dated 15 February 1980,
- Government Gazette* No. 7924 dated 20 November 1981,
- Government Gazette* No. 9316 dated 13 July 1984,
- Government Gazette* No. 10100 dated 21 February 1986;
- Government Gazette* No. 10679 dated 3 April 1987;
- Government Gazette* No. 12300 dated 23 February 1990;
- Government Gazette* No. 13933 dated 24 April 1992,

have been made by its members at an Annual General Meeting, and after consultation with the Judge President of Natal, have been approved by the Chief Justice of South Africa in terms of section 74 of the Attorneys Act, No. 53 of 1979

1. In Rule 14—

(1) in paragraph (b), by the substitution for subparagraph (vi) of the following subparagraph

"(vi) Doing or permitting in the carrying on of, or in the course of, his practice anything which may reasonably be regarded as likely to attract business unfairly."

"Nuwe uitsluiting" van Raadskennisgewing 26 van 1989, soos gewysig, soos volg deur die weglatings in tekshakies en ondersireepte byvoegings, gewysig word:

"Alle verlofvoordele van werknemers wat op of voor ~~30 Junie 1993~~ 30 Junie 1994 in diens van plaaslike owerhede is of was en op wie 'n goedgekeurde verlofskema van toepassing is wat gunstiger is as dié van 'n adjunk-direkteur-generaal, word uitgesluit van 'verlofskema' soos in die Wet omskryf, met uitsondering van daardie verlofvoordele wat in die tydperk 1 Januarie 1987 tot ~~30 Junie 1993~~ 30 Junie 1994 gewysig en gunstiger is as dié voordele wat voor 1 Januarie 1987 gegeld het. Hierdie uitsluiting geld per individuele geval vir solank die betrokke werknemer in die diens van die plaaslike owerheid waar hy die voordeel verdien het, bly, of tot wanneer hy verkies om volgens die stelsel binne die Raad se vasstelling sy verlofvoordele te ontvang."

J. VENTER,
Waarnemende Sekretaris
(28 Mei 1993)

NATALSE WETSGENOOTSKAP

WYSIGING VAN REËLS

Hiermee word kennis gegee dat die volgende wysigings van die Reëls van die Natalse Wetsgenootskap soos afgekondig in *Staatskoerant* No 6316 gedateer 2 Maart 1977, en gewysig deur—

- Staatskoerant* No. No. 6848 gedateer 15 Februarie 1980,
- Staatskoerant* No 7924 gedateer 20 November 1981,
- Staatskoerant* No 9316 gedateer 13 Julie 1984;
- Staatskoerant* No 10100 gedateer 21 Februarie 1986,
- Staatskoerant* No 10679 gedateer 3 April 1987,
- Staatskoerant* No 12300 gedateer 23 Februarie 1990,
- Staatskoerant* No. 13933 gedateer 24 April 1992,

deur lede op 'n Algemene Jaarvergadering gemaak is en na oorlegpleging met die Regter-president van Natal is dit deur die Hoofregter van Suid-Afrika kragtens artikel 74 van die Wet op Prokureurs, No 53 van 1979, goedgekeur:

1. In Reel 14—

(1) in paragraaf (b), om subparagraaf (vi) deur die volgende subparagraaf te vervang.

"(vi) om enigiets in die loop van of in die uitvoering van sy praktyk te doen of toe te laat wat redelikerwys geag kan word waarskynlik besigheid op onbillike wyse aan te trek"

Amendment of rule 49 of the Rules

3. Rule 49 of the Rules is hereby amended by the substitution for subrule (1) of the following subrule:

“(1) A party to proceedings in which a default judgment has been given may within 20 days after the judgment has come to his knowledge apply to court upon notice to the other party to set aside such judgment and the court may upon good cause shown and, save where leave has been given to defend as a *pro Deo* litigant in terms of rule 53, provided the applicant has furnished to the respondent security for the costs of the default judgment plus an amount of R200 as security for the costs of the application, set aside the default judgment on such terms as it may deem fit. Provided that the respondent may by consent in writing lodged with the clerk of the court waive compliance with the requirement of security”

Amendment of Part I of Table B of Annexure 2 to the Rules

4. Part I of Table B of Annexure 2 to the Rules is hereby amended by the substitution for the expression “The total amount to be allowed in any one case shall not exceed R75,00” of the expression “The total amount to be allowed for each tracing shall not exceed R95,00.”

Commencement

5. These rules shall come into operation on 28 June 1993.

No. R. 960**28 May 1993****AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE SUPREME COURT OF SOUTH AFRICA**

The Rules Board for Courts of Law has, under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister of Justice, made the rules in the Schedule

SCHEDULE**Definitions**

1. In this Schedule “the Rules” means the rules regulating the conduct of the proceedings of the several provincial and local divisions of the Supreme Court of South Africa published under Government Notice No. R. 48 of 12 January 1965, as amended by Government Notices Nos. R. 235 of 18 February 1966, R. 2004 of 15 December 1967, R. 3553 of 17 October 1969, R. 2021 of 5 November 1971, R. 1985 of 3 November 1972, R. 480 of 30 March 1973, R. 639 of 4 April 1975, R. 1816 of 8 October 1976, R. 1975 of 29 October 1976, R. 2477 of 17 December 1976, R. 2365 of 18 November 1977, R. 1546 of 28 July 1978, R. 1577 of 20 July 1979, R. 1535 of 25 July 1980, R. 2527 of 5 December 1980, R. 500 of 12 March 1982, R. 773 of 23 April 1982, R. 775 of 23 April 1982, R. 1873 of 3 September 1982, R. 2171 of 6 October 1982, R. 645 of 25 March 1983, R. 841 of 22 April 1983, R. 1077 of 20 May 1983, R. 1996 of 7 September 1984, R. 2094 of 13 September 1985, R. 810 of 2 May

Wysiging van reël 49 van die Reëls

3. Reël 49 van die Reëls word hierby gewysig deur subreël (1) deur die volgende subreël te vervang:

“(1) 'n Party by verrigtinge waarin 'n vonnis by verstek gegee is, kan binne 20 dae nadat so 'n vonnis tot sy kennis gekom het, met kennisgewing aan die ander party by die hof aansoek doen om tersydestelling daarvan en die hof kan as goeie redes aangevoer is en, behalwe waar verlof verleen is om as 'n *pro Deo*-gedingvoerder kragtens reël 53 te verdedig, mits die applikant aan die respondent sekerheid gestel het vir die koste van die verstekvonnis plus 'n bedrag van R200 as sekerheidstelling vir die koste van die aansoek, die verstekvonnis tersyde stel met sodanige bepalinge as wat hy goedvind: Met dien verstande dat die respondent by skriftelike toestemming by die klerk van die hof ingedien, van die vereiste van sekerheidstelling kan afsien.”

Wysiging van Deel I van Tabel B van Bylae 2 by die Reëls

4. Deel 1 van Tabel B van Bylae 2 by die Reëls word hierby gewysig deur in paragraaf (d) van item 3 die uitdrukking “Die totale bedrag wat in enige enkele geval toelaatbaar is, oorskry nie R75,00 nie.” deur die uitdrukking “Die bedrag wat vir elke opsporing toelaatbaar is, oorskry nie R95,00 nie.” te vervang

Inwerkingtreding

5. Hierdie reëls tree op 28 Junie 1993 in werking

No. R. 960**28 Mei 1993****WYSIGING VAN DIE REELS WAARBY DIE VERRIGTINGE VAN DIE VERSKILLENDE PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOOGGEREGSHOF VAN SUID-AFRIKA GEREEL WORD**

Die Reelsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reelsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), met die goedkeuring van die Minister van Justisie, die reëls in die Bylae gemaak

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken “die Reëls” die reëls waarby die verrigtinge van die verskillende provinsiale en plaaslike afdelings van die Hooggeregshof van Suid-Afrika gereel word, afgekondig by Goewermentskennisgewing No. R. 48 van 12 Januarie 1965, soos gewysig by Goewermentskennisgewings Nos. R. 235 van 18 Februarie 1966, R. 2004 van 15 Desember 1967, R. 3553 van 17 Oktober 1969, R. 2021 van 5 November 1971, R. 1985 van 3 November 1972, R. 480 van 30 Maart 1973, R. 639 van 4 April 1975, R. 1816 van 8 Oktober 1976, R. 1975 van 29 Oktober 1976, R. 2477 van 17 Desember 1976, R. 2365 van 18 November 1977, R. 1546 van 28 Julie 1978, R. 1577 van 20 Julie 1979, R. 1535 van 25 Julie 1980, R. 2527 van 5 Desember 1980, R. 500 van 12 Maart 1982, R. 773 van 23 April 1982, R. 775 van 23 April 1982, R. 1873 van 3 September 1982, R. 2171 van 6 Oktober 1982, R. 645 van 25 Maart 1983, R. 841 van 22 April 1983, R. 1077 van 20 Mei 1983, R. 1996 van 7 September 1984, R. 2094 van 13 September 1985, R. 810 van 2 Mei 1986, R. 2164 van 2 Oktober

1986, R 2164 of 2 October 1987, R. 2642 of 27 November 1987, R 1421 of 15 July 1988, R. 210 of 10 February 1989, R 608 of 31 March 1989, R 2628 of 1 December 1989, R 185 of 2 February 1990, R. 1929 of 10 August 1990, R 1262 of 30 May 1991, R 2410 of 30 September 1991, R. 2845 of 29 November 1991, R. 406 of 7 February 1992, R. 1883 of 3 July 1992 and R. 109 of 22 January 1993.

Amendment of rule 6 of the Rules

2. Rule 6 of the Rules is hereby amended—

- 262
- (a) by the deletion in paragraph (b) of subrule (5) of the words “, or, if the applicant is a person who is in terms of any law prohibited from being the occupier of land or premises within the distance of eight kilometres of such office, an address further than eight kilometres from such office but within the magisterial district in which such office is situated may be appointed,”; and
 - (b) by the deletion in subparagraph (i) of paragraph (d) of subrule (5) of the words “, or, if such person is a person who is in terms of any law prohibited from being the occupier of land or premises within the distance of eight kilometres of such office, may so appoint an address further than eight kilometres from such office but within the magisterial district in which such office is situated,”

Amendment of rule 16 of the Rules

3. Rule 16 of the Rules is hereby amended by the substitution for paragraph (b) of subrule (2) of the following paragraph

- “(b) If such party does not appoint a further attorney, such party shall in the notice of termination appoint an address within eight kilometres from the office of the registrar for the service on him of all documents in such proceedings.”

Amendment of rule 17 of the Rules

4. Rule 17 of the Rules is hereby amended by the deletion in subrule (3) of the proviso

Amendment of rule 19 of the Rules

5. Rule 19 of the Rules is hereby amended by the deletion in subrule (3) of the words “, or if he is a person who is in terms of any law prohibited from being the occupier of land or premises within such distance of eight kilometres of such office, he may appoint an address further than eight kilometres from such office but within the magisterial district within which such office is situated.”

Amendment of rule 37 of the Rules

6. Rule 37 of the Rules is hereby amended by the substitution in subrule (3) for the expression “(b)” of the expression “(c)”

1987, R 2642 van 27 November 1987, R 1421 van 15 Julie 1988, R 210 van 10 Februarie 1989, R 608 van 31 Maart 1989, R 2628 van 1 Desember 1989, R 185 van 2 Februarie 1990, R 1929 van 10 Augustus 1990, R 1262 van 30 Mei 1991, R. 2410 van 30 September 1991, R 2845 van 29 November 1991, R 406 van 7 Februarie 1992, R 1883 van 3 Julie 1992 en R 109 van 22 Januarie 1993.

Wysiging van reël 6 van die Reëls

2. Reël 6 van die Reëls word hierby gewysig—

- (a) deur in paragraaf (b) van subreël (5) die woorde “, of, indien die applikant iemand is wat kragtens enige wet verbied word om die okkupeerder te wees van grond of ’n perseel wat binne ’n afstand van agt kilometers van sodanige kantoor gelee is, kan ’n adres verder as agt kilometers van sodanige kantoor maar binne die landdrosdistrik waarin sodanige kantoor gelee is, genoem word,” te skrap; en
- (b) deur in subparagraaf (i) van paragraaf (d) van subreël (5) die woorde “, of, indien so iemand ’n persoon is wat kragtens enige wet verbied word om die okkupeerder te wees van grond of ’n perseel wat binne ’n afstand van agt kilometers van sodanige kantoor gelee is, kan hy ’n adres verder as agt kilometers van sodanige kantoor maar binne die landdrosdistrik waarin sodanige kantoor gelee is soos voornoemd vermeld,” te skrap.

Wysiging van reël 16 van die Reëls

3. Reël 16 van die Reëls word hierby gewysig deur paragraaf (b) van subreël (2) deur die volgende paragraaf te vervang:

- “(b) As die bedoelde party nie ’n ander prokureur aanstel nie, moet die party in die kennisgewing van opsegging ook ’n adres aangee wat binne agt kilometer van die kantoor van die griffier is, vir die betekening aan hom van alle dokumente in die verrigtinge ”

Wysiging van reël 17 van die Reëls

4. Reël 17 van die Reëls word hierby gewysig deur in subreël (3) die voorbehoudsbepaling te skrap.

Wysiging van reël 19 van die Reëls

5. Reël 19 van die Reëls word hierby gewysig deur in subreël (3) die woorde “, of, indien die verweerder iemand is wat kragtens enige wet verbied word om die okkupeerder van grond of ’n perseel te wees wat binne sodanige afstand van agt kilometers van sodanige kantoor gelee is, kan hy ’n adres verder as agt kilometers van sodanige kantoor maar binne die landdrosdistrik waarin sodanige kantoor gelee is, aangee,” te skrap

Wysiging van reël 37 van die Reëls

6. Reël 37 van die Reëls word hierby gewysig deur in subreël (3) die uitdrukking “(b)” deur die uitdrukking “(c)” te vervang

Amendment of rule 43 of the Rules

7. Rule 43 of the Rules is hereby amended by the deletion in subrule (2) of the words “, or if the applicant or his attorney is a person who is in terms of any law prohibited from being the occupier of land or premises within the distance of eight kilometres of such office, may give an address further than eight kilometres from such office but within the magisterial district in which such office is situated.”.

Amendment of rule 63 of the Rules

8. Rule 63 of the Rules is hereby amended—

- (a) by the substitution in paragraph (e) of subrule (2) for the words “Basutoland, the Bechuanaland Protectorate” of the words “Lesotho, Botswana”, and
- (b) by the substitution in subrule (5) for the words “Basutoland, the Bechuanaland Protectorate” of the words “Lesotho, Botswana”.

Amendment of the First Schedule to the Rules

9. The First Schedule to the Rules is hereby amended—

- (a) by the substitution in Form 9 for the expression “6 (5) (b)” of the expression “19 (3)”, and
- (b) by the substitution in Form 10 for the expression “6 (5) (b)” of the expression “19 (3)”.

Commencement

10. Rules 6, 8 and 9 shall come into operation on 28 June 1993 and rules 2, 3, 4, 5 and 7 shall come into operation on 1 July 1994

Wysiging van reël 43 van die Reëls

7. Reël 43 van die Reëls word hierby gewysig deur in subreël (2) die woorde “, of, indien die applikant of sy prokureur iemand is wat kragtens enige wet verbied word om die okkupeerder te wees van grond of ’n perseel wat binne ’n afstand van agt kilometers van sodanige kantoor gelee is, kan die kennisgewing ’n adres verder as agt kilometers van sodanige kantoor maar binne die landdrostdistrik waarn sodanige kantoor gelee is, bevat,” te skrap.

Wysiging van reël 63 van die Reëls

8. Reël 63 van die Reëls word hierby gewysig—

- (a) deur in paragraaf (e) van subreël (2) die woorde “Basoetoland, die Betsjoeanaland Protektoraat” deur die woorde “Lesotho, Botswana” te vervang, en
- (b) deur in subreël (5) die woorde “Basoetoland, die Betsjoeanaland Protektoraat” deur die woorde “Lesotho, Botswana” te vervang.

Wysiging van die Eerste Bylae by die Reëls

9. Die Eerste Bylae by die Reëls word hierby gewysig—

- (a) deur in Vorm 9 die uitdrukking “6 (5) (b)” deur die uitdrukking “19 (3)” te vervang, en
- (b) deur in Vorm 10 die uitdrukking “6 (5) (b)” deur die uitdrukking “19 (3)” te vervang.

Inwerkingtreding

10. Reëls 6, 8 en 9 tree op 28 Junie 1993 in werking en reëls 2, 3, 4, 5 en 7 tree op 1 Julie 1994 in werking.

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Power to the people: Eskom surges into new \$A

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2627 (125)

FOR the first time in Eskom's 70-year history, trade unions and township residents will have a major say in policy-making at the state-run utility.

After several months of wide consultation and considerable soul-searching, Public Enterprises Minister Dawie de Villiers has appointed nine new members to Eskom's 19-member governing Electricity Council.

New to the board are representatives from three trade unions, a township organiser and members from a black consumer group and the women's movement. They complement reappointed members from government, academia and industry.

As one of the most influential corporate boards in the country — with access to billions in project spending — great care appears to have been taken to properly balance representation.

"It is far more representative," observed Eskom's chairman John Maree, himself reappointed. "And it leaves open the possibility of being more reflective of our diversity in the future."

To accommodate further board changes from a new government, the term of council members have been reduced to two years from three.

The new board, which took effect this week, consists of Department of Finance director Gerard Croeser, Eskom chief executive Ian McRae, South African Chamber of Business executive Aubrey Dickman, Afrikaanse Handelsinstituut executive Professor I Lambrechts, Spoorriet chief executive B Lessing, engineer J Loub-

Trade unions, consumers and community representatives are among the nine new members on Eskom's governing Electricity Council.

reports MICHAEL WANG

ser, Dorbyl group chief executive D Mostert, African Bank vice-chairman A Nkon-yeni, Dept of Mineral and Energy Affairs chief director G Venier, National Union of Metalworkers of South Africa organiser Berne Fanaroff, United Municipal Management executive S Immelman, South African National Black Consumer Union president Eileen Kuzwayo, Housewives' League official N Majoja, National Union of Mineworkers regional co-ordinator Gwede Mantashe, Gengold's Gary Maude representing the Chamber of Mines, South African National Civic Organisation's Dan Motokeng, Eskom Employees Association leader Neels Pretorius, South African Agricultural Union's C van Veyeren, and Maree.



Consumer interests — Eileen Kuzwayo



Learning curve — John Maree

Notable among members dropped from the council was SABCO board chairman Christo Viljoen. Since Eskom's Electricity Council was first formed in 1985, Maree, as its chairman, has striven to convert the bloated instrument of government apartheid to national utility operating on business principles. Today, it claims to operate as the second-cheapest pow-

er supplier in the world. More recently, Maree and Mckae have moved to hook up townships and rural communities in a bid to correct previous imbalances and provide a much needed stimulus to the economy. Asked what he expected from sharing a boardroom with several new, politically charged members, Maree chuckled softly. "It will be a learning curve for all of us. It will be interesting to see how it works."

But he pointed out that when board members convened they would be expected to "busy themselves with the affairs of Eskom, not with the particular interests of their organisations."

To initiate new members, a series of "intensive briefings" would be required, Maree thought. The revamped council is scheduled to hold its first meeting on June 3.

But, some of the new members do not appear to share the opinion of its chairman. "I am not an electricity counsellor," said Gwede Mantashe, the NUM's PWV co-ordinator. "I am a representative of organised labour."

Mantashe said his agenda was to halt the steady number of layoffs at Eskom and press the utility to speed up the electrification of rural communities in order to stem the rapid pace of urbanisation and "create a livelihood that would contribute to the economy."

He insisted that the reshuffled council was no more representative than before and that it should be entirely restructured. "They have just changed the pawns," he said. "Business still maintains a monopoly on the interests of all South Africans."

Dan Motokeng, Sanco general secretary for the southern Transvaal, said

he felt there was still far too much duplication on the board.

"Why are members from Saccob, the AHI and Spoorriet not rolled into one member?" he asked.

Motokeng stressed that Eskom should also curb its intention to operate like a corporate entity. "Yes, it should recover its costs, but not generate huge profits at the expense of the underprivileged in this country."

Last year, Eskom reported a profit of R1.5-billion, on which it is obligated to pay no tax.

Still, Maree — who has fashioned himself as a leader in corporate South Africa's drive to restructure itself — felt strongly that the appointment of a new board was a "ground-breaking" event that could pave the way for other large corporate concerns to do likewise.

"It could very well change big business in South Africa," he said.

Aside from the new board, two developments last week also gave reason for Maree to smile.

The long-awaited National Electricity Forum met to discuss ways to streamline the currently unwieldy delivery of power to communities, and Eskom's R500-million in long-term notes successfully placed with the Life Offices Association as part of the utility's move to fund its electrification drive.

Eskom's chairman added that with a transitional government imminent, multilateral development agencies — such as the World Bank and the African Development Bank — would be prepared to finance electricity expansion.

14 days to count
union's strike vote

262 ERICA JANKOWITZ

THE SA Municipal Workers' Union (Samwu), which began a national strike ballot of some 71 000 members in 300 municipalities on Monday, expects the process to be completed within two weeks.

Samwu spokesman Roger Ronnie said the ballot would not only test members' willingness to support a 30% wage demand, but would also challenge legislative restrictions on municipal workers' rights to strike.

State employees, including municipal workers, are prohibited from striking under the Labour Relations Act.

Ronnie said employers' wage offers ranged from a wage freeze to 5%. The present average minimum rate of pay was R529 a month compared with the union's proposed minimum of R650.

"We refuse to allow government to peg our wage increases," he said.

Samwu was also opposed to government's interference in municipal restructuring plans. "There has been a long history of contracting out of services by municipalities," Ronnie said.

Should members embark on a strike, the union would adopt a responsible attitude to essential services, added Ronnie. Emergency services would still be rendered. "However, we do not consider grass-cutting and refuse removal to fall into this category."

Meanwhile, about 900 members of Samwu were dismissed by the Springs Town Council yesterday.

The workers had gone on strike on June 2. The strike concerned the dismissal of four shop stewards who took part in one of several marches Samwu staged last year.

A council spokesman said workers had engaged in illegal action and had not complied with an ultimatum to return to work.

The union, condemning the council's "intransigent approach", called for the immediate reinstatement of its members.

BRUCE CAMERON
Weekend Argus Business Staff

■ THE division of scarce tax resources will be a key element in plans to decentralise political power, says Finance Department director-general Gerhard Croeser.

POLITICIANS to a greater or lesser degree have accepted a type of federalism or strong regional government for South Africa — but it will be easier said than done

One of the major barriers is financing new regional structures as well as the increasingly hard-pressed local authorities

Over the years the National Party increasingly stripped powers away from the provinces and even from the local authorities that had been granted in 1910. And, as power was centralised, the taxing powers of the provinces were reduced

The years of apartheid created complications with enormously deprived communities. When restrictions on free movement were lifted, the country urbanised in a telescoped period, placing enormous stresses on local government in particular

The Department of Finance has been looking at the problems of financing a more decentralised structure of government

Mr Gerhard Croeser, Department of Finance director-general, insists that relations between the different levels of government be clearly defined

In an interview he warned that uncertainty would dog long-term planning and could lead to fiscal chaos

There had to be certainty about conditions of transfer of money from the central government, access to financial markets and proper public responsibility, accountability and reporting at all levels of government

The topic itself is vast and there are major debates on most of the issues involved from the collection of taxes to the application of user charges to the co-ordination of fiscal policy between levels of government

The key factor in the debate is how to devolve fiscal authority to allow devolved political authority to be properly exercised while ensuring the proper sharing of the country's scarce resources

Under ideal conditions of maximum fiscal authority each level of government should be able to draw upon sufficient revenue sources of its own to finance all its services

Mr Croeser said in practice this could not happen because of factors including

How SA's regions could pay their way

vertical and horizontal disparities in inter-government fiscal relations. There was also a need for fiscal policy and service co-ordination

Central government would also have to remain active in large capital projects as well as in financing large infrastructural backlogs

Vertical differences occurred because central government had access to more revenue than was required for its own reasonable expenditure while the opposite was the case for local government

Horizontal differences occurred as a result of the different levels of population, infrastructure and human development in the various areas of the country. The best example was the wealth-generating capacity of the Witwatersrand compared to the densely populated Transkei-Ciskei or Natal-Kwazulu regions

"Although the disparities can never be

eliminated, it is essential to have some form of reasonable redistribution," Mr Croeser said

He foresaw a substantial realignment in functions between the different levels. This could result in the central government allocation of expenditure for all three levels dropping from its 1991-1992 levels of 60,6 percent to 44,6 percent. Local government could gain, going from 10,9 percent to 39,6 percent, while spending on regional government could also shrink

Mr Croeser said although there should be an alteration in taxing structures, with the possible introduction of new taxes, the overall tax burden as a percentage of gross domestic product should not be increased

Government units at regional and local levels should have a reasonable tax base to finance basic current expenditures, but he emphasised there was limited scope for the cost-effective devolution of existing taxes

Use would have to be made of the sharing of tax bases as well as revenue-sharing between the different levels of government

He identified several areas of change for financing local and regional government in a more decentralised system. They included

■ The creation of a joint tax collection body, which would not determine tax rates, bases or policy but would collect taxes on behalf of the different authorities on a cost-effective basis. Taxes such as user taxes which are presently collected efficiently at local or regional level would be excluded.

Taxes such as VAT and Standard Income Tax on Employees (SITE) could not be collected efficiently at lower levels of government. A proliferation of tax collection bodies would only increase the bureaucracy but not the yield.

■ A revenue-sharing system, which would also be used as a redistribution mechanism to reduce fiscal disparities between different authorities at regional or local level

Mr Croeser felt such a system should entail a type of quota in which various factors would be taken into account including the fiscal capacity or ability of each unit of government to raise taxes. Other factors which could be built into a formula would include population, per capita income and cost disparities

Revenue-sharing should not be seen as a grant from central government but as revenue to which lower levels of government were entitled.

■ Conditional and unconditional grants from central government could be used to ensure minimum standards. For example central government could provide conditional grants to local government for minimum school standards. These grants could be augmented by the local communities from their own resources to increase levels according to their own priorities. Grants should be limited to essential services

■ Better utilisation of existing sources of revenue at local level with a less complicated and more uniform system of property taxation applied to all properties. A possible basic exemption limit would have to be investigated

Mr Croeser believed at the moment there was an under-collection of property rates with the figure falling over the past few years from about 2 percent of GDP to 1 percent of GDP, with municipalities replacing rate income with profits on services such as water and electricity. User charges could also be better utilised,



A hard task ahead for new forum for regional authorities

262
■ The Cape's apartheid-fractured systems of local government need a complete overhaul — and this is about to happen, reports **JASPER WALSH**, MP for Pinelands and DP spokesman on local government.

ARG 12/6/93
FOR several months Idasa (the Institute for a Democratic Alternative for South Africa) has been convening seminars on local government attended by all the major stakeholders in the greater Peninsula

This produced a significant breakthrough two weeks ago

It was decided to form a Local Government Negotiating Forum (LGNF) to negotiate a new nonracial and democratic constitution for local government in line with the principles determined by the National Negotiating Forum on local government and the multiparty conference

The need for a local forum is long overdue. Anyone who drives through Cape Town suburbs, the so-called coloured areas and the black townships cannot but be struck by the disparities caused by the apartheid-driven fragmentation of our city. The existing racial nature of local government structures with enormous disparities of income and therefore of spending power, has helped to create this mess.

The forum's will have to negotiate a fair dispensation under which we can roll back the disparities and injustices.

The forum's first task will be to determine its objectives, time-frames and how it functions as well as determining who should be represented.

Time is of the essence as social and political degradation are contributing substantially to the present level of instability and violence. People on the ground have yet to experience any practical benefits following the National Party's recognition of apartheid's failure

Capetomans should take note of what has been achieved by the Witwatersrand Metropolitan Chamber.

The formation of a local forum must take cognisance of specific local conditions. Nevertheless there are lessons to be learnt to facilitate a speedy transition to a new dispensation.

While few will deny that local government structures must be changed, many are unclear as to the objectives:

Put simply, these are to negotiate nonracial and democratic structures of metropolitan and local government, in order to improve the quality of life of all inhabitants, by establishing a common tax base and upgrading the quality of essential services, and to negotiate interim structures to facilitate the transition to these goals.

Disparities in services between say Rondebosch and Guguletu illustrate the enormity of the challenge. In Guguletu expectations run high, in Rondebosch the greatest fear is who shall be called upon to pay.

Lack of meaningful economic growth limits potential local government revenue. Where can the additional money be found? Clearly the sharing of a single tax base must equalise the distribution of services at an acceptable minimum level.

But the ravages of apartheid compounded by massive urbanisation require greater spending than the people of Cape Town can afford on their own. Central and regional government income will have to supplement the shortfall.

The determination and resourcefulness to tackle these problems has been lacking since Jan van Riebeeck set foot on the shores of Table Bay. Now it is up to us to do so in a spirit of doing what we know to be right.

Of course, there is a political dimension but far more importantly there is the need to arrange our lives to live in harmony under a government system founded on fairness.

For the forum to succeed will require hard work, time and money. The process must be competently chaired by someone acceptable to all parties and backed up by a secretariat capable of administering the process.

We must recognise differences in capacity between various negotiators and this must be compensated for. Resources will have to be found to address these shortcomings.

I suggest that ensuring the forum is successful is about the best investment we can make.

R3bn debt shock for the taxpayers

BRUCE CAMERON
Weekend Argus Reporter

(262)
REC 12/6/93

TAXPAYERS should brace themselves to foot the bill for almost R3 billion in debts run up by black local authorities in the strife-torn years between 1977 and 1990

And the figure does not include another R2 billion that has built up as a result of rent and service boycotts

Black local authorities have been kept solvent since the townships erupted in violence in 1977 by loans underwritten by the now-defunct development boards and the provincial authorities

In legislation published in parliament yesterday it is proposed that the debts, the result of the inability of black local authorities, with their low tax base, to meet daily expenditure, be converted to grants from the government

In effect taxpayers will now have to foot the bill for the debts as additional expenditure to this year's Budget

In each province the debts total

■ R839,2 million in the Cape,

- R1,7 billion in the Transvaal,
- R839 million in the Free State; and,
- R195 million in Natal

In a memorandum attached to the Finance Bill of 1993 it was stated that between 1977 and 1986 bridging finance was provided by government departments to the now-defunct development boards and black local authorities to keep them solvent

Following the abolition of the development boards the debts were transferred to the provincial administrations, which then continued to accumulate the debts in the years up to 1990

Since then black local authorities have been kept afloat by direct grants from the government

A government spokesman said no decision had yet been made about the mounting service and rent boycott debts

"These are subject to negotiation"

Taxpayers face a R3 billion bill for an unworkable black local authority system set up as part of the collapsing apartheid edifice

Unions get set to strike

Star 14/6/93

hammer blow

THE general secretaries of five Cosatu-aligned public sector unions are expected to finalise by the end of this month joint proposals for industrial action which they intend should culminate in a general strike from mid-July.

The five unions, representing at least 200 000 workers in education, health, municipal services, telecommunications and the Post Office, are attempting to force the Government to double its 5 percent wage offer, and revise its proposed Public Sector Labour Relations Bill by extending strike rights to public sector workers.

At a meeting in Johannesburg last week, the five unions assessed their individual states of readiness for industrial action, established a committee of the general secretaries to amalgamate the various proposals for action, and resolved that they would not permit the Government to side-track them into protracted negotiations with individual State departments.

Meanwhile, the participation of moderate staff associations in a decision by the Public Sector Caucus, representing all public sector workers paid by the State, to demand a meeting with the Government is interpreted by Cosatu-aligned representatives as a significant shift in public sector attitudes and an endorsement of the tougher stance adopted by the Cosatu unions.

The caucus, which includes union and staff association representatives from across the spectrum of opinion in the public sector, met earlier this month in the wake of the teachers' crisis.

It was initially critical of the South African Democratic Teachers' Union's independent action against the Government, which led to the round of crisis meetings that pre-empted the planned strike by 80 000 teachers. But the action was largely accepted as a vindication of the teachers' approach.

The five public sector unions' states of readiness for action are:

● The Post and Telecommunication Workers' Association has declared disputes with the Post Office and Telkom, but is in a 30-day cool-off period that prohibits it from balloting until

Labour Correspondent **PAUL BELL** reports on the readiness of Cosatu-aligned trade unions to wield their muscle.

early next month Telkom has announced its intention to terminate the interim recognition agreement with Potwa.

The National Education, Health and Allied Workers' Union cannot ballot because it falls outside the Labour Relations Act, but will consult its members before taking a final decision at its central executive committee meeting on June 28.

Nehawu general secretary Phillip Dexter said the union leadership had been cautious about strike action after last year's debilitating strike, but pressure from the membership makes further strike action almost inevitable.

The South African Municipal Workers' Union is expected to complete balloting its 71 000 members next week on strike action. A final decision will be taken by its central committee. There are 165 000 municipal workers nationwide.

Sadtu has suspended its strike but will decide how to proceed at its congress starting on July 5. Already, significant points of difference with the education departments have emerged since talks resumed after the May strike crisis.

Rejected

The Department of Education and Training, for example, wants salary increases to be determined in the new National Education Forum, and the Department of National Education wants to focus increases on lower-paid teachers. Sadtu rejects both these positions.

And while the Department of National Education has agreed to stop further retrenchments and rationalisations, Sadtu wants those teachers who've already lost jobs to be reinstated.

Finally, the Union of Democratic University Staff Associations is said to be undecided over its relationship with Cosatu, and uncertain on the question of centralised bargaining. Its participation seemed last week to be in some doubt. □

Lack of funds leaves gov't buildings neglected

BIDAY 14/6/93

THE Public Works Department's Budget allocation has decreased from 2,9% in the 1985/86 financial year to 1,9% in 1992/93, while its spending — as measured against GDP — has dropped from 0,75% to 0,61%.

Its latest annual report says: "The decrease in the funds allocated has had specific negative side effects, the most regrettable of which is that existing assets cannot be properly maintained

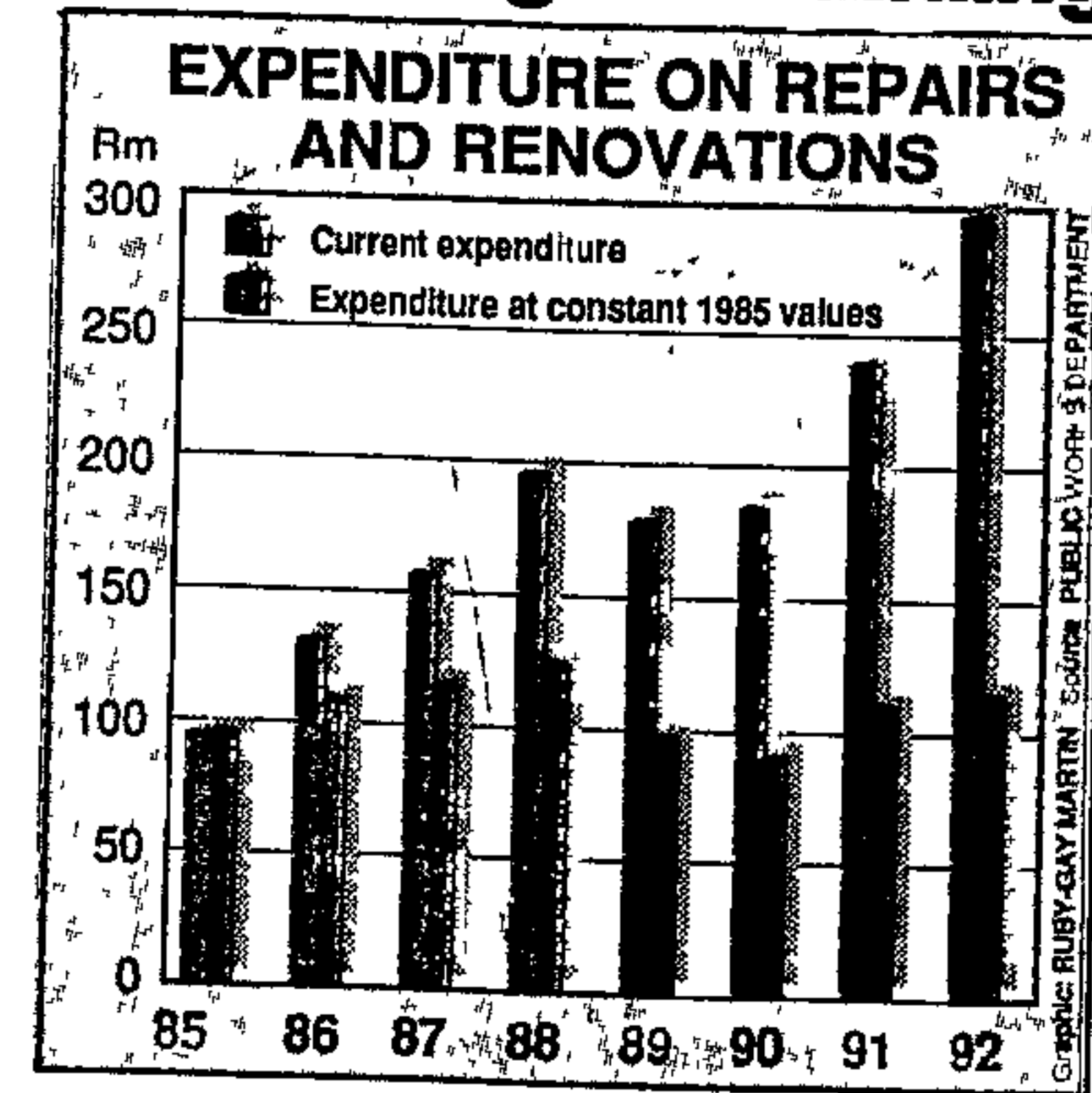
"In most cases where complete repairs and maintenance and/or restoration work should have been done, only superficial repair work could be afforded," it says

The state allocated R328,17m for the repair and maintenance of state buildings and structures during the 1992/93 financial year — considerably more than the R237,16m in the year before

Backlog

This was used in an attempt to reduce the backlog in the repair programme. Funds allocated could not be used exclusively for repair and maintenance since the departmental workshops were also financed from this amount and R68,61m was allocated for this in the period under review.

The balance of about R260m was distributed for day-to-day maintenance,



repairs and renovations.

"The state's building assets are deteriorating annually because of the lack of adequate funds for maintenance and more capital should be made available for this purpose in future," it says.

As early as 1984 the Cabinet was informed of the backlog in the maintenance of government buildings and accepted as a guideline that 1,5% of the value of the state's building assets should be allocated annually for maintenance. Because of poor economic conditions, this has never been realised and the department has never received more than 70% of the funds needed.

The department has set

itself the goal of using at least two-thirds of the available funds for the general repair and renovation of buildings, and the balance for day-to-day maintenance

Dramatic
The lack of adequate funds has resulted in the goal not being achieved and the deterioration of buildings has resulted in a dramatic increase of expenditure on day-to-day maintenance.

"These expenditure fluctuations, together with the persistent lack of funds, detrimentally affects the department's ability to execute a full repair and renovation programme. Should this con-

tinue, the department will not be able to eliminate the backlog."

The lack of funds has also resulted in less money for building and related services, reflecting a decline from R522m in 1989 to about R365m in 1992.

"For the first time, rentals payments in 1992 exceeded the amount allocated for capital projects. The department's running expenses are increasing, while investment in job-creating projects is falling, which is contrary to the government's policy of encouraging investment in capital projects."

Leased

About 1,86-million m² of office space is leased by government departments countrywide, costing the state R308,3m last year.

"In the current economic climate and as a result of ever-increasing rentals, the department is experiencing severe problems in financing its obligations as the provider of accommodation for state purposes.

"The problem lies not so much in the initial rental as in the annual escalation and periodic rental adjustments. The situation is cause for grave concern as the shortfall in the department's rental account could mean that it might not be able to satisfy requests for accommodation," the report says.

GRAPH: RUBY-GAY MARTIN SOURCE: PUBLIC WORKS DEPARTMENT

Unions get set to strike hammer blow

Star 14/6/93

THE general secretaries of five Cosatu-aligned public sector unions are expected to finalise by the end of this month joint proposals for industrial action which they intend should culminate in a general strike from mid-July.

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Labour Correspondent
PAUL BELL reports on the readiness of Cosatu-aligned trade unions to wield their muscle.

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R3bn local govt debt written off

B/Say. 14/6/93
(262)

CAPE TOWN — Fifteen years of black local authority debt amounting to about R3bn is due to be written off, increasing central government's debt mountain.

Legislation tabled at the weekend proposes to convert R789m in loans granted to the development boards, which governed black areas up to 1986, into intergovernmental grants

The Finance Bill also proposes to convert R2,253bn in bridging finance, made available by provincial administrations to black local authorities, into non-repayable grants

The Bill's explanatory memorandum says that following the abolition of development boards, outstanding debts were transferred to provincial administrations in 1986 as total amounts.

Because no formal loan agreements were negotiated, the linking of such debt to original appropriations was extremely doubtful, and hence these finances had been transferred into non-repayable inter-

TIM COHEN

governmental grants

Between 1986 and 1991, funds were appropriated as bridging finance to serve as operating deficits for the black local authorities

The Cape and Natal provincial authorities made these funds available as grants from the outset, while the other provinces treated them as loans.

The amount of R2,253bn was therefore required to convert this bridging finance into grants and in so doing ensure a "uniform application of policy"

Since the 1991/92 financial year, these grants were specifically appropriated as intergovernmental aid

The Bill also proposes to give effect to resolutions by government bodies which authorise expenditure which has not been budgeted for

The Bill is aimed at legitimising about R54m in unauthorised expenditure

Call for local govt to be entrenched

B/Day 16/6/93

CAPE TOWN — Provision for a strong, autonomous third tier of government combining primary local authorities and services councils in metropolitan or rural areas should be entrenched in the constitution, the President's Council's constitutional affairs committee has recommended. To ensure a greater degree of participatory democracy, even smaller units, such as ward committees or civic associations, should be constituted.

In the council's last report before its dissolution tomorrow, the committee said the nonracial, democratic third tier of government should be structured on the principle of one town, one tax base, with all citizens having an equal call on available resources and services.

The committee investigated a voting system for local government in a new constitutional dispensation and presented guidelines for franchise qualifications and the delimitation of wards.

"An important principle in the proposal is that rural services councils (district councils) and metropolitan councils should not be seen as an additional level of local government or as an intermediate level between local and regional government, but as a combination to ensure greater effectiveness," the report said.

Rural services councils and metropolitan councils would exist to deliver cost-effective services so that development projects and funds were used equitably. The report proposed that some neigh-

LINDA ENSOR

bouring rural areas could be incorporated into municipal areas.

It stressed that the delimitation of local authorities would have to take into account that their existing sources of income could not accommodate greater demands and they would have to depend for additional funds on grants from first- and second-tier government.

(262)
It proposed the appointment of regional delimitation commissions to determine the boundaries of primary local authorities, or municipalities.

The report suggested that half the councillors elected onto a primary local authority be chosen on a ward basis according to the relative majority system and the other half in terms of a list system based on proportional representation of the entire municipal area.

It recommended that 50% of the members of the metropolitan councils be chosen on a proportional basis using a fixed party list system and the other 50% be nominated by the primary local authorities.

The report looked at the views on local government held by political parties across the spectrum and concluded that compromise and trade-offs would be essential. While there was agreement on the need for strong local government, there were differences on the degree of autonomy, the powers to be delegated, the inclusion in the constitution of these powers and the subsidising of local services.

Councils urged to set aside 10% of revenue to boost black neighbours

TIM COHEN

CAPE TOWN — Government has urged town councils voluntarily to set aside about 10% of their total revenue for projects in neighbouring black local authorities in an effort to kick-start the "one city, one tax base" programme.

The suggestion, already implemented in some areas, is likely to result in boosted infrastructural projects rather than in donations to black local authorities. However, the suggestion — which will result in millions being redirected — could also lead to town councils experiencing budgetary shortfalls.

Local Government Minister Tertius Delpoit said in an interview yesterday that the suggestion was that white town councils should compensate neighbouring black local authorities for their lack of access to rates from CBD commercial enterprises.

For historical reasons, these commercial enterprises were located in the CBDs of towns and cities which often served only whites, thereby depriving black local authorities of income they ought to have had. The programme was totally voluntary and would differ from area to area according to local conditions, he said. It was up to

town councils to negotiate the form of this expenditure, which could range from grants for development projects to infrastructural improvements.

Provincial authorities had drawn up guidelines for the process, which also differed from province to province. For example, the Cape had proposed a simple 10% of total revenue, while the Transvaal had suggested a more complex formula incorporating the amount of revenue received and the number of houses in a

particular area, Delpoit said.

He said there was legislation on the statute book which could force local authorities to make contributions to neighbouring townships. He hoped it would not be necessary to invoke this legislation, and that it would be overtaken by the negotiations process.

In a recent speech to the Institute of Town Clerks, Delpoit said the amalgamation of local authorities had become an urgent necessity to produce greater financial viability and more efficient delivery of services.

The amalgamation of local authorities was the subject of negotiations which could take some time. In this light, and in the absence of legal mechanisms, he made an "urgent call" for a division of income in the form of transfer payments, project donations or the provision of services.

Delpoit said it was important to note that the point of the exercise was not to reorganise council income for social welfare projects according to the needs of black townships only, but for the benefit of the broader community that contributed to

Councils B/Doy 16/6/93

From Page 1

GAVIN DU VENAGE reports that Johannesburg management committee chairman Ian Davidson said last night Delpoit's proposals were "impractical".

While there was a need for redistribution, it could not be carried out separately from structural adjustment. "It is one thing to set aside money, another to have in place a mechanism that would be acceptable to all communities involved," Davidson said. "We cannot afford half-hearted reform."

It would result in white local authorities giving black local authorities money to spend without control. This would be particularly contentious in areas where negotiation forums had been established, as in many cases the black local authorities had very little community support, Davidson said. Delpoit's proposal could jeopardise

progress made through these forums. Another obstacle was that in areas where rent boycotts were held, it would be hard to justify a redistribution fund to ratepayers. Most major cities had not provided for such a fund as they saw it as a very complicated exercise.

Sandton management committee chairman Peter Gardner also did not support the proposal, saying, "The metropolitan route is the correct one. A central pooling authority to collect from municipalities is needed."

He added that interracial transfers should not be used in place of negotiated arrangements that would make funds available on a priority basis. Sandton had already put aside R3m and Randburg R2m — less than 1% of each of their budgets — for similar purposes but did not see the money as being part of the plan Delpoit proposed.

To Page 2

neighbours

Report on local govt 'ignores business role'

B1 Day 11/6/93

SACOB said yesterday it was "gravely concerned" that the President's Council report on a new local government dispensation failed to recognise that business was a major contributor to local coffers, and would be affected most by revenue collection and expenditure decisions.

The council released the report yesterday, before its dissolution today.

It called for strong autonomous third-tier government combining primary local authorities and services councils in metropolitan and rural areas.

In a statement released yesterday Sacob said that while the council recommended formal participation for rate-payers' associations and civics, no mention of regular consultation with business was made.

Business could provide valuable information on how best to use scarce funds and other resources, the organisation said.

Sacob questioned the advisability of a dual ward and proportional representa-

GAVIN DU VENAGE

tion system in respect of primary local authorities.

Proportional representation at the local level would "unduly encourage party politics", Sacob said.

"We believe that a ward system, in which constituency representatives are directly accountable to the people who elect them, is fundamental to the success of local government," the statement said.

However, Sacob welcomed the council's endorsement of a wide range of options to be arrived at through negotiations, and its call for equal participation for all.

Sacob also supported the council's recommendations for a maximum devolution of authority, with the proviso that additional funds come from second and third tier government, for administrative rationalisation and a fair distribution of the tax burden.

Nonracial SA 'a top priority'

B1 Day 11/6/93

THE goal of a democratic, nonracial and united SA "is and must remain one of the highest priorities of the international community", UN Secretary-General Boutros Boutros-Ghali said yesterday.

In a June 16 message to commemorate the UN's International Day of Solidarity with the Struggling People of SA, he urged all parties to make every effort to reach agreement on remaining issues, and called on them to do everything possible to facilitate the establishment of a broad-based government.

"One of the most immediate challenges which South Africans now face is the task of putting an end to the present widespread violence and disorder. Achieving this objective will re-

quire goodwill and courage as well as a strong determination by all parties.

"The creation of a peaceful political climate is essential if democracy is to take root and grow, and it is a vital precondition for meaningful progress in addressing the serious socio-economic problems which SA now faces."

Boutros-Ghali said while the UN had confidence in the ability of South Africans to create a democratic and nonracial future, "we do realise the complexity of the situation in the country and we understand that the people of SA need the support and assistance of the international community".

He added the UN would continue to provide such support.

Sketching the already ex-

tensive involvement of the UN in SA, Boutros-Ghali said it was widely agreed the measures had had a salutary effect on the political situation in the country and had helped to advance the peace process.

He said the UN was committed to continuing such assistance until a democratic, nonracial and united SA was established.

"In a world full of conflicts and crises, recent developments in SA have been most encouraging. The peaceful resolution of the conflict . . . would be an encouraging example for others and an important lesson to all.

"Its benefits would be felt not only by the people of SA but also by millions of people far beyond SA's borders" — Sapa

Telkom 'seeks early grip on cellular phone market'

By Boby 17/6/85 (267)

Reports by
MELANIE SERGEANT

WOULD-BE competitors in the cellular phone market believe Telkom — through its new company Vodacom — is seeking to hang on to its monopoly in the telecommunications market.

Vodacom, jointly owned with Rembrandt and Vodafone, is building cellular masts at a rapid pace a move which is raising the ire of companies tendering for the other cellular licence — and of other interest groups which say the masts are being erected in the wrong places.

