PUBLIC SECTOR - LOCAL AUTHORITIES - CAPE

1995

JUNE - AUGUST
COUNCILLORS who are in arrears on their service payments say the disclosure is "a blatant attack on individuals". PETER DENNEY and WILLEM STEENKAMP report.

A SECERT source has disclosed that six Cape Town city councillors collectively owe the council more than R28,000 in arrear payments for rent, electricity and water. This week the council publicly threw its weight behind the Masakhane (Let us build for each other) campaign to get everyone to pay their municipal services bills.

The six are Mr Relewaan Issacs of the Africa Muslim Party, who owes R8,781 in rent, R1568 for electricity, and R1001 for water; Mrs Fathilela de Vries of the ANC, who owes R2,269 in rent and R310 for electricity; Mr George Rosenberg of the CPF, who owes R2,914 in rent, R770 for electricity, and R600 for water; Ms Dorothy Campher of Cosatu who owes R5,637 in rent, R3,661 for electricity, and R958 for water; Ms Carol Jackson of the CPF, who owes R956 in rent, R356 for electricity and R956 for water; and Mr Wamphile Baker of the Inkatha Freedom Party, who owes R4,076 in rent, R699 for electricity and R40 for water.

SA National Civic Organisation (Sanco) councillor Mr De Vries said yesterday the leaking of her arrears was in conflict with her constitutional right to privacy and vowed to write immediately to the council's ombud.

Restitution

"The issue is not who didn't pay or why not, but who made the information available to the press," she said.

African Muslim Party councillor Mr Relewaan Issacs confirmed that he and other councillors were in debt but said they were "making good on their arrears".

"Restitution is being made," he said.

Mr Issacs pointed out that "there are more than just councillors in arrears", and that residents of well-off areas who own the council large surces of money "This seems to be a blatant attack on individuals rather than arrears per se," he said.

He added the debts had not been incurred while the councillors were in office, but during the apartheid years when many councillors were "permanently unemployed" and when bills were not paid for political reasons.

Ms Jackson said she had run up the arrears when unemployed and had now arranged to pay them off.

"I do believe in Masakhane. I support it fully. I always knew I would pay, but my children did not even have shoes, and they were my first concern," she said.

Mr George van Schalkwyk, deputy city treasurer, in charge of income, said, "The information you have is privileged. It was removed from council premises under false pretences. You are not entitled to it, it's a leak. It will contravene the individual rights of people. It is published. It violates their right of privacy. The municipal ordinance prohibits disclosure of that information."

He added South Africa was in a transitional phase between "non-payment culture and Masakhane culture", and debts could not be wiped out overnight. Councillors were being very responsible in regard to their own arrears.

'Unfortunate'

Mr Van Schalkwyk refused to confirm the information leaked to the press.

Exco chairwoman Ms Nomandla Maseko, whose own record is clean, said it was unfortunate that the Masakhane campaign was being mixed up with "a media campaign about elections."

She had a problem with focusing on individuals, especially those who had been earning very little or even nothing, she said.

The Cape Times understands that councillors were recently advised to get their own accounts in order, though this could not be confirmed. The Local Government Transition Act says people who are more than three months in arrears may not be nominated as candidates in the forthcoming local elections.

According to Cape Times files, city councillors now get monthly allowances of R2,011 a month, while members of the executive committee like Mr Issacs and Ms Campher get an additional R3,914 a month.

New councillors have been serving officially since February 1 this year, although their first allowance payment was made a month or more after that.
Deal on city demarcations imminent?
Markovitz denies self-interest

COUNCILLOR Mr Leon Markovitz who voted in favour of municipal boundaries for Cape Town which will drive up its rates, is in favour of keeping the Waterfront out of the municipality for the moment.

Mr Markovitz has a significant interest in a Waterfront hotel.

He said yesterday, however, the rates-increase-avoidance had nothing to do with recent high-level representations that the Waterfront should stay out of the municipality for a while.

A spokesman from local government Minister Mr Peter Marais' office confirmed that an approach had been made for the Waterfront and the railways-owned land at Culemborg to be kept out of the municipality for a while, but he said this was purely for planning reasons. He understood that Mr Markovitz knew about the matter.

Mr Markovitz denied last night that he had led the delegation to the provincial government, but he was aware of the matter.

He said the city obtains rates from the Waterfront (which is still outside the municipality) by virtue of an agreement between them.

There were difficulties associated with including the Waterfront in the municipal boundaries, he said. There was every intention of making it part of Cape Town, but in the meantime it may be better to leave it out, "until there is less time pressure and the pot has stopped boiling".

WATERFRONT: Mr Leon Markovitz denies self-interest.
Arrears: Pay won’t be docked

CT 2/6/95

COUNCILLORS who are in arrears on their service payments will not have their allowances docked, council spokesman Mr Ted Doman said yesterday. The Cape Times revealed yesterday that six councillors collectively owe the council R28 000 in water, electricity and rent arrears. Nominated transitional councillors were not in danger of losing their seats until nomination time for the local elections.

Staff Reporter, Sapa
MARAI S DEFENDS BOUNDARY RULING

CHRIS BATEMAN

UNFAIRLY vilified and misunderstood is what Local Government Minister Mr Peter Marais believes he is, claiming yesterday that he had the best interests of Khayelitsha's half million residents at heart by trying to include them in the Central sub-structure.

Rejecting widespread perceptions that he gerrymandered boundaries to keep Tygerberg's seven major NP-supporting municipalities from diluting their resources through a recommended merger with Khayelitsha, Mr Marais said the following points had motivated him:

-Wanting to give the long-neglected giant black suburb to the strongest municipality with the greatest administrative competence and financial base to immediately begin an upliftment and development plan

- Tygerberg would lack urgent capacity through the merging of seven major autonomous municipalities (Bellville, Parow, Durbanville, Kuils River, Goodwood, Brackenfell and Kraaifontein), which would take 18 months to complete before Khayelitsha could benefit

Cape Town's demographic pattern in which white and coloured suburbs were developed as "twin suburbs" whose amalgamation was a natural process "I followed natural settlement patterns."

DEMONISED

Cape Town already officially supported a host of municipalities and no dissolution and merging, as required in Tygerberg, were necessary, enabling immediate upliftment of Khayelitsha and the meeting of RDP funding criteria.

"I have been demonised by the media and my side of the story was never fully told to inform the debate," Mr Marais said.

He reiterated his intention to take any amendment of the Local Government Transition Act to the Constitutional Court if this was signed into law.

Mr Marais rejected claims that he was motivated by apartheid-style considerations, saying he was confident his plan had "divided the poverty circle equally between Central and Tygerberg. I did not look at colour."
ANC, NP deadlock on city boundary demarcations

STAFF REPORTERS

Mr Marais raised a storm of opposition by including all African townships in one municipality, Cape Town.

The ANC said after midnight last night that negotiations had deadlocked. No more details were available.

Mr Marais yesterday repeated his threat to go to the Constitutional Court if the central government altered what he said was a correctly followed procedure.

TALKS to solve the Cape metropole's demarcation debacle deadlocked last night - setting the scene for a possible delay in the November local elections.

ANC and NP negotiators have been holding marathon meetings over the last two days to strike a deal on Local Government Minister Mr Peter Marais' demarcation of Cape metropole boundaries.
Six exec members owe thousands for rent, electricity and water.

Leak of councillor arrears probed.

The Cape Times
Boundaries deadlock may pit Nat against Nat

By NORMAN WEST
Political Reporter

THE deadlock over Cape Metropolitan boundaries seems set to develop into a national crisis following a threat by Western Cape Local Government Minister Peter Marais to take the matter to the Constitutional Court.

If President Nelson Mandela signs into law an amendment retrospectively nullifying decisions taken by Local Government MECA— as he is expected to do—the matter will end up in court, with Roelf Meyer as first respondent, Western Cape Local Government Minister Peter Marais vowed yesterday.

Stripping ministers of powers could prove to be particularly problematic in the Western Cape as it would pit the provincial Nats against the government of national unity and Mr. Meyer, a member of the NP, the Minister of Constitutional Affairs.

"Ironically, Mr. Meyer did everything in his power to broker a mutually acceptable political solution to the impasse," Mr. Marais said.

Mr. Cameron Dugmore, one of the ANC participants in the failed negotiations, said yesterday that the ANC was "still willing to find a negotiated solution". He said the fundamental principle was whether sound socioeconomic principles and a non-racial approach underpinned the demarcation process.

"The ANC wants all the deprived and disadvantaged populations— African and coloured people— to benefit from the change in boundaries and in the creation of a new Cape Town," he said.

Mr. Marais claimed he had the backing of Premier Bernhard Kriel and the entire extended NP caucus (National Assembly, Senate and Western Cape legislature) including Cape NP leader Davie de Villiers and national leader F W de Klerk, in his decision to take the matter to court.

He said until the court decided on the legality of stripping ministers of powers retrospectively, he would continue to make decisions that did devolve to them, the four Cape metropolitan substructures as originally agreed upon by him and his provincial committee, would remain.

The Constitutional Committee of Parliament, chaired by the ANC's Pravin Gordhan, has already passed an amendment to the Local Government Transition Act.

If it becomes law, it will take the power to reconstitute Provincial Committees, which must concur with Ministers of Local Government on issues like boundaries and wards, away from them and confer such powers retrospective to April 30 on Mr. Meyer and his deputy Mr. Valli Moosa.

They would then, in concurrence with premiers, have the power to form new provincial committees and draw new boundaries—of which 97 have already been approved in the Western Cape alone—for the November 1 community elections.

The ANC announced yesterday it would hold a full briefing at 1pm on Tuesday on what transpired during the discussions organised by the "Unify the City Campaign", the summit will be held in the Civic Centre's Banqueting Hall.

See page 2
Boundary battle: Why talks failed

A TEARSE five-minute meeting at midnight on Thursday brought to an abrupt end hopes of a negotiated settlement to the municipal boundary dispute in the Western Cape.

Earlier rounds of talks — which often continued into the early hours of the morning — centred on determined moves by Western Cape Minister for Local Government Peter Marais to include Khayelitsha in the central substructure. This was in spite of a proposal by the Democratic Front Board that the sprawling township should form part of the Tygerberg substructure.

ANC negotiators believe Mr Marais' demands were aimed at causing the NP maintaining control of the traditionally NP-supporting Tygerberg area. The NP, on the other hand, argues that if Khayelitsha were to be included in Tygerberg, along with 13 other coloured sub-economic housing schemes, the substructure would be crippled financially.

This week's failure to find a negotiated settlement to the dispute holds serious implications for the local government elections planned for November 1, as internal boundaries need to be proclaimed before voters' rolls can be finalised.

The final meeting lasted only five minutes — from midnight on Thursday to 12.05am on Friday when the two teams shook hands and parted.

Talks first commenced at 11am on Wednesday and continued for 16 hours until 3am on Thursday when negotiators agreed to a compromise proposal.

Well-placed sources revealed on Friday that the compromise had been agreed to by ANC negotiators, but after consulting their "principals" they returned to the negotiating table to report that the proposal, put together by the ANC's Valli Moosa, had been rejected.

In terms of the proposal, Khayelitsha would be included in the Central Cape Town substructure, on condition that Guguletu, Nyanga, and Crossroads fell within the Tygerberg substructure and Nyanga and Langa in the Western Cape West in the Central substructure.

A meeting was planned for 11am on Thursday, but the ANC team found they "could not sell" the proposal to their principals and failed to turn up.

Mr Meyer urged them to return to the negotiating table. The ANC team, led by Leonard Ramatlanana, the Minister for Roads, Transport and Public Works, arrived at the meeting at 12.45pm with new proposals.

They wanted Guguletu, Nyanga, Langa, Crossroads plus at least half of Khayelitsha lumped with Tygerberg in exchange for some of the 13 poorer coloured areas being included in Central Cape Town.

The meeting adjourned at 2.25pm with a final session planned for midnight on Thursday. When the ANC arrived at the meeting with a demand that the entire Khayelitsha be included in Tygerberg, there was a deadlock and the NP said there was no deal.

All the sessions were facilitated by NP member of Parliament, Meyer, the Minister of Provincial Affairs, Local Government and Constitutional Development, and his deputy, Mr Moosa.
CAPE Town Town Clerk Keith Nicol, who has been away from his office for over 100 days since March last year, came under blistering attack this week for not being at his post at one of the more critical periods in the history of the city.

This week, as the dispute over the Cape Metropolitan boundaries reached boiling point, Mr Nicol was in Australia investigating Sydney's successful Olympics bid.

Councillors from across the political spectrum slammed Mr Nicol's regular absences from his office, and said he "should spend less time on jaunts" away from Civic Centre and more time at the head of the organisation which he serves as chief executive officer.

Their criticism is based on council records which this week revealed that Mr Nicol had been absent from his office for 104 days between March 1, 1994, and May 15 this year with R62 128 spent on airfares.

"Whenever there's a crisis, he's never there," councillor Arthur Wiensburg, a former chair of independent member of council, charged this week.

And while Mr Nicol had excused permission for most of his "jaunts", the timing of his absence could not have been worse, says D P councillor Neil Ross.

On his latest trip to Australia, argued Mr Wiensburg, a member of Cape Town's Olympic Bid Committee rather than Mr Nicol should have gone to Sydney.

"And if anyone from council should have gone, it should have been the city treasurer.

"Calculated on a basis of 307 potential working days, Mr Nicol was away more than 33 per cent of the time when the city was undergoing a difficult, convulsive change towards democracy and unity," said Mr Wiensburg.

In reply to a question in council this week, he was told Mr Nicol had spent 54 days on courses and seminars, another 20 away on council business, 21 at meetings of the Institute of Town Clerks or the Town Clerk Council, and nine days on leave.

"The city is facing major problems like demarcation and reorganisation of the metropolitan substructures. The town clerk should be here, leading on these issues," Mr Ross said.

ANC local government spokesperson David Dlali says Mr Nicol's role is vital, particularly as a technical advisor on economic issues relating to the demarcation debate and threatened rates increases.

"As town clerk, he should have been around to help handle these situations. The city needs strong leadership and back-up for its officials.

The NP's Leon Markowitz agrees. "The town clerk is virtually the MD of the company. To lead, he needs to be in his office.

But according to exco deputy chairman Llewellyn van Wyk, the charges are unfounded and ignore the town clerk's job of leading the city out of decades of international, apartheid-induced isolation. Mr Nieki's recent trips had been fully authorised by exco, he says.

"For decades, South Africa was isolated from the rest of the world. We now have the opportunity to establish new international linkages."
UK protests at rugby service

OWN CORRESPONDENT

LONDON: There are increasing protests about the quality of the SABC Rugby World Cup service being broadcast in Britain by Independent Television (ITV) and the scheduling of some programmes.

British rugby fans, used to the experienced and expensive quality of BBC rugby coverage, have contacted newspapers to protest particularly against the use of slow-motion replays which disrupt the run of play and the "strange" camera angles used by the SABC.

A spokesman for the main TV broadcast sponsors, the brewers Heineken, said the company was "disappointed" about some aspects of the coverage and was having urgent talks with ITV.

Law will invalidate appointments

BARRY STREEKE
POLITICAL STAFF

PRESIDENT Nelson Mandelas will sign a law this week invalidating the appointment of two additional members of the Western Cape Provincial Committee, Deputy Provincial Affairs and Constitutional Development Minister Mr Valli Moosa said yesterday.

The cabinet had approved the amendment adopted by the Portfolio Committee on Constitutional Affairs, but the National Party members of the cabinet had voted against the amendment last week.

The new law would also invalidate all decisions taken by the Provincial Committee since the appointment of the two additional members, Mr Moosa said.

50 000 jobs a year needed

BARRY STREEKE
POLITICAL STAFF

ABOUT 50 000 new jobs would have to be created in the Western Cape every year to reduce unemployment and keep up with an estimated annual population increase of 100 000, according to the provincial Reconstruction and Development policy paper.

The document, released on Friday by Minister for Economic Affairs Mr Chris Nissen and Premier Mr Hermes Kriel, said the officially accepted population estimate for the province was 3,633 million. The most recent estimate, however, was 4,2m and the truth was somewhere between.

Projections indicated that this would grow to five million by the year 2000 and six million by 2010.

"It is clear that the province's infrastructure and natural resources cannot cope with this increase."

"Unless the growth in gross geographic product reaches an estimated four to seven percent over the next five years, the province will not be able to sustain its job-creation ability."

"Maximising the growth potential of the province over the next five years should be a key priority of the RDP."

The document identified RDP-linked high growth sectors as low-income housing and infrastructure development, agriculture, electricity and water encryption, basic education, health services and transport.

Summit

It warned, however, that "acute problems of poverty, unemployment and a lack of basic facilities" characterised many communities in the province.

Mr Nissen said the document had been released for public comment before an RDP summit in the Western Cape on July 9.

Crucial op for Reeve

LONDON: Superman star Christopher Reeve will have a crucial operation today which doctors hope will set the paralysed actor on the road to recovery.

He was injured in a fall from a horse.

Two damaged vertebrae will be fused to prevent further damage to his spinal cord.

The operation, in which surgeons will use metal plates, screws or wires to anchor the bones, could take up to five hours.

But experts warn it may at best keep Reeve alive. It will not guarantee that the once athletic star will ever recover the use of his limbs. — Own Correspondent
Opponents to NP plan for Cape Town meeting tomorrow

ANDREA WEISS, Municipal Reporter

A SUMMIT of all parties opposed to the National Party's plans for municipal demarcation in Cape Town is to be held in the city tomorrow as a campaign to "Unify the City" gets under way.

Deputy Minister of Constitutional Affairs Mohammed Valli Moosa will give the meeting a report-back on the latest situation in the deadlock over future boundaries for the city.

Mr Moosa and Regional Local Government Minister Peter Marais appeared on television last night in an acrimonious debate over the political impasse in the Western Cape.

The summit will take place amid growing indications that the matter between the NP and the African National Congress is likely to end in court.

This week President Nelson Mandela is expected to sign into law an amendment to the Local Government Transition Act to nullify Mr Marais's reconstitution of the provincial committee in the NP's favour.

Mr Marais has to concur with this committee on boundaries, and all other issues of importance in the run-up to local elections in November.

He has threatened to go to the constitutional court to challenge the proposed amendment. However, should he refuse to work in accordance with the Act, he in turn could be taken to the Supreme Court by national Constitutional Affairs Minister Roelf Meyer, also a member of the National Party.

If he fails to get the provincial committee to accept his proposed boundaries, the matter will be taken to a special electoral court, as is happening in a dispute over boundaries in Gauteng.

Among the parties likely to attend tomorrow's meeting are several ratepayers and civic organisations, the SA Christian Democratic Party, Democratic Party, African National Congress Organisation, the ANC and Cosatu.

The meeting begins at 1pm in the banqueting hall of the Civic Centre.
Councillors may have to repay allowances

PETER DENNENHY

A HANDFUL of Cape Metropolitan councillors may have to repay up to R20 000 of the amount they have received in allowances this year.

A backdated proclamation in the Provincial Gazette limits the amount they may receive to less than they have been getting since February.

About 140 ordinary councillors on the Cape Metropolitan Council (CMC) may have to pay back the difference between the monthly allowance that a Grade 15 councillor gets (R2 601) and the allowance that a Grade 16 councillor gets (R2 425).

This is R176 a month. There have been four paydays since the CMC decided at one of its earliest meetings in February this year that it would provisionally pay Grade 15 allowances.

Senior councillors who serve on more than one executive committee face a much larger problem.

A clause in proclamation 82, in the Provincial Gazette of May 12, says that where councillors receive allowances from both the CMC and a municipality, one of the two allowances must be that of an ordinary councillor.

Those potentially affected include the mayor of Cape Town, Mr William Bantom, Mr Bastembi Luguwana of Cape Town, Mr Leon Deacon of Strand, Mr Andrew Ross-Munro who is mayor of Constantia, Mr J P Adnaan of Parow, Mr Louis de Rothman of Goodwood, and Mr Willie van Schoor of Bellville, who is also chairman of the CMC.

The proclamation was enacted by regional Local Government Minister Mr Peter Marais with the concurrence of the multiparty Provincial Committee.

Mr Van Schoor said a meeting had been arranged with Mr Marais for Monday to “sort this out.”

Mr Van Schoor said he had not made any calculations, but some councillors might have to repay about R20 000.

“it is not a question of money, but of principle,” he said.

He said it had been agreed the metro council should not be graded lower than the largest of its constituents. Cape Town is a Grade 15 council.
Move to reverse Marais' map

CHRIS BATEMAN
POLITICAL STAFF

THE powerful Constitutional Affairs Committee is to meet this morning to tighten up measures to overturn Western Cape Local Government Minister Mr Peter Marais' controversial setting of Cape Metropole boundaries.

The move would prevent any of the nine local government ministers changing membership of provincial committees without the joint approval of the Minister of Provincial Affairs and Constitutional Development, Mr Roelf Meyer, and his deputy, Mr Valli Moosa.

Mr Marais has signalled his intention to fight any retrospective amendment to the Transitional Local Government Act in the Constitutional Court.

He claims he followed the procedures correctly — with backing from his cabinet.

Today's central government committee meeting is aimed at technically bolstering the retrospective part of the amendment by calling on some of President Nelson Mandela's wide powers.

Sources said this amendment would be handed to Mr Mandela for signing into law immediately on his return from Pretoria, this afternoon.

Signing

Opponents of Mr Marais' proposals meet at the Cape Town Civic Centre this afternoon for a "summit" that promises to be a colourful show of strength.

Objectors include Archbishop Desmond Tutu, Mr Valli Moosa, trade unions, more than a dozen local councils and scores of businesses.

Mr Marais has said he would refile a Constitutional Court challenge because it would "prove that they [the ANC-led central government] wrote a weak constitution."
PINELANDS

‘We back any bid to kill boundary plan’

Staff Reporter

PINELANDS has rejected Local Government Minister Peter Marais’s plan for a huge Cape Town municipality of more than 2 million people and will support any bid to overturn it.

The decision was taken at the monthly meeting of the Pinelands Transitional Metropolitan Substructure.

Pinelands TMS said it was disappointed with the Demarcation Board’s findings, which did not accommodate Pinelands’ proposals for the substructure.

Executive committee chairman Brian Watkyns said, “We supported the findings as we understood the matter had gone through a democratic process of listening to representations from all sections of the community and making an informed and professional evaluation.

“The democratic and professional approach has been totally negated by the political gerrymandering of Local Government Minister Peter Marais to protect party interests by combining two proposed substructures and including Khayelitsha.”

The proposed new substructure would make Pinelands residents even more remote from local government.

With the area facing the possibility of being less than a third of a ward, representation would be severely curtailed and services could only deteriorate.

Mr Watkyns said that Pinelands, like many other local authorities, had shown that small was effective. He said Mr Marais was creating a metropole within a metropole.

“The new substructure has a projected population of more than two million of which Pinelands will represent fewer than 12,000.

“Even the label of Tafelberg given to the new substructure shows sectional bias. Translated it will be the unappealing Table Mountain Metropolitan Substructure.”

Mr Watkyns said the Pinelands TMS should

• Reaffirm its acceptance of the report of the Demarcation Board which was based on a process of consultation with all role players.

• Reject in the strongest possible terms the “political gerrymandering” by Minister Marais of the metropolitan substructures as proposed by the Demarcation Board.

• Continue to serve on the informal joint executive committee already established.

• Support any bid to overturn the minister’s decision.

Councillor Chris Schultz said Pinelands TMS had to support any bid to overturn the minister’s decision since it would affect Pinelands residents adversely.
Ministers now in charge of local appointments

Cape Town — A provision in the Local Government Transition Act giving the central Government the decisive say in appointments to provincial committees on local government was amended yesterday by Parliament's joint constitutional affairs committee.

It now gives the Minister of Provincial Affairs and Constitutional Development the task to fill vacancies in these provincial committees in consultation with the Minister of Justice, and after consultation with the premier of the affected province.

The Act was recently amended by the committee to provide for the minister and his deputy to fill vacancies, after consultation with the premier.

But a special adviser to Provincial Affairs and Constitutional Development Minister Roelf Meyer, S S van der Merwe, told the committee yesterday that as the constitution regulated the relationship between the minister and his deputy, the Act should stipulate a full minister as his consultee.

He proposed that "Minister of Justice" be inserted in place of "Deputy Minister".

This was approved, with the ANC, DP and PAC voting in favour and the NP and IFP against.

The amendments are aimed at overturning controversial appointments by Western Cape MEC for Local Government Peter Marais to the province's local government provincial committee.

In dispute is the proposed placement of the Khayelitsha township in Cape Town's central metropolitan sub-structure rather than in that of Tygerberg as the Demarcation Board proposed. — Sapa.
Boundary decision overruled

Rural councils to mark off wards

WESTERN CAPE Premier Mr Hernus Kriel said he would take legal opinion should President Mandela sign into law an amendment that would effectively overrule his government's boundary decision.

Mr Kriel said it was necessary for the central government to “step in” where it saw flagrant violations of the central government process that made local government transition possible.

"We did not say we will remove the power from the main party in this province and give it to the central government. We just said that we are doing the same thing that Peter Marais is doing,” he said.

Mr Kriel said Peter Marais would still decide on their municipal boundaries, he said, in terms of the new ruling, once the two new people are on the Provincial Committee.

Mr Marais will again have to set up for new people to the Provincial Committee. Negotiations must then be repeated, and if agreement is not reached the matter will go to a special Electoral Court.

Government Transition Act which nullifies Mr Marais' recent "unilateral" appointment of two new people to the Provincial Committee.

The government has said it will not revisit the decision and will continue with the original plans.

Ownership of the land would be carried out in two phases.

Rural councils also have to outline agricultural areas, topographical features, where proposed and alternative voting stations would be and the distance between the two furthest points of every ward.

Stringent deadlines

Mr Michael Randall, secretary of the Demarcation Board, explained the apparent short notice by saying that the board had to meet stringent deadlines before the November 1 elections.

Mr Randall said the current controversy over the Cape Metropolitan Council boundaries had further retarded the process.

Mr Randall also had to submit further maps outlining the location of all areas within their jurisdiction that fall under the relevant schedule of the Transitional Local Government Act.

Interested people can put forward proposals at public hearings to be held at the Regional Services Council offices at the following places: 9.30am - Beaufort West, June 19; Moorreesburg, June 19 and 20; George, June 19 and 20; Oudtshoorn, June 20 and 21; Worcester, June 21 and 22; Middelburg, June 22 and 23; and Saldanha, June 23.

Further information can obtained from Mr Randall at (021) 483 4127.

DEMARCATION: The boundaries as they are now most likely to be drawn — based on the original Demarcation Board proposals which the ANC endorsed but which Local Government Minister Mr Peter Marais overturned.
Moosa's move: We had to stop
Metro boundaries excluded
to be drawn in a round of hearings on proposed ward demarcations but only in towns outside the metropolitan area. Chairman Fanie Cloete said the board would not be able to delimit wards in the metro until the dispute around boundaries was resolved.

It also could not study the issue of rural wards outside towns, because parliament still had to finalise the model for rural local government.

Local authorities are being asked to submit colour-coded maps to the board before June 15, and people wishing to make submissions should notify the board before that date.

Professor Cloete said ward boundaries would be determined by the number of registered voters and not by the number of people presumed to live in an area, because of the good registration figure in the Western Cape.

Other criteria for delimitation include topographical and physical characteristics and the availability of voting premises, as well as a clause in the Local Government Transition Act which determines that 50 percent of wards must be in former black local authorities.

The Central Karoo Regional Services Council hearing will be in Beaufort West on June 19, West Coast RSC on June 19 and 20 in Moordreesburg, South Cape RSC on June 19 and 20 in George, Little Karoo RSC on June 20 and 21 in Oudtshoorn, Breede River RSC on June 21 and 22 in Worcester, Overberg RSC on June 22 and 23 in Breedsdorp, and Winelands RSC on June 23 in Stellenbosch.

For more information on the hearings, call M P Randall on 483 4127 or Professor Cloete on 809 2244.

Angry ANC hits out at Marais's claim

THE African National Congress has hit out angrily at local government minister Peter Marais for suggesting that Western Cape ANC leader Chris Nissen had lost their support.

Mr Marais recently suggested Mr Nissen should resign because he did not take part in last week's failed negotiations between the National Party and the NP over municipal boundaries for Cape Town.

The ANC said the decision not to include Mr Nissen was taken by the ANC because he had other tasks to attend to. Provincial secretary-general James Ngcule and roads minister Leonard Ramatlahane represented the political party instead.

Avoid housing bottleneck, council urged

MUNICIPALITIES unable to get housing plans approved or to inspect the quality of builders' workmanship must not be allowed to slow up the delivery of houses to the homeless.

They should instead turn to the private sector for help, says Barry Probert, president of the Association of South African Quantity Surveyors.

He said most municipalities would not be able to cope with the increased workload created by the new housing subsidy scheme, and that construction professionals such as quantity surveyors and engineers could help by approving plans and inspecting building progress.

Last month the Cape Town City Council's city planner reported that the council had a backlog of more than 40 percent on plans needing approval.

"The civil and building professions can be engaged at a reasonable fee to assist in eliminating the potential bottleneck," Mr Probert said.

Voters: One more chance

VOTERS who failed to get their names on the voters roll by Monday that week will have a second chance when the roll lies open for inspection from June 24 to July 7.

This was announced by Deputy Constitutional Affairs Minister Mohammed Vally Moosa at a summit on the Cape metropolitan boundaries yesterday.

Mr Moosa said voters could make application to register during the inspection period.
Hernus Kriel enters fray on municipal boundaries

Calls on President not to sign change

Political Staff

WESTERN Cape Premier Hernus Kriel has entered the fray over Cape Town’s municipal boundaries issue, calling on President Mandela not to sign an amendment to the Local Government: Transitional Act.

The amendment, which deals with appointments to provincial committees, is aimed at overturning controversial appointments and demarcation decisions by Western Cape Minister for Local Government Peter Marais, who has included Khayelitsha in the Cape Town central sub-structure, contrary to a Demarcation Board plan.

And the National Party has warned that the amendment may cause a delay in the holding of the November 3 local government elections.

Yesterday, the parliamentary joint committee on constitutional affairs passed an amendment which means Mr Marais and other regional local government ministers can no longer make their own appointments to the important provincial affairs committee, with which he has to agree on major local government issues.

Appointments to the provincial committees now will be made by the Minister of Provincial Affairs and Constitutional Development in consultation with the Minister of Justice and after consultation with the premier of the province concerned.

The amendment, sponsored by the African National Congress, will take effect retrospectively. It differs from an earlier amendment, passed a week ago, by having the Minister of Justice replace the provincial affairs minister's deputy.

Yesterday's amendment was approved, with the African National Congress, Democratic Party and Pan Africanist Congress voting in favour and the National Party and Inkatha Freedom Party against.

Mr Marais, who attended the previous, heated meeting of the parliamentary committee, was in George yesterday.

Speaking on his behalf, Premier Hermann Kriel said the proclamation of the latest amendment would have to be stayed so that Mr Marais could obtain further legal advice.

"In the meantime, I call on the President, not to sign the proclamation as it is a direct infringement of democracy."

He said the door to negotiations was still open, especially as the amendment was the result of failure to adhere to an agreement which had been reached between the leadership of various parties, but had been rejected by ANC supporters.

Mr Kriel said he believed the matter could be resolved through reasonable negotiation which would circumvent drawn-out court cases.

In its reaction, the National Party described the passing of the amendment by the parliamentary committee as 'high-handed'.

"We are not surprised that the law advisers, who have to put political decisions into legislation, find it difficult, because there is no precedent for this type of high-handed legislative process,' said André Fourie, chairman of the NP caucus study group on constitutional and international affairs.

The proposal that the Minister of Constitutional Affairs should make decisions in consultation with the Minister of Justice was laughable.

"Why not the Minister for Home Affairs, Water Affairs or any other affair?" he asked.

Mr Fourie said this difficulty had arisen because the ANC wanted to legislate for a specific incident and/or personality.

He said the NP stand was clear — that local government was a provincial function, that provincial legislatures were elected institutions and that the central government should not interfere in provincial matters if everyone was committed to provincialism and/or federalism.

Mr Fourie said the amendment was dangerous furthermore as it might cause a delay in the November elections, as the amendment would certainly invite legal actions in different courts and forums.

The ANC, well aware of this risk, did not seem to care.

"Its insistence to prescribe from the top stops at nothing."

See also page 6
ANC alliance rejects boundary proposal

CAPE TOWN — Residents of the Western Cape have rejected a proposal by the ANC alliance to change the boundaries of local government. The proposal, which was presented to the ANC by Pieter Marais,招集 boundary proposal gathered momentum yesterday when a summit convened by the ANC alliance and a wide range of civic organisations rejected his plan.

Deputy Constitutional Affairs and Local Government Minister Valli Moosa said at the summit that if Marais did not change the proposal, steps would be taken "as he will be left with no choice — negotiate or fight in a court of law". Marais recently decided that Khayelitsha should be included in the central and southern Peninsula metropolitan structure, a decision which was contrary to the demarcation board's proposal that the township should be included in the Tygerberg substructure.

Parliament's constitutional affairs committee has been tasked with amending the Local Government Transition Act to overturn Marais' decision, but the amendment still awaits the signature of President Nelson Mandela. Marais has threatened to take the issue to the Constitutional Court if his decision is overturned.

Moosa said he did not believe any reasonable court would respond in such a way as to delay the local government elections.

Western Cape premier Herman Steenkamp appealed to Mandela to sign the proclamation, which he said was a "direct transgression of democracy".

Kriel said negotiation was still possible and a court battle could be prevented.

Moosa said the NP's claim that central government was aiming to interfere with the powers of the provinces was not true. Central government was acting to see that the way towards local government was negotiated to ensure inclusivity.

"The people of Cape Town must decide on the boundaries, but the boundaries must not create another volksraad," he said.

At the constitutional affairs committee meeting yesterday, NP caucus leader Andre Faurie slammed the amendment to the Local Government Transition Act as "a blatant intervention by government in provincial affairs", and he called on the ANC to reclassify the amendment.

The committee yesterday voted through an amendment to give Constitutional Affairs and Local Government Minister Roelf Meyer and Justice Minister Dullah Omar powers to appoint provincial committee members. The amendment also terminates all committee appointments by the provinces after April 1999.

At the committee meeting, electoral task group convenor Van Zyl Slabbert appealed for solutions to be found as soon as possible to the many political problems that were expected to be encountered on the road to the local government elections.

He cited as an example of the potential political pitfalls the fact that 96% of local government jobs are held by whites, Asians and coloureds, while the remaining 4% of the seats would be occupied by blacks, irrespective of whether one group dominated another in a particular area.
ANC alliance rejects boundary proposal

Moosa said the NP's claim that central government was aiming to interfere with the powers of the provinces was not true. Central government was acting to see that the way towards local government was negotiated to ensure inclusivity.

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At the committee meeting, electoral task group convener Van Zyl Slabbert appealed for solutions to be found as soon as possible to the many political problems that were expected to be encountered on the road to the local government elections.

He cited as an example of the potential political pitfalls the fact that 50% of local government seats would have to be occupied by whites, Asians and coloureds, while the remaining 50% of the seats would be occupied by blacks, irrespective of whether one group dominated another in a particular area.
City draws the line at Khayelitsha

BY AUDREY D'ANGELO

Including the sprawling black township of Khayelitsha in the municipal boundaries of Cape Town — which would mean a rates increase of 80 percent — would "seriously undermine the city's business base", the Cape Chamber of Commerce and Industries warns.

Director Alan Lighton says in the chamber's current newsletter: "Any setback to business in the city would negatively affect all who live in the metropole."

"The inclusion of Ikapa, which embraces established black townships into Cape Town's municipal area will strain the city's resources to its limits. To add the cost of servicing the whole of Khayelitsha to the city's rates bill would be to impose an impossible burden on ratepayers."

"Business in Cape Town already pays the highest rates of any city in the country and the region is at a competitive disadvantage as a result," Lighton continues.

"While it is accepted that the major cities throughout the country must each accept responsibility to contribute towards the costs of upgrading and maintaining services in the black townships, this burden should be distributed fairly across the metropole and not skewed in the case of Cape Town."

Lighton says the chamber has made urgent representations to the national minister of provincial affairs and the provincial premier.

The chamber's warning was given as a result of a controversial decision by Peter Marais, local government MEC in the Western Cape, to alter the suggested boundaries to exclude Khayelitsha from Bellville municipality.
President blocks Marais boundary plan

CHRIS BATEMAN
POLITICAL STAFF

PRESIDENT Nelson Mandela has signed into law two amendments overruling Western Cape Local Government Minister Mr Peter Marais, effectively blocking his controversial Khayelitsha boundary move.

In response, a defiant Mr Marais vowed to prevent rural elections in the Western Cape until the central government "honoured" a compromise Cape Metropolitan boundary "deal" thrashed out last week.

The first amendment to the Local Government Transition Act overrules Mr Marais' recent appointment of two new people to the Provincial Committee.

The proclamation has been signed by President Mandela and, significantly, by the Nationalist Minister for General Affairs, Mr Chris Finser.

The second amendment, approved last night by a joint parliamentary committee, declares invalid any decisions taken by the Provincial Committee as restructured by Mr Marais. It states that any proclamation between April 30 and June 7 this year by a committee restructured without consent shall be without any legal force and effect.

Last night Mr Marais said he would inform the Speaker of the Western Cape government, Mr Willem Doman, this morning that he was withdrawing the Rural Local Councils Bill before its third reading at the end of July.

This would effectively leave the Western Cape with no law to run the elections in the rural areas — where the Demarcation Board is already urgently laying down ward demarcation groundwork to pre-set deadlines.

Mr Marais said he would like "nothing better" than a political settlement, but "the ANC has chosen the battlefield and must bear the consequences."

He was prepared to go to the Constitutional Court and the Electoral Court to defend his boundary proposals.
Town clerk defends his 104-day absence

STAFF REPORTER

CITY town clerk Mr Keith Nicol yesterday defended his 104-day absence from his office over the past 15 months, saying overseas trips and seminars he had undertaken were "unanimously sanctioned" by the executive committee and in line with a policy to promote Cape Town.

This follows a scathing attack on him by councillor Mr Arthur Wiensburg, who said Mr Nicol was a "bureaucrat" and that it was not his job to lead the city out of isolation but that of the politicians.

Criticism over his long absence was also voiced by other ANC, NP and DP councillors who said Mr. Nicol's time would have been better spent in the city while it was going through a critical stage over its future boundaries.

"I am appalled and disappointed at the criticism about my absence which was unanimously sanctioned by exec and forms part of my work as chief executive."

"If the council wants to isolate itself, then fine, but this is contrary to its policy of encouraging senior officials to be involved in leadership roles and contrary to the city's objectives of being internationally competitive."

I realised we were in the middle of a transition and I should stay in the city, but I was also mindful of criticism if I didn't take part in international events."
Marais accused of 'gerrymandering' in rural wards

Municipal Reporter

A FRESH row has erupted over Local Government Minister Peter Marais's handling of preparations for the municipal elections, with the African National Congress accusing him of "gerrymandering" wards in rural areas.

The row follows central government intervention to nullify appointments made to the provincial committee for local government by Mr Marais, stalling his controversial decision on Cape Town's municipal boundaries.

In a call for Mr Marais's resignation today, the ANC said the demarcation of wards was an "extremely sensitive issue" and needed to be handled "fairly and objectively".

If manipulated by the National Party the whole process would be "stalled".

The ANC accused Mr Marais of another "sleight of hand" because he had listed among black local authorities in the rural areas certain white rural councils.

This effectively watered down the 50:50 provision in the Local Government Transition Act which determined that half the wards for new councils should be in former black areas and half in white areas.

The ruling by Mr Marais that some white local authorities belong with black areas contradicts an earlier circular from the Demarcation Board.

It has particular effect on Hermanus and Plettenberg Bay.

The ANC said today that in Hermanus voters were expected to elect 16 councillors in the election, 10 of whom would be drawn from wards.

The assumption would be that five of the wards would be in Zwelihle and five in the white and coloured community.

But, because of Mr Marais's ruling, the white councils of Fisherhaven, Sandbaai and Vermont were being included with Zwelihle, meaning they would have to share five seats among them.

"This amounts to gerrymandering of the crudest type as it is aimed at undermining the votes of ANC supporters in Zwelihle," the party said.

"It appears as though once again Peter Marais's head is guided only by what is in the best interests of the NP and not in the best interests of the province.

"He is responsible, he must be made accountable, he must resign."

Mr Marais was not available for comment. A spokesman in his office said he was on business out of town.
11 percent rates increase likely — for now

ANDREA WEISS, Municipal Reporter
TONTIGHT the Cape Town City Council is likely to pass a R2.5 billion budget which will put rates up by 11 percent — for now.

The rates increase is in line with current inflation rates.
Because new boundaries for the city are still in dispute, the council is unable to draft a budget taking on the former black local authorities and so may have to consider a revised budget in the future. This could mean a further rates rise.
Tonight, because of a provision in the interim constitution, a two-thirds majority will have to vote in favour of the budget, which applies only to the council’s present area of jurisdiction.

Each portion of the draft capital budget has been considered and approved by the relevant standing committee, which in turn reported to the city’s executive committee, chaired by Nomsa Mbeko, who makes the budget speech tonight.

The draft operating budget was considered by a separate committee, which also reported to the executive committee.
Because of this process it is unlikely that there will be any major disputes over particular aspects of the budget.
The budget is described as an interim budget which will be in force until the council’s new area of geographic jurisdiction becomes clear.

The council has already agreed to an average nine percent increase for electricity and a five percent increase for water.
In line for a big cut is tourism organisation Captour, whose R2 million grant is likely to be slashed to R500 000.
The rationale for the cut is that the Cape Metropolitan Council should take greater responsibility for organisations with a metropolitan function.
Wesgro, which has been given R500 000 a year for the past three years in terms of an agreement to market Cape Town overseas, will get only R250 000 this year.

● Lifeline for Captour, page 7.
R2.8bn BUDGET PASSED

Council holds rates hike down to 11%

SENIOR council officials pledged yesterday that every effort will be made not to increase rates again when new boundaries come into effect. PETER DENNEHY reports.

The City Council passed a R2.8-billion holding budget yesterday which includes an 11% rates increase. Senior council officials said every effort will be made to prevent another increase within months of the new boundaries coming into effect.

Yesterday's annual council budget had to be prepared based on the present municipal boundaries.

The Local Government Transition Act requires that 104 days after the boundaries change, a Joint Executive Committee must integrate the budgets of the various councils that have been merged, such as Cape Town, Ikapa, Pinelands and Crossroads.

Assistant city treasurer Mr Mike Richardson said provision has been made in the municipal ordinance for another rates increase over the 11%.

However, city treasurer Mr Eddie Landsberg said the city aimed to get financial help from the provincial authorities, which have been funding the running of the towns.

Funds will also be provided by the Cape Metropolitan Council for the re-establishment of township services, some of which have virtually collapsed.

Councillors said during last night's budget debate the new budget did not differ much from those in the past, with the exception of having to provide for RDP projects to the tune of R15 million.

Councillor Mr Neil Ross said the city had some money in the kitty to provide housing, mainly because over R2.5bn from the sale of the Clifton bungalows in an a social development fund. This may soon be increased to R40m if the percentage of the proceeds from bungalow sales that goes into the development fund rises from 50% to the 80% as the council had requested.

Features of the R2.8-billion budget, broken down into R2.1bn for operating expenses and R657m for capital projects, include:

**Electricity**
- A 10% increase in council housing rentals, along with the 11% rates increase;
- Electricity tariffs will rise by about 9% from August 1, and water tariffs will rise by about 6%;
- Owners of residential properties will have to pay rates of 6,815 cents per rand of the municipal valuation of their houses. The rate for non-residential properties will be 9,212 cents in the rand;
- R586m will be raised from property rates in the coming year;
- Council houses will receive an R11.2m subsidy from the rates account.
Councillors hit back at arrears leak

THE ANC launched a furious attack on councillors, or a councillor, who leaked information to the Cape Times that six non-statutory councillors were in arrears to the extent of R28 000 for water, lights and rent yesterday.

In a press release, ANC councillor Mr Mansoor Jaffer, speaking for the councillors identified in the leak, said leaking the details was a "manifestation of resistance" to the changes taking place in local government.

Mr Jaffer said the central issue was that the leak must have come "from sources who have for decades lapped up the privileges which apartheid patronage bestowed on them".

"Pensions"

It annoyed those councillors named that they, who collectively owed R28 000 to the council, stood accused while there were other councillors who had willingly accepted "apartheid pensions totalling huge amounts".

"It is cowardly for nameless and faceless people to drag their names through the mud, especially since many of them had voluntarily done community work over the years, alleviating the plight of members of their community."

Govt sets tight limit for Marais

THE central government yesterday swiftly enforced its legal "stopping down" of Western Cape Local Government Minister Mr Peter Marais' boundary proposals by giving him just 18 hours to propose a new Provincial Committee.

However, Acting Provincial Affairs and Constitutional Development Minister Mr Chris Fismer apparently relented after a furious response from Premier Mr Hermus Kriel's office and extended the deadline.

The Provincial Committee to which Mr Marais appointed two NP-supporting members, ensuing his controversial exclusion of Khayelitsha from the Tygerberg sub-structure, is supposed to be a neutral watchdog of transition.

The amendment to the Local Government Transitional Act declared invalid the decisions taken by restructured provincial committees between April 30 and June 7 this year, negating Mr Marais' Cape Metropole demarcation.

It also requires Provincial Affairs and Constitutional Development and Justice Ministry approval for any new Provincial Committee appointments by provincial ministers.

Top NP sources in the central government said no chance of a political settlement — as pleaded for by Mr Kriel and Mr Marais — now existed as the ANC would rely on the amendment to force the Western Cape's hand.

Shopping till they drop

STAFF REPORTER

WHAT do the wives and girlfriends of the English rugby players do while the boys are busy training for their most important game in the World Cup? Shop, of course.

Tracked down at the Waterfront they said travelling on a rugby tour could be a bit lonely.

Ms Jayne Guscott, wife of centre Jeremy Guscott, who brought the couple's two young children, said she was enjoying herself even though she spent most evenings in the hotel with the children while the rest of the group went out to enjoy the city nightlife.

The two groups are living in separate hotels.

Ms Michele Lawrence, girlfriend of loose forward Ben Clarke, said: "You have to be a certain type of woman to have a boyfriend or husband as part of the English team. We are all independent and most of us have our own careers."

"Serious client" for the Rooivalk

THE armaments company Denel has decided not to send its Rooivalk attack helicopter to the prestigious Paris Air Show this year, mainly to enable a full demonstration in SA for a "serious potential client."

Denel chief executive officer Mr Johan Alberts did not name the client, but informed sources said yesterday it could be Malaysia, which was interested in building the Rooivalk under licence.

The helicopter has also undergone modifications, including more powerful engines and better exhaust suppression, improving its overall performance by 10%.

Meanwhile, a South African armaments firm, Reumech, manu-
Workers break bins, pot plants

The municipality of Goodwood has appealed to residents to remain calm after members of the SA Municipal Workers' Union went on the rampage yesterday, breaking refuse bins on street poles and overturning pot plants.

The workers, who have been on strike since Tuesday, were demanding a minimum salary of R1,500 a month. The municipality was unable to meet their demands. "We don't even pay clerks R1,500," Mr Wilkens said. Negotiations were continuing.
Arrear councillors hit back

Municipal Reporter

COUNCILLORS in arrears came under attack — and defended themselves vigorously — during the budget debate.

Kenneth Penkin said it was a "disgrace" that, for the past four months, they had received allowances while being in arrears.

Reynard Isaacs of the African National Party said those councillors in arrears were no different from their comrades in marginal townships.

Fadhela de Vries of the SA National Civic Organisation said she held her council bits "with dignity."

Her rent debt, which was published in the Press, was built up during the rent boycott, and she had declared her position at meetings.

She said transparent had to be looked at from all angles, suggesting that councillors who had business interests which benefited from council decisions also should be put under the spotlight.
COUNCIL BUDGET

Grading mod

COUNCIL BUDGET

ANDREA WESS

AMENDMENT REPORT

COUNCIL BUDGET

Grading mod
City’s trading services take biggest slice

Municipal Reporter

THE biggest slice of the Cape Town City Council’s budget goes towards trading services, including electricity and water.

The city will spend R1 025.7 million on electricity, 36 percent of the budget. The next largest amount goes to water (R383.5 million or 15.8 percent).

Epping market will need R23.1 million, followed by Maitland abattoir, R20.9 million.

Moves are about to restructure the market as a Section 21 company, while negotiations around the troubled abattoir, operating at a deficit, continue.

Infrastructure will claim the second largest slice (R301.2 million), followed by amenities (R264.3 million).

The city will spend R237.2 million on direct services, R171.7 million on health, R144.5 million on protection, R128.2 million on housing, and R120.4 million on administration.

Marais figures for borders ‘misleading’

Municipal Reporter

FIGURES used by local government minister Peter Marais to justify his proposed boundaries were “gravely distorted and misleading”.

This was said by Nomandla Mfeketo in her budget speech to the Cape Town City Council.

Ms Mfeketo said Mr Marais had justified his proposals on the grounds of financial equity and had produced figures to try to justify his decision.

But her proposed boundaries created a “highly unjustifiable situation” and placed a very unfair burden on the residents and businesses of the central municipality.

Those living outside the central area would be relieved of their responsibilities to deprived areas and the consequences to the city would be disastrous.

“This council will thus oppose those proposed boundaries with all the resources and energy we can muster until an equitable and workable solution is reached.”

In the debate that followed, Leon Markovitz, who leads the National Party caucus in the council, gave his version of events during last week’s failed negotiations between the African National Congress and NP.

Mr Markovitz said two negotiating teams had reached an agreement that Tygerberg would take Ikapa and Crossroads and Cape Town would be linked to Khayelitsha. But the following day the ANC negotiators returned to say there was no deal.

“They could not deliver.”

Neil Ross, leader of the Democratic Party caucus, said it was not for the ANC and NP to strike deals in “little dirty backrooms”.

Decommissioning principles were outlined in the Local Government Transition Act and fudging for political purposes had to be condemned.

Hameil Tseker of the ANC said it had been clear that the ANC had no mandate to make an agreement and needed to consult other groups.

City Council extends hand of friendship

Municipal Reporter

CAPE Town City Council wants to move away from its denominating image and extend “a hand of friendship and cooperation” to all local authorities.

This was said by executive committee chair Nomandla Mfeketo in her budget speech last night.

Ms Mfeketo said that for too long the city council had been seen “fairly or unfairly” as arrogant and domineering.

“We believe in strong local government, not just for Cape Town but for the whole of the metropolitan area. Let us work together to meet the serious financial and political challenges facing all of us.”

Ms Mfeketo said the council would not use its size and resources to dominate the “arranged marriages” of local authorities into new structures when the boundaries were decided.

Olympics financial commitment ‘limited’

Municipal Reporter

CAPE TOWN City Council’s financial commitment to the Olympics at this stage is “extremely limited.”

Executive committee chairman Nomandla Mfeketo told the council there were no obligations in the contract with the National Olympic Committee of South Africa that placed any significant possible future burden on the residents of Cape Town.

Arrear councillors hit back

Municipal Reporter

COUNCILLORS in arrears came under attack — and defended themselves vigorously — during the budget debate.

Kenneth Penkm said it was a “disgrace” that, for the past four months, they had received allowances while being in arrears.

Riedewaan Isaacs of the African Muslim Party said those councillors in arrears were no different from their comrades in marginalised townships.

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Her rent debt, which was published in the Press, was run up during the rent boycott and she had declared her position at meetings.

She said transparency had to be looked at from all angles, suggesting that councillors who had business interests which benefited from council decisions also should be put under the spotlight.
RATES IN PINELANDS MAY DOUBLE

Municipal Manager Greg Wilder of the Piney Woods Municipal Utility District said the district's rates will double in the coming fiscal year. The district serves approximately 6,500 customers in the Piney Woods area, which includes Pines, Piney Woods, and adjoining communities.

"Our rates have increased steadily over the past few years due to rising costs of operation," said Wilder. "This is the first significant increase in rates we've seen in a long time, and we understand it may be a difficult adjustment for some of our customers. However, it's important for us to maintain a sustainable financial position in order to provide reliable service to our members."
SEVEN heads of department in the Western Cape administration have been officially appointed in terms of constitutional advertising requirements and after exhaustive interviews by a legislative committee.

They are Dr Johan Stegmann, Finance and Corporate Services; Mr C O du Preez, Housing, Local Government and Planning; Mr Roy Petersen, Department of Transport and Public Works; Mr Tony Bouter, Economic Affairs and RDP; Dr Tom Sutchife, Health; Dr J D Burger, Agriculture, and Mrs Virginia Petersen, Welfare Services.

Most of the seven were already effectively running their departments. The appointments take effect on July 1.
Boundary hiatus puts brakes on a R1.5b plan

Municipal Reporter

THE municipal boundaries dispute is delaying a proposed R1.5 billion technopark development in Muizenberg East with the potential to create 25 000 jobs.

This was pointed out yesterday to the city council's economic development committee by development co-ordinator Rod Young.

The Capricorn project will be undertaken on about 250 hectares of land near the False Bay coast, if the city council is willing to sell it off at the price of residential land in blocks of about 60 hectares each.

Included in the development will be a training centre drawing on the expertise of the three universities and two technikons in the Western Cape.

But, because it is unclear who the land will belong to until the municipal boundaries of the city are declared, the project has been stalled.

Mr Young said a decision was necessary so that the consortium, willing to develop the project could go ahead with an environmental impact assessment.

"We want this matter to go before the city council this month," he said, adding that developers could be wooed by Gauteng.

A public participation project would take place over the next three or four months, after which a R50m environmental impact study for the first phase would take place.

The project has already enjoyed support from President Nelson Mandela, the national cabinet and the provincial government.

"Among the commitments that government will have to make will be to extend the M5 freeway through to Prince George Drive," Mr Young said.

A special presentation is due to be made to the council's executive committee on June 23.
Objections poser for councillors in debt

MUNICIPAL REPORTER

COUNCILLORS who owe money for municipal services to the council on which they serve were still complaining yesterday about the leak of their private account details to the press.

But the council’s voter registration official, Mr Brent Gerber, was asked by the Cape Times how anybody could object on nominations day to councillors standing for election on the grounds of their owing money for municipal services if the council was going to keep this information secret.

The Local Government Transition Act states that councillors are not eligible for nomination if they are more than three months in arrears with their payments for municipal services.

Mr Gerber said that council officials would check that all candidates for the local elections qualified according to the regulations.

“If there is a problem with any of them, the regulations allow us a certain number of days to fix it.

“If it is not fixed by nomination day, the candidate’s name will be rejected. I don’t know whether the reason will be made public,” he said.