After three days of persistent inquiry, Telkom and Vodacom have refused to comment on the erection of the masts. An international cellular communications expert has confirmed that the masts are cellular network installations.

One company, which is tendering for the cellular network operating licence to compete with Vodacom, claims that Vodacom seems set on building an infrastructure much larger than that proposed by other tenderers, and will attempt to get the eventual competitor to share its net-

work, thus diluting the competitive element.

He says infrastructure sharing is frowned on in overseas markets.

Other sources say Vodacom is getting an early start which will put it at an unfair advantage.

This has been denied by Vodacom, which says there will be a common switch-on date for both operators, so an unfair advantage is impossible.

An industry source argues "The fact that Vodacom will have longer to test its systems and ensure its masts work properly, will obviously benefit it."

A Posts and Telecommunications Department spokesman says Vodacom is running a risk by erecting its masts prematurely.

"The second licensee (who should be chosen by end-August) will stipulate the amount of time needed to set up their system, and they will be granted this time effectively, this means that Vodacom's masts represent dead capital, because it should

be able to set up its infrastructure as quickly as its competitors."

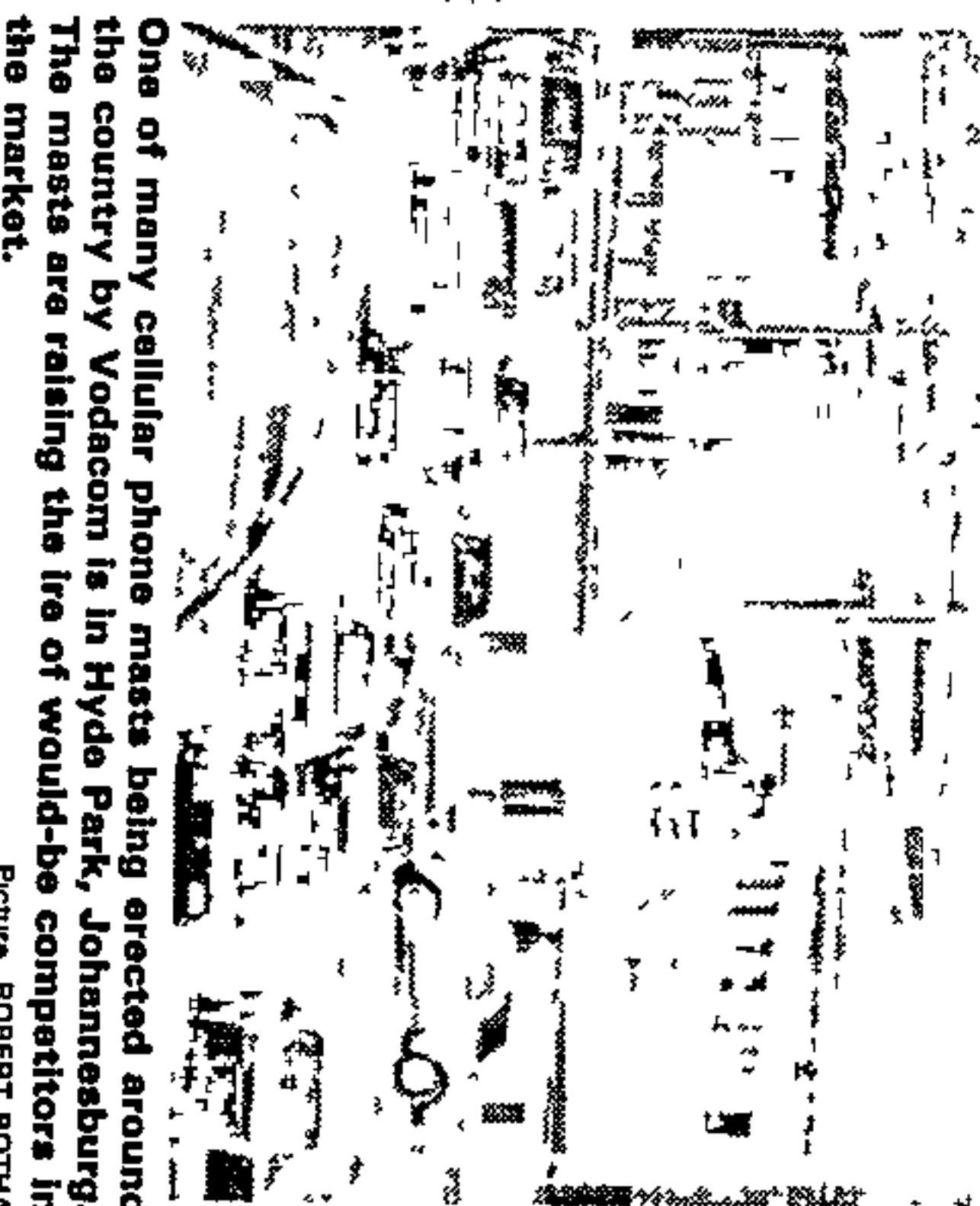
Asked what funds are being used for the masts, he says Telkom funds itself through loans and earnings.

"Telkom may have raised the money a year ago when it believed it would be the sole cellular operator, and it could be squeezed because it will have to face up to having millions of rands worth of dead capital invested."

The masts are also a bone of contention for the Cellular Telephone Consultative Forum (CTCF), which claims to represent various black businesses, labour unions and other interest groups.

In a memo to Posts and Telecommunications Minister Piet Welgemoed, the CTCF says "Construction is occurring in areas of the country where there is already sufficient penetration of the fixed phone network."

It says this renders the entire tendering process a "fait accompli" and says the matter should be brought before an independent telecommunications authority.



One of many cellular phone masts being erected around the country by Vodacom is in Hyde Park, Johannesburg. The masts are raising the ire of would-be competitors in the market.
Picture: ROBERT BOTHA

this investigation will be submitted, if not, why not,
 (3) whether he intends instructing the SADF to institute such an investigation, if not, why not, if so, when? B846E

The MINISTER OF DEFENCE

(1) (a) No, Defence Force members are tested according to the K53 system in terms of the Defence Act 1957 (Act No 44 of 1957 as amended) and the Road Traffic Act (Act No 29 of 1989) the SA Defence Force is entitled to issue its own licences
 (b) Yes The regulations are contained in the SADF Logistics Policy and Procedures 14, Pamphlet 1, Part 3, Chapter 5, "Road Transport in the SA Defence Force" and in the Army Training Instruction 2/91, Appendix A-14, paragraphs 26 to 29

(2) Yes The enquiry can, however, only be completed when the required judicial proceedings have been concluded and the evidence which is heard or presented during these proceedings, has been taken into account
 (3) Until such time as the findings and recommendations of the SA Police Enquiry are known, this decision is being kept in abeyance

SADF: regulations applicable to military vehicles

371 Mr E K MOORCROFT asked the Minister of Defence

(1) Whether military vehicles used for the transportation of passengers are subject to the same regulations applicable to civilian vehicles used for that purpose, if not,
 (2) whether any internal regulations and/or rules of the South African Defence Force make provision for military vehicles used for that purpose, if not, why not, if so, (a) who is responsible for ensuring that such regulations and/or rules are complied with and (b) what is the maximum speed at which Samul vehicles are allowed to travel on (i) freeways and

(ii) (aa) tarred country and (bb) dirt roads when transporting school cadets? B850E

The MINISTER OF DEFENCE

(1) Yes
 (2) (a) The driver and/or the non-commissioned officer or a member of a higher rank who is appointed in each specific instance to accept the responsibility Defence Force Road Traffic Inspectors are also employed and work on a sample method
 (b) (i) and (ii) 80 km per hour

Death sentences commuted

373 Mr P G SOAL asked the Minister of Justice

(1) How many death sentences were commuted in 1992?
 (2) whether he will furnish the names of the persons whose sentences were so commuted, if not, why not, if so, what are their names? B826E

The MINISTER OF JUSTICE

(1) 59
 (2) The names of the persons and their substitutive sentences are as follows

VMMDoncabé	30 years' Imprisonment
SMBlöse	30 years' Imprisonment
MMathobula	25 years' Imprisonment
JMNkwenyana	15 years' Imprisonment
ST Ntshabathi	15 years' Imprisonment
MZ Mancube	Imprisonment for life
ME Nondula	Imprisonment for life
A Generals	30 years' Imprisonment
MS Mawela	25 years' Imprisonment
EHanana	30 years' Imprisonment
JT Ledula	20 years' Imprisonment
ITsotetsi	15 years' Imprisonment
SD Mabine	Imprisonment for life
JN Masango	30 years' Imprisonment
B Maseko	Imprisonment for life
MZ Mhune	Imprisonment for life
JN Msouwe	25 years' Imprisonment
S Phungula	25 years' Imprisonment
NL Zibonda	25 years' Imprisonment
P Dlamnyangano	30 years' Imprisonment
AN Ngidi	Imprisonment for life
DS Mlumbi	Imprisonment for life
MG Khuzwayo	Imprisonment for life
GJ Harper	20 years' Imprisonment
MZ Mole	30 years' Imprisonment

SE Nyde 25 years' Imprisonment
 LD Luthuli 25 years' Imprisonment
 JB Bhengu 25 years' Imprisonment
 MG Sali 25 years' Imprisonment
 J Grootboom Imprisonment for life
 D van Wyk Imprisonment for life
 TKhumalo Imprisonment for life
 J Letshebu Imprisonment for life
 D Morelets Imprisonment for life
 JMelato Imprisonment for life
 SW Malongisa 30 years' Imprisonment
 B Sigeza 30 years' Imprisonment
 IMakhaza 40 years' Imprisonment
 JMorten Imprisonment for life
 E Tabeche 25 years' Imprisonment
 Z Mkhungo Imprisonment for life
 B Dladla 25 years' Imprisonment
 MLushaba 25 years' Imprisonment
 VMhatha 30 years' Imprisonment
 SMHlongwane 30 years' Imprisonment
 MChonco Imprisonment for life
 SKhanyile Imprisonment for life
 AL Mahara 20 years' Imprisonment
 GR Eybers Imprisonment for life
 JZ M Magubane Imprisonment for life
 ZNC Mbatha 30 years' Imprisonment
 HMNgcobo Imprisonment for life
 MNtaka 25 years' Imprisonment
 JMhobula 25 years' Imprisonment
 W Dlamini 25 years' Imprisonment

O V Mabaso 25 years' Imprisonment
 J Mkhonto Imprisonment for life
 MJ Ndabem Imprisonment for life
 V Dawson 18 years' Imprisonment

Local authorities persons living outside designated areas

396 Mr M J ELLIS asked the Minister of Home Affairs
 How many persons were living outside areas designated as local authority areas in each province in the Republic as at the latest specified date for which statistics are available? B920E

The MINISTER OF HOME AFFAIRS

According to the 1991 Population Census (7 March 1991) the following number of persons per province were enumerated outside local authority areas (i.e. outside urban areas with some or other form of local authority)

Province	Number
Cape	1 228 196
Natal	696 235
Transvaal	1 992 495
Orange Free State	817 670

LOCAL GOVERNMENT ^{FM}
18/6/93
Income redistribution (262)

The Cabinet is expected to decide this week whether to push ahead with an attempt to compel white-controlled municipalities to allocate a percentage of rates income and service charges from commercial and industrial properties to help finance impoverished black local authorities

The plan has already been rejected by all but one of the major white local authorities and is opposed by the SA Chamber of Business (Sacob)

It was first mooted by government early last year and was due to come into effect on January 1. The implementation date was later extended to July 1

Earlier this year, the four provincial administrations sent circulars to town and city councils advising them to provide for the redistribution of income in this year's budgets

If carried out, the plan would mean transferring 8%-15% of net revenue from wealthier municipalities to neighbouring black ones

Government believes the measure is necessary to financially support the black areas until a new system of nonracial local government is negotiated

The properties affected would be all those zoned for any type of commerce or industry. The income to be redistributed would in-

CURRENT AFFAIRS

clude municipal rates and charges for sewerage, cleansing, electricity and water

A report prepared by Cape Town City Treasurer Eddie Landsberg in response to the plan says Cape Town's liability could exceed R50m a year. He says that apart from Pretoria, all SA's main cities reject the plan

The Cabinet might decide to make the redistribution of revenue mandatory through new legislation, though Landsberg says there is a chance that the measure would not be promulgated due to the current pace of transition

An alternative is for provincial administrators to use their authority to order town and city councils to levy an additional prop-

erty tax which would then be redistributed. Landsberg says the current plight of black local authorities is the result of 20 years of "neglect and ineffective administration" by successive State-created bodies

"No justification exists for demanding that ratepayers bear the burden of the backlog in basic services. This will drain the fiscal capacity of the region and undermine its financial ability, leading to general impoverishment"

It is understood that Sacob has already expressed its opposition to the plan in discussions with Local Government Minister Tertius Delpont. Sacob's view is that the burden of socio-economic upliftment must be shared by all levels of government, not only local

government. It believes government is trying to improve the look of the main Budget by shifting increasingly large financial obligations to local authorities

Sacob is understood to have told Delpont that the plan, if put into effect, will have a "substantial negative financial and economic impact" on the business community

The redistribution would probably force local authorities to raise property rates, which would push up inflation due to increased costs being passed on by commerce and industry

Sacob apparently warned Delpont that any attempt by government to make the plan mandatory through new legislation would be strongly opposed

FM 18/6/93 262

Call for interim local govt

JOHANNESBURG — An urgent call for interim local committees whose functions should be determined by the new Local Government Negotiating Forum (LGNF) was made at a weekend summit involving 200 delegates from the African National Congress PWV regional alliance and the SA National Civics Organisation

Delegates at the summit decided that only a constituent assembly should draw up a new constitution for local government

It also wants local government negotiating forums to make recommendations on constitutional matters only to the constituent assembly and the Local Government Negotiating Forum

(262)
"All present and future negotiation forums such as the Central Witwatersrand Metropolitan Chamber, Pretoria Metropolitan Chamber and Vaal Metropolitan Chamber, should be restructured along the lines of the LGNF" — Sapa

CF 21/6/93

PAC looks at forming civics

Staff Reporter ~~117~~ (262) called the ANC "sell outs" at the appointment of Mrs Winnie Mandela, an ANC figure, to a senior Sanco post

WESTERN CAPE members of the PAC are considering forming their own civic structures because they say the South African National Civics Organisation is too closely aligned to the ANC

A public call advising members to form civics "if they thought it wise" was made at a rally in Khayelitsha last week at which PAC leader Mr Benny Alexander

PAC regional general secretary Mr Batembu Lugulwana said "The existence of Sanco should not stop different ideas in civic society emerging Residents are not homogeneous in their views"

He said it was not PAC policy to form civics, but PAC members could do so if they felt their views were not being reflected

He said the PAC was concerned

at the appointment of Mrs Winnie Mandela, an ANC figure, to a senior Sanco post

Sanco spokesman Mr Welcome Zensile said he was "not happy" about the possible PAC move He said Sanco was "non-partisan"

Mr Zensile said PAC aligned civics would lead to "competition between township structures which should concentrate on bread-and-butter issues"



Tools of the trade could lead to jail

Star 23/6/93

Political Staff

CAPE TOWN — Suspects found in possession of tools that could be used to break into cars and houses, could be jailed for up to three years in terms of the General Law Third Amendment Bill tabled in Parliament yesterday by Justice Minister Kobie Coetsee



Coetsee . . . Bill to close legal loopholes.

The Bill has 82 clauses which contain a variety of amendments, deletions and rectifications to laws, and fill in legal gaps "which were disclosed primarily in the legal practice", a memorandum on the Bill said

Changes to the Criminal Procedure Act of 1977 give peace officers the power to arrest without a warrant people they find in possession of implements for breaking into vehicles, if the suspects cannot account for the tools

The Bill makes punishable the possession of tools that can be used for housebreaking and breaking into vehicles. Such people can be liable to a fine or be jailed for up to three years

An amendment to the Road Traffic Act of 1989 provides that for the foreseeable future, police taking breath specimens from suspected drunken motorists also have to take a specimen of blood at the same time

The Bill also grapples with the question of what sex a person is who has undergone a sex change operation

Legislation dating back to 1974 allowed for people who had undergone sex change operations to have their sex altered on their birth certificate. However, a subsequent court case held that a person's sex could not be altered medically

The Births and Deaths Registration Act of 1992 therefore said people could not change their legal sex

DP agrees to write-off of loans

Star 23/6/93

CAPE TOWN — Loans made to black local authorities totalling R3 billion over 14 years were being written off in terms of the Finance Bill, the Democratic Party's Pinelands MP, Jasper Walsh, said in Parliament yesterday

Speaking during the second reading debate on the Bill, he said although it was sad to have to write off such a large sum, the DP supported the Bill in the interests of progress

Committee to probe 'dock briefs'

Star 23/6/93

CAPE TOWN — A five-member committee has been appointed to advise Justice Minister Kobie Coetsee on the system of "dock briefs", the Justice Ministry said in a statement yesterday

A "dock brief" occurs when the court appoints an ad hoc legal representative to a person in need of legal aid

The brief is then taken directly from the accused by an attorney or an advocate for a reasonably low maximum fee which is paid by the State — Sapa.

MP 'tried to delay printing'

Star 23/6/93

CAPE TOWN — Democratic Party MP Geoff Engel had tried to stop the printing of the Income Tax Bill to accommodate amendments which he had proposed, Deputy Finance Minister Dr Theo Alant said in Parliament yesterday

Replying to the first reading debate on the Bill, he said Engel, the Bezuidenhout MP, had approached the Minister of Finance with certain amendments dealing with unbundling

He was asked to make written representations

Alant said Engel then went to the parliamentary printers and insisted that the printing of the Bill be delayed

"This was an attempt to promote his own private consultancy work through Parliament"

Engel repeatedly interjected that Alant's accusation was untrue — Sapa

Engel repeatedly interjected that Alant's accusation was untrue — Sapa

R3bn write-off 'not a burden'

ET 23/6/93

(262)

Political Staff

THE scrapping of R3 billion in loans to black local authorities would not result in an additional burden for the exchequer, the Minister of State Expenditure Mr Amie Venter said in parliament yesterday.

Mr Venter was speaking on the Finance Bill, which converts into non-repayable inter-governmental allocations the "bridging finance" the treasury lent black town councils from 1977 to 1991.

He said, should the proposed rearrangement not take place, the councils would have to settle outstanding debts out of already inadequate sources of revenue.

This would only be possible if

Debt relief for black councils

inter-governmental assistance was increased, and the state would have to provide funds to make loan settlements to itself.

This would hinder negotiations on the amalgamation of local authorities, as it would place an unmanageable burden on them.

As this expenditure had already been appropriated in previous estimates, the rearrangement of these amounts would

place no additional burden on the exchequer.

Financial assistance provided before the 1991/92 financial year would merely be reflected in the accounting records of provincial administrations as grants and not as outstanding debts.

Democratic Party MP Mr Jasper Walsh said that while it was sad to have to write off such a large sum, the DP supported the bill "in the interest of progress".

The system of black local authorities had been exorbitantly expensive to the taxpayer.

"No one will ever know how much money has been spent on providing services to black communities and how much was wasted through incompetence, gross mismanagement and corruption," he said.

health of the people living in the vicinity [Interjections]

Mr R V CARLISLE Mr Chairman, further arising out of the hon the Deputy Minister's reply, is it NP policy to allow the citizens to be afflicted by noxious odours, even if they are not poisonous? [Interjections]

The DEPUTY MINISTER. Mr Chairman, if the hon member translates that question, I will try to answer it [Interjections]

National Senior Certificate examination: 1992 certificates

*3 Mr A GERBER asked the Minister of National Education †

(1) Whether, with reference to the reply to Question No 3 on 24 February 1993, the South African Certification Council has issued all certificates in respect of the 1992 National Senior Certificate examination to successful candidates, if not, (a) why not and (b) what percentage of these certificates had not been issued as at the latest date for which information is available, if so, what are the relevant details,

(2) when was the information required for the issuing of the certificates received from each of the examining bodies concerned,

(3) whether he will make a statement on the matter? B952E

The MINISTER OF NATIONAL EDUCATION

(1) SAFCERT has already issued Senior Certificates to the various examining bodies for all the successful candidates for whom the examining bodies have supplied the correct information to SAFCERT. In cases where the information was incomplete or erroneous, SAFCERT has supplied the examining bodies concerned with a complete fault analysis with a view to correction

The various examining bodies verify the certificates before issuing them to the candidates

(a) If candidates have not yet received their certificates it is because SAFCERT has not received the correct

information or the various examining bodies have not yet verified the certificates

(b) The percentages of certificates which have as yet not been issued are as follows for the various examining bodies

Department of Education and Culture Administration House of Assembly	0,14%
Department of Education and Training	0,4%
Transvaal Education Department	0,29%
Matriculation Board	0%
Natal Education Department	1,08%
Transkei Education Department	8,0%
Orange Free State Education Department	0,10%
Department of Education and Culture Administration House of Representatives	100%*
Department of Education and Culture Administration House of Delegates	100%*
Cape Education Department	100%*

* Certificates, as well as completed error analyses, have been issued by SAFCERT to the last three departments mentioned above, which are currently verifying the information prior to the issuing of certificates to candidates

(2) The dates on which information for the issuing of certificates was received from the various examining bodies are as follows

Department of Education and Culture Administration House of Assembly	1993-02-18
Department of Education and Training	1993-03-19
Transvaal Education Department	1993-03-31
Matriculation Board	1993-03-31
Natal Education Department	1993-04-01

Transkei Education Department

1993-04-13

Orange Free State Education Department

1993-04-21

Department of Education and Culture Administration House of Representatives

1993-05-03

Department of Education and Culture Administration House of Delegates

1993-03-24

Cape Education Department

1993-06-02

(3) No

Mr R M BURROWS Mr Chairman, arising out of the hon the Minister's reply, I should like to ask him whether steps are being taken to ensure that the situation which has arisen regarding the issuing of certificates does not arise again

The MINISTER Mr Chairman, I have instructed the Department to get in touch with all the various departments and to enter into discussions with them with a view to rectifying the situation

Squatting: Government spending

*4 Mr J CHIOLÉ asked the Minister for National Housing:†

(1) With reference to certain information furnished to the Minister's Department for the purpose of his reply, what is the total amount spent at all levels of government in the 1992-93 financial year on all facets of squatting,

(2) whether it is anticipated that this amount will change in respect of the 1993-94 financial year, if not, why not, if so, to what extent;

(3) whether he will make a statement on the matter? B955E

The MINISTER FOR NATIONAL HOUSING

I wish to apologise for the fact that owing to the relatively limited time I am unfortunately not in a position to reply fully to the question. In order to be able to do this, information has to be collected from more than 50 bodies country-wide in respect of expenditure on

— Purchase of land,

— Surveying of sites,

— Development of rudimentary services, namely water, sanitation, roads, storm-water drainage and electricity for institutional purposes,

— Development of sites, and

— Resettlement actions

The information already submitted is not acceptable to me because it may be misleading. I do not intend to issue a statement on the matter raised in the question

However, I undertake to furnish the hon member with a written reply within a few weeks

Black local authorities: financing
*5 Mr J CHIOLÉ asked the Minister of Local Government †

(1) With reference to certain information furnished to the Minister's Department for the purpose of his reply, what is the total amount (a) contributed by Government institutions at all levels of government towards Black local authorities in the 1992-93 financial year in respect of rental and service charges and (b) paid and/or generated by the said local authorities in respect of such charges out of funds collected by them from residents in their relevant areas,

(2) whether the amount of arrear rental and service charges owing by Black local authorities shows a rising trend, if not, what is the position in this regard, if so,

(3) whether the Government envisages any steps to counter this trend, if not, why not, if so, what steps? B956E

The MINISTER OF LOCAL GOVERNMENT

(1) (a) No contributions in respect of rent and service charges are made. Inter-governmental grants are paid to Black local authorities to compensate for the non-existence of a proper tax base. An amount of R722 071 830 was paid over to Black local authorities during the 1992-93 financial year

262

- (b) R299 274 149
- (2) Rental and service charges are not owed by local authorities. If the question refers to rental and service charges owed to local authorities, the answer is yes.

(3) The Government is not responsible for collecting the income of local authorities. The Government does in fact assist in laying down negotiating guidelines in conjunction with all role-players in order to solve the problem of legitimacy being experienced with regard to local government. The non-payment of rent and service charges is primarily a political problem. The Local Government Negotiating Forum (LGNF) and the National Housing Forum, among others, address this problem. The principle of payment for metered and rendered services has already been accepted by both the LGNF and the National Housing Forum, but is linked to the quality of services and service rendering. Apart from the problem of legitimacy of the local authorities, there is also the problem of unemployment and the accompanying poverty and physical inability to pay, even if the will to pay exists. The problem of non-payment can therefore not be dealt with in isolation but as part of the total reform process.

†Mr P J GROENEWALD Mr Chairman, arising out of the hon the Minister's reply, I want to ask him whether the amounts that he has just mentioned form a part of the R3 000 million that was written off by the hon the Minister of State Expenditure yesterday?

†The MINISTER Mr Chairman, the R3 000 million that was written off, as the hon member puts it, is something else and he should know very well that it is a different entry in the books. That money was initially given under a specific heading, called "Bridging Finance", while in other respects similar amounts were also given to Black authorities under another heading, namely "Inter-governmental grants".

That is what happened. To say that it was written off, in other words a new donation, is a deliberate distortion of the facts. [Interjections.]

†Mr H J COETZEE Mr Chairman, further arising out of the hon the Minister's reply, I

HOUSE OF ASSEMBLY

want to ask him whether the money that was written off that he is talking about also forms a part of the service fees, water, lights and such things of those people. Has that money also been written off?

†The MINISTER Mr Chairman, these are inter-governmental grants, that is assistance given to local authorities, just as millions of rands in assistance is also given to White local authorities, and just as millions of rands in assistance has been given to farmers.

†Mr P J GROENEWALD Mr Chairman, further arising out of the hon the Minister's reply, I want to know whether he agrees that, according to the report of the Transvaal Provincial Administration, he said that he had made grants as a result of the fact that service fees were outstanding, seeing that what was initially bridging finance was changed to inter-governmental grants and was in effect indeed spent on service fees.

†The MINISTER Mr Chairman, if the hon member expects one to look at small subheadings when one is working with the finances of a local authority, I want to say to him that we really cannot work like that. The issue is the extent of a particular need that develops in a particular area. If a short, sharp reply to his question is needed, it is Yes!

†Mr P J GROENEWALD Mr Chairman, further arising out of the hon the Minister's reply, I want to ask him what the Government is going to do to prevent this writing off from occurring in future, even though they may be inter-governmental grants.

†The MINISTER Mr Chairman, I can give the hon member the assurance that writing off does not occur in respect of inter-governmental grants because a grant is not a loan, and one does not write off a grant.

Support for political parties: HSRC opinion poll
*6 Mr A GERBER asked the Minister of National Education †

- (1) Whether the Human Sciences Research Council recently conducted an opinion poll to test the support enjoyed by political parties, if so, at whose expense was this poll conducted,

(2) whether he will disclose the result of this poll, if not, why not, if so, what, accord-

ing, to the poll, is the state of the support enjoyed among Whites by two political parties, the names of which have been furnished to the Minister's Department for the purpose of his reply,

- (3) whether this poll was conducted at the request of any person or body, if not, on whose instructions was the poll conducted, if so, who made such request?
B957E

†The MINISTER OF NATIONAL EDUCATION.

The following information has been obtained from the HSRC

- (1) The HSRC conducted a survey in February to test support for political parties. The cost was born by a panel of 250 or more subscribers to a particular information service operated by the HSRC.

(2) The information was not widely publicised because it forms part of a subscription service. Because certain newspapers and media organisations are subscribers, they would have been able to release it, with the necessary acknowledgement of the source.

The results of the questions on political party support show that during February 1993, the support among Whites, for the two parties referred to may be estimated at the following. This estimate is subject to the possible statistical "error" or normal deviation that would apply to any random survey.

NP 48%
CP/AWB/HNP 25%

- (3) As mentioned, the survey was conducted as part of an information subscription survey to which more than 250 organisations, including certain political parties, subscribe. Any person or organisation may subscribe to this service.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

Deputy Minister of Land Affairs: visits abroad

*7 Mr H D K VAN DER MERWE asked the Minister of Regional and Land Affairs †
Whether the Deputy Minister of Land Af-

fairs visited any foreign countries in his official capacity during the past year, if so, (a) what countries did he visit, (b) what was the total cost involved in this visit or these visits, (c) who accompanied him, in each case, and (d) what are the further relevant details?
B961E

†The MINISTER OF REGIONAL AND LAND AFFAIRS

Yes, as far as the Department of Regional and Land Affairs is concerned from 21 February 1993 to 9 March 1993

- (a) (i) Chile
(ii) Venezuela
(iii) Hungary
(iv) France
(v) Germany
(vi) Estonia
(vii) Finland

(b) The final cost is not yet known because certain accounts have not yet been received. An amount of R140 000 was voted to cover the expenses.

(c) (i) Mrs Scheepers
(ii) Mr H Schuring, Chief Directorate Land Affairs, Department of Regional and Land Affairs

(d) During the overseas trip seventeen interviews with various role-players in the field of land reform and systems for the registration of deeds were conducted. These interviews were taped and comprise 20 magnetic tapes. A report of approximately 100 folio pages was compiled from these tapes.

Some of the information in this report has already been used in the compilation of guidelines for a land policy for the RSA. Some of this information will also be used when new legislation on land matters is to be considered.

The overseas trip was approved by the hon the State President and the hon the Minister of Regional and Land Affairs, in terms of Chapter 4 8 1 2 of the Guidelines for Deputy Ministers issued by the Office of the State President on 19 January 1985.

HOUSE OF ASSEMBLY

Mandela proposes regional 'freedom' plan for Afrikaners

ARCT 28/6/93

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□ Ultra-right warned: 'We're ready for you'

Political Staff

ANC president Nelson Mandela has made a proposal on self-determination for Afrikaners in a regional dispensation which he believes could take the sting out of the issue now threatening to disrupt negotiations.

But, in the wake of Friday's assault on the World Trade Centre, he warned that if ultra-rightwing organisations resorted to violence, "we are ready for that"

He said if rightwingers were not prepared to take their demands to the electorate and abide by the result, "they must be prepared for all the consequences"

Although he did not spell out details, he said during a SABC TV interview last night that he had put a self-determination proposal to Afrikaner Volksunie leader Andries Beyers during a recent meeting

"If they address it seriously we may be able to solve this problem," said Mr Mandela.

He added that the ANC was "prepared to consider enough powers for that region to exercise some powers of self rule"

But he was adamant that the ANC could not accept the Conservative Party's demand for

an Afrikaner state within a confederation, characterising it as "wanting to cling to minority rule"

"We can't split South Africa into fragments. We are prepared on the basis of regional government to consider giving certain powers to the regions"

He said the right wing's assault on the World Trade Centre on Friday had set back its cause

"Even those who were prepared to deal with them have now hardened their positions."

"If they think they can use coercion or intimidation they are making a serious mistake"

He played down the potential of the extreme right wing to hold the negotiations process hostage, saying "he believed 90 percent of Afrikaners are decent people who would like peace and to resolve problems with their black brothers"

In an apparent reference to Law and Order Minister Herinus Kriel, he blamed the right wing in the National Party for "making it possible for the ultra-right to take the action they did"

Turning to his talks last week with Inkatha Freedom Party president Chief Mangosuthu Buthelezi, he said it would be naive to expect one meeting to end violence, but

the progress could be consolidated with other initiatives

Mr Mandela rejected suggestions that ANC Youth League support for Mr Thabo Mbeki as the organisation's deputy-president indicated strain in the organisation. Such activity was part and parcel of any political organisation

He confirmed that the ANC had ordered that the "Kill the Boer" chant should not be used, adding that the singing of it by ANC Youth League leader Peter Mokaba was under discussion at the moment

Mr Mandela said the ANC felt the Pan Africanist Congress should abide by a negotiation council agreement to suspend its armed struggle. But it would not call for the PAC's expulsion if it refused to sign

In a reference to his pending visit to the United States, he said the ANC would be in a position to call for the lifting of sanctions only if an election date was confirmed this week and the Transitional Executive Council was installed

In what appeared to be a slight shift in the ANC position, he said the sanctions could be lifted if legislation was promulgated for the creation of the TEC, but blamed the government for not putting such legislation to Parliament

Local councils on way out

A PROPOSAL is to be made this week for special administrators to replace all local authorities, including white municipalities, by as early as September this year. This would entail the resignation of town and city councils throughout the country.

Negotiators in the National Local Government Forum, which meets in a full plenary session on Wednesday, are believed to be close to agreement on the issue, sources indicated at the weekend.

The replacement of local authorities by appointed administrators has been a key demand of the SA National Civic Association (Sanco) and the ANC (262).

ANC local government department deputy head Matole Motshekga said at the weekend that the organisation envisaged the resignation of all councillors and the establishment of a interim system of local government for the entire country.

Biday 28/6/93

GAVIN DU VENAGE

The administrators would be appointed by the various local negotiating forums, such as the Central Witwatersrand Metropolitan Chamber, and would remain in office until after national elections.

Present municipal boundaries would exist only as administrative entities. A demarcation board would be established to draw up metropolitan boundaries, in effect combining white local authorities with townships within their geographical ambit.

A likely date for the appointment of interim administrators would be around the end of September or the beginning of October, said Motshekga.

The proposals will have to be ratified at Wednesday's forum, and although this body has no legal status its decisions are expected carry weight with government.

Accord 'close' on local govt

28/6/83
262

Own Correspondent

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Councils 'will be replaced'

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Municipal union poised to strike

By Day 29/6/93
262 ERICA JANKOWITZ 262

THE SA Municipal Workers' Union (Samwu) will embark on a national strike on August 2 which will affect about 70 000 municipal workers in 300 local authorities.

However, letters have been sent to municipalities requesting a re-examination of the union's demand for a R650 minimum monthly salary "with appropriate increases for those on higher rates", in an attempt to avert industrial action.

Samwu general secretary John Ernstzen said the strike ballot conducted from mid-June had shown an almost 90% vote in favour of a strike.

On July 13 Samwu and Cosatu's other public sector unions — the National Education, Health and Allied Workers' Union and the Post and Telecommunications Workers' Association — together with other participants in the public sector forum will meet to formulate combined action.

Samwu's major objections are the "totally inadequate wage offer" of between 0% and 6%, privatisation, unilateral restructuring with resultant retrenchments, and delays in the extension of labour relations rights to public sector unions.

Local govt plan in doubt

DELEGATES to the National Local Government Forum were sceptical yesterday over the likelihood of all local authorities being replaced by administrators by September

Local government expert Dr Donald Craythorne said Sanco had modified its original proposals about councillors

"There has been an offer from its side of a 50-50 arrangement for the interim period"

In this scheme, half of the councillors would be existing ones and the other half would be appointed from communities which had been excluded from the municipal franchise

Mr Derek Watterson of Durban said he believed representatives did not "have the authority to sign away the life of their councils without this being discussed by the councils"

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By Day 29/6/93
ERICA JANKOWITZ (26)

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DP urges transitional regional rule

Insistence on federalism is vindicated by recent history, claims party

TOS WENTZEL
Political Staff

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THE Democratic Party has come out in favour of fully fledged transitional regional governments with constitutionally entrenched powers and functions

In proposals submitted to the technical committee on constitutional issues of the multiparty negotiations, the party calls for such elected political authorities and administrations — which would

be separate from the central government — at the earliest opportunity

Mr Hennie Bester, chairman of the DP's national policy advisory committee, said the party believed regional legislatures should be elected on the same day as the representatives to a constitutional making body, the transitional parliament

If this was not done, there would be a tendency away from regional government

with powers going to the central government

The powers of such regional legislatures should be written into the constitution for the transitional period

Among the powers envisaged for regional government are a say over health, local government, licensing, town planning, management of urbanisation, taxation, nature conservation, agriculture, development, agriculture, roads, education and culture,

police and prisons, administration of justice, gambling and land settlement

The DP proposes that regional government —, provinces, self-governing territories and TBVC states — should be supervised in the pre-election period by the sub-council on regional and local government of the Transitional Executive Council

Mr Bester said the struggle

for strong regional government was being fought right now

“Recent history has vindicated the DP's insistence on federalism. We cannot allow a mismanaged transition period to bedevil the long-term interests of all our citizens.”

Maximum powers and functions should be devolved to regional and local government levels at the earliest opportunity

Local authorities to give way to appointed councils before

ALL local authorities in SA would be replaced by nonracial, appointed councils before the end of this year, the Local Government Negotiating Forum (LGNF) decided at a plenary meeting in Johannesburg yesterday.

The forum adopted a resolution that will bring to an end racially based local authorities and form the basis of enabling legislation expected to be tabled in Parliament in September.

The new multiracial governing bodies for towns and cities will be appointed by consensus in local negotiating forums through-

out the country. These authorities will remain in place until full municipal elections are held next year, after the national elections. The local negotiating forums will also decide how black townships should be incorporated into neighbouring towns and whether existing municipalities should be amalgamated.

Once the new legislation is in place, the LGNF's resolutions will take immediate effect and all elected councillors will step down. Municipal elections scheduled for October will be scrapped.

GAVIN DU VENAGE

Provincial and regional demarcation boards will be established to draw up boundaries for elections, and to define forum boundaries should a dispute arise.

The LGNF is made up equally of statutory and non-statutory representatives — 30 a side. The statutory delegation includes government, provincial administration and various local government representative bodies. The non-statutory delegation in-

117198

cludes the ANC and SA National Civic Organisation (Sanco).

The forum will maintain direct and regular contact with the multiparty forum and will eventually fit into a sub-council of the transitional executive council.

Timing of the transition is still unclear, but forum delegates agreed that it would be conducted in three phases: pre-interim, interim, and the final phase. Appointed administrators would remain in place for the pre-interim stage (until some time after national multiparty elections). Local and metropolitan elections would be held in the

Year-end

Local authorities

Johannesburg management committee chairman Ian Davidson, who represents SA's seven major cities in the forum, said he had accepted the agreement reluctantly. The major cities were unhappy with un-

lected appointees taking over. The SA Municipal Workers' Association's Salie Manie said interim structures were part of a package which included a visible improvement in service delivery, resolution of the arrears problem in black local authorities and the resumption of service payments by residents.

117173

Deputy Local Government Minister Yakoob Makda said although appointed structures were undemocratic, they were the only option available.

The single dissenting voice in the forum was the Transvaal Municipal Association. The whites-only, CP-dominated organisation's representative Prof Ben van der Berg warned that the forum's proposals would "lead to conflict".

Forum members said measures to "encourage compliance and discourage resistance" were being looked at.

From Page 1

interim phase, and the final phase would begin with the implementation of the final ANC local government head. Thozama Botha said the agreement "marked the end of apartheid structures on the ground" ideal, they were necessary to carry transitional process forward.

To Page 2

Law on local councils soon

27/7/93
(262)

LEGISLATION replacing all local authorities with appointed councils is to be introduced during the short session of Parliament in September, the Local Government Negotiating Forum (LGNF) announced yesterday.

At a Johannesburg plenary session, the LGNF resolved that existing local authorities must be replaced by nominated Transitional Local and Metropolitan Councils as a step towards non-racial local government.

The new councils will be constituted by local forums representing both statutory and non-statutory bodies, which will propose councillors on a 50-50 basis.

Members of existing racially-defined local authorities will be eligible for appointment to the new councils.

The Local Government Transition Act will be tabled in Parliament to effect the new measures.

Half

Addressing a news conference after yesterday's LGNF meeting, the Deputy Minister of Local Government, Mr Yusuf Makda, said the agreement would be communicated to all provincial and local authorities as soon as possible.

The announcement means, in effect, that half of the present 31 Cape Town city councillors, as well as councillors in other cities, may no longer be on their councils after September.

The body responsible for selecting local councillors will be the Local Negotiating Forum for the Cape Metropolitan Area.

Steps have already been taken to set up such a body, according to Mr David Schmidt of Idasa. — Staff Reporter

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Star 11/7/93

Proposals for nonracial councils

By Jo-Anne Collinge
Metro Editor

Legislation to replace existing segregated local authorities with appointed nonracial councils will be tabled during the September sitting of Parliament

This was approved by a plenary session of the Local Government Negotiating Forum (LGNF) which met in Johannesburg yesterday

under the joint chairmanship of Deputy Minister of Local Government Yakooob Makda and Lechesa Tsenohi of the South African National Civic Organisation

The only dissenting voice in the 60-member negotiating body — which comprises equal numbers of delegates from statutory and non-statutory bodies — was that of Professor Ben van den Bergh of the Transvaal Municipal Association, which is dominated by the Conservative Party

At a press conference after the meeting, Makda and Tsenohi indicated that the LGNF would strive for voluntary implementation of the system of appointed transitional local councils (TLCs) and transitional metropolitan councils (TMCs)

But, they indicated, the proposed Local Government Transition Act would have some elements to prompt reluctant parties to fall in line. Said Makda, the "new South Africa was for everybody throughout the coun-

try"

Tsenohi added that the new law should "create conditions that will make it very difficult for people to continue their wayward ways".

Despite this, LGNF and TMA delegates will meet on July 14 to address the latter group's concerns

The LGNF adopted the following principles on appointed TLCs and TMCs

- Their period of office be limited and that they be replaced by elected interim structures within a specific

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period after national elections

- They be appointed by inclusive local negotiating forums such as the Central Witwatersrand Metropolitan Chamber — not by external authorities

- Half the members of TLCs and TMCs be nominated by statutory bodies in the relevant local level negotiating forum and the other half by non-statutory organisations
- Transitional councils would generally be composed in such a way as to

unite racially divided areas

- The setting up of transitional councils would happen within a reform "package" which would deal with issues such as the standard of municipal services, getting residents to pay for services, and making new administrative and financial arrangements

The resolution made provision for a system to demarcate boundaries for TLCs and TMCs and for subsequent elected nonracial councils

'Government must hold nation together'

SOUTH AFRICA - 1971-93

BECAUSE South Africa is a nation of many groups and cultures, the central government needs sufficient powers to hold the nation together and direct its economy through, among others, the equitable redistribution of resources.

This is the opinion of Professor Gavin Maasdorp, director of the Economic Research Unit at the University of Natal in Durban.

Maasdorp makes a strong plea for regional delimitation on the basis of economic flows and not only short term political goals.

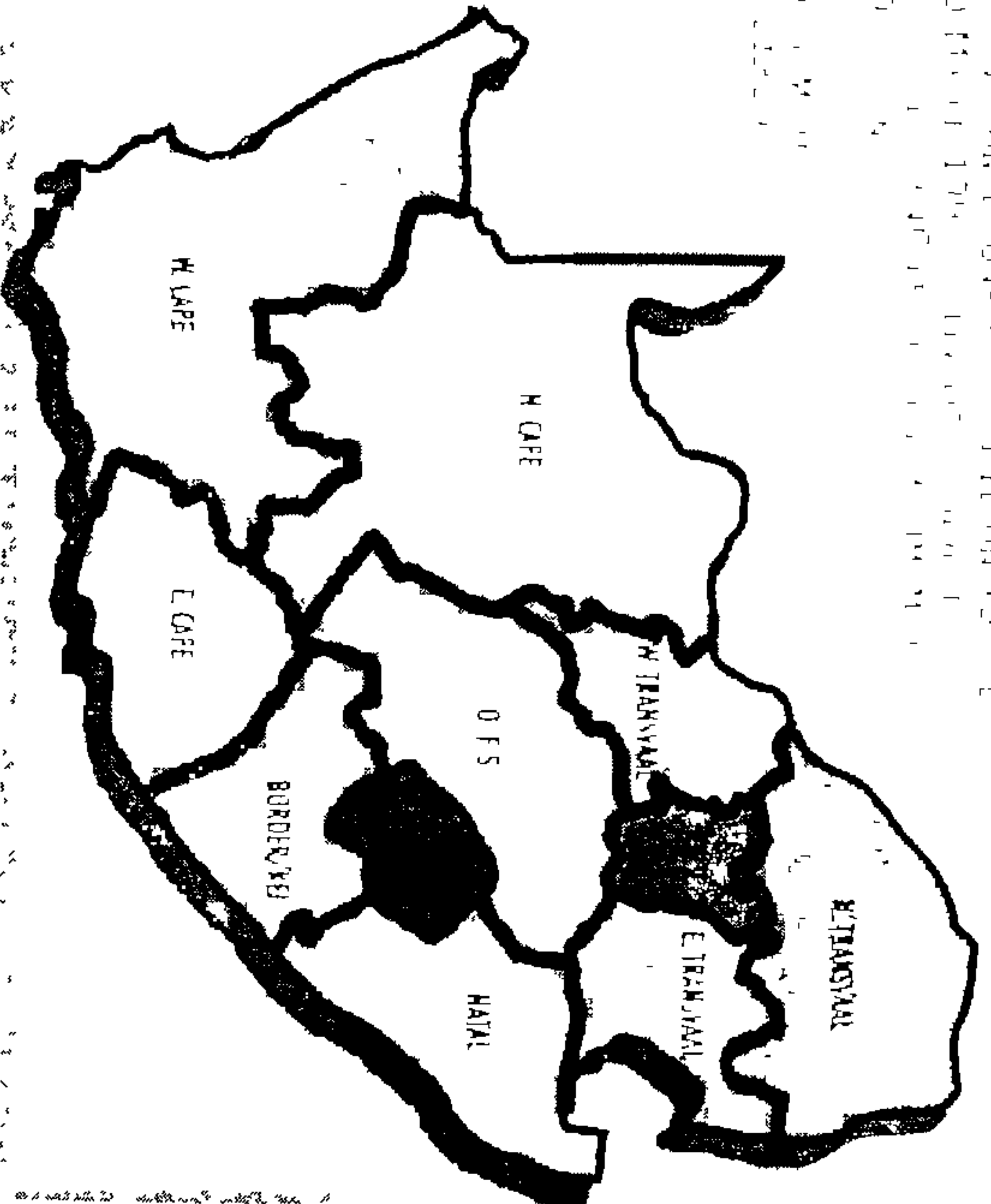
He says an elaborate federal structure with well-entrenched regional autonomy may not be conducive to economic development.

"Economic reconstruction in South Africa requires a strong central government with the power and competence to implement national development strategies, to engage in appropriate fiscal planning and to promote regulatory harmony."

Maasdorp lists the powers and economic functions which he sees as critical for the central government to retain:

- Monetary Policy — No country can have more than one monetary policy, and the Kwazulu proposal for a central bank for Natal/Kwazulu is absurd;
- Fiscal Policy — central government should maintain tax harmony throughout the country and provide assistance to poorer regions. It therefore needs to maintain national spending and taxation authority;
- Foreign Trade Policy — South Africa has a very open economy, and trade policy

THE ANC PLAN



The ANC has wavered between 10 or 16 regions. At a national conference, in March this year, they endorsed this 10 region map of a future SA

becomes extremely important in order to maintain the country's competitiveness in world markets;

and this needs to be retained;

- Transport and communications — these are extremely important for the country's international competitiveness, and key elements such as telecommunications policy should be retained with a clear demarcation of devolved powers to regions;
- Social Services — national standards in terms of education, health and pensions need to be maintained, and services should be reciprocated between regional bodies.

Maasdorp says the number of regions should be minimised, bearing in mind that the system is costly, especially if they are federal states.

"While these financial costs might be offset by sociopolitical benefits in a heterogeneous society, the general policy should be minimal government, and the policy of regionalism should be in line with this goal," he concludes.

CROSSTALK debates are presented in association with the Institute for Multi-Party Democracy, a non-partisan organisation not affiliated to any institute or political party. Its mission is to promote multi-party democracy, political tolerance and national reconciliation in South Africa. For more information, telephone: (021) 25 1120/54/55.

SOUTH readers are encouraged to respond to any of the viewpoints presented on this page.



'Nongwe's broken promises sparked violence' ^{SOUTH} 3/7 - 1/1/93

By Sabata Ngcai

CONTROVERSIAL squatter leader Mr Jeffrey Nongwe is responsible for the violence in Crossroads, claims one of his former committee members.

Mr Arnos Nyhakathyha, who broke away from Nongwe's committee in February, said trouble began when Nongwe could not fulfil his promise to build houses.

When Nongwe took over the squatter leadership from Johnson Ngxobongwana in 1990, he persuaded people from Section One to move to Lower Crossroads in order to prepare land for housing.

He allegedly promised that the people would pay rent of 75 cents a month when houses were built.

The houses would be ready by the end of 1990.

Nongwe allegedly told people to "put a tyre around my neck" if he did not fulfil his promise.

But by the end of 1991 no houses had been built. In October 1992,

Nongwe told residents from Sections Two and Three to move to Lower Crossroads.

Residents insisted they were not prepared to move until the houses promised to Section One residents were built.

Reminding him of his "promise", they demanded to put a tyre around his neck.

Residents discovered that a contract signed by Nongwe and the Cape Provincial Administration was for servicing the sites only.

It is claimed Nongwe demanded a seven rand a month levy from each of the 80 000 squatter residents since the beginning of 1992.

In January this year, after Nongwe returned from holiday in Transkei, he tried to find out from his men if the Section Two and Three residents still resisted moving.

Nongwe allegedly told his headmen at the January meeting that the residents would be forced to move.

This resulted in some committee members breaking away from his

JEFFREY NONGWE

"cabinet".

Nongwe could not be reached for comment by the time of going to press.

More than 40 people have died, hundreds injured, and shacks destroyed since February this year.

"As long as Nongwe, the SADF and the police are still in Crossroads, there will never be peace," Nyhakathyha said.

Police spokesperson Colonel Raymond Dowd dismissed the statement as "untrue".

"If it wasn't the presence of the SADF in Crossroads there would be more violence," he said.