Some councillors accused council officials of responsibility for the leak and Mr Carol Jackson, one of the councillors named as a debtor, accused the senior deputy city administrator, Mr Barney Botha, of trying to defend the council staff. He insisted there was no cover-up and noted the leak could have come from a council police officer instead of an official.
WANTED: The following are wanted by the Western Cape Police:

- A white sedan car with license plate number ABC 1234.
- A black backpack with the brand name Adidas.
- A red bicycle with the frame number 123456.

Anyone with information regarding the whereabouts of these items is requested to contact the nearest police station.

Legal Battle: Local Government Minister, Peter Marais (IFP), with Western Cape Premier, Alan Winde, in court.

The National Economic Development and Labour Minister, Enoch Godongwana, has announced that the government will introduce new regulations to address economic inequality.

November Election in Balance

The Western Cape Premier, Alan Winde, has accused the Eastern Cape of not honouring its election promises.
Catch 22 delays council plans for local elections

PETER DENNEHY

THE Cape Town City Council is to express its concern to the Western Cape authorities about a Catch 22 situation which is delaying preparation for the local government elections.

Deputy city administrator Mr Barney Botha said local election deadlines were not being met, because municipal boundaries had not yet been promulgated.

The council's Transitional Affairs Committee was told that ward boundaries could not be drawn up until joint executive committees decided how many councillors each council will have. But these committees do not officially come into existence until municipal boundaries have been set.

The council decided to write to Local Government Minister Mr Peter Marais and Premier Mr Heman Kneel in an attempt to address this situation.

Another letter will be sent about a commission for the restructuring of local government. This will have six people on it, all appointed by Mr Marais, and dismissable by the premier. Councilor Mr David Blatt, said: "This commission is going to be biased, I can tell you that right now."
Kriel accused of ignoring crisis

CLIVE SAWYER
Political Correspondent

SENIOR African National Congress sources have accused Western Cape Premier Hermin Kriel of acting in bad faith by not raising the demarcation crisis at an inter-governmental forum meeting this week.

Mr Kriel has also been accused of using the crisis to build his standing in the National Party in his bid to succeed FW de Klerk as leader.

He has sparked widespread ire for interfering with the principle of balanced representation in the provincial committee on local government, agreed to during Kempton Park talks, and while he was a member of the cabinet.

A witness said Mr Kriel had been present, with other premiers and Provincial Affairs Minister Roelf Meyer, at Monday's meeting of the inter-governmental forum.

"What's the purpose of sitting in a five-hour meeting and not raising the issue of the amendments to the Act?" asked an ANC source.

Meanwhile, chairman of the national assembly committee on constitutional affairs Pravin Gordhan said Mr Kriel seemed to be deliberately misunderstanding the situation.

"His belief that this (the amendment of the Local Government Transition Act) is national interference in a provincial matter is a deliberate misunderstanding of the constitution."

Functions set out in Schedule Six of the constitution were concurrent between national and provincial government.

Mr Gordhan said Mr Kriel was trying to hold local government elections in the Western Cape to ransom.

The NP in the province was trying to put a smokescreen around the real issue, which was whether Mr Kriel was prepared to negotiate a solution with those opposed to his demarcation proposals.

Mr Kriel's proposed lawsuits against President Nelson Mandela and Mr Meyer were a travesty of the spirit of reconciliation and accountable and transparent government, he said.

"We can do without this kind of brinkmanship," said Mr Gordhan.

The amendment to the Act was aimed at enabling leaders in the Western Cape to reach an accommodation.

Mr Kriel announced yesterday that the Western Cape cabinet had decided to take the central government to the constitutional court. This announcement, which it was feared would delay the November 1 local election, was made after the regional cabinet met to discuss amendments to the Local Government Transition Act around a dispute over municipal boundaries in Cape Town.
Western Cape to tackle central govt

Edward West

CAPE TOWN - The Western Cape provincial government would "take central government to the Constitutional Court over two proclamations signed by President Nelson Mandela last week" amending the Local Government Transition Act, premier Helen Zille said yesterday.

The Act, was amended by the ANC through the constitutional affairs parliamentary committee to overturn appointments made by local government MECs.

"The move followed legal advice that the proclamations were unconstitutional," Zille said. "Kriel said the proclamations violated the constitutional principle prohibiting the national government from exercising its authority in a way that violated the integrity of the provinces."

Peter Marais to the local provincial committee and his subsequent Cape metropolitan boundary decisions.

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Continued from Page 1

The province was also advised that the proclamations were in breach of administrative law since they were aimed at objectives not authorised by the relevant Act. This breach would be fought in a separate Supreme Court action.

He said the province was no longer prepared to participate in appointments to the local provincial committee in terms of the amended Act.

Respondents in the Constitutional Court action would be Mandela, Provincial Affairs and Constitutional Development Minister Roelf Meyer and Justice Minister Duluth Omar.

"The court actions could delay the local government elections, "but the principle is so strong we have to protect the autonomy of the provincial government", he said.

Kriel said he had appealed to Mandela not to sign the proclamations, but to let the issue be negotiated further. "I believe the President was forced into the decision by grassroots people in the Western Cape who do not understand the situation."

"We cannot accept willy nilly that because big daddy has spoken we must toe the line. The moment the proclamation was signed, the ANC closed the door to negotiations. They know where to find us to open that door again," he said.
W Cape to foot bill for Kriel's court bid

BOUNDARY ROW: Premier Mr Hermus Knel says his court action is in the interests of the people of the Western Cape, report CHRIS BATEMAN and ANTHONY JOHNSON.

THE Western Cape government — not the National Party — will foot the bill for the Constitutional and Supreme Court challenge to the overturning of its Cape Metropolitan boundary by President Nelson Mandela.

This was said yesterday by Western Cape Premier Mr Hermus Knel.

"We're not acting in the NP's interests, but in the interests of the people of the Western Cape," he said.

The ANC's four Western Cape ministers distanced themselves yesterday from the majority NP cabinet decision.

They said that Mr Knel's court challenge violated a delicately negotiated Kempton Park agreement.

The province's Local Government Minister Mr Peter Marais had loaded the provincial committee with NP-leaning members to ensure a Cape Metropole demarcation favourable to his party, they claimed.

Meanwhile, the cabinet yesterday asked Deputy Presidents Thabo Mbeki and F W de Klerk to negotiate with Mr Knel to defuse the demarcation row, which is threatening to delay the November 1 elections.

Provincial Affairs Minister Mr Roelf Meyer said ministers had unanimously accepted his proposal that the deputy presidents should become involved in the boundary dispute.

Provincial Health Minister Mr Ebrahim Rasool said Mr Knel had caused the controversy.

He described the court challenge as a "bad for federalism."

Mr Meyer told a press conference yesterday that the main concern about the boundary dispute in Cape Town — and developing towns in Johannesburg and Durban — was the tight local election timetable, which would be affected by protracted court proceedings.

"But as far as I know, Mr Knel has indicated that he is prepared to negotiate," he said.

No date has been set for a meeting between the deputy presidents and Mr Knel.

ANC sources said yesterday they were sure Mr Knel's court challenges would fail but they were worried about their effect on the election date.

A constitutional amendment would be required for elections to be delayed in certain areas.

Government sources said last night that areas that failed to hold elections as scheduled could be penalised in terms of RDP benefits.

The NP Western Cape caucus yesterday thanked Mr Knel and Mr Marais for their role in the boundary dispute and vowed "to fight this matter at all costs."

"The caucus believes that the autocratic attitude of President Mandela in his attempt to erode the powers of the Western Cape represents a serious infringement of the spirit of the constitution," the NP said.
Council seeks clarity on 'closed shop' agreement

PETER DENNEHY
MUNICIPAL REPORTER

CT 15/6/95

THE Cape Town City Council is to go to the Industrial Court today to obtain clarity on whether or not it can continue with its "closed shop" agreements with its unions. Where a closed shop exists, employees are compelled to join one or other union. This requirement is part of the conditions of service under which employees are hired. There has been resistance to this from some of the staff, although the agreement goes back at least 50 years.

One objector is paying his "union dues" to the Community Chest, while another 40 or 50 are paying theirs into holding accounts, depending on the ruling. Mr Ernie Thorne, deputy director of the council's labour relations department, said the action was a sequel to an Industrial Court ruling on December 13, 1993 that in its then-existing format, the council's closed shop arrangement was an unfair labour practice.
ANC appeals to Kriel over boundaries row

Municipal Reporter

WESTERN Cape African National Congress ministers have appealed to Premier Herman Kriel not to jeopardise the November 1 election date by tying up the dispute over municipal boundaries in the Constitutional Court.

And the party has started to ask questions about who will pay for the court action decided on by the NP majority in the 10-member provincial cabinet.

In a further development yesterday, Deputy-Presidents Thabo Mbeki and FW de Klerk were asked by the cabinet to intervene to resolve the Western Cape demarcation crisis.

ANC provincial leader Chris Nissen invited the NP to reopen talks in spite of a failure earlier to reach agreement on the issue.

He said a delay in the local elections would send a negative message which would affect South Africa’s credibility and its ability to attract investment.

He hoped the NP would be willing to talk about the issue before launching any court action.

“Let’s be rational about this matter,” he said.

Mr Nissen said November 1 would still be achievable if the NP put its boundary proposals to the “properly constituted” provincial committee, which would have to refer them to an electoral court if agreement could not be reached.

At a Press conference yesterday, the four ANC ministers issued a statement publicly distancing themselves from Mr Kriel and his sector of the provincial government in their decision to take President Mandela to court.

Heath Minister Ibrahim Rasool said the issue was not about how lines were drawn, but that Mr Kriel had “violated” the provincial committee to force through a proposal on municipal boundaries.

Mr Rasool said the central government had decided to amend the Local Government Amendment Act to “nurture the balance” of what was negotiated at Kempton Park.

The intended court action would be a waste of money and a “breast-thumping” exercise by the NP, because the ANC was confident of the legality and correctness of the intervention by central government.

Provincial Affairs Minister Roelf Meyer said yesterday that he believed the matter could be resolved by negotiation.

He said he understood Mr Kriel to be willing to negotiate.

Mr Meyer told a Press briefing yesterday “I cannot see any reason why negotiations cannot be picked up again.”

He warned that drawn-out court cases in the Western Cape and in Johannesburg and Durban could jeopardise the November elections.
Councillors must take responsibility

Exco chief urges ratepayers to act

GILL TURNBULL
Staff Reporter

LOCAL councillors who "are not called to account for their decisions and only show their faces when they want to be voted in", should not be tolerated, Exco chairman, Nomandiyia Mfeketo, told the audience at the annual meeting of the Rondebosch Civic Association this week.

"Citizens of Rondebosch it is your duty to respond when you don't agree with decisions that affect your area," she said.

Civics were the only structures that could achieve change in government because through them people could vote for change.

"My vision for Cape Town is not different from that of most South Africans. It is of a city of happy people free of crime and violence where black and white can walk safely in the city centre, where slums will be a thing of the past and where citizens can make decisions with the councillors of the future," she said.

"To achieve this we need truth and tough decisions, we need to meet the basic needs of all citizens and to redress the scars of group areas and apartheid and only when we speak with one voice will the challenges be met."

A programme which sought to redress the past and build a culture of payment could not be achieved without strong civic structures.

Cape Town needed non-government organisations and civic associations to present to council suggested ways of running the city cost-effectively and to rid council of the image of being "far away from people, taking decisions on its own and not being accountable to the people."

Urging acceptance of the Olympics bid for Cape Town, Ms Mfeketo said the Games would act as a catalyst for development and put the city "on the map of Africa."

"We must not only look at the financial implications for us as citizens we must also look at the benefits of programmes of infrastructure greatly needed in this city," she added.

Ms Mfeketo added that it was her belief that training the current nine and 10-year-olds in sports (for the Olympics) was the best way of uniting schools.

Several people suggested from the floor that the Olympics bid question should be put to a referendum.

To a question from RCA chairman Bill Sewell on whether the local government elections would take place on November 1, ANC MP Willie Hofmeyr said from the floor that in spite of delays (central) government was still saying the elections would be held on that date and "people should not get discouraged."

In a short address, Rustenburg High School pupil Sue-Ann Tappin, suggested what Rondebosch needed most was an adequate CBD of more shops (like Woolworths) and offices to boost the local economy and to allow residents to shop and work closer to home.

Rondebosch police station commander Captain Henry Hubbard told the meeting officials were "looking at" the possibility of working with metropolitan/civic policing as had been suggested for Sea Point.
Impasse threatens basis of local government

Heather Parker

The Western Cape government's move to introduce a new system of local government in the province has caused a stir among local authorities. The move, which is seen as a departure from the traditional system of elected councilors, has led to protests and concerns about its impact on local governance.

The proposed system, known as the Community Comprehensive Plan (CCP), aims to streamline local government and make it more efficient. However, critics argue that it will centralize power and reduce the autonomy of local authorities.

The Western Cape government has defended the move, saying it is necessary to address the challenges facing local government in the province.

Local authorities have expressed their concerns, with some calling for a referendum to allow voters to decide on the proposed changes.
WESTERN Cape African National Congress MECs have appealed to premier Mr Hermus Kriel not to jeopardise the November 1 local government election date by taking the dispute over municipal boundaries to the Constitutional Court.

The ANC has also started to ask questions about who will pay for the intended court action decided on by the NP majority in the 10-member provincial cabinet.

Earlier failure

ANC provincial leader Mr Chris Nissen extended an invitation to the NP to reopen talks, despite an earlier failure to reach agreement over the issue.

He said a delay in the local election date would send out a negative message to the international community, damaging the credibility of this country and its ability to attract investment.

Election date

He hoped, in a bid to rescue the November 1 election date, the NP would be willing to talk about the issue before launching any court action.

"Let's be rational about this matter," he appealed.

Nissen said November 1 would still be achievable if the NP put its boundary proposals to the "properly constituted" provincial committee, which would have to refer them to an electoral court if agreement could not be achieved.

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Rasool said central Government had decided to amend the Local Government Amendment Act to "nurture the balance" of what was negotiated at Kempton Park.

Court action

The intended court action would be a waste of money and a "crest-thumping" exercise on the part of the NP, because the ANC was confident of the legality and correctness central government intervention.
ANC Wants Crisis Talks

By NOMVAN WEST

The crisis over Cape town’s water supply continues to escalate, with the government and the Western Cape Provincial Government being at loggerheads over the provision of water to the city. The ANC, in a recent statement, accused the provincial government of failing to address the crisis adequately.

The ANC has called for a meeting to discuss the water crisis, saying that the problem is being exacerbated by the government’s lack of action. The party has also called for the implementation of a national emergency plan to address the crisis.

The provincial government has refuted the ANC’s claims, saying that it is doing everything possible to address the situation. The government has also called for the ANC to provide specific details of the crisis so that it can take appropriate action.

The water crisis has caused widespread protests in Cape Town, with residents accusing the government of neglecting their needs. The ANC has called on the government to take urgent action to address the crisis.
‘Four years, much cash to restore Ikapa’

□ Services completely broken down

PETER GOOSEN
Staff Reporter

IT WILL take up to four years and a lot of money just to restore basic services to the Ikapa town council area where there has been a complete breakdown of services and management, says city engineer Arthur Clayton.

He told a meeting of the Wards 14 and 15 Ratepayers Association at the Claremont Civic Centre that he had been party to a strategic management plan to put Ikapa back on its feet and fortunately it had been accepted by the Cape Metropolitan Council implementation had started three weeks ago.

Mr Clayton said the existing staff in Ikapa, the local community and his department had been involved in a tripartite agreement so that the clean up operation was being handled in cooperation with the residents. Local people had been employed to help with the clean up campaign.

Stormwater drains were blocked with sand and refuse. there was no refuse removal. sewers were blocked, refuse had piled up and all the manhole covers had been stolen. There was no one in charge of the council staff who remained and they had no direction.

Even if people did pay for their services, there was no staff to take the cash from them.

“And if we had that level of service we wouldn’t pay it either,” Mr Clayton said.

A large store of the former Ikapa town council had one boot in it and a member of the council staff had been found industriously painting a wheelbarrow. There were five dram cleaning machines, all broken, and none of the staff knew how to operate them.

The clean-up campaign was being done bit by bit, but progress was being made.

The Ikapa area, including Langa, Gugulethu, Nyanga and Crossroads and the Brown’s Farm community had asked to be included in the new clean-up campaign.

Speaking about the local authority boundary dispute, Mr Clayton said the figure of an 80 percent increase in rates to pay for the upliftment of Khayelitsha – if it became part of a larger Cape Town substructure - was a worst-case scenario and in his personal opinion it would probably be less because it was obvious that the government and the Cape Metropolitan Council would have to help.

For instance, the 10 percent levy which all businesses paid to the CMC would have to be increased and this money should be made available to upgrade the former black areas. Grants from the Reconstruction and Development Programme fund could also help.

Mr Clayton said when new substructure boundaries were decided, it would be a major headache for existing local authorities because it would involve moving staff, and working out water, sewage and other tariffs which would differ from area to area. He described it as “a minefield.”
Kriel opts to proceed with court action

CLIVE SAWYER
Political Correspondent

WESTERN Cape premier Hernus Kriel is to press ahead with court action against central government over the demarcation issue, in spite of the resumption of negotiations with the African National Congress to resolve the dispute.

The decision to proceed with court action, hours after the agreement on talks, drew condemnation from the ANC today.

The point of holding talks was to avoid actions such as going to court, said ANC Western Cape spokesman Brent Simons.

The resumption of negotiations was agreed to following a meeting yesterday between Deputy President and National Party leader F W de Klerk and Mr Kriel.

Mr Kriel’s spokesman, Frikkie Odendaal, said the court action was a separate issue from the row about demarcation of Cape Town metropolitan sub-structure boundaries.

It was a matter of principle that the Western Cape government would oppose central government interference in provincial powers.

The Constitutional Court would be asked to pronounce on the validity of the proclamation invalidating decisions on boundaries, while the Supreme Court would be asked to rule that the action was administratively wrong.

It was unclear today when negotiations between the NP and ANC would resume, although it was hoped this would happen by the end of the week.

Yesterday, Speaker of the Western Cape legislature Willem Domman turned down an ANC request for a snap debate on the demarcation issue.

The request was refused because negotiations were to be restarted.

ANC Western Cape leader Chris Nissen said he had asked whip Roseberry Sonto to request a review of the decision.

Mr Nissen said he did not see what the resumption of negotiations had to do with the request for the debate.

Mr Simons said it was questionable whether Mr Kriel had the backing of all NP members in the province for his court action against President Mandela and Provincial Affairs Minister Roelf Meyer.
Kriel to take GNU to court

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ANC Western Cape leader Mr Chris Nissen said he had asked whip Roseberry Sonto to request a review of the decision. — Sowetan Correspondent, 22/1/95 (263)
Boundary deal — legal action threat

Municipal Staff
THE Southern Peninsula sub-structure has threatened legal action if the municipal boundary deal that emerges from the latest negotiations between the African National Congress and the National Party is not to its liking.

Executive committee member Andrew Ross-Munro said any decision on metropolitan boundaries not in accordance with criteria prescribed by the Local Government Transitional Act "would not be taken lying down."

The Democratic Party caucus in the Cape Town City Council has slammed the latest round of talks between the ANC and the NP about the dispute over new metropolitan boundaries as a "disgrace."

The dispute was of concern to all role players and was not an issue that could be finalised and determined by back-door deals between the ANC and NP, caucus leader Neil Ross said.

"It is therefore with distress that we find the words of (Western Cape) Premier Hernus Kriel that negotiations between the ANC and NP are to be reopened on the boundary dispute."

"This dispute is not between the NP and the ANC — it is between all the role players and the NP."

"Deals behind closed doors negate the whole process," said Mr Ross.

Criteria for the drawing of the boundaries were prescribed in terms of the Local Government Transitional Act.

"These criteria were evaluated in detail by the demarcation board and role players who made representations to this board at numerous open hearings."

"They were extensively questioned by board members to establish whether their proposals met the criteria of the act."

"The point of departure is that the NP gerrymandered the demarcation board proposals to meet their own political ends," Mr Ross said.

Over 400 declared insolvent in Cape

Political Staff
MORE than 400 people were declared insolvent in the Cape of Good Hope division of the Supreme Court last year, according to Minister of Justice Dullah Omar.

Answering a question tabled in the senate, Mr Omar said 418 people had been declared insolvent in the Cape division, 1544 in Pretoria, 274 in Maritzburg, 285 in Bloemfontein and 184 in Grahamstown.
Slow progress on urban demarcation disputes

Mdundzi ka Harvey

THE Western Cape provincial government was divided over legal action against central government linked to the Cape Town demarcation dispute, party sources said yesterday.

The sources said some members, including provincial premier Henk Kriel and local government MEC Peter Marais, favoured a negotiated solution to the dispute. Others remained adamant that the legal option should be pursued to stop central government interference in provincial matters.

Later yesterday, Kriel’s spokesman Frukske Odendaal said the provincial government would press ahead with its Constitutional Court case against central government. The proceedings would be called off only if a negotiated settlement was reached, he said.

In KwaZulu/Natal, local government and housing MEC Peter Miller said a multiparty commitment to settle short-term differences was essential if local government elections were to go ahead.

Conflict in the province centres on the number and form of substructures in Durban, as well as changes to tribal boundaries by the demarcation board. Meetings between parties at both provincial and central government level were in the pipeline, and Miller said he expected matters to be resolved by the end of this month.

In Gauteng, premier Tokyo Sexwale’s legal adviser Mark Phillips said legal documentation on the Greater Johannesburg demarcation dispute had been referred to the Special Electoral Court, which would give the city’s metropolitan transitional council and other substructures three days to make representations.

The Gauteng cabinet yesterday adopted a formula for the allocation of electoral seats based on data supplied by the Central Statistical Service.

The province’s four metropolitan areas — Johannesburg, Pretoria, Vaal and North East Rand — would be allocated 30 seats for a potential electorate of less than 700 000, 60 seats for between 700 000 and 1-million, 50 seats for between 1-million and 3-million, and 60 for more than 3-million potential voters. The formula will be submitted to the provincial committee. If rejected, it will be referred to the Special Electoral Court.
Oops! Own goal as province document says move parliament

CLIVE SAWYER
Political Correspondent

THE Western Cape Provincial Administration has scored a spectacular own goal by submitting a document to the constitutional assembly which proposes that parliament should move to Pretoria.

The startling advice is given in a letter to the constitutional assembly signed by Cape Nature Conservation chief director Johan Neethling.

It was among a series of submissions passed on to the constitution-writing body by provincial administration director-general Herbert Benkes.

Disclosure of the letter follows the handing over by Western Cape premier Heinrich Kriel of a R1 million cheque to the Citizens Alliance for Parliament (CAP), the group lobbying to keep Cape Town as the legislative capital in the 1999 constitution.

This month, representatives of the African National Congress and the National Party as well as local government leaders put aside their differences to urge the constitutional assembly to keep parliament in Cape Town.

Dr Neethling's letter covers proposals to the theme committee which is to deal with the future seat of government.

It reads, in part: "To solve the constant wrangling among the various provinces about the seat of parliament and other important structures of state, the new constitution should create a capital territory totally independent of a province."

"Examples are Washington DC in the United States and the Capital Territory of Canberra in Australia."

"It is suggested that the present municipal area of Pretoria be excised from Gauteng and used for this purpose."

The letter, dated January 30, was among submissions sent to the constitutional assembly by the Western Cape provincial administration on February 24.

A spokesperson said CAP was surprised that Cape Nature Conservation felt itself competent to deal with the issue of the seat of government.

Dr Neethling could not be reached for comment.

A spokesman for Mr Kriel said the premier would investigate the matter and comment later.

ARG 23/6/95
Parliament in Pretoria urges W Cape official

Cape Town — The Western Cape Provincial Administration has scored a spectacular own goal by telling the Constitutional Assembly (CA) that Parliament should move to Pretoria.

The startling advice is given in a letter to the CA signed by Cape Nature Conservation chief director Johan Nethling, among a series of submissions passed on by provincial administration director-general Herbert Beukes.

"It reads in part: "To solve the constant wrangling among the various provinces about the seat of Parliament and other important structures of state, the new constitution should create a capital territory totally independent of a province"

It is suggested that the present municipal area of Pretoria be excised from Gauteng province and used for this purpose." — Own Correspondent
Red faces over parliament proposal error
It's a demarcation deadlock

The deadlock between the Western Cape government and the national government over the demarcation of municipal boundaries continues. This week's negotiations failed to make progress.

The National Party has called for an independent commission to be established to demarcate the boundaries. The Western Cape government has rejected this proposal and remains committed to its own demarcation plan.

The Western Cape government has also rejected the national government's proposal to have an outside expert conduct a feasibility study on the demarcation process. The province continues to insist on its own approach.

Both sides remain entrenched in their positions, with no signs of a breakthrough in sight.
Boundaries crisis: It’s up to the courts

By NORMAN WEST
Political Reporter

Attempts to broker a solution to the Cape Metropole boundary crisis appear to have broken down irretrievably after talks on Friday failed after only one hour — with the National Party and the ANC blaming each other for the collapse.

ANC Western Cape leader Chris Nissen blamed the breakdown in the talks on the NP’s “intransigence and an unwillingness to give and take.”

But Western Cape Minister of Provincial Affairs Peter Marais says the blame rests with the ANC, who fielded a “new team” which until Friday had played no role in any of the earlier talks.

“The new ANC team was amateurish, ill-informed, lacked comprehension of the complexities of the issues involved and the necessary background of what had already transpired. This doomed the new initiative from the beginning,” he said.

The failed talks were brokered by deputy presidents Thabo Mbeki and FW de Klerk, who had been instructed by the central cabinet to attempt to resolve the bitter dispute.

It now seems a solution will have to come from the courts. This week the Western Cape government launched two court actions — one in the Cape Town Supreme Court and the other in the Constitutional Court — both challenging central government’s interference in constitutionally devolved provincial powers.

This week’s talks were held after Constitutional Affairs Minister Roelf Meyer and his deputy, Valli Moosa, two weeks ago failed to get agreement on a compromise, which would have resulted in four Cape Metropole substructures, instead of the six originally proposed by the Western Cape Demarcation Board.

In terms of this proposal, Khayelitsha would have been included in the central Cape Town substructure, with the majority of the other black areas being included in NP-dominated Tygerberg.

Yesterday the leader of the Freedom Front, in the provincial legislature, Mrs Eleanor Lombard, criticized the ANC for insisting on the incorporation of Khayelitsha in Tygerberg.

She also hit out at central government for interfering in provincial affairs and said the clash over the demarcation of the inner boundaries of the Cape Metropole “showed once again how vulnerable the powers of the provinces were.”
Court papers lodged by W Cape govt

Cape Town — The Western Cape government yesterday lodged papers in the Cape Supreme Court seeking to overturn central Government interference in the constitution of the provincial committee dealing with the demarcation of wards for the local government elections.

The papers were lodged by Western Cape Premier Heneus Kriel, Local Government and Development MEC Peter Marus and two members of the provincial committee. They follow the lodging of a similar set of papers in a concurrent challenge in the Constitutional Court last week.

The Supreme Court case will be heard on August 10 and the other after the Constitutional Court recess.
Councillors get go-ahead

CAPE TOWN metropolitan councillors have been given the go-ahead to take part in meetings of the Joint Executive Committee (JEC) of Mimberton, because that municipality is relatively unaffected by the boundaries dispute.

In the scenarios favoured by both Mr Peter Marais and the demarcation board, and their supporters, the "Northern Sub Structure" (Mimberton) boundaries are the same.

Until the boundaries of all the municipalities in greater Cape Town have been officially proclaimed, JECs can only meet unofficially.

Councillor legal adviser Mr Chris Glaum told a meeting of Cape Town's transitional affairs committee yesterday that important decisions were being taken by council staff members on the informal JEC in the meanwhile for ratification later.

Councillor David Dail of the MPL set an another protest march about the boundaries was being planned as was a possible public meeting.
Kriel takes W Cape boundary row to court

Twin actions would delay local elections

Staff Reporter
THE Western Cape municipal boundary row is to be settled by the courts with lawyers for Western Cape premier Hermus Kriel and his cabinet filing papers in both the Constitutional Court and Cape Town Supreme Court.

The twin court actions would delay local government elections due in November 1, local government minister Peter Marais has said.

Mr Mandela amended the Local Government Transition Act by proclamation early this month to overturn Mr Marais's appointments to the provincial committee for local government.

The amendment also retrospectively overturned any decisions taken by the committee — effectively reversing the controversial decision to incorporate Khayelitsha into the Cape Town municipality.

Mr Mandela has been named as first respondent in the Constitutional Court action.

His co-respondents are Minister of Justice Dullah Omar, Minister of Constitutional Affairs Roelf Meyer, and the two people named to replace Mr Marais's appointments to the provincial committee, Cecil Herrandbe and Kamal Chetty.

Deon Malherbe, the lawyer acting for Mr Kriel, Mr Marais, the Western Cape cabinet and the two ousted members of the provincial committee — Lesley Ashton and Stafford Petersen — said yesterday the Constitutional Court action would challenge the presidential proclamation on two points:

- It was contrary to Constitutional principle number 22 which states central government may not encroach on the functions or institutional integrity of provinces, and
- It was also contrary to Section 24 of the Constitution which broadly states that any person in office is entitled to fair and just administrative and procedural treatment.

This latter point has reference to the two ousted committee members.

The Cape Supreme Court action is for an "administrative review".

Mr Malherbe said his clients alleged various aspects of the proclamation were administratively unlawful.

"The two actions lie on the same set of circumstances but different principles," said Mr Malherbe.

Both actions were brought as a matter of "extreme urgency", given the looming date of local elections.
Elections row: 'It’s this week or bust'

CHRIS BATEMAN
CT 28/6/95

HOPES for the nationwide November 1 elections faded further yesterday as three provinces remained bogged down in demarcation squabbles or court actions — with the Western Cape’s court challenge unlikely to be heard before mid-August.

A staggered election among the provinces loomed large when co-chairman of the Local Government Task Group Dr Fredrik van Zyl Slabbert warned politicians yesterday they had “just this week or bust”.

Acting president of the Constitutional Court, Mr Justice Ismail Mahomed, said it was “very unlikely” he and his 10 colleagues would convene an urgent sitting before the current court recess ended on August 14.

His court is being asked by the NP-led Western Cape government to declare President Nelson Mandela’s retrospective amendment of the Transitional Local Government Act unconstitutional and an interference with provincial affairs.

President Mandela made his proclamation on the recommendation of the powerful ANC-led Constitutional Committee — preventing the alleged “looting” of provincial committees by local government ministers.

It automatically nullified the appointment of two NP-leaning members to the Western Cape Provincial Committee which would then have ratified Local Government Minister Mr Peter Marais’ controversial demarcation proposals.

Dr Slabbert said yesterday that “if this drags on to mid-August — then elections on November 1 are impossible”.

Gauteng and kwazulu/Natal also had to solve their problems before the end of the week.

See Page 5
THE City Council has berated Western Cape Premier Mr Hermus Kriel, albeit politely, for the demarcation debacle.

In a letter to Mr Kriel yesterday, Mr Llewellyn van Wyk, acting exco chairman, said the council believed it was time for action and a time to place the community’s interests ahead of personal and political advantage.

Political slogans and lip service will not suffice — democratic local government elections at an early date must be made a real policy by the government.

He called on Mr Kriel to use his “considerable influence” to persuade all role players to support the Demarcation Board.

It followed a process which was “transparent and produced results based on a wide range of inputs and careful analysis”.

STAFF REPORTER
Constantia to fight Minister in court over boundaries

THE Local-Metropolitan Substructure of Constantia has unanimously resolved to take the Minister of Local Government, Pieter Marais, to court if necessary to oppose the "transitional" substructure boundaries which were made by a ministerial proclamation.

A resolution at the substructure's recent meeting expressed support for the Demarcation Board's transitional substructure boundaries in particular, as they were drawn by the board for the Southern Peninsula.

The resolution rejects the minister's proclamation, and "authorises the institution of such legal proceedings as may be appropriate to secure the establishment of boundaries in accordance with the findings of the Demarcation Board".

Constantia's mayor Andrew Ross-Munro told the meeting that all other South Peninsula substructures were taking similar resolutions, and therefore legal costs could be shared in a joint action. But if necessary, he said, Constantia wanted to be empowered to take legal action on its own.
Municipal boundaries plan the ‘only democratic option’

THE Demarcation Board’s proposal for Cape Town’s municipal boundaries is the only democratic option and should be supported by all role players in the interests of an early local government election.

This is what the Cape Town City Council has told Western Cape Premier Hernus Kriel in a letter signed by acting chairman of the executive committee Llewellyn van Wyk.

The letter, sent yesterday, calls on Mr Kriel to use his “considerable influence” to persuade all parties to support the board’s proposals.

The council was increasingly perturbed over the continuing political in-fighting surrounding proposed substructure boundaries and related issues.

“This in-fighting appears to place early local government elections in jeopardy,” it stated.

The council believed it was a time for vision and a time to place community interests above personal or political advantage.

The failure to convince people to follow a course which would ensure local government elections took place as previously negotiated, would undermine the credibility of government at all levels.

It would also perpetuate the refusal of the community to recognise the legitimacy of local government bodies and decisions, the letter stated.

“We are convinced that you share our concern about the possible refusal to pay rents and service charges, or even to indulge in civil instability.”

Political leaders should re-examine the election programme and process, and establish what remained as a realistic possibility.

“We must decide which aspects of the election process must be retained and which could be adapted or simplified.”

“This way we can formulate an achievable plan of action for an early election.”

Political action, the letter stated, had to be translated into detailed action plans and guidelines, and conveyed to every local government body and role player throughout South Africa.

The findings of the Demarcation Board might not be “to the liking of some of us”, but had to be adopted as this was the only acceptable option.

“We have to relinquish our own views for the benefit of all, not seek to destroy the election because of party political agendas.”
Boundary row is still unresolved

Edward West

CAPE TOWN — The Cape Metropolitan Joint Management Body (JMB) had been forced to tackle local election issues independently of substructure demarcation because of a Constitutional Court action taken by the Western Cape provincial government against central government, JMB chairman Ashraf Manie said yesterday.

The province has filed papers in the Constitutional Court in support of its view that government acted unconstitutionally in amending the Local Government Transition Act to declare null and void NP MEC Peter Malan's boundary decrees.

A source said the Constitutional Court was unlikely to address the issue until after August. Resumed negotiations to try and break the impasse between the NP and ANC over the boundary row were locked again on Friday after 40 minutes.

Manie said options for reaching a time frame for the preparation of the elections in 1999 had already been exhausted.

ANC accuses IFP of bid to create "white islands"

DURBAN — The ANC lashed back at the IFP yesterday over proposals for the inner boundaries of the Durban transitional metropolitan council, accusing it of being bent on creating "islands of white privilege".

The IFP last week rejected preliminary proposals by the demarcation board, claiming Indians were being discriminated against. ANC local government spokesman Mike Suttcliffe said the IFP proposals in fact devalued the vote of Indians and blacks. He said the IFP was "racist".

ANC leaders have objected to the board's proposal that Chesterville be the only black township in a sub-structure including the Indian townships of Chatsworth, Shallcross and Reservoir Hills.

The IFP said the decision to place the bulk of the Indian population in a single sub-structure would reduce their power in the council.

This was because the Local Government Transition Act stipulated that black areas would receive 83% ward representation in substructures, while the remaining 17% would go to Indian, white and coloured areas.

Suttcliffe said the IFP's proposal would give Chatsworth and Shallcross only four wards while the board's proposal would give the two Indian areas seven wards.

The IFP's proposal would leave Reservoir Hills with one ward, while the board's would give it four wards.

Suttcliffe said while the Indian vote would be devalued 15-30% under such a system, the clout of whites would be bolstered.

Suttcliffe said the IFP was misleading the public by claiming to have the interests of Indians at heart.

Meanwhile, an ANC application to force the demarcation board to hold consultative meetings in 14 tribal areas whose inclusion is under dispute, was yesterday adjourned by the Durban Supreme Court until tomorrow.

'Fight child prostitution'

GAUTENG safety and security MEC Jesse Duarte yesterday called for legislation to allow police to prosecute owners of buildings used for drug dealing and child prostitution.

"If a landlord allows child prostitution and drug selling from his premises he should also be prosecuted," she said.

Current laws did not give police enough power to investigate claims of child prostitution, she said.

"We need to empower them to remove children who were being abused. When don't you let the little girls go home, man," she called up to men learing over the balconies of a black of flats known as houses of child prostitutes.

A special urban police reaction unit was to be formed in Hillbrow to combat drug dealers.

Duarte said she favoured mass action and a "take back the night" campaign to make Hillbrow safe for its residents, with security committees established on each city block.

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COUNCIL SECRETS
KEPT 'DEEP GREEN'

November 6, 1995

MUNICIPAL REPORTER

ANSWERS to Mr. Arthur Wenburg's questions about the Cape Town City Councillors who owe the council money for house rentals and other municipal service charges are going to be kept secret.

According to the agenda for today's monthly council meeting, these answers will be "separately minuted".

By doing this, the council ensures that the answers will not ever be available to the public or the press.

This is known as putting the matter on "deep green" paper.

When an item is literally put on green paper, it means that this part of the agenda is not available to the public.

Usually at least the final decision on confidential matters can be disclosed to the public, but not in the case of something on "deep green" paper.

Mr. Wenburg had asked what arrangements had been made to pay off the debts, when they would be repaid, and who had initiated these arrangements - the councillors themselves or someone else.

He also asked whether the published list of debtor councillors had been comprehensive, or whether there were any others who had escaped the lamplight.

In addition, he asked what monthly allowances the councillors get, although this is not secret.
Modest rises for ratepayers in Bellville

Budget of R338-million approved

Staff Reporter

BELLVILLE ratepayers will pay modest increases in rates and service charges in the next financial year, with only sewerage costs substantially up on the inflation rate of about 11 percent.

This week the transitional council approved a budget of R338,8 million.

The budget shows that residents will pay 10 percent more in property rates.

Electricity will go up 10 percent in two stages — four percent from July to December and a further six percent from January to June next year.

Water is also up 10 percent, and refuse charges increase by 12 percent.

Sewerage charges have jumped by 18 percent.

A substantial portion — more than R16 million — of the approved capital budget of R47,7 million will be spent on road projects in the municipal area.

Gerald Smith, chairman of the finance and personnel matters committee, said the big amount of money set aside for roads was to maintain the infrastructure of all areas in Bellville.

"One has to look at the damage to roads and the machinery to be used to upgrade the roads," he said.

"We are looking at the northern, southern, eastern and western zones of Bellville to lengthen and improve the existing roads.

Mr Smith said the process of finalising the boundaries of sub-structures had delayed re-structuring in the metropole.

"The budget has had to be drawn up on the existing Bellville boundaries.

"When the new sub-structure comes into being, it will have to combine the budgets of the amalgamating transitional councils.

"It is anticipated — and rightly so — that the new sub-structure's joint executive committee might redress certain priorities," Mr Smith said.

The emphasis of this year's budget is on housing rather than on parks and recreation.

Last year Bellville spent about R5 million on recreation, but just R1,2 million, has been approved in this year's budget.

Services for housing get R4,9 million and several housing projects are to be started in Bellville South."
R1-billion metro budget passed (rates excluded)

ESANN de KOCK
Staff Reporter

THE Cape Metropolitan Council’s first budget — a total operating expenditure of R1,08 billion and capital expenditure of R294 million — was approved today.

Regional services levies have been left unchanged. Rates did not form part of the budget.

Of the total operating expenditure, R632 million represented agency functions and department activities financed from rates from local authorities, inter-authority transfers and income from services rendered.

The budgeted operating expenditure of the council’s own activities amounts to R450 million.

The estimated operating expenditure with regard to entrusted functions such as regional stormwater projects, public resorts and services in rural areas amounts to R75 million — 14 percent less than for the 1994/95 financial year.

The total estimated expenditure provided as assistance to local bodies amounts to R124 million.

R30 million has been provided for the implementation of the strategic management plans in Ikapa, Lingelethu West, Crossroads, Mtubu and Lwandile, while R13,4 million is for existing programmes to maintain assets in these areas.

An amount of R746,300 has been set aside for grants-in-aid to local authorities managing nature reserves, which, in the opinion of the council, are of regional interest.

The budgeted administrative expenditure amounts to R37 million — 8,3 percent of total budgeted expenditure.

The estimated total expenditure for passenger transport for the 1995/96 financial year amounts to R19,4 million.

Provision is also made for the R110 million financing of capital infrastructure in the region, the whole amount being made available to local authorities bodies as grants.

A sum of R1,5 million has been set aside to provide for a new cost centre for a dedicated reconstruction and development programme (RDP) office and it was recommended a further R30 million be earmarked for allocation to RDP projects to be identified during the year.

The council is in the process of formalising an affirmative action policy for which R2,5 million has been provided.

The budget was generally well accepted but DP council lor Neil Ross said although the party supported the draft estimates, the budget had major deficiencies.

He said it was an “official” budget which contained no community input. Future budget planning had to be more inclusive.

Mr Ross said the most disconcerting aspect of the budget was the R118 million operating shortfall, to be financed from council’s accumulative surplus account.

“That surplus is meant to be used for RDP-type projects and is not intended to be gobbled up by administrative costs.”

The budget also made no provision for the central issue of establishing a metropolitan government.
BACKDATED EXCESS TO BE REFUNDED

W Cape legislators took pay cut 3 months before Gauteng

WHEN THE GAUTENG legislature decided under political pressure this week to accept pay cuts backdated to February 1 they were following the lead given by the Western Cape three months ago. CHRIS BATEMAN reports.

WESTERN CAPE legislators took a 10% salary cut three months ahead of their Gauteng counterparts — who took the cut under political pressure earlier this week.

Mr Frikkie Odendaal, spokesman for Western Cape Premier Mr Hernus Kriel, said yesterday that all members of the the Western Cape legislature — from the premier down — had taken the salary cut in March, backdated to February 1 this year.

The Gauteng cabinet decided on Wednesday that Premier Mr Tokyo Sexwale would take a 10% cut and cabinet ministers a reduction of 7.5%.

The issue was raised in the legislature by Gauteng DP MDC Mr Peter Leon when Mr Sexwale announced that ministers’ salaries would be increased by five percent next month.

Mr Leon asked when pay cuts called for last year by President Nelson Mandela would be implemented.

Instalments

Instead of refunding the Gauteng legislature, members of the provincial cabinet will now sacrifice the salary increase until they have repaid the amount overpaid.

Mr Odendaal said all money over-paid to Western Cape politicians since February would be deducted in equal instalments over 12 months.
ANGRY residents at Melton Rose, near Blue Downs, took 10 councillors from the local council hostage last night, demanding that arrears of R48 million be written off.

According to a residents' spokesman, about 100 people went to the municipal offices to demand that rent, rates and services arrears be scrapped.

When councillors said the matter could only be addressed by provincial Housing Minister Mr Gerald Morkel, the residents occupied the municipal offices and took the councillors hostage.

Late last night Blue Downs mayor Mrs Magneta McDonald said residents were waiting for local Economic Affairs Minister Mr Chris Nissen to arrive. Mr Morkel had refused to go to Blue Downs, but had arranged to meet a delegation at his offices today.

Residents were determined to stay in the offices until they had met Mr Morkel, she said.
NP’s Cape challenge

In Cape Town, the sprawling township of Khayelitsha has been turned into a political football between the National Party and the African National Congress in the run-up to the November local government elections.

Ironically, their gamesmanship has ended up in court cases in the Supreme Court and the Constitutional Court that could sink the elections being delayed.

If the cases are carried through they will define the blurred lines between provincial and national government under the new constitution.

The dispute surfaced earlier this year when a non-aligned demarcation board issued a report that divided the mother city into six new municipal areas that cut across the previous 59 racially defined municipalities and other local bodies.

The demarcation board acted in terms of Local Government Transition Act directives that required it to come up with new local government bodies that would be economically viable and which would break down apartheid barriers.

According to the chairman of the demarcation board, Professor Fanie Cloete, the only way to do this was to combine rich white areas with poor black areas so that one could help pay for the upliftment of the other, without compromising the provision of services.

Thus affluent Clifton was lumped in the same service area as Crossroads, and white, conservative Bellville was tied to black, sprawling Khayelitsha.

"I foresaw that our recommendations would be controversial," said Professor Cloete this week, "but our job was to carry out the provisions of the Act."

But with control of the Cape finely balanced between the National Party and the ANC, it was perceived in NP quarters that combining more than 360,000 ANC supporters in Khayelitsha with NP supporters in Tygerberg might be the catalyst that could wrest local government out of NP hands and deliver it to the ANC.

Cape local government minister, Peter Marais, refused to accept the recommendations of the demarcation board, saying that the inclusion of Khayelitsha in the NP stronghold would delay the upgrading of the township and overburden Tygerberg ratepayers.

He proposed that Khayelitsha be lumped with central Cape Town and the affluent peninsula area - leaving the NP power base undisturbed.

The ANC rejected this proposal, but Mr Marais filled two vacancies on the pivotal provincial committee for local government with members who agreed with his proposal.

The ANC appealed to President Nelson Mandela, who supported his Cape men and threatened to amend legislation to overturn Marais' appointments and his decisions concerning the municipal boundaries.

Mr Mandela dispatched Constitutional Affairs Minister Roelf Meyer and his ANC deputy, Mohammed Valla Moosa, to try to broker a compromise.

When that initiative collapsed, the legislation was amended bringing Cape Premier Herman Kriel into the picture. Mr Kriel accused the national government of interfering in provincial affairs, and filed objections with the Cape Supreme Court and the Constitutional Court to overturn the amendments to the Local Government Transition Act.

Until these objections are resolved, local-government boundaries cannot be decided, and until they are decided local government elections are impossible.

Cape demarcation ruling could spawn more litigation

Western Cape demarcation logam

The Cabinet last month mandated Mbeki and de Klerk to find a settlement to the dispute. However, a government spokesman said this week that their troubleshotting attempts had "hardly got off the ground." Bester said the two deputy presidents had done little more than bring together the ANC and NP for talks in a context where negotiations between the parties had already failed.

Kreel's spokesman, Frans Odendaal, said the NP had been willing to compromise when talks had resumed after the initial deadlock, and had accepted a proposal by deputy constitutional affairs minister Valli Moosa to include Khayelitsha in central Cape Town.

But this proposed compromise, he said, had been rejected by the ANC on the grounds that it would not be accepted by grassroots supporters.

Kreel met de Klerk on June 20, when they decided negotiations between the ANC and NP should resume. However, spokesmen for both deputy presidents confirmed there had been no follow-up meetings.

De Klerk's spokesman, Frans Schoombe, said de Klerk would be away for most of July and would also soon be going on 10 days leave.

Ricky Naidoo, speaking for Mbeki, said he knew of no plans for further meetings.
Kriel ‘well placed’ for top Nat post

CHRIS BATEMAN

WESTERN Cape Premier Mr Hennus Kriel, currently riding a wave of coloured support for his Constitutional Court challenge to President Nelson Mandela, is well placed to challenge for party leadership in the Western Cape, NP sources claimed yesterday.

National Environmental Affairs and Tourism Minister Dr Dawne de Vilhers is the present leader.

However, amid growing reports of a major party rift over the NP’s role in the government, they disagreed with those closest to him who say he wants to retire and is not interested in national or more provincial leadership slots.

They said Mr Kriel had also never forgotten being “fed to the wolves” by his colleagues while police minister during the Kempton Park talks when police raided the homes of PAC members.

They claimed he had not forgiven his party’s constitutional affairs supremo, Mr Roelf Meyer, for this and pointed to Mr Meyer recently describing Mr Kriel’s government as “reckless and stubborn” in the demarcation wrangle.

Party sources cited Mr Kriel’s majority party support during a head-on with Mr Meyer in an NP constitutional development study group over Khayelitsha’s exclusion from the Tygerberg sub-structure as further evidence of party splits.

Mr Kriel has turned down an invitation to the NP’s annual federal youth congress in Stellenbosch this weekend, telling his staff to re-direct it to Dr De Vilhers.

Mr Kriel also said he was “on holiday” during his legislature’s recess.

Rumours of a split in the NP — denied by party spokesmen — surfaced after this week’s defection to the ANC of Mr Lappe Laubscher, the Greater Pretoria Metropolitan chief whip.

Mr Laubscher highlighted the NP’s contradictory role in constitutional negotiations and its uneasy governing partnership with the ANC — something the party hard-liners are allegedly using to oust the “liberal” Mr Meyer.

Deputy President F W de Klerk is expected to conduct a delicate balancing act when he addresses the issue at the youth congress in on Saturday. (263)
Boraine now No 2 in constitutional affairs

MR ANDREW BORaine, sacked by Mr Peter Marais from the provincial committee, is now technically in charge of election preparations. CHRIS BATEMAN reports.

FORMER Nsus president and UDF stalwart Mr Andrew Boraine, yesterday became the country's second most senior constitutional affairs bureaucrat.

Mr Boraine, whose recent dismissal from the Western Cape provincial committee led indirectly to the local demarcation impasse, is now technically in charge of the November 1 election preparations.

As deputy director-general of constitutional affairs (responsible for local government) he will work under Dr Niel Barnard.

The Western Cape's Constitutional Court challenge is over President Nelson Mandela's overturning the appointment of two NP-leaning non-statutory members to the local provincial committee — one of whom replaced Mr Boraine.

The provincial committees vet all local ministerial demarcation proposals in advance of the November 1 elections. The local one would have passed Local Government Minister Mr Peter Marais' controversial demarcations.

Mr Boraine said he had no illusions about the task ahead but felt there was some hope of settling the seemingly intractable Durban, Cape Town and Gauteng demarcation disputes.

Real issue

Mr Marais fired Mr Boraine from the provincial committee for "failing to attend sufficient meetings", something Mr Boraine rejected yesterday as "spurious".

The "real issue" was whom Mr Marais had replaced him with.
Cape Nats pin hopes on coloured supremo

Cape Town — The next premier of the Western Cape must be coloured. That is the overwhelming feeling among top echelons of the National Party which dominates the province.

The next provincial supreme is likely to be one of provincial ministers Gerald Morale, Patrick McKenzie, or Peter Marais — or possibly Minister of Welfare Abe Williams.

There is no way the mainly coloured province can continue operating indefinitely under a white premier, informed Nat sources said this week. The NP in the Western Cape now regards itself increasingly as a coloured party.

The province is the only one in the country under NP control after the party received strong coloured support in last year’s election. The NP believes its support base in the province in future elections will be even more overwhelmingly coloured.

The current premier, Hermus Kriel, is said to be convinced that the Western Cape must have a coloured premier to reflect the population of the province and the NP’s support base.

Informed sources said Kriel intended to serve out his current term in office as provincial premier, which ends in 1999, but will not make himself available after that leaving the NP free to contest the next elections under a coloured premier’s candidate in the Western Cape.

There has also been growing speculation that Kriel might have national aspirations as a possible successor to the NP’s national leader, deputy president F.W. de Klerk, whose popularity in the party has waned.
for a coloured premier, the National Party has come for the premier to have a vote a colored premier, the National Party coming from its own colored support base, the time now could come.
Cape Town's black community is most conservative, in fact. They come from higher income households, but Despite research that shows that conservative values can be found in the black community, the values that are predominantly held by the black community are more in line with traditional values rather than liberal ones. Researchers have found that conservative values are more prevalent in the black community, and this may be due to the historical and cultural influences that have shaped the community. Additionally, the economic and social changes that have occurred in South Africa have also played a role in shaping the values of the black community.
Nissen to quit as ANC head in Western Cape

By NORMAN WEST and RAYMOND JOSEPH

ANC Western Cape leader the Reverend Chris Nissen is planning to step down as leader of the organisation in the region and Minister of Economic Affairs — but he says he is under pressure to stay on until after the local government elections.

Mr Nissen dropped his bombshell at a Provincial Executive Committee (PEC) meeting in Cape Town earlier this week, when he said he wanted to quit as both party leader and provincial Minister of Economic Affairs.

But the party, faced with the prospect of a potentially divisive leadership battle only months before the elections, has made it clear they would prefer him to stay on until after the polls.

Mr Nissen was appointed leader in September last year after Dr Allan Boesak resigned to take up a diplomatic post, although he was ultimately not appointed after the scandal erupted over his Foundation of Peace and Justice.

Yesterday Mr Nissen confirmed that he would not be available for re-election as regional leader at the party's next conference which, sources said, would probably not be held until after the election.

He also confirmed that he planned to step down as Minister of Economic Affairs as he had made his acceptance of the post of ANC leader conditional on him having the same status as Dr Boesak, who also held the economics portfolio.

"I still remain a loyal member of the party and I want to continue to serve the ANC effectively," Mr Nissen said.

The Post of Economics Affairs Minister is closely linked to the implementation of the RDP and is regarded as the most influential post the ANC is likely to get in the NP-dominated provincial government.

Mr Nissen declined to give reasons for his decision to step down, but informed sources believe it is a direct result of the bitter infighting that plagued the ANC in the Western Cape in the run-up to the 1994 general elections.

These divisions were further exacerbated after the heavy defeat of the ANC by the NP in the election.
Wage talks continue

Probes promised into

doctors' work conditions

After hostage drama

It was the bind that led to deteriorating relations between the employers and the National Union of SEW workers. The union had threatened to stage a series of work stoppages unless the employers made significant wage increases. The employers, on the other hand, were unwilling to offer such increases, leading to tension and a breakdown in negotiations.

The situation escalated when several workers were taken hostage during a wage negotiation meeting. The union leaders demanded that the employers meet their demands, while the employers threatened to take legal action.

The situation was further complicated by the fact that the employers were also facing financial difficulties, which made them even more reluctant to offer wage increases. The union, on the other hand, argued that the workers were entitled to a fair wage, given the rising cost of living.

The negotiations continued for several weeks, with the union pressing for wage increases and the employers holding out for lower wages. In the end, an agreement was reached, but the damage had been done, and the relationship between the employers and the workers had been irreparably harmed.

The conflict highlighted the challenges faced by workers in the SEW sector, who were often struggling to make ends meet despite long hours and hard work. The situation underscored the importance of effective negotiation and the need for employers to be more responsive to the needs of their workers.
Lingelethu councillors in hostage drama

STAFF REPORTER

Nine Lingelethu West town council officials, including Khayelitsha mayor Mr Vuyani Ngcuka, barricaded themselves into their offices all day yesterday after striking workers allegedly threatened to burn them in their cars if they tried to go home.

Last night the town treasurer, Mr Willy Olivier, said a delegation of 20 workers left the municipality's Bellville offices at 5pm after negotiations over the hostage drama. It was hoped they would try to disperse the crowd of about 200.

The workers were apparently demanding a wage increase which would put them on a par with their colleagues in the Kapa town council and other municipalities on the same grade as Lingelethu.

This is the second time this year office workers at Lingelethu West have been held hostage. On April 19 employees were kept prisoner for 12 hours by workers striking over the same issue.

"I've had enough, the police must just get me out of here now," said one office worker.

Mr Ngcuka said last night the council had agreed with the workers that the funds available would be sufficient to pay the salary increase only for May and June.

Payment of increased salaries from July onwards, and back pay, would depend on obtaining additional funds from the provincial government. The provincial government's reply was that no additional funds would be granted to Lingelethu West Transitional Council.

An agreement was reached last Friday that a committee in which the workers would be represented would be formed to pursue the matter with the government.

Mr Ngcuka said he was "surprised" by the industrial action.

"We condemn the hostage keeping of staff and the councillors and the work stoppage which has occurred today, more particularly when the matter is being attended to."

CT, 11/7/95
Bad timing in W Cape

The leadership rumblings within the African National Congress in the Western Cape could not have come at a worse time for the ANC — just three months before the all-important municipal elections in November.

The disclosure that popular ANC leader Mr Chris Nissen wants to step down, has surfaced amid claims that the party is ill-prepared and does not stand a chance to stop the National Party from entrenching its position in the Western Cape.

Small wonder that the ANC’s main political rivals are rubbing their hands in glee because the respected cleric wants to resign as ANC chairman and regional MEC for economic affairs.

The alleged reason for his planned departure is the so-called “African chauvinism” within the ANC. This must be music to the NP’s ears for it will mean that the ANC’s non-racial glue cannot even keep its members together.

Not that all is well within the NP cauldron, but its well-oiled electrotechnique machine and willingness to play up the racial fears of coloured people puts them a step ahead.

On the record, Nissen merely does not want to make himself available for the leadership post at the next provincial ANC congress and will consequently also step down as economic affairs MEC. Sources claim he will return to the ministry.

Meanwhile, the shell-shocked ANC is still seeking a meeting with Nissen, is basting to limit the damage. It is likely to ask Nissen to stay on as leader until after the elections, which he has committed himself to.

Even if the ANC manages to persuade the former vice-chairman of the Western Province Council of Churches to stay on, it may be at a disadvantage because it will effectively be facing the elections with a leader who has his eyes elsewhere.

Positive aspects

Tactically, the move does have positive aspects because the ANC will avoid yet another bitter round of leadership backbiting just before the elections.

In fact, tragically, the leadership tussles in the region have been marked by back-stabbing and sometimes naked racism whenever it is time to decide who-should-occupy-whose-chair. Come election time, political “niceties” such as non-racialism, democracy and unity go out of the window.

Two years ago, ANC leader President Nelson Mandela thought up what seemed to be the most effective way of finding a winning formula for the region, when he suggested the leadership should reflect the region’s population.

Subsequently, former United Democratic Front stalwart Dr Allian Boscak, then considered to be a draw card for the highly-important coloured support, was elected to lead the ANC in Western Cape. But the gamble backfired horribly as the ANC lost to the NP, with most coloured people flocking to the “racist nest of their former oppressors”.

And it was back to square one for the ANC to find a suitable leader.

At last year’s regional conference, the missing piece of the puzzle seemed to have been found when Nissen was elected to lead the organisation.

He defeated two major candidates Tony Yengeni, who enjoys large support from the townships, and Salie Mame, a former unionist.

Nissen was elected even though the party had publicly acknowledged that the new comrades-MPs needed to be relieved of extra-parliamentary work. ANC work, it was decided, should be tackled by fresh blood within the wider membership.

Adverse effects

Nissen, fully aware of the adverse effects of the NP’s racist campaign in the general elections, vowed to fight against racism, which he said was tearing society apart. He also pledged to rebuild the party’s election machinery, especially in rural areas.

Armed with a solid background of struggle and vast grassroots connections — he can speak fluent Xhosa — Nissen set about to rebuild bridges among the racial groups. His style of leadership, which proved to be popular, embodied the non-racialism the party stood for.

However, hardly a month after he was at the helm of the ANC leadership, Nissen was involved in a bitter public row with his colleagues over who should take over Boscak’s job as MEC for economic affairs.

An angry Nissen made it clear that if he was not given the post, he would quit the movement. He argued that his role as a leader would be untenable if the party could not trust him with the same powers and status as Boscak.

Within the ANC some favoured provincial chief whip Mr Thamsanqa Essop, while others favoured Ms Lynnette Brown, the ANC’s education spokeswoman. Essop went on to win the caucus vote.

Threat to quit

But in the face of Nissen’s threat to quit and his overwhelming support from the extra-parliamentary ANC alliance, the party’s parliamentary caucus backed down — and the cleric was elected MEC for economic affairs. Finally the future died down.

In his typical down-to-earth manner, Nissen regularly visited workers at their factories to acquaint himself with their problems.

He also discussed their fears, which included affirmative action and attempts to drive a wedge between African and coloured workers.

He also went about his job as MEC in an almost casual style that pleased everyone, including business leaders.

Not unexpectedly, he took an interest in the problems of the community and tried to mediate in the potentially explosive situation involving Grabouw coloureds who were squatting on land earmarked for Africans.

His non-nonsense approach in the regional legislature also won him the hearts of many. In one session he told the NP to stop complaining about under-funding and get on with the reconstruction and development programme.

Nissen also warned there was a danger the RDP could not be implemented in the region if the NP had an “attitude that everything that redresses imbalances or is designed to be reconstruction will be left to the RDP office or projects”.

But now Nissen’s touch of being able to reach out to all communities will go away. And, without it, the ANC will be much the poorer.
W Cape leads drive for voter registration

JOHANNESBURG. — The Western Cape, with 85.99 percent, had the highest registration figure by June 5 for the November local elections.

More than two-thirds of South Africa's more than 23 million potential voters had returned their registration forms by that date, statistics from the local government elections task group showed today.

Of the 23,227,171 potential voters, registration forms had been received from 74.47 percent since registration began on January 27. Of these, 70.14 percent had been processed.

Gauteng had the lowest registration figure — 62.6 percent.

In Johannesburg, 72.62 percent had registered and 73.51 percent in Pretoria.

Ntsoale secretary co-ordinator V Mhle said the figures were not final and could be misleading. — Sapa
Cape Town's boundary fight,
 NAMES TAKEN FROM GRAVESTONES

Massive poll fraud

THE CLAIM that 85.99% of voters in the Western Cape had been registered before June 5 is now in doubt. CAROL CAMPBELL reports.

WIDESPREAD voter registration fraud has been uncovered in Cape Town's run-up to the municipal elections.

Officials said yesterday that some registration officers who are paid for each voter they register — had duplicated registration forms up to 60 times and in some cases had even taken names off gravestones.

This puts the number of voters registered in doubt. Before the discovery the Western Cape was believed to be leading the drive for registration with a figure of 85.99% recorded on June 5.

The full extent of the fraud is not yet known.

Earlier this week city administrator Mr Gys Hofmeyr said the election will have to be postponed in the city owing to the continuing wrangle over the demarcation of municipal boundaries.

ELECTIONS FIASCO: Executive chairman of the Cape Metropolitan Council, Mr David Diali, warns of inflated registration figures caused by the large number of false registration forms.

Executive chairman of the Cape Metropolitan Council, Mr David Diali, said yesterday the fraud could reduce voter registration figures.

In one instance he had seen 60 forms with the same name, identity number and signature.

The source of the problem appeared to be the payment made to volunteer election workers of 60 cents for every person they registered. This encouraged some of them to fill in forms in duplicate and to copy names off tombstones, Mr Diali said.

The problem was worst in areas administered by the old black local authorities such as Ikapa and Langa.

Joint Management Board for voter registration chairman Mr Ashiek Mame said the board was aware of problems in certain areas and had stepped in to help local authorities that did not have the facilities or staff to cope.

"Our computers will be able to lock out any duplicates on the voters registration roll once the municipal boundary issue is resolved," he said.

This could not be done yet because some property owners were entitled to vote more than once if they paid for municipal services in different areas. If the computer program was run now their names would also be eliminated as duplicates.

"Once we have cleaned the voters roll we will have a far more accurate picture of how many people have registered. Which will probably be about 10% lower than the figure of the unclean roll," he said.

Concern that the lack of financial accountability that dogged the 1994 election would also mar November's local government elections was raised last month by state expenditure director-general Mr Hannes Smith.

See Page 5
Racism mars Cape

Prejudice that marred last year's elections is re-emerging in the province in the run-up to the municipal elections.

Mr. Nussen is reported to be a victim of this tension as his leadership position becomes increasingly untenable.

Pressure is growing on him to give way to a black ANC leader such as Tony Yengeni, who made a bid for the provincial leadership position last year when Allan Boesak resigned after the foreign funding scandal.

At the same time, racism in the NP was exposed this month when leading Western Cape NP youth member Nils Plaatjies resigned from the party in disgust at the growth of crude racism in the NP.

Mr. Plaatjies expressed concern that many coloured members of the NP youth were racist and "driven by fear of being left behind in the allocation of scarce political resources".

He said it was common practice in the NP Youth Action to give the position of "kaffir", and he said the political divide in the region was widening as the NP failed to make significant inroads into the black community in the province.

ANC spokesman Brent Simons acknowledged that the ANC's problems had been inherited from past "way back in the 60s — but we are eradicating problems of that nature," he said.

He said the ANC would not run a racist election campaign, but Mr. Simons accused the NP of returning to its classic pre-election "swart-gewaar" anti-black racism — "but swart-gewaar is not going to work for the NP this time.

"The NP is going to have to explain to coloured people whose hearts they filled with fear last year, why their houses were not taken away and why they have not lost their jobs as the NP predicted, when no such thing happened."

Mr. Simons predicted the NP would embark on a "dirty tricks" campaign to stir up feelings as happened last year when black people occupied empty houses in Delft, ear...
Tygerberg strike on eve of pay talks

PIETER MALAN and NORMAN JOSEPH, Staff Reporters

WORKERS from at least four municipalities in the Tygerberg have gone on strike on the eve of talks between the South African Municipal Workers' Union and the central bargaining agency, the Cape Local Employers Association (CLEA).

The meeting is scheduled for tomorrow.

About 200 Samwu members from Parow and Goodwood municipalities marched to the Parow municipal offices yesterday — overturning rubbish bins on the way and strewing refuse in the streets.

The toy-toying crowd gathered outside the offices, emptied rubbish bins in front of the main entrance and pulled a black rubbish bag over the head of the statue of Parow's founder, Johann Parow.

The action, which started on Monday, comes on the eve of Samwu's meeting with CLEA over minimum wage demands of R1 500 a month.

It is believed about 400 workers from Kraaifontein, Goodwood, Parow and Brackenfell are involved in the strike action.

Parow town clerk Harry Carstens said more than 100 Parow workers had joined the strikers.

Goodwood spokesman Peter Deacon said "We don't know what the workers' real demands are, but they are putting pressure on Thursday's meeting between Samwu and the CLEA.

Martin Rabe, Samwu's Tygerberg area chairman, accused municipalities of "dragging their feet" on labour issues.
Councillor fraud probe

JACKIE CAMERON
CRIME REPORTER

A CAPE TOWN City Council executive committee member is at the centre of a police investigation involving thousands of rands worth of fraud and an identity document scam.

This emerged when Mr Balkaran Pathar, 34, co-chairman of the city’s urbanisation and planning committee, appeared in the Cape Town Magistrate’s Court yesterday in connection with contraventions of the Identity Act.

Mr Pathar, who also uses the first name Roger, had illegally applied for four different identity documents under different variations of his name, date of birth and race, according to the charge sheet.

Mr Pathar was not asked to plead and no charges were put.

Prosecutor Mr Aziz Hamied told the court he had learned this week that commercial crime unit detectives were investigating charges of fraud and other statutory offences against Mr Pathar.

Mr Hamied said the “nine charges of fraud involve houses he allegedly purchased.”

He said the fraud investigation had a direct bearing on the current case and both cases should be referred to a higher court.

Mr Terence Matsikirri, lawyer for Mr Pathar, told magistrate Mr G Olwage his client was ready to plea or not his plea, but Mr Olwage said it was “fair” for the state and Mr Pathar that the matter be postponed for further investigation.

A spokesman for the City Council said Mr Pathar would keep his position on the committee until the trial had been concluded.

It is reliably understood that police are also investigating an exco member’s involvement in serious offences related to his election.

The council revealed earlier this year it was investigating allegations that a councillor had used a double identity to buy a council house he would not have been entitled to buy under public rules.

SALES PITCH: Mr Pathar distributed this brochure asking Rylands East constituents to vote for him in elections in 1989.
GLOVES OFF IN BOUNDARY BATTLE

Racial jibes as ANC, NP spar

THE LONG-SIMMERING row over boundary demarcations erupted in the provincial government yesterday, as the ANC and NP traded racial insults. CHRIS BATEMAN reports.

RACIAL jibes were traded in a row between ANC Western Cape chief Mr Chris Nissen and Local Government Minister Mr Peter Marais yesterday, with each accusing the other of being "servants" of their respective black or white "masters".

The long-simmering feud, integral to the struggle for the support of the coloured population in the local elections, came to the surface after the ANC won a decision to hold a snap debate.

Acting Speaker Ms Mampele Ramokona (ANC) ruled that a debate on whether public funds should be used for the NP's Constitutional Court action against President Nelson Mandela, should proceed.

Speaker Mr Willem Doman (NP), who is overseas, last month twice rejected an identical request from local ANC legislators.

Mr Marais said he would be "delighted" to thrash out the issue in public debate.

He fired a return salvo at Mr Nissen, who earlier labelled him a "loyal servant of his white NP masters".

"I'm glad he says I'm loyal because he's a very disloyal servant to his black masters," he shot back.

Both men were referring to the emotive demarcation issue of Khayelitsha's exclusion from Tygerberg and inclusion with the massive Southern (Cape Town) sub-structure.

Last month Mr Mandela signed into law two amendments overturning Mr Marais' Khayelitsha boundary move.

Western Cape Premier Mr Her- nus Kriel openly admitted taxpayers' money will fund the region's challenge to Mr Mandela's overturning of the election boundaries.

The snap debate is expected to take place next Tuesday.

It was reliably learnt yesterday that no date has yet been allocated to the Constitutional Court challenge, but a provisional date of August 10 has been set for launching the challenge in the Cape Supreme Court.
Premier moves on funds claim

Political Correspondent

PRETORIA — North West Premier Popo Molefe is studying reports from his MECs about embezzlement of government funds and will make them public next week — but none of the MECs has been fired yet.

The North West government commented yesterday on reports that Mr Molefe would sack three MECs this week in connection with embezzlement.

Spokesman Willie Modise said Mr Molefe needed more time to study the reports being submitted by the departments before he could properly respond.

Mr Molefe has assured the people of the province and the country that swift action will be taken if any individual has contravened government regulations.

He confirmed that a report concerning Media, Arts and Culture MEC Riana de Wet was indeed a serious matter and she was expected to respond to it.

"It must be stressed that the report is of a preliminary nature and a final one still has to be submitted after she has had an opportunity to respond," Mr Modise said.

Bophuthatswana Broadcasting Corporation staff were shocked at the possibility that Ms De Wet could be implicated in embezzlement.

Mr Modise said Mr Molefe had given instructions for the internal audits to be carried out earlier this year and this was aimed at ensuring good governance in the province.
Municipal workers in fresh Bellville wages protest march

PIETER MALAN, Staff Reporter

HUNDREDS of South African Municipal Workers' Union (Samwu) members marched down Voortrekker Road today in support of their wage negotiations.

They marched from the Bellville municipal offices towards the Maitland library, where they were to be addressed by their leaders.

Workers are demanding a minimum wage of R1 500 a month.

Although the marchers were much more disciplined than during yesterday's protest, in Bellville, some workers overturned dustbins along the way.

Yesterday police arrested three men, two policemen were hurt and police dogs bit two protesters when about 500 striking municipal workers brought Bellville to a standstill.

Workers marched to the Bellville Civic Centre yesterday to back demands tabled at today's final round of wage talks between Samwu and the Cape Local Authorities Employers' Association (CLAEO).

The protesters, from Goodwood and Parow municipalities, marched from Goodwood to Bellville along Voortrekker Road, overturning rubbish bins and strewing refuse into the streets.

Shop workers and owners hurriedly closed their doors as traffic on the corner of Durban and Voortrekker roads came to a standstill.

A large contingent of police stopped the chanting crowd.

A scuffle began between police and protesters, but Martin Rabe, Samwu's Tygerberg area chairman, grabbed a police loud-hailer and pleaded for calm.

On the corner of Modderdam Road and Belray Road the march turned ugly. Protesters threw, stones when police used dogs to chase them away from the intersection.
Council lashed for ‘not taking RDP seriously’

Councilors, and particularly the executive committee of the Cape Town City Council, have been given a tongue-lashing by one of their colleagues for failing to take the RDP seriously.

Senior council officials were also taken to task for being apathetic about the RDP.

The criticism comes on the eve of a summit to which 700 people have been invited to discuss an RDP policy document for the province.

Leslie Langenhoven, a member of the city council’s RDP standing committee, said at a meeting to discuss the policy document that the committee was fighting an uphill battle to get other councillors to show an interest in the RDP.

“We are battling to get this thing going. We don’t get any help from exco or the other standing committees,” he complained.

“The RDP needs to be driven by the whole council, not by one single committee.”

He said the committee was being shabbily treated and not getting the support of senior officials.

The RDP policy document, which has been produced and already adopted by the province, also came under attack for failing to provide any concrete direction for RDP projects.

The document was described by council official Hugh Paton as being full of “motherhood and apple pie” without indicating how the province would help municipalities implement the RDP.

Councillor Ruth Oelkepp said the document was a poor reflection on the provincial government which had been in power for more than a year.

All it did was lay down the goals of the RDP which were already known.

Councillors at the summit have been asked to call for an “implementation document” to spell out the role of local government, budget provisions, application procedures for RDP funding and how projects will be selected.

The Cape Town City Council has set aside R15.5 million for RDP projects, but no projects have been pinpointed yet.
Council workers picket (213)

About 100 members of the SA Municipal Workers Union yesterday picketed in front of the Cape Metropolitan Council in Wale Street demanding wage increases.

The union demands a minimum wage of R1 400, and the council is offering a minimum wage of R1 010.

Shop steward Mr. Kelly Johnson confirmed that talks had reached "an undeclared deadlock," but said negotiations would resume today. Council staff were not available for comment.

CT 20/7/95
Strand: Restraint on Kriel

A TEMPORARY Supreme Court interdict restraining Western Cape Premier Mr. Hernus Kriel and Local Government Minister Mr. Peter Marais from disbanding the Strand municipality has been extended to September 9.

The municipality was granted an interim interdict on May 24 pending review proceedings as to whether the Helderberg basin should be incorporated in the Cape Metropoli- tan Area. Strand forms part of the basin. Under the interdict, Mr. Kriel and Mr. Marais are not to infringe on the Strand municipality's rights by using legislation to disband it.
Meyer spells out needs of local govt

PRETORIA Much work is needed on local government structures in the new constitution, Mr Rolf Meyer said yesterday.

The Constitutional Development and Provincial Affairs Minister told the International Roundtable on Democratic Constitutional Development here that the interim constitution was a "political settlement", but the one expected to be finalised next year was a different challenge.

"The main objective of the 1996 constitution should be the product of a desire to produce the best constitution possible to reflect the needs of the country," he said.

He said it was possible that a conference would be held to discuss issues such as local government systems and fundamental rights.

"A lot of work still has to be done in regard to local government structures," he added that the absence of the IFP from intergovernmental structures was also a "worrying factor".

Constitutional adviser Mr Fanie van der Merwe said the constitution should be reviewed every five years. "Our constitution should not become a constitution forever. Any thing that does not grow, dies," he said. — Reuters
CURRENT AFFAIRS

to — and the national interest. By choosing the GNU, De Klerk may be distinguished from Minister of Home Affairs Mangosuthu Buthelezi, whose primary allegiances perennially echo those of KwaZulu-Natal, with disruptive consequences.

De Klerk, it appears, above all that — but it exposes his weakness as a party leader in the one province where it really counts. For this reason, any real challenge to his leadership is likely to come from the Western Cape and further split a party that has seen its right wing win permission to constitutionally canvass the possibility of an Afrikaner homeland. The ANC at this stage is best regarded as a transitional party.

The ANC has made strenuous efforts to woo the coloured vote — and its choice of Allan Boesak to lead that campaign failed lamentably Boesak's replacement with Chris Nassen — provincial Minister of Economic Affairs — has also come unstuck. Nassen has announced that he will not stand for re-election to the ANC's regional leadership after the community elections later this year. He has said he wishes to devote himself to "grass-roots" work, and some insiders believe he is fed up with the ANC.

The most common emotional plea made by the ANC to potential coloured voters is that those who suffered together under apartheid belong in the same party. Nelson Mandela attempted to symbolise this by renaming a Cape Town presidential residence "Genadadana" — after a famous Overberg missionary settlement steeped in a tradition of coloured self-sufficiency — but that did not persuade many.

Nor did the mystique of forced removals, most notoriously that of District Six, forge common ground between coloured and black in the Western Cape, where blacks were most forcefully excluded by influx control laws.

Language is an important factor. Afrikaans is the majority language of the coloured people and even Afrikaans literature now fully reflects this reality. There is also the fact that coloured people are growing wealthier, and that in the eternal struggle for public resources like housing and education, they naturally prefer those leaders who can, indeed, understand the community's problems at grassroots level.

There has been notable less dissatisfaction among coloured people than among blacks at the slowness of government to deliver on electoral promises. They are, after all, in a province dominated by the party for which they voted and in the event of another split in that party would be in a position to determine its electoral fate. There are hints of dissatisfaction about the ANC's role in the GNU, and Meyer is generally regarded as part-author of the plan that brought the ANC to power.

The division within the NP — and the ANC's seeming inability to capitalise upon it — is masked to some extent by the fact that few politicians speak openly of a coloured-black divide. That would be politically incorrect; but, more importantly, it would be impolite to precipitate anything like a regional autonomy struggle in the Western Cape in advance of the community elections.

It is probable, however, that the pattern of voting in those elections will bring matters to a head. If, for example, the ANC continues to make little headway — and it is hard to see any change — the case of those whose higher coloured aspirations will be immensely strengthened.

And as long as De Klerk — as a loyal member of the Mandela government — continues to repudiate local leaders, as he has been doing, the more his authority in the Western Cape will wane.

For outsiders, some of these considerations are arcane and even brutal, but if the Western Cape coloured voter again delivers that province to the NP, the time will have arrived for it to define its presence ever more strongly within the NP. There will be pressures for the old white faces of the NP to be replaced by fresher ones, more reflective of the ethnic realities that underpin the party's survival.

Among conservative coloured voters, and particularly Christian ones, De Klerk continues to carry considerable moral weight. He is often seen as a figure who, seeing the error of his people's ways, chose the better alternative. It is this moral force that has held the NP together in the 15 months since its drubbing at the polls, but it is not an uncontrollable one.

The future of the NP as it stands — still reflecting largely a white perspective on everything — depends on De Klerk, as leader, retaining his prestige. This may not last. But, given the findings of the Goldstone Report that De Klerk at the very least nominally presided over the efforts of the dirty tricks brigade to smear and otherwise damage the ANC after its unseating, De Klerk's disclaimers of personal responsibility may return to haunt him in the procedures and debates of the forthcoming Truth Commission.

If the commission can be established in such a way that it enjoys wide public support and credibility, accusations levelled at De Klerk will be correspondingly more difficult to refute. If the commission is seen as an institutional witchhunt, there will be rising clamour within the NP for the party to dissociate itself from government. That would be the possibility of a real crisis, De Klerk's leadership would then be seriously threatened. — from the Western Cape.

It seems increasingly likely that De Klerk and the NP will survive the next year unscathed by the complex tug of regional vs. centrist loyalties — and the NP's shabby past is a matter that will not just go away.
Soweto Nats on the Two-Step

By WATLY WHEELE
Dramatic bid to save polls

BY NORMAN WEST
Political Reporter

FEVERISH behind-the-scenes talks were held by political parties this week in a final bid to rescue community elections in the Western Cape from total collapse.

It was also learnt that the government of national unity has not yet filed papers in reply to court actions pending in the Cape Supreme Court and the Constitutional Court which were brought against President Nelson Mandela by Western Cape premier Hermias Kriel.

Mr Fred Els, of the State Attorney's office, said: "The papers are in the process of preparation. No final dates for hearings were therefore available.

The court actions stem from amendments to the Constitution promulgated by the president which effectively stripped Mr Kriel (and his Minister of Local Government, Peter Marais) of constitutionally devolved powers to demarcate municipal boundaries.

This week's secret talks between the ANC and NP over the boundary disputes came on the eve of a crucial week in which vital decisions must be taken on how to schedule the elections nationwide despite boundary disputes in three provinces — Western Cape, Gauteng and KwaZulu-Natal.

ANC and NP sources confirmed that "sensitive" talks were taking place and could continue this weekend aimed at saving the November 1 elections from being postponed and possibly avoiding the court actions.

A special snap debate will take place in the Western Cape legislature on Thursday over whether the taxpayers should pay for NP-initiated court actions.

It is understood ANC Western Cape leader, the Rev Chris Nissen, will lead the onslaught against the NP and that Mr Kriel will himself lead the NP team in what could be a no-holds-barred verbal brawl.

The Constitutional Court was scheduled to hear the Kriel matter after August 14, but it was reliably learnt that court officials were hoping for a political settlement to obviate court action.

It is understood Mr Kriel would welcome a political settlement, but sources said he was not prepared to give "one inch" to ANC demands that the black residential area of Khayelitsha be included in the northern Tygerberg municipal structure instead of Central Cape Town, as proposed by Mr Marais, who remains director of the Western Cape Provincial Committee.

The other case, provisionally put down for hearing in the Supreme Court on September 10, challenges central government's contention that two of Mr Marais's appointments to the Western Cape Provincial Committee were invalid.

National government talks this week resulted in a media release that elections will go ahead in six provinces, while a different approach may be necessary in KwaZulu-Natal, Gauteng and the Western Cape.
Stellenbosch council in debt crunch

Colin Douglas

We don't take a decision

...
Council has 'too many coloureds'

MUNICIPAL REPORTER

COLOURED employees were over-represented on the Cape Town City Council, director of affirmative action Mr Gavyn Pieterse disclosed yesterday.

He was delivering an address on affirmative action to a gathering of about 800 town clerks, most of whom are white and male.

Several speakers from the floor said during question time it was "pathetic" that there was "not one face other than white on the executive of this body".

There was a call from the floor for chief executives to take early retirement to make room for others "more representative of the total complexion of our society".

A black delegate won a strong round of applause when he said the criticism was unnecessary, as "attention is already being given to the matter".

Mr Pieterse said affirmative action was still uncharted territory for municipalities and urged the town clerks to "use what works".

His office had found that 73% of Cape Town City Council employees were coloured, 23% white, and 3% African, he said.

The whites tended to be at the top, the coloured people below them, and the Africans at the bottom, "like Irish coffee".

Each department had to negotiate affirmative action targets with its branches, he said, because "you can't put a generic process in place". It was harder for highly technical sections to reach such targets.

Changing

The new president of the Institute of Town Clerks, Mr Keith Nicol of Cape Town, told delegates that the composition of the institute's executive committee was being discussed.

A proposed change in the constitution "makes provision for co-option" on to the executive. Although the institute "does not reflect the population of the country", its complexion was changing.
WAR of words in Caledon

A WAR of words is brewing in the transitional council of Caledon, where councillors are accusing each other of misappropriation of funds and racism.

Last week Caledon Community Association (Calca) councillor Mr Errol Tobias — who shot to fame 15 years ago when he became the first black rugby Springbok — introduced a motion of no confidence in mayor and transitional council chairman Dr Theuns Oberholzer.

In the motion, which was defeated, Mr Tobias accused Dr Oberholzer of "arrogance and racism."

Dr Oberholzer denied an allegation yesterday that he had sued Mr Tobias for defamation, but refused to comment further on the matter as it was in the hands of his attorney.

However, both Dr Oberholzer, an independent councillor, and ANC councillor Mr Claude de Bruyn claimed yesterday that Calca had last year collected funds for a "development project", but then used the money to fund a holiday for Calca members to the Wild Coast Sun.

Mr De Bruyn said he had reported the matter to the police, but that no action had been taken until now.

But Mr Tobias said yesterday the allegations surrounding the trip were "twisted", as there had been no question of a development project and the Calca members had collected the money specifically for the trip. He claimed Mrs De Bruyn had gone on the trip.
Demarcation rows continue unabated

Edward West and Mduzi ka Harvey

CAPE TOWN — The Cape metropolitan substructure demarcation row between the NP and ANC showed little sign of abating after a snap debate in the Western Cape legislature yesterday.

This comes after Cabinet decided on Wednesday to proceed with the local government elections in November, but to allow those local authorities not yet ready to go to the polls at a later date.

Yesterday’s debate, called for by the ANC, was about the use of public funds to pay for a court action by the province against central government regarding the constitutionality of amending the Local Government Transition Act to overturn local government MEC Peter Marais’ controversial boundary decisions.

Western Cape ANC leader and provincial economics MEC Chris Nissen said the taxpayers’ funds were being used to pay for an action against democracy.

DP leader Helen Bester said the ANC had been too happy to enter into closed door negotiations with the NP to redraw boundaries and shift around blocks of people as if they were “nothing more than toilets in the void.”

Marais said the demarcation row was no longer a fight between the NP and ANC, but a fight to restore and protect the integrity and autonomy of the Western Cape.

He said the money to be spent on the legal action could be prevented if the ANC simply accepted the NP boundary proposals or asked President Nelson Mandela to reverse the Act’s proclamation.

Meanwhile, Johannesburg business and ratepayer associations have shown their discontent at the political wrangle over the city’s boundaries, saying the ANC and NP were disregarding the democratic and representative process which recommended the establishment of seven substructures.

Farouk Chithila reports from Durban that the ANC and IFP differed in opinion on how the Cabinet decision to allow local government elections to be staggered would affect their campaigns.

ANC KwaZulu-Natal local government head Mike Sotshila said the ANC’s campaign would be costlier because it would be more difficult to co-ordinate.

IFP election campaign deputy manager Anthony Grunkel said staggered elections would assist the IFP’s campaign, which would be grassroots-oriented and cheaper to organise, while a negative aspect was that it would be difficult to keep a volunteer contingent going for six months.
Metropole negotiating forum to be formed

Municipal Reporter

CAPE Town City Council has endorsed an agreement to establish a metropolitan chamber of the industrial council, which will embrace all municipal employers and employees in one bargaining forum in future.

The agreement, which has been negotiated with the unions and local authorities, was officially agreed to at the council’s monthly meeting.

The formal establishment of the chamber will take about three months.

On the employer side, the Cape Town City Council will have seven delegates while the Cape Local Authorities Employers’ Organisation will have six.

Neil Ross of the Democratic Party said the document was a “landmark agreement”.

It would also ensure the same rates of pay throughout the metropolitan area, ironing out discrepancies such as, for example, that a dustman in Fish Hoek earns half that of a Cape Town City Council employee.

This in turn would help resolve labour disputes during the transitional period, particularly with regard to transfers from one municipality to another.
Big row in legislature

MICHAEL MORRIS, Political Correspondent

THE National Party has made it clear it is not going to capitulate in the feud with the African National Congress over municipal boundaries in the Peninsula.

Negotiations over boundaries are expected to continue after a fiercely-contested debate in the provincial legislature.

The NP, facing a barrage of criticism in the legislature yesterday from its chief opponent, the ANC, as well as the Democratic Party and Freedom Front — and even, for a while, from the public gallery — dismissed charges that it had gerrymandered municipal boundaries and claimed that going to court over the controversy would waste taxpayers’ money.

Premier Herman Kriel said the NP was willing to settle, but not to “capitulate.”

The NP had not done anything “unlawful” in the demarcation process and challenging the central government’s “interference” in the provincial matter was legitimate.

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Legislators launched a barrage of criticism in the legislature yesterday from its chief opponent, the ANC, as well as the Democratic Party and Freedom Front — and even, for a while, from the public gallery — dismissed charges that it had gerrymandered municipal boundaries and claimed that going to court over the controversy would waste taxpayers’ money.

Premier Herman Kriel said the NP was willing to settle, but not to “capitulate.”

The NP had not done anything “unlawful” in the demarcation process and challenging the central government’s “interference” in the provincial matter was legitimate.
PAC protesters take hostage

Municipal Reporter April 28/7/95

CROSSROADS Town Clerk Andries Wessels was taken hostage today after members of the Pan Africanist Congress protested against not having any seats on the transitional council.

PAC MP Patricia de Lille was called to mediate at the Crossroads PAC office, where Mr. Wessels was being held.

One of the workers said Mr. Wessels was taken from his office in Crossroads to the PAC office about 8am today. He was unhurt.

Mrs. De Lille said the PAC members had unsuccessfully been seeking a meeting with the Crossroads town council for a week.

When they were told today they would be able to see the council only next week, they "got fed up" and took the town clerk hostage.

She said police were standing by.
Protest bus’
to fight Cape
demarcation

Mayors to gather ‘anti’ signatures

Southern Reporter

MAYORS and local councillors from the entire southern Peninsula will pilot a "protest bus" tomorrow through their constituencies to collect signatures in protest against the "Marais proposal".

The Western Cape Minister for Local Government Pieter Marais recently overturned local government boundaries recommended by the Demarcation Board.

His revision lumps the South Peninsula (population about 94,000) into a much greater area, taking in central Cape Town and most of the Cape Flats and Atlantic seaboard suburbs, with a population of over two million.

The bus will distribute a map and pamphlet explaining objections to the new proposals.

The councillors — from Hout Bay, Scarborough, Simon's Town, Fish Hoek, Noordhoek, Kommetjie, Ocean View, Constantia, Wynberg, Ottery East, Grassy Park and parts of Cape Town city — include members of all political shades.

"A local authority of this size can never be accountable or responsible to its people" said Mr. Andrew Ross-Munro, a member of the informal joint executive committee for the southern suburbs, and Constantia’s mayor.

"We feel that effective democratic government is under serious threat. In a population of 2 million, individual voices will just not be heard. This is a fight we have to win, and we are calling on the people to help us."

The bus will leave Jubilee Square in Simon's Town at 8:30 am, then travel to Fish Hoek (9 am), Kalk Bay, Muizenberg, Lakeside and Tokai's Blue Route shopping centre (10:10 am) From there it goes to Constantia Village, Plumstead, up Wynberg Main Road (11:45 am), and then to Ottery Hypermarket (12:30 pm), Grassy Park and Retreat before returning to Simon's Town about 1:45 pm.
Court action debate draws noisy voters

HUNDREDS of noisy voters packed the Western Cape government's galleries yesterday as a dramatic debate on the public funding of the province's Constitutional Court challenge against Pretoria unfolded.

Acting Speaker Ms Mampile Ramotsamai was forced to appeal to the public gallery not to clap in support of ANC chief Mr Chris Nissho's call for re-opening demarcation negotiations to enable November 1 elections in the province.

Later, when Local Government Minster Mr Peter Marais objected for the second time to public interjections, she asked police to identify the offenders and warn them that they would be ejected if they repeated the offence.

The debate was about the NP's decision to legally challenge President Mandela's declaring invalid Mr Marais' alteration of his powerful provincial committee (which vets vital demarcation decisions)

Premier Mr Herrius Kriel admits taxpayers' money is being used to pay the legal costs.

The ANC accuses Mr Marais of leading his provincial committee with NP supporters.
COUNCIL-OWNED houses are being sold to their occupants at a rate of 600 a month in the Cape Town municipality, according to a report before the council yesterday.

In a scheme introduced in the city a year ago, the houses may be bought by their occupants at a R7 500 discount.
Cape govt in 11th-hour bid to save local elections

THE Western Cape government late yesterday made an eleventh hour offer to withdraw its court challenges holding up local elections in the Cape Metropole if central government accepted a new five sub-structure proposal.

This offer, the latest proposal in the long-running demarcation battle between the National Party and the African National Congress, would see the original Southern sub-structure hived off from the enlarged Central sub-structure proposed under the four sub-structure system.

The proposal was contained in an urgent fax sent to the State Attorney's Office by the legal advisers of Premier Her- nus Kriel and Minister of Local Government Peter Marais "in the spirit of reconciliation and so that the elections can take place as soon as possible."

The offer of settlement was subject to:

- The proposal being accepted by central government by midnight tomorrow night,
- The Provincial Committee appointed by the Minister of Constitutional Development Roelf Meyer, in terms of amendments to the Constitution being signed into law by President Mandela, approving, the new Kriel/Marais five-structure proposal within 48 hours after acceptance of the new proposal.

In return the Western Cape government has undertaken to withdraw both the Supreme Court and Constitutional Court actions.

In the new compromise proposal, the Cape Metropolitan inner boundaries would, if accepted, consist of a Northern sub-structure, Helderberg, Central including the whole of Khayelitsha, comprising Langelethu West and the rest of the area), and a Tygerberg sub-structure, incorporating the proposed Eastern structure (including Blue Downs, Epping 2, Bonteheuwel as well as ‘Guguletu, Nyanga and Crossroads).

The fifth sub-structure would be the Southern sub-structure as prescribed by the Western Cape Demarcation Board and comprising Cape Point, Simon's Town, Scarborough, Fish Hoek, Wards 12 and 16 and part of Wards 15 and 17 of the Cape Town City Council, Constantia and Hout Bay.

The new proposal, however, substantially the same as that proposed by the Deputy Minister of Provincial Affairs, Vallie Moosa, which was rejected at grassroots level by the ANC.

The return of an independent Southern sub-structure would, by your the Democratic Party, which regards it as its stronghold. It would also cool temperatures between taxpayers' associations, civic bodies and municipal parties in the area who have threatened revolt if they were forcibly lopped with Cape Central.

Repeated attempts yesterday to contact the ANC for comment were unsuccessful.
Mine safety ‘needs attention’

By Renee Grutzik

THE mining industry, with its unacceptably high fatality rate, should enact the Lenin commission recommendations immediately without waiting for new health and safety legislation. Minister of Mineral and Energy Affairs, Piki Botha said.

In his keynote address at the Southern African Miners Federation (SAMF) conference in Kroonstad yesterday Botha said: “If one life is saved, it is worth it.”

“Of 19 countries listed in an International Labour Organisation (ILO) table summarising fatal mining accidents per year, 13 have better safety records than SA, with Zimbabwe coming closest to SA’s rates.”

“Each ton of gold produced in SA costs an average of more or less one human life and 12 severely injured miners.”

The mining industry was a major contributor to national economies in the region and mineral exports in SA contributed 65% of foreign earnings.

He said because of mining’s importance, “it is in both management and labour’s interests that you strive for a management/worker partnership rather than being antagonists.”

NUM president and president of the federation James Motlatsi said, “We are concerned about rebuilding our economies, but that is not our job. Our job is to protect the diverse interests of mineworkers.”

Motlatsi said the adoption of the Safety and Health Convention by the ILO in June was “a major victory for mineworkers across the globe. The challenge is for each affiliate to persuade its government to ratify this important convention.”

Miners’ International Federation (MIF) general secretary Peter Mchazikwa said the increased international unity among mineworkers had made it possible “to impose our will on governments and employers to get the convention adopted.”

Mchazikwa said despite changes in the international arena, the labour movement had to be changed and adapted to the same extent. He called for greater unity between unions operating in the mining, energy and chemical industries.

D-day for Cape Town

Edward West

CAPE TOWN — Western Cape premier Hermus Kriel has warned that today is the last day for a political solution to be found to the Cape Town demarcation row in order for local government elections to go ahead in November.

The warning came as the province submitted an 11th-hour proposal at the weekend in which it offered to withdraw its Constitutional Court and Supreme Court actions against central government if a new fire-substructure Cape metropolitan plan was approved by negotiators.

The ANC must note that July 31 is the final cut-off date because there are still a lot of statutory regulations that must be complied with before the elections can take place,” Kriel said.

He called on the ANC to complete its consultative process over the weekend.

In a letter from the province’s legal team, the provincial government and the proposal was subject to the i-provincial committee appointed by Constitutional Affairs Minister Roelf Meyer, accepting the new fire-substructure proposal within 48 hours after negotiators had accepted it.

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"Spend a few days finding..."
Court dare: Cape offer

POLITICAL STAFF

The Western Cape's last-minute offer to withdraw its court challenge to the central government regarding the demarcation dispute could pave the way to a settlement in the dispute.

Late on Saturday, the province's legal advisers faxed an offer to withdraw its court challenge provided its proposal for five sub-structures in the metropolitan area was accepted by the central government by midnight tonight.

But local ANC sources believe agreement on the latest NP proposals is "unlikely". They stressed last night no decision could be taken until its structures in the areas — Khayelitsha and Langa and those in Guguletu, Nyanga and Crossroads — had been consulted.

Mayor and councillors from over ten Southern Peninsula towns piloted a "protest bus" through their constituencies on Saturday to oppose a proposal by Local Government Minister Mr Peter Marais that central Cape Town and most of the Cape Flats be included in the South Peninsula.
Boundaries: ANC studies NP offer

THE ANC's top Western Cape officials met early today to discuss a formal response to the NP's legal offer to withdraw their Constitutional Court challenge... in return for the NP-favoured five Cape Metropole sub-structures. Thisfollows an extension by the NP of yesterday's midnight deadline to 6pm today. The ongoing battle centres on how the boundaries are drawn up for the upcoming local municipal elections, with the NP widely accused of  "gerrymandering" them in their political favour.

Yesterday the ANC took exception to the "short time" given for a response to Saturday's new offer---saying it gave them insufficient time for proper consultation of party structures.

ET 1/8/75

Last night, regional Economic Affairs Minister and ANC leader Mr Chris Nissen said a basic approach to the impasse was that "we don't want to reach a political settlement at the expense of a viable, sustainable service delivery".

The NP "offer"---first suggested by Deputy Constitutional Affairs Minister Mr Vaal Moosa during marathon negotiations early last month---could now be sold by the ANC's negotiators to their black township constituencies.

It involves Khayelitsha, Langa, Brown's Farm, Philippi East and Penlands being included in the central (Cape Town) sub-structure and Tygerberg taking on, among others, Oguleleni, Nyanga and Crossroads.
**W Cape parties in fresh row over demarcation**

**ANDREA WEISS**
Municipal Reporter

A NEW row has broken out over the Western Cape's municipal boundary demarcation crisis after claims that the National Party was told by lawyers it would lose its constitutional court challenge on the issue.

Claiming the NP court bid was a "gamble", an African National Congress provincial MP said the NP had been told its constitutional challenge did not have much chance, "so it's under increasing pressure to seek a desperate settlement".

But this was denied by Western Cape Premier Herman Kriel, who said "We wouldn't have started a court action if we didn't believe we had a chance".

The latest claims came as efforts to resolve the boundary dispute faltered once again with the ANC rejecting an offer by the NP to drop its legal action in exchange for boundaries proposed by the NP.

The NP wants to combine Khayelitsha with Cape Town while grouping Guguletu, Nyanga and Crossroads with Bellville, and leaving the South Peninsula on its own.

The deadline for the plan was midnight last night, but indications were that this would shift as negotiations proceeded.

Earlier yesterday, the Unity the City Campaign rejected the NP option and insisted that due process should be followed in terms of the Local Government Transition Act.

This would include putting the Demarcation Board report to the reconstituted provincial committee and going to the electoral court to settle the matter if necessary.

At a Press conference to announce this, ANC provincial MP Cameron Dugmore said the NP had been "gambling".

Mr Kriel said the NP had initiated efforts to settle the dispute because "there is no leadership in the ANC".

Also at the Unity the City Press conference, Ikapa town councillor Arthur Jacobs said he could not sell the NP plan to his constituents.

African Christian Democratic Party member David Statham said there was no point in holding an election if the populace was not behind it.

Mr Statham said it appeared that provincial Local Government Minister Peter Marais had bowed to pressure from the mostly white residents of the South Peninsula to give them their own municipality while ignoring the wishes of predominantly black people in Khayelitsha.

He said it was imperative that the new municipal dispensation was broadly acceptable to the people and not forced on them as was done "for the last 48 years".
Residents ‘no’ to Marais’s boundary plan

1 000 people sign ‘bus-ride’ petition

The mayor of Fish Hoek, Beverley Jansen said “It was an exciting project and one through which we hope to have made people more aware of the situation.”

“In Fish Hoek people were both well informed and supportive.”

Among the councillors on the trip were those from Hout Bay, Scarborough, Simon’s Town, Fish Hoek, Noordhoek, Kommetjie, Ocean View, Constantia, Wynberg, Ottery East, Grassy Park and some areas of the city of Cape Town.

The proposal to involve all councillors in the project was taken at an informal joint executive committee meeting.

Should Mr Marais succeed, the whole of the southern suburbs will become part of a huge new Cape Town sub-structure of more than two million people.

In the opinion of the councillors involved in the project, it would be impossible for a local authority of this size to be accountable and responsive to its people.

If the area is retained as recommended by the Demarcation Board, the population will be 340 000.

“If Mr Marais gets his way it will be impossible for the public to have their voices heard or to get action on things which matter to them,” said one of the councillors.

Opinion was canvassed from Simon’s Town, along the Main Road to Tokai, Constantia, Hout Bay, Plumstead, Wynberg, Ottery East, Grassy Park and Retreat.

The action of these town councillors will link with a wider campaign, spearheaded from the city to unite all authorities and the public in the metropole behind, the Demarcation Board proposals.
Boundaries row 'crippling local govt'
NP boundary deal rejected

CHRIS BATEMAN

THE ANC yesterday rejected the National Party's deadline for them to accept a deal giving Khayelitsha to Cape Town in return for Tygerberg taking on most other local black suburbs — and came up with an arbitration counter-proposal.

The NP had offered to withdraw their Constitutional Court challenge against Pretoria if this deal was accepted.

ANC provincial chief Mr Chris Nissen said: "We've looked at the NP proposal and find it unacceptable — instead we've looked for a process that can reduce the heated debate and solve the problem."

The ANC wanted the court challenge withdrawn and the provincial committee, as reconstituted by the President, recognised by the NP and for it to immediately begin considering the Demarcation Board's proposals.

If no consensus was reached between the committee and Mr Marais, then an urgent sitting of the constitutionally-created Electoral Court should be arranged for Friday and its arbitration findings be made binding, he said.

Mr Marais said last night that he was still prepared to "immediately" recognise the provincial committee — if the ANC accepted his party's proposal.

"It boils down to me recognising the central government's right to strip us of our powers — the elections can't go ahead anywhere if I don't recognise the committee as reconstituted," he said.

The provincial committee must agree with Mr Marais on all demarcated election boundaries before they are finalised.

Mr Marais accused the ANC of "stalling because they are not ready for an election, organisationally or financially."

Election organisers yesterday said the chances of the Western Cape meeting the November 1 elections date "had evaporated."
ANC offers plan to end Peninsula poll dispute

Staff Reporter

THE ANC has rejected the National Party's offer of settlement to end the municipality elections for the Cape metropolitan area to go ahead on November 1, and is pushing for new procedures.

The NP had proposed Cape Town would take Khayelitsha in return for Tygerberg taking on most other black suburbs in the metropolitan area.

But in a counter-proposal, ANC provincial leader Chris Nissen suggested the Western Cape regional government withdraw its court case against President Mandela's government immediately, reconstitute the provincial committee, with three statutory and three non-statutory members — including Kam Chetty and Cecil Hendrien — and that the committee meet immediately to consider the Demarcation Board's proposal of six sub-structures for the Cape Town metropolitan area.

The ANC said every attempt had to be made to settle the boundary dispute by the provincial committee and regional Local Government Minister Peter Marais.

If no consensus could be reached between the provincial committee and Mr Marais, arrangements had to be made for an urgent sitting of the Electoral Court on Friday. The court's decision would be binding.

Wards could be demarcated and elections could proceed on November 1, Mr Nissen said.

The situation was desperate and, if the NP accepted the ANC's proposals, everything would be done to make the November 1 election date possible, but if Mr Marais rejected them, the court case would continue and there would be no election in the metropolitan area on November 1.
Marais still defiant over Cape boundaries

TYRONE SEALE, Political Staff

A DEFIANT Peter Marais, local government minister in the Western Cape, has dismissed the authority of Roelf Meyer, national minister of provincial affairs and constitutional development.

"Who said Roelf is my leader? The Western Cape doesn't listen to Gauteng at all," Mr Marais said at a media conference today, where he discussed the National Party's latest position on the Western Cape local government demarcation impasse.

Mr Marais volunteered a response to a recent statement by Mr Meyer that he, Mr Meyer, believed Mr Marais had no grounds for reconstituting the provincial committee.

Mr Marais challenged Mr Meyer to produce the evidence on which his comment was based.

He issued the challenge shortly after lambasting the African National Congress in the Western Cape for being in disarray on the boundaries issue.

Asked what his response to Mr Meyer meant for the NP leadership, he said Mr Meyer was not his leader.

"I listen to F W (De Klerk) — he's our party leader — I listen to the National Party extended caucus.

"Nothing I do doesn't have the full backing of the extended caucus. The same criteria don't apply to me as to the ANC," he said.

The NP has offered to withdraw its Constitutional Court challenge — dealing with an amendment to the Local Government Transition Act to stop Mr Marais redrawing substructure boundaries against the government of national unity, provided certain conditions are met.

Its principal proviso is that Khayelitsha is included in the Cape Town substructure, in return for Tygerberg being given areas like Guguletu, Nyanga, and Crossroads.

Yesterday the ANC rejected this deal.

Asked today what the least he would settle for, Mr Marais said an election in the Western Cape hinged on the future of Khayelitsha.

Tygerberg did not have the administrative or financial capacity to carry Khayelitsha.

"Don't even talk to me about it," he said.
FREE PRIMARY CARE SERVICES PLANNED

Different options for health care workers

HEALTH CARE workers may, according to new recommenda-
tions, remain in the employ of local authorities rather
than transfer to the province. PETER DENNEHY reports.

Primary health care workers in the Cape Metropole who
are now employed by local authorities may no longer have to
be transferred to the Provincial Administration, where the pay is
generally worse.

A new report released recently for comment by a commission of
inquiry established in January by Health Minister Dr Nkosazana
Zuma, recommends three options the provinces can choose from.

Primary health care workers may be under local authorities, or
directly under provincial governments, or simply under district
health authorities which can be new parastatal bodies separate
from both local and provincial government.

The Cape Metro Council's Medical Officer of Health, Dr Stewart Fisher, said different options
may be chosen within a single province.

This may resolve a huge dispute which raged a few months ago
between officials, like Cape Town's MoH, Dr Michael Popkess, who
want primary health workers to stay with local authorities and vari-
ous provincial health planners who argue that the best way
toward equity in primary health services and employee remunera-
tion is to put all primary health workers under provinces.

Dr Fisher noted that the CMC had expressed a preference for pri-
mary health staff to remain under local authorities. In practice, this
may mean that day hospitals in the Peninsula, which are now run
by the province, may be transferred to the control of local
authorities or the CMC.

Some of the lower-level hospitals, like False Bay Hospital, may go
the same way.

Dr Fisher said the aim of the district health authority scheme is
to provide universal access to basic primary health services.

Free services

These services will be provided free of charge, although there will
be fees for the medicines. Drugs used to treat 95% of primary
health problems will be provided free to the district health authority
which may levy a small charge.

Individuals who want to use private health services will be able to
do so. The costs of the proposed scheme are estimated to be R1,36
billion countrywide by 1997 and R3,39 billion by the year 2000.

Council bids to cut legal costs

THE Cape Town City Council is to consider cutting its legal costs by
using its own staff to deal with rent arrears and unauthorised occupa-
tions of houses, instead of contracting them out.

Figures which would have been placed before the housing commit-
tee yesterday, and its meeting not been postponed due to the lack of
a quorum, show that the council was charged an average of R508
per arrears case successfully resolved by one firm, and R540 per
case by another firm.

One firm dealt with 582 cases in just over three years, involving a
total of R1,1m in arrears rentals. Of these, 201 cases were properly
resolved and over R400 000 collected, while the fees charged of
the council were R102 000.

The council's legal costs are in theory recoverable in full, but it is
often not practical to collect these.

The city administrator's office believes using in-house paralegal
staff could cut the cost for successful litigation to R135 a case.
ANC boundary plan for Cape spurned

Edward West

CAPE TOWN — The Western Cape government had rejected a new ANC proposal to end the metropolitan demarcation row threatening to delay the November provincial election, local government MEC Peter Marais said yesterday.

The ANC had proposed that the province withdraw its Constitutional and Supreme Court actions, reconstitute the provincial committee and refer any further boundary disputes to the electoral court.

"The electoral court consists of ad hoc political appointees by the ANC. I put my faith in the Constitutional and Supreme Courts," Marais said.

He accused the ANC of attempting to delay the election until next year so that voter registration could be re-opened. "There is no computer linking voter registrations of the provinces. People will cross province borders and vote in two provinces."

He said it was imperative the local election be held this year because interim local government structures were crumbling in the province.

Municipal and town clerks were being fired, councils were being held hostage by wage demands and councillors were voting themselves higher salaries.

He said there was still time left for the election to be held in the province on November 1, but the time needed to prepare for the election would have to be drastically shortened. "We are dealing with crisis management here."

Asked about premier Herold Kriel’s statement concerning yesterday's deadline for a political solution to be reached, Marais said: "We do not want to be seen to be closing the door on the election when provinces such as the Eastern Cape and Gauteng, which also have boundary disputes, say that it is still possible for the election to be held on November 1."

There was not enough time, he said, for independent mediation of the dispute.
MARAI$ PUT$ PRESSURE ON ANC

Breakdown in local govt

PETER MARAIS, claiming the demarcation dispute was causing local government to collapse, has urged the ANC to accept his compromise offer. CHRIS BATEMAN reports.

LOCAL Government Minister Mr Peter Marais yesterday gave details of the “chaos” existing in Western Cape municipalities to back up his claim that a continued impasse in the demarcation saga would lead to the collapse of local government.

Incompetent interim councilors jostling for positions are largely to blame, he says, alleging that they would prefer the elections to be postponed so that they could continue their gravy-train role.

Mr Marais also accuses the local ANC of wanting to delay elections in order to re-open voter registration so that, with no centralised computer monitoring, up-country supporters could stream into the province and vote twice.

His examples of “chaotic transitional government” included Hermanus and Oudtshoorn who had refused to pass their budgets.

In Van Rynsdorp, the statutory component fired their deputy mayor and the non-statutory said retaliated by firing the mayor.

Theft allegations

In Clanwilliam the council fired both the town clerk and the mayor. Bonnevale passed a no-confidence vote in their mayor while in Rawsonville either the “stats” or the “non-stats” deliberately stayed away to prevent quorums.

In Bitterfontein the deputy mayor was “illegally” fired amid a welter of theft allegations.

Mr Marais said he had intervened successfully in most cases and would travel to Rawsonville today.

The prospect of this scenario continuing was the reason the NP had compromised by separating the southern sub-structure and proposing Nyanga, Guguletu and Crossroads for Tygerberg in exchange for Cape Town taking Khayelitsha.

ANC spokesman Mr Brent Simons replied “We’ve always been prepared for elections on November 1, it’s because of Mr Marais’ regging of the committee that we’re sitting with this crisis.”