'Road map to democracy' ^{SOUTH} 3/7 - 1/1/93

By Christelle Terreblanche and Sapa

CONSTITUTIONAL negotiating came into its own yesterday when "sufficient consensus" was reached by multi-party negotiators to go ahead with drawing up of an interim constitution for elections.

Fears of another breakdown in talks early on Wednesday were allayed after several bilateral meetings in which major obstacles were overcome.

The deal saw the ANC and the NP concede that both strong regional and national government will feature in the interim constitution, which will continue to bind an elected constituent assembly that writes a permanent constitution for South Africa.

Details of the regional powers still need to be thrashed out. "The road map to democracy has been adopted. Wonderful," Sapa quoted ANC secretary-general Cyril Ramaphosa as saying.

The minister of Constitutional Development, Roelf Meyer, added "Today was probably one of the most important days in the negotiation process so far".

Experts from the technical committees were wary to comment shortly after the compromise, but said it certainly meant major advances had been made.

The compromise brokered on Wednesday means that the boundaries, powers, functions, duties and structures of regions will be finalised by the unelected multi-party forum during the current round of negotiations.

These will then be binding on an elected constitution-making body.

Sources say there will not be a separate national constitution and regional constitutions. Principles for both will be entrenched in a single "list" drawn up by the negotiating council.

The technical committee on constitutional affairs will draw up the interim constitution and hand it to the negotiating council for debate before being endorsed.



New local govt takes off

RATEPAYERS who are still trying to come to grips with local government buzz words may be left behind in the dark as reform speeds ahead if they do not lobby to become involved. LOUISE MARSLAND reports on the road ahead.

(262)

THE death-knell was sounded for segregated municipalities and local government as we know it, at the second meeting of the national Local Government Negotiation Forum (LGNF) on Wednesday

The speed at which local government reform is progressing has left many stunned

Deputy Minister of Local Government Yakoob Makda said the package deal may have come as a surprise and admits it could be traumatic, but said people should seize the opportunity and become involved.

Dissolved

In a short three months, Government, municipal bodies and the ANC and the civics have agreed on the path local government reform must take. There are still a few points of departure to be negotiated, but in the next 12 months existing city and town councils will be dissolved and replaced with non-racial councils, metropolitan government will be established for the first time and municipal boundaries will be redrawn to end apartheid towns

The main steps of the package agreed to by the LGNF cover the pre-interim phase up to municipal elections in about October next year, and the interim phase which occurs after municipal elections

The process is as follows

- Legislation to replace existing local authorities with appointed non-racial councils will be tabled at the September sitting of Parliament
- The formation of non-racial, nominated Transitional Local Councils (TLCs) to replace existing white councils, black local authorities and col-

oured and Indian management committees and the appointment of Transitional Metropolitan Councils (TMCs) will follow. Half the members of the transitional councils will be nominated by statutory bodies such as councils and half by non-statutory organisations such as civic associations

- The TLCs and TMCs will be appointed by local negotiating forums such as the Central Witwatersrand Metropolitan Chamber and not by external authorities
- Municipal boundaries will be redrawn at the same time to unite racially divided areas
- The TLCs and TMCs will be replaced by democratically elected interim structures during national municipal elections in about 14 months
- Interim structures will continue until a new constitution is written

Although the LGNF admits that the non-racial structures will not be democratic until elected, public hearings are envisaged to ensure that members of the TLCs and TMCs are representative of the communities they will serve

There is conflicting opinion in the Local Government Negotiating Forum on where traditionally white ratepayers associations fit into the scenario

Democratic

Greater Johannesburg, including Soweto will be one of the envisaged metropolitan areas. Within the metropolitan area there will be primary local government — city and town councils formed on democratic, non-racial lines

For example, if Johannesburg is chosen as the seat of metropolitan government in the region, the local authorities of Randburg, Sandton, Alexandra, Soweto, Diepmeadow, Dobsonville, Roodepoort, Marlboro Gardens, Lenasia South and the so-called

coloured south western areas will be divided up along non-racial boundaries into negotiated town councils

During the pre-interim phase the administrative side of the existing town councils will remain intact to keep up the day-to-day running of the municipality

Civics

In order to ensure maximum representation of all communities, local ratepayers, civic and other action groups have to become involved in the process

A point of departure between Government and the civics is over the size of the TLCs and members. Another LGNF meeting takes place at the end of the month. The LGNF will also meet the CP-dominated Transvaal Municipal Association in mid-July to try to find a compromise

The LGNF proposal will also be considered at the Multiparty Negotiating Forum

RIGHT-WING town councils vowed this week to take up arms rather than hand over control of "white" facilities.

Conservative Party spokesman on local government Pikkie Coetzee said 87 councils in the Transvaal, Free State and Cape had pledged support for the Afrikaner Volksfront's Plan C, aimed at forcing recognition of a volkstaat.

"We will not accept the proposed legislation that would see non-racial councils in place by October. It's simple we do not want members of the ANC or SACP running our towns. We will not let them take over and tell us what to do," said Mr Coetzee.

He said residents of 66 CP-controlled towns in the Transvaal had supplied a mandate for action by voting for right-wing councils. "This means they recognise the sovereignty of whites, and this will be maintained."

By JOCELYN MAKER

The Local Government Negotiating Forum resolved, at a plenary session on Wednesday that existing local authorities be replaced by nominated transitional local and metropolitan councils. Legislation to this effect is to be tabled during the short session of Parliament in September. (262)

The town council of Viliers responded to the announcement by firing off a letter to Local Government Minister Tertius Delport — a key member of the government's negotiating team at the multi-party talks — the Free State Provincial Administration and the United Municipal Executive.

Voted

Mr Ockert van der Westhuizen, mayor of the northern Free State town, said his council would "fight tooth and nail" against racial integration.

He said his council "remained true to Christian norms and standards as spelled out in the Bible" and believed "God introduced differentiation, and that which God has separated should not be joined by people."

"More than 50 percent of Free Staters voted "no" in last year's referendum and, combined with the outcome of the 1988 municipal elections, this gives us a clear mandate — they did not want the Separate Amenities Act abolished and they do not want a multi-racial council."

Arrest

Mr van der Westhuizen — a district leader of the Volksfront and member of the OFS Municipal Association's executive council — said all 12 CP-controlled councils in the province would "rather shoot it out than hand over their municipalities."

"We will not allow blacks to run this council, and if anyone tries to force us, there'll be a revolution."

"Residents will stop paying rates and taxes, light and water bills and the police will have to arrest the councillors and mayors. We will make our towns ungovernable."

Mr Koos le Roux, president of the CP-dominated Transvaal Municipal Association,

said the organisation totally rejected the proposed legislation.

"We intend to remain in place and should our concept of self-determination be ignored and mixed councils be forced on us, there will be trouble."

"The TMA is committed to a peaceful solution and we have shown our willingness to assist our non-white neighbours through services, advice and financial support, which is happening in a multitude of Transvaal towns."

Mossel Bay mayor Johan Oosthuizen said the nine CP-controlled town councils in the Cape would resist multiracial control.

"Mr de Klerk is in charge of a jellyfish government and not even he can stop me. I will not allow my town to be run the way he wants it," he said.

Right-wings vow to fight 'mixed' control

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B/D Day 5/11/93
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Conservative councils to defy new setup

RATES boycotts, party defections and breakaways by municipal authorities are among measures considered by defiant conservative town councils and ratepayer bodies after last week's resolution by the local government negotiating forum

The forum voted last week to replace all existing councils with appointed structures in October

It is expected that Parliament will pass legislation in September to make the forum's resolution legally binding throughout the country.

CP Free State leader and local government spokesman Abrie Oosthuizen said yesterday the forum's resolution would be

GAVIN DU VENAGE

strongly resisted

Oosthuizen said two options were available. One was to withhold rates and the other was to set up independently elected councils. He said the second option would be carried out even if such councils were deemed illegal.

He said a boycott of rates and taxes could be used to force councils, which accepted government's directive, to reconsider their position. Councils had an almost hand-to-mouth existence and would probably not last more than a few months without income from rates, he said.

Residents could be called to an informal election to choose their own representatives. The CP holds only 12 of the more than 75 municipal seats, but Oosthuizen said this represented the 1988 council elections and much had changed since then.

"We believe the CP has a much greater support base than this figure," he said.

Oosthuizen said the CP wanted municipal elections to be held under the present system before restructuring under the new system took place.

CP local government spokesman Pikkie Coetzee was reported as saying that 87 councils in the Transvaal, Free State and

To Page 2

Councils

Cape had pledged to support the Afrikaner Volksfront's plan to force recognition of a volkstaat. The sovereignty of white councils would be maintained, he said.

Villiers mayor Okkie van der Westhuizen said several NP-controlled councils were considering defecting. He said he had been approached by several mayors who were seeking advice on what countersteps could be taken.

The Villiers council had already rejected the resolution and had informed gov-

ernment in writing, he said.

The Northern Consultative Forum, a body representing mostly white community organisations north and west of Johannesburg, said yesterday the resolution could lead to a rates boycott.

"The forum must not feign surprise when a nationwide rates boycott is initiated as a result of its undemocratic, top-down, unilateral restructuring," the organisation said in a statement.

From Page 1

Right-wings to fight municipal move

Own Correspondent

JOHANNESBURG. — Rates boycotts and breakaway municipal authorities are among steps being considered by conservative town councils and ratepayer bodies to fight the latest move by the local government forum.

The forum voted last week to replace all existing councils with appointed structures in October. Parliament is expected to pass legislation in September to make the forum's resolution legally binding. CP Free State leader and party spokesman on local government, Mr. Abrie Oosthuizen, said yesterday the move would be strongly resisted. Two options were available. To withhold rates and to set up independently elected councils, even if such

councils had no legal standing. A rates and taxes boycott could be used to force councils that accepted the government's directive to reconsider. The CP wanted municipal elections under the present system to be held before any restructuring. CP local government spokesman Mr. Pikkie Coetzee reportedly said at

the weekend that 87 councils in the Transvaal, Free State and Cape had pledged support for the Afrikaner Volksfront's plan to force recognition of a volkstaat. The Northern Consultative Forum, a body representing a number of mostly white community organizations to the north and west of Johannesburg, said yesterday the resolution could lead to a rates boycott.

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CT 5/7/93

Ideas for new regions pour in

Biday 6/7/93

TIM COHEN

THE debate on a new regional dispensation has shifted into top gear with the ANC proposing eight new provinces, the DP proposing nine and various other groups suggesting widely differing ideas.

There was so much interest in the debate that the regional delimitation commission established by the negotiations forum yesterday extended the deadline on proposals from today until Friday.

Both government and the ANC will publish their submissions today.

It is reliably understood that the ANC intends proposing that SA be divided into eight regions. This would constitute a departure from earlier ANC plans which suggested 10.

The ANC's proposals are broadly based on the nine regions outlined by the SA Development Bank, which in turn were based on the development regions established after the Good Hope and Carlton conferences between government and business in 1981.

Discussion documents published by the ANC last year suggested only one significant departure from the bank's proposal, making provision for a Xhosa homeland including Transkei and Ciskei.

The bank's proposals would broadly maintain the Free State and Natal, divide the Cape into northern, eastern and western sections and the Transvaal into four sections with the PWV at the core

The DP proposed that the Cape be divided into two parts; Ciskei, Transkei and surrounds become Keiland; and Bophuthatswana and surrounding areas become the Kalahari.

It suggests the northern Transvaal area be known as Bushveld, the Free State, Natal and Transvaal retain their names and much of their existing land and the PWV become known as the Witwatersrand.

The DP's proposal uses as its criteria language, functionality, traditional or historical boundaries, demographic characteristics, a meaningful resource base and the proposed region's development potential.

"The DP believes that the gerrymandering with political boundaries which has characterized our past should not be perpetuated," it says.

The official government advisory body, the National Regional Development Advisory Council, also published its proposals yesterday. It suggested seven instead of the present nine development regions, on the grounds that economic viability demanded that there be as few regions as possible.

The council suggests merging the northern and western Cape development regions, and the Free State and western Transvaal.

It also proposes the border of the eastern Cape region be extended to include Transkei.

NP cautious
on local govt
proposals

Political Correspondent

THE National Party has reacted cautiously to proposals by the Local Government Negotiating Forum for a new local government dispensation.

The nationally-based LGNF proposed at a meeting in Johannesburg last week that interim third-tier government structures should comprise 50/50 existing and "non-establishment" bodies

The executive director of the NP's federal council, Mr Olaus van Zyl, said many details of the new dispensation still had to be worked out and the NP would study the latest proposals

Once this had been done, the party would take its standpoint into negotiations. (11)

Report soon
on forum for
local govt

Municipal Reporter

AN interim committee which will lay the groundwork for a local government negotiating forum for greater Cape Town has already met twice and hoped to report on its progress on July 21

Idasa facilitator Mr David Schmidt said yesterday the committee includes Mr John Muir of the Cape Town City Council, Mr Jasper Welsh of the DP, Ms Hilda Ndude of the ANC and Mr Bathemba Lugulwana of the PAC

He said they are discussing the forum's composition, who it would represent and the way it would operate

Various issues regarding local authorities would be discussed once the forum had been established

Proposals pour in over regional map

262 CT 6/7/93

By ANTHONY JOHNSON
Political Correspondent

THE multi-party Commission on the Demarcation/Delimitation of Regions has been flooded with proposals on the boundary lines for a new South Africa

The commission, appointed by the Negotiating Council at the World Trade Centre, has already received about 100 written submissions on how the regional map should be redrawn and will continue to hear oral submissions this week.

The body is expected to complete its work before the 26 organisations attending multi-party talks resume formal sessions in about two weeks time.

In its oral submission to the commission yesterday, the Democratic Party proposed nine regions for the new South Africa

- Western Cape (extending from Mossel Bay north to the Orange River and beyond), with Cape Town as capital

- Eastern Cape (between Mossel Bay and the Ciskei border extending north to the Free State border), with Port Elizabeth as capital

- Keiland (Ciskei, Transkei, the "white corridor" and parts of north-eastern Cape and a small section of south-western Natal), with East London as the capital

Natal/KawZulu

- Free State (existing Free State, QwaQwa and small section of northern Cape south-west of Kimberley), with Bloemfontein as capital

- Natal (Natal/KwaZulu region, minus a small section of south-western Natal), with Maritzburg as capital

- Kalahari (Western Transvaal, Bophuthatswana and the Northern Cape north of but not including Kimberley), with Mmabatho as capital

- Transvaal (central and Eastern Transvaal, including KwaNdebele), with Pretoria as capital

- Bushveld (Northern Transvaal including Venda, Gazankulu, Lebowa and the Kruger Park), with Pietersburg as capital

- Witwatersrand (the Reef), with Johannesburg as capital

In its submission yesterday, the government-based National Regional Development Advisory Council (NRDAC) proposed seven development regions

The government's own proposals will be unveiled today by the Minister of Regional and Land Affairs, Mr Andre Fourie

Business groups call for fewer new regions

Biday 11/7/93

ORGANISED business yesterday called on the Commission on Demarcation/Delimitation of Regions to restrict the number of regions to a minimum for economic stability and coherence

Sacob and the Afrikaanse Handelsinstituut (AHI) submitted proposals saying they would not present detailed maps of how the country should be divided as there were differences over this among their memberships.

But Sacob submitted several criteria for deciding the regions, calling on the commission to produce a variety of scenarios.

In order to minimise the taxpayers' burden, it said a minimum number of regions should be set up endowed with extensive administrative structures and functions.

Sacob director-general Raymond Parsons said the chamber hoped regional boundaries would be irrelevant in "a number of essentially commercial respects" so that they would not "obstruct the existence and future development of a fully integrated South African economy".

Sacob suggested the regions.

- Minimise the need for creating government infrastructure, recruiting public servants and duplicating services,
- Be held fully accountable for balancing

BILLY PADDOCK

their budgets under supervision by the central treasury, the central bank/banking network and the auditor-general;

Be viable economic units capable of raising revenue commensurate with the services they were expected to provide;

Bring political decision-making closer to the people and business;

Promote healthy rivalry through equivalence of financial status and economic potential so that a political "market" could emerge; and

Use shared public services through linked databases to offset possible negative implications of decentralised power.

It called on the commission to give due weight to economic considerations including unified markets, equity, all-round efficiency, business opportunity, wealth creation and long-term employment growth.

A joint delegation of the Johannesburg Chamber of Commerce and Industry and the Johannesburgse Afrikaanse Sakekamer submitted proposals arguing that the PWV should not be one region as it was too complex, diverse, and bulky.

SA's regional diversity is now recognised to be such that few argue for either a political or developmental framework based exclusively on centralised control. Regionalism has become the political buzzword among almost all political parties.

What is striking about political shifts on the regional tier is just how rapid the shifts have been, and quite how closely aligned different parties' regional visions have become. This rapidly derived consensus appears to be linked to the perceived urgent political need to reincorporate the homelands into SA. A further point is the perception that at least a rudimentary level of institutional capacity and development competence lies in homeland and provincial bureaucracies.

One of the primary problems in the regional debate has been the conflation of regional issues with ethnicity and development issues. These inter-relationships were, of course, deliberately emphasised during the period of Verwoerdian apartheid.

Suspicion on the part of many opponents of the NP government, that regional-federalism would mean the perpetuation of the homeland divisions and "ethnic regionalism", has been considerable.

However, the NP's recent proposals do not have a strong ethnic format. In practice, there are few proposed regions which would have a clear ethno-linguistic identity. The principal exceptions are:

- The western Cape where Afrikaans is spoken by a clear majority;
- The Transkei/Border/eastern Cape region where Xhosa is dominant; and
- Natal, where Zulu is the obviously dominant language.

These three regions survive in basic form irrespective of the various border configurations envisaged by the ANC and NP. In the rest of SA, ethno-linguistic diversity makes it difficult to distinguish a clear majority identity in any one of them, although an Afrikaans/Tswana alliance in the NP's north-

Regionalism poses no threat to an ANC govt's hegemony

By Jeff McCarthy

JEFF MCCARTHY

west region is possible.

One of the implicit assumptions of those critical of a regional-federal constitutional framework has been that such a framework would exacerbate SA's high levels of regional inequality in development. Samir Amin, writing in the socialist journal *Work in Progress*, has suggested that federalism seems to be part of Western capitalist strategy to divide the solidarity of the working classes, to believe that under regional-federalism much of the decision-making and financial responsibilities will be transferred from the central level to the "states" or "provinces".

In that case, even if no geographic area with a white majority can be drawn into existence, there will be "rich" and "poor" states. This division will enable the minimal concessions that are required to align a new black political bourgeoisie with the continuation of the system.

The association between race, region, and inequality is, however, by no means self-evident. As early as 1970, Prof Denis Fair of Wits University observed that areas of greatest prosperity were those with the highest percentage of black working class. In addition, SA's ethnic complexity has now been so thoroughly scrambled by urbanisation that it is hard to find a link between

ethnicity, race, and regional income inequality.

Nevertheless, regional income inequalities remain (see report below). In terms of political allegiances, there are only three regions which could potentially fall outside ANC control on the basis of either the NP or ANC regional breakdowns — the western Cape, the northern Cape/northwest region and Natal.

The ANC's prospects appear weakest in the western Cape where 1992 HSRC surveys showed 54% of potential voters supported the NP and only 15% the ANC. In the northern Cape/northwest it would appear that ANC support is stronger but not sufficient for an outright majority. The NP and its allies could dominate the regional government there.

In Natal, ANC support is estimated by the HSRC at only 21% and here, if the HSRC figures are correct, an Inkatha/NP combination could muster a majority of votes.

In all other regions the ANC is likely to dominate the regional tier. Fairly high levels of devolution of powers of revenue-raising and regional responsibility for spending, therefore, need not threaten the ANC's dominance of the national

economy. The ANC would almost certainly retain control in the vital economic heartland of the Transvaal, and would likely also control important peripheral and port regions, including the northern and eastern Transvaal and the Border/Kei area.

So, even if the pattern of events in the western Cape or Natal should not be to the liking of the ANC-controlled central government, it would have several options. It could, for example, strengthen infrastructural, trading and port links between the PWV and Maputo, and/or the PWV and East London or Port Elizabeth. This, no doubt, would exert a strong "disciplinary" influence upon any regional "rebelliousness" in Natal and/or the western Cape.

In contrast, carefully constructed regional economic growth strategies designed by possibly more conservative regional regimes in Natal and the western Cape in particular, could provide important forms of economic competition. For example, if the ANC attempted strong redistribution measures, through its political centre and through its control over several regions, it might be possible for more market-oriented or conservative taxation policies in Natal or the western Cape to attract to those regions greater local and interna-

national investment.

No party that strongly subscribes to a nationalist vision can easily contemplate regional-federalism — unless it is likely to lose the political centre. The NP's recent conversion to regionalism comes, ironically but predictably, in the twilight years of its national political ambitions and during a period when it seeks to constrain the central powers of its main competitor — the ANC. That the ANC should be wary of regional-federalism and high levels of regional devolution under such circumstances is understandable.

The ANC's resistance becomes even more understandable in the context of a historical legacy of grand apartheid, and the perception that strong regional government can coincide with ethnic balkanisation and a political coalition-building strategy based upon the maximisation of the divisiveness of ethnicity.

However, given the extent to which regional economic inequalities and urbanisation processes have become disentangled from race and ethnicity, it seems unlikely that such problems could recur. Fiscal transfers will be necessary to offset regional economic inequalities under almost any boundary scenario.

Moreover, it will be necessary to decide how significant regional divisions really are to the reconstruction of the regional tier in comparison with pressing issues of the construction of metropolitan government and rural equivalents. These are the more salient scales at which developmental and regional institutions should operate in the future.

For this to occur, however, the debate on the regional tier will have to move away from political coalition building and servicing of constituencies, and move into a new phase informed by the practical developmental challenge of urban and rural reconstruction.

Jeff McCarthy is geography professor at the University of Natal, Maritzburg. This is an edited version of an article in the latest edition of the *Urban Foundation publication, Development and Democracy*, published today.

A bit of cohesion along with a bit of coercion

TIM COHEN

EXPLAINING government's scenario for a new regional delimitation, Regional and Land Affairs Minister André Fourie's normally commendable command of English deserted him. Outlining the reasons why government had proposed certain boundaries, Fourie meant to say that the demarcated areas had developed a certain "cohesion". Unfortunately, he repeatedly used the word "coercion" instead.

A forgivable slip, but then some would say it was Freudian given that there has been a certain amount of coercion in government's regional strategy thus far.

Coercion is certainly not part of government's new proposals to the delimitation commission established by the negotiations process, although the concept might in fact be more pertinent than the various political parties would wish or expect.

The stated positions of many of the submissions made so far are based on similar premises. Government uses as a starting point the need for as much "autonomy" as possible. The DP emphasises the need for "functionality" while the ANC's proposals specify that the regions should be economically and socially functional. There appears to be consensus on the need for the regions to have the capacity for some kind of economic

viability which would support their political superstructure. The similar starting points of the parties perhaps explains why the nine so-called "development regions" which have been used for development planning over the past decade feature so prominently in the proposals made so far.

Apparently, all of the parties wish to see a variety of different regions in SA operating harmoniously in equilibrium, all with their own identity, political power base and economic prowess. Unfortunately, the existing economic situation makes a mockery of this benign view.

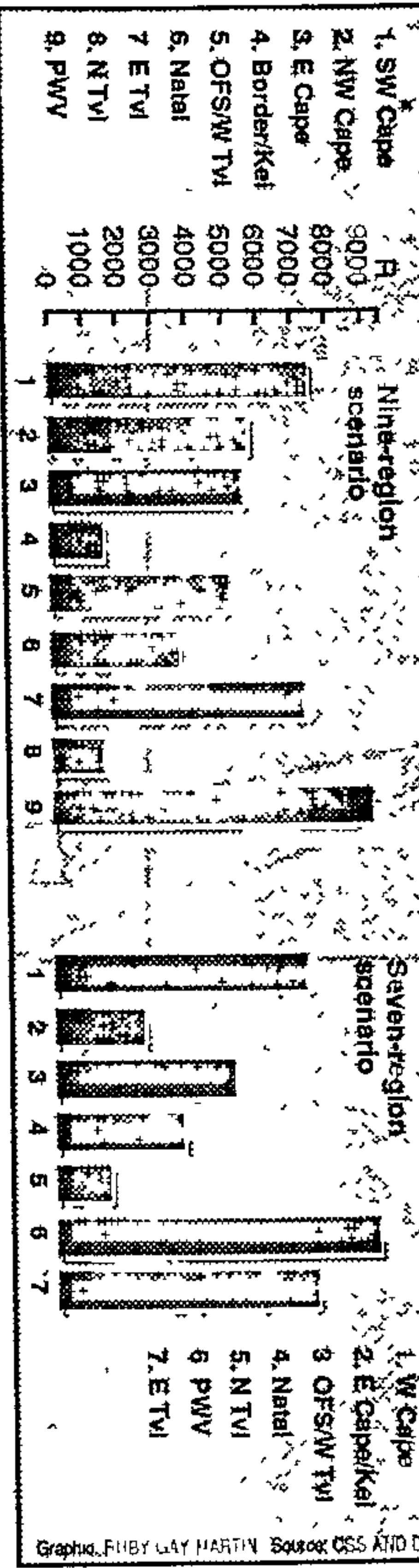
In terms both of government's seven-region and nine-region scenarios, the northern Transvaal region in particular is the poorest region in the country.

the GDP of the PWV area is two-and-a-half times greater than its nearest competitor. Even in terms of the DP's proposal, which cuts the Pretoria area out of the region, the area generates 39% of total GDP.

On the other side of the coin, the economic prowess of the poorest regions will be minuscule, compared with the PWV area, and the regions will be hard-pressed to make inroads into the economy's power base.

For example, the GDP of the northern Transvaal region in government's proposal is only marginally improved.

Per capita gross geographical product - 1988



The need for redistribution will require that resources are first pooled, and this will have to be done by the central state. The "coercion" intrinsic to the need for redistribution will tend to diminish the principle of autonomy, and with it regions' ability to adopt strategies different to their neighbours.

This, not the huge variety of maps (many of which are very similar, anyway) presented by the different parties to the commission, will be the negotiators' most testing task.

ment's proposal is about 7% of the PWV's, in 1988 figures. In government's nine-region proposal, the northwestern Cape is poorer than the northern Transvaal and the Border/Kat region is about on the same level. But even if these areas are merged with their richer neighbours, as government's seven-region scenario suggests, the difference between these regions and the PWV region is only marginally improved.

Per capita regional income data show these inequalities in a different, but no less glaring, way (see chart). Given the huge economic disparities involved, the necessity for some form of redistributive mechanism, as exists in many other countries, is obvious.

The inescapable need for a redistributive mechanism is problematic, not only because devising an equitable formula will be difficult, but also because it is not clear what ought to be the underlying principle of regionalism — the need for checks and balances on state power.

(262)

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What is striking about political shifts on the regional tier is just how rapid the shifts have been, and quite how closely aligned different parties' regional visions have become. This rapidly derived consensus appears to be linked to the perceived urgent political need to reincorporate the homelands into SA. A further point is the perception that at least a rudimentary level of institutional capacity and development competence lies in homeland and provincial bureaucracies.

One of the primary problems in the regional debate has been the conflation of regional issues with ethnicity and development issues. These inter-relationships were, of course, deliberately emphasised during the period of Verwoerdian apartheid.

Suspicion on the part of many opponents of the NP government, that regional-federalism would mean the perpetuation of the homeland divisions and "ethnic regionalism", has been considerable.

However, the NP's recent proposals do not have a strong ethnic format. In practice, there are few proposed regions which would have a clear ethno-linguistic identity. The principal exceptions are:

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R/Boag 8/1/93

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□ McCarthy is geography professor at the University of Natal, Maritzburg. This is an edited version of an article in the latest edition of the *Urban Foundation* publication, *Development and Democracy*, published today.

AVU to hold poll on map

B/Day 8/7/93

DIRK VAN EEDEN

THE Afrikaner Volksfront yesterday declined to propose a new regional dispensation for SA, offering instead a breakdown of regions where the opinion of "Boere-Afrikaners" would be tested.

Although the front said the map was not a proposal for new regional dispensation, one region outlined includes areas traditionally considered important to right-wingers. It incorporates much of rural Transvaal and part of the Free State and Natal. It also includes Pretoria, Bloemfontein, Kimberley and Richards Bay.

Volsfront directorate chairman Gen Constand Viljoen said at a briefing in Pretoria that the map was not final and would be subject to the approval of "Boere-Afrikaners" in an opinion poll to be held within

two months

Sapa reports that he said it had to be stressed the "areas and sub-areas do not represent borders of states, provinces or regions". Only once the opinion poll had been held could a practical and reconciliatory recommendation be made, he said.

"Through bilateral negotiations and agreements with other peoples and communities who recognise the Afrikaner/Boer's right to self-determination, final borders may then be established. We need our own little Israel where we can survive, a safe haven for all Afrikaners wanting to survive in an Afrikaans milieu."

(2b2)

To Page 2

AVU map

B/Day 8/7/93

From Page 1

CP MP and Volksfront constitutional committee chairman Jurg Prinsloo requested government to make available to the Volksfront the statistics and logistical information necessary for the opinion poll. He said the poll would not be a referendum with a single, simple question. A number of questions would be asked, the most important of which would be whether the individual was in favour of a volkstaat and where it should be. After the poll the Volksfront leadership would enter into bilateral discussions with other nations. Prinsloo said the Volksfront map was compatible with Afrikaner Volkunie designs.

However, HNP leader Jaap Marais rejected the Volksfront's claim that it had the support of the majority of Afrikaners for a proposed volkstaat. He said it was well known that many right-wing leaders, even within the CP, opposed the idea of a

volkstaat. "The CP rejected a volkstaat for many years and I'm not convinced that CP leader Ferdi Hartzenberg is in favour of it now."

The scientific accuracy of the poll would always be questionable and an opinion poll would serve only to create unattainable expectations.

Prinsloo said the poll would be aimed at finding out what "Boere-Afrikaners" thought, but declined to say who would be considered "Boere-Afrikaners". The term is usually used to exclude black and white Afrikaans speakers in the Cape.

TIM COHEN reports that — according to sources — Inkatha intends submitting proposals for a regional dispensation which mirrors the nine "development regions", with the caveat that changes to this model be negotiated locally.

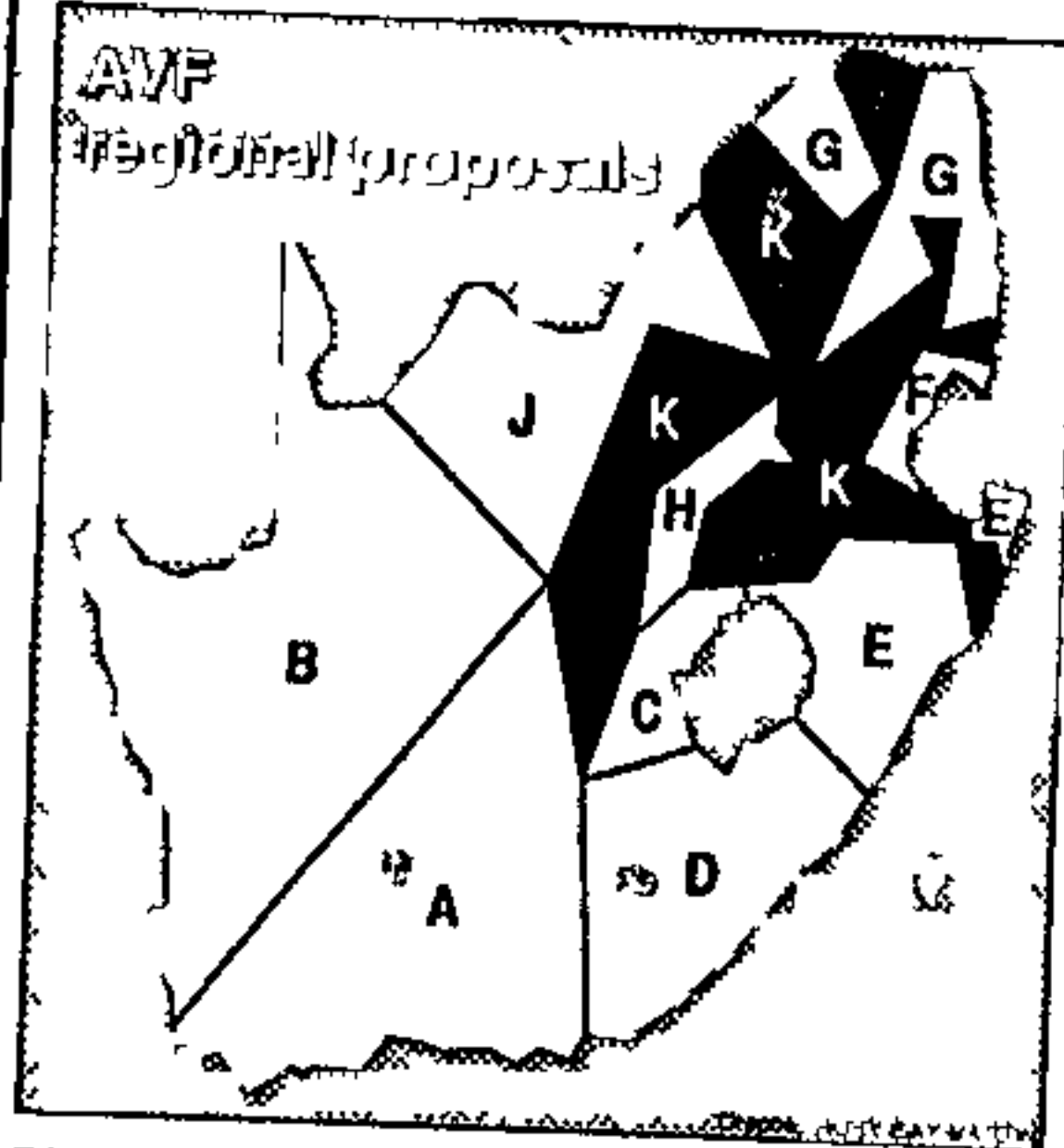
An informed source said Inkatha would submit proposals to the regional delimitation commission in time for tomorrow's deadline, but these would advise that a final decision should not be taken by the commission itself. Inkatha would suggest that the commission use the nine development regions as a basis for its suggestions.

The development region delimitation, which divides the Cape into three and the Transvaal into four regions, has been used for the past decade by government for development planning purposes. However, the source said that Inkatha would argue in addition that deviations from this delimitation should be negotiated at local and regional levels before the next election.

"The delimitation should not be decided on a national level," the source added.

Inkatha would wish to negotiate the boundary between Natal and Transkei as there were strong historical reasons why East Griqualand should be included in Natal, the source said.

See Page 6



The three largest regions on the Afrikaner Volksfront map, to test opinion on a volkstaat, are: A — liberal Cape Afrikaners; B — coloured people, and K — a proposed volkstaat for "Boere-Afrikaners"

LOCAL GOVERNMENT ^{Fm 9/17/93}
Ringling the changes (262)

The 50:50 power-sharing solution hammered out by local government negotiators is a compromise that clears the way for the replacement of racially elected town and city councils by more representative structures. The process should begin within months, as soon as enabling legislation is passed, possibly in September, as part of the proposed Local Government Reform Initiative Act. But there are doubts whether complete transition can be achieved by the ambitious year-end target.

The format for the dispensation was ^{at the Council}

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CURRENT AFFAIRS

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(262)

thrashed out at last week's plenary session of the National Local Government Negotiating Forum — the local government counterpart to the multiparty talks at the World Trade Centre. Though the forum carries no legal status its deliberations are taken seriously by Local Government Minister Tertius Delpont and its decisions are likely to be enacted.

Ministry spokesman Johan Oosthuizen says other options considered include

- Replacing racially elected councils with appointed administrators to govern combined black and white local authorities,
- Simply filling vacancies in existing councils with nominated representatives, and
- Halving the number of serving councillors and replacing them with nominated councillors from the broader community.

The decision is strictly an interim but necessary measure pending nonracial local government elections, possibly within a year (*Current Affairs* July 2).

Essentially, local negotiating forums (with equal numbers of government and nonstatutory body members) will make appointments to transitional local councils by consensus. They will also decide how black townships should be incorporated into neighbouring white towns and whether municipalities should be combined.

Any suggestion that the process could result in the emergence of haphazard council structures or that reactionary authorities

could indefinitely delay implementation is dispelled by Durban City Council management committee chairman Peter Mansfield.

"It's likely that the (main) forum will provide strict descriptions for the transitional metropolitan and local councils. Local forums will simply have to agree who serves on the new councils. The forum will no doubt also set timetables and intervene if attempts are made to delay implementation."

Mansfield stresses the importance of quickly establishing interim structures, adding, however, that it is optimistic to expect the process to have been completed by year-end. March seems more realistic.

Establishing transitional local councils should be fairly straightforward for stand-alone towns such as Estcourt or Ladysmith, but the complexity of metropolitan structures such as Cape Town, Durban and Johannesburg could be a problem.

Early establishment of transitional metropolitan councils with significant co-ordinating powers is, according to Mansfield, a "racing certainty." The difficulty is how to deal with the many authorities (40 to 60) under present metropolitan umbrellas.

It has yet to be decided whether these will be formed into transitional local councils within existing boundaries. The issue is likely to be looked at soon by the forum's constitutional working group. Mansfield believes this could result in a substantially reduced

number of borough-type structures within new, very different intra-metro boundaries.

The decision on local government is urgent and welcome, as decision-making has become particularly difficult in the cities. The diffusion of power has meant that councils have increasingly needed endless bilateral and multilateral meetings with nonstatutory interest groups to resolve key issues.

The sooner representatives of these are included in local government the better. ■

Slicing up SA's cake

Sowetan 9/7/93

THE MULTIPARTY COMMISSION on the Demarcation of Regions over the past week received various oral and written submissions on a new regional dispensation for South Africa.

The commission on Monday extended the deadline for recommendations to today, as it was overwhelmed with proposals on how South Africa should be restructured in a new regional dispensation, and expected a lot more to flow in this past week.

Among the significant submissions this week were those from the ANC, the Government, the Democratic Party, the AVU and the National Regional Development Advisory Council.

The ANC and the Government appear to be reaching a confluence in their ideas on a new regional dispensation for the country while the AVU, understandably, included an Afrikaner homeland in its proposals.

Both the ANC and the Government used the nine economic regions of the Development Bank of South Africa as the departure point for their recommendations.

The Government has proposed two scenarios (A & B) which provide for seven and nine regions respectively while the ANC has proposed eight regions.

Divided in 10

In its document submitted to the commission on Tuesday, the ANC said its recommendations were based on a decision taken at its May 1992 policy conference where it was resolved that the country should be divided in 10 regions or fewer.

In this regard it proposed the following eight regions:

- The Western Cape, which will include as its northern and eastern boundaries, the magisterial districts of Namaqualand, Kenhardt, Prieska, Hopetown, Philipstown, Colesberg, Noupoort, Richmond, Murraysburg, Beaufort West, Prince Albert, Oudtshoorn, Uniondale and Knysna,
- The Northern Cape, including the western districts of Bophuthatswana, and the Western Transvaal including the rest of Bophuthatswana not within the Orange Free State or PWV regions,
- The OFS including QwaQwa and the ThabaNchu district of Bophuthatswana following 1910 boundaries,
- The Eastern Cape and Border including Ciskei and Transkei and East Griqualand following 1910 boundaries,
- Natal including KwaZulu,
- The Eastern Transvaal including KaNgwane,
- The Northern Transvaal including Lebowa, GaZankulu and Venda, and
- The PWV region including KwaNdebele and the Odi 1 and Moretele districts of

focus on regionalism

Here's how the ANC, the Government, the Democratic Party, the AVU and the National Regional Development Advisory Council see the composition of South Africa in the new dispensation.

Political Correspondent **Ismail Lagardien** reports:

Bophuthatswana

The ANC stressed that the boundaries of the electoral regions should remain flexible "until finally adopted by the Constituent Assembly".

"We must urge that the Constituent Assembly should be the vehicle to act on any recommendations in respect of proposed regional delimitations," the ANC said.

The Government's preferred scenario is:

- The Western Cape including the Boland, the West Coast, the Southern Cape and the Little Karoo,
- The North Western Cape
- Eastern Cape excluding Ciskei and Transkei
- The majority of Ciskei and Transkei
- OFS, including Western Transvaal, as much of Bophuthatswana as possible and including the Vryburg district
- KwaZulu-Natal area which includes the so-called Pongola finger, formerly forming part of the Eastern Transvaal development region
- Eastern Transvaal
- Northern Transvaal
- The PWV area, excluding Sasolburg, which will fall under region 5

Second choice

The basic difference between Government's preferred Scenario A and its second choice, Scenario B is that in the first, regions 1 and 2 (the Western and North Western Cape) are combined to form a single region.

The same principle is applied to regions 3 and 4 (the Eastern Cape and Kei area), thus reducing the total number of regions to seven.

The Minister of Regional and Land Affairs, Mr Andre Fourie, said on Tuesday, when the Government announced its preferences, that the TBVC states could be accommodated in this delimitation with the Transkei and Ciskei being accommodated in the proposed region 4, Bophuthatswana in region 5 and Venda in re-

gion 8.

Fourie said that, while the Government preferred Scenario A, it was not inflexibly tied to it if the commission chose its second scenario.

Fourie pointed out that Scenario A complied with the criteria laid down by the commission, in that four of the proposed regions were more or less identical to the original development regions identified in the 1980s.

"Although Scenario A remains our preference, we will not have sleepless nights if (the commission) removes the boundaries between regions 3 and 4 and regions 1 and 2," Fourie said.

Afrikaans influence

The submission that the AVU made contained a proposal for eight regions, two of which retained a strong Afrikaans influence.

They are Afrikanerland, which includes the Pretoria-Verwoerdburg-Akasia metropolitan area as well as the Eastern Transvaal, and Oranje, which consists of most of the present Cape Province.

This is reportedly where Afrikaans is the predominant language.

The AVU stressed that there would be no forced removals in any of its regions for the sake of ethnic purity.

Its regions are: ● The Kaap die Goede Hoop (Cape of Good Hope) which includes the Cape Town metropolitan area and Southern Cape coastal region, ● The Kei, made up of the Transkei, Ciskei and Border, ● Satswa which includes the Orange Free State, Western Transvaal and Bophuthatswana, ● Capricorn, which comprises most of the Northern Transvaal, ● KwaZulu, the present Natal province, and ● Egoli, the Witwatersrand and Vaal Triangle region, and 7 and 8 Afrikanerland.

The DP proposed nine regions.

They are: ● Western Cape, ● Eastern Cape,

● Continued on facing page



P.T.O. pg

Report on local government released

SA's towns and cities should be able to choose their own constitutions, the South African Institute of Race Relations (SAIRR) recommends in a study released this week (262)

The 50-page essay, entitled Towards Deracialising Local Government, analyses local negotiating initiatives and systems of local government which could be adapted to suit SA

SAIRR author Shaun MacKay said in the report that all local government and negotiating forums would have to deal with rent and service tariffs as a priority

"Nearly 200 forums across the country are discussing new systems of local government, and statutory non-racial transitional councils are due to be established in

September," he said.

MacKay said, however, that many towns did not have the facilities to conduct investigations into suitable models for local government

To eliminate unfair advantages, he suggested that a national body — such as the Local Government Negotiating Forum — should select and design local government models

On rent and service tariffs, Mackay recommended that service organisations — such as Eskom and the Rand Water Board — continue to be included in all local government negotiations so a solution to tariff problems could be produced before the amalgamation of black and white areas — Sapa

CROSSTALK

The Democratic Party puts its case forward for the demarcation of South Africa into nine regions under a national constitution containing a bill of rights

Power to the people — in their regions

By Hennie Bester, MP

South 1071 - 147193

THE FUTURE success of regionalism in South Africa will depend largely on whether we get the recipe for regional government right or wrong. Of all political parties in South Africa, the Democratic Party is the only which, from its inception, has supported a federal form of government.

We have not done so from a fear of majority rule. Neither have we supported it for the promotion of sectional political interests, or for ethnic reasons. We have always believed this is the best way South Africa can be governed.

Why? Because we think a strong regional government will

- Bring power closer to the people
- Decentralise the vast potential for political conflict in South Africa
- Produce more efficient social services, even within centrally-determined policy directives

● Be the best option to accommodate our country's socio-cultural differences

What sort of regional government do we propose? We believe powers and functions of regions should be entrenched in the national constitution, a position already accepted

by parties participating in the multi-party negotiation process.

Secondly, we believe the maximum possible powers and functions should be devoted to regional and local government level. The secret lies in the word "possible". Not all regions will be able to perform the same functions on regional level.

Moreover, during a period of national reconstruction, it will be necessary to generate many national policies for, especially, the delivery of social services.

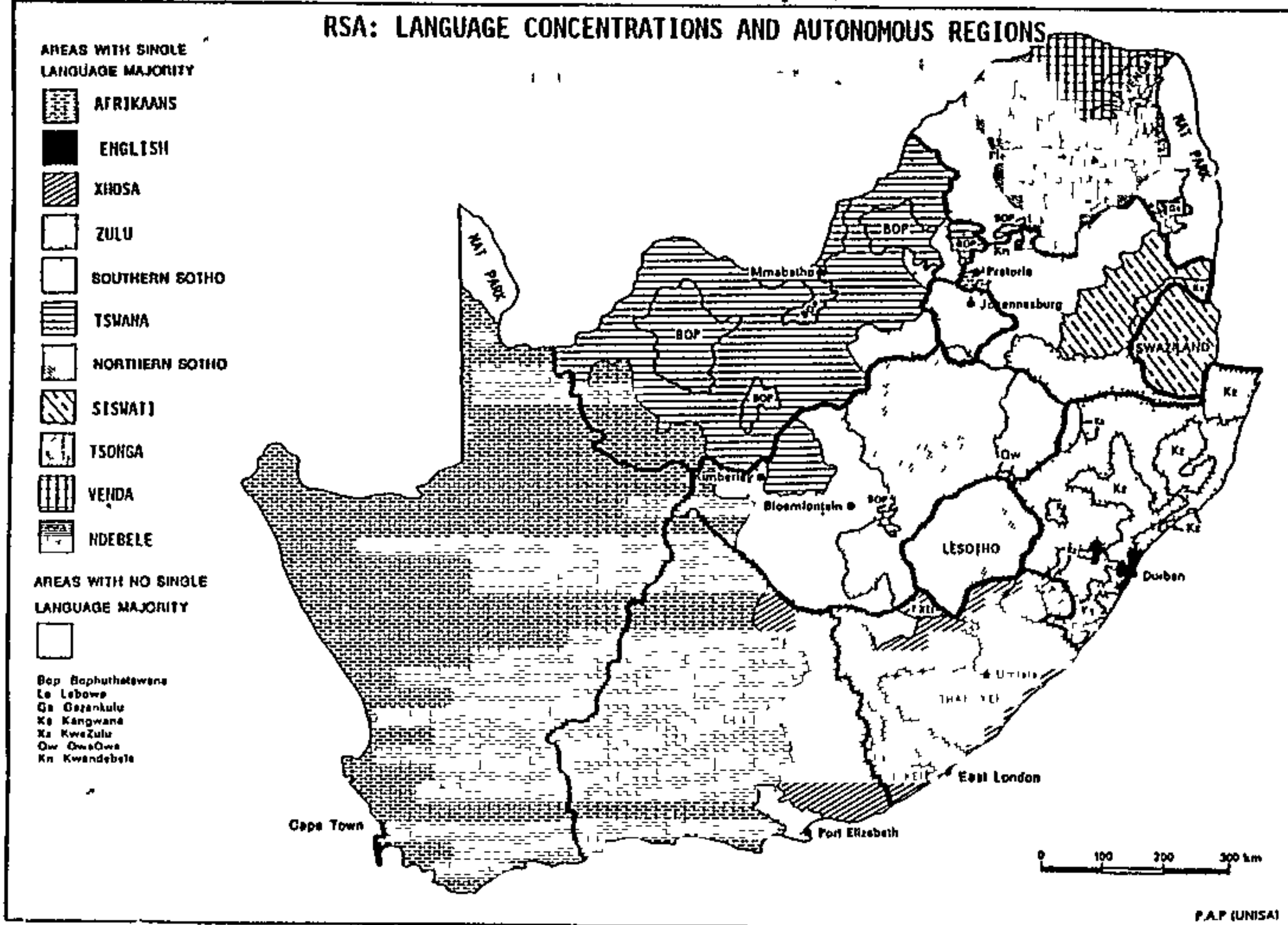
One will therefore have to find the right mix between powers delegated to regions (for example, taxation and the road system), concurrent powers between national and regional government (education and economic development would probably be examples), and residual powers which could reside at either national or regional levels.

Thirdly, we believe regional legislatures should also be elected during the first non-racial election. Such regional legislatures should be able to draft regional constitutions, provided that these will be compatible with the national constitution.

It should be remembered that the national constitution will run throughout South Africa. The bill of rights contained in the constitution, especially, will apply in all regions, preventing any region from, for example, adopting a racially discriminatory constitution.

Will regional government work, in the sense of benefitting most South Africans? This will depend on at least the following considerations:

- The quality of political leadership and civil servants at regional government level. Political leadership at regional level will need to be not only dedicated to regional development, but also to the overall aims of national reconstruction and nation building. The civil service at regional level will need



LAND AND LANGUAGE: A map of language concentrations in SA. this distribution will have a decisive influence on the regional demarcation of the country

to be streamlined and competent, unlike the current position in parts of South Africa.

● The powers and functions devolved to regional government. At the very least, regional government will need taxing powers. However, the danger also exists of devolving centralisation of government to regions and creating huge bureaucracies. There needs to be a flow of powers to local governments, rather than a power-grabbing attitude at regional government level.