The ANC insists that the NP withdraw its Constitutional Court challenge.

It wanted the central government-reconstituted provincial committee to consider the Demarcation Board’s six-structure Metropolitan proposal and the NP to accept Electoral Court arbitration if the committee deadlocks.

Supreme Court

Mr Marais said his party’s court action was in defence of provincial autonomy. He described the Electoral Court as an “ad hoc committee appointed by the ANC.”

He would rather put his faith in the Supreme Court.

If the ANC accepted his proposal, he would “pull out all stops” to enable a November 1 poll by reducing voters’ roll inspection time and campaigning time.
Worcester wage negotiation degenerates into racial row

Black and white municipal workers in 'ugly' confrontation over pay demands.

ROGER FRIEDMAN
Staff Reporter

Despite negotiations between the Worcester Town Council and the various municipal workers' unions representing the town's workers, tensions have escalated into a racial row. The dispute centers around pay demands and the town's financial situation, which has led to a stalemate in negotiations.

Town Council Chairman, Mr. Dove, has expressed concern over the situation, stating that the council will have to make tough decisions to address the financial crisis. He added that the council has been working on a comprehensive plan to address the financial issues and will make an announcement soon.

The situation has worsened with reports of violence directed towards workers of different racial backgrounds. The police have been called in to maintain order, but the situation remains tense.

The Worcester Town Council has been criticized for not taking a firmer stance against the violent behavior, and there are calls for a change in leadership.

The council has also been pressured to address the town's financial problems, which have been highlighted by a recent audit. The audit revealed significant financial irregularities and mismanagement.

The council has pledged to investigate the allegations and to take appropriate action to address the issues raised. However, the union representatives have called for immediate action to address the workers' concerns.

The situation remains volatile, with both sides holding firm on their demands. The council is under pressure to resolve the dispute quickly to avoid further escalation of the situation.

The town's residents have expressed concern over the situation, with many calling for a resolution that addresses both the financial and racial issues.

Source: Worcester Town Council

Date: 4/8/95
Another protest on 'Marais boundaries'

Southern Reporter

CONSTANTIA'S local council has formally objected to being asked to even consider a proposal for a Civil Protection agreement which assumes metropolitan boundaries of the controversial 'Marais Proposal'.

The proposal put to Constantia assumes, in planning strategies for civil protection, boundaries which place Mitchell's Plain and Khayelitsha with the entire Peninsula and Cape Town central, in an area called the 'Central Substructure'.

The drawing of these boundaries, put forward by Minister of Local Government Pieter Marais, overturned proposals which were the result of months of wide public consultation and negotiation across the political spectrum by the Cape Metropolitan Negotiating Forum.

At the recent meeting of the Local Metropolitan Substructure of Constantia, Mayor Andrew Ross-Munro expressed surprise that the map had even been tabled.

"It presents boundaries that do not exist" Mr Ross-Munro said. One of the strategies proposed was accepted in order not to hold back a necessary decision relating to civil protection, but a motion expressing the fact that the substructure takes "strong exception" to the assumption of any such boundaries was carried unanimously, at the same time.
Central Government, at no time agreed to settle the arrears debts.
ANC councillors accepted increases.

STAFF REPORTER

THE ANC's Western Cape branch has lashed out at ANC councillors on the George Transitional Local Council (TLC) who accepted an allowance increase after being instructed not to.

ANC George spokesman Mr Myron Rabinowitz said that in June the TLC tabled a motion granting councillors higher allowances.

The mayor of George, ANC member Mr Kidron Kabon, had refused the increase.

Other ANC, Civic and SA Communist Party councillors had been instructed not to accept the increases, but some of the eight ANC councillors had accepted.
DURBAN: Zulu King 'Goodwill Zwelethu' said at the weekend that the people of kwazulu/Natal were more oppressed under their new rules than under apartheid.

"Today political leaders are oppressing their own people instead of giving them development," he told royal family members and dignitaries at his 47th birthday celebrations.

He urged his followers and the Zulu nation to "go back to the basics of humanity" and to stop the killing among Zulus.

King Goodwill again denied he was an ANC member or that he had ever been a member of the Inkatha Freedom Party.

Similar concerns were voiced yesterday by ANC official Mr Dumsani Makhaye, who said the province was becoming a wasteland under Inlatha and called on "patriots" to oust the IFP-led provincial legislature.

Repeating an ANC call for fresh provincial elections he said: "It is incumbent upon the people of kwazulu/Natal to ensure that the IFP-led government is replaced as a matter of urgency" — Sapa-Reuters
Council seeks right jobs policy

STAFF REPORTER
28 November 1995
THE Cape Town City Council, in appointing a member of staff, would take into consideration which group was least represented among its employees.

This was said yesterday by Ms Shanaaz Mapel-Chalklen, a council affirmative action officer, who addressed a press conference to promote the Gender Week Programme that lasts until Friday.

She said women occupied only 15% of council posts, while 51% was the desirable figure. Of the 98 councillors' seats, 24 were occupied by women. Of the council's eight influential committees, three were co-chaired by women.

'Mistakes'

Deputy Mayor Mrs Theresa Solomon said there was no blueprint for affirmative action.

"You are going to have mistakes. It is only through action that we will discover whether this is the right way we are going," she said.

Today is an "open day", with a programme on how the council's services reach women, from noon to 2pm in the lecture theatre off the second-floor concourse.

- A row about affirmative action has erupted at the local offices of Caltex Oil SA.

The Black Employees' Forum, formed last month, said yesterday that although Caltex had adopted an affirmative action policy four years ago, fewer than 30% of its employees today were coloured or African.
Council agrees to mediation over wage row

PETER DENNEHY

A MEDIATION process was agreed to at a special Cape Metropolitan Council (CMC) meeting yesterday, in the hope of avoiding the re-imposition of a municipal workers' strike.

The strike, which was suspended a week ago, crippled service delivery in the CMC and most of the northern suburbs for much of last month.

Council chairman Mr Willie van Schoor said the Cape-Local Authority Employers' Organisation had agreed to negotiate further on the CMC's behalf.

He believed there was no reason for the industrial action to continue.

Sources close to the union movement seemed happy with what they interpreted as a broad hint that the council was willing to move upwards its present offer of a minimum wage of R1 204 "a" month, not counting benefits.
Chiefs set for clash with govt

ULUNDU: Chiefs in kwaZulu/Natal's House of Traditional Leaders yesterday accepted in principle a bill that would prevent them from accepting payment from the central government.

Inkatha Freedom Party leader Chief Mangosuthu Buthelezi told the chiefs that the provincial government also intended challenging the Traditional Leaders' Act in the Constitutional Court. The act provides for payment of traditional leaders by central government.

Other parties have interpreted the bill as a desperate attempt by the IFP to keep control of the king, the province's more than 250 chiefs and the four million people who live under traditional rule.

Chief Buthelezi said the central government was "bells-off" on breaking ties between traditional leaders and their communities.

**Reward**

He has assured chiefs they will not be disadvantaged by the legislation which would prevent them from receiving money or gifts from the central government.

The ANC has claimed that the IFP will use the bill to reward those chiefs who are loyal to it and punish those who are not. — Sapa, Own Correspondent
W Cape (263)

and union

ARC 8/8/95

go to court

over 85 jobs

Staff Reporter

THE National Education Health and Allied Workers Union (Nehawu) and the Western Cape government are seeking court orders to restrain each other after 85 jobs in the province’s social services department were terminated.

The union wants the workers reinstated, while the government wants workers to stop disrupting business at its Bellville office.

Meanwhile, as workers milled about outside the Bellville office today, workers in Oudtshoorn took over the office “completely”, said Nehawu spokesman Wilfred Alcock.

The 85 workers were initially among more than 200 employed last January on three-month contracts by the now-defunct house of representatives. Their contracts were renewed several times.

Last month the department decided to shed 85 posts but offered 132 workers further six-month contracts.

In response, several social services offices in the Western Cape were targeted for mass action.

According to the province, the contracts expired on August 1. The workers were initially employed to perform a specific function. This job had taken longer than expected, hence the renewal of contracts.

It had been decided not to renew 85 contracts following a report by the province’s management advisory services.
W Cape ANC unfazed

Vuyo Bavuma
Political Reporter

UNFAZED by the conflict over municipal boundaries, an upbeat Western Cape National Congress in the region yesterday announced plans to contest 99 percent of the local council in the region.

At a Press conference in Cape Town, the ANC said it was confident it would do well in the elections.

Announcing its strategy to launch its list process for selecting candidates for local elections, the ANC said 50 percent of the nominees would be women in line with the party's "positive affirmative action."

The ANC alliance comprises, the SA National Civic Organisation, the SA Communist Party, the Congress of South African Trade Unions and the Western Cape United Squatters Association.

Meanwhile, the National Party is expected to proceed with its twin-pronged court action.

On Thursday, the National Party is set to ask the Cape Town Supreme Court to rule on whether the national government could overrule a decision taken by the provincial government.

Another National Party court action is expected to be heard by the Constitutional Court on August 16.

At the heart of the matter is a proposal by the NP-controlled provincial government to separate Khayelitsha township from Tygerberg in the demarcation of Metropolitan Sub-Structures (MSS).

Khayelitsha has a majority of impoverished black residents while Tygerberg comprises fewer but affluent Afrikaners.

The issue has become a political hot potato that threatens to delay the elections in Cape Town.
PAC, NP in ‘positive’ talks on boundary row

THE PAC and the National Party "found each other" in discussions about the Western Cape and the demarcation crisis, a member of the PAC delegation, Mr Moegstien Hassan, said yesterday.

"We had good and open talk," he said after a four-person delegation led by PAC civics and local government co-ordinator Mr Anda Ntsodo, met with an NP delegation led by Local Government Minister Mr Peter Marais.

Acting Western Cape Premier Mr Gerald Mosel also participated in the discussions.

Mr Hassan, the PAC's provincial co-ordinator, said it was agreed that a delegation from the Lingeletu West Town Council would meet Mr Marais next week to discuss the problems facing Khayelitsha.

Although the PAC supported the Demarcation Board's boundary proposals, he said Mr Marais had made some "sensible points" which would be conveyed to PAC branches.

The PAC would "definitely" contest the local government elections throughout the Western Cape, and this would confirm that it was a serious stakeholder in the region.

Surveys had shown that the PAC was the only party that had grown since last year's election, Mr Hassan added.

PAC president Mr Clarence Makwetu told a news conference that the organisation, which got less than two percent of the vote in last year's general election, was confident of boosting its tally in the November 1 poll.

Mr Makwetu said he would stand on the platform of "land restoration, self-determination, the redressing of economic and social imbalances and the establishment of a democratic society."

The PAC also accused the government of failing to implement genuine affirmative action.
First shots fired in Cape court battle over boundaries

THE government was challenged for the first time in the Supreme Court today by provincial authorities — over municipal demarcation boundaries.

The executive council of the Western Cape legislature, Premier Hernus Kriel, and provincial Minister of Local Government Peter Marais are seeking a review order against President Nelson Mandela, Minister of Constitutional Affairs Roelf Meyer and Justice Minister Dullah Omar.

The application concerns two proclamations made by President Mandela in June this year amending the Local Government Transition Act.

The amendments overturned Mr Marais's appointments to the provincial committee for local government.

The amendment also retrospectively overturned any decision taken by the committee and thus effectively reversed the committee's controversial decision incorporating Khayelitsha into the Cape Town municipality.

The applicants have also lodged papers with the Constitutional Court to challenge the constitutionality of the proclamations.

This application will be heard on Wednesday in Gauteng.

In papers the applicants claim President Mandela made the proclamations with an "ulterior motive", that he "failed to apply his mind" and that he failed to act in consultation with the cabinet.

"The amendments effected by the proclamations are tantamount to a transparent attempt to impose the ANC's will on the voters of the Western Cape after the ANC's failure to obtain a majority in the province during the elections.

"The proclamations were not issued for any of the objectives contemplated in the Act but simply to enable central government to impose its will as regards the demarcation of the boundaries of municipalities of the Western Cape," Mr Marais said in court papers.

In replying papers Mr Mandela and the two ministers denied the allegations in the review application.

They further claimed that the allegations were vague, "contrived and without substance".

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2B3

ART 10/8/95
Councillor was jailed for fraud

December 1990. He had allowed buyers of motor vehicles to pay less GST and had received a share of the tax they saved.

Yesterday he said the PAC knew of his criminal record and had tried to help him get out of jail before he was released on amnesty late in 1993 after serving only a third of his sentence.

"I went to jail for helping the community," he claimed.

New career

Mr Hartogh said he believed his criminal record "would not be a problem" in his new career "because the whole of Blue Downs loves me".

"I thank the PAC for nominating me as a member for Blue Downs. I have a lot of ambition. I want to get an ambassador's post. Foreign Affairs is more in my line, but no one wants to put our people there because the PAC does not have enough members in parliament."

Flashback: Mr Anthony Hartogh, now a PAC councillor, made the headlines in 1992 when it was found that he had been defrauding the Receiver of Revenue. He pleaded guilty to 169 counts.
Vital works bogged down

(263) ARG 11/8/95

Municipal Reporter:

THE strategic management plan currently being carried out in the badly degraded areas of Ikapa and Crossroads is being dogged by labour disputes and political suspicion.

Engineer Mike Marsden, who is chairing the implementation team, said in a written report on the SMP's progress that strike action had impeded the plan's progress.

The work is being carried out by the Cape Town City Council on an agency basis for the Cape Metropolitan Council.

The community clean-up campaign in Guguletu was suspended after hostages were taken from a community workforce by striking workers, and gains made by the community clean-up had been jeopardised by the Ikapa cleansing service not working.

A burst watermain in Guguletu could not be repaired during the strike because workers' safety could not be guaranteed.

Meetings scheduled for SMP co-ordination purposes also had to be cancelled.

Mr. Marsden described the Ikapa and Crossroads workforce as "frustrated, demotivated and isolated from management."

Management, in turn, was severely constrained by the "precarious financial position of both Ikapa and Crossroads town councils."

Within the community, temporarily employed workers were keen to convert to permanent employment.

Unemployment also meant that payment for services would be particularly difficult as "even with the best will in the world" it was, not economically possible for people to come up with the money.
Govt faces court challenge

CAPE TOWN — Central government faced its first Supreme Court challenge by a provincial government yesterday — regarding the Cape metropolitan boundary dispute threatening to delay the local government elections in the Western Cape.

The Cape Supreme Court hearing was part of the Western Cape government's action against central government's amendment to the Local Government Transition Act. The amendment overturned the provincial committee appointments of local government MEC Peter Marais and his boundary decisions for the Cape Town metropolitan area. Constitutional Court action on the issue was scheduled for August 18.

The applicants yesterday — Western Cape premier Herman Kriel, the provincial executive council and Marais — sought a judicial review order against President Nelson Mandela, Constitutional Affairs Minister Roelf Meyer and Justice Minister Dullah Omar. They alleged Mandela had made the proclamations to amend the Act with an ulterior motive, or that he acted ultra vires and that he failed to act in consultation with the Cabinet.

Milton Seligson, legal counsel for the applicants, argued that the amendment was not allowed in terms of article 16(A) of the Transition Act, when the provisions...

Continued on Page 2

Challenge

Continued from Page 1

and powers conferred to the provinces contained in the Constitution were taken into account. The President's powers to amend the Act were "clearly for a much more limited purpose rather than restructuring provincial government. It could never have been intended that in giving the power of amendment it would be used to ignore the power of the Constitution."

Legal counsel for central government, Jeremy Gauntlett SC, argued that Cabinet documents showed there was "no gunpowder trail" of ulterior motives, such as the ANC losing the last election in the province. The documents in fact revealed concern that the "checks and balances were not being favoured in the provinces".

He said the President had been conferred powers as wide as those of Parliament, subject only to certain limitations relating to tabling before Parliament...
We'll fight in the streets for rights, says 'duped' NP

By CHARL DE VILLIERS

THE National Party's Peter Marais has vowed to take his party's fight for Western Cape independence into the streets if the courts cannot defend what he believes is a constitutional right to provincial autonomy.

His battle cry yesterday follows a Supreme Court judgment last week which dismissed an NP-led Western Cape bid to overturn presidential directives reversing NP moves to push through controversial boundary plans in the province.

"This is the first skirmish in a long-drawn-out battle by the Western Cape against central government dominance," he said.

The NP, headed by its Western Cape leader and provincial premier, Herman Kriel, will approach the Constitutional Court for redress on Wednesday.

Mr Marais said the NP had been duped when its MPs had approved an amendment to the Local Government Transition Act giving Mr Mandela the power to issue proclamations.

"We were fooled, tricked and duped by section 16(a) of that Act," he said.

The NP, he said, had been under the impression that the amendment—passed on the eve of a parliamentary recess—only gave the president powers to make minor adjustments to the Local Government Transition Act, and that these first had to be cleared by an inter-provincial ministerial committee headed by Mr Marais.

But two Supreme Court judges on Cape Town this week found that section 16(a) of the Local Government Transition Act had effectively transferred Parliament's highest legislative powers to Mr Mandela.

Delivering judgment on Friday, Mr Justice Conradie, with Mr Justice Kulin concurring, said section 16(a) had amended the Act to "cancel Parliament's legislative competence by allowing the president to make laws in its place".

The ANC in the Western Cape welcomed the outcome of the court case and accused the NP of wasting taxpayers' money.
Western Cape set for ward delimitation

Edward West

CAPE TOWN — The ANC and NP in the Western Cape had agreed to reconstitute the provincial committee with only four of its six original members so that ward delimitation could take place in the province's rural areas, ANC spokesmen said on Friday.

The committee is the subject of a dispute between the provincial and central government in the Constitutional Court this week following President Nelson Mandela's amendment of the Local Government Transition Act.

This will allow staggered elections in the province with people in rural areas voting on November 1 and those in the Cape metropolitan area voting at a later date.

The four members of the interim provincial committee to meet this week are Leon Markowitz (NP), Hilda Ndabe (ANC), Wynand Malan (NP) and John Nceis (Sanco).

At the Cape Supreme Court on Friday the application by the Western Cape against central government for a judicial review of the amendment of the Local Government Transition Act was dismissed with costs.

Judge Johan Conradie said section 16A of the Act gave Mandela plenary legislative powers as wide as Parliament's and as such the Supreme Court could not consider the validity of such powers.

"This is a test for the Constitutional Court," Conradie said.

This factor alone had caused the province's application to fail, but because of public interest in the case, the court had considered other allegations made by the applicants.

He said the court could find no evidence to support the province's allegations that Mandela had amended the Act with an ulterior motive.

There had been sufficient consultation with the Cabinet on the issue and section 16a of the Act gave sufficient latitude for retrospective amendment, he said.

The ANC on Friday called for the "NP to drop its plans to take the President to the Constitutional Court", saying the Supreme Court action was a waste of taxpayers' money.
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**Rival parties clash outside SABC**

**OWN CORRESPONDENT**

Cape Town — There was chaos when rival political parties clashed last night outside the SABC building in Sea Point where a live *Arendts* debate on the controversial Western Cape demarcation issue was being held, sparking fears of violence in the studio (2L3).

Police standing by after being told that an ANC supporter had taken a firearm into the studio said 14/8/1995.

A small squad of policemen was also ready to escort speakers David Bill (ANC), Cecil Tshala (FP), Bathembu Lutukwana (NP), and Chris April (FP) from the building if violence broke out.

In the studio, a spokesman confirmed more than 200 supporters of the various political parties, including the IFP and the African Christian Democratic Party, streamed through the security checkpoint at the SABC.

They shoved a walk-through metal detector to one side.

But ANC spokesman Brent Simons, who was at the studio, said the report of the firearm was a rumour.

Police and officials dismissed rumours of robbery and an allegation that an NP marshal had been stabbed.

After the programme ended at 10pm, the speakers left unscheduled through the back of the SABC building.
Differential rates mooted

Marais puts case for more local taxes

LOCAL AUTHORITIES should be able to levy a tax on packaging to pay for cleaning up urban litter, a Constitutional theme committee was told. PETER DENNEHY reports.

COMPANIES should be charged "packaging tax" by their local authorities, which had to clean up the litter left by consumers, Western Cape local government Minister Mr Peter Marais suggested yesterday.

He was delivering submissions at a public hearing of one of the Constitutional Assembly's theme committees.

Mr Marais said that provincial and local government should stop depending on central government funding. To end this reliance, he said, the constitution must allow the provincial authorities to levy taxes such as entertainment taxes on sports stadiums, which are built by local authorities.

Some people were able to find the money to go and watch rugby, even when they struggled to pay their local authority services bills, he said.

Local authorities must also be granted greater powers of taxation, he said. They were charged with the task of cleaning up everyone's mess, so they should perhaps be able to charge companies a "packaging tax" if their products were sold in disposable wrappings.

For the poor, who may be worst hit by his proposed new taxes, he had a good news suggestion as well: "We might have to have differential rates within one local authority," he said. "If we are going to have one rate, we are going to punish the poor for living in an area they can't afford."

Mr Ian Davidson, of the Johannesburg Metropolitan Council, said property rates were an inadequate financial base to meet the burgeoning demands on local government. For example, he said, Johannesburg had 160 000 ratepayers, but had to provide services to three million people.

He suggested that local government should also get a percentage of the VAT raised in its area.

Income tax

Mr Eddie Landsberg, president of the Institute of Municipal Treasurers, suggested instead that the most important additional source of income for local government should be income tax. A portion of the income tax collected in a region should have to go to the local governments in that region.

Inadequate transfers (shifts of money between one level of government and the other) had led to the collapse of a number of local authorities in the past, he said.
Elections date set

LOCAL government elections in the Western Cape local authorities outside the Greater Cape Town area would take place on November 1, the four-member provincial committee decided yesterday.

Nomination for the local authority wards and proportional lists would close on September 12, chairwoman Mrs Hilda Ndude said.

The reduced committee, with two ANC and two National Party representatives, was "unanimous.

However, the elections in the Cape Town metropolitan area were still "up in the air."

Mrs Ndude said the Demarcation Board's proposals for ward boundaries were expected after submission to the Minister of Local Government, Mr Peter Marais, within two weeks.

This would leave under two weeks for nomination of ward candidates, but "we are confident the elections will take place."

See Page 5
Dramatic turn in Cape boundary dispute case

ANDREA WEISS, Municipal Reporter

Johannesburg — The Constitutional Court today postponed the case between the Western Cape and central government because of new arguments which have far-reaching implications for local elections.

In a dramatic twist, a brand new argument was presented by the Western Cape government to the court. The argument challenges the right of President Mandela to make proclamations amending laws which affect the provinces without going through parliament. It has far-reaching implications.

This is because several proclamations have been made amending the Local Government Transition Act in the run-up to local elections.

Initially, the case was to focus on only two proclamations which had the effect of nullifying appointments made to the provincial committee for local government in the Western Cape, and the decision that they took.

Should the new argument succeed, it could strike another blow to the already taxed timetable for the local government elections due on November 1.

Jeremy Gauntlett SC, appearing for the government, indicated to the court that at a later stage he would ask the Western Cape government to pay the costs of convening the 11-member bench today.

A source has suggested costs may run to about R200 000 for today alone.

Mr Gauntlett asked the court that the issue of costs be argued at a later date, describing it as an “unediﬁcating spectacle for the taxpayer.”

Mr Gauntlett said it would be “very unsatisfactory to press ahead because the new argument ‘could have serious repercussions’ countrywide.”

The court adjourned on August 30 so that the case can be argued.

During today’s proceedings Mr Justice Ben Ngcaba was sworn in as a Constitutional Court judge. He replaces Mr Justice Richard Goldstone, who is with the international tribunal into war crimes in Yugoslavia.
BOUNDARY ROW PROTEST: About 2,000 people marched from the Parade to the Provincial Administration buildings yesterday to hand over to provincial Local Government Minister Mr. Peter Marais a memorandum demanding the inclusion of Khayelitsha into the Tygerberg substructure.

Demarcation case postponed

JOHANNESBURG: The hearing to decide whether President Nelson Mandela's government's demarcation of the Cape Metropolitan area was post- poned in the Constitutional Court yesterday. The hearing will resume on August 30.

The postponement was granted at the request of Mr. Mandela's counsel, Mr. Jeremy Gauntlett, after proceedings took an unexpected twist early in the morning. The twist involved the submission of a new argument by the province which conflicted Section 166 of the Local Government Transition Act, which was unconstitutional as it involved the delegation of power by Parliament to Mr. Mandela to make legislation affecting the exercise of powers and functions of the province without following the procedure laid down.

About 2,000 people marched on the Wale Street offices of Western Cape Local Government Minister Mr. Peter Marais yesterday to hand over a memorandum demanding the incorporation of Khayelitsha into the Tygerberg substructure.

The marchers, mostly Khayelitsha residents, were led by city deputy mayor Mrs. Theresa Solomon and chairman of the Unify the City Campaign committee, Mr. Dali Dali — Special Correspondent, Staff Reporter.
Kriel-goyt fight postponed

Susan Russell

THE first constitutional dispute between provincial and central government was postponed in the Constitutional Court yesterday after lawyers informed the court they wished to present additional argument which could have far-reaching consequences for the future of local government.

Western Cape premier Hermus Kriel's demarcation dispute with central government was postponed for two weeks, until August 30, by Constitutional Court president Judge Arthur Chaskalson, to give counsel for both sides a chance to file additional papers and consider argument in response to a new point raised on Kriel's behalf. Kriel and the Western Cape's executive council are asking the court to overturn as unconstitutional two proclamations signed by President Nelson Mandela in June amending the Local Government Transition Act.

The amendments nullified two appointments to the provincial committee made by local government NP MEC Peter Marais, and overturned boundary decisions made by him.

Marais's decision earlier this year to include the township area of Khayelitsha in Cape Town's central metropolitan substructure rather than in Tygerberg, as proposed by the Demarcation Board, caused a storm of protest from the ANC.

The amendments effectively stripped Marais and Kriel of the power to appoint members of the provincial committee, and transferred the authority to Provincial Affairs, Local Government and Constitutional Development Minister Roelf Meyer and Justice Minister Dallah Omar, in consultation with the President.

The dispute, which has threatened to delay the local government elections in the province, was referred to the court on an urgent basis after the Cape Town Supreme Court dismissed the Western Cape government's bid to have Mandela's amendment to section 16(a) of the Local Government Transition Act overturned.

Yesterday's hearing was postponed after Kriel's counsel presented the court and lawyers acting for government with additional argument late on Tuesday. This challenged the constitutionality of section 16(a) itself.

In a supplementary affidavit, it was submitted that it unconstitutionally allowed Parliament to delegate power to the President to make legislation affecting the exercising of powers and functions of the provinces without following special procedures laid down and required under sections 61 and 62 of the constitution.
W Cape election unlikely after twist in dispute

The Constitutional Court has postponed until August 30 a decision on the disagreement between the Government and the Western Cape provincial authority over local boundaries in the Cape Metropolitan area.

The postponement has made it unlikely that local elections will be held there on November 1.

The Cabinet yesterday decided to amend the constitution to allow local government elections to be staggered and to be held in different parts of the country at different times.

The postponement was granted at the request of President Mandela's counsel, Jeremy Gauntlett. Hurried consultation with Mandela and Provincial Affairs and Constitutional Development Minister Koef Meyer followed an unexpected twist entered the dispute.

The Western Cape government made new submissions on Tuesday night, contending that Section 19a of the Local Government Transition Act, was unconstitutional because it involved the "unconstitutional delegation of power by Parliament to Mandela to make legislation affecting the exercise of powers and functions of the province without following the special procedure laid down by sections 61 and 62."

Circumvent

The Western Cape legislature further submitted that the constitution recognised the separation of powers (between the Government and province) and that Parliament cannot delegate the power to the president to do by proclamation something that Parliament itself can only do by following a special procedure Gauntlett said proceeding with the case would only compound an already serious matter.

Yesterday's hearing before the Constitutional Court followed the dismissal of the Western Cape's application in the Cape Town Supreme Court on August 11. The row started several months ago when the Cape demarcation board's recommendations were thrown out by Local Government MEC Peter Marais.

Marais proposed four sub-structures compared with the board's six, and positioned all Cape Town's major black areas in the central city substructure.

In order to ensure that his plan was approved by the required two-thirds majority of the provincial committee, Marais appointed two new committee members who swung the balance.

The Government responded by adopting two amendments to the Local Government Act which effectively nullified the appointments of the two crucial new members.

Meyer in consultation with Justice Minister Dali-Ish Omar can now override provincial committee appointments.
Poor to benefit from cableway row

PETER DENNEHY

CAPE TOWN's poor communities might be handed the R13 million set aside by the council to "buy back" its rights to the Table Mountain Cableway.

Mr Saleem Mowzer, chairman of the Budget Review Committee, told the council's executive committee yesterday that a total of R26 million on the current year's budget, including the cableway money, could be redirected.

Doubts have arisen over whether the R13m will be paid out for the cableway expropriation before the end of this financial year (mid-1996), because the council lost a Supreme Court application in May to evict the cableway's existing managers.

The committee also examined vehicle purchases, for which R32m has been set aside.

Among the suggestions for beneficiaries of the redirected money were collapsed health and other services in the Ikapa area. The Vuyam, Guguletu and Langa clinics were said to be in need of upgrading this year or next.
Poll poser: Cape Town may face rule by decree

Administrator could run city and arrange elections by March 31

The Inkatha Freedom Party is infuriated by proposals to withdraw provincial power over local government, as would happen if the latest amendment to the act is passed.

Giving the right to the minister to rule by decree, and removing provinces' constitutional right to legislate on local government until the new constitution was approved, were reprehensible, an IFP spokesman said.

At a joint meeting yesterday of the parliamentary committee on provincial and constitutional affairs, chairman Pravin Gordhan said the Local Government Transition Act made provision for steps only until the day of elections.

While the Act provided for elected councils to have terms of office of three years, the precise meaning of this was not clear.

It was not known whether this meant the structures themselves had a lifespan of three years, and whether or not membership could change.

In a briefing to the committee, Provincial Affairs and Constitutional Development Minister Roelf Meyer said voter registration could be reopened next month.

Minmec, the liaison body of national and provincial ministers of local government, had proposed reopening registration for two weeks from September 11.

They had proposed declaring November 1 a public holiday.

CLIVE SAWYER
Political Correspondent

CENTRAL government may fire Cape Town's interim councillors and replace them with an administrator unless elections are held by the end of March next year.

The administrator would run the city and arrange for elections.

A proposal to give central government the power to take these drastic steps is contained in a further amendment to the Local Government Transition Act.

The Minister of Provincial Affairs will be able to fire councillors and replace them in any area which does not hold elections on November 1 and does not seem likely to do so by March 31.

It became certain yesterday that local government elections would not be held on November 1 in metropolitan Cape Town or the rural districts of the Western Cape.

This means elections on that day in the Western Cape will be held only in towns with transitional local councils.

About 300,000 people in country areas without municipal government, and the population of metropolitan Cape Town, will not go to the polls on November 1.

The African National Congress and National Party caucuses yesterday both backed the staggering of local government elections, a move previously approved by the cabinet.

Also affected will be KwaZulu-Natal.

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Court action delays Cape election

JUSTIN PEARCE

LAST-MINUTE submission by the Western Cape provincial government has delayed an application by the province to the Constitutional Court which will have far-reaching consequences for local elections in the province. The two-week delay has ruled out the chance of a November 1 election in Cape Town.

The Western Cape government has brought the court application against central government. At issue is the appointment by Marais of two members to the provincial committee, which is ultimately responsible for the demarcation of local boundaries — and their subsequent removal from the committee in terms of two amendments to the Local Government Act proclaimed by President Nelson Mandela in June.

The amendments give central and not provincial government the final say over who is on the provincial committee, and are retroactive, hence unnulling Marais' appointments.

The applicants submit that the amendments were made with the specific intention of outmanoeuvring the Western Cape government.

The applicants brought the case to the Constitutional Court after the Cape Supreme Court dismissed an application which challenged Mandela's competency to amend the Act.

Fresh arguments submitted the day before the hearing caused the case to be postponed for two weeks.
The city and its suburbs could be well on the way to neglect and dilapidation.

JEAN LE MAY
Staff Reporter

RESIDENTS of Cape Town can look forward to crumbling pavements, potholes in the streets, leaking reservoirs, municipal vehicles falling to pieces and fewer trees and flowers in the streets.

This is only part of what will be entailed in redirecting money accumulated by the council from generations of ratepayers towards improving living conditions for the new citizens.

In the process, the city and its affluent suburbs could be well on the way towards neglect and dilapidation.

A review committee of the city council has spent weeks nit-picking through the city's capital budget looking for places where money can be reallocated towards "formerly disadvantaged communities".

According to documents examined by Saturday Argus, the committee had managed, by mid-August, to trim R13 million from capital budgets allocated to the departments of the city planner, the city engineer and the medical officer of health.

Another R10.5 million in capital expenditure was referred back for further clarification, with the possible addition of R13 million allocated for cable-way expropriation.

Further cuts will be made.

The committee is scheduled to finish its examination of capital budgets of the remaining departments by the end of the month. It will then get busy on operating budgets of the various departments.

Councillor Joyce Gibbs said work on the committee had been "a learning experience" for councillors and officials. "Many councillors are having their first experience of municipal budgeting," she said.

"There's still a great deal of misunderstanding — some councillors did not realise that Ikapa and other municipalities had their own budgets and there were problems distinguishing capital from operating expenditure.

"Officials are learning that every item must be justified properly — they can't thumb-suck. This is all to the good — every cent counts."

Mrs Gibbs added that she did not agree with all the recommendations — the documents show that she asked several times for her objections to be minuted.

"I objected strongly to the cut in money for taxi facilities and the 50 percent cut in tree-planting. There will be repercussions," she predicted.

"All essential and committed work budgeted for in 1995/1996 in the city engineer's depart—

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P.T.O.
Nat in fix over court battles

By NORRMAN WEST
Political Reporter

A WESTERN Cape National Party member says his party's court battles with the central government in the boundary dispute have put him in an embarrassing fix.

Cecil Herandien says he has been cited by the NP as a respondent because he was appointed without being consulted to the Western Cape Provincial Committee (WCPC) by the Minister of Constituional Development, Roelf Meyer, a member of the NP.

Court papers cite Mr Meyer as second respondent and President Nelson Mandela as first respondent.

Parliamentary sources believe it is the first time in the country's history that a provincial government, the NP-dominated Western Cape legislature, has taken the central government to court.

This means that, with the NP and ANC both serving in the government of national unity, the NP has taken certain of its own public representatives to court.

"Had the NP's Cape Supreme Court case against central government succeeded, I would have been part of the government team that lost against my own party," said Mr Herandien.

The Cape Supreme Court dismissed Western Cape Premier Hernus Kriel's application to overturn President Mandela's proclamations. It found that the Local Government Transition Act had conferred full plenary legislative powers on the president, effectively giving him the same powers as parliament.

"If costs are awarded to the NP in the Constitutional Court case, I may be called upon to pay part of the costs," Mr Herandien said.

After President Mandela's controversial amendments to the Local Government Transition Act, two members of the WCPC were replaced, on Mr Meyer's instructions, by Mr Herandien and Mr Ramakalasi Chetty (ANC).
Convicted man stays on for PAC

A FORMER revenue office clerk who was jailed for a R100 000 fraud, Mr Anthony Hartogh, would continue serving as a PAC transitional councillor while the PAC's regional executive reviewed his "problem" and made recommendations to their head office, the party said yesterday.

PAC regional spokesman Mr Anda Nsando said Mr Hartogh's PAC branch and community were all "standing up for him."
South Africa's first black President, Nelson Mandela, was offered to Kent.

Mandela's poll offer to Kent

One-on-one meeting to rescue W Cape elections

Anthony Johnson and Barry Steen report

A spontaneous gesture by President Mandela at a rally.

ET 23/145 (263)
**Transitional costs 'from reserve funds'**

**Municipal Reporter**

TRANSITIONAL costs for Cape Town City Council’s “unbundling” into several new municipalities are likely to be taken out of reserve funds.

Thus emerged from a briefing of city councillors by town clerk Keith Nicol, who said the city was likely to be involved in the setting up of four new local authorities.

Central to the restructuring would be decisions on what powers and functions would be carried out by the Cape Metropolitan Council and what would fall to substructures.

Mr Nicol could not say how much money would be required but said it was an “extraordinary” expense which could not be funded from the budget. The amount could be substantial.
President and the premier meet today in last-ditch bid for solution

**Critical 72 hours**

If voters in the Cape metropolitan area are to go to the polls on November 1, President Mandela and premier Hernus Kriel have only 72 hours to settle the region's demarcation row.

This was the warning today from Provincial and Constitutional Development Minister Roelf Meyer after Mr. Mandela's surprise public offer to Mr. Kriel last night to solve the dispute in one-on-one talks.

Mr. Mandela's invitation is being taken up today by Mr. Kriel, who is due to sit down with the president this afternoon to discuss the issue, which led to Constitutional Court action.

Mr. Meyer said if the Cape metropole was to vote at the same time as the rest of the country, a cut-and-dried agreement would have to be reached this week.

While welcoming a spontaneous-decision by the president and the premier to hold talks, Mr. Meyer said there would have to be significant compromises for the dispute to be solved.

They would have to find a new set of proposals to put on the negotiating table to prevent a repeat of the earlier deadlock.

"If Mr. Mandela can get ANC local structures to change their positions, it will certainly contribute to a solution," he said.

But last night there appeared to be no change in the view of the ANC that Khayelitsha should be incorporated into Tygerberg -- the issue at the centre of the row.

Provincial economic affairs Minister and regional ANC leader Chris Nissen told about 300 people in the Bellville South Civic Centre that "the whole of Khayelitsha will not come rushing to the Tygerberg areas as most people believe.

Mr. Nissen said Khayelitsha would only become part of a large Tygerberg substructure.

"I am aware that fearful residents in northern areas think that blacks will infiltrate their communities.

"The same thing was said before the ANC came into power. White and coloured people thought they would lose their homes to blacks. But this did not happen," Mr. Nissen said.

The Bellville ANC branch had invited Mr. Nissen to address members from all branches in surrounding areas and to answer questions on why Khayelitsha should be included in Tygerberg and not in the Cape Town metropolitan area.

Mr. Mandela's invitation to Mr. Kriel to hold talks to resolve the row came in off-the-cuff remarks at a banquet last night.

Paying tribute to Mr. Kriel's ability to reach compromises, he said to Mr. Kriel: "Let's sit down and sort this out before the judges decide.

"What are we fighting for?" he asked.

The premier replied: "I accept the invitation."

Provincial Minister of Local Government Peter Marais has welcomed the talks, saying it would be preferable to settle the matter by direct discussions instead of by court action.

At the ANC meeting last night Mr. Nissen insisted that Khayelitsha residents would not pose a "swart gevaar" threat to...
Talks renew hopes for November poll
MARCHERS START FIRES, DAMAGE METERS

Council services halted

MUNICIPAL workers marched through the city yesterday to back their demand for wage increases and have threatened "mass action".

COUNCIL services came to a virtual standstill in many areas around the Peninsula yesterday as more than 5 000 municipal workers—many wielding knobkerries, sticks and symbols—marched through the city to demand higher wages.

The workers started two fires in Wale Street and damaged a car and parking meters as they toy-toyed for about two hours after handing a memorandum to regional Local Government Minister Mr Peter Marais. They warned they would carry out "rolling mass action" if their demands were not met within a week.

The protesters carried placards demanding higher wages and coffins bearing the names of Mr Marais, Cape Metropolitan Council chief executive officer Mr Dan van den Berg and Cape Local Authorities Employers' Organisation negotiator Mr André Swart.

Their demands include higher wages for the majority of municipal workers, a return to the negotiating table and a halt to apartheid-style restructuring.

At least 150 policemen, some armed and others in riot gear, lined Adderley and Wale streets. A stick was hurled at Mr Marais as he accepted a memorandum outside the Western Cape parliament. It missed him.

Mr Marais said it was ironic that protesters came to him for relief when only local authorities had the power to negotiate with them. "They must know that I don't have the authority to increase their wages yet they want me — my stakes must be going up."

Services were disrupted in the northern suburbs, Fish Hoek, Simon's Town, Melkbos and Atlantis, protesters said.

PROTEST AFTERMATH: Firemen douse the smouldering remains of mock-coffins in Wale Street yesterday, which SA Municipal Workers Union members had set alight during a protest march for higher wages.

PICTURE: ALAN TAYLOR

Council spokesman Mr Etienne Vermaak said the march might have been a union response to the employers' suggestion that the dispute should go to arbitration.

The employers' most recent offer had been for a R1 204 minimum monthly wage while the union said it had lowered its demand from a R1 500 to R1 350 a month. — Staff Reporters
Boundary war: Mandela goes to battle again today

CHRIS BATEMAN

President Nelson Mandela today meets the Cape Metropole boundary protagonists in a high-stakes bid to break the impasse and avert having to call off the country's November 1 elections.

Election Task Group co-chairman Mr. Kehla Shubane yesterday said that if next Wednesday's Constitutional Court challenge to Mr. Mandela by the Western Cape government succeeded, national November 1 elections would be "impossible."

"A (NP-led) Western Cape win has very serious knock-on implications and will affect everything done so far," he said.

While he believed seven of the nine provinces would support a new central Parliament bill that "gets the process going again," he believed it would take "at least three weeks to pass such a law."

This would mean missing lead-in deadlines to the crucial September 22 candidate confirmation day and shorten campaigning time for candidates, "making a farce of the whole process."

Premier Mr. Hermus Kriel's NP-led government is challenging an amendment to the Local Government Transition Act which allowed Mr. Mandela to intervene in the make-up of the Western Cape's provincial committee (or any other).

Mr. Kriel yesterday said he would not accept a settlement "at the cost of our principles and what we believe is a correct demarcation"
Business plea to end Cape boundary row

ANDREA WEISS, Municipal Reporter
CAPE business today urged President Mandela and Western Cape Premier Hernus Kriel to settle the boundary issue immediately because the uncertainty was costing the region millions in lost development.

In a combined statement of all the major business organisations, representing more than 10,000 members, Business Cape said it welcomed the intercession of President Mandela.

"Resolution of this issue is critical to all who live and work in the region and Business Cape urges the premier of the Western Cape and all political leaders to transcend party politics and settle the boundaries now so that municipal elections may be proceeded with at the earliest date."

The statement came just hours before President Mandela was due to meet the Western Cape African National Congress executive committee before a follow-up meeting with Mr Kriel.

Business Cape consists of an alliance of the Cape Chamber of Commerce and Industry, the Kaapstad Sakekamer, Afrikaanse Handelsinstituut, Naitional African Federated Chamber of Commerce and the Foundation for African Business and Consumer Services.

The spokesman said they had put their views to the politicians before but this was the first time in 10 years of cooperation among the organisations that they were making a joint press statement.

Mike Newton, chairman of Business Cape, said the issue of provincial autonomy was a separate matter from the boundary dispute and should be dealt with separately.

Mike Stokkoven of the Cape Chamber of Commerce and Industry said the delay was "costing the region dearly".

In a related appeal the Kaapstad Sakekamer noted that a staggered election would effectively mean two public holidays in the Cape because November 1 was already earmarked for a public holiday.
You're king in the Cape, NP tells coloured people

TYRONE SEAL, Political Staff

WESTERN Cape Local Government Minister Peter Marais, still embroiled in an explosive dispute over metropolitan boundaries, has hit the campaign trail to tell coloured people they are "king in the Western Cape".

Mr Marais delivered the curtain-raiser speech at a National Party-hosted public meeting in Belhar last night where National Welfare and Population Development Minister Abe Williams was the main speaker on the theme Coloureds At The Crossroads.

Interviewed briefly after the meeting, Mr Williams denied that the tenor of his speech could incite racial tension and said he would have no problem delivering a similar speech in Khayelitsha, for example, just to let people there know about coloured people's fears.

Mr Marais and Mr Williams frequently referred to themselves and the coloured community as "brown people".

Several hecklers were manhandled out of a community centre that had more than enough space for the 250 or so present.

At one stage Mr Williams, arguing that coloured people were neither intrinsically opposed to "blacks nor whites", because of their mixed origin, said: "But we are talking about family matters tonight."

Mr Marais told the crowd, most of whom were NP faithfuls, "Be proud of who you are. The Western Cape economy depends on coloured skill. Let no one say 'I am black and proud' (because) it's not black hands that make suits in the factories - it's our women."

"Brown hands built these buildings, and it's brown hands that built parliament."

Urging support for the NP, he said, "You have won the Western Cape. You are king, don't warm your hands at another fire. F W's (De Klerk) fire is still burning high."

He asked those who wanted Mr De Klerk to go on the road to meet his supporters to be patient as Mr Marais said the Deputy President was working hard overseas to secure investment so that there would be work for all.

Mr Williams said it was time coloured people discussed where they were and where they were headed.

"We were also in the struggle. The ANC weren't the only ones in the struggle. We were in a struggle for survival, and that's more important."

Many coloured people feared for their own future and that of their children and there was uncertainty about the local government elections.

"My message to you is to ask yourself the question Why do we, the brown community, need to feel less important than our fellow Afrikaners? Why do we, the brown community, take second place when it comes to affirmative action, and why do we, the brown community, have to hide behind masks?"
Money mess in Lingeletu West

Pay rises promised - but there's no cash in the coffers

Jean Le May
Staff Reporter

In a damning report, Auditor-General Henri Kluever has described the situation in the Lingeletu West transitional council as "extremely disturbing." The risk of fraud, theft and other malpractices is high," he said.

Lingeletu West council runs the area between Mitchell’s Plain and Somerset West, including Khayelitsha. This area is a focus of dispute in the row about metropolitan boundaries which President Mandela and Western Cape Premier Hernus Kriel have been trying to resolve.

The African National Congress wants Khayelitsha to go to Tygerberg, and the National Party wants it included in the Cape Town sub-structure.

However, "Lingeletu West's financial affairs are in such a mess that it is surprising that anyone at all is prepared to take it on, let alone fight over it," commented a provincial official.

It owes the Cape Town City Council R23 million and the erstwhile Regional Services Council and the new Metro Council R8 million, largely for water and other services.

It has no money in the bank, according to information given this week to Saturday Argus and has stopped paying creditors.

"They're using bridging funding to pay workers," an official in the provincial department of local government said.

He stressed that local authorities were autonomous and that the province had no supervisory function.

In spite of the fact that its coffers were empty, the Lingeletu West council agreed in April - against the advice of officials - to pay workers more than R8 million in increases and back pay dating to 1991.

It buckled to demands by members of the SA Municipal Workers' Union (Samwu) that money earmarked for development projects should be paid to them instead.

Attempts by Saturday Argus to get reaction to the auditor-general's report were unsuccessful. On one occasion the telephone was answered by a security guard, who said "Everybody's gone to town to toy-toy." Yesterday the security guard said no.

Auditor-General Henri Kluever says "the risk of fraud, theft and other malpractices is high" in the Lingeletu West transitional council.

Body was at work because it was pay day.

"They check in and then they go to collect their pay and they don't come back," he said.

A secretary at the Lingeletu West treasury office in Bellville said the town clerk, a Mr Coetzee, was at home.

"He's taken a day's leave because the staff don't go to work on pay day," she said.

The A-G's report said the transitional council took over on February 1. On February 2 a forged council cheque for R14 880,10 was presented at the bank for payment, according to the A-G.

The bank spotted the forgery, so no money was lost.

In addition, it appeared that there was fraud in the issuing of driving licences.

Police were investigating, said Mr Kluever's report.

Lingeletu West police said their computers were down and they could not report progress on the case.

The A-G attributed many problems in the council to the fact that half the senior posts and about 40 percent of all posts were vacant.

This meant that the backlog of work could not be brought up to date and duties could not be properly assigned.

He said staff records, asset inventories, stock-taking records and registers of assets were not kept, logbooks for council vehicles were not properly filled in and unauthorised use of vehicles not followed up.

Financial statements for 1993/1994 were not submitted.

"A complete audit was not possible. The activities of this office were hampered and disrupted to such an extent that effective performance of my statutory duty was not, in all respects, possible."

Since April, the transitional council has been targeted by the Samwu, with frequent strikes and hostage-taking.

Minutes of an executive council meeting held on April 19 display a degree of confusion.

The meeting started with a prayer and chairman G Magaza asked what would be discussed, since no agenda had been prepared.

Town clerk Mr Coetzee said there were a few items concerning the appointment of staff, but "the drivers' issue is the most important as they are toy-toying and blocking the gates."

At the time, according to Press reports, about 500 workers were toy-toying outside and 50 vehicles, including bulldozers and refuse vehicles, barricaded the gates.

After calling in regional chairman of the Samwu, Xholile Xa, to negotiate with workers, the council agreed to pay the same as Ikapa council was paying - that is, a minimum of R1 200.

The council refused to decide the delay for consultations with provincial authorities because "we don't want to sleep here tonight."

During July, the council realised it did not have the money to pay the promised increases, and backed off. Once again, the white staff was taken hostage.

Earlier this month, workers went on strike again. Superintendence of water and sanitation Colin Gosling employed a private contractor to clear a badly-blocked sewage line. The contractors' crew was assaulted by strikers and two of them landed in hospital. Mr Gosling was removed by force from his office and dumped on the boundary of Khayelitsha, never to return.

The Cape Town Supreme Court granted the council an order prohibiting strikers from obstructing the Lingeletu West municipality in its daily work.

The order was ignored and the toy-toying continued. By mid-August, the council changed its mind once again and agreed to give workers the increases and back pay they demanded.

The council has since met the Cape Province Local Authority Employers' Organisation for advice on getting extra funding to defuse the crisis.

A spokesman for the organisation said yesterday the matter was confidential.

Mr Xa said yesterday that negotiations between Samwu and the council were continuing and that Samwu was demanding a minimum wage of R1 580.
Morkel drives into Guguletu — but stays in car because of the rain

COLIN DOUGLAS

WESTERN Cape Housing Minister and top National Party official Gerald Morkel visited Guguletu yesterday — but did not get out of his car because it was raining.

Mr Morkel’s visit to the Guguletu Day Hospital was to have formed part of an "RDP inspection tour" of the Cape Flats, but his inspection of hospital extensions under construction amounted to no more than a glance out of his car window.

Hospital staff and construction workers said they had not been informed that Mr Morkel would be visiting the site, but when his huge blue Mercedes pulled into the entrance, there was a buzz of interest from workers and patients alike.

"Is it Ebrahim Rasool?" asked a nursing sister, referring to the provincial Health Mnsiter.

But if Guguletu residents had hoped their Housing Minister would go on walkabout, they were in for a disappointment.

The ministerial Mercedes and two other cars in the entourage simply drove into the hospital complex and out again.

One of Mr Morkel’s aides opened his electric window on the way out and, asked why the party had not stepped out of the cars, replied: "It’s a bit moist — we can’t control the weather."

A public relations officer hopped out of her car to hand out a Press statement issued by Mr Morkel.

The motorcade sped away before there was time to follow it to the next venues in Mr Morkel’s tour.

The minister’s flying visit left bystanders bewildered.

"We wanted to show him the building work and the improvements we’re making," a hospital staffer said. "But he’s gone already."

In his Press statement Mr Morkel said R146 million would ultimately be pumped into Peninsula townships via the serviced land project, a presidential project of the RDP.

Almost 8 000 housing units had already been delivered, he said, and another 32 000 were expected to be built by the time of the project’s completion.

"Communities have participated in all aspects of the planning for the development of the area and benefited from labour-based construction initiatives and the facilitation of capacity building, training and entrepreneurial development," he said.
Peninsula elections off after talks deadlock

MICHAEL MORRIS
Political Correspondent

THE November 1 local elections in the Peninsula are off and the outcome of next week's Constitutional Court challenge by the Western Cape government could delay polling throughout the country.

President Mandela and Western Cape Premier Herman Kriel "fought to a draw" in their 11th hour discussion last evening, breaking off talks after meeting for only half-an-hour.

Neither side was prepared to compromise to break the deadlock over the demarcation of Peninsula local government boundaries.

This means the Constitutional Court hearing is critical.

If the Western Cape government succeeds in having amendments to the Local Government Transition Act overturned, the November 1 elections could be scuppered.

A ruling that Mr Mandela's intervention in the demarcation dispute was unconstitutional would imply that all other proclamations, including those on rural local government, were unlawful.

This would be a significant setback for preparations for the elections, which would probably have to be postponed.

Last evening's meeting at Mr Mandela's Genadendal residence ended shortly before 5pm when the president, with Mr Kriel at his side, emerged to announce that while the talks had been cordial, "unfortunately, I have no happy news."

"We fought to a draw," he said.

He believed that given more time a solution could have been found.

"If we started this initiative earlier than now I'm sure we could have reached agreement. We left it too late," Mr Mandela said.

Nevertheless, he has relations with Mr Kriel "remain warm and cordial" and "we feel sure that as long as we continue this exchange, we will be able to address and resolve many of the problems that are likely to arise in the course of our relations."

Mr Kriel said he was disappointed the issue had not been resolved.

"We cannot make that compromise, but that should not affect the relationship in the future," he said.

"There are no problems and no reason why the election cannot take place."

He would be prepared to reveal details of the obstacles in his talks with Mr Kriel.

There was "no useful purpose" in doing so and in fact the two delegations had put too much time to the meeting.

As suggested by the president, the Cape governmental structure was a "simple one. I believe it is a right answer."

Mr Mandela was asked what would happen if the Western Cape government won next week's Constitutional Court challenge.

He said the meaning of the Western Cape government won next week's Constitutional Court challenge would be that the future of the people of the province and the country was not the only concern only the Western Cape.

Asked what would happen if the Western Cape government won next week's Constitutional Court challenge, Mr Mandela said that while the future of the province and the country was not the only concern, the Western Cape government is the only one that can do something about it.

"There are many areas outside where there are no problems and no reason why the election cannot take place."

He was asked if his government was a simple one. "I believe it is a right answer." He added: "It's a simple one."

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Mandela, Kriel fail to agree

Presidential Nelson Mandela and Western Cape Premier Hornus Kriel failed to resolve the province's demarcation dispute during a meeting last night. "We were not able to agree," Mandela said afterwards.

The matter will be heard in the Constitutional Court on Wednesday and local government elections will not go ahead in the Cape Town metropolis on November 1. — Sapa
Business calls for end to Cape boundary dispute

Edward West

CAPE TOWN — An alliance of Cape business organisations had called for a resolution to the metropolitan boundary row because it was costing millions of rand of lost development, Business Cape chairman Mike Newton said on Friday.


Newton said each organisation had made repeated appeals to provincial government urging a settlement of the demarcation row and the holding of local elections at the earliest possible date.

The appeal by Cape Business came hours before a meeting between President Mandela and Western Cape Premier Hermus Kriel, who deadlocked in their attempt to negotiate a solution to the row.

The row, which has effectively blocked elections in the Peninsula on November 1, related to the NP's demand that Khayelitsha be included in the central Cape substructure. However the ANC wanted the township to be part of the Tygerberg substructure as had been suggested by the demarcation board.

The Western Cape challenges central government in the Constitutional Court on Wednesday on the constitutionality of amendments to the Local Government Transition Act which overturned the province's boundary decision, and the constitutionality of plenary powers given to Mandela to amend the Act.

Provincial Affairs and Constitutional Development Minister Roelf Meyer said yesterday media reports that created an impression November 1 elections could not proceed if the Western Cape was successful in the court action, were incorrect.

The case concerned two proclamations amending the Local Government Transition Act, and although a negative judgement for central government might affect other such proclamations, the transition Act itself was not involved, he said.

"Procedures are in any event available to prevent or correct any disturbing effect on the legal framework for the holding of the elections," said Meyer.
Boundary row reaches court

CHRIS BATEMAN

The marathon battle to decide whether Khayelitsha is “adopted” by Tygerberg or Cape Town for the upcoming Cape Metropolitan elections continues in the Constitutional Court in Gauteng tomorrow.

At stake are the municipal coffers of two privileged sub-structures which fear that a burgeoning Khayelitsha will drain them of future resources.

Even President Nelson Mandela’s attempt at mediation last week failed to resolve the row.

Whatever the outcome of the Constitutional Court battle, March 1996 Cape Metropolitan elections are a virtual certainty because of the pressure of preparatory deadlines.

The National Party has amended legal argument in an apparent attempt to enable elections to go ahead on November 1 in the rest of the country, while still fighting for provincial autonomy.

A top legal source said the NP was asking for a “restrictive” interpretation to declare the amendment which allowed the government a decisive say in appointments to the provincial committee unconstitutional.

Mr Mandela’s legal rebuttal is that he intervened by proclamation because Local Government Minister Mr Peter Marais “loaded” the committee with NP-supporting members to ensure an NP-favoured demarcation.

If the NP wins, Mr Mandela will ask the 11 Constitutional Court judges to instruct Parliament to rescind the amendment to the Transitional Local Government Act speedily to avoid election delays.
ANC slates Nats over provincial failures

Political Correspondent

A row is brewing in the Western Cape legislature over officials failing to attend committee meetings and delays in appointing sufficient committee staff.

Afrikaner National Congress Leader Whip Rose Sonto said in a statement that the blame "lies squarely at the door of the National Party-led provincial government."

The matter is to be thrashed out with Premier Hennie Kriel.

Mr Sonto said the continued failure to finalise appointments of staff for the provincial legislature has affected its work.

"Sixteen months after the installation of the provincial government, the legislature has no committee clerks, and other key officials to perform vital responsibilities.

"It is now expected that one official service all six standing committees."

Mr Sonto said the situation was complicated by the continued failure of departmental officials to attend standing committee meetings.

A case in point was a meeting last week on changes to the municipal ordinance to which the department of local government failed to send an official.

"On enquiry, it was established that the official was sick. But the fact that the department did not apologise to the committee and failed to send an alternate in disgrace is inexcusable."

Mr Sonto said the ANC believes disciplinary action should be taken when committees are treated in this manner.

The civil service in the province should be "restructured" and officials needed to display loyalty, discipline and commitment to the government of provincial unity."
Racial tensions rising in city, warns church

THE ANGLICAN CHURCH has warned that black parishioners feel excluded from decision-making and racial antagonism is increasing, LISA TEMPLETON reports.

RISING antagonism between coloured and black members of the Diocese of Cape Town "could lead to a second kwazulu" unless something drastic is done, according to a senior Anglican priest.

At a recent meeting of the Diocesan Council there were repeated reports of difficult relations between parishioners of different races, according to a report in the monthly Diocesan newspaper.

At the meeting the Rev Mlindi Mwenya, of Mitchells Plain, asked why there were no coloured labourers from Mitchells Plain and black commuters boarding at Langa and Nyanga as a symptom of this growing animosity.

The church, with its infrastructure to reach people, should be a catalyst in this situation, he said.

The diocese comprises 65 coloured parishes, 43 white parishes, 12 mixed parishes and seven black parishes.

According to the report, Canon Chris Kokoa, noted that as coloured parishes constituted the vast majority in the diocese it was logical they would dominate.

At the meeting Archbishop Desmond Tutu said the identity of coloureds should be considered.

He described coloured people as saying "Who are we? At one time we were not black enough — now we are not black enough. The church should surely be able to provide our people with security and a sense of belonging."

According to Mr Kokoa the problem had its roots in white church services, which were Westernised in approach and had alienated blacks.

Efforts

Yesterday diocesan youth administrator Ms Ruth Paule said that despite exhaustive efforts to get white and black youths involved in youth events, the attendance remained predominantly coloured.

Archbishop Tutu said the issue was "very painful for all of us (but) it is an issue the church ought to be engaging."

Mr Mwenya was not available for comment yesterday.
Shebeen in councillor’s home

STAFF REPORTERS

A CAPE TOWN city councillor, whose home is being used for a shebeen, sold a beer to Cape Times staff members who called at her Hanover Park address.

Ms Carol Jackson, a member of the Transitional Affairs Committee, acknowledged yesterday that she was contravening the Liquor Act and city council by-laws, but said: “I see nothing wrong with it. Everybody is doing it.”

She said her sister, Ms Joanne Jackson, who shared her Groenval Walk home, ran the shebeen. The only money her sister gave her was for board and lodging. She did not know how much her sister made from liquor sales.

A Cape Times team bought a 750ml bottle of beer for R2.80 when it called.

Ms Jackson said that as long as the city council “did not complain”, she would allow the shebeen to operate.

City planner Mr David Daniels said no one had complained in writing.

“A shebeen in Hanover Park would probably be a contravention of the zoning regulations,” he said. Selling liquor from a home is not allowed unless a rezoning for business use is granted.

The council is easing up in its attitude to neighbourhood taverns. Mr Daniels said the council did not want one set of rules for Langa, for example, and another for Hanover Park if both were in the same municipality as it would be accused of being unfair.
Court delays boundary row ruling

CHRIS BATEMAN ET 31/8/95

GAUTENG: The Western Cape's attack on President Nelson Mandela's intervention in the demarcation row could cost provincial Local Government Minister Mr Peter Marais his job and cause transitional "mayhem."

This emerged yesterday in the Constitutional Court in what will be a watershed ruling on the assignment of powers by the government to the nine provinces.

The court deferred judgment over Western Cape Premier Hermus Kriel's challenge of Mr Mandela's legal ability to make proclamations independently of Parliament.

"We will have to reserve our judgment. We are aware of the urgency of this matter but some very important issues have been raised," court president Mr Justice Arthur Chaskalson said.

The row arose after Mr Mandela used his presidential powers to step into the demarcation dispute by overturning the appointment of two National Party-aligned officials to a key committee debating the demarcations.

Mr Kriel and Mr Marais asked the Constitutional Court to order that the Local Government Transition Act section which gave Mr Mandela the power to amend an order by proclamation was unconstitutional.

'Far-reaching'

Mr Milton Seelig, legal representative for the province, said a Western Cape victory would "knock out" elections country-wide. He said not only had Mr Mandela failed to follow the correct procedures in applying the Local Government Transition Act, but the act itself was unconstitutional.

He said bills affecting provincial matters should be passed separately in the National Assembly and the Senate and the majority of senators in the affected province, in this case the Western Cape, should be in agreement.

Section 16A of the Transition Act was unconstitutional because it gave Mr Mandela powers to nullify provincial authorities' powers as laid out in the constitution.

Mr Jeremy Gauntlett, counsel for Mr Mandela and his co-respondents, agreed to supply the court with further submissions on Monday morning about the constitutionality of the disputed section of the act.

He said declaring the section unconstitutional would affect elections in the rural areas country-wide. "It could mean mayhem," he said. "It could even affect the positions of the applicants themselves, as the powers they exercise could also be as a result of these proclamations."

This means that if Mr Mandela lost, the victory could cost Mr Marais his job; as one of the contested proclamations amended a specific definition of "administrator", to be Mr Marais—and not his Western Cape cabinet.

Judge Chaskalson said any decision made by the court would have "far-reaching implications."

15/30
Mayor uses his vote to reject boundary motion

Staff Reporter

THE mayor of Bellville used his casting vote to get the Bellville City Council to defeat a motion calling for the inclusion of Khayelitsha in the proposed Tygerberg substructure.

The motion, proposed by South African National Civics’ Organisation representative Ralph Stuurman at the council’s monthly meeting this week, was called for the council to “express its strongest displeasure in the manner in which the MEC for Local Government (Peter Marais) handled the demarcation issue”.

After the council split equally on the motion, mayor Carl Cronjé used his casting vote to reject it.

In February the council adopted a resolution calling on Mr Cronjé and councillor Willie van Schoor to compile a report on the council’s viewpoint on the demarcation issue.

The Demarcation Board has recommended Khayelitsha be included in Tygerberg but Mr Marais’s opposition to this view has prompted a test case in the Constitutional Court.

Mr Stuurman’s motion called for the resolution to be overturned.

It read: “The (demarcation) issue is causing political strife and endangering the racial harmony of the new substructure of Tygerberg which could be disastrous for race relations in our area.”

It said Mr Marais was contributing to the deterioration in race relations and causing irreparable harm by his actions.

Another motion by Mr Stuurman, calling for a “detailed report” on a range of affirmative action issues, also ran into difficulties when officials told him they had submitted such a report to the council three months ago.

The motion called for a report on employment statistics and a “full report” on steps being taken to apply the principles of affirmative action at senior management level.

Town clerk G J N Coetzee objected strongly to the wording of part of the motion.

Some of it read: “The outward appearance of management of this council is skewed and creates a deliberate image of white male dominance and a suppressed coloured and black workforce.”

“The there is on the face of it no clear attempt to correct this contradiction which is a relic of a bygone area.”

The motion said a lack of transparency on the part of management was undermining a healthy relationship between it and the council.

Mr Coetzee retorted: “This is the most transparent management in the Western Cape.”

He said there was an increasing tendency to discredit management as the local elections loomed. If councillors had a problem with the city administration they should come and talk to him.

Danie Uys said: “I cannot believe that councillor Stuurman, who is an attorney, can spread such falsehoods without checking the facts; it is not the first time that this has happened.”

Mr Stuurman: “All I am saying is that management does not reflect the people of the country and a coherent affirmative action programme is not in place.”

“We must be assertive and catch up with the pace of change in the country.”
Bellville exco seeks allowances

PIETER MALAN
Staff Reporter

THE Bellville city council has reached a settlement in the wage dispute with its own workforce, but reaching a settlement in the pay dispute with its executive committee is proving more difficult.

In an effort to settle the ongoing wage dispute between the council and the SA Municipal Workers' Union, the council raised its minimum wage offer by R32 to R1 268 this week.

Insiders believe this will pave the way for a settlement when the Industrial Council sits again tomorrow.

Closer to home, on the issue of how much much members of the council's executive committee should be paid, the council ran into trouble at its monthly meeting this week.

An effort by exco to reopen the debate on how much of the recommended allowance members of the committee should be paid was scuttled at the meeting when the council referred the matter back to exco.

At the moment exco members are paid only 60 percent of the maximum recommended scale for a city of Bellville's size. This decision was taken because the transitional exco was 40 percent bigger than previous ones, and exco felt it should try to save the ratepayers money.

Hearing that most other cities of comparable size do take the full allowance, Bellville's exco members now want to overturn their earlier decision, allowing themselves the full gratuity.

This is R595 a month for exco members and R7 593 for the chairman. Ordinary council members earn R1 598 a month.

During Tuesday's debate deputy mayor Ruben Machelm said councillors should accept decisions taken by the council in a spirit of good faith:

"We had a deadlock on this issue when we first discussed it and the 60 percent opinion was accepted as a compromise. This decision was reached in good faith and we should abide by it."

He said the timing of the debate was unfortunate as the council had just decided to raise its offer to its lowest paid workers to R1 268.

"Now we want to vote ourselves a salary of four times that amount."

His sentiments were shared by councillor Ralph Stuurman who said the council had told the workers it hadn't enough money to pay a decent wage.

"It is morally incorrect now for us to increase our own allowance."

Councillor Willie van Schoor said "I did not want to talk on this issue, because it is getting embarrassing, but ordinary councillors claim 100 percent of the allowance for only attending one meeting a month, but when it comes to exco they say committee members can only claim 60 percent.

"If you want to take the moral stand, then we must all accept 60 percent across the board."

Rosina Parwater said non-exco members were finding "all sorts of little excuses" why exco members should not be paid the full allowance.

"Many are just jealous because they are not exco members," she said.

Barrie le Roux questioned a report tabled before an earlier council meeting which said all other councils were paying their exco members the full allowance.

"Goodwood, Kraaifontein and Cape Town are not paying their exco members the full allowance."

He said the provincial proclamation only stipulated the maximum allowance and it was not an absolute must that exco members be paid the full amount.

The issue was then referred back to exco by a majority of 13 of the 18 council members.
R25-m for Cape poll

THE Western Cape is due to collect R25 million from central government coffers for the running of local government elections.

Answering a question in the national assembly, Minister for Provincial Affairs and Constitutional Development Roelf Meyer said a total of R206.7 million would be available as a transfer payment for the local government elections to the provincial revenue accounts.

The department of constitutional development itself is due to collect the largest single allocation of R06.4 million.
Row over RDP centre spending

The Cape Metropolitan Council has agreed to spend R1.4 million on setting up a dedicated Reconstruction and Development Programme headquarters.

About R70 000 will be spent on buying computer equipment for the centre, an amount councillor Arthur Wienieburg described as excessive.

"We are supposed to be looking after the taxpayers' money, not spending it on expensive equipment if the equipment can be bought at much cheaper prices," he said.

"The money should be put to better use like implementing RDP projects." said Joyce Gibbs.

Joyce Gibbs said it seemed certain councillors were against the RDP being implemented.

"One of the problems with the RDP is that certain councillors are still against it because the programme allows for community participation and decision-making, unlike in the past when all these decisions were made top-down."

"Some of the councillors just cannot get used to not making top-down decisions and are resisting the implementation of the programme."

A proposal on the development of Century City, near Milnerton, was referred back to the Cape Metropolitan Council's executive committee for further scrutiny because councillors felt that not enough was being done for the region's homeless.

The project aims to develop a 192-hectare area at a cost of R1.5 billion and build hotels, conference facilities, a shopping complex and a water theme park.

Pan Africanist Congress councillor Philip Bam said the CMC should reject projects which were intended to build playparks for the rich at the expense of the homeless.

"The CMC should lay claim to some of the land and provide low-cost housing on the site." he said.

"I have documentary proof that the investigators were not serious enough in trying to get to the root of the problems because they involved senior members of the service." he said.

The council agreed to let the staff matters standing committee look into the allegations.

Private partnership role emphasised

The success of the Reconstruction and Development Programme depends "very much" on the private sector because government doesn't have the capacity to deliver, says Institute of Personnel Management board member Zorah Ebrahim.

"The private sector needs to forge stronger links with local government, which to a large extent will be the vehicle for delivery of the state's promises," said Ms Ebrahim, director of Premier Fishing in Cape Town, in an article to be published in the institute's magazine next month.

"It should be remembered that the previous government failed in its own half-hearted efforts at poverty alleviation because the state simply lacked the required delivery capacity." she said.

"It still lacks it," Ms Ebrahim said.

She found it "unfortunate" that corporate social responsibility programmes had to date "been largely a euphemism for chequebook philanthropy.

Eighty percent of corporate responsibility expenditure had been directed toward education, and education was also the government's largest single budgetary expense.

"How effective has that expenditure been?" asked Ms Ebrahim.

"Well, three in five South Africans are functionally illiterate." she said.

"Even in third and fourth generation urban populations such as Soweto, 30 to 40 percent of the people are illiterate and South Africa is destined to dominate the lower extremes of comparative human resource development studies," she said.

Ms Ebrahim said a different approach to corporate responsibility was required money should be spent on promoting economic development and job creation.

This, in itself, was problematic as corporate South Africa offered an ever-diminishing number of jobs.
Demarcation hearing told of 'mayhem'

Susan Russell

LOCAL elections would be disrupted and mayhem ensue if the Constitutional Court nullified provisions of the Local Government Transition Act central to the demarcation dispute between the Western Cape legislature and central government, the court heard yesterday.

This submission was made by President Nelson Mandela's counsel Jeremy Gauntlett SC, in the Constitutional Court yesterday.

Western Cape premier Francina Kriel and the province's local government MEC Peter Marais have challenged the constitutionality of two proclamations by Mandela in June, amending section 16 (a) of the Local Government Transition Act.

The amendments effectively stripped the provincial government of its power to appoint members of the provincial committee, and transferred the authority to Provincial Affairs Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with the President.

Mandela's proclamations nullified two provincial committee appointments by Marais, and his decision to include Khayelitsha in Cape Town's central metropolitan substructure.

Counsel for Kriel has argued that the amendments are invalid because they violate the constitution. Government counsel has argued the President acted within his powers.

Gauntlett said an order invalidating 16 (a) would cause "a far degree of mayhem" with implications for local elections countrywide.

Constitutional Court president Judge Arthur Chaskalson reserved judgment. He said the court was aware the matter was urgent and might have to give judgment, furnishing full written reasons later.
The Constitutional Court yesterday reserved judgment in the dispute between the Government and the Western Cape provincial authorities over local government election boundaries in the Cape Town metropolitan area.

The executive council of the Western Cape and Premier Hulus Kriel, among others, brought the case to the Constitutional Court in an attempt to overturn President Nelson Mandela's approval of a provincial committee decision on demarcation.

The court challenge has effectively meant the Western Cape will not be taking part in November's local government elections.

Jeremy Gauntlett, SC, counsel for Mandela and his co-respondents, agreed to file further written submissions to the court on Monday about the constitutionality of section 16(a) of the Local Government Transition Act.

Gauntlett told the court he understood that time was running out for the planning of the local elections and that any decision which took more than two weeks could cause "tremendous problems" countrywide.

This followed a remark by Constitutional Court president Mr Justice Arthur Chaskalson that it was unfortunate the court was "once again" being asked to consider new issues by Milton Seligson, SC, counsel for the Western Cape government, at the close of the day.
Public Sector - Local Authorities - Western Cape

1995

September - October
Election delay:
Council appeal
to government

ANDREA WEISS
Municipal Reporter

CITY councillors are to petition the central government to amend legislation to ensure that elections in the Cape metropole are held before March 31 next year.

This was decided at the council’s monthly meeting yesterday.

Several councillors expressed concern about the election delay, but were cut short by mayor William Bantom when they started to express party political views on who had caused the delay.

Neil Ross of the Democratic Party took the first swipe at bilateral talks between Western Cape Premier Her- nus Kriel and President Nelson Man- delia, during a debate on recommendations from the city administrator on electoral arrangements.

He said the DP took exception to the “to-ing and fro-ing” of the National Parly and the African National Congress “as if it is their prerogative to decide where and when we should hold elections”.

He said it was arrogant of political parties to make private arrangements and then tell their “lackeys” on the provincial committee for local government what to do.

“We’ve got puppy dogs on the provincial committee,” he said, adding that the NP was “being obstructionist and self-centred over the boundary issue”.

Hannel Tisseker of the ANC rose but was cut short by Mr Bantom when he started to say it was not the ANC’s fault that the election was being delayed.

“I’m responding to the previous speaker,” Mr Tisseker countered.

“Mr Bantom replied.

Mr Tisseker then said “I think it is unfair when you allow one political party to badger the ANC.”

He went on to say that all parties were concerned about the delay, which was caused by the provincial minister for local government’s refusal to implement the demarcation board recommendations.

Leon Markovitz of the NP said he would reply to remarks made by Mr Ross before he was ruled out of order.

He said he believed it was important for parties to have bilateral discussions to resolve political matters. This went back to the days of the Kempton Park negotiations.

The DP could meet any party it wished to, he said, adding “all one needs is a very small room”.

At this point Mr Bantom interjected: “You’re treading on very thin ice”.

Fathia de-Vries of the SA National Civic Organisation said she was perturbed at the tone of the debate when serious issues were at stake.

She said it was imperative the council did everything in its power to ensure the elections weren’t delayed any further.

The council agreed to adopt an amendment to the original resolution proposed by Saleem Mower of the ANC, which urged that the government should do all that was necessary to ensure the elections went ahead on March 31.
Lawyers at the Ready

SATURDAY WEEKEND ARGUS, September 3, 1995

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CP withdraws from rural poll

THE Conservative Party has withdrawn from the election for rural councils, party leader Dr Fethi Hartzenberg said yesterday.

The decision was announced at the CP's Cape congress held in Hartenbos.

"Because the distinction between statutory and non-statutory groups has been scrapped, the CP has decided not to participate in the election for rural councils."

The scrapping of the distinction caused opposition to the election among farming communities.

Dr Hartzenberg said it therefore made no sense to test farmers' support at the polls for the CP stand for full political autonomy and an own local authority.

The CP would, however, continue to stand in municipal elections where a distinction between statutory and non-statutory groups existed.

The CP congress rejected the notion of co-operating in the municipal elections with the National Party and Freedom Front.

It said the only way to unite a nation was through full political independence, and the CP was the only party contesting the elections that stuck to that principle.

"I am not prepared to stand with other parties and fight for peanuts. For that I won't lift a finger. For the freedom of our nation I am, however, prepared to offer up everything," Dr Hartzenberg said.

He blamed division among Afrikaners on Freedom Front leader Constand Viljoen. The Front had taken part in the general election, contrary to a decision by the Afrikaner Volksfront. — Sapa.
Metro Council debate rekindled

LOCAL government politics has undergone a marked change in the past year, with those who formerly pushed for a strong Metropolitan Council now wanting a weak one, and vice versa.

Mr Bathembu Luguwana remarked at a recent briefing of Cape Town City Council's transitional affairs committee that the question of a strong or weak Metro Council had already been resolved.

"There is an agreement already there," he said. "But we were defeated in the agreement."

He was referring to the Cape Metropolitan Negotiation Forum (CMNF) agreement, which does indeed provide for a relatively weak metro council with strong municipalities.

Private consultant Mr Nico McLaughlin, who was giving the briefing, responded that it is "impossible to blindly stick to the agreement, without defining roles that we see for the Metro."

He suggested that a new Metropolitan Restructuring Forum be set up to "coordinate" all the change and engage in "inclusive problem-solving processes."

Such a body may act as counter-balance to the power of the Metropolitan Commission, which has been legislated into existence by the NP-dominated provincial authorities to oversee the transition process.

Why do the conservatives now want a strong Metro Council? My guess is that it is because they know they will be able to win control over it in the forthcoming elections.

Idasa researcher Mr Robert Mattes said in a recent article that more Western Cape coloured people who have a household income of over R3 500 a month voted ANC than NP in last year's elections.

But most earn less than that, and the overall majority voted NP.

It seems then that the NP is following a wise strategy in aiming to win control of the metro, and it is probably also correct in resigning itself (unofficially) to likely ANC Hegemony over the future Central Substructure, where we may guess that incomes are higher in general.

A few years down the line, we may even see an NP-dominated metro imposing levies on an ANC-run Cape Town municipality and redistributing the proceeds to Tygerberg—which, despite the NP's current efforts, could by then have taken over from Cape Town the title of most-heavily-taxed urban centre in the country.

CIVIC DIARY

By PETE LUCAS

The commission is making the Cape Town City Council distinctly nervous. It knows it probably will be fighting with local government minister Mr Peter Marais for some time to come, probably throughout the restructuring which will take years.

Mr Mzukisi Gaba of the SACP, who used to favour a strong metro but later went along with the CMNF report, told Mr Luguwana that the "weak or strong metro" issue has not yet been laid to rest. Councils other than Cape Town are "busying shifting everything to metro now," he added.
Argument starts in Strand boundary case

LEGAL argument has started in the Supreme Court in a review application brought by the Strand municipality to stop their inclusion in the Cape Metropolitan Area.

The application is directed at Western Cape Premier Hersh Kriel, Local Government Minister Peter Marais, and various local authorities.

The Strand was granted an interdict in May restraining the authorities from disbANDING the municipality or "infringing its rights in any unlawful way", until the case was heard in court.

The Strand is asking the court to review Mr Marais' decision in September last year incorporating the Helderberg Basin, which includes the Strand, into the Cape Metropolitan Area.
From cabinet to cabinet...
'Transition allowed Mandela to step in'

The urgent demands of transition allowed President Nelson Mandela to regulate the application of laws in provinces — as in the restructuring of the Western Cape's provincial committee.

This was said in supplementary papers filed before the Constitutional Court's 11 judges by Mr. Mandela's senior counsel, Mr. Jeremy Gauntlett, yesterday.

Mr Mandela is defending an application by Premier Mr. Hermus Kriel's government to declare unconstitutional the President's intervention after two National Party-aligned officials were appointed to the provincial committee on the demarcation of municipal boundaries.

Mr Gauntlett, who was given six days to respond to an altered legal attack aimed at an amendment to the Transitional Local Government Act, said yesterday Mr. Kriel's lawyers should not be allowed to change tack without explanation.

He asked that the challenge be halted.

Mr Milton Seligson, SC, for Mr. Kriel, argued that any bill affecting provincial matters should be passed separately in the national assembly and the senate with the majority of senators in the affected province in agreement. This had not been done by Mr. Mandela.

The court reserved judgment. It may hand this down later this week because of the urgency of election preparations.

EUNICE RIDER reports that the Strand Municipality has brought a review application against Mr. Kriel, the Cape Metropolitan Council (CMC) and seven other respondents in the Cape Supreme Court in an attempt to reverse a decision by Mr. Kriel to include Strand in the CMC.

Counsel for the Strand Municipality said in papers yesterday that the respondents had acted ultra vires and that there had been "mistakes" in the Demarcation Board's report which proposed the Strand's inclusion.

'Irrelevant'

The Strand Municipality claimed that the respondents had taken into consideration "irrelevant facts and circumstances" in deciding that Strand should be part of the CMC.

The other respondents are the Western Cape Minister of Local Government and Development Planning, the Western Cape Committee for Local Government, the Demarcation Board, the Winelands Regional Services Council and the metropolitan transitional substructures of Lwandle, Gordon's Bay and Somerset West.

The hearing continues.
Substructures will be temporary — Marais

Edward West

CAPE TOWN — The controversial Cape metropolitan substructures, once proclaimed, would be retained for an interim period only in terms of legislation envisaged by the Western Cape provincial government.

At a function hosted by Cape business organisations, local government minister Pieter Marais and the current system of local government for the metropolitan area was unsatisfactory. He had instructed his advisers to draft a framework for legislation to bring about a more focused approach.

He envisaged the legislation — currently before the Constitutional Court — retaining the finally proclaimed substructures for an interim period.

The legislation would determine the functions of the Cape metropolitan council, as functions negotiated in 1983 were “clearly inappropriate” in relation to the real metropolitan situation, he said.

For instance, there was no provision for metropolitan involvement in public housing.

Once the final constitution came into effect, Marais said, he wanted a review to determine whether there still needed to be a metropolitan council or whether the same object could be achieved with a limited number of special bodies to deal with, say, housing, water, planning and electricity.

Premier Hermus Kriel said the Western Cape government wanted a provision written into the new constitution guaranteeing provinces’ right to receive funds from government on the basis of an equitable formula.

He said there was a perception in central government that Western Cape was wealthy, but income from vehicle licences, horseracing betting tax and hospital fees was negligible, and the province was dependent on transfers from central government.

Health and education services had been underfunded by central government and the two provincial departments would overspend this year.

Responding to complaints from business representatives about the delay in the local elections, Kriel said the province intended to have elections putting legitimate local government structures in place before March 31.

Provincial agriculture, tourism and planning minister Limpie Fick said a provincial development council, drawn from regional councils, would be in place by April to ensure development in the province struck a balance between ecological and economic development needs.
Metro has cash for RDP projects

Councils asked to apply for R30-m

ANDREA WEISS
Municipal Reporter

The Cape Metropolitan Council is to allocate Reconstruction and Development Programme funding in packages of R2 million each to local authorities who come up with properly researched ideas by the end of next month.

An invitation has been sent to local councils informing them that R30 million is available for RDP projects this year.

To qualify, the applications must include minutes of meetings showing that community consultation has taken place.

In its guidelines, the CMC says "public participation in all project applications" is a prerequisite to qualify for money.

Local authorities will also be entitled to employ community-based organisations, non-governmental organisations and private sector agents to implement specific projects.

But all applications will have to be made by local authorities and they will be responsible for accounting, expenditure and delivery.

Finance will also only be for capital expenditure and not for operational and maintenance costs.

Each authority has been invited to submit an application for a project of not more than R2 million before the end of October.

Also, for the next financial year, they are being asked to put forward, by December 22, not more than three applications for projects which do not exceed a total of R5 million.

Projects which may qualify for RDP funding include transport, electricity, water, stormwater, sewerage, and waste removal.

Categories under protection and safety are traffic control, fire, law enforcement, ambulance, building, land-use control and public health.

Social welfare projects could include housing, community development, sport and recreation facilities, geriatric care, youth facilities and programmes and civic facilities.

Cultural activities which could qualify for funding are libraries, museums, parks and education facilities or programmes.
Judgment reserved in Strand boundary bid

Supreme Court Reporter
JUDGMENT has been reserved in a review application brought in the Supreme Court by the Strand Municipality to stop their inclusion into the Cape Metropolitan Area.

The application is directed at the Western Cape Premier Hermus Krueel, Local Government Minister Peter Marais, and various authorities.

The Strand claims Mr. Marais acted ultra vires (beyond his powers) and that he "failed to apply his mind".

In reply, the respondents reject this and say Mr. Marais not only considered a report by the Demarcation Board recommending the incorporation of the Heidelberg Basin, which includes the Strand, but that he also invited the opinions of the affected parties.

Mr. Justice Conradie and Mr. Justice Kuhn reserved their judgment.
Keegan lashes out at colleagues.

ANDREA WEISS
Municipal Reporter

CLIVE Keegan has tongue-lashed fellow councillors for not taking their role seriously after a spate of lost quorums bedevilled the Cape Town City Council's business.

Last week the council's monthly meeting had to be rescheduled after it lost its quorum during the afternoon when an item was being debated on a confidential green paper.

Before the adjournment, most of the meeting was taken up with items which had been held over from the month before because of the same problem.

When the council reconvened yesterday, it did so after another of its standing committees -- the transitional affairs committee -- failed to achieve a quorum.

The fact that the transitional affairs committee did not have a quorum meant it could not make a recommendation to the council about the proposed appointment of administrators in the place of councils by March 31 next year.

In debating an urgent motion on the issue of administrators, Mr Keegan said the council was "hypnotised by inertia" because of its imminent demise.

He said the city deserved more than the "caretaker management" it was now getting.

"It is time for us to start saying openly what we say in the corridors, in the restroom and behind our hands," he said.

He said there was too much "non-participative baggage" on the council and accused councillors of occupying chairs without entering debate or disobeying laws which they expected others to obey.

He said that officials were also affected because there was a "creeping tendency" on their part not to bring matters of detail to the attention of the council.
Council launches petition to avoid its ‘replacement’

ANDREA WEISS
Municipal Reporter

THE 98-member Cape Town City Council has decided to launch an eleventh-hour petition to stop it from being replaced by an administrator at the end of March if no elections are held by then.

The council decided yesterday to seek an urgent audience with the constitutional affairs select committee which is to decide today whether to recommend the amendment to the Local Government Transition Act.

In terms of 16A of the Act, President Mandela can pass the amendment by proclamation if the committee has agreed to it.

The power conferred to the president in terms of 16A is currently the subject of the Constitutional Court dispute between the Western Cape and central government.

Clive Keegan of the African National Congress said the amendment was as “authoritarian and dictatorial” as legislation which came out of the “Botha and Vorster” eras.

The council agreed to approach the committee directly after after Neil Ross of the Democratic Party proposed a motion of exigency (urgent need) at the council’s monthly meeting yesterday.

Mr Ross said the proposed amendment affected the autonomy of local government and would effectively mean central government assuming control after March 31 next year — an “arbitrary date”.

He said there would be all kinds of “mindblowing” consequences if this were to happen.

In his motion he said that the council was opposed to any delays in the holding of government elections but it was equally concerned that the provisions being contemplated would “usurp all powers” handed down in the Local Government Transition Act.

Mr Keegan said that what was contemplated in the amendment was both “dangerous and draconian”.

He said the amendment would not give the minister the right of discretion.

The council decided to send a delegation consisting of Mr Ross, Mr Keegan, acting execo chair Llewellyn van Wyk, Clive Justus of the National Party and deputy mayor Theresa Solomon to put its case to the standing committee.
Give greater powers to small local authorities – councillor

COLIN DOUGLAS  263 ARG 7/9/75

CONSTANTIA councillor Joan Heming has called for maximum devolution of power to small, community-oriented local councils.

Mrs Heming was speaking in Bellville at an Idasa seminar on urban management, sharing the platform with Valli Moosa, Deputy-Minister of Provincial Affairs, and David Dlali, executive committee chairman of the Cape Metropolitan Council (CMC).

Mrs Heming — also a CMC member — called for a local government system that would promote a "sense of community", with local councils small enough to be accessible and responsive to ordinary people.

"What all citizens want is to optimise their quality of life where they live," she said.

"This is a reality often forgotten by sophisticated politicians, and by bureaucrats who think their job is to manage and not to listen."

Mrs Heming said that although she supported the Demarcation Board's proposal for six Cape Peninsula councils, she hoped this demarcation would prove to be only a "stepping process" on the way to a greater number of smaller councils.

"The CMC should restrict itself to dealing with matters in which local councils had a common interest, such as urban development planning and the management of the Peninsula's natural resources.

Unless residents were able to take part effectively in decision-making through small councils, local government would continue to be seen as an extension of the state's "political and economic hegemony".

The efficient provision of services to poor people depended on the devolution of power from central and provincial government to local authorities, Mrs Heming said.

"The meeting of basic needs doesn't need to be costly. It needs political will, and officials to give us more for our money."

Mr Moosa's main message was that the economic welfare of the whole country depended on urban centres providing a climate conducive to investment, and this could only be ensured if local authorities were to have an effective finance system.

But Mr Moosa maintained that central government would continue to have an important role in the affairs of local government: "Metropolitan integration is a national issue."

Mr Dlali said metropolitan councils should be afforded direct representation on the state's Finance and Fiscal Commission so that councillors would not have to depend on the provinces as intermediaries when local authorities sought funding.
Extra Parliament sitting over city boundaries row?

PARLIAMENT may have to reconvene to pass redrafted transitional legislation if Western Cape Premier Mr Hermus Kriel wins his constitutional challenge against alleged government "interference".

This emerged yesterday after a surprise Constitutional Court summons of lawyers for President Nelson Mandela and Mr Kriel to argue whether the constitution allows Mr Mandela to regulate the application of laws in provinces.

Mr Kriel's counsel claim Mr Mandela flouted the constitution by issuing proclamations altering the Western Cape's provincial committee.

Mr Mandela's lawyers say the interim constitution allows the president to legally fine-tune laws applied by provinces.

Mr Mandela's intervention was prompted by Local Government Minister Mr Peter Marais allegedly "loaging" the provincial committee with NP supporters to ensure a vote excluding Khayelitsha from the Tygerberg substructure.

The court's 11 judges will hear further argument on September 14 — the day before Parliament adjourns.
The fragile state of inter-group relations in the Western Cape deserves urgent attention if this region is to remain stable, attracting tourism and investment. The rising tensions are of concern in underprivileged coloured and black communities, but the malaise is more widespread and could erupt further afield if it is not addressed.

Returning to the Cape after six weeks in Britain and Ireland, I have the impression that there has been a deterioration in coloured-black relations, with potential flash points in cities and on the plateau in this region.

There have been warning signals enough. Consider, for example, the recent bloody disputes between members of a predominantly black and a predominantly coloured union in the food canning industry, a major employer of labour in this region. A worker was killed, as the Cape Times reported on Wednesday.

It does little good just to preach non-racialism and to look the other way. There are real fears and deep-seated resentments in the coloured community - a fear of being "swamped" by the newly urbanised black communities, losing ground to them in the job market and in access to education and other services.

Such fears need to be addressed. In a recent speech at the Idaa conference in Cape Town, noted by William James on this page a few days ago, President Mandela spoke of what he called "corrective action", with an emphasis on equality of opportunity, and seemingly downplaying the negative racial connotation which the term "affirmative action" has acquired.

The president's speech gives an important lead. But more than this will be necessary to reassure the coloured community. This is a very sensitive issue in the Western Cape and it will be exploited to the hilt by the ANC's political opponents.

Part of the problem, probably the greater part, is the traditional political culture of the National Party, which stayed in power for half a century by means of ethnic mobilisation which, in plain language, means appealing to the common history, loyalties, hopes and fears of particular ethnic groups. The key factor is numbers - if the group in question comprises a majority in the electorate the party which can get into a single kraft is assured of victory.

For the National Party, this was the royal road to power at the time when Afrikanders constituted the majority of the electorate. If enough Afrikanders could be wobbled away from General Smuts's United Party, the Nationalists would gain power, as indeed happened in 1948.

The thrust shifted in later years to embrace all whites, with the NP stirring up white fears of black "swamping" and returning to power with increased majorities year after year.

In the post-apartheid era, the NP in the Western Cape has single-mindedly set its sights on the group which now is in the majority in this region - the so-called coloured community - and is skilfully entrenching itself in power in the regional government, using its traditional techniques of group mobilisation, setting itself up as the champion and spokesman of the coloured community.

This strategy probably ensure NP control in this region for some time to come, even if it means the loss of some white support to right-wing groups elsewhere in the country.

It also means, inevitably, a sharp increase in tension between coloured people and blacks, stirring up mutual resentment in exploiting black-coloured fear and mistrust.

If the tactics of the Cape NP in the 1994 election are anything to go by, inter-group tensions will be stirred up to fever pitch when next the region goes to the polls.

Who has forgotten the notorious comic book propaganda used by the Cape NP, in the April election, which used crude picture-story techniques to incite fear and suspicion of blacks, generally, and of the ANC in particular, suggesting for example that the Communists "comrades" would grab old ladies' Babies out of their basins and close down the churches of the ANC.

Another round of this sort of electioneering and the Western Cape will rival KwaZulu-Natal as a centre of ethnic violence and for much the same reasons.

All signs suggest that the NP will win the next election in this region. They do not have to stir the pot to boiling point and risk unleashing a new round of inter-racial violence which would plunge the Cape into chaos.
Violence tears over Cape racism

Western Cape reports sharpest rise in the number of racist incidents

To South Africa
THE Constitutional Court has put Western Cape Local Government Minister Peter Marais' on the carpet for implying that any decision it might make on proclamations by President Nelson Mandela could be "politically influenced".

Mr Marais was reported to have said at a public meeting in Kuilsriver on Thursday night, that if the Western Cape government lost its case against Mr Mandela, for signing two proclamations into law limiting provincial powers regarding local government, this could amount to a "political decision".

On Friday the court asked Mr Marais to give it an urgent explanation of his comments.

Later that day Mr Marais withdrew the remark "unconditionally".

He said he "emphatically denied that it was my intention to hold the Constitutional Court in contempt or to mislead that party political considerations would have an influence on the decision of the court."

Apart from any court decision, local government elections in the country face a new hurdle following the ANC and NP's failure to pass the Constitution Second Amendment Bill.

The main provision of the Bill was to stagger local government elections.

Unless the provisions on local government are approved before the end of the parliamentary session this week, it would be illegal to hold elections on different days in different provinces, warned Mr Marais.

If the amendment is bulldozed through parliament, it would give central government the power to fire interim councillors and replace them with an administrator unless elections are held by the end of March next year.

Mr Marais confirmed on Friday that no elections would be held on November 1 in Metropolitan Cape Town or rural districts of the Western Cape.
MEIRING WARNS OF SLASHED JOBS, SERVICES

W Cape budget to be cut

ALREADY FACING a R1-billion deficit this year, the Western Cape is to see its share of government funding trimmed further over the next five years POLITICAL STAFF reports.

The Western Cape is to take a massive cut in its budget allocations over the next five years as the government seeks to equalise spending in the nine provinces.

Western Cape Finance Minister Mr Kobus Meiring warned at the weekend that the province will have to undertake large-scale retrenchments and limit or halt certain services if the budget cuts were implemented within the proposed five years.

In real terms the region's budget is to be cut by an average 3.41% a year for five years as other provinces such as Gauteng, which have been short-changed, take a greater slice of the budget.

In constant 1995 rand terms and allowing for conservative economic growth, the Western Cape will see its share of the total budget for the provinces drop from 11.26% next year to 7.96% by the 2000/1 budget year in terms of recommendations by the Financial and Fiscal Commission.

The commission, whose primary task was to find an equitable basis of sharing among the provinces, released its formula on Friday to the provinces and the parliamentary finance committee.

Meiring said in a statement that he accepted there was a need to distribute funds more equitably, but he objected to the restructuring taking place over five years.

"The implications for a developing province like the Western Cape are of great concern," he said, adding that "within a five-year phase-in (this) is not in any way practicable."

"It means in constant rand terms that the Western Cape budget must be cut by more than 3% a year."

In view of the R1-billion deficit the province faced this year, it would be more realistic to phase in the cut over 10 years.

Meiring also objected to the 25% weighting built into the formula for rural areas. This had serious implications for the Western Cape which, according to the commission's figures, had the highest human development index of all the provinces.

Meiring said care should be taken that a signal was not being sent out that economic development was to be halted in developed provinces.

It is anticipated that next year's budget will see the Western Cape's slice cut by 3.15%, the following year by 3.29%, then by 3.41%, 3.53% and 3.63%.

*See Business Report*
Marais withdraws comment

REGионаl Minister of Local Government Mr Peter Marais has withdrawn a statement that the Constitutional Court would be reaching a political decision if the Western Cape lost its case challenging proclamations signed by President Nelson Mandela.

Mr Marais was reported to have made the remark at a public meeting in Kuils River on Thursday.

On Friday, the Constitutional Court asked Mr Marais for an urgent explanation.

Mr Marais said: "I emphatically deny it was my intention to hold the Constitutional Court in contempt or misstate that party political considerations will have an influence. I withdraw this remark unconditionally in so far as it may be construed as such. A decision will have to be based on practical/political grounds. It is in the context that I referred to this possibility in my speech."
Cape ‘ruled by coloured people now’

Marais slams ANC promises

TYRONE SEAL
Political Staff

NO ONE should use the colour of his skin to avoid paying for municipal services he can very well afford, says Peter Marais, provincial Minister of Local Government Affairs.

"Those who are rich mustn't hide behind skin colour. If you are coloured or black and you can afford to pay, you must pay," he told about 250 National Party supporters at a meeting in the Shawco Hall in Manenberg last night.

Mr Marais made this statement during question time when residents, one of whom referred to "the natives from Transkei", pressed him on the write-offs of arrears in black townships and the payment of flat rates for rents and services in certain areas.

Earlier, Mr Marais apologised cursorily to a handful of supporters from Guguletu before telling his audience that coloured people had been sidelined and regarded as a minority group for far too long.

"They must now realise we rule the Western Cape, we must take a stand so we can be sure your child, your son, has a future."

He said coloured people had to accept that they were neither white nor black but they could no longer "go into this world in hatred."

However, he said, "our people were working in the Western Cape's clothing factories and vineyards and should be proud of where they came from without discriminating against others."

He attacked the African National Congress for making cheap promises that it was slow in delivering.

While there were many people without jobs in places like Manenberg, ANC MPs were demanding better earnings and more airline tickets to fly their families around the country.

If the ANC were to win the municipal elections, Cape Town's chances of hosting the Olympics would be wrecked as the ANC would "steal the Olympic flag" even before the games began.

In the same way, he said, television sets "put there by Van Riebeeck" had disappeared from parliamentary offices.

Mr Marais said that under the ANC the country was on the decline as crime and joblessness rose.

Some people felt, they had been better off under apartheid, not because they liked apartheid, but because joblessness and crime had never been as high as they were now.

Mr Marais said he was currently fighting a court action because the ANC had wanted him to take certain decisions, failing which "they ran to Madiba."

"He said his reaction to the subsequent presidential proclamations had been "You can sign, boetie, but I'll see you in court."

ARG 12/1/95 (263)
Marais 'still in contempt'

STAFF REPORTER

PROVINCIAL Local Government Minister Mr Peter Marais has been in contempt of the Constitutional Court and has not denied having made the remarks on which this allegation was based, the court has been told.

The Constitutional Court asked Mr Marais on Friday for an urgent explanation of remarks made at a public meeting in KwaNdebele.

Mr Marais told the court: "I emphatically deny it was my intention to hold the Constitutional Court in contempt. I withdraw this remark unconditionally as far as it may be construed as such."

In written argument this week, Mr Jeremy Garmelott, SC, and Mr Jan Heunis, counsel for President Nelson Mandela, said Mr Marais' remarks were calculated to influence the court and were insulting to it.

His retraction had ameliorated the insult, but not the attempt to influence the court.
Johannesburg. — The Western Cape cabinet and central government battle it out again in the Constitutional Court today in what is expected to be a final day of legal argument.

The provincial government has taken President Mandela to court over proclamations he issued amending the Local Government Transition Act, in particular two which concern the Cape Metropole’s demarcation dispute.

The court today has narrowed its focus down to Section 236(b) of the Constitution, which deals with the president’s powers to make proclamations for the “administration” of the law.
Council decides against increase  

Municipal Reporter

CAPE Town city councillors have decided not to give themselves an increase, but only after a lengthy debate and two votes to decide the issue.

The proposal that councillors should be given the full Grade 15 allowances they are entitled to claim was brought by Inkatha Freedom Party, member Ian Page, who asked that the executive committee look into the matter.

Mr Page also suggested that the vote should be a secret one.

National Party caucus leader Leon Markovitz said his party would vote against the proposal because they were "stop-gap" councillors who had not been put there by the electorate.

On the eve of an election it would be morally incorrect to tell the ratepayers that councillors were going to take an increase.

The Pan-Africanist Congress and the Democratic Party followed suit, saying their members would also vote against the proposal.

John Muir of the DP said a secret vote was unacceptable and undemocratic.

When the vote was taken by a show of hands, the proposal was carried by 29 to 24 votes, but councillors immediately stood up to demand that a division be called.

This meant that the vote was taken again, but this time each councillor was called by name and asked to state his or her position.

As the names were called, DP members heckled those NP members who switched their votes.

The motion was defeated with 45 votes against and 15 in favour.
CAPE Town City Council's efforts to get multimillion rand RDP projects off the ground are floundering because the committee in charge has been unable to get a quorum three times in a row.

A budget of R2 million has been set aside for RDP business, along with a further R15 million for projects.

The accusation was made at a meeting of the Cape Town City Council yesterday. This was also a reconvened meeting, because a quorum of the full city council had been lost twice before.

One attempt to hold a meeting of the RDP committee was scuttled because neither co-chair — Enoch Madywabe and Patricia Latgean — was present.

There will be another attempt tomorrow to hold the RDP meeting — which was supposed to have taken place before the monthly council meeting.

The council's commitment to the RDP came under fire during a debate on a proposal that money should be spent on advertising the role of RDP forums in the community.

During the debate, harsh criticism was directed at the RDP committee by member Leslie Langenhoven who said: "There is nothing going on in this committee."

Mr Langenhoven appealed for a dedicated office to be in place to deal with the RDP, as was the case at the Cape Metropolitan Council.

"We have a R2 million budget; we've done nothing. We don't have any programmes, we don't have a quorum. What can we do?"

Their answer was "Let's spend money. Let's advertise when all else fails," he said.

Mr Wienburg said that after seven months the committee should "produce something" and come up with a plan with specific projects.

"We are pregnant with expectation. They must now deliver. Believe me, after seven months it cannot be regarded as premature. It is overdue," he said.

Faldela de Vries of the SA National Co-operatives Organization said the RDP needed to be taken seriously.

She endorsed the view that the RDP needed to devise a programme of action which showed how the R2 million budget should be spent.

Co-chair Mrs Latgean said that the problem was one of "inclusivity."

She said none of the RDP forums had come up with ideas for projects and criticised her fellow councillors for not having positive contributions.

Joyce Gibbs, also a member of the RDP committee, said: "Rome was not built in seven months."

"It is difficult to instil a sense of ownership and commitment to the RDP project. The RDP is seen as a `throw away' project. The RDP is not seen as a `we care' project."

Many of the communities where the RDP was established, needed capacity building.

"Let us not underestimate the size of the project. The RDP is not seen as a `we care' project."

The RDP is not seen as a `we care' project. Many of the communities where the RDP was established, needed capacity building.

"Let us not underestimate the size of the project. The RDP is not seen as a `we care' project."
Councillors get cold feet

In an astonishing turnaround, a majority of Cape Town City Councillors first voted in favour of an investigation into increasing their allowances, and then overwhelmingly against it.

When the show-of-hands vote went 29-24 in favour of the investigation, Mr. Arthur Wienburg and others immediately called for a division. This calls for each councillor to say which way he or she is voting. Their vote is then noted in the minutes.

The result of the division vote was a crushing 45-15 defeat for the proposed investigation into increasing allowances. — Municipal Reporter
'WOEFULLY OUT OF THEIR DEPTH'

City Council is falling apart — Keegan

A FORMER MAYOR said yesterday the city council's leadership role in the transition process had "almost entirely collapsed", and a serious examination of structures was required. PETER DENNEHY reports.

The Cape Town City Council is falling apart and its political leadership has almost collapsed, councillor Mr Clive Keegan said yesterday.

Mr Keegan, former mayor and exco chairman, said the council was falling further and further behind in its ability to influence events in the local government transition.

"Our political leadership role has almost entirely collapsed. Our role in the conversation about the powers between metropolitan and provincial levels has not even started in this council," he said.

He said the council should seriously examine the way its committees are structured, so as to address the issues of transition and at the same time "keep the ship of state floating".

He was speaking after many councillors had complained about other councillors not arriving for meetings, and of nothing much being achieved in those meetings when they did arrive.

In many respects it was quite clear to him, Mr Keegan said, that both the council’s RDP committee and its transitional affairs committee were "woefully out of their depth".

He said thus far the council had been a "pretty feeble participant" in debate about which body should have which powers, duties and functions.

It is also clear that there was going to be an intensification of the traditional rivalry between the City Council and the Cape Metropolitan Council (CMC), which resembles the old Western Cape Regional Services Council.

Nobody yet knows how the local elections will affect this, but rivalry about functions between these two bodies would be exacerbated if they fell into different political hands — the CMC to the NP, for example, and the City Council to an ANC-dominant alliance, Mr Keegan added.

Between 10 000 and 12 000 of the council’s 17 500 employees may work for the Cape Metropolitan Council in future, Mr Neu Ross said yesterday.

He was stressing the importance of attending meetings about the restructuring of local government. Failure to attend seminars, like one held on Friday in Parow, with a mandate from the council could be a grave disservice to employees, he said.
Weighted votes cause race row

CHRIS BATeman

A ROW over a transitional clause that gives a black vote several times the value of any other group in the Western Cape is threatening to disrupt November 1 transitional local council (TLC) elections in George.

The predominantly coloured George Community Association has prevented the town's TLC from agreeing on the number of seats for the area.

Provincial Local Government Minister Mr Peter Marais, will have to appoint an administrator to oversee voting for the 20 seats the demarcation board and provincial committee have agreed on for George.

Mr Marais lashed out at legislation which he said was causing an outcry among coloureds "countrywide."

In George there are 29,954 coloured and white registered voters and 9,533 black voters — yet the blacks got six wards and all the other groups together got six.

Mr Marais said the "people of Paarl and Stellenbosch" were threatening to prevent or disrupt elections.

DP regional leader, Mr Henne Bester, said Mr Marais was attacking laws his own party (NP) had voted for.

"They sold out their own people in the Western Cape and the chickens are coming home to roost," he said.

● See Page 4
Local government elections could be delayed countrywide if the case of the Western Cape provincial authority against the Government is upheld, the Constitutional Court heard yesterday.

The argument came in the dispute over the demarcation of boundaries in the Cape Metropoli-

The Western Cape government had made submissions contending that Section 16(a) of the Local Government Transition Act was unconstitutional because it involved the "unconstitutional delegation of power by Parliament to Mandela."
Marais apologises to Constitutional Court for remark

ANDREAS WEISS, Municipal Reporter

JOHANNESBURG — Western Cape Minister of Local Government Peter Marais, has apologised to the Constitutional Court for a comment about judgment in a case between his cabinet and central government.

This was conveyed yesterday by his counsel Themiel Potgieter after the court's president, Arthur Chaskalson asked him to explain a remark reported in Die Burger.

Although Mr Marais apologised for the remark, he did not retract it.

"According to the Burger article of September 8, Mr Marais said at a meeting in Kuls River that the Western Cape had "an excellent chance of winning the case in the Constitutional Court — if the judgment was not a political one."

In a Press statement on the same day, Mr Marais denied he had intended to impute the Constitutional Court had party political considerations in mind. He had not intended a contempt of court.

In papers, Jeremy Gauntlett SC, appearing for President Mandela and others, said "even if the subsequent statement were to be considered to mitigate in some measure the effect of the latter, it does not undo the former."

Before closing a lengthy and technical debate on Section 235 of the constitution, Mr Gauntlett appealed to the court to express "extreme censure" of Mr Marais's remark.

He said he could do no more than draw attention to the remark, but it was up to the court to distinguish "between a bee-sting and the bite of an insignificant gnat."

When Mr Potgieter rose to pursue his argument, Mr Chaskalson asked him "What is your attitude in regard to the matter raised by Mr Gauntlett with regard to your client's statement reported in the Press?"

Mr Potgieter said he had taken instructions from Mr Marais who repeated that he had not wished to show contempt or imply that the court was driven by party politics.

Mr Chaskalson said "If that is all you have to say, you had better proceed with your argument."

Mr Potgieter replied "I also wish to convey an apology."

To this, Mr Justice Ismail Mohamed said "That is what I was waiting for."

The day was characterized by technical arguments over where presidential powers started and stopped, with regard to the provinces.

Mr Chaskalson summed up Mr Gauntlett's argument by saying the existing legislation could not be precise because of the size of the task at hand.

Judgment is expected early next week.
Key figures defect to the ANC

Political Correspondent

TWO key Western Cape figures in the Azanian People's Organisation (Azapo) and the Inkatha-Freedom Party (IFP) have defected to the African National Congress.

Danile Landingwe, who has served on both national and regional structures of Azapo, and Judy Sibisi, a senior IFP member in the Western Cape and a former central committee member, announced their defections yesterday.

Both Mr Landingwe and Ms Sibisi are serving in the Cape Metropolitan Council.

The defections strengthen the ANC's position in the run-up to local government elections in a fiercely contested region.

The ANC said it expected more defections to follow.
Strand loses Cape demarcation battle

Supreme Court Reporter

THE Strand Municipality has lost a Supreme Court battle to stop its inclusion into the Cape Metropolitan area.

Today the court dismissed a Strand application with costs.