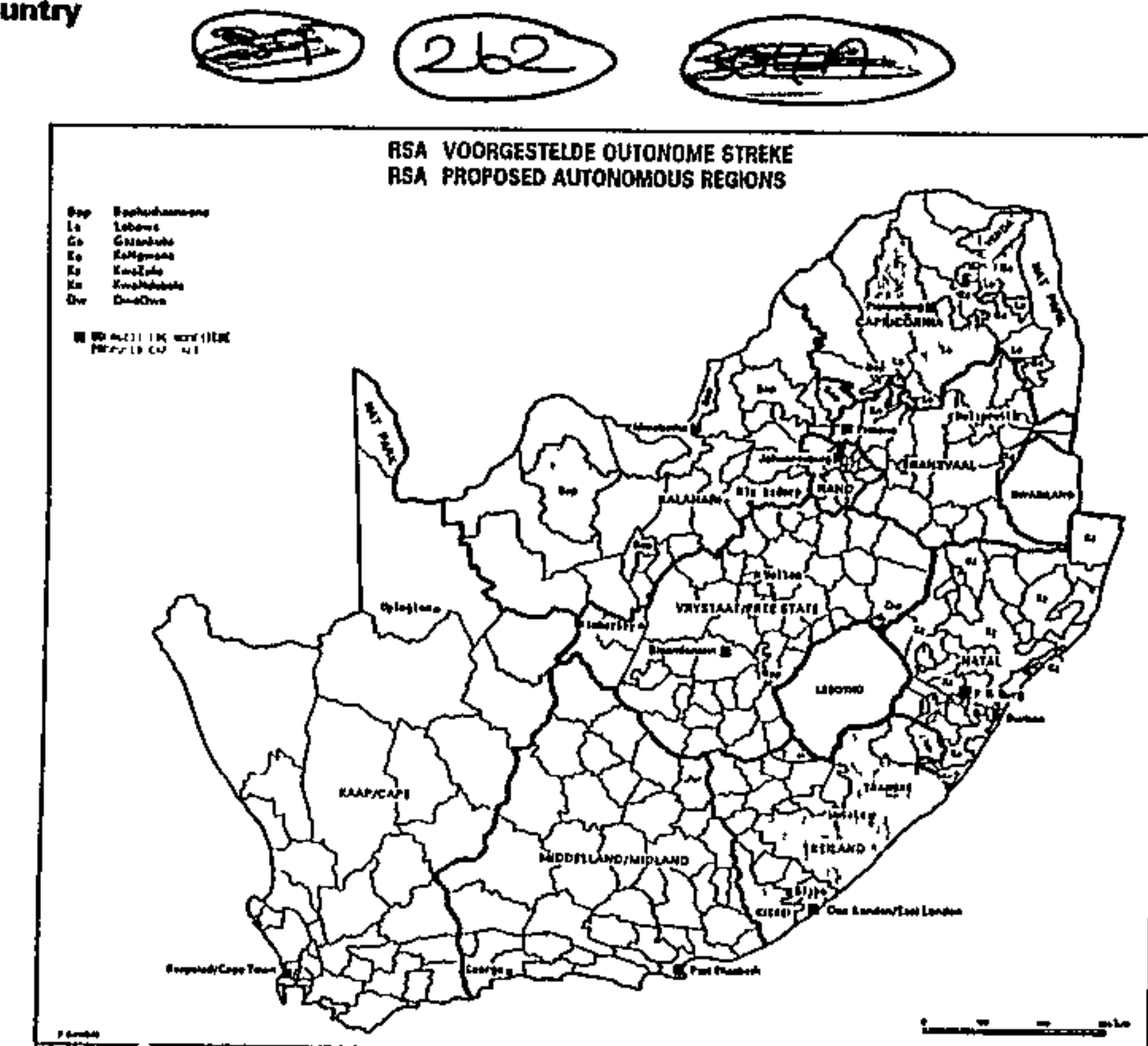
● The national constitution will have to provide for the transfer of funds from one region to another. Not all regions in South Africa will be equally economically prosperous. Some will provide more than their needs, while others will be in desperate need of outside development capital. Without generosity between regions, we can forget about economic growth for our entire country.

● The size and delimitations of regions. The Democratic Party has proposed nine regions for the new South Africa — the Western Cape, Eastern Cape, Keiland, Natal, The Free State, Kalahari, The Witwatersrand, Transvaal and Bushveld.

In our delimitation we endeavour at all costs to avoid sectional political interests and the gerrymandering of the past, and to create regions which will be able to rally around a commonality of interests and be truly autonomous.

● The rules of the game regarding co-ordination of economic development and delivery of social services between regional and central government must be clear. Although many policies will be centrally originated, all of them will be regionally implemented. Houses are built in Mitchells Plan and not in Pretoria, even if they are planned there.

● Finally, the success of regional govern-



NINE PARTS: The DP's proposed regional map for a federal South Africa

ment will depend on whether South Africans can develop a spirit of nation building. South Africa is desperately needed as a generator of economic growth and development for the rest of the continent. For our own survival, we must address this task vigorously and we can only do it as a united nation. But we won't be able to do it if regions spend their energies squabbling among each other.

CROSSTALK debates are presented in association with the Institute for Multi-Party Democracy, a non-partisan organisation not affiliated to any institute or political party. Its mission is to promote multi-party democracy, political tolerance and national reconciliation in South Africa. For more information, telephone (021) 25 1120/54/55. SOUTH readers are encouraged to respond to any of the viewpoints presented on this page.

'Punch drunk'

Star 10/1/93

THE move to dissolve existing city and town councils within three months and replace them with nominated councils has brought ratepayers and action groups to the point of revolt, LOUISE MARS LAND reports.

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MILITANT rhetoric is becoming commonplace at northern suburbs dinner tables, where terms such as "mobilise" and "boycott" are being bandied about in all seriousness.

Ratepayers organisations and action groups are urgently seeking representation on local negotiating forums to avoid being sidelined in the process to transitional town councils.

In some areas, a ratepayers' revolt is being threatened following fears that traditionally white ratepayers' associations are being pushed from pillar to post by Government and political parties on the Local Government Negotiating Forum (LGNF)

The LGNF last week decided that existing city and town councils would be dissolved and replaced with nominated nonracial councils within three months. Municipal elections are then planned for October 1994

Stand up

The speed at which decisions were reached at only the second public sitting of the LGNF has left many ratepayers' and residents' associations "punch drunk", says Sandton Federation of Ratepayers (SANFED) chairman Gail Daus

She said it was ridiculous that structures which were working should be replaced by something else. The surprise LGNF decision had pulled the rug out from under those organisations still involved in negotiating future local government structures

"So-called white ratepayers associations have to stand up and be heard now," she said. "We want to form part of the LGNF as we will be equal to the present civic associations in the new dispensation and we must be allowed to have a say in interim structures"

Daus admitted there was a real danger that input from ratepayers' organisations would be overlooked.

The Johannesburg Metropolitan Action Group (JOMAG) has gone as far as sending a memorandum to 30 major cities and towns across the country to lobby support for ratepayers' groups and their demands

"JOMAG has been begging for an opportunity to address the LGNF. So far we have been cold-shouldered," JOMAG spokesman Conrad Berge said

Berge explained that the worry among ratepayers was that metropolitan government would take over all key functions and local government would end up a little village. "It is

quite clear that the traditional white ratepayer is regarded as irrelevant — this is not a racial point — we have some experience of local government and we know its weakness"

Randburg Action Committee (RAC) spokesman Alicia Steiner agrees "Residents associations are still reeling from the shock — we feel we have no say. This is not democratic, it's a dictatorship. I don't care about colours, there are decisions being taken by certain political parties and party politics has no place in local government"

The Northern Consultative Forum (NCF), to which RAC and 29 other community-based organisations in the northwest belong, has warned of nationwide rates boycotts as a result of the "undemocratic, top-down, unilateral restructuring" of local government.

"The NCF calls for the dismantling of the LGNF as an undemocratic body without mandate from the people to appoint any local government councillors," Steiner said. She added that there are two very important principles ratepayers want written into a future constitution: "We want the local electorate to have the right to referendum on any matter the public deems necessary and the right to recall an elected official if he does not do what he was appointed to do."

The JOMAG memorandum asks who will fight most effectively for the well-being of neighbourhoods — "politicians in a remote metropolitan council who enjoy elevated political power, and are able to debate endlessly on abstractions, or local councillors who must answer for immediate, practical needs?"

Municipal by-elections

Another problem facing ratepayers is that town councillors in some areas are falling like ninespins — resigning before councils are dissolved to concentrate on their businesses or professions. In Johannesburg, there has been a series of municipal by-elections in the last year, and this week in Sandton, councillor Mike Burgess resigned.

Randburg mayor Brian Crail said the disbandment of local councils had to be welcomed because the more representative councils became of their communities the better, but the process had to be managed properly or there would be chaos

"We are going to be faced with a steep hill — in no time at all we have to negotiate representation on the transitional councils. It will be a difficult period both locally and nationally until we go into elections. . . but let's live in the future"

Over councils

From 'tea boy' to ANC head of local government

By KURT SWART

SOUTH Africans, both black and white, will have to dig slightly deeper into their pockets to help finance the reform of local government.

This week from ANC head of local government Thozamile Botha, 45, who is involved in negotiating a new and more democratic system for both rate and rent payers.

Mr Botha, stocky, with a pleasant face and disposition, lives in Rustdal, near Knuts River. But his work in local government negotiating forums keeps him based at a Hillbrow hotel for long periods away from his wife and two chil-

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dren

Born in New Brighton, Port Elizabeth on June 15, 1948, Mr Botha's life story is one of academic study, frequently interrupted in the early days by having to work to help support his family, and in later times by political upheaval.

In the turbulent days of the late '70s and early '80s Mr Botha was drawn inexorably into the forefront of the struggle against apartheid because of his intellect and leadership qualities.

His high schooling was interrupted by the need to work at a timber company as a "tea boy" before resuming his studies.

Frustrated

A stint at Fort Hare university studying for a law degree ended when the Soweto uprising spread to the Eastern Cape and the university was closed indefinitely following class boycotts.

Mr Botha's first experience of local government was in 1978 when he moved to the new Zwede township, characterised by incomplete houses of poor quality and high rents. By then he was working for the Ford motor company as a workshop technician.

"In 1979 we formed the Port Elizabeth Black Civic Association (Pebco) of which murdered activist Matthew Goniwe was a member." Ford management began expressing unhappiness about the number of times one of their workshop technicians was appearing in the local press. "I was asked to choose between Ford and Pebco, so I walked out of the plant."

But so did 700 workers in protest and Botha was taken back by management Emboldened, the Ford workers listed 14 demands including equal pay for equal work, the scrapping of job reservation and other discriminatory practices.

When their demands were not met workers downed tools but refused to leave the plant.

"Ford agreed to restate the workers after the American consul-general intervened, but I was arrested and was the only one not reinstated."

On his release Botha was slapped with a three-year banning order. "I couldn't move from my house and could not meet more than one person at a time. Curtailed from pursuing any activity I decided to leave the country for Lesotho."



Stevens C. Metros



ON THE CUTTING EDGE Thozamile Botha PICTURE CHRISTINE NESSBITT

"Our lives were in danger and we were advised to leave Lesotho. In Lusaka I worked for three years with SA Congress of Trade Unions (Sactu) as their administrative secretary and in 1986 I went to study at the Glasgow College of Education in Scotland where I attained a diploma with distinction in public administration."

Transition

In 1991 he was elected onto the ANC National Executive and appointed head of the ANC Local and Regional Government and Housing department. Last year he was elected to serve on the executive of the SA National Civic Association (Sanco).

"The major challenge facing us is the transition of 40 years of apartheid local government to democratic, non-racial structures. The problems include how to integrate towns and cities that have been physically separated and unify the budgets to make them single cities and towns."

"The second major challenge is to change the attitude of those enjoying the benefits of

Foul weather

From page 1

time in a decade ship- ping in Table Bay Harbour was severely hampered by foul weather and at least five ships were asked to move out to sea to ride out the storm.

At least four people have already been killed as a result of weather-related accidents.

The body of Mr Zennox Vekha was discovered in a canal near the Epping market yesterday morning and the body of Mr J van Wyk, who had apparently drowned, was found close to the N1 near Gugulethu.

The local Regional Services Council (RSC) has warned people to stay out of the Faure area after families were evacuated yesterday

morning from houses waist-deep in water, a RSC spokesman said.

At Maccassar low-lying areas were severely flooded, with some houses knee-deep in water forcing residents to abandon their homes. Police in the area rescued hundreds of cattle and sheep trapped by the rising floodwaters.

The ANC in Mitchells Plain appealed to the public on Friday night to donate blankets, warm clothes and non-perishable foods for the destitute squatters.

Over 1 000 squatters were left homeless at the Maroon Beam site in Milneron, Noordhoek and Crossroads.

In the Boland, the storm was described as the worst since 1984.

for these reforms."

Property rates were bound to go up, and the rates, rents and service charges in the townships would have to go up as well.

"So reform of local government is going to cost both black and white and if we want to maintain the present level of service provision and the quality of life for all South Africans, we will have to pay a little more."

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ABOUT THA

(262) 11/7/93

By SEKOLA SELLO

FOLLOWING this week's release of proposed regional boundaries for a future SA by various political organisations, the issue of federalism has now forced its way into the open

Now ordinary people will have a chance to scrutinise the proposals – not just lawyers and constitutional experts

With the ANC, the National Party and the rightwing Afrikaner Volksunie (AVU) having gone public with their views on what the new SA should look like – including an Afrikaner homeland – regionalism/federalism is likely to dominate political discussions in the run-up to the country's first democratic elections

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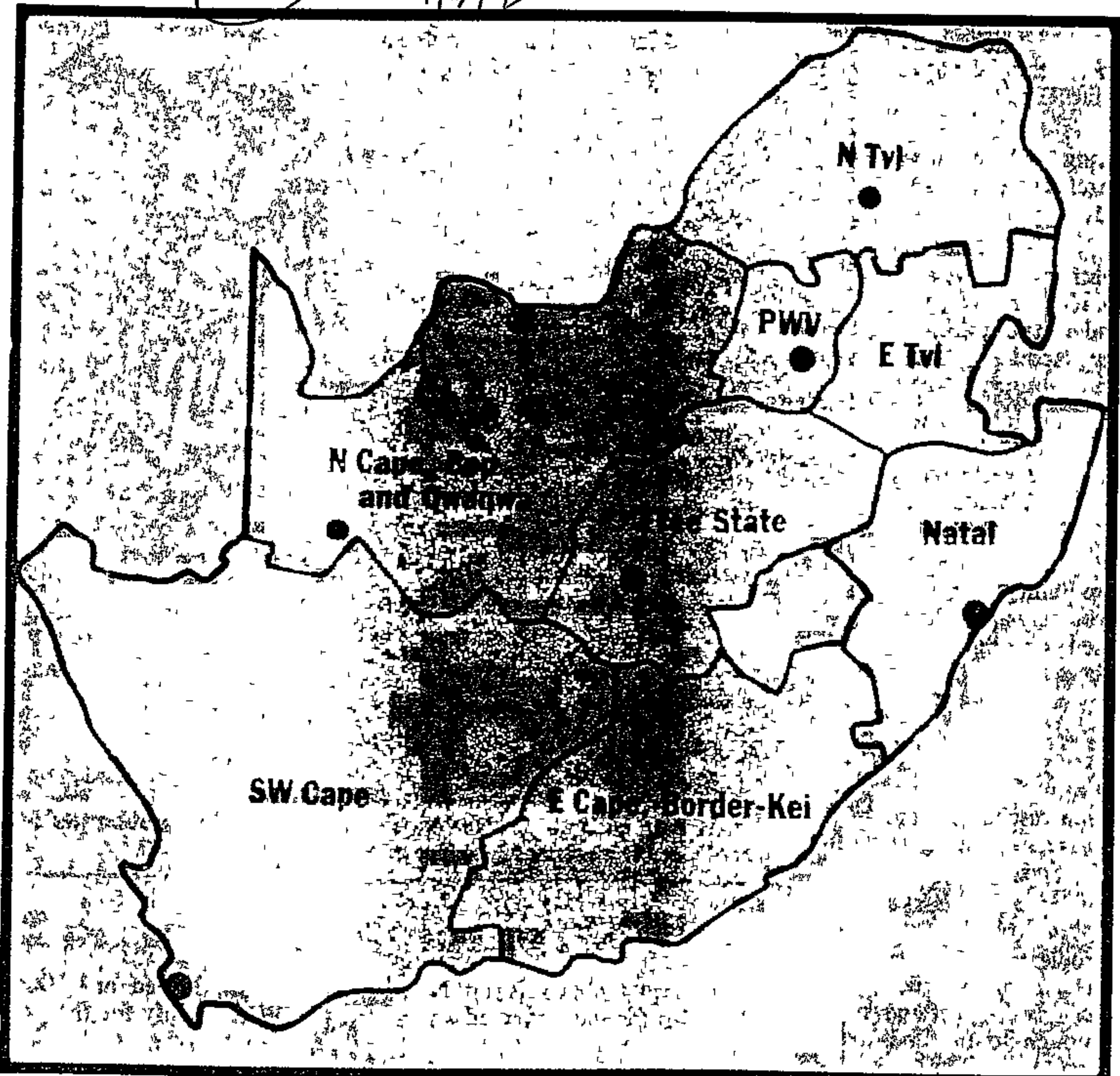
What powers should the regions that will ultimately emerge have? What will be their relation to central government? These are among the sticky questions that will tax the minds of politicians and citizens in the coming months

However, some experts warn about the danger of focusing on constitutional principles only while ignoring socio-economic development, the rights and responsibilities of individuals and the kind of constitution that would best serve citizens and communities

Engineers have also waded into the subject and advised that water catchments, commuter transport, resources and the seat of government are major factors to be considered when boundaries are being drawn up for future regions

According to the South African Association of Consulting Engineers, in terms of water resource development there would be enormous advantages if regional borders were chosen to follow watersheds rather than river courses

As far as other resources such as mineral deposits, natural forests and conservation areas were



concerned, the association said it was important not to divide resources unnecessarily

Such is the sensitive nature of regionalism/federalism that Inkatha, the CP, AVU, Bophuthatswana and Ciskei governments have intimated that they will not take part in future elections unless this issue is resolved before any hustings

Some development experts argue that regionalism/federalism issues could well determine whether the country emerges as a true democratic and non-racial society

It is also argued that the manner in which this issue is addressed will fundamentally affect the country's chances of dealing successfully with what

Ann Bernstein of the Urban Foundation (UF) describes as the "three great national challenges facing the country".

These are:

- Massive socio-economic development;
- Building a democracy; and
- Returning to sustained and inclusive economic growth.

By finally making public their draft proposals on the delimitation of regional boundaries, the ANC, government and AVU have placed before the masses an issue which has been vigorously debated behind closed doors

It is interesting to note that to a large extent the government's two proposed regions and those of the ANC are not dissimilar

Such is the convergence of views between the two that the government has completely moved away from the Verwoerdian dream of defining regions along ethnic/linguistic/cultural lines

Two of the AVU's eight regions are to all practical purposes based on ethnic/linguistic/cultural considerations

The two regions with a strong Afrikaans influence are Afrikanerland, which includes the Pretoria/Verwoerdburg/Akasia metropolitan area as well as the eastern Transvaal

The second is Oranje which comprises most of the present Cape province

According to the AVU, the two regions are respectively the

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areas where the highest density of Afrikaners are to be found and where the most Afrikaans-speaking people resided

Interestingly enough, both regions are dominated by people who are not white

Blacks are in the majority in the Afrikanerland and the Oranje region is dominated by coloured people

The moderate rightwing party stressed that no forced removals would take place from the regions and that the recommendations were based on strong regional government

Although serious efforts were made to steer away from boundaries with echoes of the discredited homeland system or on areas based on ethnic considerations, most regions are still dominated by blacks with the exception of the western Cape where Afrikaans-speaking people are in the majority

But, it seems drawing up these boundaries was comparatively easier than addressing some of the other problems which go hand in hand with regionalism

Difficulties with regionalism arise when trying to strike a balance between the powers given to federal states or regions and those retained by central government

Inkatha's president and KwaZulu chief minister Mangosuthu Buthelezi, a strong advocate of federalism, has in recent months expressed fears about what he calls "the tyranny of central government"

While the ANC is still committed to a unitary state, their thinking has shifted slightly and it appears they would opt for a federal alternative on condition this may not lay the basis of future secession

Balkanisation of the country is their worst fear

Most parties at the Multi-party Negotiating Forum agree on the need for central and regional governments to have original powers but there is serious disagreement on the nature of shared powers, their extent



FEDERAL OPTION ... KwaZulu chief minister Mangosuthu Buthelezi.

and how these powers will be determined.

Inkatha and members of the Concerned South Africans Group want these points cleared up and written into a constitution before elections.

In an interview in the UF's bulletin, *Development and Democracy*, the ANC's director of legal and constitutional affairs, Zola Skweyiya, comes into conflict with Inkatha and Cosag when he accepts the need for constitutional safeguards and constraints for regions but at the same time maintains that residual powers lie with central government

The ANC has a deep mistrust of strong regional government as advocated by Inkatha and its alliance partners because of fears that should these entities have too much power (particularly Buthelezi), regional leaders may be tempted to secede or not to work in the national interest

KwaZulu government chief spokesman at the negotiations, Ben Ngubane, has acknowledged in the UF bulletin that Inkatha's much vaunted model on regional government, the KwaZulu/Natal constitution, is a more confederal than federal document

Although fears of secession

Issue of power

tops the agenda

are real, most analysts argue that whatever the final outcome of the boundaries, the ANC is likely to dominate most of the regions, fears of secession by Inkatha or any rightwing group may be exaggerated because of the economic costs this would entail for those breaking away

It is pointed out that an ANC-led government would control the economic heartland of the country - the Witwatersrand - and also important peripheral and port regions like East London and Port Elizabeth, and could use this economic muscle to bring any rebellious groups to heel

The ANC says the following principles should guide the drawing up of future regions:

- The regions should be economically and socially functional;
- The regions should allow for balanced urban and rural development;
- The regions should be compact;
- The regional boundaries should take into account population size and geographic product,
- The regional boundaries should, wherever possible, take

into account existing boundaries; and

■ Popular acceptance and a sense of rightness should be taken into account

Proposal

The ANC's proposed regions are: western Cape, northern Cape (including the western districts of Bophuthatswana), Free State (including QwaQwa and Thaba Nchu), eastern Cape which is divided into Border, southern Transkei and Border-Kei (including Ciskei, Transkei and east Griqualand), Natal, eastern Transvaal including KaNgwane; northern Transvaal (including Lebowa, Gazankulu and Venda)

The government's proposals are: south western Cape (including Cape Town), north western Cape; eastern Cape, Border-Kei; Free State, western Transvaal, Vryburg and QwaQwa; Natal/Kwazulu, eastern Transvaal/Kangwane, northern Transvaal, Venda, Lebowa and Gazankulu; PWV, portion of Bophuthatswana and Kwandebele; eastern Transvaal and kaNgwane.

Egoli

The other government option is: northern, southern and western Cape; eastern Cape, Border-Kei, Free State, QwaQwa, most of Bophuthatswana, Natal/KwaZulu; northern Transvaal, Venda, Lebowa, Gazankulu; PWV; portion of Bophuthatswana and Kwandebele, eastern Transvaal and kaNgwane.

The AVU's recommended regions are Kaap van Goeie Hoop (Cape of Good Hope) which includes the Cape Town metropolitan area and southern Cape coastal region; the Kei, made up of the Transkei, Ciskei and Border region, Satswa which includes the Free State, western Transvaal and Bophuthatswana, Capricorn, which comprises most of the northern Transvaal, KwaZulu and Egoli, the Witwatersrand and Vaal Triangle region

Regional govt set to swing into action

BIDAY 12/7/93

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TIM COHEN

JOINT regional administration is set to swing into action soon following the establishment of steering committees from provincial authorities and all six self-governing states

Anticipating a new regional dispensation for SA, the five steering committees are due to report soon on what administrative functions can be merged immediately

Government has expressed confidence that the steering committee's reports will identify a large range of functions for joint administration

Land and Regional Affairs Minister André Fourie says joint administration could begin even before the demarcation of regions by the negotiations process has been completed

Lebowa, Gazankulu and the Transvaal Provincial Administration (TPA) are involved in one steering committee, with Venda represented as an observer

A separate steering committee has been established between KwaNdebele and the TPA. Progress appears to be slowest with KaNgwane, where government indicates only that discussions are taking place on

"issues where there are administrative points of contact with the TPA"

The formation of a steering committee between QwaQwa and the Free State provincial authorities has reached an advanced stage, and this group is expected to be the first to table proposals

The KwaZulu government and the Natal Provincial Administration have already asked government to vest the Joint Executive Authority of Natal with the necessary powers and executive authority so that certain functions may be carried out jointly as soon as possible

Although the steering committees are expected to come up with ideas about how administrative efficiency can be improved, the mandate of the bodies explicitly excludes the possibility of the merger of the administrations

Changes to existing political structures and changes to the budgetary processes involved are not on the agenda, and responsibility for the functions merged will

To Page 2

Regional govt From Page 1

BIDAY 12/7/93

remain vested in the existing political structures

However, where possible, functions that will apparently be merged in a future administration will be carried out jointly in terms of agreements achieved by the authorities involved

Financial discipline is apparently high on the agenda, with representatives from the departments of Finance, State Expenditure and the Commission for Administration represented on the steering committees.

The self-governing territories are represented by a minister and a senior official, the provinces by an MEC and a senior official and representatives from the Regional Affairs Department also sit on the steering committees

The committees have been asked to examine duplication in administrative functions, how to deliver services more effectively, the correction of socio-economic backlogs and fiscal controls

Decisions cannot be forced on Inkatha

BID Day 12/11/93

DURBAN — There could be no way forward at the negotiations without agreement by the Inkatha Freedom Party and the KwaZulu government, Inkatha president Mangosuthu Buthelezi told a rally yesterday.

He said government and the ANC would never succeed in "forcing decisions down our throats", and warned that Inkatha would mobilise massive public support to prevent any such attempt.

Buthelezi was addressing about 30 000 Zulus at an Imbizo — a traditional gathering called by the Zulu king — at Kings Park Stadium.

He repeated his charge that the ANC and government were in cahoots at the negotiation forum, saying KwaZulu had walked out last week in rejection of a unitary state and constituent assembly.

But the KwaZulu government was still committed to negotiations, said Buthelezi. "The only way forward is to stake our claim at the national level and to persist in our attempts to secure national support."

The Inkatha leader again claimed government and the ANC were attempting to "destroy" KwaZulu but warned that "Kwa-

Zulu stands as a colossus in the path of those who want to force the unitary state formula on SA"

He reiterated Inkatha and the KwaZulu government's demand for a federal form of state, saying that this was not linked to personal or sectarian power ambitions or "because we are afraid of the political world out there"

Inkatha and the KwaZulu government favoured federalism because it would better address socio-economic problems, such as poverty and hunger

"Heterogeneity in society must be respected. The communist dream of making one united socialist state of SA will never be realised"

Buthelezi was addressing one of two Imbizos called by King Goodwill Zwelithini. Another takes place at Johannesburg's FNB Stadium next weekend

Organisers have stressed the Imbizos are not Inkatha-arranged gatherings but Zulu cultural meetings. This has been strongly contested by the ANC in Natal, which has accused Buthelezi of using King Zwelithini for his own political ends

Probe into local govt ethics almost done

BID Day 12/11/93

ADRIAN HADLAND

PRETORIA — The Krugel commission into local government ethics is to hold a further session before submitting its report to Transvaal Administrator Danie Hough. Commission chairman Willem Krugel said the final session, scheduled for Monday July 19 in Johannesburg, was to allow mainly for the comments and written testimonies of non-governmental organisations and members of the public. The commission's central brief is to in-

vestigate whether it is proper or not for a serving town councillor to be involved in property developments within his own council's area of jurisdiction. It had been alleged that a conflict of interests could make councillors vulnerable to corruption.

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Probe into local govt ethics almost done

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ADRIAN HADLAND

Churches' task force to help returned exiles

JONATHAN DAVIS

THE SA Council of Churches (SACC) is to create a special task force to address the plight of returning exiles, abandoned after the collapse of the National Co-ordination Committee for the Repatriation of SA Exiles (NCCR) in April.

The SACC national conference in Midrand decided on Friday to mandate a national task force, to be convened under the council's justice and social ministries department, to draw together "all stakeholders" to solve the crisis faced by returned exiles.

The NCCR was dissolved on April 1 after several cases of fraud were uncovered within the organisation's administration.

SACC general secretary Frank Chikane said the task force would consist of clergy who, with other interested groups, would develop a programme of assistance for returned exiles.

These groups would include the UN High Commission for Refugees (UNHCR), which had been co-operating with the NCCR to assist in the repatriation of refugees. The UNHCR and the SACC had undertaken emergency operations to assist returnees since April.

Chikane said the task force would continue with many of the emergency operations, including the running of reception centres for returned exiles, and the provision of a legal protection programme.

He said the task force would also continue to make the SACC's national network of fieldworkers available to the UNHCR to help trace returnees who had not received their grants.

UNHCR representatives were not available for comment at the weekend.

The conference heard that many returned exiles around the country were unemployed and living in poverty. Some were in reception centres without any form of assistance. Delegates were concerned they might be lured into crime, or into committing acts of violence on behalf of political parties.

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FM 16/7/93 (262) (SOPA)

ous historical boundaries and infrastructure, the need to rationalise structures and to limit costs and inconvenience, consideration of language and cultural realities and so on. But do they go far enough? (SOPA)

Perhaps a potent criticism is that the commission, appointed by the multiparty negotiating process, will have had a mere two months to complete this important task. In New Zealand a similar commission spent years defining boundaries, based often on local referendums. There is concern about public hearings regarding regional boundaries; the reintegration of artificially divided metropolitan areas, the protection of the efficiency of cities and towns; rural-urban and regional inequalities, reintegration of racially divided rural areas; consultation; and awareness of inter-regional jealousies.

The Urban Foundation's Ann Bernstein, a member of the commission, recently listed such telling guidelines, in the form of do's and don'ts. Bernstein correspondingly warns against things like using regional boundaries to bolster selective political constituencies, entrenching old apartheid geographic and political divisions and creating large bureaucracies remote from local communities and individuals.

The regional debate, she says, is really about three core issues.

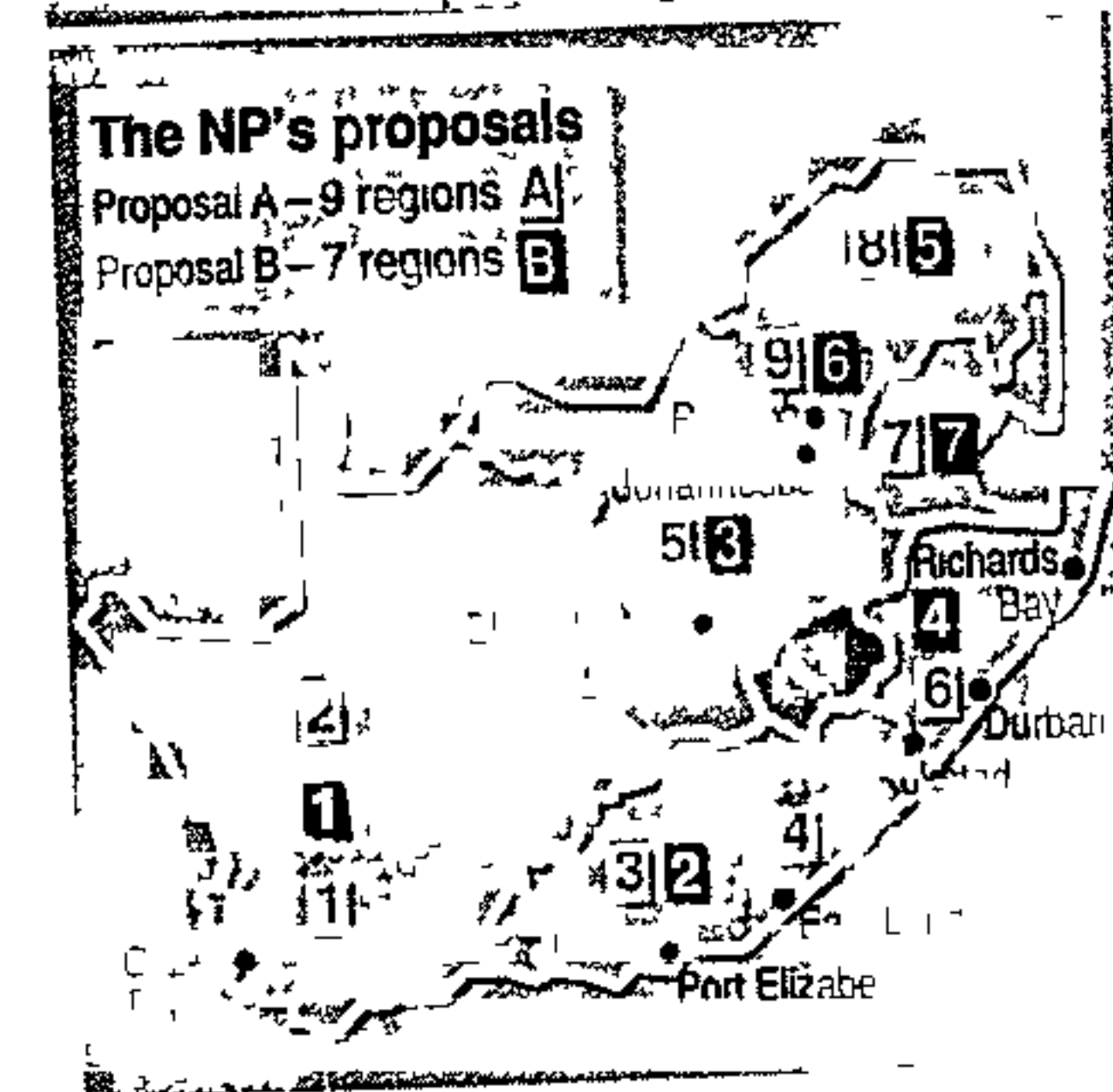
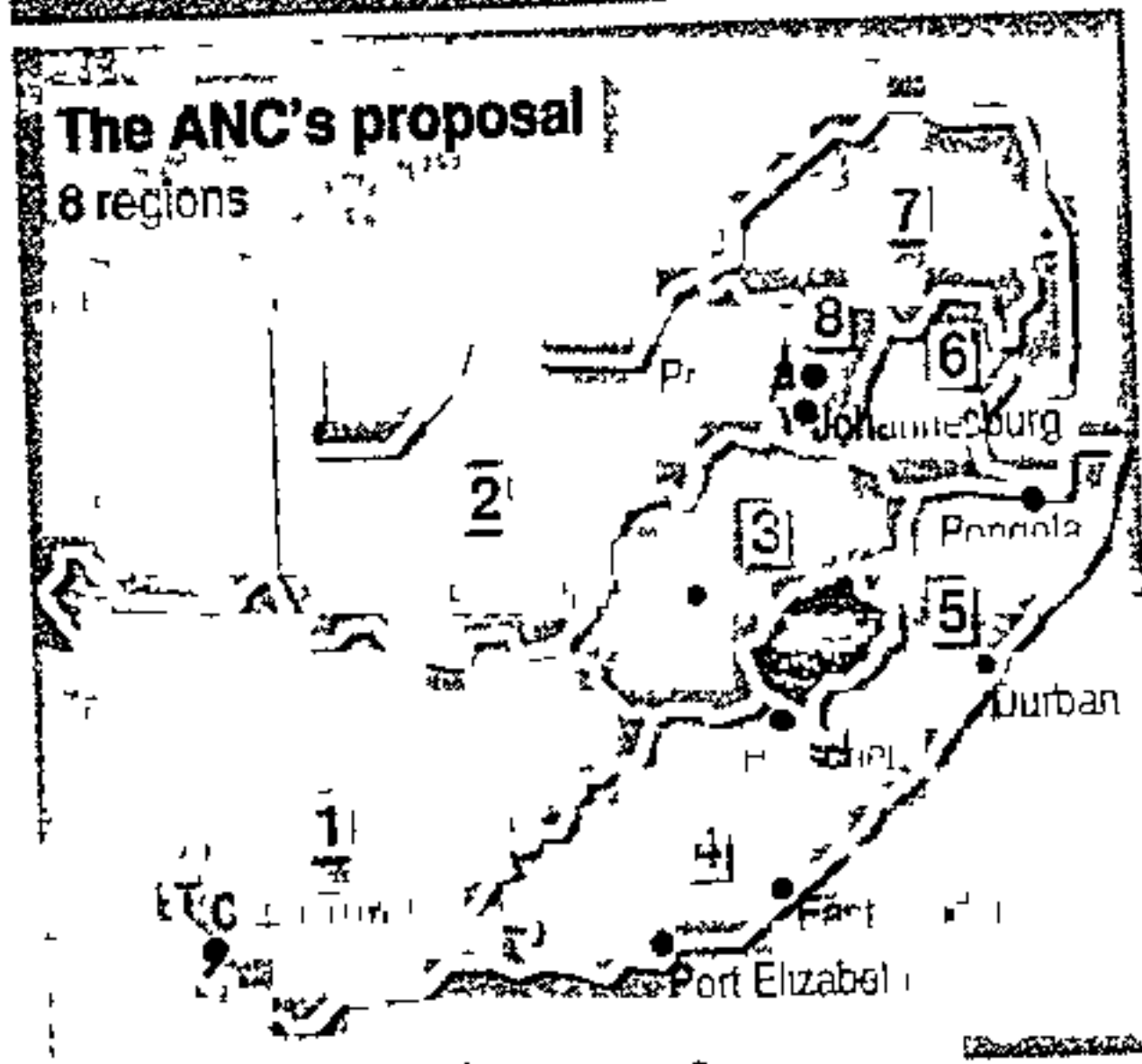
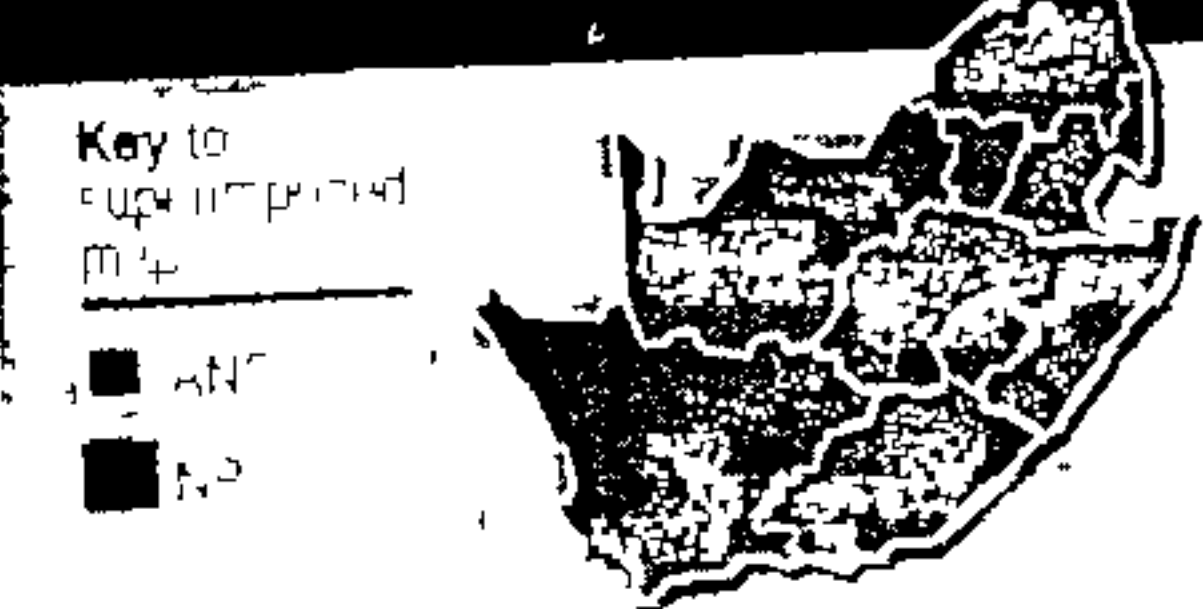
- How to reincorporate the homelands into one nation;
- How to accommodate the fears of minority groups, and
- How to accommodate the largest party's concerns about the dilution of its power to govern from the centre

A look at the boundary maps proposed by the main parties, which appear tribally based and are scarcely backed by explanation, seems to bear out Bernstein's jibe about the regional debate having been "confined to the political parties and their constitutional advisers who are mainly drawn from the legal profession."

Thus it is not known why the NP makes two proposals — for seven and nine regions. The sceptical view, says an ANC man, is that it's an attempt to delay matters by creating confusion or that the nine-region proposal amounts to short-term and short-sighted gerrymandering with an eye on the election. It splits the ANC's eastern Cape stronghold and creates an additional western Cape region which the NP has a good chance of winning.

Reacting to criticism that its proposals seem tribal in outline, an ANC spokesman says it's impossible to avoid the tribal lines designed by 40 years of apartheid. The important thing was that the boundaries shouldn't give rise to ethnic mobilisation.

Semi-federal carve-up Regional border proposals



While the organisation saw the need for boundaries for the election, it believes allowance should be made for minor adjustments afterwards, based on referendums in local districts in contention.

Such areas could include Herschel and Kokstad/Mt Ayliffe in eastern Griqualand, which could be torn between the proposed Natal and eastern Cape regions.

The National Regional Development Advisory Council, in its submission, identifies 12 such "problem areas," which it urges the commission to look at closely. Among them Pongola, Pondoland, Odi-Moretele, the Kruger National Park, Delmas, Sasolburg and Oberholzer — and the eastern Cape (development region) as a whole, "which is very complex."

Spokesman Chris van Schalkwyk says the advisory council's seven-region proposal, which is close to the NP's, has been tested to some extent, as the council is made up of regional associations comprising public- and private-sector representatives. An educated

REGIONS — 1 Journey with many maps

The criteria in terms of which the commission on regions must recommend boundaries seem to some experts to amount to motherhood and apple pie. They include the obvi-

(262) (SOPA)

guess as to why there are two NP proposals is suggested by Van Schalkwyk. The seven-region plan is a question of affordability, while the nine-region one is "perhaps to try to accommodate regions which have built up their own identity."

The commission's report is expected on July 26

Fm 16/7/93

(262)

But the move is being interpreted as a first step to reincorporating into SA the self-governing states and, down the line, the independent homelands

As Unisa political scientist Dirk Kotze points out, it is also a logical extension of the decision to abolish the distinction between "own affairs" and "general affairs" at national level. Kotze says that though the nominally independent homelands are not involved yet, this is the first practical step towards regional consolidation and broaching the sensitive subject of reincorporation.

"There are few doubts that these states will become part of SA again — under whatever structures are agreed on at Kempton Park," says Kotze. "Part of the rationale behind not abolishing existing structures now relates to the desire of homelands to hang on to powers which could help them in regional negotiations. Amalgamation with the provinces now would be seen as diluting their influence." Because of this, Kotze believes mergers are only likely to be on the cards once finality has been achieved on deciding regional structures and boundaries.

The advantage of this softly-softly approach is that it begins the process of change now as an interim measure, rather than waiting until the completion of negotiations, when changes would be traumatic.

Tackling issues on which easy agreement is possible boosts confidence for approaching problems later such as the surrender of power and autonomy. The self-governing states currently have greater autonomy than the provincial administrations. Homelands, accustomed to being lavished with money from central government, will have to get used to living more frugally on regional budget allocations.

REGIONS — 2 Fm 16/7/93
Cutting the cloth

Provincial administrations and the self-governing states are inching closer to unification — though amalgamations, for now at least, are not planned.

According to Regional and Land Affairs Minister Andre Fourie, steering committees are due to report back shortly with recommendations. They were established to explore the practical implications of joint administration.

The primary objectives are to

- Eliminate administrative duplication,
- Improve the efficiency of services,
- Eliminate socio-economic backlogs,
- Integrate administration,
- Improve accountability; and
- Identify community needs

Among the committees which have been established are a multilateral body incorporating the Transvaal Provincial Administration (TPA), Gazankulu and Lebowa, with observer status accorded to Venda; a bilateral committee involving the TPA and KwaNdebele, and a long-standing bilateral committee between QwaQwa and the Free State Provincial Administration.

Fourie adds that the TPA and KaNgwane have also discussed a joint steering committee, while Natal and KwaZulu established their Joint Executive Authority (JEA) in the aftermath of the KwaZulu/Natal Indaba in the Eighties. They are now seeking some executive powers for the JEA. Fourie stresses that in terms of the guidelines given to the steering committees, the existing political, administrative and budgetary structures will remain intact for now.

NEWS IN BRIEF

Flying school order

A PROVISIONAL liquidation order was granted in the Pretoria Supreme Court against the Wonderboom Flying School yesterday, one of the few in the country to train commercial pilots

In his application for liquidation, school head Johannes Olivier said his company had been rendered hopelessly insolvent

AWB general in court

AWB general Johann "Hagar" Thompson was among five AWB members who appeared in the Johannesburg Magistrate's Court yesterday on charges of public violence related to the right-wing occupation of the World Trade Centre on June 25

Thompson, 41, Chris Welgemoed, 50, Abraham Fourie, 42, Christiaan Potgieter, 33, and Frans Gericke, 38, were not asked to plead and the case was postponed until August 18

Thompson, Welgemoed, Fourie and Potgieter were released on bail and Gericke on warning

Reporter faces charges

BEELD reporter Andries Cornelissen appeared in the Johannesburg Magistrate's Court yesterday in connection with his refusal to give the police a statement concerning ANC Youth League president Peter Mokaba's slogan, "kill the boer, kill the farmer"

Cornelissen, who could face up to five years in jail, told the court he wanted to protect Beeld, his career as political reporter and journalists generally

REPORTS Business Day Reporters Sapa

Call to ANC to take firmer stand on land

WASHINGTON — The ANC appeared too ready to compromise with government over the question of entrenching property rights in a new constitution, Legal Resources Centre director-designate Geoff Budlender said in Washington yesterday

Speaking at the Carnegie Endowment for International Peace, he suggested the movement take a firmer stand on the need for a reparations "levy" to help resettle black South Africans driven from their land under apartheid

Such a levy would be an "equitable" quid pro quo for constitutional guarantees against expropriation without fair compensation, he said

Without it, he suggested that property either not be mentioned in the constitution at all or that provision be made for the courts to determine compensation taking factors beyond market value into account

Government's draft Bill of Rights, which would bar a future government from taking private land without paying market value for it and block expropriation through tax-

SIMON BARBER

ation, was a recipe for undermining the constitution and could end up threatening all property rights

Budlender, who has been involved closely in the Ivory Park squatter case and restoring the Bathlelong tribe to its ancestral land, worried that the ANC was not pressing the land reform issue hard enough

He attributed this to the movement's urban bias and to the deals it has felt obliged to cut with certain homeland leaders

Citing a recent World Bank report, he said a massive land reform programme would have to be completed within two years if there were not to be violent seizures of land and civil unrest

Although much land could be made available quickly if government refused to extend further credit to heavily indebted white farmers, government had already begun to thwart that option by forgiving Land Bank debts "under the guise of drought relief", Budlender said

Talks on Soweto tariffs deadlocked

THE Soweto crisis committee deadlocked yesterday over tariffs and the replacement of local authorities by appointed interim structures

Metropolitan Chamber CEO Vic Milne said the committee would meet again early next month

Soweto has been subject to a large-scale rent and services boycott for the past decade

To break the deadlock, a basic ser-

GAVIN DU VENAGE

vice tariff of between R55 and R23 per household is being proposed

Chamber chairman Van Zyl Slabbert said yesterday that R55 was the minimum tariff level needed if Soweto was to receive an 82% subsidy, as included in the latest proposals

The committee also failed to agree on appointed interim structures

Negotiations 'must involve' the community

LOCAL government negotiations will be left to national politicians "at our peril", Central Witwatersrand Metropolitan Chamber chairman Frederick van Zyl Slabbert said in Randburg yesterday

Slabbert said that local negotiations had to be conducted by community organisations. The pace would be set by the multi-party talks, but could not be an exclusively national process

It was not possible to arrive at a national political settlement without reaching accord in local politics

GAVIN DU VENAGE

Slabbert said that without local solutions, "all national plans will come to nought"

The metropolitan chamber served as a forum for diverse interests and allowed problems to be thrashed out so that a common solution could be found

The chamber faced "enormous problems", particularly over the question of rent boycotts, but was still far ahead of any other such bodies elsewhere in the country

However, it was also necessary for local government leaders to communicate with their constituents. People had to be kept informed about changes taking place if their co-operation was to be guaranteed, he said

Without community acceptance, the proposed interim appointed structures could face a legitimacy crisis

At the same time, it was important that people recognised the inevitability of change. He said questions about a mandate for change should not dissuade politicians from moving forward

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CROSSTALK

The Pan Africanist Congress joins in the debate on regionalism and puts forward its case on demarcating and delimiting regions.

Regions are the legacy of colonialism

South 17/93 -21/7/93-

By Batambu Lugalwana

WHILE we seek to understand other perspectives which may be different from ours, we do not hold the position that all perspectives are equally defensible. We believe the perspective which a group brings to advocate depends on its history and material conditions as well as the position of the group within the power structures of the present system.

For us the perspective on the demarcation or delimitation of regions which is defensible and justifiable is the one that will enable the dispossessed African majority to enjoy security, material prosperity, satisfaction of the basic needs of human existence, spiritual well being, political efficacy. In short, it must enable the mass of men and women in this country to develop their potentialities and consequently themselves as full and autonomous human beings also to enable them to develop not as means to other ends but as ends in themselves.