The Strand directed the application against Western Cape Premier Hermes Kriel, Local Government Minster Peter Marais and various local authorities.

The Strand asked the court to review Mr Marais's decision in September last year incorporating the Helderberg Basin, which includes the Strand, into the Cape Metropolitan Area.
METROPOLE UNLIKELY TO BE AFFECTED

Councillors weighted in favour of blacks

A COMPROMISE agreed on at Kempton Park will leave some towns with councillors weighted in favour of blacks. This will not be true in the metropole. PETER DENNEHY reports.

RACIAL provisions in the law are likely to skew the local elections “terribly” in some areas of the Western Cape — usually in favour of black people, as opposed to coloureds and whites. But other areas, like greater Milnerton and the proposed southern substructure that extends from Wynberg down to Simon’s Town, would not be affected, council officials said yesterday.

In Cape Town/Kap en and in Bellville/Khayelitsha there will be some skewing but it will not be dramatic.

In the Helderberg municipality, however, it seems that the 6,000 black residents of Lwandle and a smaller number in Nomzamo village will have half the total number of wards in their townships, while the other half of the wards will be in the white and coloured areas which have an estimated population of 100,000.

Assistant city administrator of Cape Town Mr Roy Gentle and council legal adviser Mr Les Bar chard explained yesterday that half the wards in any municipality which includes a former properly constituted constituted black local authority, must be drawn up in the black areas.

The reason for this legislation, which was voted for in Kempton Park by the NP, the ANC and the DP, was to placate white ratepayers in conservative white rural Transvaal towns which saw their local authority power bases disappearing under a sea of black votes. Most of these towns had big black townships nearby them. At the time, the compromise appeared to be the only way to prevent a racially based war.

Mitigated

In the Western Cape, racial population ratios differ so the skewing usually works the other way around, giving more weight to the individual black vote than to the white or coloured one.

Mr Gentle said the effects of the skewing will be mitigated by the fact that voting in the local government elections will not be entirely ward-based. Only 60% of seats on councils will be ward seats, the other 40% will be filled by proportional representation candidates.

This means only 30% of seats on any municipal council will be affected by the racial legislation.

Mr Barchard noted that in Cape Town’s case, should Khayelitsha be included in the future Cape Town municipality along with Ikapa as Local Government Minister Mr Peter Marais originally proposed, the racial distortion in voting power would work against the black population (which would be more numerous than the rest, yet still only get half the ward seats).

But assuming the Demarcation Board proposals for the Cape metro area eventually prevail, the skewing would be mung.

Ikapa has an estimated 400,000 people, while the rest of the future Cape Town municipality has about a million, meaning 40% of people get 30% of the seats. But if actual voters are taken into account, it is closer to 30% of voters getting 30% of seats, as registration tends to be lower in the black townships. The proportion of the total population below voting age also varies.
George election row not resolved

CHRIS BATeman
POLITICAL STAFF
C7/15/95

Attempts by the George Residents’ Association and scores of coloured supporters yesterday to overturn the 50/50 formula which favours black voters in the region’s coming local elections proved fruitless yesterday.

Some 40 residents gathered in a municipal hall while their representatives met the town’s mayor, Mr Kidron Kabane.

An angry Mr Cornelius Esau, secretary of the residents’ association, said the national traditional law which gave blacks an equal number of seats to all other race groups combined was racist.

No quorum

“When we struggled against apartheid we were all blacks — now apartheid’s gone, suddenly our skin colour’s too light”.

Town clerk Mr Tom Lotter said a meeting had been scheduled to discuss the issue but 23 of the 40 councillors apologised, making a quorum impossible.

Local Government Minister Mr Peter Marais will be forced to appoint an administrator to ensure the November 1 elections take place in George as the Traditional Local Council could not agree on the number of wards in time for Tuesday’s candidate nominations.
KWB man quits for Boland role

Mr Green said a number of "crisis committees" would be formed in various regions and there was a possibility of an alliance between the crisis committees and the IFP in the Peninsula.

In general he still supports the KWB's policies, but says as a Christian he feels he must lead by taking up a "God-given" opportunity

Boycott politics are not compatible with Christianity, says Mr Green, a moderator in the SA Pinkster Church.

"Participation is the only way to ensure the Western Cape does not fall into their (ANC) hands, and the only way to prevent being swamped by people coming into this area," he said.
Constitutional Court asked to censure MEC

Susan Russell

THE Constitutional Court was asked yesterday to censure Western Cape local government MEC Peter Marais for contempt for remarks he made to the Press suggesting that a court ruling against him in the demarcation row with central government would be a party political decision.

Counsel for President Nelson Mandela and the central government J Gauntlett SC said the NP MEC's remarks, published in Die Burger last week, implied that a Constitutional Court judgment in favour of central government would be the result of bias and judicial dishonesty on the part of the court. Gauntlett submitted that Marais's remarks were a serious contempt of court.

He said that Marais, in response to a written request to confirm or deny the remarks, had attempted to explain what he intended, but had neither retracted the Press report nor offered a retraction or apology.

Western Cape government counsel TD Potgieter said he was instructed to inform the court that Marais had not intended to show contempt of court with his remarks or to suggest that the court would be influenced by party political considerations. He said Marais had tendered an apology, but he could not take the matter further because that was the extent of his instructions from Marais.

The Constitutional Court sat yesterday to hear further argument from both parties in the demarcation dispute between the Western Cape regional government and central government, the outcome of which could have far-reaching implications for local elections in the Western Cape region and in other parts of the country.

Premier Hermus Kriel and Marais are seeking an order overturning two proclamations signed by Mandela in June amending section 16 (a) of the Local Government Transition Act.

The amendments nullified two appointments to the provincial committees made by Marais as well as boundary decisions made by him.

The amendments were made after protests from the ANC when Marais decided to include the township of Khayelitsha in the Cape Town central metropolitan substructure rather than in Tygerberg, as proposed by the Demarcation Board.

Mandela's amendments effectively stripped Marais and Kriel of the power to appoint members of the provincial committees and transferred the authority to Provincial Affairs, Local Government and Constitutional Development Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with the President.

In addition to contending that the two proclamations are invalid, Kriel and Marais contend that the whole of section 16 (a) itself is unconstitutional.

If the court upholds this contention, this would render unconstitutional as well a number of other proclamations, unrelated to the Western Cape, made under 16 (a).

Court president Judge Arthur Chaskalson said the court hoped to deliver a ruling as soon as possible.
By ANDREA WEISS

Preparations for local elections throughout South Africa are in danger of collapsing like a pack of cards if the Constitutional Court rules in favour of the Western Cape next week — setting the transition of local government back to square one.

"The genie got out of the bottle and it’s difficult to put it back again," said court president Arthur Chaskalson at the close of the Western Cape’s legal argument against the central Government this week.

Jeremy Gaumtett, SC, who is appearing for President Nelson Mandela, added: "It’s like the dog that chased the bus and then didn’t know what to do with it when he caught it."

This emerged during the final day of argument in the Constitutional Court case which the Western Cape has brought against Mandela and others.

Judgment in the matter, which has its origins in the boundary dispute in the Cape Town metropolitan area, is expected during the course of next week.

Provincial Affairs and Constitutional Development Minister Roelf Meyer this week declined to comment on the potential implications for the rest of the country should the National Party-led court action succeed, saying: "Let’s wait for the court."

The case has been described by one of the advocates involved as technically the most complicated of his career.

If the Western Cape succeeds in persuading the court that Mandela exceeded his powers when he made amendments to the Local Government Trans-

Such a ruling would also make unconstitutional a number of proclamations which pave the way for local elections, including one which lays the groundwork for elections in rural areas.

The case currently hinges on the court’s interpretation of section 235 (8) of the interim constitution which allows President Mandela to amend the law if he considers it necessary for the "efficient carrying out of the provision."

It was in terms of this section of the interim constitution that the president assigned the administration of the Local Government Transition Act to the provinces.

However, the Western Cape has argued that the act is exempted from this section of the constitution because it is dealt with elsewhere under section 245 (1).

Mr Justice Albie Sachs suggested to Theoniel Poggeur, junior counsel for the Western Cape, that this argument underlined the position of Marais, one of the applicants in the case, and therefore his right to bring the action to the court.

Poggeur responded that his clients were only asking for the two proclamations concerning the composition of the provincial committee in the Western Cape to be struck down.

He said there was no dispute between the contending parties over any proclamations other than those two. However, when Mr Justice John Duroit pressed him on whether his clients would wish to see all the proclamations struck down to relieve the arm of having those two proclamations removed, Poggeur said "yes."
Strand loses fight against inclusion

THE Strand Municipality has lost a lengthy legal battle to stop its inclusion into the Cape metropolitan area.

Mr Justice Conradie and Mr Justice Kahn yesterday dismissed an application by the Strand, directed at Western Cape Premier Heraeus Kriel, Minster for Local Government, Peter Marais and various local authorities.

The Strand wanted the court to review a decision by Mr Marais in September last year to include the Helderberg basin, of which it forms a part, into the Cape metropolitan area (CMA).

The Strand claimed Mr Marais had acted ultra vires (beyond his powers) and that he failed to apply his mind.

The judges said the majority of the demarcation board, a group of experts, had recommended Mr Marais’s decision.

The report by the board, which they described as “convincing”, had been discussed with mayors from “fringe towns” and The Strand had had time to compile its objections and debate them with Mr Marais. They added Mr Marais had not acted unreasonably or in bad faith when he made the proclamation including The Strand in the CMA.

The Strand was ordered to pay costs in the matter.

Boet Smit SC and Ashton Schepers appeared for the premier and Marius Scholtz SC and Jeane Jordan for The Strand
Polls: W Cape case may have domino effect

ANDREA WEISS
Municipal Reporter

PREPARATIONS for local elections throughout South Africa are in danger of collapsing like a pack of cards if the Constitutional Court rules in favour of the Western Cape next week — setting local government transition back to square one.

"The genie got out of the lamp and it's difficult to put it back again," said court president Arthur Chaskalson at the close of the Western Cape's legal argument against the central government this week.

Jeremy Gauntlett SC, appearing for President Nelson Mandela, added "It's like the dog that chased the bus and didn't know what to do with it when he caught it."

This emerged during the final day of argument in the Constitutional Court case the Western Cape has brought against Mr Mandela and others.

Judgement in the matter, originating from the boundary dispute in the Cape metropolitan area, is expected during the course of next week.

Provincial Affairs and Constitutional Development Minister Roelf Meyer has declined to comment on the potential implications for the rest of the country if the National Party-led court action succeeds.

"Let's wait for the court," he said.

The case has been described by one of the advocates involved as technically the most complicated of his career.

If the Western Cape succeeds in persuading the court that Mr Mandela exceeded his powers when he made amendments to the Local Government Transition Act, they indirectly will be challenging the way in which he handed down powers to the provinces to restructure local government.

This could have the ironic effect of making the appointment of Western Cape Local Government Minister Peter Marais — along with all his counterparts in the other eight provinces unconstitutional.

Such a ruling also would make unconstitutional a number of proclamations which pave the way for local elections — including one which lays the groundwork for elections in rural areas.

The case hinges on the court's interpretation of Section 235 (3) of the interim constitution which allows Mr Mandela to amend the law if he considers it necessary for the "efficient carrying out of the assignment."

It was in the terms of this section of the interim constitution that Mr Mandela assigned the administration of the Local Government Transition Act to the provinces.

However, the Western Cape has argued that the Act is exempted from this section of the interim constitution because it is dealt with elsewhere under Section 245 (4).

Justice Albie Sachs suggested to Theomel Potgieter, junior counsel for the Western Cape, that this argument undermined the position of Mr Marais, one of the applicants in the case, and therefore his right to bring the action to the court.

Mr Potgieter responded that his clients were only asking for the two proclamations concerning the composition of the provincial committee in the Western Cape to be struck down by the court.

He said there was no dispute between the contending parties over any proclamations other than those two.

However, when Mr Justice John Dicott pressed him on whether his clients would wish to see all the proclamations struck down to achieve the aim of having those two proclamations removed, Mr Potgieter replied "Yes".

The legal framework of the November 1 elections is at stake as the Constitutional Court deliberates on the matter between the Western Cape and central government. Judgment is imminent.
New ‘gnat’ on the carpet in election case

By CARMEL RICKARD

WESTERN Cape local government minister Peter Marais, regarded as the National Party’s queen bee of dissent in the province, was brought down to size this week when the Constitutional Court heard he might be merely "a political gnat."

Mr Marais had brought an application to the court challenging President Nelson Mandela's power to make two proclamations affecting arrangements for local elections.

After the first round of court argument, Mr Marais issued a press statement saying his side-stood an outstanding chance of winning the case — unless the court's decision was a "party political one."

Counsel for Mr Mandela, Jeremy Gauntlett SC, took strong exception to the remark, and asked the court to censure Mr Marais. Mr Gauntlett said the court should be careful not to "chill" debate on the subject, but that there was a need to distinguish between a bee sting and the bite of an insignificant insect.

The court can obviously distinguish between a bee sting and the bite of an insignificant insect. The difference between robust debate and the "gratuitous remarks" of Mr Marais which implied that a judgment by the court in favour of central government would amount to bias and judicial dishonesty must be made.

Mr Gauntlett added: "The court can obviously distinguish between a bee sting and the bite of an insignificant gnat, but it is not a light matter and we would like the court to indicate its extreme censure."

Counsel for Mr Marais, Theomel Polgeeter, said his client did not intend to show contempt for the court or say that the court would be influenced by party political motivation.

This week's hearing involved the court in an unprecedented reopening of a matter after lawyers for Mr Marais indicated they wished to argue on additional grounds for the proclamations to be declared invalid. Every case so far, except the first one on the death penalty, has been completed in a day.

During debate, the judges asked Mr Polgeeter whether declaring the presidential powers invalid would not prevent elections from going ahead around the country. Mr Polgeeter said his client did not necessarily want all the powers declared invalid; they only wanted the two which affected them set aside.

When the judges asked whether it would be possible to sever the two proclamations and leave the rest intact, Mr Polgeeter said: "We do not want everything to go and for the elections to be stopped. But we want Proclamations 58 and 59 set aside, even if this is the result."

"ST 17/9/95"
CONFRONTATION is looming between the Strand municipality and the town's non-statutory group after the municipality lost a lengthy court battle to stop its inclusion in greater Cape Town.

On Friday the Cape Town Supreme Court dismissed an application by the municipality directed at Western Cape Premier Hernus Kriel, Minister for Local Government Peter Marais and several local authorities.

The municipality wanted the court to review a decision by Mr Marais last September to include the Helderberg basin, which includes Strand, into the Cape metropolitan area.

The non-statutory group, made up mostly of the town's ANC-Alliance, is to decide on a plan of action this week.

Recently, two attempts by the group to hold a meeting in the town's municipal offices were thwarted by the municipality.

One of the options open to the municipality is to appeal against the court finding.

Strand claimed Mr Marais had acted beyond his powers and and "failed to apply his mind".

But Mr Justice Conradie and Mr Justice Kuhn found the majority of members of the Demarcation Board, which was a group of experts, had recommended the decision taken by Mr Marais.

They said the report by the board, which they described as "convincing", was discussed with mayors from "fringe towns", and the Strand had had time to compile its objections and debate them with Mr Marais.

Strand was ordered to pay costs in the matter.

Reacting to the judgment, mayor Chris Hattingh said: "We are still looking at the judgment and will release a Press statement soon."

"I will let you know how much the court case cost us and who will pay for it." "Asked about the outcome of the case, Bennett September, spokesman for the non-statutory group, said: "We expected this. The fact that they lost the case showed they were foolish."

"We have a feeling the council will appeal. The people in the Helderberg are upset because of the more than R1 million which was spent on the case."

"If the taxpayer pays for the case where is it all going to end?"

"We could have spent the money on the underground waster. We will take this matter a step further after our meeting this week."

PAC MP Patricia de Lille said: "It's a pity the taxpayer has to foot the bill. Some people still want to keep Strand separate from other towns."

Headline: Confrontation looms over Strand boundary dispute.
Western Cape MEC warns of poll chaos

David Greybok

CAPE TOWN — Less than a quarter — 485 000 — of the 2-million voters registered in the Western Cape would be able to vote in the November 1 local government election, the province’s local government MEC, Peter Marais, said yesterday.

Marais also warned that unless the Constitutional Court ruled soon on the Cape Town metropolitan demarcation row, it would be difficult to meet central government’s end-March deadline for holding staggered elections. “I cannot move administratively until the court has decided,” he said.

Local elections are planned only for the province’s 95 transitional local councils, leaving elections in the Cape Town metropolis and rural areas to take place at a later date. An estimated 152 000 voters have registered in the rural areas, while the metropolis accounts for 70%, or 1.4-million, of registered voters.

Cabinet has specified that local authorities which do not go to the polls on November 1 have until end-March to hold elections, or face dissolution and the appointment of an administrator to organise elections. Marais warned of administrative “chaos” if that happened.

Marais also gave notice that the NP-controlled government intended to defy a Cabinet decision that local authorities not ready to stage an election on November 1 had to apply for exemptions through their provincial premier.

Marais lashed out, saying “There again, the central government opened their mouth before they put their brain into gear.”

Marais said it was impossible for local authorities to decide if they wanted an exemption “if I have not yet demarcated the boundaries.” He said the premier’s office had not yet received any applications for an exemption.

He said it should be the province’s prerogative, with the provincial committee — “the handbrake on my decisions” — to decide which local authorities should apply for exemption.

Marais said that he would, in consultation with local authorities, “notify” premier Herman Kriel which areas would be unable to hold elections on November 1.
R2.6m for local voter education

An undisclosed sum of money to a local education programme aimed at motivating Western Cape voters to come out and vote. The programme seeks to encourage the blind and deaf voter to participate actively.

The programme is also targeted at the elderly and those who are home-bound. It seeks to educate and mobilise people to vote in line with their voting rights.

The programme is aimed at motivating people that the level of their ability could be a more direct impetus to vote for the right candidate. The programme is the part of the political strategy.
Marais defends cost of court row

Political Correspondent

CONTROVERSIAL provincial minister Peter Marais has defended spending more than R400 000 on his court row with central government, saying it is better "spending taxpayers' money than taxpayers' lives" settling political disputes.

He said the estimated cost of the Supreme Court and Constitutional Court cases on the demarcation row was R336 356, while the De Loitte and Touche report on the Demarcation Board's findings — both of which he rejected — cost R71 914.

Pressed to justify these sums by ANC legislator Tasneem Essop, Mr Marais said: "The ANC would rather fight it out with Inkatha than go to court. Thousands of people have been killed, but you worry about what it costs in terms of money."

(243) ARG 21/9/75
R295 000 fraud alleged at Ikapa

TROUBLESHIRED Ikapa town council has been hit by another scandal — alleged cheque fraud involving R295 000.

Ikapa mayor KC Mama said that on September 14, an Ikapa official responsible for the revenue section reported that a chequebook was missing following an inquiry from a bank.

It was established that a fraudulent Ikapa cheque for R295 000 was deposited at a Lenasia bank on September 4.

Police were investigating.
But victory is a hollow one for Nationalists

ANDREA WEISS and MICHAEL MORRIS Staff Reporters

THE Constitutional Court has ordered parliament to reconvene by October 25 to correct defects in the Local Government Transition Act to allow local elections to proceed.

The order was made today as the court ruled in favour of the Western Cape’s challenge against proclamations made by President Mandela when he amended the Act.

The court found that an amendment to the Act, 16A, which gave Mr Mandela power to make further amendments by proclamation, was unconstitutional.

This means that instead of amendments being passed by a joint standing committee and Mr Mandela, they will have to be considered by the senate and national assembly.

As Nationalists in the provincial legislature voiced their delight, the man at the centre of it all, Local Government Minister Peter Marais, was almost overcome with emotion.

As he emerged from the premier’s office shortly after the result was made known, tears welled in his eyes and he paused before saying, “I believe there’s a higher hand watching over all of us. I’m happy.”

But although the National Party-led cabinet has technically won its case, it has failed to achieve the objective of having two controversial proclamations struck down.

This is because the court has ruled that all proclamations made in terms of amendment 16A of the Act will stand until parliament has dealt with them in the proper way — by October 25.

The two proclamations in dispute dealt with the reconstitution of the provincial committee for local government in the Western Cape around which the boundary dispute has raged.

But several other proclamations have been affected, including one which sets up arrangements for all rural elections throughout the country.

Should parliament not be able to pass the legislation by October 25, the local elections will not go ahead and the government will have to apply to the court for an extension.

Court president Arthur Chaskalson said “in practical terms this means that every step taken in preparation of the local government elections pursuant to those proclamations will be invalidated.

“Unless this can be rectified, the local government elections cannot proceed as planned on November 1.

“The members of this court are unanimous in their conclusion that by virtue of their inconsistency with the constitution, the provisions of section 16 (A) of the Local Government Transition Act are invalid.”

He also said “The matter is clearly one of great urgency and parliament must decide without delay whether or not it wants an opportunity to correct the defect.

“Unfortunately, parliament is not presently in session, but it can be called together for this purpose.

“The implications of this finding are far-reaching. It brings into question the validity of every step taken since July 1994 in the implementation of local government.”
Council air travel bill nears R1 million

MUNICIPAL REPORTER

The Cape Town City Council's bill for air travel this year is expected to exceed R1 million.

This emerged in an executive committee meeting yesterday in which deputy city treasurer Mr Peter Lever briefed the committee on how the city council could get the benefits associated with frequent flying.

In the past, "bonus miles" were sometimes logged up in the names of individual councillors or officials, as SAA gives these to individuals rather than to the council, which paid for the tickets — unless special arrangements are made.

Individuals sometimes used "their" free flights for themselves when they were off duty, or for their wives or friends. Councillor Mr Arthur Wiemborg felt this was unacceptable.

Mr Lever said the council could join the Voyager programme, and get free miles transferred to the city, or make another commercial agreement with South African Airways which would essentially be a deferred discount system (2b3)

Where the annual volume of business is over a million rand, a discount as high as 10% can be negotiated, Mr Lever said. He expected the council would be in this bracket.

The committee agreed to take the option of seeking a commercial agreement. It also agreed that where someone away on council business has the choice of flying back home or staying in a hotel overnight at council expense, they should be allowed to fly back business class.

**Economy class**

Normally, it is council policy that economy class flights have to be taken.

Mr Leon Markovitz felt the "economy class always" policy is out of place. In the case of the executive committee chairperson, or heads of departments, for whom business class would be more appropriate. Persuaded by his colleagues to drop the suggestion, Mr Markovitz said he would raise it once the new council was elected.
Heckling, insults "shame W Cape"

CHRIS BATEMAN, 1122/1149

SHIELDLAND, 10:00 PM

The House of Assembly in Cape Town erupted into pandemonium.

A DPF [Democratic Party] [j] member in the House, speaking in the public gallery, called for "shame on the W Cape government".

A member of the DA [Democratic Alliance] shouted "You got served!"

A member of the IFP [Inkatha Freedom Party] stood up and said, "We are here to represent the people of South Africa."

A member of the ANC [African National Congress] stood up and said, "We are here to represent the people of South Africa."

A member of the SACP [South African Communist Party] stood up and said, "We are here to represent the people of South Africa."
No free lunch for councillors

MUNICIPAL REPORTER

There is no such thing as a free lunch, councillors were told yesterday at a Cape Town City Council executive committee meeting.

Acting city administrator Mr Barney Botha reported that some councillors had been ordering lunch from the council kitchen if they happened to be in the Civic Centre over lunchtime.

This is against council policy. Lunch is only provided once a month at the full council meeting or by prior arrangement where an official committee meeting will continue through lunchtime.

"Rather break your committee meeting and go and have lunch in the canteen," suggested executive committee chairperson Ms Nafindika Miekoto.

Canteen meals have to be paid for.

Councillor Mr Leon Markovitz said that a recent meeting of a few councillors with informal traders had been arranged for 12.30, and lunch had been provided for 20 to 30 people. The meeting could have been held at another time, he said.

Ms Miekoto said kitchen staff were put in a difficult situation when councillors ordered lunch, as they did not know whether to charge for the service, or not.

Mr Botha said private orders from the kitchen shouldn't be made, even by those willing to pay. The rules would benefit all councillors by circular, he said.
Speaker complains of racism

COMMENTS like Yeho Gogo (Yes Granny) when an ANC member rose to speak in Xhosa in the Western Cape government were racist, and showed a total lack of respect from NP benches for one of the region’s official languages, Deputy Speaker Ms Mampe Ramotsana, said yesterday.

The quip is often used by NP members during debates.

Earlier Ms Ramotsana had led members in prayer in Xhosa for the first time in the legislature. — Political Staff
Beaten Mandela heads for a big showdown

ANDREA WEISS
Municipal Reporter

ALTHOUGH President Nelson Mandela lost the case, he has hailed the Western Cape's victory in the Constitutional Court as "something we should be proud of."

He said immediate action would be taken to reconvene parliament before October 25.

Deputy President and National Party leader F W de Klerk said the ruling meant the government had to weigh up its options, including calling a parliamentary sitting to pass legislative amendments or postponing local government elections scheduled for November 1.

It now seems there will be a heated battle in the senate where provincial senators may have the power to decide on the future of the epic Cape metropole boundary dispute.

Mr Mandela told a Press briefing that the government would abide by the court's ruling that parliament should fix defects in amendments to the Local Government Transition Act by October 25, "as the government is fully committed to the rule of law."

The court found that parliament had acted unconstitutionally when it delegated legislative power to President Mandela in amendment 16A of the Act.

The effect of the ruling has been to make unconstitutional a series of proclamations made by Mr Mandela in preparation for local elections, including two which had a direct bearing on the Western Cape boundary dispute.

In a Press conference shortly after judgment was delivered, Western Cape Premier Hernus Kriel indicated that his party was relying on a constitutional provision which requires the majority of senators from a province to pass bills which had a bearing on that province alone.

The NP has six out of 10 Western Cape senators.

Flanked by NP provincial ministers Peter Marais and Gerald Morkel, Mr Kriel said the central and provincial government could still reach an agreement allowing elections to proceed.

Explaining the NP's initial support for 16A of the Local Government Transition Act, Mr Marais said "We never intended that he (the president) should strip the province of its functions and powers. We gave him a panke and he took the whole hand."

ANC MP Wilke Hofmeyr, however, dismissed Mr Kriel's suggestion that the Western Cape senators had the right to veto the re-enactment of the two disputed amendments.

Mr Hofmeyr said Mr Kriel's interpretation of this constitutional provision was "very stretched" because it applied only where legislation was designed specifically for a particular province.

The two amendments in question had a bearing on all the provinces.

ANC Western Cape leader Chris Nissen described the judgment as a "good and fair result" but said it was only a technical victory for the NP.

"When parliament is reconvened before October 25 these specific proclamations will be passed by the national assembly and the senate, making them valid," he said.

Sapa reports that the Democratic Party in the Western Cape has also welcomed the court ruling, saying it was a victory for those who fought for the inclusion of federal principles in the interim constitution.

Leader Hennie Bester said "With this judgment the Constitutional Court has indisputably established its independence separate from the executive and legislative arms of government. A key constitutional safeguard for minorities and provinces, for which the Democratic Party fought very hard at Kempton Park, has now been solidified."

The Western Cape demarcation dispute was unfortunately far from resolved, he added.

ANC secretary-general Cyril Ramaphosa said "The prime concern of the ANC at the moment is that local government elections go ahead on November 1 in those areas of the country that are ready for them. We therefore urge parliament to reconvene as soon as possible before October 25 to rectify these inconsistencies."
Demarcation row: FW moves to avert NP split

Political Staff

NATIONAL Party leader Deputy President De Klerk will put a compromise plan to senior NP leaders tomorrow aimed at preventing an open split in the party and the possible delay of local government elections.

But he may be forced to crack the whip yet again to bring into line Western Cape rebels, who have threatened to resign.

Faced by the resignation threats, Mr De Klerk is said to be proposing talks between warring factions within the NP and negotiations between the NP and the African National Congress to avert what senior NP leaders see as a looming crisis for both their party and the government of national unity.

The threatened rift in the NP has been precipitated by the Constitutional Court judgment last week which upheld the Western Cape NP's contention that local government proclamations signed by President Mandela were unconstitutional.

The court gave parliament until October 25 to rectify the constitution so as to empower Mr Mandela to issue the proclamations.

But Western Cape NP leaders, including Local Government Minister Peter Marais who has been at the centre of the demarcation row, have threatened to resign if the NP joins the ANC in voting for the constitutional amendments.

By opposing the amendments during the special parliamentary session, the NP could prevent the ANC from obtaining the two-thirds majority needed for amendments to the constitution.

But in doing so it would isolate national Minister of Constitutional Development Roelf Meyer, who would be obliged under the interim constitution to pilot the amendments through the special session of parliament.

Mr Meyer has been accused by Western Cape NP members of capitalizing to the ANC in constitutional negotiations and of siding with the ANC in the Western Cape demarcation row.
PARLIAMENT TO SETTLE DISPUTE

Kriel, Meyer: Crisis meeting

A SPECIAL sitting of Parliament is to settle the boundary question. ANTHONY JOHNSON reports.

THE National Party's leaders will meet tomorrow in a bid to avert an all-out war between supporters of Western Cape Premier Mr Hernus Kriel and Provincial Affairs Minister Mr Koelf Meyer.

The crisis has been sparked by the need to reconvene Parliament next week to rectify local government proclamations the Constitutional Court ruled on Friday were unconstitutional.

The ANC said Parliament would be asked to accept or reject a composite package of legislative amendments including ones effectively nullifying the Western Cape NP's attempt to "stack" the powerful provincial committee and the controversial demarcation of the Cape Town metropole.

This would force NP parliamentarians to choose between backing Mr Kriel in his crusade against central government in the name of federalism or Mr Meyer, who argued that "the interests of the NP in the Western Cape are not necessarily the interests of the NP in the other eight provinces".

Western Cape Local Government Minister Mr Peter Marais said any attempt by Nationalists in central government to support legislation nullifying the composition of the provincial committee and its demarcation decision would be tantamount to "a vote of no confidence in Premies Kriel and me".

Tomorrow's meeting of the NP's policy committee will look for strategic compromises.

Party leader Mr F W de Klerk, Mr Meyer, Mr Kriel, Mr Marais and other party heavyweights will all attend.

NP executive secretary Mr Fanus Schoeman said an effort would be made to defuse the situation by "separating" the need to pass legislation nullifying local government elections in most of the country on November 1 and the need to resolve demarcation disputes in areas like the Western Cape and KwaZulu/Natal.

"Interesting fight"

However, ANC legal expert and MP Mr Willie Hofmeyr said it would not be possible to sort out demarcation disputes separately at a later stage as this would prevent the holding of elections by March in areas facing delays.

He believed the legislation comprising all the proclamation rendered invalid by the Constitutional Court decision would be passed by Parliament next week.

"NP parliamentarians will have to decide whether they will back Mr Meyer or Mr Kriel - it should be an interesting fight," he said.

Meanwhile, opposition parties were quick to make political capital of the NP crisis.

The Democratic Party said the court decision, although a victory for Mr Kriel, was a "major embarrassment" for the NP.

"It gives Mr Kriel a victory over Mr Meyer. The stresses and strains within the National Party can only intensify," DP justice spokesperson Mr Douglas Gibson said.

Inkatha said the ANC should pay for its blunders by meeting the costs of calling a special parliamentary session.

Freedom Front spokesperson Mr Pieter Groeneveld said the court's decision appeared to vindicate the party's stance that there should be no interference with provincial powers.
ANC, Nats heading for new showdown
Metro chief tops ANC list

CHRIS RATEMAN

CAPE Metropolitan Council exco chairman Mr David Dlale heads the ANC's provisional list of candidates for the Cape Metropole.

In the No 2 slot on the list, released last night, is Cape Town City Council exco chairperson Ms Normandia Mfeketo.

An ANC election conference at UCT decided at the weekend that the Metro and provincial list committees must be allowed to alter names to ensure a correct gender balance, spread of candidates and a team "best able to implement the RDP."

ANC spokesman Mr Cameron Dugmore said no sub-structure or ward conferences could be held because of the denationalisation dispute. It was hoped that the national assembly and senate would meet within a fortnight and "pass the proclamations issued in terms of section 16a of the Local Government Transition Act."

This is the section declared invalid by the Constitutional Court.

Mr Dugmore said revising the legislation would ensure that the 50/50 political balance in the Western Cape's provincial committee was restored and would probably result in the Electoral Court being the final arbiter on Cape metropolitan boundaries. Elections were needed in the metro and rural districts as soon as possible and the ANC was determined to be prepared for them.

In the Western Cape, Transitional Local Council elections in 95 towns are due to be held on November 1, but metro and rural elections may be possible only in March.
Mandela a ‘charming decoy’

TYRONE SEALE, Political Staff

PRESIDENT Mandela is a “very charming” decoy for a party under whose rule the economy is collapsing and houses and jobs are hard to come by, says Western Cape Local Government Minister Peter Marais.

At a meeting in Steenberg last night, Mr Marais launched a scathing attack on Mr Mandela for wearing Springbok rugby jerseys and eating koekisters and speaking in Afrikaans to Tienie Vorster, widow of former prime minister John Vorster, while nurses were on strike and their patients dying.

“We aren’t supposed to see the danger,” said Mr Marais.

“The president is a good president, but what is he doing about the day he won’t be there any longer? Who’s president then? Possibly Winnie with her matches or is it Bantu Holomisa or Peter Mokaba?”

Mr Marais said Mr Mandela was unable to remain in “the wild ones” in the African National Congress and he doubted that Deputy President Thabo Mbeki or ANC secretary-general Cyril Ramaphosa would be able to do so once Mr Mandela retired.

He attacked the ANC for opposing the death penalty and supporting abortion on request in the face of a soaring murder rate and said that under these circumstances the Western Cape would have to “work out its own salvation”.
Cabinet talks on boundary dispute

ARL 27/9/95

CLIVE SAUER
Political Correspondent

The cabinet will today discuss the ramifications of the Constitutional Court ruling on the Western Cape metropolitan boundary dispute.

The National Party is firm that unless revised local government transition legislation is made acceptable to it, another Constitutional Court battle is in store.

This view was endorsed at a meeting yesterday between NP leader F W de Klerk and Western Cape Premier Hermus Kriel, provincial Minister of Local Government Peter Marais, national Minister of Provincial and Constitutional Affairs Roelf Meyer, Western Cape NP leader Dawie de Villiers and party executive director Fanus Schoeman.

Mr De Klerk said the meeting had agreed on a basic strategy to prevent the African National Congress trying to use legislation to circumvent the controversial proclamations by the Western Cape committee on local government.

The NP would support legislation which would ensure that local government elections go ahead.

But legislation affecting the provincial committee's proclamations was not a prerequisite for these elections.

If there was no success in making the revised legislation acceptable to the NP, consideration would be given to referring it to the court.

The constitution provides for legislation to be referred to the court if the Speaker is petitioned to do so by a third of members of the house.

Meanwhile, preparations are being made for the earliest possible recall of parliament to process revised legislation.

Speaker Frere Gumwala said a decision on the dates for meetings of the standing committee on constitutional affairs and the national assembly could be made only when she had been told of the availability and content of the proposed legislation.
Border row: Nats threaten to scupper poll

ANTHONY JOHNSON
POLITICAL CORRESPONDENT

THE NP threatened last night to scupper the nationwide November 1 local government elections after the ANC insisted during a stormy cabinet meeting that Parliament nullify the NP's controversial demarcation plans for Cape Town.

Parliament will hold a special four-day session from October 9-12 to pass the draft Local Government Transition Second Amendment Bill into law.

Notwithstanding furious NP objections, the draft legislation will not only provide for the holding of elections on November 1, but also the disputed presidential proclamations that the Constitutional Court last week ruled invalid.

The proclamations were aimed at nullifying alleged NP attempts to load the powerful Western Cape provincial committee so that Khayelitsha would be bumped with central Cape Town instead of the Tygerberg sub-structure for the third-ter poll.

At yesterday's heated cabinet meeting at the Union Buildings in Pretoria, the ANC rejected NP proposals that Parliament deal with the issues of the election date and the controversial proclamations separately.

NP leader F W de Klerk said after the marathon cabinet session that the ANC's rejection of the NP's proposal to table two bills in parliament had "cast a dark cloud over the election."

NP secretary-general and chief spokesman on Constitutional Affairs, Mr Fanini Schoeman, said last night the ANC's action "could threaten the November 1 elections."

He said if the ANC had been prepared to accept a separation of the two issues, there would have been "no danger of further litigation, and the November 1 date for the election for the rest of the country would not have been endangered."

Mr Schoeman said it was unfortunate that the ANC had placed its party-political interests and its bias against the Western Cape ahead of the national interest.

'Nonsense'

Earlier, Western Cape Minister for Local Government Mr Peter Marais said the NP would again appeal to the Constitutional Court if the ANC tried to push through controversial measures in revised election legislation in Parliament.

However, ANC Western Cape leader Mr Chris Nisin said his party was "sick and tired" of Mr Marais' "nonsense" about the planned local government poll.

He said Mr Marais was threatening the peace and stability of the province by saying he would not allow the ANC its "democratic right to ensure an end to NP gerrymandering."

Top central government sources said late last night that a series of bilateral negotiations would take place between the ANC and the NP before Parliament reconvenes in a bid to break
Councillors to repay allowances

In a provincial proclamation gazetted on the first of this month, provincial local government minister Mr Peter Marais again changes the rules about the remuneration of councillors.

He says that from July 1 this year any councillor who serves in an executive capacity on two councils is only entitled to the executive allowance that goes with one of the positions.

The allowance that goes with the second position will be "equal to double that of an ordinary councillor of the second council." In May Mr Marais ruled that a councillor could accept only one executive allowance — the second allowance must be that of one ordinary councillor.

Some councillors who serve on two councils have been getting close to R16,000 a month.
Councillors' allowances pegged

COUNCILLORS who serve on the executive committees of the Cape Metropolitan Council and their own local authorities will no longer be able to claim two full allowances. Their pay has been pegged by a proclamation by Local Government Minister Peter Marais on August 24 in terms of the Local Government Transition Act.

In the proclamation, Mr Marais has declared that councillors serving on a metropolitan council and another sub-structure in an executive capacity will be entitled to only one of the two allowances, whichever the councillors choose. 

But a councillor will also be allowed to draw an allowance from the other council equivalent to "double that of an ordinary councillor."
NP-ANC battle will shift to parliament

CLIVE SAWYER
Political Correspondent

The African National Congress and National Party battle over revised local government transition legislation will shift to parliament after the ANC used its majority in the cabinet to approve a version of the legislation which will scupper the Western Cape NP's Constitutional Court victory.

The Local Government Transition Act Second Amendment Bill, pushed through by the ANC majority in the cabinet yesterday, will validate presidential proclamations on the metropolitan boundary row as well as confirming November 1 as the election date.

This version of the legislation was approved over that proposed by the NP, which separated the two measures into different bills.

The bill approved by the cabinet will be put to the parliamentary committee on constitutional affairs on October 9 and 10, to the national assembly on October 11 and to the Senate the following day.

The NP has vowed to oppose any legislation which would nullify its court victory.

Presidential spokesman Parks Makahla confirmed that the NP had reserved its position after cabinet approval of the unfused legislation option.

NP leader FW de Klerk has said the party will consider challenging any such legislation in the Constitutional Court.

Significantly, the NP is also bound by a commitment to ensuring that local government elections take place as and where scheduled on November 1.

A difference of opinion continues on the method required for approval of the legislation.

Western Cape Premier Hennie Kriel has said approval in the senate will require, as set out in the constitution, the specific consent of a majority of senators from the affected province — in this case, the Western Cape.

If parliament approves the legislation by a simple majority in each house, this could bring the prospect of a Constitutional Court challenge nearer.

NP spokesman Fanus Schoeman said the cabinet decision had put the elections in jeopardy.

The NP would introduce amendments to the bill when it reached parliament, he said.

A correspondent reports from Johannesburg that Mr De Klerk said after yesterday's cabinet meeting that the ANC's rejection of an NP proposal to table two bills in parliament had "cast a dark cloud over the election".

Mr De Klerk conceded that NP Provincial Affairs and Constitutional Development Minister Roelf Meyer, the minister responsible for the ANC-approved bill, was in a "difficult position".

The cabinet rejected the NP's proposal that two separate bills be tabled, the first dealing with those measures that allowed local government elections in November and the second dealing with the disputed proclamations.

Those proclamations overruled the Western Cape government's dissolution of the provincial committee that determines local government boundary demarcations and the demarcations themselves.
De Klerk changes tune in W Cape demarcation row

Gaye Davis

DEPUTY President FW De Klerk's decision to back the Western Cape wing of his party in its stand on the demarcation dispute would have "deep consequences for relations between the African National Congress and National Party and the government and the NP," said Deputy Minister of Provincial Affairs and Constitutional Development, Mohamed Valli Moosa on Thursday.

The National Party had to decide whether it was a partner in government or a hostile opposition, "because if they want that, we will treat them as such," he said.

"De Klerk has in effect put his stamp of approval on what constitutes a fundamental reneging on agreements at the World Trade Centre and a departure from the spirit of the Local Government Transition Act."

The Western Cape NP's loading of the provincial committee so it would rubber-stamp local government MEC Peter Marais' decision to make Khayelitsha fall under central Cape Town instead of largely white, conservative Tygerberg was previously treated by the NP's national leadership as "an aberrant regional position", Moosa said. "Now De Klerk has taken that position."

The Constitutional Court last Friday found that President Nelson Mandela should not have had the power to proclaim amendments to the Local Government Transition Act, nullifying Marais' actions. The decision affects a number of other amendments to the Act necessary for local government elections going ahead on November 1, and the court suspended its ruling until October 25, saying Parliament should rectify the situation by legislating appropriately.

In the face of vehement opposition from the NP, Cabinet on Wednesday decided the necessary amendments would be dealt with in a single piece of legislation, the Local Government Transition Second Amendment Bill, a special session of Parliament between October 9 and 12.

The NP had wanted proclamations affecting the Western Cape dealt with in a separate Bill, which would have allowed them to oppose it. The NP has now threatened to return to the Constitutional Court on the matter, which could put November 1 elections in jeopardy.

Western Cape local government MEC Peter Marais was bullish on Thursday, saying he "could not care about elections - what I care about is the Constitution". He described De Klerk's support for the Western Cape position as a "victory".

Pravin Gordhan, chairperson of the Constitutional Affairs committee, which will consider the new Bill, offered an olive branch. "If the NP's concern is a constitutional one, there's a constructive road forward. This would involve first passing the Bill, then referring it to the Constitutional Court for a speedy decision."

Marais would then have to reconstitute the provincial committee as it was originally comprised to decide on demarcation. If the committee and Marais failed to agree, the matter would go to a special electoral court for a decision - "which is what should have happened in the first place", Gordhan said.

The NP can take the phlegm-luttering route of trying to muster one-third of members in a petition to refer the Bill to the Constitutional Court. That's the dilemma we are placed in: Kriel can say he doesn't care about November 1 elections. It's a case of a section of a political party on the basis of selfish, short-sighted interests having the rest of the party and the country to ransom."

The Bill will be dealt with on the basis of requiring a simple majority in the assembly and senate.

The NP will be considering its strategic options at a meeting of its federal executive on Monday, and when its extended caucus, including all MPs, senators and members of provincial legislatures, meets on Tuesday. At issue will be whether the party can afford the political cost of derailling November 1 elections in order to serve the interests of the party in the Western Cape, as well as balancing those interests.
Boundary war far from over

THE boundaries dispute in greater Cape Town is far from resolved, even now that the Constitutional Court has ruled on it. The court was not asked to decide directly on the boundary dispute — which essentially is about in which new municipality Khayelitsha should be included.

Instead, the court had to decide on preliminary points. The question was whether steps taken by the provincial and central governments on the way to deciding the boundaries issue were allowed under the present constitution.

The court declared two presidential proclamations out of order. The proclamations that had overruled regional Local Government Ministers Mr Peter Marais' actions in changing the membership of the Western Cape provincial committee.

The reshuffled committee supported the boundaries that Mr Marais wanted — with Khayelitsha included in the same municipality as Cape Town, instead of the Tygerberg municipalities.

For politicians at central and provincial level, the issue is: what powers should central government have, and what powers should provincial government have?

But at local level, the real issue is: will a new municipality will include Khayelitsha within its boundaries? The question comes down to whether residents of Cape Town municipality are going to continue paying higher property rates those living Tygerberg suburbs, or whether this situation is going to be switched around.

A recent comparison of the rates due from just one Belville property, chosen at random, with an equivalent property in Cape Town, done by me with help of experts, showed that Cape Town rates were 70% higher.

I have no doubt that should Khayelitsha be included in Tygerberg, within a few years Belville's rates would catch up with, and even overtake, those of Cape Town. So that starts what the battle is about.

No resolution has been reached yet. The ANC believes Parliament will sort it out this month when it changes the Local Government Transition Act, to in effect reinstate the presidential proclamation.

However, the NP has said it would lodge another complaint with the Constitutional Court. It says where legislation is aimed at one province, a majority of the senators of that province would have to approve. Six out of the 10 Western Cape senators are NP members. They are unlikely to approve the legislation.

The ANC says the legislation will not be aimed only at one province. But the NP might take that dispute to the Constitutional Court as well. The quarrels may continue for months, delaying the local elections.

This will be bad for development in this province, and thus bad for our economic well-being. The winner of the disputes could be the party most willing to dig in its heels and ignore the terrible effects of the delay on the people of the Western Cape.

In my view, a compromise would be best for all of us. The Cape Metropolitan Council should be able to use its powers to impose levies on municipalities below it in such a way that the property rates burden of supporting the working-class is evenly spread over all of them.

Whether Khayelitsha is included in Tygerberg or Cape Town municipality should then no longer matter.
Marais warns ANC of election 'demise'

Chris Bateman

UNLESS the ANC keeps two contested presidential proclamations out of redrafted legislation, it will virtually ensure the demise of the November 1 elections, Western Cape Local Government Minister Mr Peter Marais warned yesterday.

He was speaking from Johannesburg International Airport after attending an extended NP caucus.

One of the proclamations, No 58, by President Nelson Mandela, overturned Mr Marais' appointments to the powerful provincial committee which can veto Metropolitan demarcation decisions.

A second proclamation (59) made any appointments to the committee subject to approval by two central government ministers.

The Constitutional Court has ordered Parliament to redraft Section 16A of the Local Government Transition Act (LGTA).

The ANC chairperson of the National Assembly's portfolio committee on constitutional affairs, Mr Pravin Gordhan, says that if the NP wishes to challenge the constitutionality of the legislation, provision has been made for it to go to court once it is passed.

A second NP legal attack on the act, as first amended, could lead to its being nullified. This would affect November 1 elections countrywide. If Parliament separates the proclamations, an NP court attack would affect only the Western Cape.
Parties still locked

No real ANC concessions on demarcation row

CLIVE SAWYER
Political Correspondent

THE African National Congress and the National Party remain deadlocked on revised local government transition legislation.

While the ANC is willing to have talks with the NP on the Local Government Transition Act Second Amendment Bill, it will make no significant concessions.

NP leader F W de Klerk said yesterday that his party would not support the bill as it stood and was still considering taking the legislation to the Constitutional Court.

"The National Party will stand by the Western Cape province," he said.

The bill, which rectifies irregularities ruled out of order by the Constitutional Court last month, will be discussed by the national assembly and senate committees on constitutional affairs from tomorrow.

The bill will be put to the houses next week, in time to meet the October 25 deadline set by the Constitutional Court to resolve problems in earlier versions of the legislation.

The NP faces a dilemma in that it is committed to ensuring that local elections go ahead on November 1, but in doing so will have to accept a bill which reverses its court victory in the Western Cape demarcation row.

The ANC national executive committee, at a meeting at the weekend, reaffirmed its commitment to demanding a fully representative Western Cape provincial committee on local government, and that the demarcation issue be resolved by the special electoral court.

With these non-negotiable demands, little would be gained if the ANC and NP engage in bilateral discussions outside the formal parliamentary process.

Pravin Gordhan, chairman of the ANC study group on constitutional affairs, said the group would meet tomorrow for a strategy discussion before the meetings of the national assembly and senate committees.

"If the NP wants to talk we will be available to speak to them."

But the NP would have few options and was caught in a dilemma between its constitutional concerns and its own internal battle for survival.

For the latter, there would be no sympathy from the ANC.

"We will not co-operate in their attempts at appeasing their public," he said.

The Western Cape ANC said approval of the bill, which was likely, would mean restoration of the balance in the provincial committee.

This would mean the committee would have to consider the demarcation board's proposal afresh, and if no concurrence could be reached with provincial Minister of Local Government Peter Marais, the matter would have to go to the electoral court.

There would be little sympathy for the NP should it decide to go to court again to fight the demarcation issue.

"It will be interesting to see whether the NP federal council backs the Western Cape to go back to court to defend the indefensible."

The ANC said the NP had "bent the reality" of the implications of the Constitutional Court judgment.

"Instead of using the result to wage power struggles in a divided NP, (Premier Herman) Kriel and Mr Marais should confront the reality that the metro cannot afford a delay in elections much longer."
A COUNCIL official has been suspended and a councillor reported to the town clerk over a R6 500 payout from the coffers of the Conston Park recreation centre in Steenberg.

The centre, which is run as a partnership between the Cape Town City Council and the community, has been the subject of dispute since about November last year.

The Conston Park Ratepayers' Association is demanding that it has the right to control the centre's finance, while the parks and forests department is arguing that other stakeholders should also be involved.

Allegations are that four members of the seven-member interim management team, who are supporters of the ratepayers' organisation, decided at a meeting on September 11 to employ a community officer.

When the council official refused to pay out the money, including back pay, councillor Avril Harding of the Western Cape Community Organisation, who had attended the meeting, allegedly wrote a letter to the official to effect the payment.

Another councillor, Reedwaan Isaacs of the African Muslim Party, who was also at the meeting, did not sign the letter although a space was left for him to do so.

Mr Isaacs said he had viewed the meeting as a 'discussion' and did not regard it as a properly constituted meeting of the interim management committee.

But Mr Harding said he wrote the letter simply confirming the decision of the interim management team to employ John van der Merwe as a community officer.

Mr Harding said independent auditors had recommended that the city council should no longer control the books of the centre.

City administrator Gys Hofmeyr confirmed that there were allegations that 'there was possibly improper conduct by a councillor or councillors.'
Poll dispute: ANC to take Marais to court

Municipal Reporter

THE ANC is taking provincial local government minister Peter Marais to the Cape Town Supreme Court for allegedly refusing to allow its members to stand as candidates in local elections.

Mr Marais is the fourth respondent in a case which will be heard on Monday.

The attorney acting for the ANC has confirmed that papers have been filed in the Cape Town Supreme Court with regard to two ANC candidates who have been refused permission to stand in Knysna on the grounds of late registration.

The ANC has asked the court for an interim interdict pending a review of the decision taken by the Knysna returning officer to allow its candidates to stand in wards 3 and 4.

Respondents in the case, brought by ANC members Vusi Waka and Wimle Joyi, are the returning officer of Knysna, Vicky Smith, the acting returning officer, Charles Erasmus, the election committee of the Knysna transitional local council and Mr Marais.

In papers before the court Mr Waka claims he was at the registration office before the noon deadline on September 12, while Mr Joyi claims he was there shortly afterwards.

The court is being asked to award the interim order so that the ANC candidates can be included on the voters roll which would enable them to stand.

The ANC has also instructed its attorneys to approach the court over the refusal of the George returning officer to register it as a party in the areas of Rheenendal, Fremmersheim and Herbertsdale because it allegedly did not make written application.
Bid to keep boundary ruling

**Political Correspondent**

The Western Cape government is poised for a last-ditch attempt to preserve its Constitutional Court victory in the metropolitan demarcation row.

Representatives are to ask the national parliament to amend the Local Government Transition Act Second Amendment Bill.

The bill, approved by the cabinet last week over the protests of the National Party, seeks to rectify errors in the way proclamations are made in terms of the act.

It will nullify disputed demarcation decisions of the re-formed Western Cape committee on local government, and will provide for local elections to be held on November 1.

The Western Cape government representatives will give evidence on Monday to a joint meeting of the national assembly and senate committees on constitutional affairs, which yesterday began deliberations on the bill.

The Constitutional Court has given parliament until October 25 to rectify the errors in the way proclamations were made.
Last week, in the Western Cape Legislature, regional finance minister Kobus Meiring unveiled his budget which he said showed that the province would end this financial year with a deficit of more than R1bn. This could mean the retrenchment of 5,000 teachers and nurses — sporadically on strike over pay and workplace issues — could also face the axe.

And who is to blame? Central government, according to Meiring. The funding formula of the Financial and Fiscal Commission, Meiring charged, would reduce the Western Cape’s share of funding by 3.41% a year for the next five years. Meiring said the province would run out of money in January 1996 — two months before the financial year-end.

Other provinces were to be allocated more funds (except the Northern Cape). Funding would grow by 1.05% a year in the Eastern Cape and by 8.16% in Gauteng. These figures, whether accurate or not, have been sufficient to make the teachers and nurses even more insecure than before. The underlying political message is that the ANC is intent on financially starving a province it does not control. In other words — vote NP.

Meiring’s estimates show that, out of a total 1995-1996 budget of R33bn, R396,51m was estimated as “own revenue.” However, only R331,83m would actually be collected, leaving a shortfall of more than R64m. Far greater was that expenditure — at R9,05bn — was in excess of the budgeted R7,85bn, the main problems lying in health and education.

This was “not due to bad financial management,” Meiring said, “but rather to severe cuts in our budgetary allocations from central government.” He had warned of the looming deficit well in advance.

While the deficit on health services (R423,52m) was being addressed, it was still a problem, with the figures — those which the province has “motivated” as necessary to government — came through, there would still be a remaining deficit of R191,99m. This “cannot be sized down without serious political and service implications.”

Meiring also blamed government for not allowing tariff increases and for introducing free medical services to pregnant women and children under six.

The deficit would be

R522,38m, mostly in salaries — which means that, without relief, retrenchments will have to begin. Meiring warned: “The problem is that the retrenchment of teachers at this stage will have no effect in the current financial year. The reality is that in order to obtain a saving of about R500m, it would require decreasing teaching staff to the tune of 5,000 for a full year.”

So next year “apparently holds further shocks for us.”

As part of a plea for special attention for the Western Cape, Meiring argued that, though the region “displays relatively better indicators of development than other provinces, the dualism which exists is as real as in other parts of SA; and requires urgent attention as aspects such as literacy, medicare, unemployment rates and economic growth are poor in comparison with the successful countries in the world today.”

“The Western Cape can also be expected to have a continuing influx of people from the other provinces responding to the perceived better opportunities and quality of life. This will require the maintenance of existing, and the development of new, resources to respond to both physical infrastructural needs and human capacity building.”

In effect, Meiring is saying that the Western Cape needs the extra funding because it is better off than other provinces. This smacks of an electoral ploy. It can hardly be expected to be persuasive to a cash-strapped central government when other regions have areas in which governance has broken down altogether.

Nonetheless, Meiring has touched on what is certainly going to prove a continuing source of conflict and controversy — the claims of the regions against the centre. One unanswered question is just who will actually be blamed when — as seems inevitable — retrenchments do begin, or teachers and health workers find they cannot be paid.

Cape Town, at least, can expect more marches and demonstrations in the months ahead. So far, the animus of the crowds does not appear to significantly distinguish between central and provincial authorities. Public-sector workers in the region are fearful for their livelihoods, and some may not be able to decide at the polls whom they most dislike — the ANC or the NP.
CAPE TOWN — Legislative amendments which would compel provinces to take demarcation disputes to the special electoral court are likely following a briefing by government lawyers to parliamentarians yesterday.

During the first day of parliamentary hearings on amendments to the Local Government Transition Act, government lawyer Jeremy Gauntlett said the Constitutional Court had made the suggestion.

Gauntlett said the court's recent judgment in the dispute between the provincial affairs department and the Western Cape government had suggested that there were certain 'inefficiencies' in the legislation. Gauntlett said the court had proposed that rather than 'ping-ponging' between national and regional government, demarcation disputes ought to be taken to the special electoral court.

Parliamentary constitutional committee chairman Pravin Gordhan said proposals for amendments to the Local Government Transition Act could be included before the legislation was put to parliament next week.

The legislation consists of proclamations made by President Nelson Mandela which the court ruled could not be passed by proclamation in terms of the constitution. The committee will hear submissions by the Western Cape government on Monday.
City councillors divided over affirmative action

City councillors are divided over how affirmative action should be applied at the Cape Town City Council. This emerged during a debate on a policy agreement between unions and the council on the implementation of affirmative action.

Key elements in the document are that the policy should be on the basis of competence as well as targets to create a representative population mix within the council.

But Arthur Wienburg of the Democratic Party objected to the document on the grounds that by setting targets the council was effectively creating a quota system which ran counter to the idea of employing people for their competence.

Ernest Sass of Cosatu said the document was vague and did not spell out what was meant by certain phrases and words.

Thoko Mkhwanazi-Xaluva of the PAC said the document should be adopted because the only way to change the status quo was to have targets.

She said ratios could not be fixed because the population profile in the city was still in flux.

Neil Ross of the DP argued for the document's acceptance, saying there was a "massive difference between targets and quotas".

He said the city's affirmative action board needed teeth.

Maukuza Gaba of the SA Communist Party felt the document was trying "to sit between two chairs" because it said that jobs should be filled first from within the ranks of the existing council.

This did not reflect the demographics of the Western Cape.
Council to beef up affirmative action

Peter Dennehy

CAPE TOWN City Council is close to adding a controversial addition to its affirmative action agreement.

The additional policy document, which spells out in greater detail how action will be implemented, was referred back for further discussion at yesterday's council meeting after councillors found the wording was confusing.

The central issue is that selection will be on merit "provided that selection shall favour, as determined by the targets, competent applicants from a disadvantaged background."

A row blew up over "targets," which Mr. Arthur Wienerburg claimed were actually quotas. He objected, saying the council had never agreed to a quota system.

However, Mr. Neil Ross said there was a world of difference between targets and quotas.

"Quotas are a given. Targets are something you aim for."

The document says each department or branch of the council must negotiate with unions to arrive at targets which must be submitted to the council's affirmative action board and will help to correct disparities.
Just after.
W Cape gets the plaudits in survey

DAVID BREIER
Staff Reporter

THE Western Cape has been shown to be one of South Africa’s “top” provinces — whose businesses are run by some of the country’s worst managers.

These are among the findings of a study published in a book to be released next week by the Graduate School of Business at the University of Stellenbosch in conjunction with the university’s Institute for Futures Research.

The book forms the basis of a jointly-organised conference in Somerset West on October 20 on “Competitiveness and Development in South and Southern Africa”.

The conference will discuss which provinces are likely to be most attractive to investors — and which will repel investors due to their poor performance.

Business School director Dave Tromp told Saturday Argus that in the research for the book, the Western Cape emerged as one of the top three provinces along with Gauteng and KwaZulu-Natal.

Professor Tromp said Gauteng scored two first places and a second to the Western Cape’s one first and two seconds in various areas such as economic strength, standards of government, finance and infrastructure.

But the quality of management in the Western Cape was rated only fifth out of the nine South African provinces, according to the research.

Surprisingly, the sparsely-populated “Cinderella province” of the Northern Cape scored high for both the government and the quality of management.

The Western Cape came top on the quality of its people — measured by factors such as employment rates, education and standard of living.

But this is little cause for celebration as South Africa came last in the recent world competitiveness report of 48 countries for people quality — making the Western Cape the best of a very bad bunch.

A study shows the Western Cape is holding its own as one of the top three provinces in South Africa — but the level of management in the province is regarded as shoddy compared with the rest of the country.

Philip Spies, director of the Institute for Futures Research, said the conference and book would interest anyone wanting to help develop the country, especially business people.

But Professor Spies warned against provinces competing to get the better of each other by grabbing a bigger share of the development.

“It’s essential we must develop integrated planning in Southern Africa. Unless we do this, the problems of the region will overflow. South Africa will not escape Africa’s problems,” he said.

He said it would also be a mistake to develop a country in which there were vast provincial differences.

“It would be dangerous if wealthier provinces like Gauteng and the Western Cape decided to go it alone. It won’t work,” he said, explaining this would result in a greater flow of people from the poorer provinces which would worsen the over-extension of the cities.

Professor Spies said many of the Western Cape’s problems originated outside the province, and many of South Africa’s problems originated outside the country, there had been a large influx of people into the country.

For this reason, his institute was also researching conditions in the Southern African Development Community (SADC) as “it is absolutely essential that we must develop integrated planning in Southern Africa”.

Anyone interested in attending the conference can contact Lynnette Allan at (021)918 4155.
Only NP has Cape election list

CHRISS BATEMAN

WITH just 12 days left for redrafting laws to enable local government elections to take place on November 1, three of the four main parties have not yet produced candidate lists for Western Cape country towns.

By last night only the NP had named the candidates it is putting forward to fight 87 of the 95 transitional local councils.

The ANC said it expected its lists to be ready by tomorrow “at the latest”. The other parties were also hurriedly completing their lists.

The Constitutional Court has given Parliament until October 25 to redraft the fundamental section 16(A) of the Local Government Transitional Act.

A joint sitting by senators and MPs in the Portfolio Committee on Constitutional Affairs is unlikely to be ready in time for when Parliament reconvenes on Wednesday to begin passing the redrafted legislation.

Both the SA Agricultural Union and organised labour have signalled that they still want to make submissions to the committee.

The DP does not expect to win control of any of the Western Cape municipalities.

DP senator Mr James Selle said: “We’re looking for a foothold to enable people to see the DP as hard community workers, instead of the old stereotypes of colonial middle class and so on.”

ANC regional spokesman Mr Cameron Dugmore said his party expected to gain control of Paarl and Worcester, two crucial towns outside of the Cape Metropole.

Mr Dugmore said alliance politics, based on each town’s own policy issues, would play a critical role in the elections, while the election formula that gives half of each council’s seats to African voters would boost his party’s chances.

He said the ANC’s rural support had grown because rural coloured people “still experience racism directly.”

Attempts to contact an NP spokesman last night were unsuccessful.

The Free State, Gauteng and Northern Cape are the only provinces where metropolitan, rural and TLC elections are set to go ahead simultaneously on November 1.
DEPUTY PRESIDENT F W de Klerk has thrown his weight behind Local Government Minister Mr Peter Marais, saying it was his constitutional prerogative to appoint members to the provincial watchdog committee which finally passes demarcation proposals.

Speaking after the Cape Times/Seef Ell Executive Breakfast Club on Friday, Mr de Klerk said, even if Mr Marais "made a mistake", he was entitled to do so.

The ANC accuses Mr Marais of "gerrymandering" Cape Metropolitan boundaries by making NP-leaning appointees to the transition watchdog committee. The ANC said this was to ensure Khayelitsha was excluded from the NP stronghold of Tygerberg, although the NP claims sound financial and logistical reasons for their proposal to join Khayelitsha with Cape Town instead.

The ANC was unable to "sell" to its Khayelitsha constituents a compromise proposal to include most other local black townships in the Tygerberg in exchange for Cape Town taking Khayelitsha.

The failed compromise led directly to last month's NP Constitutional Court challenge in which the 11 judges instructed Parha-
Former Mamre council ‘squandered millions’

ESANN de KOCK
Staff Reporter

THE former Mamre management council appears to have attached little value to accountability and responsibility.

This is the conclusion of advocate Lovell Fernandez who investigated the alleged fraud of millions of rand of public funds by members of the West Coast town’s former management board.

Mr Fernandez, recommended to the Mamre transitional council by Justice Minister Dullah Omar, has completed a report and recommendation on the alleged multimillion rand scam committed by the former National Party-controlled board.

After studying and analysing documents, he recommended that the present management council bring the issue to the attention of the Attorney-General of the Western Cape.

In his opinion, the facts were “extremely worrying, given the fact that they affect the assets of an entire community”.

Mr Fernandez concluded that sworn statements, auditors’ reports and a copy of a letter by the present mayor summarising the basis of the allegations, indicated a shocking chronology of events regarding the manner in which the community’s assets had been administered.

It had been 12 years ago when the then management council told the Mamre community it had sold part of the community’s fixed property for R3,6 million.

The council promised the community at a meeting that the money would be invested for 10 years, at the end of which the investment would have increased to R11,8 million.

Accordingly, R3,6 million was invested for four years and the council’s attorneys were paid a commission for effecting the transaction.

Interest of R72 000 a month was used by the council without the consent of the community.

After the policy had matured, the council bought an annuity for R2,6 million in 1989 and cancelled it again in 1993. The council used R82 000 a month, again without the permission of the community.

In addition, the council used R42 000 of the capital invested.

Interest amounting to R42 000 was invested in another policy and, by then, the original investment had decreased to R2,5 million.

Nine months before the original policy matured, the council sold it — resulting in a loss to the community of about R1 million.

Other alleged irregularities included the sale of the council of a front-end loader worth R250 000 for R20 000 to “a friend” and the granting of a tender for work on the sportsfield without a contract or proof of any call for tenders or proof of inspection forms.

Mr Fernandez said “Based on the allegations levelled against it, the council seemed to have functioned on the theory that once power has proceeded from the people it never goes back to them; accordingly they have no say in the business of the council”.

(263) ARG 10/10/95
NP may block local polls bill

CLIVE SAWYER
Political Correspondent

THE National Party was to decide today whether to block controversial local government transition legislation in the senate, a move which could scupper prospects of elections in the Western Cape before the March 30 deadline.

Parliamentary committees on constitutional affairs will vote today on the Local Government Transition Act Second Amendment Bill, prior to the bill going to the national assembly and senate for approval later this week.

The bill is aimed at rectifying procedural irregularities in proclamations on local government, rejected last month by the Constitutional Court. Encapsulating the proclamations in legislation is essential to the November local elections going ahead.

The African National Congress has refused so far to accede to NP demands to split the bill into two parts, which would allow the November elections to go ahead while preserving the Western Cape NP’s victory in the Constitutional Court.

The NP is considering invoking the constitution to demand that the bill be passed only if a majority of senators in affected provinces — in this case, the Western Cape and KwaZulu-Natal — assent to it.

But there is concern in NP circles that using this tactic may mean a referral of the question of whether the measure itself is applicable to the Constitutional Court.

Such a delay could imperil deadlines to enable the March 30 deadline for local elections to be met, in which case the government would be entitled to appoint administrators to Western Cape metropolitan and rural local authorities.

Whether it attempts to use the senate device or not, the NP will vote against the bill, which requires only a simple majority to be passed.

It is certain the NP will refer classes if finds unacceptable to the Constitutional Court.

Even if this happens, it will not affect the November elections.

Yesterday, the bill was attacked by the SA Agricultural Union, which said it would consider boycotting the elections unless its members were allocated 40 percent of the seats on transitional representative councils for rural areas.
STELLENBOSCH SET FOR SHARP CLASH

Parties poised to fight for 95 W Cape towns

OWING TO UNCERTAINTY about whether local elections will take place on November 1, interest is only now starting to grow in Western Cape towns. BARRY STREERK reports.

THE National Party and the ANC are squaring up to fight for the control of 95 country towns in the Western Cape on November 1.

Both parties have nominated candidates in nearly all the towns, although in some cases they have supported local ratepayers associations by not formally putting forward candidates.

The smaller parties have also nominated candidates in some of the towns, but none as extensively as the ANC and NP.

The most intensely contested election in the Western Cape will be Stellenbosch where 41 candidates are contesting 12 ward seats and 50 candidates representing nine parties and organisations are fighting the eight proportional representation seats.

After uncertainty about whether elections would be held anywhere on November 1, interest in the towns is only now starting to mount.

With its convincing electoral victory in the Western Cape in the election in April last year, the NP must be regarded as the favourite to win control of most of the rural towns.

But the ANC is confident that it will win control of Paarl and Worcester, and do well in other areas.

It has already won some unopposed wards in some towns.

The DP does not expect to win control of any of the councils, but expects a reasonable showing in Montagu and Worcester as well as Knysna and Paarl.

However, the DP has put forward any candidates in places like Franschhoek, although it has named five people for proportional seats in the Stellenbosch area.

The PAC has put up candidates in Hermanus, Bot River and Stellenbosch and has named five for proportional seats in Robertson.

The Freedom Front has also nominated candidates in a number of towns.

It faces tight-wing opposition from the Conservative Party in the Hangebloem/Outram and Stellenbosch area.

The eight proportional seats in Stellenbosch are being contested by the ACDP, ANC, DP, NP, PAC, Stellenbosch Interest Group, Stellenbosch Civic Alliance, FF and Stellenbosch Housing Action Committee.
ANC's surprise move catches NP off balance

By Patrick Bulger
Political Correspondent

Cape Town — The ANC stunned the NP in Parliament last night with a manoeuvre that will rule out another appeal to the Constitutional Court and ensure that the local government elections go ahead on November 1.

Shortly before Parliament's portfolio committee on constitutional affairs was due to vote on the Local Government Transition Act Second Amendment Bill, the ANC dropped the controversial presidential proclamations that the Constitutional Court had earlier ruled, unconstitutional, and to which the NP had been objecting.

"The ANC's surprise move, announced by Provincial Affairs and Constitutional Development Deputy Minister Mohammed Moosa, makes it impossible for the Western Cape's NP government to oppose it," Fikile Mbuyiseni, an NP member of Parliament, said after the vote.

TheANC's move follows another move by the NP. It had earlier decided not to accept the Western Cape's local government demarcations, which had been made by the Constitutional Court.

NP caught off guard by ANC move

From Page 1

the law to the Constitutional Court.

NP members were stunned when Moosa told Parliament's portfolio committee on constitutional affairs that the proclamations were no longer considered necessary, but that they had been necessary in June when President Mandela issued them.

Instead, the ANC introduced a new clause in the Bill which invalidates the actions taken by Western Cape's MEC for Local Government Peter Marais, who reconstituted the proclamation committee because the NP did not accept the local government demarcations it had initiated.

Until last night, there was the possibility that the Western Cape government could appeal to the Constitutional Court to rule on the substance of the proclamations.

The court recently threw out the proclamations and gave Parliament until October 25 to rectify the problem — not because of what they contained, but because they were invalid by Mandela rather than Parliament.
Legislation after months of ANC, NP confrontation

Knayelisha

Tysenberg Sets
ANC wins three seats in unopposed Paarl wards

MUNICIPAL REPORTER

THREE ANC candidates have already won their seats on the new Paarl council. Constitutional Affairs Minister Mr Roelf Meyer was told on a visit to the town yesterday to check local election preparedness.

There will be 12 ward seats on the Paarl council, and eight party-list seats, giving a total of 20, said deputy returning officer Mr Herrius Carstens.

The three councillors who have already secured their seats have only done so because they were unopposed in their wards.

All three unopposed wards are in Mbekweni, the township that is being integrated into Paarl municipality.

The other three Mbekweni ward seats are being contested between ANC and independent candidates. The NP is not fighting these seats.

VISITING: Mr Roelf Meyer

Of the 12 ward seats, six have to be in Mbekweni, and the other six in the white and coloured parts of town. There are two ward seats in Paarl West, which is the largely white part of town, and four in Paarl East, which is more coloured.

One other candidate, an independent, has been elected unopposed in Paarl West.

Paarl has a four-way fight on its hands, with the parties involved being the NP, ANC, DP and the residents’ association.

Mr Carstens told Mr Meyer that every citizen in Paarl would soon receive a letter telling him or her to vote at a particular polling station.

There are 22 polling stations in Paarl to cater for a voting population of 49 000.

Meanwhile Wellington municipality, which used to be just white and coloured, now has 800 registered voters from a black population of 5 000.

There are 23 000 coloureds and 7 000 whites in the town.

Town clerk Mr Jacques Carstens said the local black population consisted mainly of shack dwellers from the outskirts of Mbekweni.

The parties fighting the local elections seats here (eight ward seats, five party-list seats) are the NP, ANC and PAC.
Panel accepts local govt bill

A PARLIAMENTARY committee has adopted a bill reversing boundary decisions by the Western Cape.

The African National Congress streamlined National Party opposition to adopt a trimmed-down Local Government Transition Act Amendment Bill.

The bill is certain to be passed by the ANC-dominated national assembly.

Once it has been signed into law by President Nelson Mandela, it will put the November 1 local government elections back on track.

It will also invalidate Western Cape Premier Mr Hermus Kriel's attempt to demarcate boundaries in a way that would cut debt-laden Khayelitsha out of the NP-supporting Tygerberg municipality and include it in Cape Town's central region.

The elections were put in doubt by a Constitutional Court ruling last month that certain arrangements promulgated by President Mandela were invalid and would have to be validated by Parliament by October 25. — Reuters

See Page 4
VICTORIES EXPECTED IN RURAL TOWNS

Coloured support growing, claims ANC

THE ANC SAYS increasing numbers of coloured voters are turning to it because of disillusionment with their treatment by the National Party. ANTHONY JOHNSON reports.

The ANC expects to attract more coloured support in rural Western Cape towns on November 1 than in last year's April general election.

ANC local government elections co-ordinator Mr Saki Macozoma told a media briefing yesterday that party canvassers had noted a "shift in thinking" towards the party in a number of areas across the country.

He singled out coloured voters in the Western Cape and Indian voters in Natal as having shifted their allegiances away from the National Party.

He said the treatment coloureds had received at the hands of the NP-led government in the Western Cape and dissatisfaction at the NP's handling of the metropolitan boundary dispute had turned many voters against the NP.

ANC chief whip in the senate, Mr Bulaham Ngcuka, said the ANC had picked up growing support in a number of Karoo towns in the Western Cape, particularly among coloured voters.

"We expect to do much better in these areas," he said.

Mr Macozoma said the ANC expected to maintain support in its traditional strongholds in the upcoming poll. The party achieved over 62% of the vote in April 1994.

Treasurer-general Mr Arnold Stofile said the ANC had set up a special election budget and special accounting mechanisms to monitor the spending of funds.

Disciplined

Mr Stofile, who is also ANC chief whip in the national assembly, said any ANC MPs whose mobilised for Contralesa or Sanco candidates against the ANC would be disciplined.

He added the ANC favoured a system of "tendered" votes for people who arrived at the polls without having registered.
LEGAL ADVICE STILL TO BE SOUGHT

Kriel silent on amendment

THE NP WILL comment on the latest amendments to the Local Government Transition Act only after it has finally been passed by the senate, CHRIS BATEMAN reports.

WESTERN CAPE Premier Mr Hermus Kriel held fire last night in the wake of acrimonious debate in the national assembly over a trimmed down Local Government Transition Act Amendment Bill which experts said may have effectively "spiked his guns."

In place of a clause which allowed President Nelson Mandela to refer restructuring of watch-dog provincial committees to central government ministers now stands a clause which refers anything which may negatively affect elections to the chairperson of the Special Electoral Court.

This side-steps administrators such as Western Cape Local Government Minister Mr Peter Marais, who the ANC accused of "fixing"

his provincial committee to ensure that Khayelitsha was excluded from the Tygerberg in Cape Metropole demarcations.

It now seems increasingly likely that, should the new law be passed, Tygerberg will be forced to take on the debt-laden, fast growing Khayelitsha.

Mr Kriel's spokesman Mr Frikkie Odendaal said last night that the premier had only received the latest amendments to the controversial bill yesterday afternoon and was still studying them.

"Three things need to happen before he will comment — Parliament must still finally pass the bill, it must be passed by the senate and we must still seek legal advice," Mr Odendaal said.

The Western Cape government forced the current emergency sitting of parliament through a party successful challenge of the transitional legislation in the Constitutional Court.

The court did not pronounce on the validity of Mr Mandela's actions but was critical of the manner in which the legislation was passed and gave central government until October 25 to do it properly.

Interference

Mr Marais had threatened to return to the Constitutional Court if an extension was granted to central government ministers' right to "interfere" in the restructuring of provincial committees.

Provincial committees need to concur with Local Government Ministers over demarcations — or refer committee deadlocks to the Electoral Court.

HOLDING FIRE: Western Cape Premier Mr Hermus Kriel has yet to comment on the latest amendments to the Local Government Transition Act.
Local polls bill faces final hurdle

Senate to settle angry demarcation debate

CLIVE SAWYER
Political Correspondent

The local government legislation package which will enable November elections to go ahead and help bring to a close the Western Cape demarcation row, faces its final hurdle in the Senate today.

The Local Government Transition Act Second Amendment Bill was passed yesterday by the national assembly and the Senate select committee on constitutional affairs.

The assembly approved the bill by 237 votes to 102, with the African National Congress, Pan Africanist Congress, Democratic Party and African Christian Democratic Party in favour and the National Party, Inkatha Freedom Party and Freedom Front against.

The IFP said it intended invoking a constitutional provision during the Senate debate to demand that the bill be passed only if a majority of senators from KwaZulu-Natal consent.

The provision may be used when it can be proven that legislation is aimed at a specific province.

The five-hour debate showed all the effects of political temperatures rising as elections loom, and included an acrimonious clash between cabinet colleagues PW de Klerk and Mac Maharaj.

NP speakers accused the ANC of inflexibility in refusing any concessions on the bill.

The party said its opposition was not intended to impede the holding of the November elections.

The NP attacked the ANC call for tendered ballots to be allowed for unregistered voters, saying this exposed naked fear that the ANC would not be able to muster enough supporters at the polls.

Frik van Deventer (NP) rejected allegations that his party was racist in its attempts to keep Khayelitsha from being included in the Tygerberg metropolitan sub-structure.

Inclusion of the township would drain scarce resources needed for other impoverished "brown areas" in the Tygerberg.

Melanie Verwoerd (ANC) asked why Western Cape minister for local government Peter Marais had failed to take the demarcation dispute to the special electoral court.

"If Mr Marais is so sure of the merits of his case, why not put it to the test?"

Zhou Kota (ANC) said it was pure racism that the NP did not want Khayelitsha in the Tygerberg.

There was a debate-within-a-debate about the Marakhane campaign, with the ANC saying it was gathering momentum and the NP saying it had failed.

Several ANC speakers said the NP had been taken over by its right wing.

Replying to the debate, the Deputy-Minister of Provincial and Constitutional Affairs Vah Moosa, of the ANC, said NP opposition to the bill was evidence that the party was hostile to the government of national unity and to the transition to democracy itself.

Accusing the NP of having reneged on principles agreed to during multiparty talks, Mr Moosa said "today the NP kicks us in the guts."

"As far as I am concerned from this point onwards things cannot remain the same. The laws of natural justice say that if one side reneges on an agreement, there is no obligation on the other to fulfil their side of the deal."

The NP was opening itself to many things it was likely to regret, he said.
Evicted workers in fight for jobs

Staff Reporters

Fired municipal workers at De Doorns are to meet members of the town’s traditional local council today in a desperate attempt to win back their jobs.

The workers — members of the SA Municipal Workers’ Union — have been dismissed and evicted from council houses by the De Doorns municipality after three weeks of industrial action.

The workers, who were demanding a wage increase, called off their strike last week after the municipality allegedly promised them an increase.

But when they received their wages last week, the increase was not reflected and they were told their services had been terminated.

Meanwhile, the municipality has employed part-time workers.

Municipal spokesman Stephanus Rossouw said today about 45 workers had been dismissed and were now being regarded as ordinary members of the community.

The workers were welcome to reapply for jobs, and their applications would be handled in exactly the same manner as the municipality intended handing other applications.

Anele Nyembe, a member of the non-statutory body of the council, said township residents were upset because they paid for services and the municipality provided services only in the town itself.

The townships were in a filthy state, with drains overflowing and rubbish piling up, and could soon become a health hazard, he said.
MARITZBURG. KwaZulu/Natal will not take part in next month's local government elections, provincial government and housing minister Mr Peter Miller said here yesterday.

He proposed the KwaZulu/Natal local polls should be held on March 27 next year, four days before the central government's cut-off date for provinces to hold delayed elections.

KwaZulu/Natal premier Dr Frank Mdalielo had applied for exemption from the November elections, but had not yet received a reply, Mr Miller said.

Elections could not be held until the disputes over the boundaries of several transitional local councils (TLCs) and the Durban Metropolitan Council had been resolved, he added.

The disputes were largely over the inclusion, or exclusion, of tribal areas in the TLCs.

The disputes would be referred to the Electoral Court next week, Mr Miller said.

Negotiations on the demarcation of boundaries deadlocked after Mr Miller failed to get the support of four of the six members in the provincial committee on local government. Mr Miller said the Electoral Court would also have to decide whether tribal areas should be included in urban areas for the elections.

The exclusion of tribal areas would exclude an estimated 2.6 million voters, 1.5 million of them registered.

Mr Miller said the inclusion of tribal areas into urban areas was an extremely complex issue which entailed widespread consultation with chiefs and tribes.

The House of Traditional Leaders earlier this month rejected suggestions that traditional communities be included in the TLCs.

Mr Miller said the court would have to make its decision before the end of November to make next year's elections possible. — Sapa
Bellville: All will feel the impact

PETE DEMPSEY
MUNICIPAL REPORTER

The impact of Khayelitsha's inclusion in Tygerberg will be felt by everyone within the same boundaries, says Mr Dave Heywood, Bellville's director of finances.

But it is not yet possible to say by how much the inclusion will increase property rates in Bellville.

There are too many variables, and the necessary figures are not yet available, he told the Cape Times.

He does not know how many people there are in Khayelitsha or how much they pay for municipal services.

"A lot is said about the impact on rates, but the impact of Khayelitsha's inclusion will be felt by everyone within the same boundaries," he said.

Supplies on the water and the electricity accounts would also be affected.

Cheaper

The cost of municipal services in Cape Town was not generally higher than in Bellville, he said. In many cases, services were cheaper in Cape Town.

Studies comparing 10 municipalities in the Peninsula area had shown that Cape Town's services were far from the most expensive, he said.

"The inclusion of Khayelitsha in Tygerberg will necessitate a rethink of the services that will be rendered by Tygerberg. It will have to take into account how much the consumers can afford. This means sliding scales, as there already are for water," he said.

"Consumers who use the smallest amounts of water are not charged the full cost of providing it, and the costs are then recovered from those who can pay more."

Existing "sliding scale tariffs" would probably have to be stretched at both ends, if Khayelitsha is included in Tygerberg.
REPRESENTATIVES of local government groups in the Cape métropole yesterday formed a "metropolitan restructuring" forum that will assist the Metropolitan Commission to restructure the old regional service council and help to re-allocate services and assets.

The forum will also be required to provide restructuring proposals for when the new elected joint executive councils come into office.

Cape Metropolitan Council chairman Mr Willie van Schoor said the forum would provide a "unique opportunity" to build a better and more effective system of local government.

He said that Local Government Minister Mr Peter Marais had welcomed the new forum.
Local poll: Ball now in NP’s court

CLIVE SAWYER
Political Correspondent

IT is up to the National Party in the Western Cape to decide on further attempts to block controversial local government legislation.

The campaign against the Local Government Transition Act Second Amendment Bill, which has included court actions and an emergency session of parliament, has cost taxpayers R1,5 million so far.

Approval means local government elections will go ahead as scheduled for 701 councils on November 1.

Various options for further opposition to the measures were open to the NP in the Western Cape, Alex van Breda (NP) said during the debate.

These included referring the demarcation dispute to the Special Electoral Court, a move which the NP has so far avoided.

Mr Van Breda declined to elaborate on other options.

Premier Hernus Kriel has not yet consulted legal advisers on whether to take action against the legislation, and in what form this action should take.

Consultations could take place today.

Mr Van Breda said the NP had been naive to support the first amendment bill last year, which delegated legislative powers to the president.

“We never considered the president using these powers... even to the extent of taking away provincial powers,”

He said the senate was meant to be the guardian of the interests of provinces.

African National Congress and Democratic Party senators, who supported the bill, were “wanting in that regard,” Mr Van Breda said.

James Selfe (DP) said he hoped that if the Western Cape government decided to go back to court “they will do so with their own money and not that of the taxpayers of the Western Cape”.

Mohamed Bhabha (ANC) said the act flowed from a covenant meant to consolidate democracy.

“With this act of betrayal, the very people the NP claims to protect will not taste the fruits of democracy.”

(“Western Cape local government minister) Peter Marais, who supposedly represents the interests of coloured people, has deserted them in their hour of need.”

Senate president Kobie Coetsee asked Mr Bhabha to refrain from attacking officials of other institutions who were not present to defend themselves.

“It does not become the senate,” Mr Coetsee said.

Valli Moosa, the Deputy Minister of Provincial Affairs and Constitutional Development, said the NP campaign against the bill had given the best possible election campaign platform to the ANC.

“I do not understand why you have been so good to us. Thank you,” said Mr Moosa.

Taxpayers would be entitled to demand that the bill be sent to Mr Kriel and Mr Marais.

“After a long roundabout exercise we have come back to where we would have been provided they had been prepared to play by the rules.”

He said the NP had tried to make Khayelitsha a bantustan.

“The Western Cape did not want (the demarcation) taken to the Special Electoral Court for arbitration because it knew no court would look with sympathy on racism as a consideration.”

At the end of the debate, IFP whip Narend Singh asked that the bill be passed only with the consent of the majority of senators from KwaZulu-Natal, claiming that certain provisions affected only that province.

Mr Coetsee overruled this, citing a clause in the bill which said it applied to the entire country.

The bill was approved by 57 votes to 18, with ANC and the DP in favour and the NP, FF and IFP against.
The ANC in Wellington is embroiled in controversy again after allegations surfaced that Namibian police have issued an arrest warrant for one of its election candidates.

David Breier
Political Staff Reporter

ANOTHER candidate for the African National Congress in Wellington is under a cloud as the National Party exploits a controversy over the calibre of ANC election candidates in the Boland.

The ANC leapt to the defence of Cupido Rogers, its top election candidate in Wellington, who has been convicted of fraud. But it now faces further controversy with one of its other election candidates wanted in Windhoek for diamond theft.

Wellington election officer Jacques Carstens confirmed that a warrant for the arrest of the second candidate had been issued by the Namibian police after he had allegedly escaped from police custody. When contacted by Saturday Argus the man denied he was an election candidate.

Rogers was recently fined R2 000 or 12 months suspended for four years for taking R350 and R300 from two local residents in return for promises of land in Caledon. He is appealing against the conviction.

ANC Western Cape secretary James Ncfulu said the Wellington ANC branch as well as Rogers held the view that the case against him was baseless.

"He feels there was prejudice against him because of the conservative nature of the area and his own profile. The view of the branch was that there was an attempt to victimise him as an ANC candidate."

"He disputes the bribery charge. He has assisted many people in the Chris Hani squatter area in getting plots. He says there is not any proof that moneys were given to him directly."

Mr Ncfulu said he had not heard of the second case.

The National Party's Peter Marais, provincial local government minister, said: "It seems the NP can win this election on the quality of their candidates. I think the ANC suffers from a lack of suitable candidates in the municipal elections."

"People must be careful what they vote for," he added.

Mr Marais said the ANC's election slogan: "Let it happen here!" would boomerang because people would say "Please don't let it happen here."

police

Another ANC poll scandal - candidate sought by police
Boundary row to drag on in court

THE scene is set for the next round of the Cape metropole's demarcation row to be heard in the Cape Supreme Court.

Deputy Constitutional Affairs Minister Mohamed Valli Moosa is expected to approach the Supreme Court to ask it to invalidate appointments made to the provincial committee by Local Government Minister Peter Marais.

This would pave the way for replacements for the two disputed positions on the six-member committee to be filled by Constitutional Affairs' Minister Roelf Meyer and Justice Minister Dullah Omar, in consultation with premier Hermus Kriel.

This follows the passing of an amendment to the Local Government Transition Act in parliament this week which side-stepped further wrangling over provincial versus central government powers.

Instead of presenting parliament with the same proclamations which were disputed in the Constitutional Court, the legislators produced a brand new amendment which said disputes should go to the special electoral court if half the provincial committee agreed.

The amendment also stipulated that vacancies on provincial committees would be filled by the national ministers in consultation with the premier of the affected province.

If Mr Moosa succeeds in getting a new provincial committee in place, it is likely that the demarcation dispute will come before the electoral court which would ultimately be asked to rule on whether Tygerberg should get Khayelitsha or not.

The amendment to the Act also gives the electoral court the power to make rulings if the local government minister fails to perform a duty "properly, expeditiously or at all" and which may negatively affect the election.

Mr Kriel's Press secretary, Frans Oosthuizen, said the premier was in the process of taking legal advice on the implications of the new amendment.
Shooting incident in town.
THE BORDER row concerning Khayelitsha could be decided soon in the Supreme Court if the ANC seeks an order on the provincial committee. PETER DENNEHY reports

The next round in the battle over which municipal area will get Khayelitsha could take place in the Supreme Court this week or the next.

Western Cape Local Government Minister Mr Peter Marais said yesterday he was aware the ANC would soon be "running to the Supreme Court".

There it will seek an order declaring the provincial committee as reconstituted by Mr Marais "null and void". This is something that was left out of the local government legislation that was passed at a special sitting of Parliament and the Senate last week.

Mr Marais said the ANC "had been too stupid to think about inclusion it.

ANC MP Mr Willie Hofmeyr retorted it had been considered, but it had not been necessary to include "retrospective clauses" as Mr Marais had been out of order in the first place.

His actions (Mr Marais' reconstituting the committee) were invalid, so their effects did not have to be retrospectively undone by an act of Parliament, he said.

Mr Hofmeyr confirmed moves were afoot to launch a Supreme Court action, but he did not know when this would be.

The six-member committee is supposed to reflect a balance of the political parties in the region and it has to watch over the actions of the provincial local government minister in the run-up to elections.

Its power lies in the fact that once two-thirds of the committee and the minister have agreed on boundaries, these can be promulgated in the Provincial Gazette.

After reshuffling the committee, Mr Marais and the required two-thirds of the committee did agree that Khayelitsha should be included in Cape Town. But this was never gazetted.

Sources close to the NP suspect these boundaries — with Khayelitsha included in the Cape Town area, not Tygerberg — will be gazetted by Mr Marais this week.

This could trigger another ANC application in the Supreme Court.
Councillors to make good

MUNICIPAL REPORTER

SEVERAL local government politicians who have been overpaid in allowances are to repay the difference. The money is to be deducted from their allowances over the next three months.

Cape Metropolitan Council (CMC) chairman Mr Willie van Schoor said yesterday he did not know if interest would be charged on the money.

"If there is money to be collected, it will be collected," he said. "If we don't, the auditor-general will address us about the over-expenditure."

From February, anyone who served on the executive committee of their local council and on the executive committee of the CMC could be paid two "executive" allowances.

This was changed in May by a provincial proclamation that each councillor was to be paid only one executive allowance. The second was to be that of an ordinary councillor.

After negotiations, another proclamation was issued, saying the second allowance could be no more than double an ordinary councillor's allowance and that any preceding overpayments could be condensed. This came into effect from July.

Mr Van Schoor said overpayments from July to September — made to fewer than 10 Cape Metropolitan councillors — would be deducted. He declined to name the councillor.

Mr Peter Gabriel, an ANC councillor who serves on the Grassypark body but not on the CMC, had been underpaid, but had chosen not to accept a back payment, Mr Van Schoor said.
Govt sets deadline for W Cape

CHRIS BATEMAN
POLITICAL STAFF

THE central government has given the Western Cape government until today to concede defeat in the Cape Metropolitan demarcation wrangle — or it will ask the Supreme Court to nullify the provincial committee appointments by provincial Local Govern-

ment Minister Mr Peter Marais.

In a letter yesterday, the state attorney's office in Cape Town asked lawyers for Premier Mr Herman Kriel to say if they considered Mr Marais' provincial committee appointments legal or not — and requested an answer by today.

Legal sources interpreted this deadline as a "certain indication" of a court threat.

Khayelitsha's inclusion in Cape Town or Tygerberg lies at the heart of the wrangle. The committee earlier this year approved a decision by Mr Marais to include Khayelitsha with Cape Town. A spokesman for Mr Kriel's office confirmed the premier's attorney had received the letter, adding "the matter will be handled this week."
We face uphill Cape battle — DP

Edward West (263) 80 18/10/93

CAPE TOWN — The DP was facing an uphill battle in the run-up to the local elections in the Western Cape because the NP and ANC were running party political campaigns while the DP was focusing its campaign on individual candidates, DP provincial director Stuart McLaughlin said yesterday.

In addition, there was "the greatest voter apathy I've ever seen out there", he said. The party planned to field 87 candidates in 21 of the 95 rural towns that will be taking part in the election on November 1.

Because the election in the Cape metropole will take place next year, the November 1 election affects only 30% of the province's population.

McLaughlin said the DP’s strategy was to achieve sufficient seats in towns with known DP supporters to be able to exercise a balance of power between NP and ANC councillors. The DP did not expect to win control of any town, but was hoping for large blocks of support in Krynau and Plettenberg Bay.

ANC Western Cape spokesman Shilo Moon said the ANC would conduct a party political campaign, focusing on the continuation of the process of democracy. He expected the party to achieve substantially more support than in the last election.

He said an ANC survey indicated a "massive shift" towards the party by coloured people in the platteland. The ANC had more than 600 candidates in 85 towns. In a number of wards in Beaufort West, George, Fremezheim, Paarl, Mossel Bay and Hermanus, the ANC would be uncontested. The vote in George would be crucial as it was the second most populous town.

An NP spokesman said the NP, which would be backing about 800 candidates in 86 towns, would hold four uncontested towns.

PAC MP Patricia de Lille said the party was expected to achieve substantial support in Grabouw, Botriver and Clanwilliam. The PAC was contesting seats in 25 towns.

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over up 126%

suitable earnings up 56%

ive cash flow

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Gauteng to spend R39m on upgrading health care

Ingrid Salgado

THE Gauteng government would spend R12.27m from RDP funds in the 1996/97 financial year to build and upgrade more than 20 clinics in the province and had allocated another R22.98m for their running costs, the provincial health department said yesterday.

An additional R4.3m had been allocated for upgrading and maintaining existing clinics.

Maternal and neonatal units, health care centres and upgrading of equipment were also in the pipeline. Six projects in the Vaal area were planned, five each in Central Witwatersrand and the East Rand, two in Pretoria, seven on the West Rand and three on the North-East Rand.

The department had embarked on a needs assessment in identifying priority areas and extensive consultation with community organisations was used to identify facilities, it said.

Identified projects included maternal and child health, HIV/AIDS and communicable diseases, mental health, chronic disease and rehabilitation services.

Projects which would cost large amounts had been prioritised and would be funded from shifts in the budget.

Additional maternity and obstetric units would result in about 15,000 women being able to have their babies delivered in their own community health centres.

Gauteng had a "major problem" with an inadequate network of clinics and health centres and this had contributed to overloading in hospitals, the department said.

Elections could be postponed in five Eastern Cape districts

EAST LONDON — Local government elections in five Eastern Cape rural districts could be postponed until November 29 to sort out several technical hitches which have disqualified the ANC from taking part in these areas.

The Algoma Regional Services Council has asked for the November 1 poll to be delayed for 23,000 rural voters in Alexandria, Bathurst, Albany, Port Elizabeth and Uitenhage.

The council's application was formally endorsed by the Eastern Cape executive council yesterday.

It would now go to Provincial Affairs and Constitutional Development Minister Roelf Meyer for a final decision, Eastern Cape election manager Keith Wattrus said.

The ANC was disqualified after infringing on local government transitional Act regulations. In terms of the regulations, parties are required to submit a list of office bearers and their addresses in the rural districts they are contesting.

The ANC slipped up in Alexandria by giving the names of office bearers living in town instead of the adjacent rural areas. Similar mistakes were made in Uitenhage, Port Elizabeth and Bathurst rural areas.

In Albany, ANC candidates and not the party were disqualified because they stood for election to the rural council despite living in town. The regional services council had asked for the postponement in order to avoid holding an illegitimate poll. — Sapa
ANC delivers b... all, says fiery Peter Marais

RDP paralysed by ‘too much consultation and wrangling’

Political Correspondent

THE African National Congress’s obsession with consultation and inclusivity has paralysed the reconstruction and development programme, says Peter Marais.

The fiery Western Cape Local Government Minister added that promises of new houses and a better life for all had come to naught.

He was speaking at a meeting in Wellington last night.

He was warmly received at the Boland Stadium by about 100 supporters.

Organisers said the poor turnout was because the meeting clashed with several school functions and a choir festival.

However, Mr Marais seemed undeterred, delivering a characteristically boisterous tirade against the ANC, peppered with one-liners.

Rounding on the RDP and promises made in last year’s election, Mr Marais said “They promised a better life for all, houses for all, jobs for all, money for all; but the people say there’s bigger—all.”

In a play on the Afrikaans version of the RDP slogan — HOP — he scoffed “The only HOP I know is the record that says ‘Hail, Jompi.”

He said the ANC’s obsession with consultation meant it took months for decisions to be made, followed by further wrangling over who should do the work, and even then, recommendations still had to be approved by RDP Minister Jay Naidoo “if he can be found on one of his blitz visits to South Africa.”

“The whole thing suffers from paralysis. We negotiate and negotiate and negotiate and nothing happens.”

Dwelling at length on the virtue of the Western Cape’s struggle against the central government, he charged that the only reason the ANC did not want provinces to have real power was “because they know their own people in the provinces they control cannot govern.”

“DEALING with the ‘logo’ of the central government was hard to fathom when, at a time of increasing crime, it abolished the death penalty and released thousands of prisoners, or instituted free health care for pregnant mothers and children, yet slashed health budgets.”

On the touchy subject of violence, Mr Marais said the ANC “cannot even stop the violence because many of those first to suffer from violence are members of the ANC.”

Mandela to meet amnesty seekers soon

PRETORIA — A decision on extending an amnesty cut-off date to May 19, 1994 would be made after consultation with Justice Minister Dullah Omar, Safety and Security Minister Sydney Mufamadi, the cabinet and those affected by it, President Nelson Mandela said today.

Speaking after meeting Freedom Front leader Costand Viljoen at the Union Buildings, Mr Mandela said he would meet people out on bail charged with politically motivated crimes next Thursday to discuss the matter with them.

A distinction had to be made between “pure murder cases” and political acts, he said, adding that the victims of the crimes had to be remembered.

“These are matters which are not simple. I am taking General Viljoen’s request seriously,” Mr Mandela said.

General Viljoen said soldiers and policemen who qualified for indemnity would attend next Thursday’s meeting.

“We are hopeful that we will find a way out of this problem and achieve reconciliation,” he added. — Sapa.

Electoral Briefing

Mandela targets homeland ‘scams’

Political Staff

KEMPTON PARK — President Mandela has announced a top-level probe to expose corruption in the former South African and homeland governments.

Mr Mandela made the announcement during his closing address to the Habitat II African Housing Ministers’ Conference at the World Trade Centre here last night.

The announcement follows the release this week of the report of the Skweyisa Commission set up to investigate financial irregularities involving more than R15 million in the former Bophuthatswana homeland.

Mr Mandela said last night he had “taken note” of the Skweyisa Commission’s findings.

“It is clear to me that in the past decade or more, corruption and malpractice of the kind dealt with in the Skweyisa report were not confined to that part of South Africa but were widespread, deriving from the workings of the whole apartheid system which created the homelands.

“We need to eradicate corruption throughout South Africa. The kind of plunder of taxpayers’ money, corruption, malpractices and dishonesty referred to by the Skweyisa Commission continue to rear their ugly head and must be exposed and dealt with.”

“I will make a further announcement in this regard after consultation with the cabinet,” said Mr Mandela.

During the session this year, parliament received several reports from the auditor-general on financial irregularities in the former homelands, especially Transkei.

Provincial Local Government Minister Peter Marais makes a point.

CENTRE FIELD: Surrounded by shrubbery, Western Cape Local Government Minister Peter Marais speaks from a podium at Wellington’s Boland Stadium.
NP agrees to reconstituted provincial committee

BARRY STREEK
POLITICAL STAFF

THE NP majority in the Western Cape government agreed to a settlement of the Greater Cape Town demarcation dispute yesterday—clearing the way for elections in the area to be held by the end of March next year.

Premier Mr Hermus Kriel said the demarcation dispute would end up in the Special Electoral Court—a solution originally proposed by the ANC—and the NP would accept its ruling.

The provincial government could still have gone to the Constitutional Court but that would be "unsatisfactory, drawn-out and expensive" and it had therefore proposed a settlement.

Deputy Minister of Provincial Affairs and Constitutional Development Mr Vahi Moosa said the NP had "conceded to the terms" of the government and the party's strategy of imposing its demarcation on Cape Town had "fallen flat on its face."

Both Mr Moosa and Mr Kriel said elections could now be held in Cape Town before March 31. Both the NP and the ANC also said they would accept the Special Electoral Court's ruling on the issue.

Effectively, both sides have now agreed that the Provincial Committee will be constituted in the way it was appointed by the Minister of Provincial Affairs, Mr Roelf Meyer, after two appointments made to it in May by the provincial Minister of Local Government, Mr Peter Marais, were challenged to the ANC.

Mr Kriel said Mr Lesley Ashton and Pastor Stafford Petersen, the two people appointed by Mr Marais, had agreed to resign.

The two people appointed to the committee by Mr Meyer—Mr Cam Chetty and Mr Cecil Hendricks—would be ratified and it would now consist of three ANC and three NP members.

The NP would reconsider its demarcation proposals and submit these to the Provincial Committee when it meets next Wednesday.

Mr Kriel said he did not expect the committee to reach agreement and the matter would therefore go to the Special Electoral Court, which he hoped would sit soon.
Battle for the Boland in top gear

By NORMAN WEST

WITH only 10 days left to the first local government elections, the ANC and NP are rolling out their big guns this week for the final vote-catching push in the Western Cape rural areas.

The main towns to be targeted in the run-up to the November 1 poll are likely to be Paarl, Worcester and Stellenbosch.

Both Deputy President Thabo Mbeki and NP leader Mr F W de Klerk are to stage roadshows in the Boland this week.

On Thursday, Mr De Klerk and the NP Western Cape leader Dr Dawie de Villiers are to visit Tulbagh, Ceres and Wolseley, ending their roadshow with a public meeting at Worcester that evening.

On Saturday, Mr Mbeki is to address rallies at the Paarl and Worcester stadiums. President Nelson Mandela will be doing his final election round-up at Graaff-Reinet. A rally will be held in the morning followed by an address by the president in the Asherville sports complex in the afternoon.

Dispute

The Cape Town Metropolitan area, with 1 439 032 voters, is the second-largest voting zone, but because of the region's boundary dispute, it is expected to go to the polls only at the end of March.

November 1 will be a national public holiday (except in KwaZulu-Natal) and there will be extensive TV coverage through historic first-time "provincial broadcasts".

Panelists familiar with the Western Cape, its towns, people, different cultures and political dynamics, will give Western Cape TV viewers focused and updated analyses and regular comments on progress.

In the Western Cape alone, 2 117 transitional councillors, appointed to transitional local government structures, will lose their jobs to democratically elected replacements after November 1.

To streamline activities at the polling stations, the ANC has embarked on a training programme of 15 000 party agents during 58 training sessions.

Their job will be to monitor the elections for the ANC and to assist the pending officer and the returning officer in ensuring the smooth running of the election.
NP confident of taking most Stellenbosch seats

PETER DENNissy

THE National Party is confident of winning most seats in Stellenbosch because 60% of the town’s voters in last year’s election voted for the NP, said NP candidate Mr André Gaum yesterday.

The ANC got less than 30% of the vote here in last year’s election, he said.

Mr Ayanda Boyce, chairman of the local ANC branch, does not contest these figures, but he is confident his party will fare better.

“We don’t expect to take the whole town, but we do expect to take a large part of it,” he said yesterday, adding that fears about the ANC had not materialised. The ANC’s record in the government over the past 18 months will work strongly in its favour, he said.

Hotly-contested

The ANC is contesting eight of the twelve ward seats — the six in Stellenbosch’s Kayamandi township, and the seats in Cloeteville and Ida’s Valley, which it also expects to win.

The largely coloured constituencies are the most hotly-contested.

The largest single ward in Stellenbosch — Cloeteville and Klampunts — has 6814 voters. Eight candidates are contesting this seat.

The second largest ward — Ida’s Valley, Janestown and Johannesdal —

Township

“We don’t have alliances at this stage, but we do have good relationships with some people, including two or three from Kayamandi,” he said.

Mr Boyce admits the ANC is likely to benefit from the formula for allocating ward seats. According to a deal negotiated at Kompost Park, 50% of all ward seats must be in the township.

In Stellenbosch, it means that six of the 12 ward seats are in Kayamandi, which has 6255 registered voters.

Apart from the ward seats, there are eight party-list seats, bringing the number of seats to 20.

The other parties and organisations contesting the poll here are the DP, PAC, Freedom Front, African Christian Democratic Party, Stellenbosch Belangegroep, Stellenbosch Civic Alliance and the Stellenbosch Huis Akse Komitee.
Worcester TLC’s success scrutinised

CHRIS BATeman

WORCESTER’S Transitional Local Council (TLC) has done more for its people in the 12 months of its existence than any of the town’s previous administrations — but try to find out why and you discover what next week’s election is all about.

ANC mayor Mr Riyad Williams says the reason is that his party finally has an equal say in running the town and has directed a bigger budget at the most pressing basic needs, “without overburdening the ratepayers”.

This proves, he claims, that previous councils had neither the political will nor the social conscience to address the greatest needs.

Uplifting

He says that to uplift the disadvantaged, his non-statutory TLC component laid to “catalyse the statutory NP component and reach agreement by exhaustion”.

Fellow lawyer, councillor and NP campaign leader Mr Roelf McLaughlan rejects this as “blatant nonsense”, although he agrees that the TLC has been an unprecedented success story.

For a start, he says, former town council failed to deliver because the ANC and its union allies used boycotts and strikes to prevent funds from reaching their targets.

“Now that they’re on board, the funds are suddenly getting there — with our active support and the support of the NP-led province — yet they claim credit,” Mr McLaughlan said.

At the top of the NP’s election agenda is the racially divisive and acrimonious strike staged by Samwu in August, which led to three serious injuries, refuse trucks dumping rubbish along formerly pristine streets and statutory TLC members being held hostage.

Running close second is an election formula that gives half the 10 available ward seats to the black township — another potent NP vote-grabbing opportunity.

Worcester’s 17 000-strong coloured community has three wards, the 9 000 white residents two wards and the African township of Zwelethenga, with 7 000 people, has five wards. There are seven proportional list seats.

Mr McLaughlan rejects Mr Williams’ claim that NP canvassers use “swart-geuvar” tactics, but admits to “pointing out facts”.

The “facts” are that even with Zwelethenga’s five almost-certain ANC seats (one is ACDP-opposed); the ANC has put two Africans among its top three listed candidates — which would give a demographically skewed mix of councillors (seven Africans in a 17-member council).

Mr Williams reckons his party has a good chance of winning 10 seats and is banking on the Freedom Front to split the NP vote.

An eight ANC/eight NP council with the Freedom Front holding a balance of power is a distinct possibility.

The best available indicator is last year’s election results for Worcester, De Doorns, Touws River and Rawsonville.

Then the NP won 54% of the vote, the ANC 34%, the FF 2,4% and the DP 1,5%.

Mr Williams believes TLC service delivery will change all that. He expects to be labelled “soft on Samwu” but says the NP has no culture of democracy nor an understanding of union negotiations.

“Their ‘kragladge’ tactics would have caused mayhem,” he says, referring to mainly white gun-tooting townfolk who gathered in the town square to confront workers on one strike day.

Mr McLaughlan says the ANC fought the April 27 election from the Samwu offices and that Mr Williams therefore “owed them — that’s why he was so soft”.

Successes

The Worcester TLC’s achievements include an integrated (non-racial) housing waiting list, budgeting for stormwater drains and tarring of roads, R2 million to repair and upgrade council flats using paid tenant labour, electrification of all 106 Ouens Van Daar housing units, 18 of which have been upgraded, and approving housing subsidies for 339 Avlen Park housing units and for servicing another 910 plots.

Zwelethenga has had two more roads tarred. Bridging finance was used to build 139 homes to take the overflow from hostels that were being upgraded with National Hostels Fund money.

Plans for a R150-million shopping complex at the Worcester Dam would provide 1 000 permanent jobs but may pull major tenancy away from the CBD, providing another subject for electioneering.
NP expected to win in Western Cape

CAPE TOWN — There was unlikely to be a major shift in party political allegiances among Western Cape voters during the coming election, academics said yesterday.

University of Cape Town political science department head Robert Schrire said the election would be a test of party organisational capacity in the 95 Western Cape townships taking part in the election. The NP’s organisational capacity was stronger than it had been in 1994.

Although “local governments do not count all that much”, there appeared to be much apathy and confusion among voters in the province.

University of the Western Cape political science professor Willem van Vuuren said a survey undertaken in August showed that although the overall level of voting in the province would be lower than the last election the NP was likely to draw most of the voting support from a lower overall vote.

University of Stellenbosch’s Willie Breytenbach said he expected the gap between the number of NP- and ANC-supporting voters to widen. In the last election the majority of coloured voters voted either for the NP or ANC.

Reasons for NP support included the emergence of a new identity consciousness in the coloured community, the Alan Boesak affair, affirmative action fears and organisational capacity in the party.

The NP was expected to face a “tough ride” in many other provinces, except possibly Northern Cape. It would draw most of its coloured support from the rural working class.
Angry crowd has mayor on the run

TALKS WITH STRIKERS FAIL

STRAND mayor Chris Hattingh was chased by an angry mob when he tried to address a crowd of striking municipal workers outside the council offices.

Mr Hattingh was forced to retreat into the building yesterday and take refuge there until he left later under armed escort.