In our country this perspective must be viewed against a background in which Africans experience denial of their human and democratic rights. They are also victims of discriminatory practices with regard to economic and social justice. They suffered and still suffer lack of equal employment opportunities, investment credit, property rights, access to better social services and amenities reserved for whites.

It is also our view that socio-cultural criteria should not be applied because of the fact that these criteria were employed with a view to oppress our people in the past. Furthermore our people's common identification of the colonial society as the general obstacle to social and economic progress made it possible for all social classes to unite in a common struggle against colonialism. In our country this fight was inspired by the fight against racism and oppression.

We support the view that historical criteria should be disregarded insofar as they are associated with the colonial past of our country and reflect colonial and apartheid borders of oppression.

South Africa is the last major territory of the African continent to remain under colonial rule. South Africa is a colonial settler state, even though its status in international law is one of sovereignty. It is the colonial form of state which reduces the African majority, with all the violence and viciousness of the apartheid system, to the status of powerlessness and unites them for a common destiny.

We therefore wish to argue that some who advocate for the above criteria i.e. socio-cultural and historical, are attempting to find the last refuge for a white minority that fears the



Batambu Lugalwana

advent of genuine democracy

Perspectives on federalism, secessionism and regionalism are indicative of the crisis the ruling class finds itself. Old methods can no longer work. Not even the most extreme racists insist on ruling the entire country. Indeed the white verkrampies now lay claim to some smaller portion of the country in which they hope to rule themselves.

The PAC, noting that there is a trend towards greater demands by our people for the state services on an ever-increasing scale, believes that the unitary form of government is the only way out. The advantage of this form of government is the possibility of uniform application of laws and policies that will reverse the present inequalities and see to a fair distribution of land and resources that accompany it.

Also this system provides a relatively simple organisation and there is little or no duplication of personnel and services as is the case

under the present apartheid system during a crucial period of economic crisis. Local government can be permitted a large degree of local autonomy and central government interference be limited.

The only legitimate criteria that may be employed are economic and administrative criteria. As far as possible regions must be economically functional and viable and must promote economic growth, reconstruction and development. There must be fewer regions or provinces, between four or six if possible but that is the issue for the constituent assembly to decide. Lastly the PAC cannot accept any balkanisation of our country and insists that Azania remains undivided under a unitary state. Below central government powers should not infringe upon the powers of the central government to implement programmes of economic reconstruction and redistribution.

Batambu Lugalwana is PAC regional secretary in the Western Cape.

CROSSTALK

The Azanian Peoples Organisation joins in the debate on regionalism. Azapo's publicity secretary, **JIMMY YEKISO**, argues that those proposing regional demarcation are attempting to impose the discredited bantustan system in a new form.

Regionalism means more bantustans

South 247 - 287193

THE struggle of the broad liberation movement has all along been to topple the racist regime that has brutalised black people for centuries. The object striven for by the liberation movement has all along been the creation of a unitary state where all its people, regardless of race, colour or religion, will enjoy common citizenship and define the future system of government through a democratically elected constituent assembly.

With regard to the constituent assembly, Azapo's view is that the constituent assembly should come into being if and only if there has been more than one liberation movement involved in the destruction of the ruling class.

The constituent assembly is a forum where new-found power is transferred to the true representatives of the people.

This new-found power presupposes the collapse of the ruling class be it peacefully or through struggle.

A constituent assembly is the only body which would enjoy a legitimate function of shaping the form of the state of a future Azania and how it would be governed.

The ruling class — which is still strong and clinging to power — and its apologists are playing around with the idea of dividing our country into mini-states, one of which is supposed to be the so-called Boerestaat.

It is a process of embarking on yet another Balkanisation of our country into regions along subtle ethnic, linguistic and cultural lines, with a view to producing some form of Bantustans.

It is interesting to note how this proposed division of our country into regions along subtle ethnic lines manifests itself in, for example, the proposals by one of the liberation movements involved in talks at Kempton Park.

It is proposed that the Western Cape which is predominantly Afrikaans-speaking be demarcated into a region of its own, the Northern Cape (including western districts of Bophuthatswana) which is predominantly Tswana speaking, into yet another fully-fledged region, while the Eastern Cape which is proposed to be divided into Border, Southern Transkei and Border-Ka is predominantly Xhosa-speaking.

This process of demarcation along racial lines also manifests itself in the proposals of the right-wing Afrikaner Volksunie for two regions with a strong Afrikaans influence, namely the "Afrikaner land" which is proposed to include Pretoria/Verwoerdburg/Akasia metropolitan areas as well as the Eastern Transvaal.

It is quite clear from the examples cited in the preceding paragraphs, that ethnic, cultural and linguistic considerations, rather than economic cohesiveness, are the deciding factors in the proposed regional demarcation. This is implicit in the attitude of one of the liberation movements involved in talks at Kempton Park wanting to accede to a racist demand by one of the groups for a Boerestaat.

Some other groups are opting for a federation or confederation of states of Azania. Gatscha Buthelezi of the KwaZulu Bantustan is a case in point and so to a considerable extent is the Bophuthatswana government.

The whole idea is to Balkanise our country in such a way that the discredited Bantustans are turned into respectable concepts and whites are given their own state.

No group has a state in Azania, least of all the whites. The proposed regional demarcation of our country is an attempt to achieve that objective.

However, if the attempt succeeds, the racist whites will avoid being ruled by the majority of the people and the resulting weak state will not be able to serve the interest of black people. Azapo will have no truck with any racist concept or with measures that are intended to deny black people freedom and their liberation.

It is also interesting to note that whilst some of the parties involved in talks at Kempton Park acknowledge the constituent assembly as the democratic institution to frame the constitution of the country and how it should be governed, they seek through agreements on the regional demarcation of our country, to compromise the constituent assembly merely reducing it to a rubber stamp institution.

Azapo asserts that Azania is one country with one people. It will strive by all means necessary to establish an anti-racist society in Azania where political rights are guaranteed to individuals, regardless of race, religion, colour or sex. Of course, all will be free to speak, write and develop their languages without hindrance. However, racist or religious bigotry will be fought relentlessly.

Azapo is not opposed to the demarcation of our country in order to facilitate economic cohesiveness and viability. But once any form of demarcation goes hand in hand with political autonomy, then Azapo has a problem. The proposed regional demarcation along ethnic and racial lines, as indicated in this article, smacks of this.



JIMMY YEKISO

Divisions don't have to be on ethnic lines

South 247 - 287193

By Jeff McCarthy

THE regional diversity of South Africa is now recognised to be such that few now argue for either a political or developmental framework based exclusively upon centralised control.

Indeed, regionalism has now become the political buzzword within almost all South African political parties (but with the notable exception of the Pan Africanist Congress).

What is striking about present political shifts on the regional level is just how rapid the shifts have been, and quite how closely aligned the different parties' visions have become.

This rapidly derived consensus, in turn, appears to have been linked to the perceived political need to urgently reincorporate the homelands into South Africa.

The nine development regions have also played an important role in shaping political debate about the boundaries of a future regional tier of government for the country.

One of the primary problem areas associated with recent regional political debates in South Africa has been the conflation of regional issues with development issues, and issues of ethnicity.

The association between race, region and inequality is, however, by no means self-evident from a geographic point of view. The ethnic complexity of South Africa has now been so thoroughly scrambled by the urbanisation process that it is hard to find an empirical link between ethnicity, race and regional income inequality.

In terms of estimated political allegiances, there are only three regions which could potentially fall outside ANC control on the basis of either the NP or ANC regional breakdowns. These are the Western Cape, the Northern Cape and Natal.

Carefully constructed regional economic growth strategies, on the part of possibly more conservative regional regimes in Natal and the Western Cape in particular, could provide important forms of economic competition.

It is most likely that high levels of devolution and original powers for the regions could threaten ANC political and economic dominance, and its associated programmes of nation-building. Yet it also seems probable that devolution would lead to enhanced regional competition.

No party that strongly subscribes to a nation-building or a nationalist vision can easily contemplate regional federalism or strong regional devolution of powers and responsibilities within the national domain. Unless, of course, it is likely to lose the political centre.

The NP's recent conversion to regionalism comes, ironically but predictably, in the twilight years of its national political abilities and ambitions, and during a period when it now seeks to constrain the central powers of its main competitor the ANC.

That the ANC should be wary of regional/federalism and high levels of regional devolution under such circumstances is understandable.

The ANC's resistance becomes even more understandable in the context of an historical legacy of grand apartheid, and the consequent perception that strong regional government can be coincidental with ethnic balkanisation, and political coalition-building strategy based upon maximising ethnic divisions.

However, given the extent to which regional economic inequalities and urbanisation processes have recently become disentangled from race and ethnicity, it seems unlikely that such problems could recur.

That would be particularly so if regional boundaries are drawn in deliberate ignorance of those created during the apartheid era.

Inter-regional or, more likely central-regional money transfers will be necessary to offset regional economic inequalities however the boundaries may be drawn.

Moreover, and importantly, it will be necessary to decide how significant macro-regional divisions really are to the construction of the regional tier in comparison with pressing issues of the construction of metropolitan government and rural equivalents.

The latter are the more salient scales at which developmental and regional institutions should operate in the future.

For this to occur, however, the debate on the regional tier will have to move out of its current phase of linkages with political coalition building, and servicing of constituencies. It must move into a new phase informed by the practical developmental challenges of urban and rural reconstruction.

Jeff McCarthy is professor and head of geography at the University of Natal. He is the author of numerous research articles and books on urban and regional development in South Africa.

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South 247-2817/93

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Sowetan
Strong regions

26/7/93

STRONG regional governments with original powers to ensure the decentralisation of power is one of the agreements being finalised at multiparty talks, State President FW de Klerk said on Saturday

Addressing the Vaalrivier Regiment at Vereeniging, where he presented their unit colours, De Klerk gave the assurance that the Government would not allow unrest to spill over into anarchy.

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Journal
of
the
South
African
Press

Cape towns don't want to be in OFS

South 317-418/93

By Claire Keeton

rus

COMMUNITY organisations in north-east Cape towns have rejected reports that residents would like to be part of the Orange Free State when the country's borders are redrawn.

They claimed communities were not informed about the recommendations submitted to the demarcation commission in Port Elizabeth. (262)

The Drakensberg Regional Services Council (DRSC), which consists of 36 local authorities, earlier this month submitted a proposal for eight Cape towns to be included in the Orange Free State (OFS). (262)

DRSC chief executive officer Mr Earl Loxton said the council had consulted with white, coloured and black residents.

But the Border region of the South African National Civic Organisation (Sanco), under which many of the civics fall, said residents from the towns had complained that they were not consulted. (262)

Sanco publicity secretary, Mr Sakumzi Scatsha said the civics and ANC completely opposed the current recommendations.

Burgersdorp ANC chairperson Mr Toto Wonga said he did not know of the proposal to be part of the OFS.

"They should have consulted organisations on the ground before they took a decision."

In Aliwal North, the ANC publicity secretary Mr Sam Smith interpreted the leaning towards the OFS as an attempt "to force an Afrikaner regime on the region".

Sanco will hold a meeting on July 31 so that people from these areas could present their positions and his organisations could take decisions — ELNEWS.



July 31 to August 4 1993

Negotiators squabble on regional powers

South 317-418193

By Christelle Terreblanche

NEGOTIATING partners at the World Trade Centre are still squabbling about regional powers and functions, despite widespread and cautious acceptance of proposals for the interim constitution-making process, the draft bill of rights and the draft agreement on a transitional executive authority.

The Conservative Party, Inkatha and the KwaZulu government walked out in protest against the lack of provision for federalism in the draft constitution. Other parties have also indicated they would ask for more regional powers, to be entrenched in an interim constitution to be tabled in about two months during the short session of parliament.

National Party, the Democratic Party, Ciskei and Bophuthatswana. Yet, as it stands, the draft constitution makes provision for a long list of wide powers and functions that could be claimed by a "state/province/region". These are dubbed SPR's in the document drawn up by the seven member technical committee on constitutional issues.

Each SPR government (the number and boundaries of SPR's are still to be decided) will send 10 members to the senate which, along with a national assembly of 400 members, will make up the constitution-making body. That means each region or SPR would have 10 members directly participating in the drafting of South Africa's constitution in the two years after the election. Members of each SPR, for instance in the Cape region, will be elected on the basis of proportional representation at the same time as the election for the national assembly.

The SPR's executive of 10 members will be elected by the entire SPR. This executive will elect a premier for the region, while the Senate will elect a president. The national executive or cabinet will consult with SPR's and a commission on SPR government, consisting of 10 members, will be appointed by the State President to decide the executive and legislative powers of each SPR. It is this lack of finality on powers that has led to most dissatisfaction among the political parties. The combined constitution-making body will then approve these regional powers. Powers and functions the SPR's could choose from include: ● Taxation within the region to raise taxes for its own purposes, ● Local policing and law enforcement,

- Housings;
- Education;
- Health and welfare services;
- Environmental affairs;
- Roads,
- Transport, and
- Language policy.

But laws passed by the SPR governments may not be in conflict with those passed by parliament. A two-thirds majority will be needed by the SPR government to pass a constitution of its own. The national constitution will be adopted by the constitution-making body — also by a two-thirds majority. One third of members may petition the president of the senate to refer a constitutional proposal to the constitutional court, while two thirds will be necessary to appoint an independent panel of five constitutional experts to advise on problems.

Decisions taken by the constitutional court cannot be overturned by a court of law. Some of the checks and balances in the interim constitution provide for legislation affecting the powers and functions of a particular SPR government to be approved by a majority of senators of that SPR. If not passed by them, a referendum would be held.

Building co-operation

S Times 11/8/93

CHARLES SIMKINS says attempts by some to rush the restructuring of local government will land everyone in a mess

(262)

THE precipitate resolution of the Local Government Negotiating Forum (LGNF) on June 30 raises important new questions about the relationship between civil society and the state at the local level.

Should it be implemented, democracy in local authority areas with functioning councils will be suspended until at least November 1994. During this period, substantial restructuring may take place, including the establishment of metropolitan authorities and changes in local government boundaries.

Local authorities will be run by administrators or councils nominated in equal measure by statutory and non-statutory parties.

But several important questions about this process remain unanswered.

The first is about sequencing and time frames, especially when it comes to rationalising local authorities.

The LGNF approach seems more or less workable in a relatively short time for smaller places, but not cities. There will be difficulties in associating townships with municipalities, and even if there weren't, unification could result in undesirably large and unwieldy local authorities.

If there is to be a metropolitan authority in the Central Witwatersrand, for instance, a case could be made for the division of the Johannesburg-Soweto area into several local authorities.

Issues

The priority in metropolitan areas is to get them demarcated and the authorities established, to decide on their powers and functions, to provide them with revenue sources and capacity, and to place them under democratic rule.

These authorities should have two main functions — to attend to metropolitan-wide matters and develop and implement strategies to upgrade poorly serviced residential areas, and to service new industrial and commercial areas.

The second issue is appropriate representation of the non-statutory sector. Civic associations and their federations are involved at the LGNF and in numerous local negotiations. But ratepayers' associations and other non-governmental organisations are not.

Furthermore, the internal functioning of ratepayers' associations will be disrupted by the suspension of democratic representation in the municipalities.

Ratepayers' associations depend on co-operation with councillors for information on the work of their local authority. Councillors have

an incentive to work with ratepayers' associations, given their desire to be re-elected.

This responsiveness will be weakened if nominated councillors take office and no efforts are made to ensure they are answerable to ratepayers' associations. What is needed is a strengthening of communication at a time of rapid change.

The third issue is the relationship between the LGNF and the Multi-party Negotiating Forum (MPNF). The new local government dispensation has to fit into the wider constitutional framework. Everyone acknowledges this, yet it is open to question how much co-operation with the MPNF underpinned the LGNF's June resolution.

Time and care will have to be taken to get the processes to mesh.

If the search for legitimacy

is important, then it will be necessary for elected regional authorities to confirm metropolitan demarcations, adjudicating disputes if necessary.

Some actors may be thinking that they can push through rapid restructuring without having to cope with the pressures associated with democratic reform. This would be a misjudgment. A much more likely outcome of a hasty process will be a mess, which will be in no one's interest. The problems of urban governance and development cannot be sorted out at once.

Solid institutional development, based on a wide-ranging consensus, is the immediate task. It is essential for the extension of the capacity of municipalities to deliver services to all parts of our urban areas.

Stakeholders in the form of urban governance face the challenge of participating in, and improving, the process of change. To this end, they need to organise appropriately, make connections, keep abreast of developments and intervene in the debate where necessary.

Organisational development and the building of relationships will increase the capacity of civil society to see to it that state functions are carried out. One part of this development should be contact between ratepayers' and civic associations to explore possible co-operation.

While their interests are not identical, they are in the same business.

□ Charles Simkins is the Helen Suzman Professor of Political Economy at Wits University.

Star 3/8/93
(5079) (262)

Regions spark controversy

By Chris Whitfield
Political Correspondent

Today's Negotiating Council debate on proposed regional boundaries is shaping up to be lively, with several aspects likely to be controversial.

Prominent among these is the inclusion of Johannesburg and Pretoria in the PWV region.

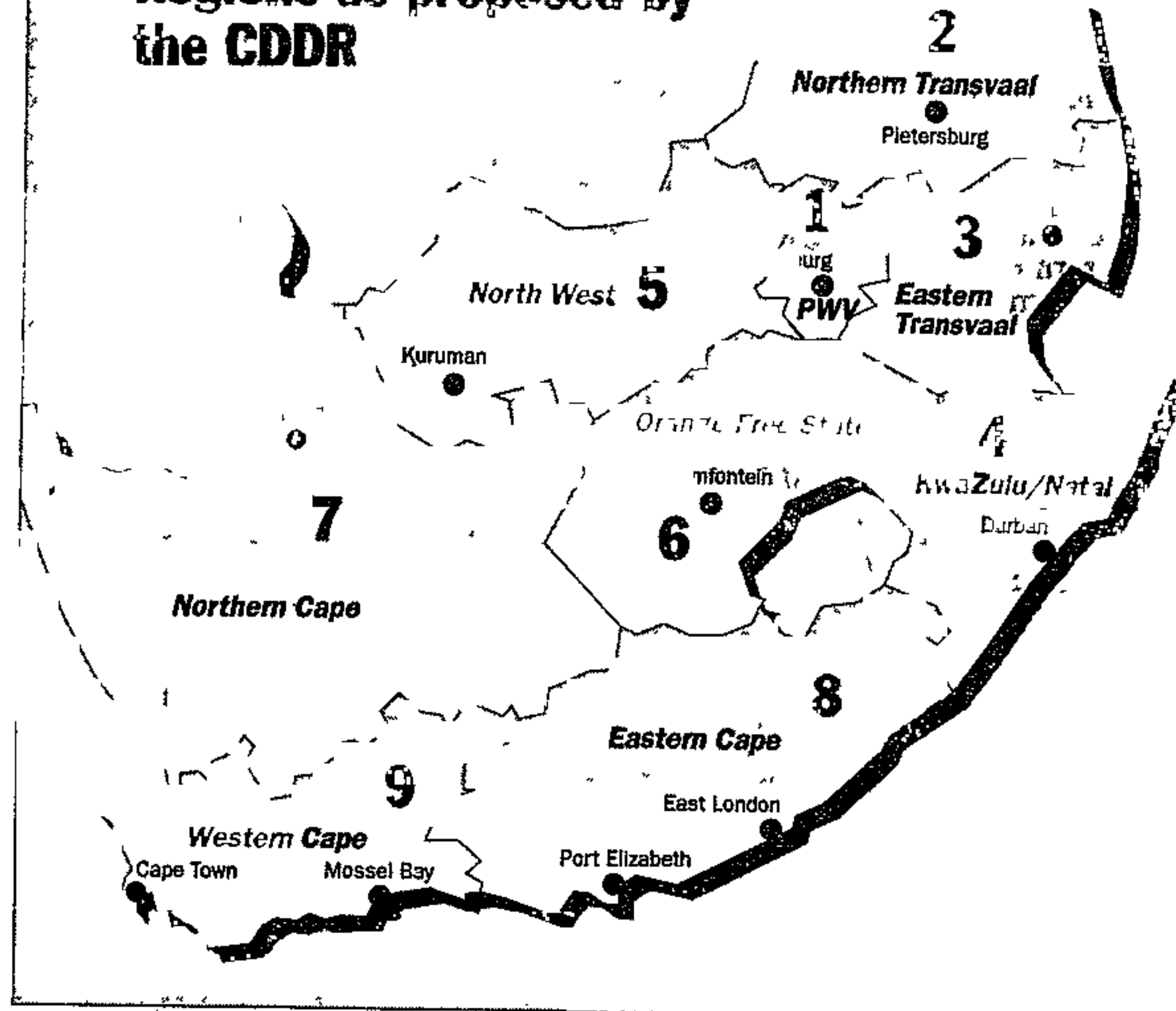
Last night the Government welcomed the report by the Commission on the Demarcation/Delimitation of Regions (CDDR) as making it possible to accommodate reasonable demands across the broad spectrum of political expectations.

But two minority reports from commissioners pointed to controversial areas no clearly defined "volkstaat" and the process followed for arriving at the proposed nine regions. And the Democratic Party named three aspects which needed "fine-tuning".

DP negotiations co-ordinator Ken Andrew said in a statement that

● The Eastern Cape should be a separate region from the Ciskei-Bor-

Regions as proposed by the CDDR



der-Transkei area. This has also been backed by the ANC in the Eastern Cape.

● The border between the Western Cape and Northern Cape "needs to be reviewed" with some of the Northern Cape region included in the Western Cape

● Johannesburg and Pretoria should not be included in one region. In terms of the proposal the PWV region would embrace both these two cities and Sasolburg.

Another contentious proposal is the inclusion of East Griqualand — including the towns of Ma-

tatielle, Kokstad and Cedarville — into the Eastern Cape.

Residents in the East Griqualand area have called for their region to be included in Natal. About a million potential voters live in East Griqualand.

Plan to divide country into nine regions

Star 3/8/93
262
By Kaizer Nyatumba
Political Correspondent

The delimitation commission on regions has recommended that South Africa be divided into nine regions, according to a report tabled before the Negotiating Council at the World Trade Centre yesterday.

The commission, jointly chaired by academics Dr Bax Nomvete and Professor Flip Smit, said it had used as a point of departure the nine development regions in the country in order to develop a framework for analysis.

The commission — whose recommendations make no provision for an Afrikaner volkstaat as demanded by right-wing parties — took its decisions by a majority vote.

Two commissioners, Koos Reyneke and Ann Bernstein, have refused to sign the report.

The nine regions proposed by the commission are

- Northern Transvaal (one dissension), including the three homelands of Gazankulu, Lebowa and Venda
- The Pretoria-Witwatersrand-Vereeniging area (two dissensions). The commission said that since this was the most economically developed region, it could play a crucial role in generating economic growth for the country and in providing assistance and support to less developed regions
- The Eastern Transvaal (one

dissension), including KaNgwane

- KwaZulu-Natal (no dissension).
- The Free State (one dissension).
- The North-West (one dissension) including the western Transvaal and Bophuthatswana
- The Northern Cape — decision taken by a majority of eight to seven votes — with Kimberley, Upington, Gordonia, Prieska and De Aar as the main functional nodal points.
- The Western Cape (decision also taken by a majority of eight to seven votes)
- The Eastern Cape/Kei (one dissension), including Transkei and Ciskei

Presenting the report to the Negotiating Council, Nomvete said the commission regarded its report as "a facilitating document"

Smit said the commission — which had received 308 written submissions and 84 oral ones — had "succeeded in separating hard facts and reality from emotion".

The commission said it had received proposals "for some form of volkstaat". However, the parties favouring such a volkstaat did not even agree among themselves.

Members of the commission were Nomvete, Smit, Reyneke, Bernstein, Professor D A Basson, P G Daphne, A S du Plessis, NN Gwagwa, D Govinden, Dr B M Malefo, Professor Y Muthien, Professor Wiseman Nkuhlu, Professor I Rautenbach and Professor A F Steyn

Two panel members reject proposal

Nine-region

B/Doy 3/8/93

draft map for

SA unveiled

(262)

A DRAFT map dividing SA into nine regions was presented to negotiators at multiparty talks yesterday.

In an apparent compromise between government and ANC proposals, the recommendations of the demarcation commission roughly approach the Development Bank of SA's developmental regions. It also includes a new region — the North West which takes in bits of the northern Cape and the western Transvaal.

However, the report was immediately clouded in controversy as two commission members issued minority reports. The Urban Foundation's Ann Bernstein strongly objected to the recommendations, saying the map was being imposed on SA without sufficient consultation and information.

The other minority report was produced by Koos Reyneke who said the possibility of a future volksstaat for Afrikaners had been precluded.

The commission issued a rebuttal to Bernstein, and the negotiating council also issued a statement containing veiled criticism of her report.

It is understood that Bernstein was asked to leave the commission's room when it discussed the rebuttal.

In drafting the regions, the commission attempted to resolve the fight for the Kruger National Park by splitting the park in two, dividing it between the northern and eastern Transvaal. It said the park was a single entity and had been divided into two regions for electoral purposes only.

It adopted the ANC's proposal regarding the eastern Cape, incorporating Ciskei, Transkei and Border. The DP disagrees with this and has called for a regional referendum.

BILLY PADDOCK

The northern Transvaal incorporates Lebowa and Venda, the eastern Transvaal takes in KalNgwane, while Pretoria forms part of the PWV which also takes in Kwa-Ndebele. The western Cape stretches along the West Coast from the boundary between Clanwilliam and Piketberg and incorporates Knysna on the east coast.

The eastern Cape stretches from Humansdorp along the coast nearly to Port St Johns and takes in Graaff Reinet, Middelburg, Venterstad and Lady Grey. KwaZulu/Natal remains much as it is, running from Port St Johns north to the Mozambique border. The Free State also retains much of its current borders, although Sasolburg falls into the PWV.

The commission took 304 written and 80 oral submissions into account while drafting its recommendations. But it was concerned about the "inadequacy of local community involvement".

It observed that a large number of submissions used the nine development regions as a point of departure, and it had used these regions as "an analytical tool to identify pertinent areas of consensus and dispute in the submissions".

The commission said time limits had prevented it investigating local disputes about the positions of farms and certain titles and this might need further work.

It noted the importance of "soft boundaries" and said that before being finalised, these boundaries should be submitted for discussion and agreement between local areas. It was also important that boundaries did not affect the free flow of individuals, traffic, goods, capital and services.

after the attack

argument was having

Map

B/Doy 3/8/93

From Page 1

It received proposals for a volksstaat and "applied the criteria in a balanced way" in evaluating the proposals.

It analysed regional boundaries on the basis of institutional and administrative capacity, economic and infrastructural considerations, sociocultural issues, and geographic considerations.

The commission believed its demarcation had adequately met these criteria.

In its rebuttal of Bernstein, the commission said her opinions were already catered for in the report and the content of her minority report "is also not in all respects factually correct". It was also dismayed that she cast doubt on the process.

It distanced itself from accusations that the process was undemocratic and lacked proper consultation, that it attempted to

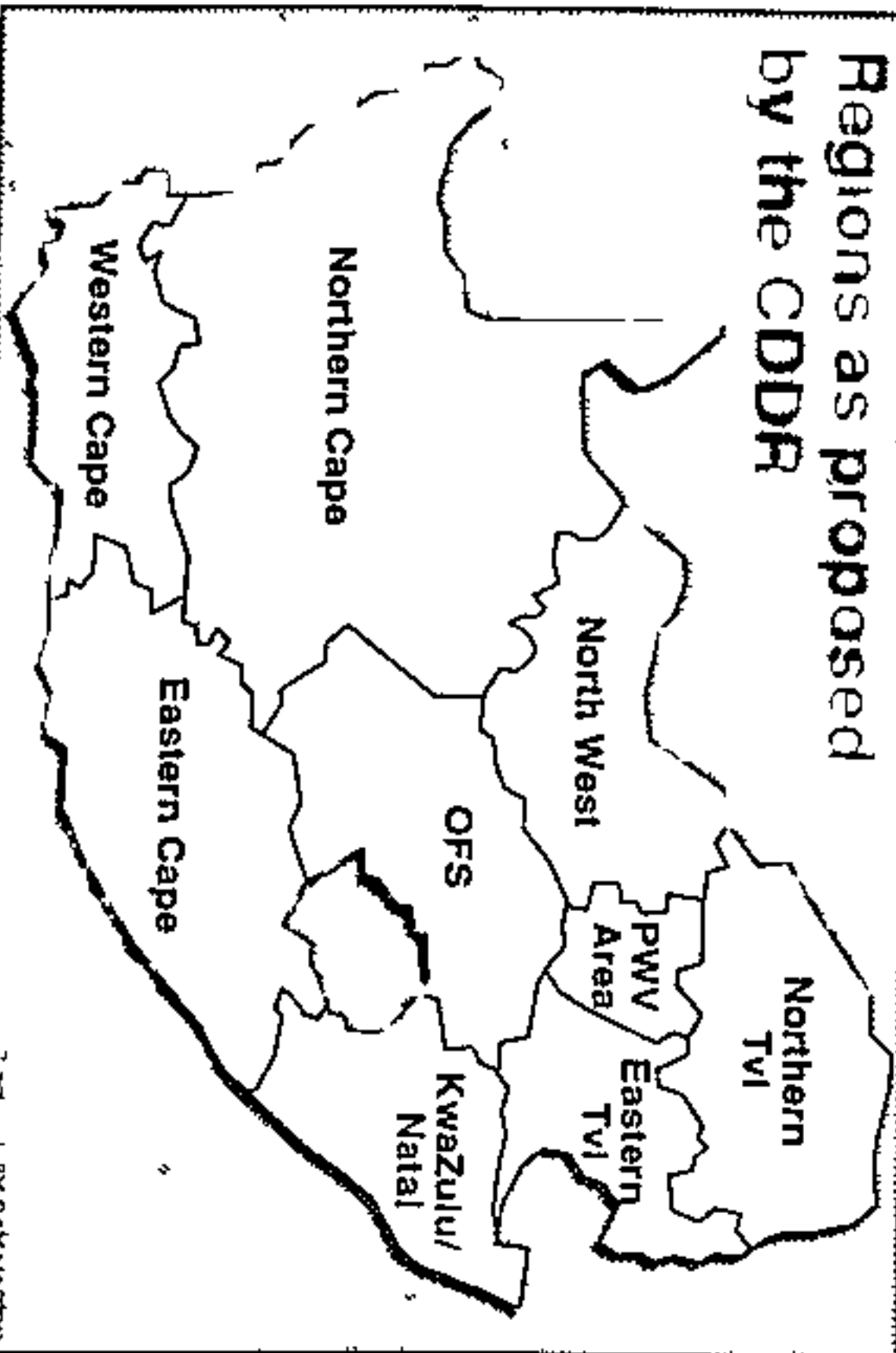
impose an undemocratic map on the country that it was a hastily conceived map representing a compromise between the different views of its members and that this was inappropriate for an expert commission, and that decisions were taken on insufficient information.

Sapa reports the NP and DP welcomed the report. NP and government representatives Dawie de Villiers and Rolf Meyer said the report made it "possible to accommodate reasonable demands across the broad spectrum of political expectations".

The DP's Ken Andrew said the report provided a useful point of departure for further discussion, particularly on the eastern Cape, the border between the western and northern Cape and the location of Johannesburg and Pretoria in the same region.

● See Page 8

Regions as proposed by the CDDF



To Page 2

Local authorities in privatisation move

B/Day 31/8/93

PRETORIA — Almost half of SA's local authorities had begun to privatise activities ranging from water purification to fire services, local government privatisation unit chairman Riaan Pienaar said yesterday

Answers to a questionnaire distributed to the 750 local authorities indicated that 316 had begun to contract out activities and functions usually undertaken by town councils

(262)
These activities included bus services, open-space maintenance, collection of arrears, legal services, road building, waste collection and town planning

About eight local authorities were considering the privatisation of their town's fire brigade after the Benoni Town Council's successful move earlier this year saved the council an estimated R12m

But SA Municipal Workers' Union spokesman Martin Sere said the union was opposed to the privatisation of municipal services. Retrenchments often occurred after privatisation and councils had no right to sell off public property, he said

Pienaar said that in more than 90% of

ADRIAN HADLAND

local authority privatisation actions, services were contracted out rather than sold

"The local authorities still retain responsibility for carrying out the service"

In most cases, companies that had taken over services also took on former municipal staff, leading to few job losses, he said

"What is important is that local authorities involve the trade unions from an early stage so they know what's going on and can look after the workers' interests"

A clear policy on retrenchment benefits should be adopted before privatisation was begun, he said

Representatives from 26 central Transvaal local authorities attended a privatisation unit workshop in Pretoria at the weekend, Pienaar said

The workshops would be carried out in seven regions this year with follow-up courses in privatisation next year. Limiting public sector involvement in the economy and boosting the private sector were central objectives of the strategy

Demarcation demands more debate

(262)

"Wrongly or hastily planned regions could well be a recipe for disastrous and violent dissipation along ethnic, racial or party political lines. By contrast, there are many positive developments that could flow from intelligently constructed regions: the deepening and extension of democracy, the integration of regional sentiments into national politics, and the amelioration of regional economic imbalances" — Prof Gavin Maasdorp, May 1993

THE negotiating council gave the regional demarcation commission specific guidelines on the criteria to be considered in the demarcation process. They can be grouped into four categories: consideration of economic issues, geographic coherence, sociocultural issues, and institutional and administrative capacity.

They are sensible criteria. They form an important input to how one should think about regions. However, while they are necessary criteria, they are not sufficient.

Drawing a regional map will need to be based on considerations which go beyond those contained in the criteria outlined by the negotiating council. For example, it requires a view on the desirability and functionality of large versus small regions, and a view on the likely consequences for ethnic or race relations of creating certain regions rather than others.

Despite the short time in which public submissions could be made to the commission, it received more than 300 written submissions and heard more than 80 oral presentations. This unexpectedly large public response formed an enormous body of information and arguments for the commission to analyse in the short period after receiving the submissions and before finalising its report.

An analysis of submissions to the commission showed strong emotions on boundaries, great diversity of opinion, significant gaps in who gave evidence, the complexity of the decisions involved, and the need felt by a large number of interests for further consultation before boundaries were finalised.

The submissions have identified the critical issues that need to be presented to the public and openly discussed and debated before a regional map for the country is finalised. In essence there are three big issues.

First, are larger or smaller regions more conducive to economic growth and development delivery, more likely to accommodate SA's political diversity and promote racial reconciliation, more likely to result in effective, efficient, slim and accountable regional government, and more beneficial to the disadvantaged, the poor and those who have had the least in the past? Is it better for the poor in urban and rural SA to be part of large and diverse regions or smaller, more focused regions?

Urban Foundation executive director ANN BERNSTEIN contributed a controversial minority report on the demarcation commission's findings tabled yesterday. This is a summary of the report.

Second, what is the best approach to the PWV — the country's most dominant region? What is best for the different components of the PWV and what is the best arrangement for inter-regional relationships and future equity?

Third, how does a democratic society handle regional demarcation and balance the need to hear everyone with the need for speedy decisions, reconcile the different positions that clearly exist on regional boundaries, reconcile local interests and national interests, and deal with the problem that most local black communities did not give evidence to the commission?

Logically, there are two kinds of response to these complex substantive and procedural issues.

The first holds that "national politics is paramount", and the only issue that matters in SA in 1993 is how to broker a national political settlement as quickly as possible. Adopting this view implies that the only views that should be given serious consideration are those of the main political parties.

Therefore, the way to draw the regional map is to find a reconciliation of the maps of the different parties. In this model, the map of the country's new regions becomes a vehicle for pushing the political deal along and trying to bring as many national political interests into the process as possible. This can be done very quickly and in many respects the commission's

proposed map does just this.

The second view holds that political, economic and development considerations are equally important. This view is based on the assumption that SA faces a triple crisis — the political challenge, economic growth and development challenge. Although this makes the transition to democracy more difficult in the short term, it is nonetheless the reality we face. Ignoring the socioeconomic issues will make democracy impossible in the medium term.

Therefore, tempting as it is to worry only about national politics in demarcating the regions, this approach argues that demarcation needs to be thought about in terms of SA's political needs and its socioeconomic development needs. This approach will take longer and require more in-depth debate and work.

Being well aware of the time constraints within which the politicians are battling to forge "the new SA", I do not wish to be misunderstood. I am not advocating a counsel of perfection on regional demarcation. But we require a more cautious, more humble, more democratic and consultative approach.

Considering all this, the negotiating council needs to see the work of the commission as the start of the process of demarcation and not the end. It should therefore now identify the areas of greatest controversy and most importance to the political and economic future of the country. These are:

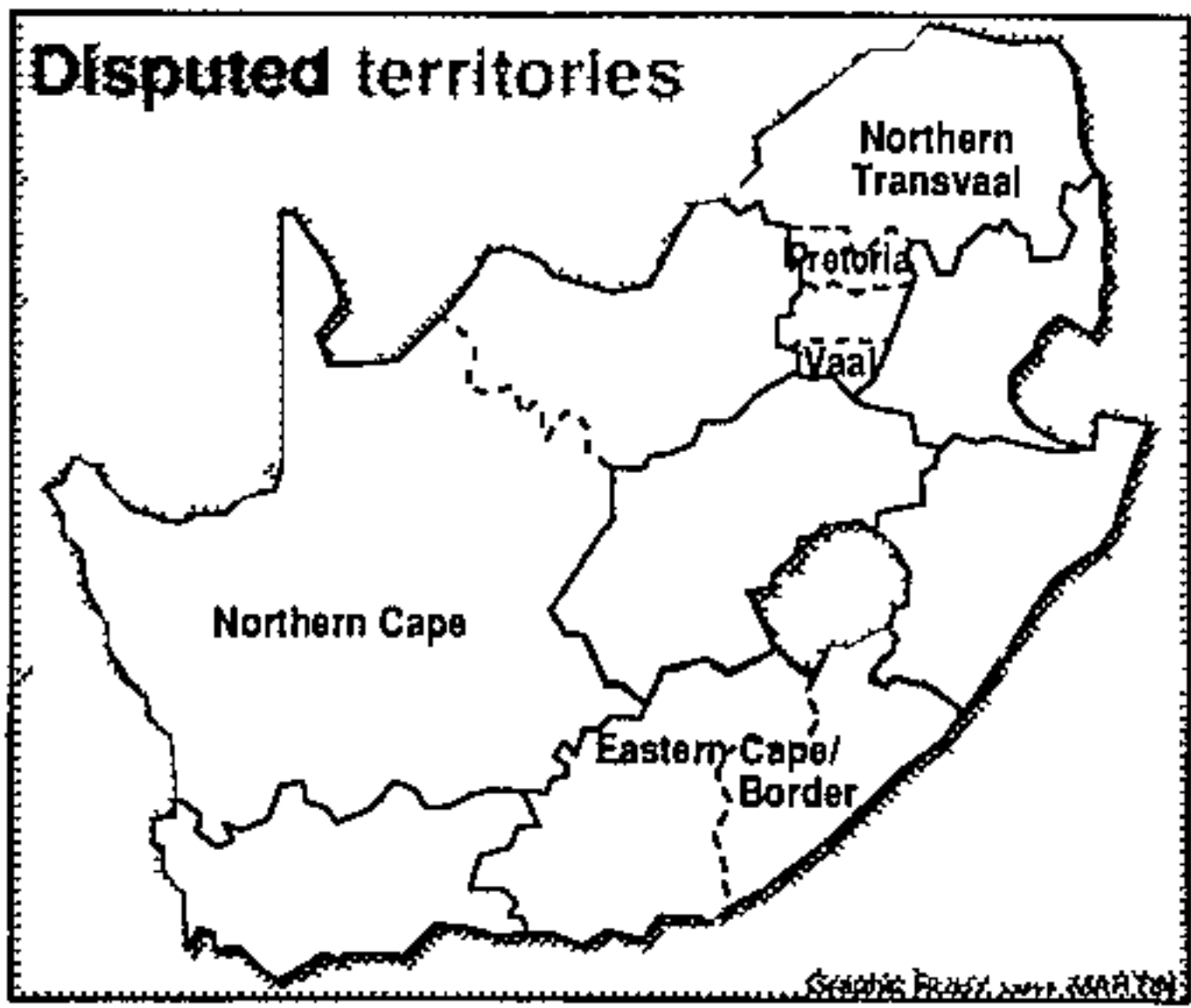
- Whether Pretoria and the Vaal Triangle should be part of a PWV region, separate or parts of other regions,
- Whether the eastern Cape and Border areas should be one region or two,
- Should the northern Cape be a separate region? What effect will this have on the poor? and
- The northern Transvaal — what do the blacks of this region believe would be best for them?

On the available evidence to the commission, it is extremely difficult to argue a definitive case on each of these.

Public hearings in these areas should be arranged by a delegation from the negotiating council or the commission so that debate about their future can be better developed and heard more widely. Such hearings can be organised at short notice.

The negotiating council also first needs to clarify relevant constitutional issues like the powers and functions of regions, the role and powers of metropolitan areas and the nature of fiscal transfers to regions before a map can be finalised.

Such steps could result in a regional demarcation that not only has a better chance of dealing with the country's political, social and economic challenges, but will also enjoy greater public acceptance.



Map in just six weeks 'unrealistic'

By Kaizer Nyatumba
Political Correspondent

The delimitation commission on regions did not consider the electoral implications of regional boundaries, according to fellow-commissioner Ann Bernstein of the Urban Foundation

The commission's report was tabled in the Negotiating Council on Monday

Bernstein refused to sign the report

In one of two minority reports tabled with the main report, Bernstein explained how

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she differed from the other commissioners in interpreting the brief by the Negotiating Council

She urged negotiators "not to impose an undemocratic map on the country" (262)

She was aware of the time constraints to forge a new South Africa, and was merely arguing for a "more humble, more democratic and consultative approach" (264)

The other commissioners had interpreted their responsibility as producing "a hastily conceived, single map"

To try to produce a regional map within six weeks given to the commission was "unrealistic and dangerous"

The issues on which Bernstein said she was not clear included

● What would be best for the Border/Kei area and the country if the eastern Cape were made one region

● Whether or not Pretoria should be separated from the Witwatersrand

● The implications for the mainly coloured northern Cape of having that area forming a separate region

Regions blueprint stirs controversy

Star 4/8/93

By Kaizer Nyatumba
Political Correspondent

The blueprint for South Africa's new regional dispensation — tabled in the Negotiating Council on Monday — has fuelled controversy in certain quarters, with some parties expressing unhappiness about the demarcation of certain regions (262)

Yesterday, President de Klerk indicated that the National Party had certain reservations on some proposals, and felt the public — and not just political parties — should be given an opportunity to make inputs to the delimitation commission (304)

Its problem areas included the breaking up of a region it had proposed which would have embraced the Free State, the western Transvaal and a part of Bophuthatswana

It felt the proposed Eastern Cape region should be divided into two regions — a smaller eastern Cape region and the

Kei/Border region

"In both cases we strongly prefer our own proposals," he told a press conference

The President added that he did not envisage referendums being held, but the public should have an opportunity to make recommendations

Several parties have taken issue with the recommendations of the delimitation commission

Key among these is the Democratic Party, which called for the separation of the eastern Cape from the Ciskei-Border-Transkei area

The DP also called for a review of the borders between the western and northern Cape as well as the separation of Pretoria from Johannesburg

DP southern Transvaal leader Peter Soal said the party would protest vigorously against the proposal to include Johannesburg and Pretoria in the same PWV region

Leading the charge against the incorporation of the eastern Cape into a single region with Ciskei and Transkei were DP director Bobby Stevenson and DP Albany MP Errol Moor-

croft. They said the decision smacked of a trade-off between the NP and the ANC and flew in the face of "old historical boundaries"

Also in dispute is the boundary between KwaZulu-Natal and the new Eastern Cape region, about which the Inkatha Freedom Party and the NP are unhappy. Members of the two parties have vowed to fight tooth and nail against the inclusion of east Griqualand — including towns like Matatiele, Kokstad and Cedarville — in the proposed Eastern Cape region

The harshest criticism against this recommendation has come from former NP Natal MEC Peter Miller — now an IFP member — who accused the commission of being "totally bereft of any sense whatsoever" and of being "in (Transkei military ruler General) Bantu Holomisa's pocket"

The Afrikaner Vryheidstigting and Afrikaner Volksunie have welcomed the isolation of the northern Cape as a separate region which could serve as the basis for negotiations for an Afrikaner state



Pattern of Politics
By HERMANN
GILOME

THE proposal that post-apartheid South Africa should comprise nine regions signals as much a return to history as a different future. Although the commission based its recommendations mainly on technocratic criteria, the heavy hand of our history is all too visible in the demarcation.

Our future will be shaped more by this burden of history than the smart constitutional tricks contemplated by the negotiating parties. One of the most provocative contributions to the post-Cold War intellectual debate was Francis Fukuyama's 1989 essay *The End of History* and the follow-up book *The End of History and the Last Man* (Free Press, 1992).

Fukuyama boldly proclaimed that history has ended. Since the demise of fascism and communism, there is no ideology with universal pretensions that could even remotely challenge the ascendancy of liberal democracy resting as it does on democratisation and economic liberalisation.

Another state

In South Africa, too, there is a pervasive sense among both whites and blacks that history has finally ended. The chapter of white rule is irrevocably closed and the land is becoming African in the full sense of the word.

Liberal optimists still cling to the vision of political democratisation and economic liberalisation, pessimists (they would call themselves realists) see us becoming just another African state, bogged down in stagnation and corruption with very little new history happening.

But Fukuyama's thesis, as applied both to the world at large and South Africa, may be incorrect. Ideological rivalry has ended and, even in South Africa, leaders will continue to pay at least lip service to liberal democracy as the only respectable ideolo-

**Federal system the best
antidote to secession**

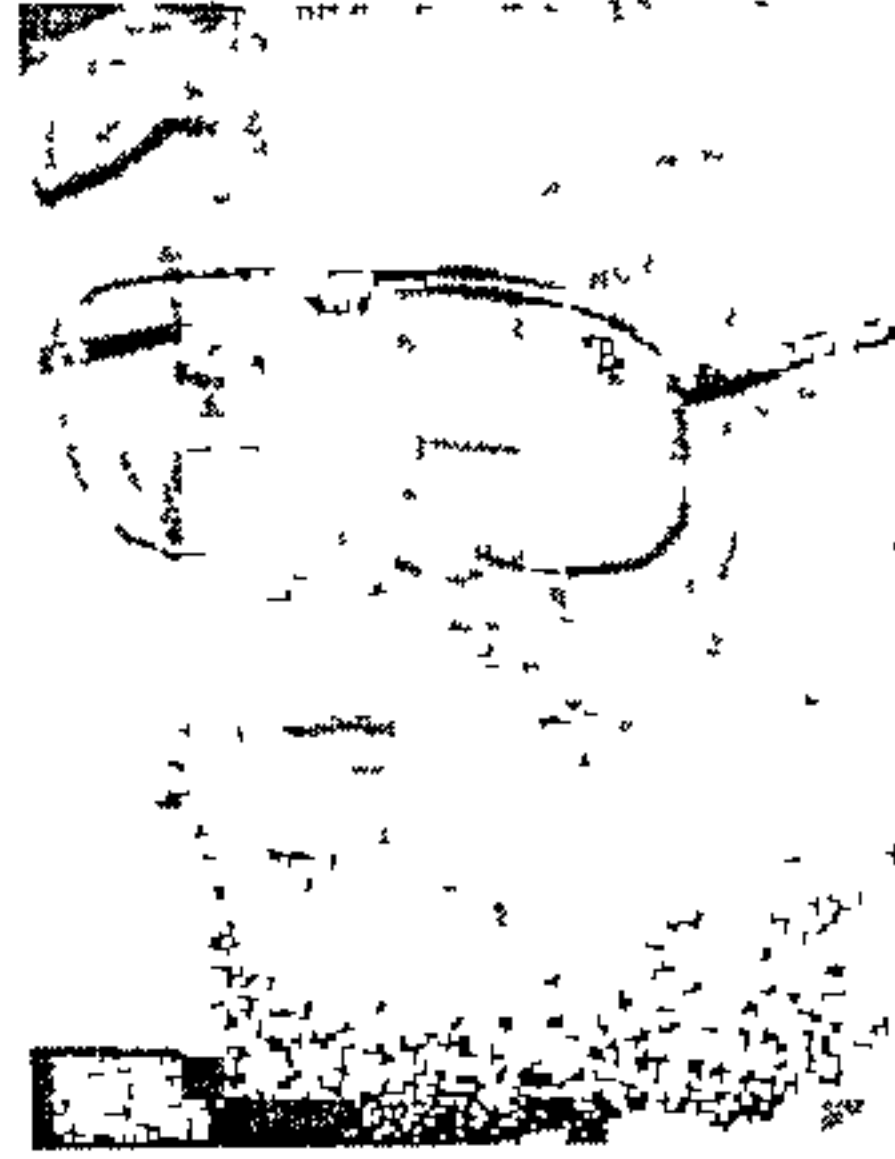
gy. But history is not ending, indeed, we see all over the world a lot of history returning.

In a widely discussed Foreign Affairs article, Samuel Huntington argues that the post-Cold War would revert to the clash of civilisations, particularly between Christianity and Islam, which originated many centuries ago but which was long suppressed by Western imperialism and the Cold War. (It is now generally accepted that Turkey will never be a member of the EC. The main reason? It is not a Christian country.)

History has also been returning in another way. Next to democratisation and economic liberalisation, the main universal trend of recent times is the political disintegration of multinational states.



MR MANGOPE Powerful alliance with white farmers



DR BUTHELEZI Growing claims to political autonomy

Under its impact 15 new states appeared in the old Soviet Union, two in Czechoslovakia and four in Yugoslavia.

Explosive forces

There is a link between the processes of democratisation and political disintegration — nationalism. Despite our fondest hopes, democracy does not really rest on the rational foundation of individual rights and a constitution but on the notion of national self-determination.

The very basis of democracy is in fact the claim *we the people* in essence a collective claim based on race, culture or some other communal identity. In South Africa are contained the same explosive forces that in other multi ethnic countries led to disintegration.

It is true that all the main contending parties support the idea of building a non-racial nation. Such a commitment, however, is confronted with powerful contenders — dressed in a nationalist garb. They maintain that because of past entrepreneurial performance or historic discrimination the nation as defined by them has the right to determine the future. Herein lies the road to secession.

White parties

That South Africa could break up is not a far-fetched idea. South Africa as a political entity has existed for only 80 years. Union in 1910 only became possible because the imperial power had the vision of a single white-dominated state and could hold the ring until a settlement was achieved.

Subsequently it was held together by the Witwatersrand hub which produces more than half the national output and by white parties united behind the idea of maintaining centralised control.

But the ballgame might soon change fundamentally. If the

National Party and Inkatha feel themselves squeezed out at the centre or if the centre becomes paralysed they could pursue a quite different notion of national self-determination in the regions where they have strongest support.

Of course an ANC led government will try to stop this but its military, financial, and ideological resources will fall far short of those which enabled whites to control the centralised state for so long.

Unless a government of national unity smoothly eases us into a new state, South Africa will return to the 19th century era when across the sub-continent a stalemate existed between whites and blacks, one that was only ended in white favour by the power and might of the British empire.

Depending on developments over the short to medium term, our whole conception of history might change. The Great Trek might come to be seen as an over-extension of Afrikaner resources only made possible by a temporary set-back in African fortunes as a result of the Difaqane.

The "imperial" control by Afrikaners of the land across the Orange River will be seen as having lasted only 160 years — slightly longer than the French lasted in Algeria.

In the present Cape Province, history will in fact return to 1811 when the Xhosa effectively occupied the land up to the Sundays River. In that year a British-led army pushed the Xhosa back over the Fish River.

The heartland of the descendants of Khoi-san peoples and white burghers will become the present western and north-western regions — as it was before 1830. (The fact that property prices in Cape Town are higher than that in the richest city, Johannesburg, surely tells a story, as R W Johnson observed at a recent conference.)

The area north of the Orange will of course increasingly become under de facto and de jure African control, as was the case before 1830, but a crucial factor will, as in the second half of the last century, be the strategic alliances that segments of the Zulu and Tswana peoples can forge with white farmers, entrepreneurs and officials.

Alliances

Such alliances with white farmers already appear to bolster the position of leaders such as Dr Buthelezi and Mr Mangope. Should these alliances become real power bases, one can see a disaffected Western Transvaal and Natal region developing growing claims to political autonomy. As in the 19th century, this could lead to partition.

Against such a secessionist scenario there will be those who will argue that the regions will remain locked in because they are all vitally dependent on the wealth generated on the Witwatersrand.

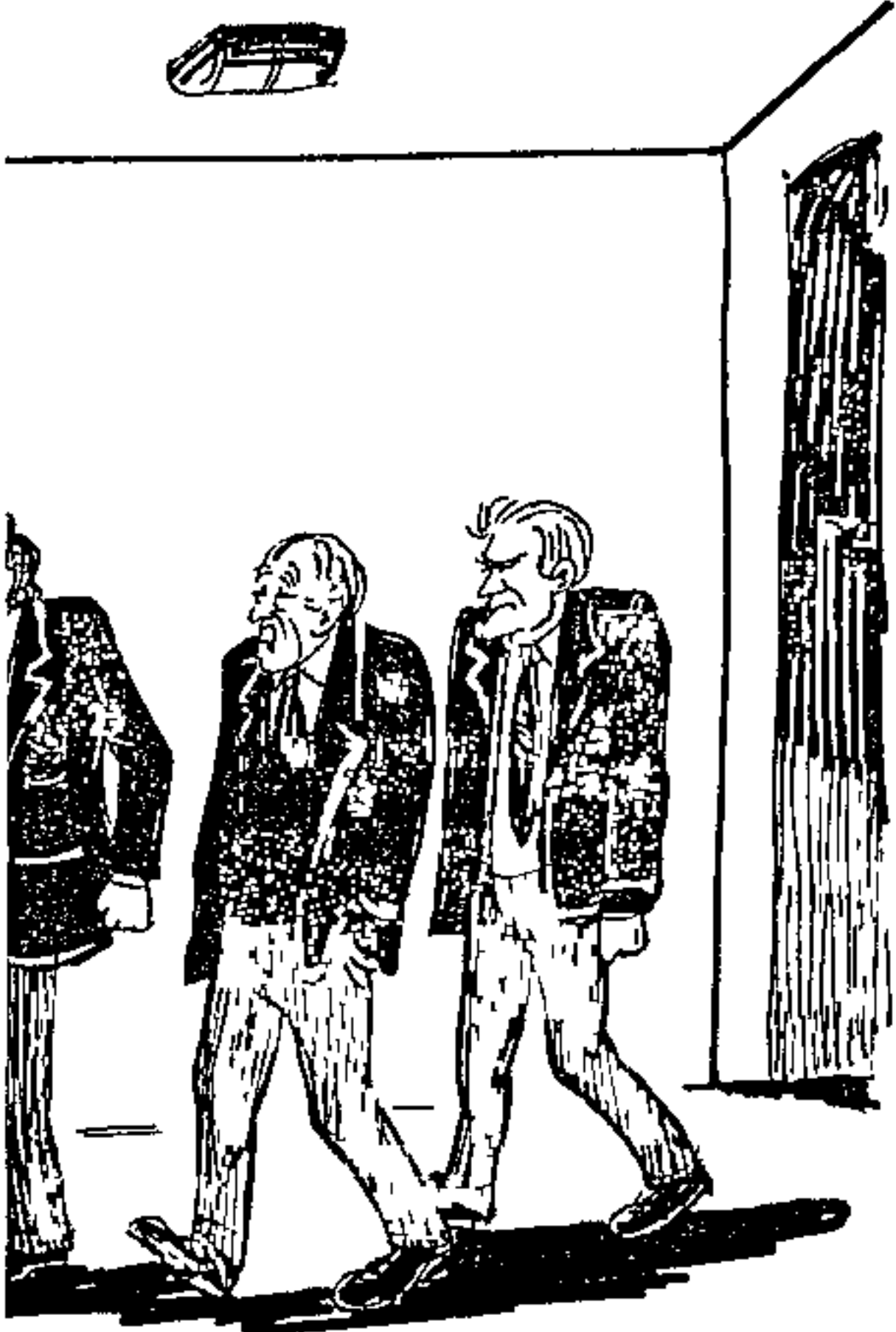
This may be true but it should be remembered that imports and exports amount to about two-thirds of South Africa's GDP and that the parties which control Durban and Cape Town hold powerful bargaining chips against the centre.

As in the late 19th century, control over the ports could become a main issue in our politics.

All such speculations are, of course, frightfully politically incorrect. There is nothing inevitable about the return of history. But for the centralisers at the World Trade Centre it would be good to remember that a well-functioning federal system is the best antidote to secession.

Otherwise a lot of history may still happen to South Africa.

□ Professor Gilomee teaches in the Department of Political Studies at UCT.



GROGAN '93

ight have to go home with a broken toe"

Regions plan sets scene for anxious, bitter debate

By Chris Whitfield
Political Correspondent

The opening exchanges in what is shaping up to be a bitter debate on the country's nine new regions were fired in the Negotiating Council yesterday

Chairman Pravin Ghordan had to repeatedly remind negotiators that "political questions" could be raised in a debate on the commission's report scheduled for Monday.

Parties, mostly putting questions reflecting regional interests, raised queries on the boundaries of every one of the nine regions

These included

- Why Pretoria, Sasolburg, part of Bophuthatswana and Kwa-Ndebele were to be included in the PWV region

- Why the Kruger National Park was divided between the Eastern Transvaal and Northern Transvaal, and what authority would administer it.

- Why the East Griqualand

area was included in the Eastern Cape region and not in KwaZulu/Natal (~~307~~)

- Why an area proposed by the Government encompassing the present Orange Free State, part of the Western Transvaal and Bophuthatswana had been divided into two regions (262)

- Why the Eastern Cape area recommended by the commission was not divided into Eastern Cape and Border/Kei regions.

- Why the west coast part of the massive but sparsely populated Northern Cape region had not been included in the Western Cape, and

- Several questions from the Afrikaner Volksunie directed at establishing whether cultural considerations had been taken into account when setting the boundaries.

Commission members responded to questions and fleshed out their reasoning, but it was evident that Monday's debate will be far-reaching.

Grabbing the national bull by the regional tail

WM 6-12/8/93 (262)

D ID you hear the one about the visitor to Dundalk who stops his car, winds down the window and asks Patrick for directions to Dublin? Patrick thinks for a minute and replies, "Well, I wouldn't start from here." It is the kind of logic that is appropriate to the first draft of South Africa's post-apartheid constitution, for if the process had not been hijacked by Cosag (Concerned South Africans Group) it would surely have been better to have begun by defining the powers of the centre rather than the regions.

In its present form, the constitution is characterised by several glaring omissions. For example, there is no section on the powers and functions of the state president.

Before casting their votes South Africans are surely entitled to participate in a public debate about how much power the president will have in relation to the cabinet, and the powers of the cabinet in relation to regional and local government. Under a strong executive presidency modelled on the American system, for example, the president would have substantial control over defence, foreign affairs and national security.

We might be happy to have African National Congress leader Nelson Mandela exercising these powers, but what about his successor? Mandela is believed to favour a strong executive presidency while Inkatha's Mangosuthu Buthelezi is demanding a degree of regional autonomy tantamount to full sovereignty. Constructing the constitution from the bottom up makes it difficult for ordinary citizens to consider the relative merits of either position.

A further example is provided by education, an area over which regions will have sizeable power under the draft constitution. It is not clear whether this power will be exercised exclusively at regional and/or local level or concurrently with central government — a situation complicated by the "subsidiarity" clause in the Constitutional Principles which decrees that power should be exercised at the lowest viable level. Is it better to have national education standards or run the risk of unevenness across regions of different wealth, power and resources?

It would therefore be more logical to

The obsession with regions has distorted the constitutional process, argues **Sammy Adelman**. The result is that we have no coherent vision of our future

begin by defining the powers and functions of national government and devolve all powers that need not be exercised at the centre to the regions. Since the activities of central government will affect all citizens, it is more democratic to begin with the national dog rather than the regional tail.

Instead of conceiving South Africa as a nation, the constitutional process seems to be dominated by assertions of difference.

The overwhelming concern in the media with demands from the padded room in Ulundi and the planet occupied by the Conservative party and Afrikaner Weerstandsbeweging has virtually excluded debate about the implications of the constitution for the majority of South Africans.

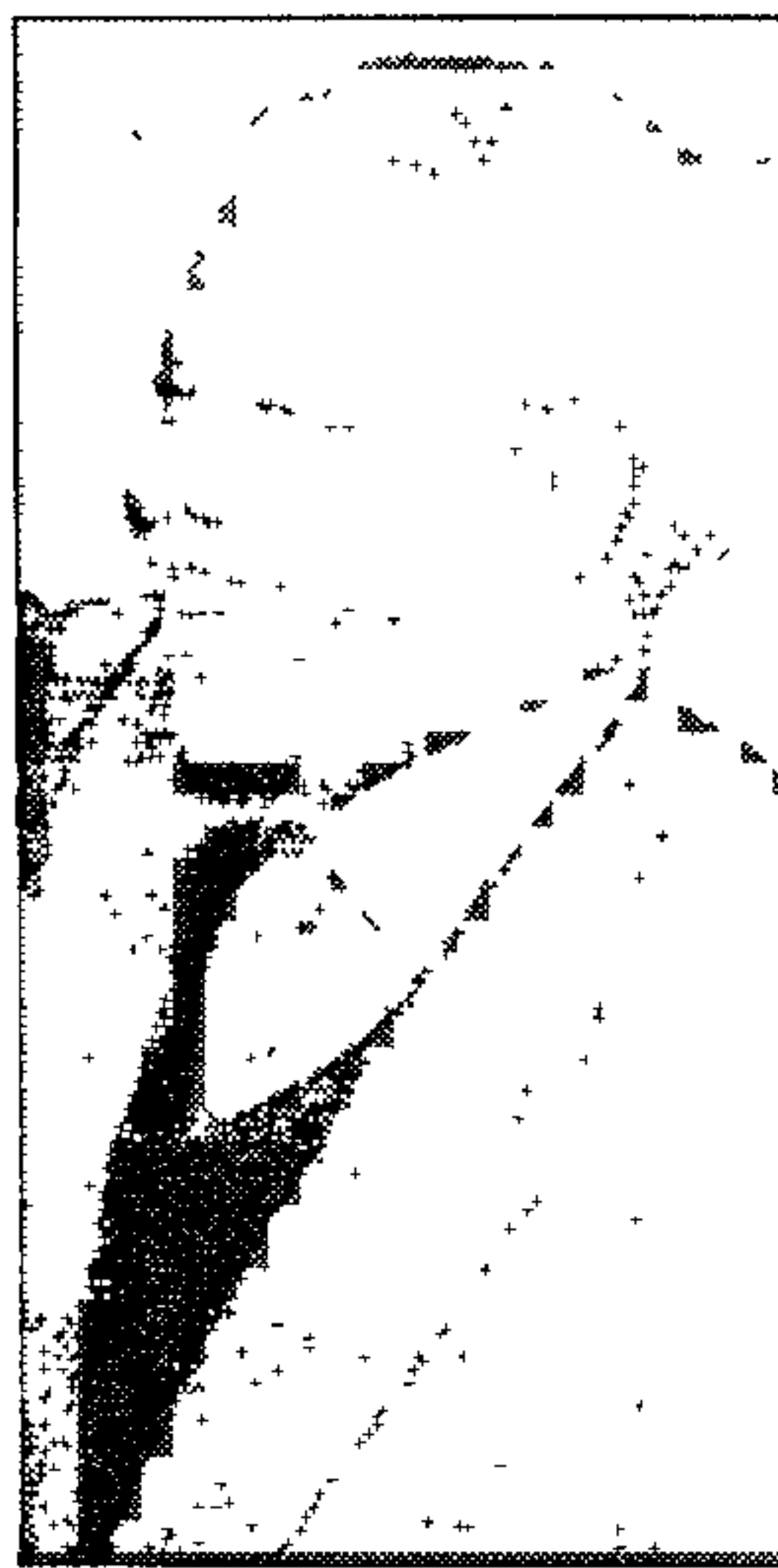
It is apartheid in a different form, an African attempt to reconstruct Bosnia according to the inherently incompatible demands of Muslims, Serbs and Croats.

While the draft is obviously intended to provide the basis for further negotiation. But it is questionable whether it should have been published in this form despite the pressures on the negotiators to produce a framework within which the political vacuum can be filled.

In their haste, those involved are failing to distinguish the wood from the trees.

This is due partly to the inherently technical and elitist nature of the constitution-making process which militates against public debate on every chapter and section. But it is also due to a failure of leadership and accountability among the parties which bodes ill for the future of democracy. No party is offering a coherent vision of a South Africa that will serve all its citizens.

This should be the point of departure in the construction of a new constitution rather a highly desirable by-



If Nelson Mandela were president, how much power would he have?

product.

The superficiality of the debate is also — with a few honourable exceptions — a reflection of the level of media coverage. With the tendency for the temporary to become permanent the transitional constitution will have a profound effect on the one produced by the constituent assembly, increasing the importance of public debate at this stage.

Preoccupation with Cosag's demands has also obscured the dissatisfaction of other parties. If the perception is correct in senior ANC circles that Buthelezi is set on secession and the white neo-fascists will be satisfied with nothing less than a return to grand apartheid, the whole thrust of the process is not only constitutionally illogical but politically pointless.

On his release from prison Mandela observed that there was no point in negotiating if one was not prepared to compromise, but the organisation is rapidly reaching the point at which it will be forced to draw a line beyond which it cannot go without undermining the ideals that have informed the liberation struggle, acquiesce in an inherently undemocratic process, and risk alienating large sections of its constituency.

It may be too late to start from somewhere else, but it is not too late to seek a more rational and democratic balance between the demands of regions and that of the nation of which they are, after all, a part.

Dr Sammy Adelman is a law lecturer at the universities of Warwick and the Witwatersrand.

REGIONS

Blurred at the edges

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The new regional map welcomed by the negotiating council this week appears reasonable enough. There are no geographically bizarre entities, as suggested by some groups on the Right. Rather, it outlines regions that are generally known as such by most people, which is a coherent start. The boundaries also follow closely the nine development regions long used by the Development Bank, suggesting some recognition of economic functionality and not mere political expediency.

But the proposed boundaries will, as the DP points out, have to be fine-tuned after discussions with local communities — an idea the ANC accepts (*Current Affairs* July 16), and which the demarcation commission does not rule out. For example, it says that “the boundary between KwaZulu/Natal and eastern Cape/Kei is a highly complex issue, which would require further consultation with affected parties”.

The DP says three areas in particular need re-examination.

- The eastern Cape, which ought to be separate from a Ciskei/Border/Transkei region,
- The PWV, which has Johannesburg and Pretoria in one region; and
- The boundary between the western Cape and northern Cape regions, which puts too many places in the northern Cape that the DP believes rightly belong in the western Cape.

But most delegations are fairly happy that the regions are reasonably drawn and provide a starting point for further debate. Government says the regions broadly follow its own ideas. It believes they could be the basis for accommodating the “reasonable” demands of various parties — an obvious reference to an Afrikaner homeland.

Afrikaner Stigting leader Carel Boshoff, whose long-standing proposal is an ethnic area for the volk somewhere in the north-west, sees the basis for this in the proposed northern Cape region, where Afrikaans is mainly spoken. Unlike the CP (which, like Inkatha, is boycotting the talks), Boshoff recognises that there would have to be negotiations with the large coloured community which has traditionally lived there and does not suggest evicting them.

The Afrikaner Volksunie, also moderate compared to the CP, is not happy, however, because it wants an Afrikaner homeland taking in and spreading north-eastwards from Pretoria.

While there may be a cogent economic case for not including Pretoria and Johannesburg in the same region, the AVU's misgivings are entirely race-based. Most Afrikaners live in Pretoria, which they want as

the hub of their volkstaat. Though the northern Cape might offer scope for Afrikaner language and cultural predominance, this does not amount to self-determination, says the AVU.

According to the demarcation commission, the “emerging linkage” between Pretoria and Johannesburg shows that they are complementary, which should be built on in a PWV region. And, as the strongest region economically, it could generate growth for the country as a whole and assist poorer areas. Dislocation of its institutional and administrative capacity should be minimal. A “balanced application” of the criteria, especially the socio-cultural one, did not justify splitting the region.

The other regions do, however, follow rough tribal or linguistic lines. Could they, in the not-too-distant future, provide the basis for ethnic mobilisation and the creation of a confederation?

The commission took a mere six weeks to produce its report, having received 313 written submissions and 84 oral hearings. The commission is made up of joint chairmen Flip Smit and Bax Nomvete; professors D A Basson, Wiseman Nkuhlu, Y. Muthien, Ig Rautenbach, and Anna Steyn; and Ann Bernstein, Koos Reynecke, Paul Daphne, B M Malefo, N N Gwagwa, D Govinden and Chief S M Burns-Ncamashe.

Two members — Pretoria architect Koos Reynecke and the Urban Foundation's Ann Bernstein — disagreed with the report and submitted minority views.

Reynecke says: “Three most valuable improvements were, however, made on the existing development regions, with the demarcation of socio-culturally improved regions in the western ‘Tswana region,’ the north-western Cape ‘Afrikaans region’ and the border between the ‘Zulu and Xhosa regions’.

“Unfortunately, similar improvements in other parts of SA were not included, because of overriding ‘cohesion reasons’ like economy, geographic coherence and so-called homogeneity or regional identity.”

He says the door to a possible volkstaat was closed when two sentences on subregions

were removed, and advises that to accommodate people “on the ground,” a proper local survey is required so that people can identify with the final delimitation.

Bernstein, too, believes that further public debate and consultation are necessary before decisions on the regional map can be taken successfully. The process of deciding is at least as important as the boundaries themselves, she maintains.

According to Bernstein, the criteria that governed the inquiry were insufficient. They did not help in deciding issues such as whether.

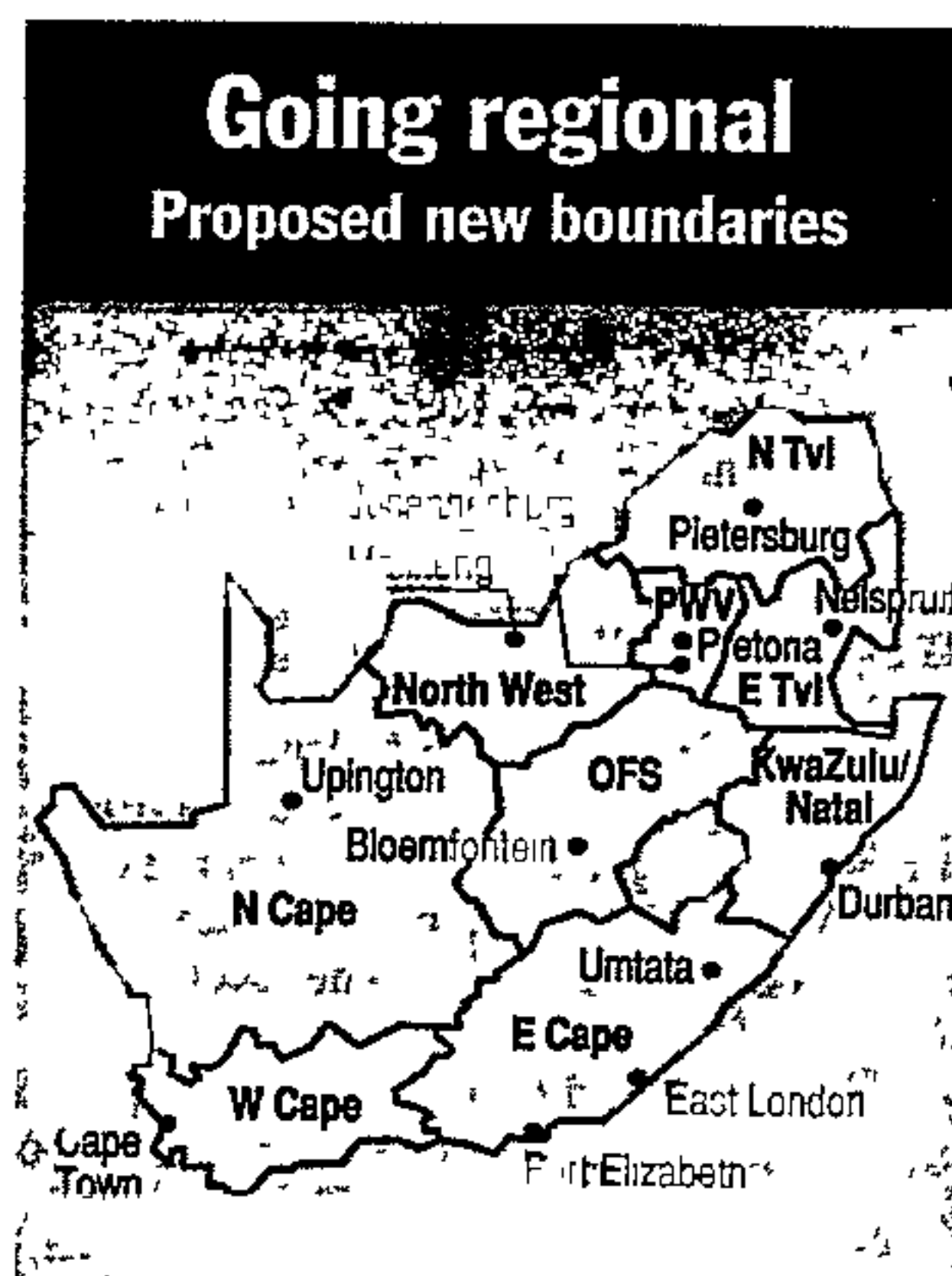
- The Pretoria metropolitan functional area, with 2,8m people and the highest population growth rate) should be a separate region or not;
- Natal/KwaZulu should be one region or two or three (it has 8,8m people or 23% of the total population);
- The eastern Cape/Transkei/Ciskei should be one large region or two,
- The Vaal Triangle should be part of the PWV region or a separate one;
- The western Cape should be a smaller region, or incorporate the northern Cape, and
- The Free State should be merged with the western Transvaal or not.

It is also noted that border questions generate strong emotions, and that many (especially black) communities did not make submissions — while others (like the Vaal Convention) were thoroughly prepared.

Then there is the whole question of whether big or small regions are more beneficial to the disadvantaged, or better or worse from the development perspective. The idea of metropolitan regions — such as the Durban or Pretoria functional regions — should have been examined.

And what is the best approach to the PWV for the country as a whole and future interregional relationships?

The commission says in response to Reynecke that it is satisfied that it applied its criteria for delimitation appropriately. It maintains that many of the points raised by Bernstein are covered in the report, especially the question of time limitations imposed



CURRENT AFFAIRS

Fm 6/8/93

on its brief, and is "dismayed and regrets that her report deemed it necessary to cast doubt on the professional integrity of members of the commission" (262)

Sacob welcomes the proposed regions as another step in the negotiating process. The challenge, it says, is to maximise the benefits of regional government while minimising costs. The emphasis on the need to retain a common market is welcomed but Sacob regrets that alternative regional scenarios were not presented. The proposals should not be seen as final and the need for further consultation over certain boundaries is imperative ■

FOUR weeks ago a daily newspaper took regional maps drawn up by the main political parties and fed them into its graphics computer.

What emerged was a compromise map for regions in South Africa.

The exercise in educated guessing by Beeld could have saved the democracy talks at Kempton Park a lot of time, because the map tabled by the Commission on the Delimitation of Regions this week is almost identical.

There is no suggestion that the commission copied the map, but the coincidence fuels fears that the body acted as little more than a computer program itself, rigidly interpreting its brief and never questioning vested interests when it simply married the maps of the larger parties.

The commission did what it was asked to do — but was doomed from the start by the instructions it received from the negotiating council, and its unwillingness or inability to question these, say detractors of its report.

The worst of it is that problems identified weeks ago — the PWV and the Natal/eastern Cape border, whether the eastern Cape should be one region or two, whether the northern Cape should be separate from the Western Cape — have not been solved by neutral experts and are now back in the hands of the politicians.

The plea from Miss Ann Bernstein, Urban Foundation director and commission black sheep for having dared to submit a minority report, is that the commission be sent back to the drawing-board.

The commission — and the negotiating council — needed to know several things before it could pronounce upon regions, Miss Bernstein argued — not least of all what real people living in real cities and villages wanted for their future.

Deeper questions, if answered earlier, could have prevented some of the glaring inconsistencies and holes in the report. Are local or national interests paramount in deciding regions? Should economic and developmental criteria not take precedence over — or at least equal — political issues? Should criteria be applied uniformly?

Her temerity was pounced upon by the highly defensive commission and ignored, but

The eagerly awaited regional map of South Africa was tabled this week, but the haste of its drafting may prove to be its undoing, reports CLAIRE ROBERTSON

Back to the drawing-board

for one slighting reference, by the negotiating council's planning committee.

But, in introducing his report, the co-chairman, economist Dr Bax Nomvete, spent 10 minutes making excuses for it.

Indeed, the commission was given only six weeks to prepare its report. And it met only seven times.

But on Friday delegates were openly asking to see the submissions which had helped the commission arrive at its decisions — with the clear implication that these were open to other interpretations.

Delegates asked whether the much-criticised criteria it

had set the commission for delimiting each region had been adequate

THIS question did not need to be answered, as it was covered in the report, said the chairman of the debate, Mr Pravin Gordhan of the Natal and Transvaal Indian Congresses

Dr Nomvete, answered anyway, saying that the criteria were those used in other countries and were "adequate"

The brief exchange masked a heated debate in the commission itself

Then, as in the council this week, Big Brother had

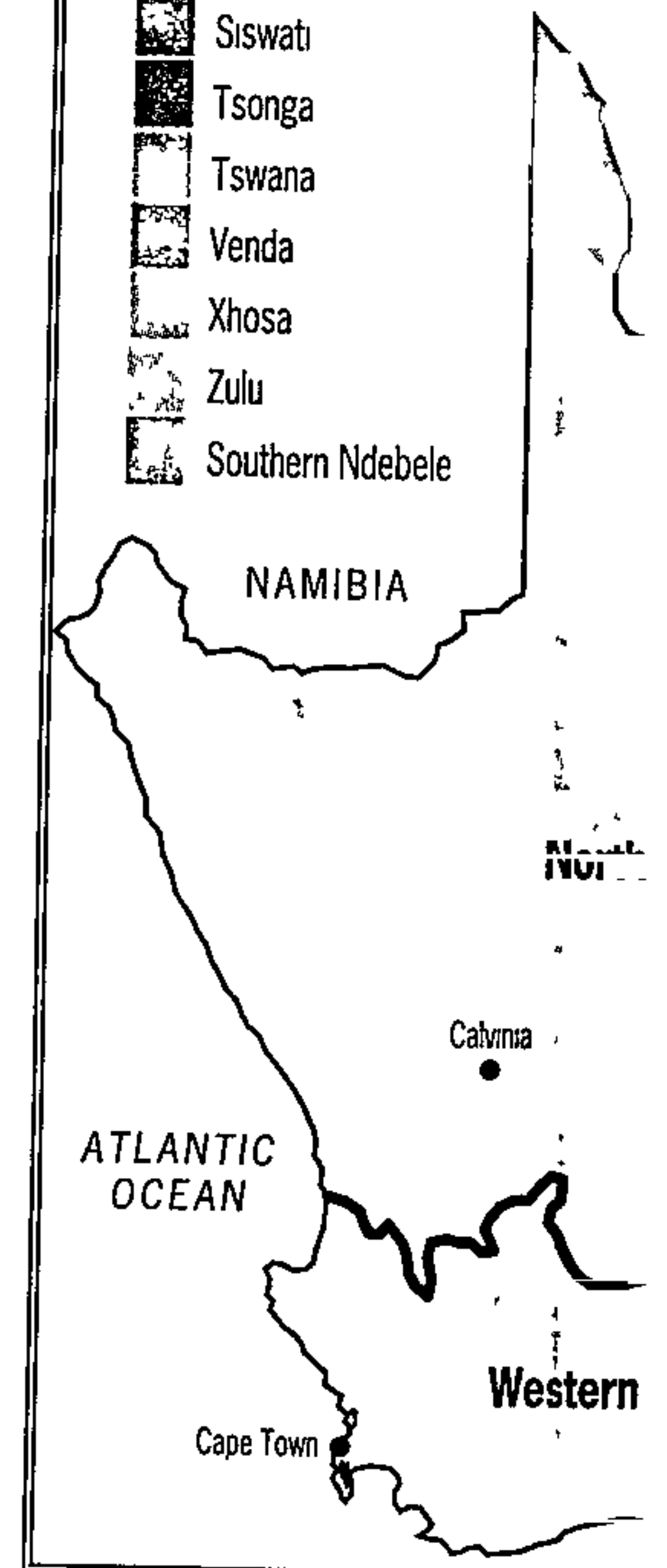
stepped in to squash uncomfortable questions

Papers tabled at the commission show that Miss Bernstein asked right at the start that the commission receive three things to help it interpret its brief. A briefing from politicians, a workshop on why boundaries mattered and what the commission could realistically achieve in the available time

A sub-committee of the talks' planning committee — three men known by the nickname "the facilitators" because of their efficiency at carrying out the will of their bosses — rejected the first request. The commission agreed to the second — but it

Dominant language areas

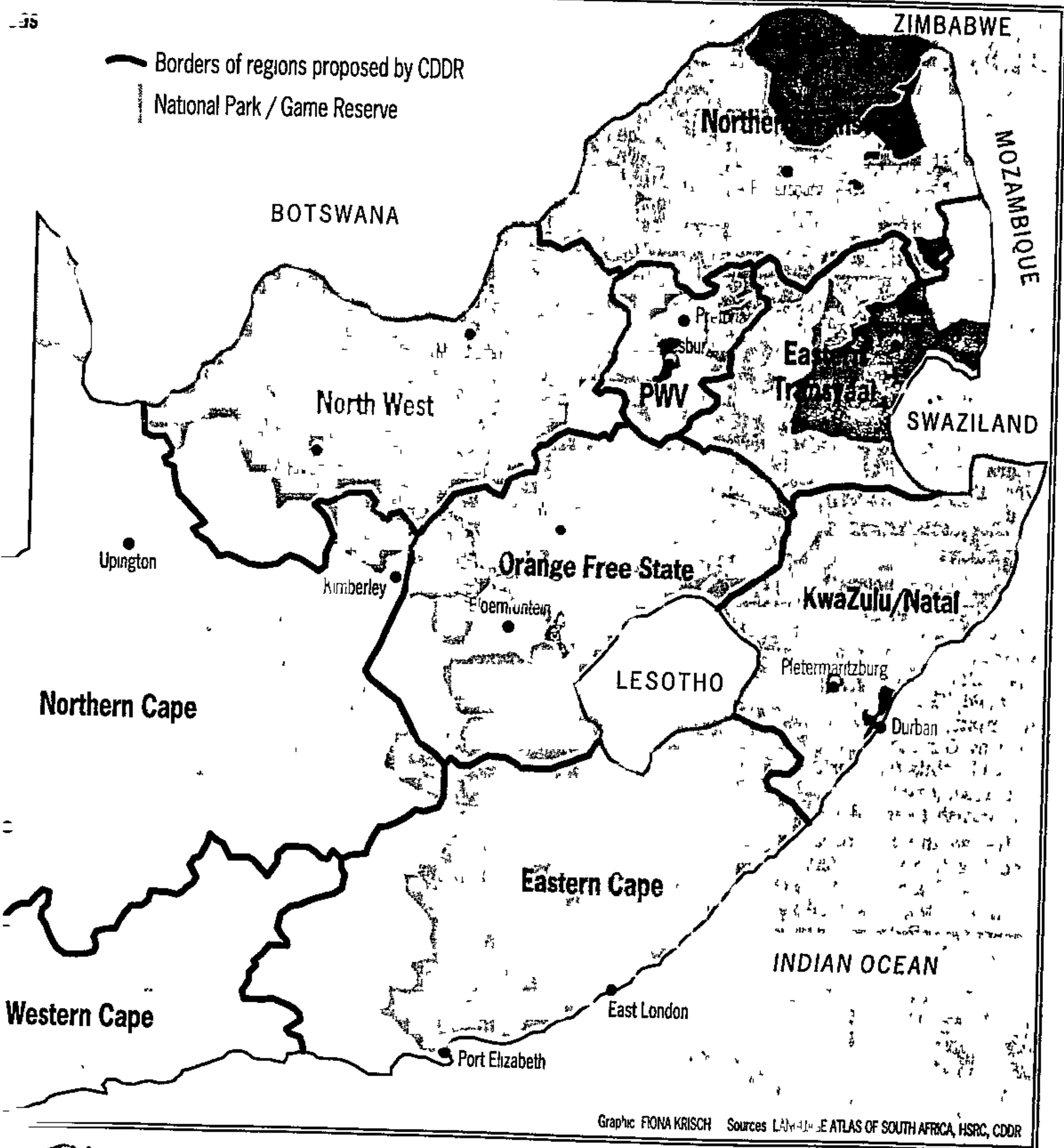
- Afrikaans
- English
- Northern Sotho
- Southern Sotho
- Siswati
- Tsonga
- Tswana
- Venda
- Xhosa
- Zulu
- Southern Ndebele



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Graphic: FIONA KRISCH Sources: LAMUN, THE ATLAS OF SOUTH AFRICA, HSRC, CDDR

SA's complex ethnic quilt

THE language map of South Africa, shown here with the proposed regional boundaries superimposed, highlights the strong ethnic nature of the division of the country. The language map was given "its due weight" by the Commission on Demarcation and the Delimitation of Regions, the negotiating council was told this week — but geographic coherence also played a role, resulting in some borders following ethnic lines while others enclose patchworks of different groups.

Farmers vow to bite the bullet

EASTERN CAPE

By DAWN BARKHUIZEN

EMBATTLED Border corridor farmers this week vowed to "bite the bullet" amid heated controversy over Eastern Cape regional boundaries.

Unable to sell their farms, farmers in the thin "white" corridor dividing the Transkei and Ciskei have resigned themselves to incorporation, but fear that existing animosity between the homelands might give rise to violence if the two are forced to co-exist.

Queenstown Farmers' Union chairman Theo Kemp said: "The Transkei and Ciskei do not get on and it could all blow up. We would like to be incorporated into the Eastern Province, together with the Ciskei."

Ciskei leader Brigadier Oupa Gqozo favours the Ciskei forming part of an eastern Cape region, saying the homeland should not be "lumped together" with the Transkei, while Transkei leader Major-General Bantu Holomisa wants the Transkei linked to the proposed Border-Kei region, with Umtata as the capital.

The ANC, which feels the Transkei will not survive on its own, is alone in favouring the Demarcation Commission's proposals of a big merger.

NP MP Ray Radue supports separate regions. A combined Eastern Cape and Border-Kei region would never work because it was too big, the King William's Town MP said.

fit into the western Cape region.

Noticeable by their absence were "many communities and identifiable interest groups," Miss Bernstein says in her report.

These included non-homeland groupings in the western Transvaal and black communities in the northern Transvaal and the PWV.

The commission was established in the first place to "widen the negotiating process beyond the political parties."

But tomorrow, faced with a report that leaves too many philosophical issues — and even many ground-level, practical questions — unanswered, the map will be back in the hands of the politicians.

The commission continually emphasises that some local disputes may have to be revisited. The politicians will have to decide this week whether they return at least some of the report to the drawing-board — or simply take the decisions themselves without further consultation.

"I suspect they ran out of time at the end. The commission was given terms of reference that were unsatisfactory, and was put under immense pressure," Professor Maasdorp said this week.

THE commissioners are proud of the fact that they received more than 300 submissions from around the country.

But a head count shows these to have been overwhelmingly from the white establishment — and even then, some urgent and apparently very reasonable pleas were not heeded, such as Namaqualand's request that it

never actually happened — and ignored the third.

Another commission nod to thoroughness failed to materialise. Early on it agreed to appoint a "senior team of specialists" to read the final report.

The men named are among the country's pre-eminent economists: Wits University professor of economics Charles Simkins, Cape Town University professor of economics Philip Black, Stellenbosch University professor of economics Colin McCarthy, and Natal University's Economic Research Unit director Professor Gavin Maasdorp.

They never saw the report.

SI Times 8/8/93

board?

Education forum launched

PLAYERS across the spectrum took a major step towards resolving the education crisis when they launched the national education and training forum at the weekend **B/Day**

Forum spokesman Alan Tonkin said there were high expectations among all the signatories at Saturday's launch that the forum could be the answer to education's problems

More than 120 people representing all the major stakeholders in education, including the ANC and government, attended the launch outside Johannesburg. The forum secured government's promise that all restructuring in education issues would be referred to it **9/8/93**

Although the forum would be responsible for creating a single non-racial education system, the most immediate issues facing it were rationalisation, the proposed strike by coloured teachers, black matric exam fees and classroom disruptions. Tonkin said forum working groups

KATHRYN STRACHAN

had already gone a long way to defusing some of the burning issues

However, the issue of teachers' salaries which could result in a national strike on August 16, would remain outside the ambit of the forum as it was the subject of negotiations between the Commission for Administration and public sector unions

National Education Minister Piet Marais said the forum's characteristics would include that

- It operated on the basis of inclusiveness and consensus, **(S)**
- It acquired its authority through developing widely accepted implementable and effective policies,
- It accepted that responsibility for managing education remained with the government of the day; and
- Matters be dealt with by working groups to guard against ideological contamination of education

No handover, town councils vow

MORE than 100 city and town councils decided at a special congress of the Transvaal Municipal Association in Boksburg on Saturday to reject the proposed model for new authorities

Ten councils from the Cape, Free State and Natal were represented at the congress **B/Day**

Spokesman Koos le Roux warned government that the councils would not under any circumstances hand over their control of cities and towns. The congress demanded that government hold white municipal elections before legislation was promulgated to change the present status of local authorities

Afrikaner Volksfront co-leader Gen Constand Viljoen told the congress the Afrikaner had been ignored at multiparty talks and his call for an area of self-determination in a new

SA had been put on hold

The former SADF chief said, however, talks between the Volksfront and government on Friday had been positive **9/8/93**

Viljoen said government had become weak and had created the perception there was only one political winner in the country, namely the ANC-SACP alliance.

He said a high potential for conflict existed. There were three groups which had great potential for violence — the ANC-SACP alliance, the Zulu nation and the Afrikaner — but war was not the answer

Viljoen urged multiparty negotiators to accept the basic realities of the country and warned there would not be peace until the national aspirations of all had been addressed in the new SA — Sapa **(262)**

Inkatha and NP gear up for polls

TIM COMEN and LLOYD COUTTS

B/Day 9/8/93
THE Inkatha Freedom Party effectively kicked off its election campaign with full-page advertisements in Sunday newspapers yesterday, and the NP will fire up its election machine within the next few days, armed with a range of new slogans.

In its advertisement, Inkatha said it was ready to govern SA, but warned that a final constitution would have to be agreed on before it would welcome the setting of an election date **(#350P)**

Inkatha said it was already SA's most representative party.

With constitutional agreements taking shape and polls showing slipping support, the NP is likely to dust off its reputedly fearsome election machine during the forthcoming provincial congresses.

Party insiders said at the weekend it would drop the "velvet gloves" approach adopted during constitutional negotiations.

"We have deliberately adopted a low-key stance because securing agreement on constitutional issues had to come first," said NP federal council information director Jaco Maree.

But the NP now needed to counter electioneering by the ANC and Inkatha, he said.

More and more, President F W de Klerk could be expected to show his political colours.

Maree discounted political polls which reportedly indicated a decline in NP support, saying analysts of the polls did not "bear scrutiny".

Maree estimated the NP's support among blacks to be between 25% and 30% of the total black electorate

Nampak Textiles Printing and Packing Group
Hand and 30.4% of Rand
Nampak Textiles Printing and Packing Group

Further submissions to be heard on regions

Biday 10/8/93

TIM COHEN

NEGOTIATORS yesterday struggled to agree on future regions for SA, requesting that the report be redrafted and further oral evidence heard

After a full day's debate, political parties disagreed on the nature of the boundaries. A wide variety of problem areas arose.

Many of the parties criticised the draft committee's report for not being specific enough and not taking into account local issues.

ANC negotiator Thozamile Botha suggested that the boundaries should be "soft" and the final decision be made by an elected body.

Regional and Land Affairs Minister Andre Fourie said government had two "fundamental problems" with the commission's recommendations: the proposal that the northwestern Cape should not be incorporated into the Free State and the amalgamation of the Transkei/Ciskei with the eastern Cape.

The DP also objected to the amalgamation of the eastern Cape and the two homeland regions.

Delegates debated extensively on whether Pretoria should be incorporated into the PWV area.

Traditional leaders criticised the recommendations on areas such as east Griqualand and Groblersdal.

At the conclusion of the debate, a draft resolution was tabled calling for further submissions from "people and organisations in sensitive areas identified in the debate".

Commission members would analyse the submissions, receive oral evidence and prepare a second draft of the report.

The issue of Walvis Bay was raised during the debate, with government recommending that it be included in the western Cape region. This sparked a proposal by the PAC that an "in principle" decision on Walvis Bay be taken.

The PAC proposal called for government to promulgate legislation to transfer Walvis Bay to Namibia "as a matter of urgency". The proposal, supported by the ANC, will be discussed again today.

Sadtu confirms strike plans

Biday 10/8/93

KATHRYN STRACHAN

THE SA Democratic Teachers' Union (Sadtu) yesterday confirmed it would go ahead with a national strike on August 16 unless government agreed to its demand for a 20% salary increase.

Sadtu secretary-general Randall van den Heever said at a news briefing in Johannesburg the decision to proceed with the strike was taken at a national executive committee meeting at the weekend.

Salary negotiations would continue, but teachers believed government was negotiating in bad faith as it refused to move on a 6.7% increase offer — 1.7 percentage points higher than its original offer.

Sadtu, on the other hand, had dropped its demand from 30% to 20%.

The union was also angered by staff cuts in the House of Representatives' education department. Despite the newly formed education forum's intervention, the state was continuing with retrenchments regardless.

However, forum representatives said at the weekend they had secured government's assurance that all further restructuring in education — including the coloured teacher cutbacks — would be referred to the new structure.

It was "regrettable" that the strike should come so close to year-end exams, and the union was sensitive to the fact that it would affect pupils. However, in the absence of any dispute

resolution mechanisms the union had no alternative but to turn to mass action.

The Department of Education and Training (DET) charged that Sadtu's continued existence depended on its ability to attract attention by creating artificial crises — and pupils were made to pay the price.

"It is tragic that Sadtu appears to be wilfully planning to create a situation where teachers are made vulnerable to disciplinary action and pupils are made to pay the price," a DET statement said.

Meanwhile, our Durban correspondent reports that Sadtu will hold further talks with a delegation from the KwaZulu education department today to discuss its demand for recognition in the territory.

Comment to be sought on borders

Negotiators set to put map to public

Star 10/8/93

THE TALKS AND YOU

LEADERS in the Negotiating Council also differ in opinion on the proposed nine-region map.

■ **BY CHRIS WHITFIELD**
POLITICAL CORRESPONDENT

The nine-region map proposed for a new South Africa — immersed in controversy since being unveiled a week ago — is set to be put to the public for comment

In terms of a resolution which the Negotiating Council is expected to adopt today, people in "sensitive" areas will be given a chance to have their say

This follows debate in the Negotiating Council yesterday which revealed yawning gaps between parties and considerable dissatisfaction from some quarters

The resolution, calling for "people and communities who would be directly affected by the boundaries (to) have a further opportunity to contribute to the process", was tabled last night

Followed

It followed overwhelming support in the council for grassroots consultation on the proposed borders. Negotiators said it was certain to be adopted today.

In terms of the resolution the co-chairmen of the commission would receive submissions and oral evidence from people in "sensitive areas"

The failure of negotiating parties to find much consensus on the boundaries has heightened frustration with recent progress in talks and led to fears that target dates may prove to be overly optimistic



Yesterday at the World Trade Centre

Regions 11 and 12 on the proposed nine-region map provided evidence of widely divergent views on the interim constitution continued to rage on the inclusion of the Eastern Transvaal region. However, both the ANC and the Government came out in favour of Johannesburg and Pretoria being embraced in one area. It was also generally agreed that the "people" on the ground should be consulted more in problem areas

Women: The Negotiating Council marked International Women's Day by electing Faith Kekana of the Transvaal Traditional Leaders' Forum as assistant chairman for the day. It also agreed that the Planning Commission would investigate the fact that it has no women in its ranks. **Interim constitution:** The critical second draft of the interim constitution has been distributed to the various parties. The question on everybody's lips was "Is there enough in it to get the IFP back?" It will be debated today.

CHRIS WHITFIELD

Adding to this is the fact that the Inkatha Freedom Party and KwaZulu government will not be back at the talks table this week.

IFP negotiator Walter Felgate said the party's position would be reviewed at a central committee meeting on Saturday

He said bilateral meetings with the Government and ANC — continuing this week — had made progress but not yet resolved the IFP's concerns.

Some negotiators believe mixed signals coming from the IFP on its return to talks might indicate divisions, but senior party members denied this last night

Yesterday's debate on the regions was marked by sharp differences on various boundaries. Chief among these was the position of Pretoria, included in the PWV region with Johannesburg. The ANC's Thozamile Botha yes-

terday supported the proposal, saying "I don't think it would be in the interests of the (economy of the) country to break the PWV to pieces"

Regional and Land Affairs Minister Andre Fourie congratulated the commission for "maintaining the economic nucleus of South Africa intact"

But the Afrikaner Volksunie said the region should be included in the Eastern Transvaal.

"To us this is a bottom line," warned delegate Moolman Mentz "Our case for the self-determination of the Afrikaner people has not been considered at all by the delimitation commission," he charged.

The Democratic Party's Colin Eglon also submitted that Pretoria should be outside the PWV region, saying the party "doubts whether it is right to condense economic and governmental power"

Call for ⁽²⁶²⁾
CT 10/8/73 ⁽³⁰⁷⁾
new report

on regions

Own Correspondent

JOHANNESBURG — Negotiators struggled to agree yesterday on future regions for South Africa, requesting that the report be redrafted and further oral evidence heard

After a full day's debate, political parties disagreed widely on the nature of the boundaries and a wide variety of problem areas arose

Many of the parties criticised the draft committee's report for not being specific enough and not taking into account local issues

At the conclusion of the debate, a draft resolution was tabled calling for further submissions from "people and organisations in sensitive areas identified in the debate"

Local council plan rejected

Own Correspondent

JOHANNESBURG — The CP vowed yesterday to resist the proposed replacement of elected local councils with appointed non-racial administrations in October.

It said violence would have to be used to remove councillors in CP-controlled councils

DP local government spokesman Mr Jaspar Walsh said although DP-controlled councils accepted the need for democratic local authorities, all may not accept the type of administration planned by the local government negotiating forum

Non-right-wingers who advocated democracy were unhappy with the plan for appointed administrators, who could be in power for as long as 18 months before new local elections, he said

CP: Govt
will have
to kill us

CP local government spokesman Mr Pikkie Coetzee said at least two-thirds of white town councils had said they would resist joint authority with blacks

"The government will have to use force, or kill us, to get us out," he said "It will be Ventersdorp all over again, except this time it will be across the country"

Mr Coetzee said a decision to resist the change was reached "unanimously" at the weekend at

CT 10/8/93 (262)
a meeting in Boksburg of the CP-run Transvaal Municipal Association, which represents 100 councils. He said many NP municipalities at the meeting joined CP councillors in rejecting joint control

ANC local government spokesman Mr Mathole Motshekga said although the organisation did not want confrontation, the government would have to maintain law and order during the transition. However, every effort should be made to include right-wingers in the transition process

Local Government Minister Dr Tertius Delpoort said the government did not favour dismissing serving council members, but wanted the councils expanded to include appointees

The government was against an illegitimate process that simply replaced serving councillors, and the CP had "jumped to conclusions" over the issue, he said

CP vows to resist joint councils

GAVIN DU VENAGE

THE CP yesterday vowed to physically resist the proposed replacement of elected local councils with appointed nonracial administrations in October.

It said violence would have to be used to remove councillors from office in CP-controlled councils. *B1 Day 10/8/93*

CP local government spokesman Pikkie Coetzee said at least two thirds of white town councils had indicated they would resist joint authority with blacks. *(2014)*

"Government will have to use force, or kill us, to get us out," he said. "It will be Ventersdorp all over again, except this time it will be across the country."

Coetzee said a decision to resist the change was reached "unanimously" on Saturday at a special meeting in Boksburg of the CP-run Transvaal Municipal Association, which represents 100 councils.

He said many NP municipalities had attended the meeting and had joined CP councillors in rejecting joint control.

The DP also expressed disquiet over the proposals. DP local government spokesman Jaspas Walsh said that although DP-controlled councils accepted the need for democratic local authorities, he did not think all were going to accept the type of administration planned by the Local Government Negotiating Forum. *(262)*

Non-right-wingers who advocated democracy were unhappy with the plan for undemocratically appointed administra-

To Page 2

Councils *B1 Day 10/8/93*

From Page 1

tors, who could be in power for as long as 18 months before new local elections, he said. *(304A) (262)*

ANC local government spokesman Mathole Motshekga said although the organisation did not want confrontation, government would have to maintain law and order during the transition. However, every effort should be made to include

right-wingers in the transition process.

Local Government Minister Tertius Delport said government did not favour dismissing serving council members, but wanted their membership expanded to include appointees. Government was against an illegitimate process that simply replaced serving councillors, and the CP had "jumped to conclusions" over the issue.

Change of tack on TBVC issue

Rilbey 11/8/93

TIM COHEN

CONSTITUTIONAL drafters have made an about-face, urging the continuation of homeland and TBVC administrations past elections and ditching an earlier suggestion that regions be quickly consolidated.

The changes were apparently designed to accommodate the fears of homeland governments that their administrations would be dismantled abruptly and had raised hopes that some of the fears of parties outside the negotiations would be assuaged.

The new constitutional draft tabled at negotiations yesterday made provision for the reincorporation of the TBVC states and the homelands.

However, instead of recommending the establishment of "a single consolidated SPR (state, province, region) as expeditiously as possible", the new draft said administrative structures "shall continue to perform the functions which they previously performed".

The draft recommended that the national and SPR governments would have to co-operate in rationalising the administrations, but urgency was not mentioned. It said that the national and SPR governments would establish administrative structures and institutions and employ the personnel needed for the performance of functions undertaken by them.

The new draft placates civil servants by guaranteeing them not only job security but also salaries. It states that the personnel "shall be deemed to be remunerated on the same basis as they were previously remunerated".

For the first time, the draft included a mechanism to cope with possible disagreements that could arise in the rationalising of administrations and institutions, referring difficulties to the proposed commission on regions.

The draft, like the old draft, made provision for the continuing applicability of laws passed by governments incorporated into a particular region.

The draft foresaw the quick consolidation of legislation, saying "parliament and the legislatures of the SPRs will undertake the consolidation and unification of the laws as expeditiously as possible".

Section 119 of the proposed interim constitution stated that the administrative institutions and structures of provisional self-governing territories and the TBVC states would continue to perform the functions they performed before the proposed constitution came into operation.

"The personnel shall continue in the posts they occupied immediately before the coming into operation of this (interim) constitution and shall continue to perform the functions which they previously performed," the section said.

Likewise, the national government would continue to be responsible for the functions which formed part of a government department of the existing government, the draft said.

It was envisaged that this structure would form the basis for an eventual consolidation. The section is likely to be discussed by negotiators today.

Oral evidence called

for on 'sensitive' areas

Rilbey COHEN 11/8/93

TWO new investigations were initiated by negotiators yesterday — the first to hear more evidence on regional boundaries and the second to recommend new national symbols, including at least four optional flags.

After lengthy and often fractious debate on regional boundaries on Monday, negotiators at the World Trade Centre resolved that local communities and organisations should be given another chance to argue their cases.

Negotiators resolved to ask the co-chairmen, assisted by other members of the drafting commission, to receive oral evidence on "sensitive areas". The commission would then prepare a technical report evaluating the information and indicating the application of criteria and reasons for and against establishing different regions.

The resolution emphasised that "the people and communities who would be directly affected by the boundaries... should have a further opportunity to contribute to the process of regional demarcation".

Negotiators also passed a resolution calling for a commission of between 10 and 15 people to be set up before August 17 to recommend at least four flags and coats of arms, a seal and an anthem for the transitional period. As this was an "extremely emotional issue" it would have to be dealt with with the utmost sensitivity.

The commission, which would make its recommendations before November, would be asked to take into account the diversity of the population but concentrate on the unifying functions the symbols would serve.

A debate on Walvis Bay was postponed despite the Namibian foreign affairs ministry's call for its return. The postponement came after the submission of a PAC resolution, supported by several other parties including the ANC, calling on government to be mandated to promulgate legislation to transfer Walvis Bay to Namibia "as a matter of urgency".

In a news release circulated at the talks, Namibia's foreign affairs ministry said government had claimed it could not take a unilateral decision.

The draft resolution had given SA's government an opportunity for a decision taken jointly by leaders representing all political viewpoints.

Namibia's cabinet welcomed the "timely and farsighted initiative by the overwhelming majority of participants at the World Trade Centre".



Negotiators race to make forum deadline

B1 Day 11/8/93

NEGOTIATORS in the local government negotiating forum are frantically trying to make the October deadline to have joint appointed administrations in place.

The forum had to postpone its third plenary session twice as various working groups raced to finish their tasks, sources said yesterday.

Also holding the forum back was the need to keep in step with the multiparty talks.

The forum had revised its timetable to have draft legislation ready for the October sitting, instead of September as originally planned. (262)

The final draft proposals should be ready within the next few weeks. Negotiators hoped to be able to distribute guideline documents to enable local authorities to start the process as soon as possible.

Meanwhile, officials in the Local Government Department had been gearing up to have the necessary mechanisms in place, and legislation prepared for Parliament's next sitting.

Once the draft Bill was prepared, it had to be cleared by the forum.

Issues still to be resolved were the drawing up of boundaries for the joint administrations, the composition of administra-

GAVIN DU VENAGE

tions, and how to overcome resistance to the plan. An official said opposition was a major obstacle. All parties were hoping to come up with a solution to draw detractors into the process.

Technical committees are hoping to have demarcation boards in place soon to overcome the problem of boundaries. Local Government Minister Tertius Delport circulated a document spelling out government's position on the merging of authorities, and how the "50/50" principle of equal representation between civics and councillors would be applied.

The document said that local authorities should, as far as possible, decide themselves on who would merge with whom. Where problems arose — most likely in metropolitan areas — legislation would lay down prescriptions on how a forum should be composed as well as providing a formula for nominating members.

To keep the process orderly, a Local Government Reform Act would be drawn up, based on decisions made in both the local government forum and the multiparty talks.

Cross readers demand prize

KATHRYN STRACHAN

ANGRY readers gathered outside the offices of The Star in central Johannesburg yesterday, claiming their share of a R45 000 prize after a printing error in the Sunday Star's Viewfinder competition left many under the false impression they had won.

The Star's marketing manager Ray Asiroglu said the organisation was considering ways of compensating all those who had claimed, but he could not say whether this would go beyond the R45 000 budgeted for prizes.

The final financial implications could be calculated only once all claims had been received, he said.

Asiroglu denied reported incidents of fighting and a stabbing at the gathering yesterday morning, claiming police had been called in to deal with "criminal elements" who had taken advantage of people in the group.

Evicting gangsters tops teachers' priorities

B1 Day 11/8/93

KATHRYN STRACHAN

EVICTING gangsters from a Katlehong primary school was first on the list for teachers, pupils and civic associations planning to restore education in the embattled area.

A plan was devised at yesterday's meeting of representatives from the SA Democratic Teachers' Union, the Congress of SA Students and the Thokoza and Katlehong civic associations.

A spokesman for a task group established by delegates at the meeting

said pupils and teachers at Hlezphi Primary School in Mngadi section had vowed never to return. Plans to accommodate them at another school in the more calm Psolo section would be worked on today.

A gang was using Hlezphi Primary as its base for attacks, he said. The group would demand security forces evict the gang.

A concerted effort would be made to get pupils back to school. An inten-

sive "catch-up programme", which included an extra hour of classes each day, would be launched.

Parents would also be urged to help restore "a culture of learning" in the area.

Education had been shattered by the violence.

The task force would demand that additional armed forces be deployed in the Mngadi and Twala sections to bring an end to the killings, the spokesman said.

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W Cape borders 'aren't logical'

By BARRY STREEK
Political Staff

262
263
11/8/93
CALLS for the Western Cape's borders to remain basically unaltered have been endorsed by the ANC in the region

The proposed boundaries were illogical and made no economic or political sense, the ANC's regional chairman, Dr Allan Boesak, said

The boundaries should be drawn up in consultation with the communities and drafted by an elected constituent assembly

The ANC's regional general council appealed at the weekend to the technical committee and ANC representatives at the multi-party negotiations

Objections

Karoo and Namaqualand delegates in particular voiced opposition to the proposed borders. The ANC regional council endorsed their views

ANC opposition follows similar objections by the constitutional work committee of the Regional Development Advisory Committee for Region A

Dr Boesak said the borders drafted by the delimitation commission would lead to further impoverishment of the Namaqualand and Karoo regions

"There is a suspicion that these boundaries were put forward by the National Party to improve its election chances"

The ANC's assistant secretary in the region, Mr Willie Hofmeyr, said "The people in rural areas are almost being used as sacrificial lambs"

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Regions Revamp

CT 11/8/93 252

Own Correspondent

JOHANNESBURG. — Local communities and organisations are to be given a second chance to argue for regional boundaries, negotiators at the constitutional talks at the World Trade Centre in Kempton Park decided yesterday.

The agreement came after lengthy and fractious debate on regional boundaries

It was resolved to ask the co-chairmen, assisted by members of the drafting commission, to receive oral evidence on "sensitive areas"

The commission would then prepare a report evaluating the information and indicating the application of the criteria and reasons for and against establishing different regions

The resolution emphasised that "the people and communities who would be directly affected by the boundaries should have a further opportunity to contribute to the process of regional demarcation"

Yesterday Constitutional Development Minister Mr Roelf Meyer said "it is a more comprehensive document and more representative of how the final constitution will look. The shortcomings of the first draft have been effectively addressed"

However, he said, there were still problems with the constitution-making body's deadlock-breaking mechanism, and further clarification was required on the nature of the concurrent powers shared between regions and the central government.

Mr Meyer said he was still confident

of meeting the end-August deadline for finalising legislation that has to go before Parliament in September

ANC secretary-general Mr Cyril Ramaphosa said it was a good document that provided a solid base from which to negotiate a final settlement

In their reaction, the Democratic Party claimed credit for getting the border issue referred to the people

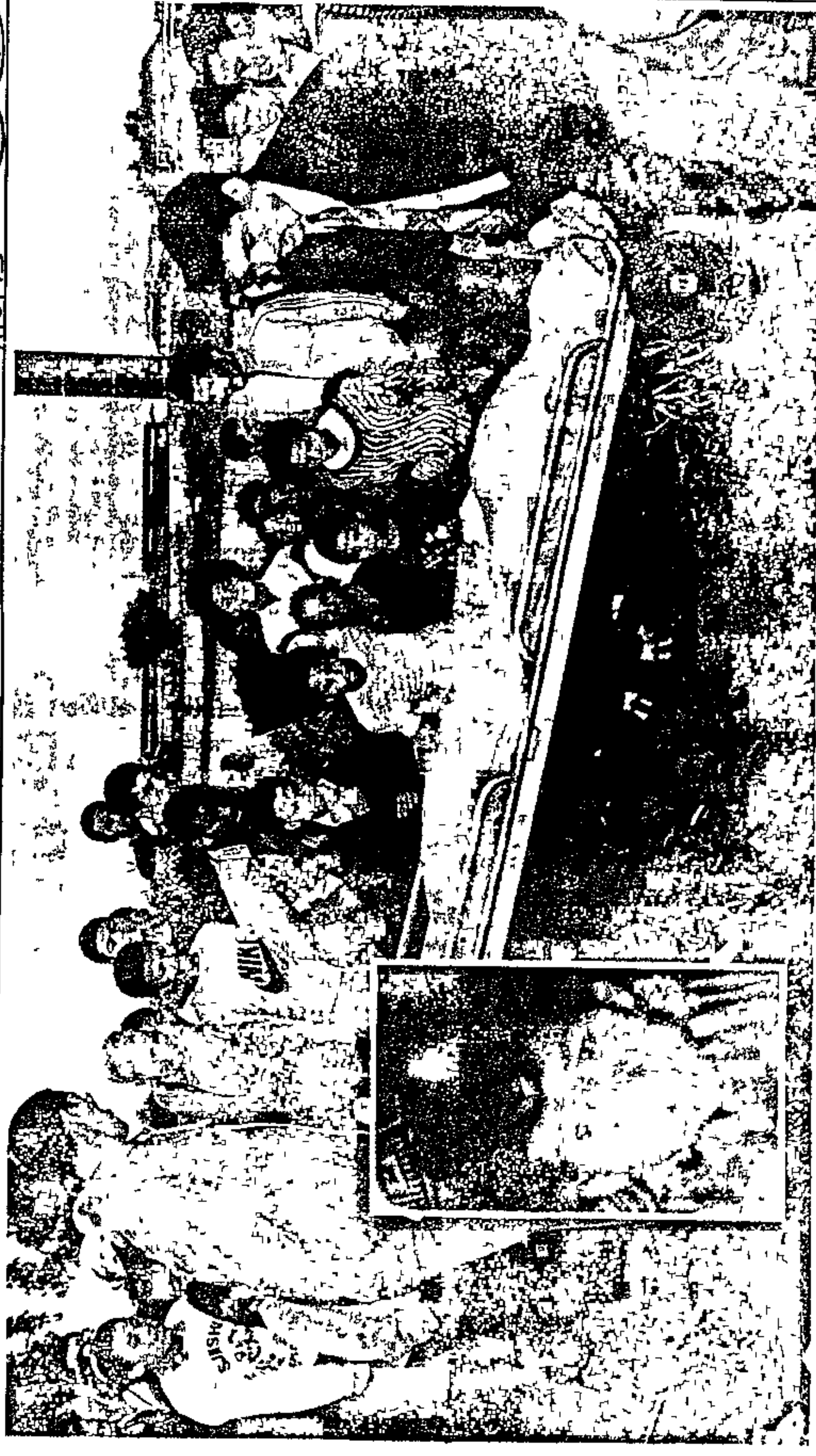
However, Conservative Party MP Mr Willem Botha said the CP demanded "self-determination for our people and seeks the same for other nations in a confederate system"

Negotiators also passed a resolution calling for a commission of between 10 and 15 people to be set up before August 17 to recommend at least four flags and coats of arms, a seal and an anthem for the transitional period

The commission, which must make its recommendations before end-October, was asked to concentrate on the unifying functions that the national symbols must serve

The second draft is still not a complete constitution but besides the proposed changes to regions it contains more technical details — Own Correspondent and Sapa

● Second draft welcomed — Page 2



MURDER SCENE — Mortuary workers remove the body of nine-year-old Lorenzo Naidoo from where he was found murdered in U i sig, Elsie's River. Horrified children and curious adults look on. **INSET:** Lorenzo Naidoo. Picture ALANTAYLOR

Powers for new Star 11/8/93 regions boosted

BY ESTHER WAUGH
and CHRIS WHITFIELD

The second draft of the Interim Constitution tabled yesterday in the Negotiating Council has increased powers for regions — but appears not to go far enough to satisfy the Inkatha Freedom Party (262)

Negotiators at the World Trade Centre were generally encouraged by the draft and said the inclusion of "exclusive" regional powers for the first time significantly strengthened the federal character of a constitution for the new South Africa. (262)

Last night the KwaZulu Cabinet met on the issue and a top negotiator said a formal response to the second draft would be made this week.

Tokenism (262)

But he said that while there had been "some tokenism to meet some of our objections", the second draft remained substantially the same as the first, tabled two weeks ago.

"It retains the worst elements the two-phased process, the deadlock-breaking mechanism, and no mechanism to ensure that the regions will have constitutions before elections. It also allows the constituent assembly to finalise the regions," he said.

Although the second draft does not appear to contain enough to lure the IFP back to the talks table immediately, its meetings with the Government and the ANC are continuing. These talks are understood to be progressing.

In its report, the technical committee on constitutional

► To Page 3

Star 11/8/93 Powers for regions boosted

◀ From Page 1

matters said: "Put simply, original powers vested in SPRs (states/provinces/regions) that are derived from the constitution cannot be withdrawn by the national government, nor can they be changed without amending the constitution itself."

It said an SPR government "shall have exclusive legislative competences, including all necessary ancillary powers" in a variety of areas, including:

■ The "appropriation of SPR revenue and money for financing the government and services of the SPR".

■ SPR planning and development as well as town planning

■ Firefighting, ambulance and other civil protection services

■ Language policy and the languages for official use in the SPR.

■ Delivery of water, electricity and other essential services

■ SPR tourism and recreation, public media, roads and public transport

■ Casinos, racing and gambling.

It directs that Parliament will not legislate on these matters except when necessary for the setting of minimum standards, the maintenance of national standards or security, the promotion of inter-SPR commerce and the prevention of "unreasonable action" by one SPR against

THE TALKS AND YOU (262)



Yesterday at the World Trade Centre

REGIONS: The Negotiating Council yesterday resolved to establish a sub-committee to hear further submissions from residents and organisations in 'sensitive areas'

The Afrikaner Volksunie asked that the right to self-determination be included in the sub-committee's brief. The party claimed that its submissions to the Commission on Regions had not been taken into account.

The Pan-Africanist Congress reserved its position on the resolution while the AVU opposed it.

INTERIM CONSTITUTION: The second draft of the Interim Constitution, tabled yesterday, gives for the first time exclusive powers to the regions. Negotiators said the provision strengthened the federal character of the Interim Constitution.

SYMBOLS: The Negotiating Council accepted a proposal by the planning committee that a commission be established to make recommendations on national symbols for the transition.

CHRIS WHITFIELD

another

Parliament would have "concurrent legislative competence" for housing, education, health services, welfare services, agriculture, fish and game preservation, the environment, public works, SPR and local policing.

The powers of an SPR government in these areas would be constrained only to the extent that the legislation passed by the central government "expressly or by necessary impli-

cation limits the legislative competence of SPR government"

Constitutional Development Minister Roelf Meyer said the draft addressed the Government's concerns on exclusive powers to regions, but several areas still had to be negotiated.

ANC secretary-general Cyril Ramaphosa said the document was "something to build on"

SA Communist Party delegate Sam Shlowa described it as "a lot better" than the first one

Regions get exclusive powers in second draft of new constitution

THE three major power blocs at multi-party talks — government/NP, the ANC/SACP alliance and the Concerned South Africans Group — have welcomed yesterday's second draft of the constitution as a major step towards a final agreement.

Tabled yesterday, the draft produced by the constitutional technical committee spelt out the areas over which regional legislatures would have exclusive powers. These were the appropriation of regional revenue and money for financing the region's government and services, regional

planning and development, town planning, civil protection services such as firefighting and ambulances, language policy and the region's official languages, regional cultural affairs, traditional authorities and indigenous law, markets and pounds, road traffic, supplying essential services such as water and electricity, regional tourism and recreation, regional public media, regional roads, public transport, and casinos, racing and gambling.

Regions can refuse to accept any exclusive power if they are unable to compe-

tently exercise such power because of a lack of administrative, infrastructural or related capacities. However they can call on Parliament at a later stage to transfer the power.

Parliament may not legislate on matters within the functional areas of regions unless this is necessary to set minimum standards or for the effective control over the delivery of services, to maintain national standards or to ensure that one

region does not act in a manner prejudicial to another; for national economic policies and interregion commerce and to protect the common market.

Regional governments will have full legislative competence for regional purposes and the national Parliament will have concurrent powers in the following areas, subject to qualifications: taxation for regional purposes, local government, housing, education, health services, welfare services, agriculture, fish and game preservation, the environment, public works, regional

By Billy Paddock 11/8/93

Constitution

By Billy Paddock

11/8/93

From Page 1

Bophuthatswana chief negotiator and senior Cosag member Rowan Cronje said he was very happy with the "constitutional provisions for the powers and functions of regions and their original powers".

However, he was concerned about the establishment of regional constitutions and the lack of regions' powers of taxation.

Constitutional Development Minister Roelf Meyer said "It is a more comprehensive document and more representative of how the final constitution will look. However there were still problems with

the constitution-making body's deadlock-breaking mechanism, and further clarification was required on the nature of the concurrent powers shared between regions and the central government, Meyer said.

He was confident the end-August deadline would be met to finalise legislation to go before Parliament in September.

ANC secretary-general Cyril Ramaphosa said it was a good document that provided a solid base from which to negotiate a final settlement.

and local policing, and regional correctional services.

Regional powers may not be amended or diminished without the consent of regional legislatures. The constitution also restricts Parliament from exercising its powers "so as to encroach upon the geographical, functional or institutional integrity of a region, or in a manner which would deprive a regional government substantially of any of its competences" in terms of its powers.

To Page 2

constitution

The Local Government Negotiation Forum (LGNF)

The Local Government Negotiation Forum (LGNF) has, since its establishment in March this year, already unveiled an agreement on a firm, soon-to-be implemented plan to reform local government. Nominated Transitional Local Councils (TLCs) and Transitional Metropolitan Councils (TMCs) will replace existing local authorities as a step towards non-racial government.

The Mission of the LGNF

To contribute to the democratisation of local government and to bring about a democratic, non-racial, non-sexist and financially viable local government system.

Who manages the Forum?

The LGNF is the first of its kind for local government in South Africa. Despite the criticism against the Forum of not representing all the people, its establishment is a giant leap for local government. This is the first time ever that statutory and non-statutory organisations are making a joint effort to solve the problems of local government.

The Forum is a non-statutory, voluntary body. It does not replace any existing statutory body and has no legal status. It will explore, research and recommend options for local government structures to the Multi-party Negotiation Forum.

Three steps of local level reform

The reform process at local government level is seen as taking place in three phases.

The **pre-interim phase** – from the present until elections for transitional structures have been held. This phase has two logical stages, viz

- from now until transitional legislation is in place, perhaps by September/October 1993. During this time, existing structures remain in place and legislation is prepared – not unilaterally but by negotiation to dismantle segregated Councils.
- from the date that this legislation comes into effect which will provide for non-racial, appointed TLCs and where appropriate, TMCs to replace existing segregated structures. This phase will end when interim and local metropolitan structures have been elected.

The **second phase** will commence with local and metropolitan elections for new Councils, which will take place after the national elections.

The **final phase** will introduce the final constitutional model for local government.

How will TLCs and TMCs be created?

Multi-party local negotiation forums, such as the Central Wits Metropolitan Chamber, must be established at local level throughout the country. A number of such forums have already been established. These forums will then appoint the TLCs and TMCs on a 50/50 basis, between statutory and non-statutory bodies.

What will the nature of the appointed TLCs and TMCs be?

The critical situation in the townships necessitates some form of interim structures. These structures must be non-racial and, at the same time, enjoy more legitimacy than the present system of Black Local Authorities. These appointed Councils will only remain in place until full municipal elections have been held after next year's national elections.

Who will decide the new boundaries of local and metropolitan areas?

A Demarcation Board for each province/region should be constituted which will determine the areas of local and metropolitan government according to national guidelines. This will be done in consultation with a regional monitoring committee. It will also confirm forum areas in cases of dispute.

What powers will pre-interim and interim local governments have?

During these phases structures will exercise the traditional functions of a third-tier government – which South Africa has known for decades. They will, however, have to operate within a non-racial, developmental and sharing approach.

Compiled by the Secretariat of the Local Government Negotiation Forum

Exclusive powers for regions agreed by all

Political Staff

JOHANNESBURG — The Negotiating Council has unanimously agreed that regions should have exclusive powers free from central government interference

The concession by the ANC and its allies has laid a basis for consensus on strong regional government

Negotiators yesterday discussed their differences on the issues of regional government, among which were those of regional citizenship and the ability of regions to raise revenue

The parties agreed on 11 exclusive

powers for the regions, and indicated several groups wanted to transform concurrent powers, listed in the second draft of the Interim Constitution, to executive powers.

The executive powers over which there was disagreement were referred to the 10-member planning committee

The executive powers agreed to are the appropriation of revenue for financing regional government and its services, regional planning and development, town planning, fire-fighting and ambulance services and other

civil protection services, official languages in the region, cultural affairs, traditional authorities and indigenous law, markets and pounds, delivery of water, electricity and other essential services, tourism and recreation, and casinos, racing and gambling

Bophuthatswana and Ciskei argued that provision should be made for regions to raise revenue without central government restrictions.

Chief Bophuthatswana negotiator, Rowan Cronje said "He who holds the purse strings controls the country"

Ciskei government negotiator Mick-

ey Webb submitted that the delivery of services would be delegated to the regions, making necessary the raising of revenue on a regional basis

It was also pointed out that residents of the regions would have to be clearly identified for the purposes of voting, taxation and the access to essential services such as health and welfare

The Atrikaaner Volksunie, Ciskei and Bophuthatswana argued in favour of regional citizenship for these reasons.

● See page 14

Decision on regional powers

NEGOTIATORS yesterday wrapped up discussion on the second draft of the interim constitution and decided conclusively that regions should have exclusive as well as concurrent powers.

However, the lists of powers that should be exclusive and concurrent have not been finalised and parties have to submit their proposals to the planning committee.

Also yesterday, Inkatha Freedom Party leader Mangosuthu Buthelezi, speaking after a meeting of the Concerned South Africans Group (Cosag) in Pretoria, said Inkatha was not prepared to take part in an election in which the purpose was to elect a constitution-making body.

He said that Cosag was not against the election as such but would not fight for a government to be elected for a short time or for a temporary constitution.

Meanwhile, yesterday's decision on regional powers was seen as a step

BILLY PADDOCK

forward **Rilbcu** 12/18/93

The technical committee has now been instructed to do a third draft and investigate alternative mechanisms to add to its suggestion of forming a regional commission to administer the regional authorities.

In the course of debate, several controversial issues emerged, the most important being about taxation in regions.

Bophuthatswana negotiator Rowan Cromie insisted that regions be allowed to raise revenue above that of central government's allocation to them. ANC negotiator Thozamile Botha said while he acknowledged the responsibility and cost of providing services to regions, central government also had major financial responsibilities to regions.

Following lengthy debate, the negotiating council referred the matter

to the planning committee.

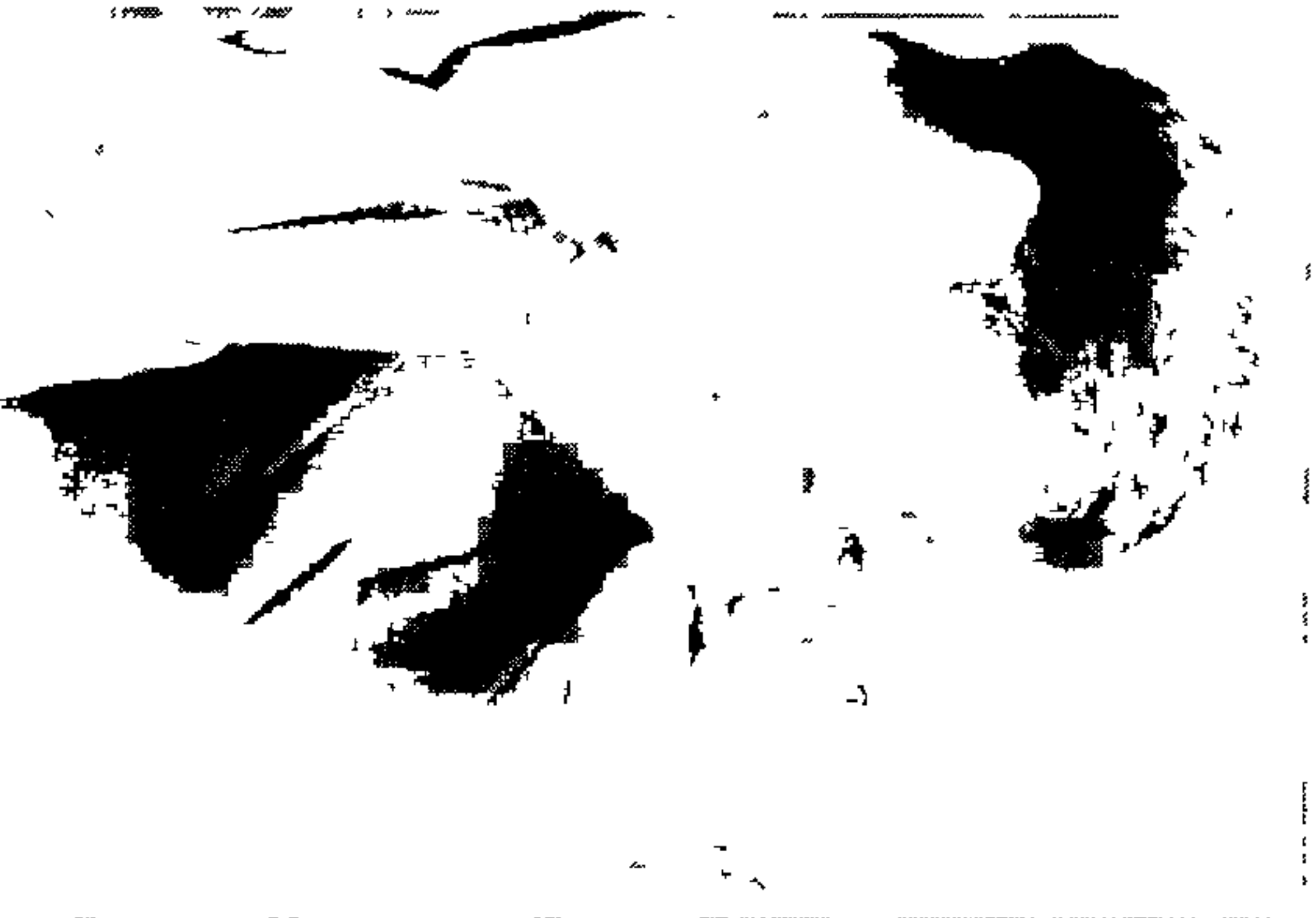
Another issue, raised by Cosag, was that which insisted that regions have citizenship and specific identity documents.

This was opposed by other parties which argued that proof of residence was sufficient control.

Another hotly debated issue was whether regions could develop their own constitutions prior to elections and also prior to a final constitution.

The technical committee stated that the constitution being debated now would only come into force at the elections so it could not provide for regional constitutions prior to elections. However, its members argued it would be possible after the elections.

Meanwhile, Buthelezi also said yesterday Inkatha and KwaZulu's return to multiparty talks "appeared to be out of the question". A decision was expected to be taken at the weekend by Inkatha's central committee



Senior government negotiators Roelf Meyer and Dawie de Villiers have a word at yesterday's deliberations at the World Trade Centre, Kempton Park. Picture: GARTH LUMLEY

sales to 3/8/93 to talks

gional constitutions

And, lastly, provision should be made for the development of a regional constitution for KwaZulu/Natal

"We should engage ourselves now, not only at the central level, but also at the regional level, in drawing up a constitution that could be adopted in the future," he said.

Both Meyer and President F W de Klerk emphasised the urgency of the situation, saying the negotiations process had only 21 days to reach agreement to permit the April 27 elections to go ahead on schedule.

De Klerk said the election would be a "make or break" moment in the country's history, and its result would lay the foundation for the next 50 or 60 years

Parties 'not controlling members'

AMANZIMTOTI — Law and Order Minister Hernus Kriel criticised political parties yesterday for not exercising control over their members.

He said more than a third of SA's police force was now occupied with peacekeeping functions. *Biday*

Speaking at the NP's Natal congress, Kriel criticised the cost of "mass action" and the extent to which it engaged the time and resources of the police.

The cost of ensuring all went well at the recent ceremonies in Schweizer-Reneke, in which the freedom of the town was granted to AWB leader Eugene Terreblanche and Umkhonto we Sizwe commander Joe Modise, had been R3m, the Minister said. *13/8/93*

The resources consumed in policing mass action had provided latitude for ordinary criminals.

The main cause of violence was the "political battle" between the Inkatha Freedom Party and the ANC.

The police were not implicated, as the ANC claimed.

The ANC was "looking for excuses all

TIM COHEN

the time."

It had to face up to the fact that Umkhonto was involved in violence, as was the PAC and Inkatha.

The SAP had to handle the symptoms of violence, not its root causes.

The root of violence was the "political fight" between the IFP and the ANC, he said.

Political parties were too lenient towards offenders. The ANC, for example, was too spineless to take action against its midlands chairman, Harry Gwala.

Kriel called on all citizens, not only whites, to join neighbourhood watches to combat crime.

He said nothing restricted crime more than scaring criminals into not committing crimes in the first place.

As had been announced before, money would be made available for radios for farmers, but recipients would have to keep up their end and contribute to the battle against crime by joining farm watches.

NP moots early local polls

AMANZIMTOTI — Local Government Minister Tertius Delpont has proposed local government elections even before the national election in April, as a way of resolving the complex task of establishing local governments on the agreed 50/50 basis.

Delpont proposed the idea at the NP's Natal congress, warning that local government could become an "explosive situation". *Biday*

He said the Local Government Negotiating Forum had approved the idea of a so-called 50/50 dispensation through appointments to town councils by "statutory" and "non-statutory" groupings. The reason for the 50/50 principle derived from the urgent need to give representation to those who had been unrepresented in local government on a transitional basis and in a pragmatic way.

However, government proposed that elections should be held as soon as possible, he said.

Government would prefer a local settlement, because in many cases local negotiations were well established in forums and the new focus

TIM COHEN

should be on the question of how the joint local council could be composed in such a way that would instil public confidence in it. *13/8/93*

Government was not "dismissing" serving council members and would regard expansion, even on a 50/50 basis, as a better option

Delpont said phases suggested by the Local Government Negotiating Forum were *(262)*

□ A pre-interim phase of a period between the time new legislation was promulgated and until authorities were ready to hold elections, and

□ An interim phase comprising the period after a first election until a final phase was reached in tandem with a new constitution

Asked when these elections could take place, Delpont said the polls could take place even before the proposed first election in April.

He acknowledged that he had not discussed the idea with other local government negotiators, but said this was the most practical solution.

Mentz resigns but Volksunie to stay

THE Afrikaner Volksunie would remain in multiparty negotiations in spite of the blow of three senior resignations, Volksunie leader Andries Beyers said yesterday after news of the latest resignation, that of Volksunie chief negotiator and MP Moolman Mentz. *Biday*

Mentz resigned earlier yesterday, claiming he had been kicked out of the party's negotiating team on Wednesday night. *13/8/93*

At the World Trade Centre yesterday, a clearly upset Mentz said the Volksunie had softened its position on self-determination. "I have been sidelined," he said. *(SAPA)*

Beyers claimed Mentz and the two others who recently resigned, MPs Chris de Jager and Rosier de Ville, wanted the Volksunie to join the CP in walking out of multiparty talks in protest against the unresolved issue of Afrikaner self-determination

However, the Volksunie believed it could achieve more for Afrikaners by remaining in the process. — Sapa

Attack on 'fat cat' workers

730
263

CR13/8/93

Staff Reporter

A CAPE TOWN city councillor tore into the municipal workers union yesterday in the wake of the municipal strike — describing the workers as fat cats who were grossly overpaid.

In a letter to the Cape Times, Mr Arthur Wienburg said the strike had been "political", as city workers were paid almost double the strike demand for a basic wage — and received much more than private sector workers.

Workers and SA Municipal Workers' Union (Samwu) president Mr Salie Manie had also behaved like "the AWB storm troopers at the World Trade Centre" in causing R40 000 worth of damage to the Good Hope Centre during the strike.

"Mr Manie had the gall to say he warned the council against calling in the police. What does he want? A blank cheque to conduct anarchy, insurrection and mayhem?" Mr Wienburg asked.

Having jobs made Samwu workers part of an elitist group.

Demands for additional wages without commensurate produc-

Councillor: Strike was political

tivity drove up inflation and prevented the council from creating jobs for those out of work.

Mr Wienburg said strikers demanded a minimum wage of R650. Council workers got a minimum total package of about R1 500, including housing.

Council research showed that catering staff were paid double what their counterparts earned in the private sector, and the building and production unit staff earned about 40% more than those in the private sector.

"It is quite clear that the strike was of a political nature," Mr Wienburg said.

The R250 000 workers would receive in addition to what they were originally offered would cost the workers collectively over R500 000 in lost wages.

He said Mr Manie and his co-workers saw themselves as future councillors, but "heaven help us if people who cannot conduct themselves in a dignified manner and show no restraint take control of the city's R2 billion per annum budget".

Mr Wienburg asked "how many people died or suffered additional trauma" when the union had reneged on a promise not to disrupt essential services, which had led to the ambulance service being able to respond to only 99 out of 200 calls.

Acting exco chairman Mr Leon Markovitz said Mr Wienburg's views contained "a minimum amount of facts coupled with a labour relations policy one could not even contemplate in today's climate".

"The matter has been successfully settled and we are now moving forwards, not backwards."

● Samwu president Mr Manie said last night that the strike was partly in support of some municipal workers in other areas who were paid less than R300 a month.

The union had stuck to a deal with council that only emergency ambulance calls were answered.



Parliament planning begins

CT 13/8/93

~~SETA~~
NOW that it had been decided that Parliament will remain in Cape Town, it was full-steam ahead for the planning of the legislative building for use after the April 27 election, the Secretary to Parliament, Mr Robin Douglas, said yesterday

"I am very happy. It's great news for all of us. I am particularly looking forward to making

the new people feel as comfortable as possible," he said

The decision means that the 322 permanent staff members of Parliament and about 210 temporary workers when it is in session will retain their jobs in Cape Town

● It was with a "sense of relief" Chamber of Commerce assistant director Mr Albert

Schuitmaker heard of the decision that Parliament would remain in the city yesterday.

He said the economic benefits of Parliament affected every sphere of the city's economy.

Mayor Mr Frank van der Velde agreed "wholeheartedly" with the decision to keep Parliament in the "Mother City and the gateway of South Africa" — Political Staff, Staff Reporter

Council members 'can be appointed'

CT 13/8/93

262

MUNICIPALITIES can hold elections as soon as they are ready but if this can't be done then town and city councils should be expanded through appointments, Local Government Minister Dr Tertius Delport said yesterday

Speaking at the National Party's Natal congress in Amanzimtoti, he said the government advocated elections for local government bodies but realised that time was needed to prepare for such polls

However, he said it was not in favour of dismissing current council members

"In many cases local negotiations are well established in forums and one should now focus on the question as to how a local joint council can be composed through nomination in such a way that it will instill confidence in the community," Dr Delport said.

"The government's point of view is that the interim phase (after new local government bodies are elected) should be based on the principle of a 'government of local unity' for a period of five years giving effect to a system of participatory democracy," Dr Delport said.

'NP will be restructured'

~~SETA~~
AMANZIMTOTI. The National Party would have to hold a special federal congress soon to restructure the party, President F W de Klerk announced yesterday.

He told delegates at the NP Natal congress here that the NP had been a confederal party up to now but would have to convert into a federal party in line with the regions in a new dispensation

CT 13/8/93
Once negotiations had finalised the new regions, a federal congress would be called to re-organise the party

MUNICIPAL SHAKE-UP: The days of casting your vote once every five years, then leaving things up to your councillor, are over

Ratepayers in the dark

Stear 14/18/93

262

THE battle to give the disfranchised majority a say in local government has left white ratepayers furious, reports LOUISE MARSLAND.

IN SEVEN weeks, existing city and town councils are to be replaced by nominated, non-racial interim structures. The proposal has left a trail of confused ratepayers in its wake.

The move will mean that the days of casting your vote once every five years in municipal elections and then leaving the rest up to your political representative for better or for worse are gone.

Legislation to replace the existing local authorities with appointed transitional local councils (TLCs) and transitional metropolitan councils (TMCS) will be tabled at next month's sitting of Parliament. The appointment of TLCs and TMCS by existing local negotiating forums are supposed to begin on October 1.

The TLCs and TMCS will be replaced by democratically elected interim structures during national municipal elections in about 14 months, and the interim structures will continue until a final constitution has been written.

The battle to give the disfranchised majority a say in local government has come full

roots democracy, but the lack of consultation before the June 30 agreement has raised questions about accountability, public participation and democratic values.

While most agree that some kind of more legitimate, interim system is needed to take local government to elections, the new proposals have left many councils and ratepayer forums floundering. Some municipalities are in the middle of local negotiations, while others have not yet begun.

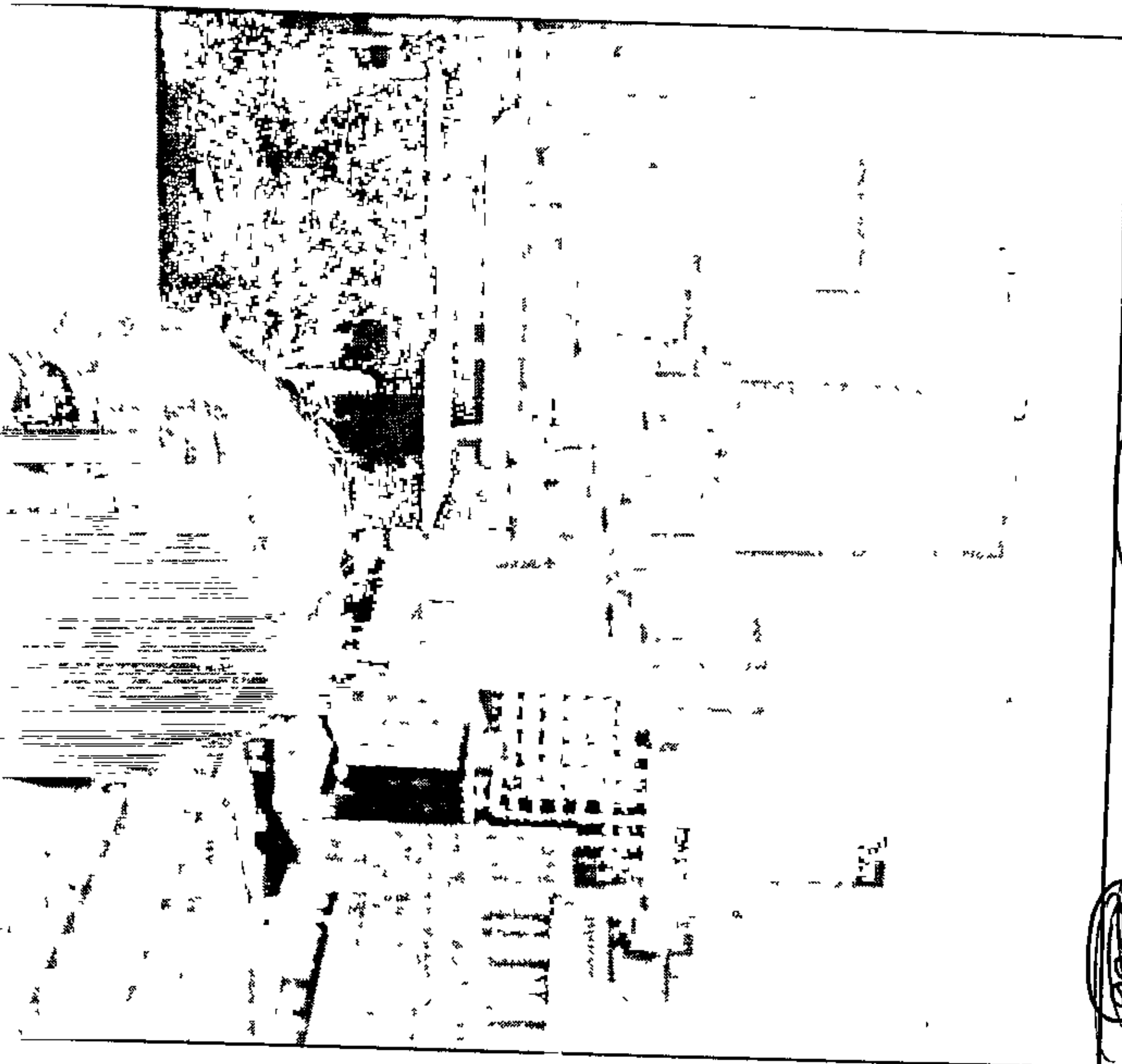
Some ratepayers' associations are now asking whether they should dig in their heels, wait for democracy and oppose the interim system with all the vigour they can muster.

The LGNF says its priority in moving so swiftly is to replace illegitimate structures with more representative ones, to try to end the eight-year rent and services boycott.

But fears are growing that certain stakeholders such as ratepayers, business organisations and political parties are being sidelined and that nominated councils will not be ac-

countable to their constituencies. The Park-

ratepayers



as much reason to be there as the civics, and they are not it seems to be pretty unbalanced — ratepayers' associations have a good chance of falling down the cracks in these new arrangements."

Simpkins blamed the Government for the present confusion, as it ran the existing system. What was also not clear, he said, was the relationship between the LGNF and the Kempton Park talks.

Atkinson said the LGNF was a valuable exercise, but it had not done its homework. "The participants must listen to the criticisms. The LGNF proposals will work in central Transvaal and the eastern Cape, as there are strong civics there and progressive councils. It won't work in the western Cape, as the civics are fragmented there, or in Natal, as Inkatha won't be dictated to, or in the northern Transvaal or Free State and western Transvaal, because of right-wing opposition."

A week ago, rightwingers from more than 100 local authorities vowed to fight the LGNF decisions.

Atkinson warned that the system could not be imposed. "The LGNF cannot take Putsonderwater and make the AWP sit next to the ANC and force them to co-operate. They will kill each other."

Simpkins's advice to those stakeholders in local government who feel left out?

pointment of TLCS and TMCs
SAY existing local negotiating
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tinue until a final constitution
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The battle to give the dis-

franchised
majority a
say in local
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has come full
circle, with
the tradi-
onal white rate-
payer organ-
isations now
claiming
they will be
the unrepre-
sented in the
new, nomi-
ated "inter-
im" councils
Veteran
Parktown
ratepayers'
champion
Flo Bird is
angry and
concerned

**'While
ratepayers
accept that you
can't have local
elections at this
time, we have to
be involved, or
else the
nominated
councils will not
be answerable to
anyone. So what
credibility will
they have?'**

Parktown's is the oldest resi-
dents' association in Johannes-
burg and she sees all the rights
that ratepayers have cam-
paigned for over the past dec-
ade being cancelled at the
stroke of a pen.

"While we accept that you
can't have an election at this
time, we have to be involved, or
else the nominated councils
will not be answerable to any-
one. So what credibility will
they have?"

A groundswell of opposition
to the Local Government Nego-
tiating Forum has been gather-
ing momentum since the LGNF
agreement on June 30 to re-
place existing municipalities
across the country with nomi-
ated councils whose members
will come from existing coun-
cils (statutory) and the civics
(non-statutory). This arrange-
ment will take local govern-
ment to democratic elections
due to be held between six
months and a year after central
government elections

The move away from segre-
gated municipalities has been
seen as very positive for local
government reform and grass-

vigour they can muster
The LGNF says its priority
is moving so swiftly as to re-
place illegitimate structures
with more representative ones,
to try to end the eight-year rent
and services boycott.

But fears are growing that
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tions and political parties are
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ated councils will not be ac-
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tuencies

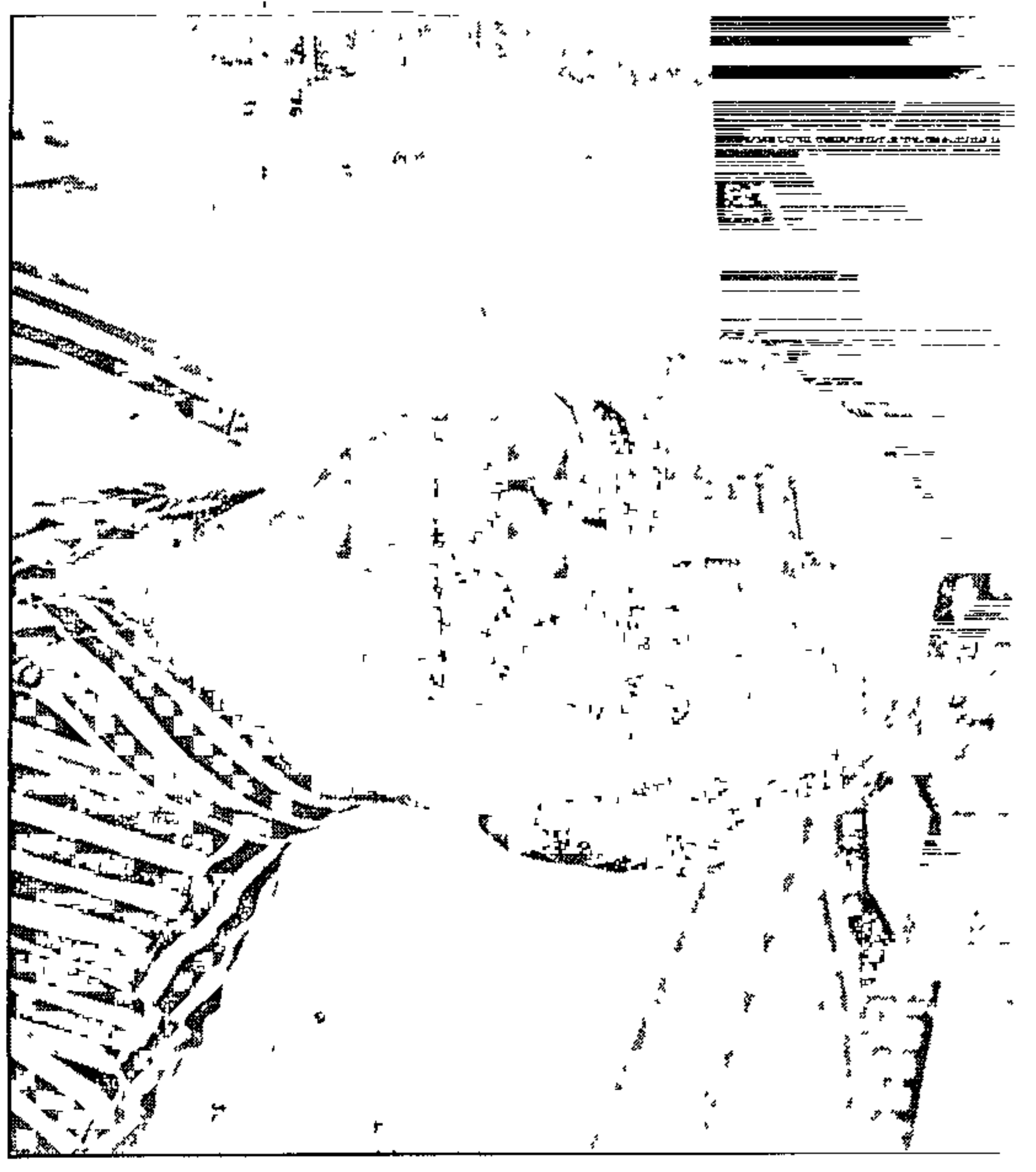
The Park-
town Rate-
payers, along
with the Jo-
hannesburg
Municipal
Action Group
(JOMAG),
are among
the founder
members of
the new Jo-
hannesburg
United Resi-
dents' and
Ratepayers'
Organisation,
which aims
to address
that fear and
ensure a

voice in local government ne-
gotiations
"We want an opportunity to
have some say. We want to
make sure that the nominated
councils are scrutinised be-
cause Johannesburg has done
nothing to inform its rate-
payers," said Bird

When asked whether it was
not too late to have any influ-
ence on the proposals for no-
minated councils, Bird replied
curtly: "It won't be too late if
we refuse to pay rates" then
they will come running"

Centre of Policy Studies re-
searcher Dr Doreen Atkinson
said many councillors had abd-
icated their responsibility
"What we are finding out in Jo-
hannesburg, and indeed in other
places, is that councillors are
not doing their homework and
don't know what their consti-
tuencies think. The end result is
that white ratepayers will have
no loyalty to either system —
interim or pre-interim — if
they are not involved. I think
there would be a lot of goodwill
out there among whites for re-
construction if the issues were
explained to them"

Atkinson explained that there
was a fundamental difference
in the political consciousness
between white and black areas
"In black areas, politics is
about principles, human rights
and votes. In white communi-
ties, we had a government that
met our basic local government
needs, and therefore politics
was issue-based — roads, ref-
use dumps. Now the debate is
about local government princi-
ples, not issues, and whites
have not been brought along
with that shift in politics"



THE BIGGEST ISSUE JOMAG chairman Conrad Berge says the competence issue of nominated
local councils is the big one. Party faithfuls will be nominated to positions they never earned,
and they will be in the public eye for months — amounting to free advertising for the elections.

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about local government princi-
ples, not issues, and whites
have not been brought along
with that shift in politics"

JOMAG chairman Conrad
Berge said the competence
issue with the nominated coun-
cils was a big one "People are
going to be put in there because
they are party faithfuls and the
other side will be absolute nov-
ices. These people will have up
to two years in the public eye
that they never earned — free
advertising for the elections
it's wicked!

HE warned, however,
that one could not lose sight of
the fact that the present system
was unacceptable "The reason
we need an interim system,
wards and all, is firstly to get
the civics to condone paying

position"
A week ago, rightwingers
from more than 100 local auth-
orities vowed to fight the
LGNF decisions
Atkinson warned that the
system could not be imposed
"The LGNF cannot take Put-
sonderwater and make the
AWB sit next to the ANC and
force them to co-operate. They
will kill each other"

Simpkins's advice to those
stakeholders in local govern-
ment who feel left out?

RATEPAYERS had to
be informed and organised
"Ratepayers need to widen
their focus and keep an eye on
what is going on in their cities
— in general and regarding the
residential land question and
new settlements — because if
that is done badly, there will be
a backlash. They also need to
know how city finances are
worked, so they are not runned
by rates-and-taxes increases
More people should be making
a fuss about this defective pro-
cess"

Local government negotia-
tors should also ensure that the
interim arrangements had as
short a shelf life as possible,
that interim administrators
were concerned primarily with
the demarcation of boundaries,
the devolution of power and the
structures of a future system,
rather than major physical
planning

Berge said there was light
at the end of the tunnel demo-
cratic elections. He urged rate-
payers and civics to begin con-
centrating on preparing for
elections. He warned that a
higher professionalism would
be demanded of politicians, and
that those who did not deliver
would be run out of town by the
time elections come around

Simpkins said he doubted
whether the process would con-
tinue as envisaged by the
LGNF, because, in the majority
of areas across the country,
there were no structures in
place to facilitate the transition
to the nominated councils "In-
katha and the CP have signal-
led their intentions there
will still be many fights at re-
gional level. The real storm is
still coming"

IFP mobilises on local govt

MARITZBURG ⁽²⁶⁾
The Inkatha Freedom Party plans to launch a special caucus to determine local government issues in Natal ~~(#8)~~ ~~(3271)~~

Former MEC for local government Mr Peter Miller, who will help set up the forum, said yesterday there was "enormous grassroots support" in formal local government structures in Natal for the IFP and its stand on federal regional government, but this support was not properly organised

He added that the IFP rejected solutions imposed upon it by structures such as the Local Government Negotiating Forum in Johannesburg and would become a powerful lobby

Aug. 93

C.F.

Air your views on boundaries

By CLAIRE ROBERTSON

SOUTH Africans are to be given a second chance to have their views heard on proposed regional boundaries for the country. *SITimes*

Delegates at the World Trade Centre this week asked the co-chairmen of its commission on the demarcation of regions to receive further evidence from interested parties in the "sensitive areas" identified. *15/8/93*

A deadline for these submissions, and a mechanism for receiving them, is to be decided upon tomorrow.

The commission received more than 300 submissions during previous sittings before presenting its report last week. That report was criticised as having suffered from time constraints imposed by the Negotiating Council. *(262)*

"Any fear that there might be an imposition of an 'undemocratic map' are unfounded and misplaced," said planning committee member Pravin Gordhan of the Transvaal and Natal Indian Congress delegation at the talks.

Mr Gordhan said many criticisms of the report were inaccurate and resulted in an "unfair berating of the report"

"The commission in its report clearly emphasised the need for further consultation," he said

"It also expressed concern over the lack of representation from local communities and the fact that the majority of submissions came from white-establishment interest groups"

The issue of regional boundaries would create tensions in coming weeks between the need to have boundaries of regions written into the interim constitution for the purposes of elections and creation of regions, and the need to allow sufficient time for democratic consultation with the communities concerned, Mr Gordhan said. *(307)*

"The public needs to be aware of this. A climate must be created by all concerned which will facilitate constructive and critical discussion and debate on all aspects of regions

"Differing groups need to hear each other, appreciate their re-

spective concerns and search for common ground on the precise location of boundaries

"The process of establishing regions is likely to be a long process commencing after agreements have been reached in the Negotiating Council and extending beyond the election."

The key disputes identified included those centred on the PWV, eastern Cape, northern Cape, and the Natal/Cape boundaries

"There has been intensive emphasis on 'regionalism' in the course of the negotiations," Mr Gordhan said

"This entails the delimitation of boundaries of regions, defining the political institutions in regions, the powers and functions of regional governments; and agreeing on processes and mechanisms for the immediate co-ordination of old apartheid administrative structures in the new regions and the eventual rationalisation and restructuring of these structures to create a single administration for the new regions"

NAT U-TURN ON MIXED COUNCILS

SI Times 15/8/93

From Page 1

statements on local government

"This does enormous harm to the agreement," he said "The LGNF was due to meet within the next three weeks to finalise small points on the proposed legislation

"The constitutional sub-committee has reached consensus on the issues, and I predict any delay will have major repercussions"

The ANC reacted with anger to Dr Delport's backtracking

"We simply cannot allow ourselves to be blackmailed by people who threaten violence when faced with democracy," said spokesman Carl Niehaus "We expect the NP government to behave more responsibly than this"

The decision to scrap the plan follows a round of meetings — involving local government authorities and the government — at which it became clear that white right-wing resistance would be so fierce as to jeopardise the whole process

A senior government source warned "Unless a compromise is found, civil war could break out in towns all over South Africa

"Before transitional structures can be put in place, communities will have to be calmed down"

The right-wing council factions yesterday remained sceptical of the government's decision

The Conservative Party's spokesman on local government, Mr Pikkie Coetzee, said the right wing "no longer believes anything Dr Delport says"

"He has finally realised that we are not prepared to hand our towns over to black rule, and that is why he suddenly wants to find a compromise," said Mr Coetzee

"At the same time, he is under pressure from the ANC and the SACP, who cannot wait to run white towns"

Mr Koos le Roux, president of the Transvaal Municipal Association, which represents 89 CP-controlled councils, said yesterday Dr Delport had



U-turn on councils

been forced into seeking an alternative after realising that right-wingers would not accept joint control

"A number of NP-controlled councils have joined us in deciding to reject multiracial control," he said

The Democratic Party's spokesman on local government, Mr Jasper Walsh, said that while councils under DP control accepted

the need for democratic local authorities, he did not think all of them would accept the type of administration planned by the LGNF

"Dr Delport has totally mishandled the situation," he said "The LGNF is unrepresentative. It was set up by the government, the ANC and Sanco, while the DP, the CP and other interest groups were excluded"

By JOCELYN MAKER and CLAIRE ROBERTSON

IN an unprecedented bow to right-wing pressures, the government has decided to scrap controversial plans to impose non-racial town councils throughout the country within two months.

Threats of violence and "open warfare" by 89 right-wing councils have scuppered the plans. The proposal meant existing white and black councils would have been joined into single cities and towns. Administrators would have been nominated from existing councillors and black civic leaders to rule the new structures until agreement could be reached on a new national constitution

Michael Jackson keeps SA fans guessing

By CHARMAIN NAIDOO

IT'S been dubbed the Michael Jackson Mystery Tour, and could be a track on the famous Thriller album

The question is the elusive superstar coming to South Africa to give two concerts — as part of phase two of the Dangerous Tour — at the end of September?

Jackson's New York record company, Epic, says he will give concerts in "Soweto, South Africa" on September 30 and October 1

But Lee Solters, Jackson's Los Angeles press agent, said that while there was a possibility that the singer might perform in SA next month, nothing had been confirmed

Epic sent the Gallo record company a fax this week confirming that Jackson's tour had been extended and listing South Africa among the countries he would visit.

Unique

"I don't know who the promoters are, but I've heard Ellis Park mentioned as a possible venue," said Gallo marketing director Duncan Gibbon "I met Michael Jackson in London last year and he was very keen to come here."

If the King of Pop does come to South Africa, his state-of-the-art spectacular will have enough sound and light power to knock any audience out.

Two jumbo jets are required to move the equipment that travels with him around the world, and it will take a crew of more than 300 four days to set up and maintain the unique stages that form part of each show

Effects include a dazzling array of pyrotechnics specially designed for this production, 1,5kg of explosives to be used in each show, three lasers and 1 000 lights.

The plan — supported by the government, ANC, black civic organisations and partly by the Democratic Party — had reached such an advanced stage that legislation was being drawn up by negotiators at a special forum representing local government bodies

But Local Government Minister Tertius Delport admitted yesterday the proposal had reached "an explosive point", and further negotiations were now necessary

The government's back-down has angered the ANC. A spokesman yesterday said the organisation would push for the implementation of the new councils by October

Dr Delport said yesterday he would have been happy to see legislation for multiracial councils tabled at next month's short session of Parliament, but "there is not enough time — much work has still to be done to render a legitimate basis to nominated councils"

Solutions

"Many white municipalities do not want black members on their councils, and I am prepared to bend over backwards to come to some compromise," he added

"We have to negotiate, and I have already met various right-wing municipal organisations to find some solutions"

Mr Yakoob Makda, co-chairman of the Local Government Negotiating Forum, which recommended the introduction of non-racial councils by October, confirmed his group had agreed it would not push through the legislation next month

"There is enormous pressure from the right wing, and we will not be able to meet the deadline," he said

Yesterday the SA National Civic Organisation, a major player in the LGNF, said any delay in the move to joint councils would be met "with anger and disbelief in the townships"

Southern Transvaal chairman Khabisi Mosunkutu said there was a "very serious" mood in Sanco about Dr Delport's recent

□ To Page 2

Medi to ha

SPECIAL investigators are carrying out undercover probes in doctors' rooms in a desperate attempt to curb billions of rands worth of medical aid fraud

Medical aid administrators say crooked doctors were responsible for more than half the R2 billion worth of medical aid fraud perpetrated last year. The figure for this year is expected to be R2,5-billion

Medical aid firms are now boosting investigative teams on their own staff and bringing in additional private investigators to uncover a multitude of rip-offs by doctors

The massive scale of the fraud contributes significantly towards fee increases of more than 20 percent a year to patients

Serious

Nico Prinsloo, registrar of the SA Medical and Dental Council, said that of the 1 034 complaints lodged against doctors so far this year, 98 involved fraud allegations

But only 10 percent of all complaints were usually serious enough to warrant later action. Mr Prinsloo acknowledged the SAMDC's investigation process was slow, but said steps were being taken to speed it up

Ruses used by doctors to defraud medical aid societies include

- Asking patients to sign one or more blank account forms. The doctor later adds costs for consultation, medicines and injections. Often, the patient has had none of these services

- Charging patients for brand-name drugs after dispensing the generic equivalents, which can cost half the price

Dentists

- Paying patients up to R200 in cash or giving them food hampers to sign blank forms with their medical aid details. The doctor then makes a false claim

- Working with chemists to prescribe medication the patient does not need

Dentists are also being investigated, as some charge for treatments they have not given, or give patients unnecessary treatments.

Affiliated Medical Administrators (AMA), which represents 200 000 members, is investigating 300 cases of fraud — a third of which are against doctors. The AMA also has 17 fraud

Councils deal is 'still on'

Own Correspondent

JOHANNESBURG — The government has denied it is welsing on a deal to replace present local authorities with non-racial town councils before the end of this year

A Sunday newspaper claimed yesterday the government had

scrapped the plan, thrashed out in the local government negotiating forum two months ago, because of right-wing pressure

The Conservative Party and the Transvaal Municipal Association have threatened to block attempts to remove their member-councillors or force them to share power with blacks

(262) CT16/8/93
A senior government spokesman said yesterday the reported backdown was untrue. But problems made it unlikely the plan would be implemented by its target date of early October

Local Government Department sources said necessary legislation should go through at the latest by the end of the year

Apartheid councils are delaying change — ANC

Business Day 16/8/93

THEO RAWANA

APARTHEID local authorities are frustrating attempts to transform local government into a nonracial entity, says ANC PWV local government head Mathole Motshekga.

Motshekga said at the weekend the crisis in local government would be speedily addressed if existing local councils dissolved themselves ahead of the establishment of nonracial interim structures

In an interview, Motshekga said the financial crises in disadvantaged black areas would be addressed only when nonracial structures, which would disregard all boundaries of existing structures and result in single tax bases, were created

The nonracial councils would have a 50-50 representation by statutory and non-statutory bodies, which would ensure that disadvantaged areas such as Soweto have equitable access to the tax base

"At present we have arrangements where white councils are to give 10% of revenue to black areas. The white councils must accept that there is no white revenue, what we have is

common wealth

"The unviability of the townships has come about because people have been denied access to that common wealth," Motshekga said

The situation could not be rectified until these councils were dissolved, to be replaced by interim ones.

"In the interim, government should go on providing intergovernmental grants. They must release the money trapped in their coffers. The rent boycotts came as a means to force them to release this money."

Last week Transvaal MEC for local government Andre Cornelissen said white local authorities would not bear the costs of a future system of multiracial local authorities

"I am concerned about persistent allegations and newspaper reports that white local authorities will have to increase their rates and taxes substantially to bear the costs of the new system of local government," Cornelissen said in a statement. "Neighbouring white local authorities cannot be expected to take over the debt obligations of black local authorities

unconditionally"

Cornelissen said local authorities would not wait for the outcome of constitutional negotiations to effect political stability at local level

"We cannot wait for constitutional change before starting the process of obtaining white local authorities' positive commitment as regards their expertise, equipment and financial resources," he said

However, stabilised sections of new local governments could not be expected to bear the brunt of the cost for rendering services to sectors of communities not making substantial contributions themselves.

An announcement would be made soon on loan debts owed to government institutions and bulk suppliers, Cornelissen said.

The CP said Cornelissen was misleading the public when he said white towns would not bear the costs. The party said in a statement Cornelissen should tell the white taxpayer about the R3,2bn in black bad debt Parliament had written off at its last sitting

He should also say how much the TPA had written off

Govt 'not backing out of deal'

GAVIN DUVENAGE

GOVERNMENT has denied it is backing out of a deal to replace local authorities with nonracial town councils before the year-end

"The Sunday Times claimed yesterday that government had scrapped the plan, thrashed out in the Local Government Negotiating Forum two months ago, because of right-wing pressure

The CP and the CP-dominated Transvaal Municipal Association have threatened to block attempts to remove their members from office or to force them to share power with blacks

A government spokesman said yesterday's report was not true. But problems with the arrangement had arisen which made it unlikely that the plan would be implemented by October as planned

Two major difficulties were resistance to the plan, and how the "50/50" proposal would work. The negotiating forum decided that each municipal area would be run jointly, half of its members appointed by councils and half by civic associations

Sources in the Local Government Department, which has to prepare legislation for the next parliamentary sessions, say the complexity of the task will delay implementation by a month or two, but it should go through before Christmas. Delpoort said last week government supported the "50/50" proposal but preferred this to work as an extension of existing councils

Government sources said such a Bill would make it almost impossible for right-wingers to disrupt the process. It would allow for the establishment of forums without their participation

ANC PWV local government commission head Mathole Motshekga said interim joint authorities should be in place by November as there was sufficient consensus to proceed with the plan

"Delpoort has no right to unilaterally announce such a delay. The ANC demands that the new structures be implemented as proposed," he said

ID burnings are denied

TIM COHEN

THE Home Affairs Department has rejected as "ridiculous" an allegation published in a Sunday newspaper yesterday that the department was burning hundreds of identity documents to prevent blacks from voting

The Sunday Nation published pictures of a pile of partially burnt identity books which it said were found near Emjindim township near Barberton. It said hundreds more were burnt beyond recognition

The newspaper quoted ANC secretary-general Cyril Ramaphosa calling on the department to stop issuing the documents pending an investigation.

A Home Affairs spokesman said the department's aim was to ensure every qualified voter had an identity document by the proposed election date, and it was issuing about 80 000 documents a week.

The allegation that the department was burning documents was therefore "ridiculous", but the case would be investigated

PEANUTS

By Charles Schulz



Sanco to meet ANC alliance to look at options

Protest threat if Govt renege on councils

Star 16/8/93

■ BY JO-ANNE COLLINGE

The Government can look forward to nationwide mass action and an epidemic of service tariff boycotts if it bows to pressure from the Right and ditches plans for appointed nonracial town councils

So said negotiators from the "non-statutory" side of the Local Government Negotiating Forum (LGNF) yesterday, in response to reports in a Sunday newspaper

One of these reports quoted Minister of Local Government Tertius Delpoort as saying: "Many white municipalities do

MASS action could follow if nonracial local government bodies are not appointed.

(262)
not want black members on their councils and I am prepared to bend over backwards to come to some compromise."

Delpoort could not be reached yesterday to confirm the Government's apparent about-face on deracialising local government.

Trade unionist Salie

Manie, speaking for the non-statutory or civic grouping in the LGNF, predicted that failure to implement nonracial transitional councils would lead to nationwide mass action "from across the democratic spectrum"

He foresaw that rent boycotts could be extended to townships which had thus far escaped such action and that locally negotiated service agreements — like last week's deal to end the Soweto rent boycott — could be scuppered.

The developing crisis "really calls for clear and decisive action from the

Government", argued Manie

A wide range of parties had achieved a "co-ordinated and thought through plan" and they could not be held hostage by a minority

The LGNF, which comprises delegates from the South African National Civic Organisation (Sanco) on the one hand, and various tiers of government on the other, was due to present legislation on the reform of local government to Parliament in September

Sanco will be meeting the ANC-led tripartite alliance tomorrow to consider courses of action

Church killings suspect in court

CAPE TOWN — A 17-year-old Khayelitsha youth detained in connection with the St James' Church killings in Kenilworth, Cape Town, was denied bail when he appeared briefly in the Wynberg Magistrate's Court yesterday.

The youth, a Standard 8 pupil, was not asked to plead. He wore leg irons and there was a heavy police presence.

Eleven people died and more than 50 were injured when four gunmen sprayed the church congregation with automatic fire on the night of July 25.

The prosecutor told the court he had applied to the attorney-general for an order prohibiting bail.

He asked that the matter be postponed to August 30, which would give the attorney-general the 14 days allowed him to reach a decision on bail.

Magistrate J G van Zyl granted the requested postponement.

The youth's lawyer said his client was being held under Section 50 of the Criminal Procedure Act.

Police said the youth was not — as had been reported by international news agencies — a member of the PAC's student wing.

Our Cape Town correspondent reports PAC Khayelitsha Site B branch chairman Gybon Mkula has been released from police custody after he was detained for questioning in connection with the killings.

Mkula was detained on August 7 and released on Sunday, SAP spokesman Capt John Sterrenberg said.

Sterrenberg declined to give further details of Mkula's detention or release — Sapa

Inkatha slams Roelf as talks stalemate

B/Dey 17/8/93

BILLY PADDOCK

A MEETING between government and the Inkatha Freedom Party failed to make any headway yesterday in getting Inkatha back to the talks.

After the meeting Inkatha negotiator Walter Felgate attacked Constitutional Development Minister Roelf Meyer.

"He has no understanding of Inkatha and its politics, nor does he have an understanding of ANC politics. In short he and government do not understand black politics and therefore they keep getting everything wrong," he said.

He was adamant his party would reject returning to negotiations if a two-phased approach, in which a constitutional assembly would be elected, was still on track.

If the process continued without Inkatha the chances of a "bloodbath" would increase dramatically. "However, we are trying everything to avoid this bloodbath."

However, Inkatha has collapsed its three different negotiating teams into one "super team" to continue separate bilateral meetings with the ANC and government. Felgate said his party rejected any joint meetings with the ANC and government.

However, a senior planning committee member said yesterday the committee had begun addressing outstanding matters, such as the controversial resolution giving the go-ahead for the two-phase process.

He said they were trying to find a way "to build bridges and give comfort to those parties who had a problem with this." But the committee had not yet got round to working out mechanisms to address this. "I think there is a very real probability of us resolving the deadlock and over-

coming the strong objections of Inkatha," he said. (HB) (SQUID)

Felgate said the only way Inkatha would rejoin the process was if the resolution was altered to allow a so-called single phase process to be explored alongside the two-phase. This would mean that a constitution be finalised in this negotiating council and not by an elected body. "But then the issue of sufficient consensus also has to be changed to suit our interpretation of it."

However, Inkatha could not return before the court case, challenging the sufficient consensus decisions of the negotiating council, was concluded.

It is understood Inkatha believes draft legislation being prepared by the negotiating council has reached an advanced stage and there are too few working days left before the month-end for it to substantially influence this legislation.

The implication of Inkatha's position is that it will not participate in interim structures, including the transitional executive council, making it difficult to implement legislation designed to level the playing fields prior to the election.

Felgate said. "The problem is that they are going ahead and trying to implement legislation which we reject."

However, he said it was a measure of how far negotiations had progressed that the difficult issues, which normally got left to the end, were confronted. "This is where there is a greater possibility of achieving a breakthrough," he said.

Council changes on track — Delpport

B/Dey 17/8/93
GAVIN DU VENAGE

PLANS to install multiracial councils before the end of the year were going ahead, Local Government Minister Ffertus Delpport said yesterday.

He also denied weekend reports that government was backing down on the issue following right-wing pressure.

The reports had created a "completely incorrect perception" that government wanted to scrap the plan. Although legislation to enact the plan into law would be delayed, it did not mean government was retreating.

He said agreement was reached at last week's meeting of the local government negotiating forum management committee — at which all parties on the forum were present — on several reasons for delaying the plan.

Negotiators hoped to have legislation tabled in October to integrate black and white councils.

Civic Association of Johannesburg general secretary Cas Coovadia said

yesterday delays to legislation demonstrated government's unwillingness to relinquish power, Sapa reports.

Delpport was allowing democracy to be sacrificed at the altar of groupings that would refuse to give up power.

SA National Civic Organisation general secretary Dan Mofokeng said government and the Transvaal Municipal Association's attempts to "derail and stall" local government changes showed their commitment to white minority rule and repression.

On Sunday the PWV region said it would insist that interim joint black and white local authorities be in place by November.

ANC PWV local government head Mathole Motshekga said: "We cannot allow ourselves to be blackmailed by the racist position of some of the rural conservative town councils who are

refusing to sit together with black people in one council." (2b2)

The Afrikaner Volksfront warned yesterday its mobilisation would continue until government declared that joint non-racial local authorities would not be considered during September's parliamentary session. Volksfront secretary-general Koos Bischoff said such a move would immediately give the ANC control over all local authorities.

The organisation also began a house-to-house distribution of 35 000 pamphlets in Durban yesterday to oppose the planned reform of local government in the city, spokesman Duncan du Bois confirmed.

DP spokesman Jasper Walsh yesterday blamed right-wing elements and the local government negotiating forum for the slow pace of local government talks.

● Comment: Page 6

'Solve issue on regions before poll'

Staff Reporter

CT 17/8/93

(2b2)
~~South~~

THE demarcation of regional boundaries would have to be resolved during multi-party talks before the election next year, as there was great uncertainty about the issue, Unisa rector Professor Marinus Wiechers said yesterday.

Addressing a two-day conference at a city hotel on the Division of Powers and Functions in a Future South Africa, organised by the Democracy Development Programme, he said although the concept of regionalism had gained momentum, there was no clarity about boundaries.

Political stability, greater economic certainty and the effective management of metropolitan areas was needed for future economic growth, said the UWC's Mr Philip van Ryneveld.

He said power would have to be decentralised to achieve unity and it was likely regional parties would hold the balance of power in the future.

German Interior Minister Mr Hartmut Perschau said federalism can only develop fully when important principles were in place like the protection of fundamental rights, protection of ethnic minorities, separation of powers and an independent judiciary.

Regionalism vital after poll — expert

(SOLLA) (262) ARG 17/8/93

□ Format worked for Germany, why not in SA?

TOS WENTZEL
Political Staff

THE recognition of regionalism has been one of the major breakthroughs at the constitutional negotiations, says Marinus Wiechers, professor of constitutional and international law at the University of South Africa

He said that, in spite of uncertainty about the borders of regions, planning on this issue should go ahead so it could be implemented after an election.

Professor Wiechers was speaking in Cape Town at a conference on the distribution of powers and functions in a future South Africa, sponsored by the Konrad Adenauer Foundation.

Hartmut Perschau, Minister of the Interior of the German

federal state of Sachsen Anhalt, agreed with Professor Wiechers

He said a final decision of regions should be taken soon, but warned that historical developments should be taken into account in the demarcation of regions

A region whose inhabitants were closely related should not be divided into different states or united with another state where they could be outvoted.

He encouraged South Africans to move towards federation.

This system had been a motivating force for the process of democratisation in Germany, said Mr Perschau.

Without participation of people at a local government level there could not be true democracy

Professor Wiechers said the next six months would be crucial for South Africa

The country had moved from a pre-revolutionary situation and although the situation was volatile there was hope because realities were being faced.

The acceptance of federalism and the need to divide powers between central and regional governments were some of the most important developments

While there was uncertainty about the demarcation of regions there could in some cases be provisional or "soft" borders.

Remaining problems included "pockets of power" created in independent Bantustans and the self-governing homelands

Nonracial councils 'delayed'

BY JO-ANNE COLLINGE

Plans for racially integrated town councils have by no means been scrapped their implementation had merely been delayed, Local Government Minister Tertius Delport said yesterday.

"A completely incorrect perception has been created by certain reports stating that the Government, solely due to right-wing pressure, has scrapped its strategy of integrated councils," Delport said.

Everything possible would be done to have the Local Government Reform Bill before Parliament in October, he stressed.

He nevertheless admitted

that one of the reasons for delaying the tabling of legislation on the reform of local government was "to deal with the Transvaal Municipal Association's views".

The TMA, whose affiliates mainly comprise CP-controlled councils, has threatened defiance and resistance if the Local Government Negotiating Forum's plan to replace segregated local authorities with appointed nonracial councils was put into effect.

But, said Delport, there were a number of other issues which the LGNF management committee had been unable to settle. These include:

■ Defining precisely what "statutory" and "non-stat-

utary" organisations were.

■ Establishing the size of the new councils. The Government wants to retain all councillors, but the SA National Civic Organisation (Sanco) — which is the Government's opposite on the LGNF — is opposed to this.

■ Providing for what Delport terms "exceptions to the rule" and regional differences. Sanco is reluctant to concede "local options".

The DP's Jasper Walsh urged yesterday that national negotiators aim to institute a local-level equivalent of the transitional executive council to hold office until elections for local interim government are held.

Local Government Bill 'under siege'

Municipal Reporter

262
APR 18/8/73
THE draft Local Government Transition Bill has been "sanitised" to give huge powers to provincial Administrators, including decisions on franchise qualifications

City councillor Neil Ross, who represents Cape Town on the Major Cities Association, disclosed details of the sixth draft of the Bill at a special council meeting yesterday

A seventh draft is to be put to the Local Government Negotiating Forum management committee today

Mr Ross said the original timeframe agreed to by the forum, which would have seen existing councils abolished at the end of October, had fallen by the wayside

There was a danger statutory bodies such as provincial municipal associations, the United Municipal Executive, and the Co-ordinating Council on Local Government, would torpedo forum-sought reforms

Mr Ross said white councils had run from a proposed 50-50 split of representation in interim councils as soon as they realised implications

He said controversial aspects such as the 50-50 split had been removed from the "sanitised" draft

It gave Administrators wide powers to decide on franchise qualifications, determine wards and polling districts, decide on the conduct of elections — and to pronounce on anything else

"For us to proceed with interim local government on the basis of this legislation is not on," Mr Ross said

A further four or five drafts could be expected before the Bill was ready for tabling

Mr Ross said anxiety and resentment was mounting among non-statutory groups, whose constituencies felt giving statutory bodies half of the new councils was too much

After the April election, it was possible African National Congress local government head Thozamile Botha would be Minister of Local Government, and remnants of old-style councils could be kicked out

Call to hold local elections

PRETORIA — Instead of disbanding elected local councils to appoint interim councils, municipal elections should be held, political analyst Prof Willem Kleynhans said yesterday (262)

He said municipal elections would not only serve to educate voters but would also be the best dress-rehearsal for next year's general elections (Sapa)

He condemned the plan to dismiss properly elected officials and to replace them with nominated office-bearers — Sapa

CT18/8/93

White local authorities reassured

ADRIAN HADLAND

PRETORIA — Government reassured white local authority representatives yesterday that the creation of nominated joint local councils would not cause the dismissal of councillors or the abolition of existing town councils. *B/Dov*

Speaking to the executive committee of the SA Association of Municipal Employees, local government maintenance director Richard Kruger said the October deadline for establishing joint councils was only a "target date". *20/1/93*

While the local government negotiating forum had approved the idea of joint councils consisting of 50% government representatives and 50% "non-statutory" members being established until local elections could be held, Kruger said this proposal was still only a guideline.

Joint councils could not be implemented fully until a local government reform act, incorporating each stage towards nonracial elected councils, had been passed by Parliament.

In the current "bridging phase" councils would be encouraged to investigate local options aimed at giving representation to those not represented in local government. *(262)*

Only if a local settlement could not be achieved through negotiations would a new Act prescribe the creation of joint councils.

"An option to bridge the problem which currently enjoys government's consideration is to suggest that a local forum be elected on a 50/50 basis," Local Government Minister Tertius Delpert said last week. This should mean the expansion of existing councils.

Association national president Hans Deetlefs said delegates, who represented about 50 000 municipal employees, were relieved to hear October was not a final deadline.

Rightwing rejects civics compromise

WV
20-26/8/93

#(262)

Jān Taljaard

THE right will accept no "compromise" over the integration of local government. Its protest campaign would continue until the relevant legislation has been stopped in its tracks, Conservative Party MP Pikkie Coetzee insisted this week.

At the weekend, Local Government Minister Tertius Delpoort was quoted as saying there was insufficient time for legislation allowing for the integration of black civics and white municipal councils to be tabled in the short session of parliament. Further negotiations were needed and he was "prepared to bend over backwards to come to some compromise".

"We are ignoring Delpoort's statements in totality," Coetzee proclaimed. "It's all or nothing — we are going ahead until we have stopped the legislation."

After the weekend report, Delpoort issued a statement saying "a completely incorrect perception has been created that the government, solely due to rightwing pressure, has scrapped its strategy of integrated councils and along therewith the fact that these councils will be implemented on 1 October 1993."

Admitting that October might be too soon to implement these strategies, he cited among the reasons for postponing the date such factors as "dealing with the Transvaal Municipal Association's views, catering for regional differences" and "provisions for exceptions to the rule".

"However," Delpoort warned, "everything will be done to table legislation

and to implement integrated councils in terms of a process which must be set out in the legislation."

After the *Mail & Guardian* reported last week on the comprehensive campaign of resistance planned by the right, the Afrikaner Volksfront and the CP set the ball rolling with a vast information campaign and opinion polls in some municipalities.

Later strategies for the campaign include the refusal to hand over keys to municipal offices, the occupation of these offices and the declaration of "independent municipal republics".

Koot Jonker, CP secretary in the Cape Province, said 91,7 percent of whites polled in Jamestown — 92 percent of the white ratepayers had turned out to vote — had rejected the integration of municipal authorities.

Jonker said polls would be held in Kuruman, Dani Iskuil, Hopetown and Mossel Bay. He foresaw that about 80 percent of white ratepayers would vote against integration.

In the Free State, CP leader Abrie Oosthuysen was also brimming with confidence. Apart from the CP-controlled municipalities, NP-controlled councils such as those of Edenburg, Villiers, Vrede, Virginia, Bloemspruit and Bainsvlei had decided to oppose the proposed legislation, he claimed.

Oosthuysen admitted that the CP controlled only 14 of the 76 municipalities in the Free State, but he was confident that more than half of these would line up with the right.

"For now we are still using legal channels, but if the government does not listen, we will move to civil disobedience," Jonker said.

Lawyers to tackle Malawi abuses

SOUTH AFRICAN lawyers are to export their expertise to Malawi, in a bid to establish an organisation which will fight abuses there.

The United States Information Service, in consultation with non-governmental organisations in Malawi, has recommended Lawyers for Human Rights as the body to set the process in motion.

The LHR's national director, Brian Currin, says it has been invited to undertake a 10-day fact-finding mission in Malawi.

One of the objectives will be to consult community organisations, members of the legal profession and other relevant bodies about ways to establish human rights structures.

Viljoen's picture of volkstaat

Star 20/8/93

■ BY JACQUELINE MYBURGH

The regional map of South Africa as proposed by the ANC and the Government was intended to divide and destroy the Afrikaner piece by piece, Afrikaner Volksfront leader General Constand Viljoen told an enthusiastic crowd of supporters last night (26/2)

The Afrikaner would not accept having apartheid replaced by a "New South Africa domination", he told the about 2 000-strong crowd at the Portuguese Hall in Turfontein, Johannesburg

Explaining the Volksfront submissions on the creation of a volkstaat, Viljoen said such a region would be loosely connected with the rest of the country, "because we are not trusting the new partners in this game".

He said the volkstaat would be the main food producing area in SA and an important example of peace and stability to the rest of the country

(30/8/93)

DP plans to empower regions

By NORMAN WEST: Political Reporter

THE Democratic Party is planning dramatic structural changes aimed at the devolution of power to its regions, empowering them to write their own regional policies and constitutions (262)

The changes, in anticipation of the

proposed new federal dispensation, will be discussed at a crucial DP Western Cape congress on Saturday, said DP executive director Mr James Selfe. (262)

Mr Selfe said the DP believed "it will at least become the most significant party" in the envisaged regional-government structure of the Western Cape.

THE Democratic Party is planning dramatic structural changes that will pass power down to its regions, enabling them to write their own "regional policies" and "regional constitutions."

This historic devolution of power — in anticipation of the proposed federal system and division of the country into nine regional governments — is to be discussed for the first time at a crucial DP Western Cape regional congress next Saturday, says Mr James Selfe, DP executive director.

The DP may also announce its candidates for the Western Cape region on Saturday.

If it does, it will become the first political party to do so in anticipation of next year's general election.

Mr Selfe said the DP believed that if it did not emerge

DP in dramatic plan to pass power to regions

By NORMAN WEST, Political Reporter

as the dominant party in the Western Cape, "it will at least become the most significant" within the Western Cape's envisaged regional government structure.

Saturday's congress — to be held in the Lansdowne Civic Centre — is being held to design the foundations of a regional policy that would make

the Western Cape "the powerhouse of the new South Africa and an example of racial harmony to the rest of the country".

One of the significant DP policy shifts that are to be discussed is the proposal that each region of the party be given the power to draw up its own "regional constitution" —

provided this constitution did not clash with the aims and objectives of the DP's national policy, Mr Selfe explained.

In other words, said Mr Selfe, the Western Cape region of the DP may end up with a different policy at regional level to that of the DP's Natal Kwazulu region on (for example) matters of education or the use of language.

This dramatic departure from its structure meant the party would be well-prepared if the country was divided into nine regions.

To prepare for this change, proposed amendments to the DP's national constitution are to be discussed at the regional congress.

The DP's national congress, scheduled for October 2 and 3, is also to be held in Cape Town.

Changes proposed to local talks forum

Municipal Reporter

NORTHERN and southern areas of Cape Town, the RSC and the city council, are to meet on Wednesday in Parow to consider suggested amendments to the local negotiating forum's founding document

Mr Louwtjie Rothman, vice-president of the Cape Province Municipal Association, said yesterday the launch of the Cape Metropolitan Negotiating Forum was still due to take place on September 6

He understood that the Tygerberg Discussion Group, made up of nine northern municipalities, had proposed various amendments to the founding document

Brackenfell mayor Mr J Brynard,

who leads the discussion group, could not be reached yesterday

However, it has been reported that the group suggests that sufficient consensus be defined as 75% support

Another significant proposed amendment is that instead of all parties being bound by whatever agreements are reached there, they should be free to deviate "where a local option is permitted by legislation"

According to Mr Neil Ross of the Cape Town City Council, the seventh and latest draft of the Local Government Transition Bill has been "sanitised" of all controversial provisions.

Decision-making was being left in the hands of the provincial administrators, who would be given "frightening powers", he said at a council report-back.

(262)
APR 26/8/93
**Federal
alliance
takes shape**

Political Staff

JOHANNESBURG. — A national federal alliance to contest the April 27 election is being formed in a major political realignment, and will be discussed formally at a meeting within 10 days.

The initiative began with the Bophuthatswana government holding a series of informal discussions with its allies in the Concerned South Africans Group (Cosag) and others.

Sources said the Ciskei government, the Afrikaner Volksparty, QwaQwa's Dikwankwetla Party and Gazankulu's Ximoko Progressive Party were enthusiastic about the concept.

It was not clear whether the Conservative Party and the Inkatha Freedom Party would join the alliance.

Regional political parties would not have to sacrifice their identities in elections for regional governments, but would contest elections for a National Assembly as an alliance, a source said.

"The response has been overwhelming. There is a great need to establish a political home for those who are disgruntled with existing political organisations and parties," said a source.

Plan and bear it

Fm 27/8/93

Whites must accept black mayors — but blacks must start paying

(262)

Only one thing is reasonably certain about local government reform no-one is going to like it Whites will pay more and get less; blacks won't get nearly as much as they expect

There is likely to be strong resistance to change from whites The Conservative Party has urged its councillors to ignore democratisation Some rightwing councils have threatened to destroy their infrastructure rather than see blacks take control

Even in Cape Town, often considered the country's most liberal municipality, some white ratepayers have rejected a city council proposal that votes be extended to all residents in the greater metropolitan area — including squatters and lodgers (See *Current Affairs*)

But change, no matter how painful, is inevitable In its final report in June, before being disbanded, the National Party-dominated President's Council noted that whites

had come to realise that the improvement of townships could lead to a deterioration in their own living conditions — and that more funding for black areas would inevitably mean less for whites

The consequences of reform are obvious: black councils will take control in virtually every town and city Whites will have to accept black mayors and management committees whose primary concerns may be far removed from leafy suburbia

But blacks will also have to change They will have to start paying for the municipal services rendered by the democratically elected councils Grievances will have to be aired through mechanisms like elections rather than boycotts, mass action and the destruction of

council property

Thozamile Botha, head of the ANC's local government department, accepts this — but warns that it may be difficult to change the culture of boycotts

He also acknowledges the fears of white ratepayers, but does not believe they or commercial property owners will be over-burdened by tax increases The answer, he says, is to spread the cost burden equitably across the community.

Though details of future local government will depend on the constitution to be finalised by the constituent assembly due to be elected next year, negotiators at the World Trade Centre have already agreed that regional authorities will be able to determine local structures which suit



Keegan

Cont →

their regions. The only prescription will be full democracy and nonracialism.

In the metropolitan areas the new structures are likely to include a combination of basic principles from the current policies of the main parties.

A position paper on local government reform adopted last week by Cape Town City Council after a two-year study provides a possible scenario for the major urban centres.

Taxing capacity

In essence, it proposes a two-tier system in which local councils operate under the umbrella of a metropolitan council, which would be the principal taxing authority responsible for pooling and redistributing financial resources. The local councils would retain adequate taxing capacity to provide services and facilities above the minimum provided by the metropolitan authority.

All residents over 18 would vote, including squatters and lodgers, property ownership or tenancy would not be a prerequisite. Representation at metropolitan and local council levels would be based on a combination of proportionality and a ward system. The paper also considers the possibility of a significant shift in the emphasis of local government from the provision of services and infrastructure to socio-economic activities such as education, welfare and economic empowerment.

Meanwhile, transitional arrangements are being decided by the Local Government Negotiating Forum (LGNF), which represents all three tiers of government and civic organisations.

The interim measures will mean the scrapping of existing white councils, possibly before the end of the year. They will probably be replaced on a 50/50 basis by appointed representatives of statutory bodies (such as existing councils, provincial administrations and regional services councils) and non-statutory community organisations such as "civics".

The interim authorities will start the process of redrawing municipal boundaries, reallocating resources and preparing for democratic elections.

Resistance to change by CP-controlled councils and CP-leaning municipal associations is clearly a factor that needs to be taken seriously by the LGNF but is unlikely to delay the transition in most areas.

SA Institute of Race Relations researcher Shaun Mackay points out in a report published in June, that change is also being fostered by local initiatives such as the Central Witwatersrand Metropolitan Chamber and nearly 200 forums across the country are discussing new systems of local government. He confirms that most parties and organisations favour a two-tier system in the metropolitan areas.

The complexity and diversity of SA's current system of racially structured local government — the President's Council report says there are at least 17 different types —

means reform won't be easy. But dealing with the realities of change might be even more difficult.

The first shock for new councillors will be the discovery that the pots of gold many activists believe are locked away in local treasuries simply don't exist. It is a legend perpetuated by people like ANC local government spokesman for the PWV Mathole Motshekga, who demanded last week that government "release the money trapped in their coffers" to benefit black townships. There is simply no spare cash and little hope of raising it. Most local authorities already struggle and face strong resistance to tax and tariff increases.

Pushing up property rates and service charges won't necessarily help under-privi-



Botha a culture of boycotts

leged township dwellers. In most of the metropolitan areas, non-residential property owners pay 50% or more of local property taxes. Increases will simply be passed on to customers or tenants — who include the people who can least afford higher living costs.

But even if the new councils manage to wring a few more rands from the dwindling incomes of white ratepayers and commercial property owners, the additional resources will do little to improve townships in the short term. In the Cape metropolitan area, for example, it is estimated that property rates would have to increase by 20% merely to make up the R90m deficits black local authorities in the area had accumulated by 1992-1993.

Government accepts that the new local authorities will not be able to take over accumulated township debt as well as finance development projects — but it has yet to propose a solution to the problem.

Future financing of local government will require careful thought. All the main parties agree that it cannot continue on the current course. New sources must be found, but without compromising local autonomy.

The real challenge for the new councils will be to forge partnerships among residents. Anxious white ratepayers will need to be convinced that a financial sacrifice is vital

to the long-term interest of the wider community. Black residents must be persuaded to accept that their expectations, no matter how legitimate, cannot be met immediately.

It's a similar task to that facing the new central government, but even more difficult. Local government is far closer to ordinary people. The fear of increased property rates and service charges is already causing ripples in ratepayers' associations, as is the prospect of squatters and lodgers having the vote. The more privileged (mainly white) ratepayers are worried that representatives of non-rate-paying residents will dominate the councils, tax them heavily and use the money to meet the expectations of the under-class.

It could be a legitimate concern, but, politically, the principle of a property-based franchise will be indefensible in post-apartheid SA.

Democracy was denied to blacks for too long to now start creating special categories of voters that are perceived to benefit the affluent.

Clive Keegan, who chaired the committee that formulated Cape Town's reform plan, says that for 50 years blacks have been deliberately denied access to property and business opportunities. Any attempt to now entrench property ownership as a condition for voting would be interpreted as an attempt to entrench privilege and power.

But the practical realities must also be considered. What about the interests of people who have second homes — and pay property taxes and service charges — in holiday towns such as Hermanus or Plettenberg Bay?

Owners of non-residential properties are also worried. In the Cape — but not in the other provinces — "fictitious" property owners such as companies, partnerships, associations and deceased and insolvent estates have a municipal vote.

Keegan's committee proposed that their franchise be taken away, but this was voted down by the full council. Commercial and industrial property owners contribute 51% of Cape Town's rates revenue and want some say in how it is used.

Concern is also growing among non-residential property owners in the other three provinces, even though they have no special vote.

Most at risk are SA Property Owners' Association members who hold commercial and industrial property worth R100bn. They are following the local government debate with keen interest.

A compromise between the creation of truly democratic city councils on the one hand and the need to calm the fears of property owners on the other, is essential. All the players need one another too much for agreement not to be reached.

There is only one sensible compromise on local government reform: a vote for all residents — including squatters of fixed abode, and lodgers — coupled to a fair and affordable financial contribution by all to running and services costs. ■

Labour briefs

Joint strategy for ~~USA~~
Cosatu, Sanco ~~262~~

WMLT/8-2/93
■THE Congress of South African Trade Unions and the South African National Civics Organisation met last weekend to map out a joint election strategy.

Both organisations said they opposed any attempts to change the election date from April 27 next year and said they would campaign jointly for a reconstruction programme for the country.

The two organisations will make joint representations to the government, banks and employers on their reconstruction plans.

More evidence sought by regions commission

JOHANNESBURG. — The Commission on the Demarcation/Delimitation of Regions established by multiparty negotiators has made another request for submissions, in particular about "sensitive areas". ARG 31/8/93 (262)

Written submissions must be made to the commission secretariat by September 24 this year

Applications to voice submissions must be made by September 13, with hearings scheduled from September 20 to October 1

All written submissions and applications for oral submissions should be sent to: Dr Renosi Mokate, technical secretary, Commission on the Demarcation/Delimitation of Regions, P O Box 307, Isando, 1600 — Sapa.

Group formed for local govt talks

Staff Reporter

THE Good Hope Alliance — an association of city ratepayers, residents and civic representatives aiming for representation at local and regional government negotiations — was launched last night at the Claremont Civic Centre

At the meeting, chaired by former city town clerk Dr Stanley Evans and attended by re-

presentatives of about 40 ratepayers and residents associations, adjustments were made to the draft constitution of the alliance and an executive committee of 20 members was elected

The group aims to make representations to any forum dealing with constitutional or financial or organisational changes to local government

and to strive for the depoliticisation of local government

The alliance pledged to find ways that would ensure the public could participate effectively in local government reform and that local authorities have enough taxpayers when boundaries are drawn up

A delegation from the DP's Western Cape executive will meet members of the city council

and to discuss the rates issue, DP organisation chairman Mr Jasper Walsh said yesterday

Another delegation, consisting of Ms Karen Hvidsten and Mr Jeff Leonard, accompanied by members of the Regional Peace Committee, will visit Atlantis today to find out more about the alleged intimidation of DP members there

(262) CT 31/8/93