Two members of the SA Municipal Workers' Union (Samwu) confirmed the incident, but Strand police station commander Mike Reitz said it had not been reported to the police.

"If it happened, we don't know about it," Major Reitz said.

Major Reitz could also not confirm allegations that a protester had attempted to stab Mr Hattingh.

Samwu chairperson Bennett September said while Mr Hattingh was talking to the striking workers over a megaphone, a Xhosa interpreter indicated that he needed a chance to interpret the speech after each sentence.

Mr Hattingh allegedly refused and a scuffle ensued between him and the interpreter.

Mr September said: "Then all hell broke loose. The crowd started chasing him while an unidentified video cameraman filmed the chaos."

Repeated efforts to contact Mr Hattingh and town clerk Bert Boschert failed.

Negotiations also started between a Strand council delegation and the Samwu over municipal workers' hours of work.

More than 330 protesting Strand municipal workers have vowed to continue strike action this week until their hours of work are equal to those of office staff at the municipality.

While the talks were in progress this week, all services ground to a halt and the municipality was closed to the public.

Last week the council twice rejected recommendations by a sub-committee that all weekly-paid workers should work 41.5 hours instead of 44 hours a week.

Municipal office staff start work at 8am until 4.30pm with a 40-minute lunch-break — a total of 39 hours 10 minutes a week.

The sub-committee, consisting of four Samwu officials and four municipal department heads, proposed workers should start work at 7.30am and finish at 4.30pm with a lunch break of 30 minutes.

Mr September said the workers had started at 7am in summer and 7.30am in winter, but claimed the council now refused to adhere to these starting times.
Is the NP saying we have gangsterism in our blood?

EITHER the NP was saying coloured and African people were born with gangster blood in their veins or they had to look at the seven causes. Paarl's ANC mayor, Mr Allen Pauie, says in a typically prescriptive election strike to neutralise the NP's "crime wave" election strategy in his marginal town, which the ANC probably has the best chance of winning any of the Western Cape's 95 municipalities, the mayoral incumbent of 12 months collapsed his words carefully.

"He's speaking from his law office" Paarl residents who reportedly coloured residents will decide who controls Paarl's past district council and I'm representing the council on November 1," Mr Pauie boasted silently between sentences.

"The NP says the ANC can't control crime. If you use Paarl as an example, I ask, why are we black thieves, rapists, burglars taking place in Paarl East and Mbekweni. Is this a coincidence?"

Removals

Like all good politicians he agreed his own questions.

"It's because of forced removals, they threw us on a hoop without housing or facilities..."

Across the Bergriver in central Paarl, an elderly Mr Connel Malheere, NP secretary and former mayor, shudders when I mention race or "this and that side of the over to denounce ward demarcations or vote concentration areas."

"What Mr Pauie says is not worth commenting on — nobody has been pushed around over the past six or seven years, and before that you had separate development..."

"I don't know if it caused crime, whites were also forced to move," he says, stubbing out a cigarette in anticipation of choosing another time.

Expelled

Paarl has 20 seats up for grabs — 12 ward and eight proportional seats.

Six wards are in Mbekweni — (three ANC-held and unopposed and the others opposed by the Paarl Residents' Association (PRA) and two independents) Mr Pauie says these opponents were expelled from the ANC for breaking party discipline, but remained ANC sympathisers and gave an undertaking to caucus with the ANC if they won.

Then there are central "white" Paarl's two wards, one uncontest-
ed, with NP-aligned Mr Edward Bekman firmlyanciaised, and the other contested by (NP-aligned) former deputy mayor Mr Andre du Velters and local businessman Mr David Hillig.

Which leaves Paarl East, with four wards contested by four groupings, as the inevitable battle-ground.

Here the PRA (mainly members of the former coloured management committee and black local authorities), the DP, NP and ANC canvassers work furiously as top, provincial guru his. Government Minister Mr Peter Marais and Economic Minister Mr Chris Nus-

sen cause the names to the democrat-opportunity of a lifetime.

Distorting

In Paarl, as in Worcester, the majority of voters are coloured. But in contrast to Worcester, where the NP claims that two Africans at the top of the ANC's proportional list will distort the ratio on the council, in Paarl the ANC says two whites at the top of the NP's proportional list will have the same effect.

Affirmative action is in the same boat as Mr Pauie's two hobby horses. His president affirmative action moment, he says, was when the non-statutory bodies on his TLC took the power to appoint council staff from senior officials and gave it to a council sub-committee.

He claims that that is the future in Paarl's history the budget includes bursaries for disadvantaged people to gain skills necessary for affirmative action.

His proudest affirmative action moment? Fostering Mbekweni's residents to take a 15% of 2009 services charge hike and pay up like the white and coloured resi-

"If Paarl is so confident why is he top of their proportional representation list and standing in a ward?" asks Malheere. "He's wearing a belt and braces."

The NP expects to win 12 "anti-ANC" seats out of 20 (8 ANC) — "if we're lucky", Mr Malheere says — in what I could swear was an ungallant moment.

Chris BateMan
For last year’s general elections, Political Reporter Mondli Makhanya went to the Western Cape to cover the various campaigns. He was there again last week, and returned convinced that the focus is again on the coloured vote.

Coloureds don’t buy it this time

South African election experts call coloured voters the key to the Western Cape, where a strong ANC majority could be just a few hundred votes away from being swayed.

According to experts, coloured voters are more likely to respond to personal stories and feel more connected to their local communities. The ANC is known for its strong ground presence and grassroots organizing, which is likely to appeal to coloured voters. However, the DA has also made inroads in coloured communities, particularly among younger voters who may be more likely to support the DA’s focus on economic development and job creation.

The coloured electorate in the Western Cape is diverse, with a mix of Afrikaner, Malay, and Cape Malay communities. Each of these communities has its own concerns and priorities, and the electoral landscape can be complex. The ANC has traditionally been strong in the more urbanized areas, while the DA has gained ground in the more rural and suburban areas.

The next election in the Western Cape is likely to be a tight race, with both parties making significant efforts to win over coloured voters. Both parties will need to focus on key issues that matter to coloured voters, such as education, health, and economic development, in order to secure victory.

Overall, the coloured electorate in the Western Cape is crucial to any national election, and both parties will need to work hard to win their support. The ANC and the DA will both need to continue to build strong ground organizations and develop effective campaign strategies in order to appeal to coloured voters in the Western Cape.
Strand weekly earners strike

THREE QUARTERS of the Strand municipality's weekly wage earners have been on strike since Friday to protest against having to work longer hours than their salaried colleagues.

This was claimed by Mr Bennett September, chairman of the Strand branch of the SA Municipal Workers' Union.

He said he could not condone the workers' action in "rushing at" Strand mayor Mr Chris Hatungh on Friday. The mayor and the council have since refused to speak to the workers.

Mr September said the union had been negotiating over working hours for the past two weeks, and that the strike was legal.
ELECTORAL COURT LIKELY TO HAVE FINAL SAY

Meeting today on city boundaries dispute

THE provincial committee is likely to deadlock today over Local Government Minister Mr Peter Marais' metropolitan boundary proposals. CHRIS BATEMAN reports.

LOCAL government minister Mr Peter Marais will today again propose a massive central sub-structure, including Khayelitsha and the southern sub-structure, for the March 1996 Cape Metropolitan elections — making a final decision by the Electoral Court almost certain.

This was reliably learned from sources within the local government office on the eve of today's sitting by the restructured provincial committee.

The committee, which Mr Marais allegedly ngged by appointing two NP-aligned members to ensure that Khayelitsha was excluded from the Tygerberg sub-structure, is a watchdog body set up to ensure a fair transitional process.

Mr Marais and the committee must concur before the metropolitan boundaries for the local government elections next March can be finalised.

Deadlock

Today's sitting, which committee chairwoman Ms Hilda Ndube was yesterday trying to ensure would be open to the media, is expected to deadlock over Mr Marais' proposals.

This would mean the Special Electoral Court will make the final decision on the election boundaries.

Central government intervention to ensure the provincial committee remained politically balanced resulted in protracted political negotiations and a Constitutional Court hearing. Parliament was eventually reconvened to redraft the Transitional Local Government Act.

Mr Marais and Premier Mr Her- nus Kriel were forced to abandon plans to return to the Constitutional Court when the House of Assembly made the Electoral Court the final arbiter of future changes to provincial committees.

The Western Cape Demarcation Board has recommended that Khayelitsha be included in the Tygerberg sub-structure and the Electoral Court is expected to follow this.
‘Four bergs’ plan for the Cape Metropole

□ Finance deal will help new municipalities cope, Marais says

ANDREA WEISS
Municipal Reporter

LOCAL Government Minister Peter Marais has suggested that the Cape Metropole be carved up into four bergs — Tafelberg, Blouwberg, Tygerberg and Helderberg.

This was the proposal put to the reconstituted provincial committee for local government yesterday. The committee has not reached agreement and will reconvene tomorrow to make a final decision as to whether the matter should go to the special electoral court.

In Mr Marais’s proposal, the biggest of the four municipalities would be Tafelberg, consisting of Cape Town, the whole of the south Peninsula, Langa, Browns Farm, Philippi and the whole of Khayelitsha.

The Tygerberg municipality would take in Nyanga, Guguletu and Crossroads, along with the municipalities on its eastern boundaries such as Brackenfell, Kranfontein and Kuils River.

Blouwberg would be the northern substructure as was proposed by the demarcation board.

The Helderberg municipality would consist of all the areas in the Helderberg basin.

Mr Marais said he would be announcing a “comprehensive financial package” to help the newly established municipalities, especially those asked to include poverty-stricken areas.

In his motivation for excluding Khayelitsha from the Tygerberg, Mr Marais said the Tygerberg did not have the financial resources to cope with Khayelitsha’s escalating arrears. It also did not have the administrative capacity because it would have to merge seven municipalities into a single one during the next two years.

While Nyanga, Guguletu and Crossroads might also require new infrastructure, no new houses were planned for the area and it therefore had no new growth potential, he argued.

By contrast, Khayelitsha had the development potential to provide a further 10,000 sites which could mean a further 60,000 people.

He said the demarcation board had erred in “underplaying” the importance of coloured poverty areas.

“It seems to be solely preoccupied with finding a white municipality to look after black areas, instead of poverty areas.”

He said ward councils would be established in the larger substructures, namely Tafelberg and Tygerberg, to ensure “greater accountability”.

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CALL FOR ACTION IN POLITICS

‘Leadership vacuum among coloureds’

PROFESSOR Wilmot James, head of Idasa, has called on coloureds to stop complaining and to get involved in politics “to build a better tomorrow”. ANEEZ SALIJE reports.

There is a leadership vacuum in the coloured community, says Professor Wilmot James, head of Idasa. It was time therefore for some clear and authoritative leadership to deal with divisions, and sectarianism among coloured people, he said yesterday at the annual general meeting of the Social Involvement Association, an organised business network charged with making the RDP work.

Professor James, who is also a non-executive board member of Cape Newspapers, owners of the Cape Times, spoke on Managing Ethnic and Racial Diversity.

He spoke not only in his Idasa capacity but also as a coloured man and a non-partisan politician.

On political representation he said: “Members of the coloured community have a prominent place in government. There is no statistical basis for claiming neglect on this score, but all of us need to get involved in politics and to creatively use politics to the benefit of all, not just some.

“There is room for better and greater representation. There is a leadership vacuum.”

He asked: “Who leads and directs the communities of the Western Cape, particularly coloured ones? Are we training the next generation of leadership? Are we nurturing our political talents to create leaders of a calibre and sophistication whom we can be proud and trust?”

“We need leadership, direction and a vision to guide us in this province. We need to get involved in politics. No more of this apathy stuff. No more whining and complaining. No more in-fighting and division. We all need to pull together in the same direction and build a base for a new tomorrow.”

In response to a question about how to avoid a coloured backlash against Africans over affirmative action he said it should be as broad as possible, and not amount to window-dressing. “It is not the answer to change a few places on company boards by black faces.”
ANC CLAIMS ‘SLEIGHT OF HAND’

Marais slammed over latest boundary plan

THE reconstituted provincial committee reached no agreement on Cape Metropole demarcation proposals yesterday,

CHRIS BATEMAN reports.

THE restructured Western Cape Provincial Committee adjourned in disarray yesterday with the ANC component accusing Local Government Minister Mr Peter Marais of “sleight of hand.”

It will reconvene tomorrow after the three ANC members have taken legal advice and consulted with the Demarcation Board.

Chairperson Mrs Hilda Ndube said there were substantive differences between demarcation proposals given to her committee for consideration on Tuesday, and ones tabled at yesterday’s official meeting. Mr Marais blamed “typographical errors,” she said.

The earlier proposals seemed to have Khayelitsha standing alone as a Transitional Local Council, unattached to either Cape Town or Tygerberg. However, yesterday’s proposal joined Khayelitsha with Cape Town and included “significant” alterations.

ANC provincial committee member Mr Kam Chetty said Mr Marais had dressed his proposals up as those made by ANC deputy minister of Constitutional Development Mr Valli Moosa.

Mr Moosa’s model puts Nyanga, Guguletu and Crossroads (193 000 voters) in Tygerberg, while Cape Town takes Khayelitsha (187 000 voters) and separates the Southern substructure.

Yesterday’s model tabled by Mr Marais proposes four structures:

- The Tafelberg Municipality, including the traditional Cape Town council area, Cape Point, Simon’s Town, Scarborough, Fish Hoek, Constantia, Hout Bay, Pinelands, Langa, Brown’s Farm, Philippi East, the Philippi farming district and Khayelitsha
  - Blaauwberg: Brooklyn, Rugby, Tygerhof, Sindrift, a portion of Paarden Eiland, Milnerton, Marcom Beach, Du Noon, Melkbosstrand, Bloubergstrand, Koeberg, Philadelphia West, Atlantis, Mame and Pella,
  - Tygerberg (including the Eastern substructure) Bothasig, Richwood, Parow, Goodwood, Elsie’s River, Ravensmead, Durbanville, Bellville, Belhar, Roquan, Matroosfontein, Delitz, Mfuleni, Nyanga, Guguletu and Crossroads
  - Helderberg: Macassar, Pin-grove, Faure, Somerset West, Gordon’s Bay, Lwandle, Nomzamo, Sir Lowry’s Pass Village, Steenbras River Mouth and Kogel Bay
Coloureds urged to boycott poll

BARRY STREEK
POLITICAL STAFF

COLOURED people are being used by the ANC and the NP as "voting factories" and are again being discriminated against, Kleurling Weerstandsbewegung (KWB) Cape Peninsula leader Mr George van Niekerk said yesterday.

Because of this, coloured people should boycott the local government elections, he said.

Mr Van Niekerk said affirmative action was reverse apartheid.

"People are giving jobs to blacks at the expense of coloureds."

RDP funds were only being channelled to black townships like Khayelitsha; coloured people did not see any results of the RDP.

"The ANC says it's non-racial, but it's for blacks; the NP says it's for minorities, but it's for whites."

Mr Van Niekerk added: "Coloured people should stay away from the polls because the 50/50 formula negotiated by the ANC and NP at Codesa has discriminated against coloured people, who are the majority in the Western Cape.

"The KWB will not sell out our own people by voting."
Opposition parties reject Marais’ plans

WRANGLING over Cape metropolitan boundaries continues, with opposition parties saying local government minister Mr Peter Marais is politically motivated.

OPPOSITION parties in the Western Cape yesterday rejected proposals made on Wednesday by provincial Local Government Minister Mr Peter Marais to resolve the Cape Town metropole boundary dispute.

The chairperson of the Western Cape provincial committee on local government, Ms Bilda Ndude (ANC), accused Mr Marais and his National Party in a statement of “putting a gun to our heads”.

Democratic Party Western Cape leader Mr Henno Bester said: “This is Mr Marais’ third variation on the DP’s proposal. This negates any claim from his side that he has applied his mind to the matter.”

Mr Marais proposed to the provincial committee on Wednesday that the Cape metropole be divided into four sub-structures — Tafelberg, Blauwberg, Tygerberg and Heiderberg — with Khayelitsha being incorporated in Tafelberg, whose main other component would be Cape Town.

 Virtually all other parties and groupings, and the Demarcation Board, favour Khayelitsha being placed in Tygerberg.

Wrangling over the issue has led to the local government poll in the Cape metropole being postponed until next year.

Ms Ndude said she and other ANC-aligned members of the provincial committee believed that the DP was not prepared to consider the Demarcation Board’s proposals in a non-party political manner.

Her committee had agreed after long deliberations on Wednesday to adjourn until today to study Mr Marais’ proposals.

Mr Bester said the DP “completely rejects” Mr Marais’ proposals.

The NP was trying to ‘‘dress up party-politically motivated boundaries as financially and demographically sound ones’’.

The DP called on the provincial committee to endorse the Demarcation Board’s proposal and “thereby put an end to a saga which has already cost the taxpayer several million rand”.

Mr Marais on Wednesday said he rejected allegations of manipulation and racism, saying the NP proposals were based only on the financial viability of the local authorities involved.

The issue would be referred to the Special Electoral Court for arbitration if the provincial committee reached a deadlock.

“Every delay makes the likelihood of elections being held by March 31 next year more impossible,” Mr Marais said.

“It seems that at this stage we are heading for April” — Sapa
COUNCILLORS SAY HE MUST QUIT

'Non-stat' member of exco crosses floor

WHEN a non-statutory member of exco crossed to the NP this week, councillors voted that he be asked to resign, but he refused. PETER DENNEHY reports.

A CITY Council exco member has crossed the floor from the non-statutory side to the National Party — unleashing a furious debate yesterday and calls for his resignation from exco.

The motion by Mr David Statham was introduced by Mr Arthur Wienburg of the DP who said Mr Statham's change of parties disturbed the balance on exco.

This balance had been agreed upon by the Council in February.

NP caucus leader Mr Leon Matikowitz said no agreement had been made concerning councillors who changed their political affiliations.

Commitment

Mr Statham did not defend himself in the Council, except briefly to complain that his commitment to his beliefs was being questioned.

Afterwards he said he agreed with the original Council resolution to start out with a 50-50 balance on exco between statutory and non-statutory sides, but he added that there had been no intention to maintain the balance from then onwards.

During the debate in the Council, several councillors pointed out that the balance had been disturbed right from the start.

Councillors on the 18-person exco who are no longer with their parties for various reasons include Mr Sedick Soeker (formerly NP), Mr Llewellyn van Wyk (former DP), Mr Balraj Pathter (former NP) and Mr Siwwe Matika (formerly Azapo).

Mr Soeker said his own move from the party had not disturbed the balance. The same applied to the other councillors who had moved, except for Mr Statham.

Mr Neil Ross said if Mr Statham had occupied a seat in Parliament and had changed parties, both the NP and the ANC views would have been that he should lose his seat. But the DP would feel in such a case that he should retain it.

Mr Saleem Mower of the ANC said Mr Statham no longer enjoyed the confidence of the non-statutory members.
Opposition parties reject NP proposal

CAPE TOWN — Opposition parties in the Western Cape have rejected proposals made on Wednesday by local government MEC Peter Marais to resolve the metropole boundary dispute.

The chairman of the Western Cape provincial committee on local government, Hilda Ndaba (ANC), accused Marais and the NP of "putting a gun to our heads".

DP Western Cape leader Hennie Bester said: "This is Mr Marais' third variation on the demarcation board's proposal.

"This negates any claim from his side that he has applied his mind to the matter."

Marais proposed to the provincial committee on Wednesday that the Cape metropole be divided into four substructures — Tafelberg, Blaauwberg, Tygerberg and Helderberg — with Khayelitsha township being incorporated into Tafelberg, whose main other component would be Cape Town.

"Virtually all other parties and groupings, and the demarcation board itself, favour Khayelitsha being placed in Tygerberg."

Wrangling over the issue has led to the local government poll in the Cape metropole being postponed until next year. Ndaba said she and other ANC-aligned members of the provincial committee believed that the NP was not prepared to consider the demarcation board's proposals in a non-party political manner.

The ANC-aligned members would not "be fooled" by any attempt by Marais to label the new proposal as the "Vali Moosa proposal".

Her committee had agreed after long deliberations on Wednesday to adjourn until today to study the proposals put forward by Marais.

Bester said the DP "completely rejects" Marais' proposals.

"The NP was trying to "dress up party-politically motivated boundaries as financially and demographically sound ones".

The DP called on the provincial committee to endorse the demarcation board's proposal and "thereby put an end to a saga which has already cost the taxpayer several million rand".

Marais and the NP proposals were based only on the financial viability of the local authorities involved.

The issue would be referred to the Special Electoral Court for arbitration if a deadlock was reached, he said.

"Every delay makes the likelihood of elections being held by March 31 next year more impossible."

"It seems that at this stage we are heading for April." — Sapa.
Electoral Court to decide in Khayelitsha row

29/10/95

By NORMAN WEST

Political Reporter

THE end is finally in sight for the long-running, bitter dispute between the National Party and the ANC over which sub-structure Khayelitsha should be included in.

The row, which led to elections in the Cape Metropole being delayed until next year, will be decided by the Electoral Court.

The call to refer the matter to the Electoral Court comes after the three NP and three ANC members of the Western Cape Provincial Committee reached deadlock on Wednesday over Local Government Minister Peter Marais' four-substructure plan for the metropole.

The NP members on the committee have supported Mr Marais' demands for Khayelitsha's inclusion in a central Cape Town structure, which they say should be renamed Tafelberg.

The ANC committee members demanded that the original Demarcation Board six-substructure plan, which placed Khayelitsha in Tygerberg, should be implemented.

'On Friday, committee chairperson Hilda Ndude (ANC) confirmed that she had asked Mr Marais to refer the matter to the Court "as a matter of urgency".

She said she had also sent her request directly to the Electoral Court, which is expected to meet later this week or, at the latest, next week.

Mr Marais said yesterday his proposals could only be implemented if at least one of the ANC members supported them, giving him a two-thirds majority.

He said elections for the Cape Metropole, which now take place only in April because of prescribed procedures which must be met.

Councillor David Dlali, executive chairperson of the Cape Metropolitan Council, called on Mr Marais to refer the matter to the Electoral Court by tomorrow to ensure that voters can go to the polls on March 27 next year.

Mr Dlali said: "It is time Mr Marais realised the aspirations of citizens . . . rather than embark on petty political brinkmanship."
Coloured vote 'not based on racism'...

IF YOU thought that the strong support for the National Party among coloured voters in South Africa or the Western Cape in particular is a stray from the norm, think again, say the results of Idasa's national survey on voting trends in the 1994 election.

Coloured voting patterns are normal and predictable for they respond to the usual forces - class, ideology, and judgment of past performance - which motivate voters worldwide, according to the survey.

The Left has explained this seeming anomaly in terms of anti-black racism while some on the Right have attributed it to coloured people's greater affinity to whites, especially Afrikaners, in terms of language and religion.

Both explanations are deeply flawed, the survey findings assert.

For instance, presumptions about the electoral impact of coloured anti-black racism has contributed to strong pressures on the Western Cape ANC to de-emphasise attempts to win coloured votes and instead concentrate its efforts in the black townships.

Furthermore, presumptions about a "natural" white/coloured political alignment have led the National Party to throw enormous resources into a demarcation fight to protect its "electoral flock" in coloured Cape-Flats suburbs, the findings state.

According to the survey findings class played a crucial role in the election for, while normally workers support parties on the Left and the middle classes the parties on the Right, the National Party had majority support among the coloured working class.

Among the middle classes, a sharp difference existed between those who owned businesses - who supported the National Party overwhelmingly - and the civil servants, teachers and professionals who supported the ANC or had the tendency not to be aligned to any political party.

However, only 16 percent of coloureds belonged to this group.

When respondents were asked for their evaluation of general economic and overall conditions in the country at the time of last year's election, the ANC emerged the winner among those who felt "things were getting better".

The NP led by large margins among those who felt things had remained the same or were getting worse.

The findings conclude that, while racism most certainly exists, more immediate and commonsense factors explain coloured voter preferences.
Just get to the polls!

Hennie Estefaan, Provincial leader of the Democratic Party of the North.

Chris Nissen, Provincial leader of the African National Congress.

Dave de Villiers, Provincial leader of the Freedom Party.

Marc John, Provincial leader of the Communist Party.

Electors across the country.

The Argus, Tuesday, October 3 1995.
Gertrude Stein (1874–1946), American poet and writer, was known for her innovative approach to language and her focus on the aesthetic qualities of words and sounds. She is often associated with the Parisian literary scene of the 1920s and is celebrated for her experimental writing style.

Stein's work often explores themes of identity, language, and the nature of reality. She believed in the power of words to create new meanings and interpretations, and her writing is characterized by its playful exploration of language and its ability to challenge conventional expectations.

In her essay 'The Women', Stein wrote about the importance of the female voice in contemporary literature, and she is known for her support of female writers and artists. Her influence can be seen in the work of many modern writers, and her legacy continues to inspire contemporary artists and thinkers.
Public Sector - Local Authorities - Western Cape

1995

November - Dec.
Nissen, Marais in bitter war of words

CHRIS BATeman

A BITTER war of words erupted on the eve of the election after Local Government Minister Mr Peter Marais labelled ANC provincial leader and Economic Affairs Minister Mr Chris Nissen “a hollow braggart with no real power”.

Mr Nissen retaliated, saying Mr Marais was “an embarrassment to coloured people and the province”.

The ANC chief predicted party victories in Worcester, George, Grabouw and Paarl, and Mr Marais conceded possible ANC gains in George, Paarl, Beaufort West and Oudtshoorn.

But Mr Marais said that all ANC gains would be “entirely dependent” on the African township favouroing ward formula and on opposition parties splitting the pro-

portional vote.

Mr Marais’ attack flowed in part from a reported claim by Mr Nissen that the three percent economic growth in the Western Cape was largely due to his department.

Mr Marais said the growth was “in spite of him being economic affairs minister — he’s got no department and no powers devolved. It’s a hollow brag, he’s merely an expense item on the budget.”

Mr Nissen said he ran a “fully fledged” department and was the first to have appointed coloured people to the most senior positions — something Mr Marais had been unable to match.

“I would degrade myself by responding to his personal attack — I think he’s stupid,” Mr Nissen said.

TV election coverage — See Page 13
VOTERS URGED TO TURN OUT IN FORCE

City demos as 13m gear for historic poll

AS VOTERS IN SMALLER Western Cape towns prepared to vote today, protests erupted in Cape Town over the demarcation battle which has delayed polls in the city by at least five months. ANTHONY JOHNSON and CHRIS BATEMAN report.

AS 13 MILLION voters prepared to stream to the polls around the country to complete South Africa’s transition to democracy, protests erupted in Cape Town last night at the inability of 75% of voters in the Western Cape to cast their ballots during today’s historic poll.

While ANC supporters staged placard protests during rush-hour traffic in the city, Cosatu announced a half-day strike in kwazulu/Natal today to back ANC protests at being robbed of the opportunity to vote in the Inkatha-controlled province.

And while political parties, independent candidates and thousands of electoral officials made frantic last-minute preparations for the elections in the province, a flaming row erupted between the National Party and the ANC, with NP local Government Minister Mr Peter Marais and ANC Economic Affairs Minister Mr Chris Nissen firing insults at each other.

The ANC sees Mr Marais as the main culprit behind the delay of the elections in the province, a flaming row erupted between the National Party and the ANC with NP local Government Minister Mr Peter Marais and ANC Economic Affairs Minister Mr Chris Nissen firing insults at each other.

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Premier Mr Herman Kriel and Democratic Party provincial leader Mr Henne Bester urged voters to turn out in force for today’s election.

Saying the most important community elections ever were going to take place “in the largest part of the Western Cape”, Mr Bester urged the 500 000 voters eligible to go to the polls “to keep intimidation and violence away from the election process”.

He urged coloured voters in particular to cast their ballots to break “the deep-seated apathy running through the coloured community”.

But the ANC complained that the 1.5 million voters in the Cape Town metropole encompassing greater Cape Town and environs stretching from Mamre in the west to Gordon’s Bay in the east and Kuils River and Kraaifontein in the north, will be spectators instead of participants.

Results in most of the towns in the Cape Town metropole would lead to the “absolute paralysis” of the city.

But inroads made by the ANC would
Cape comes out to vote

Thousands stream to polls to make mark ‘for a better future’

JOSEPH ARANES, MICHAEL MORRIS and ANDREA WEISS, Staff Reporters

AT 81, William Pullen is sure his cross in the Stellenbosch community elections will make a difference and help improve the lives and future prospects of his children and grandchildren.

When the polling station opened at 7am in Cloeteville, Mr Pullen, who lives in the local old-age home, was one of the first to cast his ballot. "I've lived through years of war and war now, as a free citizen of this country, I'm using my new-found rights to vote in my first community election."

"Although I am old and don't think I will live long enough to benefit from all the changes taking place, I'm sure my children and grandchildren will enjoy the fruits of the new South Africa." Mr Pullen said he was sure the conditions in the country would improve but said the new councillors and government should be given a fair chance to set things right.

"They inherited a mess, but already we are seeing the changes."

For Vuyézard Gbezemelile, 54, of Kayamandi, a vote in the community elections was another way of showing his support for the African National Congress.

"I've been here since 5:30am to be first in the line for the ANC because they are the only party that will improve our living conditions."

Mr Gbezemelile said his area needed decent houses, toilets and a range of recreational and educational facilities.

At most polling stations in Stellenbosch, voting was brisk, with voters queuing well before sunrise.

With the trend continuing throughout the day, it would appear that most of the town's 31,391 registered voters will make their mark by the end of the day and help usher in a new system of local government.

Parel voters turned out in droves from early morning despite bad skies and occasional squalls of drizzle.

A cheerful mood swept along the queue of voters — many casting their local government ballots for the first time — at the local hospital stadium, a polling booth serving the Fairview informal settlement and the somewhat better off Paarl extension.

Among the voters helping to choose a new Paarl council for the first time was Ada Julies of Greenhill who heard: "I'm very happy. This is a very good day."

She also added that health and education were two of the most important issues for her.

Another Greenhill resident, Gertrude Adams, echoed the sentiment, adding jobs to the list of her expectations for change at the local government level.

Tshwane North - first-time voters Nathaniel and Cynthia Mzenges of Pinetown, who voted for the first time, said they hoped the new council would provide better sports facilities, housing and even swimming pools.

Meanwhile, some Montagu voters had little idea why they were voting today, but others had very definite expectations of the local government.

An informal poll by The Argus at three of the four voting stations in the town pointed to a landslide victory for the National Party. Although rain bucketed down, voters streamed to the polls and officials expected a high turnout.

Linen and Jan Smit said they hoped the election would bring an improvement in the quality of life for all.

"Things did not improve after last year's election," said Mrs Smit.

"As a pensioner, I have had to make ends meet and rain was particularly expensive, she said.

An elderly woman who said her name was an secret as her vote, had little idea what to expect from the election.

"I don't even know why I'm voting, everything is so vague."

"I suppose I hope that the life of the community will improve," she said.

Japhita Jack made no bones about having voted for the ANC. He wished the whole town would support his party of choice.

The town's bottle stores were open and appeared to be doing a roaring trade.

THE NATION

Voting brisk as Western Cape goes to the polls

From page 1

Fairland expressed their delight at having a chance for the first time of having a say in local affairs.

Rabaka Ramale, 76, was first in line at a polling station in Zwelitshembe township outside Worcester to cast her vote for a better future.

Township residents said they hoped the new council would provide better sports facilities, housing and even swimming pools.

From page 4

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BACK OFF THE ROPE

FRIGE MAN.

ROGER. Goats' scope a new
set himself as

LETRINO KALAKO. He has the right on two goals.

INSIGHT

ONE OF THE SPORTS.
Victory for democracy!

Stellenbosch ANC man's

POLITICAL CORRESPONDENT
CLIVE SWYER

Steeped in democracy as a concept and in a bitter battle to defend it.

"Ah, the joy of victory!"

The victory was for democracy.

But for the ANC, it is a hard-won victory, fought against all odds.

The ANC is the voice of the people, for the people, and with the people.

In the face of adversity, the ANC stands firm, unyielding in its commitment to democracy.

An act of defiance, a call to arms.

The ANC will continue to stand guard over the rights of the people.

A proud moment in the history of South Africa.
ANC sweeps to\(^2\)\(^{63}\)

**Worcester victory**

**ART 2 11/95**

LINDSAY BARNES  
Staff Reporter

THE African National Congress scored virtually a landslide victory in the former politically conservative town of Worcester, winning a higher percentage of the votes than anticipated.

Jubilant ANC candidates celebrated outside the town hall; many supporters danced and wept tears of joy.

The crowd clapped and cheered as their lead candidate, a past mayor of Worcester, Riyadh Williams, arrived as dawn broke, to discover, before results were officially announced, his party was a clear winner.

Mr Williams was ecstatic.

"I think results indicate the scare-mongering of the National Party has not worked. The people of Worcester judged the ANC on its track record of the past year on the transitional local council and the swing will become a landslide by 1999."

Town Clerk Neels de Bruyn confirmed two parties had lodged official complaints, but he declined details. He said the objections would be investigated.

As officials prepared for counting in the early hours, the atmosphere was calm. Candidates were positive about outcome.

Work began in earnest shortly after 2am and, as several candidates paced, others went home to sleep, returning for the official announcement.

At 8.45am the final results were announced.

The NP candidates elected are Eddie Prince (Ward 1), Christo Marais (Ward 2), and elected on the proportional vote are C Ismail, Werner Schwella and F A Schönland.

The ANC's proportional representatives are Riyadh Williams, L M Seheko, Kennedy Rampang and Alice Titus, while the following ward candidates were elected: Clarence Johnson (Ward 3), Davey Petersen (Ward 4), Brendan Damons (Ward 5), W Z Londo (Ward 6), Philip Tyra (Ward 7), Joe Mapanza (Ward 8), Thembi Hlole (Ward 9) and Wilson Ntshingila (Ward 10).

Candidates for Wards 6, 7, 8 and 10 were elected unopposed.

About 75 percent of voters turned out to vote yesterday.

The National Party fared worse than anticipated and the party's leading candidate, Christo Marais, blamed this on a number of factors, including a poor turnout in the coloured areas.

He claimed many NP supporters had abstained because they were turned away from the polling stations in Wards 1 and 2. They had allegedly got incorrect information on where to vote, and on reaching the front of the queue were sent elsewhere.

He said the organisng of the National Party had been "very good under difficult circumstances."

Tom Faick of the Freedom Front, who stood in Ward 1, said the election campaign had involved "a lot of mudslinging."

Democratic Party candidate Cedrick McNeil said today was a "sad day for Worcester."

The ANC had used the same scare tactics as the National Party and it had no control over its people, he said.
Tough contest brings out voters

The ANC/NP contest centres on four wards which, broadly, represent the coloured vote, about 30 000 strong.

In the heart of this area was the Dal Josafat Stadium polling booth which drew eager voters as early as 6.30 am yesterday. Within a few hours, there were more than 800 in the queue and it was growing by the minute.

Most of them were voting at the local government level for the first time and expressed high hopes for changes that would ease their lot in life.

Among them were Elizabeth Njenzi, Sophie Bebeza and Patricia Pietersen — but, they opted out of the queue for a while to sit down and rest their legs, and shade themselves with umbrellas.

Rain threatened early — and there were occasional squalls of drizzle — but, as the queues edged slowly forward and the clouds thinned, the umbrellas were turned to good effect as sun shields.

In Mbeki, children played happily in the streets as their parents joined ever-lengthening queues.

Here, too, voters had gathered well before 7 am and had snaked out of sight within a few hours.
PAC accused over De Lille 'threats'

The African National Congress in the Western Cape today called for the Pan African Congress to reprimand Patricia de Lille, a PAC MP whom the ANC accused of threatening the life of its Western Cape leader, Chris Nissen.

In a statement the ANC said Ms. de Lille's threats, also made against several Grabouw ANC leaders, were being taken seriously.

A complaint against the PAC would be lodged with the Electoral Tribunal, because the ANC considered it had deliberately contravened the Electoral Code of Conduct relating to violence and intimidation, said ANC spokesman Bree Simons.

In Grabouw, where 6,000 voters had a choice of 30 candidates — one an independent, the remainder from four parties — voting at three of the six polling stations was well under way by 7.15 a.m.

At one station, PAC MP and national executive member Patricia de Lille and her organisation were frustrated by the employment of only known African National Congress (ANC) supporters as election staff at one station.

Mrs. De Lille, who had flown in from Mpumalanga especially to fly the PAC flag in a town which she visited earlier this year to mediate in a bitter land squabble, said PAC supporters who were registered had been turned away because they were told their names did not appear on the voters' roll.

She said there was no doubt these voters were legally qualified to vote and the PAC would not get its own copies of the roll to keep election staff honest.

Mrs. De Lille said she had taken a keen interest in Grabouw because of homelessness and squalor in the town.

PAC candidate and local chairman Dennis Marnus was hot under the collar because the ANC had circulated defamatory pamphlets and daubed similar graffiti on strategic walls in the town.

Mr. Marnus said he had laid charges.

One of United Christian Democratic Party candidate Willem Fortuin's first tasks at the Ward 21 station — where Mrs. De Lille was voting — was to remove his own poster.
Huge coloured swing to ANC

In last year’s elections, the ANC won about 20 percent of coloured votes in rural areas. Initial results in the local elections show a swing of at least 30 percent to the ANC.

“Our estimate is that we are averaging between 55 to 60 percent of the votes in the coloured community,” said provincial leader Chris Nissen.

He expected the trend would be repeated throughout the province as further results became known.

In early results, the NP won the small towns of Yzerfontein, Koringberg, Redelinghuus and Aurora.

But at the same stage of counting, the ANC had won 83, about 42 percent, of 198 seats on local councils. Counting in allied candidates, the ANC has won 46 percent of seats.

In Worcester, the ANC won all three coloured wards, the five Zwelithemba wards and three from the proportional list to secure 11 seats on the 17-member council. The remaining six seats went to the NP.

In Riversdale, the ANC won six of the 10 seats on the council. In last year’s election, the ANC won only 14 percent of the votes, the remaining 76 percent going to the NP.

Mr Nissen said the huge swing away from the NP showed “people’s eyes have opened — they are no longer interested in division and racism, they are appreciative of President Nelson Mandela’s approach to reconciliation, and see the ANC as the vehicle of effective change”.

Commenting on the poor showing of other parties, Mr Nissen said: “It’s like the cartoon you had in The Argus. The NP was ‘in war’, the NP was ‘out of war’ — the rope is pulling to our side and the people in the middle are falling off.”

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Hiccups but most local polls go well

The Argus Correspondent

SIXTY percent of proportional representation votes cast in the local government elections have gone to the African National Congress, with 18 percent going to the National Party and 11 percent to independent candidates, according to preliminary information issued by the Local Government Elections Task Group today.

However, the group cautioned that “this is a preliminary figure and one should not try to identify any particular trends.”

Election task group co-chairman Fredrich van Zyl Slabbert said at a media briefing in Pretoria today that his group was grateful for the low level of violence which had taken place in the elections yesterday.

“I could argue that this augurs well for the spirit of democratic tolerance and for inter-party cooperation. We have come through a steep learning curve and had to face many challenges,” Dr Slabbert said.

Millions of people turned out to vote, but so far only a few results have been released because in some cases counting started during the night or this morning.

The elections went smoothly, but teeth problems and hiccups were experienced at some polling stations.

Provincial Affairs and Local Government deputy minister Mohamed Valli Moosa called the elections “a phenomenal success”.

Election results for greater Johannesburg were not expected until later today, after a last-minute change in procedures delayed the start of counting in Soweto by up to 12 hours.

But the turnout was much lower than...
Polling smooth in W Cape

About 60 voters queued outside Stellenbosch town hall as the doors opened at 7am yesterday. Returning officer Mr Johan Bekker said everything was running smoothly and he foresaw no hitches. There were 4,600 voters registered at this voting station, one of 18 in the area.

First in the queue was Mervyn Edwards, who works for the University of Stellenbosch’s maintenance department. He said he had arrived at 6:30am because he had to go to work. “I feel everybody should vote,” he said, adding he was going to vote for the Democratic Party.

Second in the queue was Sakkie Thart, who said he was voting early to get it over with.

In Paarl, the elections appeared to get off to a brisk start with long queues outside most polling stations. A Western Cape Police Services spokesman said no problems had been reported in the region, where the ANC and NP were locked in a duel for control of the province.
ANC SLAMS PROPOSAL

Marais sets May 22 for W Cape election

THE LATE DATE set for local elections yesterday raises the possibility Constitutional Affairs Minister Mr Roelf Meyer will intervene. CHRIS BATEMAN, BARRY STREEL report.

WESTERN CAPE Local Government Minister Mr Peter Marais has set the Cape Metropolitan election date at May 22 next year — nearly two months after the legal date set for elections in areas which did not vote yesterday.

The proposal was slammed last night by the ANC, who accused Mr Marais of playing "silly games" and appealed to him to stop trying to keep the people of the Cape Metropole out of the democratic process.

But Mr Marais cited the lack of final appointments to the Special Electoral Court — which he said had to finalise the Cape Metropole boundary impasse before mid-November — to practically enable the May 22 election date.

"I'm determined to have a first World election and not give the people an election reminiscent of Third World countries," he said yesterday.

"Reckless"

Mr Marais' decision effectively gives Constitutional Affairs Minis
ter Mr Roelf Meyer the legal power to appoint an administra
tor in his place to ensure out
standing elections take place by March 31 next year.

ANC deputy secretary-general Ms Cheryl Carolus said Mr Marais was being "reckless" and "foolish or stupidly provocative."

She added that Mr Marais himself had been party to the national agreement that the polls would have to be held before the end of March.

However, Mr Marais contends that it is practically impossible to hold Cape Metropole and rural dis
tinct elections in the Western Cape by this date and is confident that Mr Meyer will stay his legal hand.

"We must first make sure we have a voters roll which can stand the test of any court challenge, that sufficient time is given for its inspection, that independent candidates collect the two percent of signatures required — and that there are at least 40 campaigning days between Nomination Day and Election Day," he said yesterday.

Mr Marais notified Mr Meyer yesterday of his choice of election date, on condition the Special Electoral Court hands down a Cape Metropolitan demarcation judgment by November 15.
Jobs main issue for rural voters

ZWELIHLLE shack dweller Mr Bongani Bubu said he was casting his vote for “land, toilets, work and water” in Hermanus yesterday.

Mr Bubu, moved to Hermanus from the Transkei in 1989 and was an unemployed bricklayer.

“I know how to vote because of the first election — now I want to vote so that I can have a say in my future,” he said.

Deputy President F W de Klerk and his wife Marlene cast their ballot at 8.30am at the De Mond caravan park near their holiday home.

The deputy presiding officer at De Mond, Mr Martin Meyer, said there was a long queue of voters at 7am but the pace slowed later in the day.

For the people of Stanford in the southern Cape the election was about jobs, houses and low rent and the race looked set to be a hard run between the ANC and the local ratepayers’ association.

Retired Pinelands doctor Dr Dennis Knight, standing as an ANC-aligned independent candidate, said there was a desperate shortage of jobs for shack dwellers who had come to Stanford to escape violence.

Work in Stanford was seasonal and centred on the flower-growing industry, he said.

At least a third of voters in the town owned holiday homes and were not expected to travel from Cape Town and Gauteng to vote.
Views invited on role of the CMC

Municipal Reporter

THE Cape Metropolitan Council has launched a campaign to inform people that it not just a continuation of the former Western Cape Regional Services Council and to invite them to give their view of what role it should play in future.

Chairman of the CMC Willie van Schoor said that while the CMC performed functions previously carried out by the RSC, this would change when the new boundaries were determined.

The CMC's new functions would include managing and directing urban growth and development, making policy for and co-ordinating the provision of metropolitan services and functions, and, where necessary, rendering services.

Questions people are being invited to answer are what roles they think should be emphasised by the CMC.

Anyone wishing to comment on the CMC's future role should call David Phillips on 4372026, or write to the CMC Restructuring Co-ordinator, PO Box 16546, Vlakte, 8018.
Officials should apply anew for jobs

(Municipal Reporter)

SENIOR council officials should be made to reapply for their jobs after the election to ensure accountability to the people they serve. This was the unanimous position of three senior city councillors at a debate before the Cape Town Press Club.

Councillors Clive Keegan and Arthur Wiem burg all supported the view that senior officials should reapply for their jobs, an idea first put forward by Leon Markowitz.

Mr Keegan said it was "virtually impossible to get rid of senior officials short of them being caught performing lewd acts in public".
Marais rejects claims of swing in voter support

Staff Reporter

PROVINCIAL Local Government Minister Peter Marais has rejected political analysts' claims that there was a big swing of support to the African National Congress in Wednesday's community elections.

Speaking to reporters as the results from the region’s 95 rural towns that held elections came in, Mr Marais said the proportional voting percentages did not indicate a swing to the ANC.

"With 35 percent of the towns' results in, the ANC mustered only 32 percent of the vote compared to the 33.5 percent they got during last year's provincial elections."

The figures also indicated that Mr Marais's National Party, which took 54 percent of the vote last year, got only 44 percent of the community elections votes.

Independent candidates and civic and ratepayers' associations managed to secure 20 percent of the votes.

Mr Marais said that historically, the NP had never contested local elections under the party banner, but rather left it to ratepayers' associations.

"In fact, a number of our branches indicated they would campaign under the names of ratepayer associations and this is reflected by the high percentage of proportional votes the NP has won.

"And, as we all know, the ANC benefited most by the Kempton Park agreement which allowed for a 50/50 split of wards between the statutory and non-statutory areas irrespective of the number of people living in areas."

NATIONALIST LEADERS: Declaring their "consolidated" position in the Western Cape are, from left, Western Cape Local Government Minister Peter Marais, provincial leader and Minister of Environment Dawie de Villiers and Premier Hermus Klei.

FF claim progress

JOHANNESBURG – The Freedom Front says the local government elections revealed a large growth in its support.

FF general-secretary Flip Buys said while the National Party had done better in some areas where there was a low turnout by African National Congress supporters, a swing to the FF was evident. — Sapa

Good humour rules as ANC flag flies in Grabouw

Staff Reporter

THE ANC's black, green and yellow flag flustered through Grabouw, the town at the heart of the lushly beautiful Elgin Valley, best known for its fruit production and packaging.

Temperamental Cape weather seemed to mirror the mood during vote-counting, with the drizzly grey skies matched by a sprinkling of desultory supporters marking the early, uncertain stages.

By the time the results of the third ward were tallied, the rain had begun to clear and the crowd of party faithfuls began to swell.

As if in anticipation of the overall results, Pan Africanist Congress supporters huddled in a corner furthest from the closed doors behind which the fate of the town was being decided.

ANC supporters, flaunting party caps and T-shirts, had colonised the opposite area, near a public telephone, used often to relay the latest results to those too timid to brave the cold.

Excited clapping, impromptu dancing and backslapping greeted successful ward candidates.

"It's a lekker feeling," summed up one supporter when the reality of the ANC's victory in the town had sunk in.

General good humour prompted invitations to unsuccessful candidates to join in celebrating the ANC's victory and the birth of the new local government.
Claim W Cape Poll Wins
Bupsily as ANC, Nats
The Olympic Games bid

Keegan resigns from ANC

And joins new city grouping

Keegan resigns from ANC and joins new city grouping

Officials in ANC

Keegan resigns from ANC and joins new city grouping

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of the Olympic Games

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And joins new city grouping
THE ANC has made inroads into NP territory.

**ANThony JOHNSON**
and **BARRY STREEK**
report.

The National Party and the ANC last night both claimed victory in the hotly contested Western Cape local elections—but the ANC seized control of several traditional NP bastions.

The ANC also made inroads into the NP’s main support base in the coloured community, which comprises more than half of the province’s voters.

But the wild cards will be the independents and ratepayer associations—who hold the balance of power in several of the 95 towns where voters cast their ballots this week.

The ANC had some significant victories in the larger towns, winning outright control of Stellenbosch, George, Paarl, Worcester, Mossel Bay, Beaufort West, Swellendam, Ladismith, Vredendal, Saldanha, Riversdale, Grabouw and Heidelberg.

**Dominance**

The NP won control of Clanwilliam, Langeberg, Malmesbury and Moorreesburg, while power was shared in Ceres, Citrusdal, Barrydale, Pakeberg and Vredefontein. In Caledon the independent ratepayer groups will dominate the council.

With about two-thirds of the ballots counted, election officials said the NP had won 47% of the votes (compared with its 53% throughout the province last year) and the ANC 37% (33% last year).

The independent and ratepayer association candidates got 14% of the vote.

The Democratic Party and PAC polled one percent and the Freedom Front two percent. Of the first seats decided in the Western Cape, the NP took 195, the ANC 187, PAC 3, the DP two and the Freedom Front one, while independents took 192.

The controversial 50-50 ward arrangement allowed the ANC to take 40% of the ward seats with 37% of the votes.

‘Landslide’

An elated Mr Chris Nissen, the ANC’s Western Cape leader, said the party’s victories in former Nationalist strongholds showed a “landslide” swing to the ANC among coloureds, who make up more than half the voters in the province.

ANC election strategists claimed its share of the coloured vote had risen from 20% last year to over 50%.

But Premier Mr Hernus Kriel last night dismissed the claims, saying: “The one fact that has clearly emerged in this election is that the National Party is still the strongest political party in the Western Cape.”

NP provincial leader Dr Dawie de Villiers claimed that because of agreements the NP had struck with ratepayers and independents before the election “you should add 10% to the NP tally.”

However, ANC secretary-general Mr Cyril Ramaphosa said: “People in the country—and in the Western Cape in particular—have shown confidence in the ANC’s ability to transform the country.”

Several results will not be finalised until today.

See Pages 6 and 7
Stellenbosch under effective ANC control

PETER DENNEHY

THE ANC has taken effective control of Stellenbosch municipality — if its allies and its dissidents are all counted as being on its side.

It won all six seats it was expected to take in Kayamandi, and it took another two seats through proportional representation, bringing its official total to eight seats out of the total 20.

Another three seats have fallen effectively into ANC hands.

The first of these went to Mr Faghre Patel, an ANC nominee on Stellenbosch Council during the transitional period. He served as chairman of its executive committee.

He was also until recently the chairman of the ANC branch in Stellenbosch. But the ANC branch became so unhappy with him, for undisclosed reasons, that it tried to have him ejected from the council and replaced.

This was not legally possible, so he stayed on. He formed his own civic grouping, the Stellenbosch Civic Alliance, and won the massive predominantly-coloured Cloeteville seat on this ticket.

Lost and gained

The neighbouring equally huge coloured ward of Ida’s Valley (a 10-way fight) was taken by the Stellenbosch Housing Action Committee’s candidate Dominee Simon Adams. This civic body is generally seen to be ANC-aligned.

The third ANC-aligned seat is that taken by Mr Dawie Carstens, who until a couple of days ago was the town’s deputy mayor. He joined Mr Patel’s new grouping, and stood in Ida’s Valley. He lost there, but gained a seat on the proportional representation list.

In all the largely white wards, four NP-aligned Ratepayers’ Association candidates came in. Mr G P Lubbe defeated the DP’s Mr Pieter Viljoen in ward six, the central area of Stellenbosch.

Dr E P S Taljaard defeated Mr R. Moses of the Stellenbosch Civic Alliance in ward five, which includes the 900 coloured voters of Daalder, Brandwag and Janiestown, and 1 800 voters from the white part of Stellenbosch.

Mr Koos van Schoor defeated Dr Isabel Roos, an independent thought to be more or less DP or ANC aligned, in ward four.

And, Professor Chaniqe Cawood, who was the town’s mayor until just prior to the election, had already secured his seat as he was unopposed in ward one.

The NP won another four on the proportional representation list, while one proportional representation seat went to the Democratic Party.
GENADENDAL, the former mission station after which President Nelson Mandela named his Western Cape residence, is split down the middle. The ANC and NP have effectively each won five seats on the new council.

Last month Mr Mandela visited the area, 35km north of Caledon, in his capacity as head of state. "He went did not really have an effect on the elections," the town's management board secretary, Mr Anthony Potberg, said yesterday. His trip was strictly non-party-political. He came because he named his home after our town. We respect him for that."

The ANC and the NP each won two proportional seats and the six wards were all won by independents. But locals say half the independents owe their allegiance to the ANC and half to the NP.

Mr Potberg, who is effectively the town clerk, said the RDP was the top priority for the underdeveloped town — many people still had to use the bucket toilet system.

An RDP Forum had been established and project proposals had been forwarded to the provincial government, but Genadendal had not yet received a cent, he said: "Perhaps, now we have a new council, the money will come in..."
ANC claims ‘landslide’ win

WITH ELECTION RESULTS still coming in, both the ANC and NP have claimed “victories” in the fight for the coloured vote in the W Cape. CHRIS BATEMAN reports.

CHAMPAGNE corks popped at both ANC and NP media conferences early yesterday evening, the ANC claiming a “landslide victory” in the pivotal coloured yards and the NP claiming to have “consolidated and gained” overall.

NP Western Cape leader Dr Dawie de Villiers warned against comparing yesterday’s results to last year’s general election, as “a quarter to a third” of all voters that time were excluded because of living in rural areas where their elections were postponed.

He gave the example of Worcester ANC victory where 68 396 people voted last April (including rural areas) compared to this year’s voters roll with just over 31 000 people.

“I’d estimate that at least a third of last year’s voters were just passing through from outside (versus having to vote where you registered this year),”

He said the NP result had to be interpreted against a background of tacit NP agreements with individuals and independent candidates, which led to the party not standing in 23 of the 92 country towns. It had suited the NP better to form alliances later, he added.

‘Better win’

If one counted alliances, the NP secured “way over 50%” — a better win than last year.

ANC chief Mr Chris Nissen said the ANC had (by 4pun) won an average of 71% of the wards in the coloured community (including independent or civic allies) compared to about 20% in the rural areas in April last year.

“We raised the coloured issue to expose the NP lies,” he said.

Local organiser and national MP Mr Willie Hofmeyr emphasised rural areas were not a “heartland where we went to seek traditional support” — yet by 3pm the ANC had won control of 15 of 92 towns and half the seats in another eight with the NP controlling 13.

“This represents a huge shift from last year when the ANC probably did not have a majority in a single coloured rural area,” he said.

Premier Mr Hermus Knel said it was “wishful thinking” for the ANC to interpret their wins as a “swing” away from traditional NP support. Local Government Minister Mr Peter Marais described the “swing” as “utter nonsense because it was impossible to say how many coloureds voted NP or ANC last year — it was just assumed that the NP owed its success to a 100% coloured vote.”

With constituencies, it was now possible to tell that the ANC had 33% support in towns like Vredenburg, Paarl, Worcester and Grabouw — which had “surprised the ANC, not us”.

‘Undemocratic’

Mr Knel said the 50/50 formula which gave formal black settlements half the council ward seats before a vote was cast, had produced an “undemocratic result”.

The ANC expressed delight at Cape Metropolitan election prospects next year.

Mr Knel and the NP remained the major political force in the Western Cape and Mr Marais promised it would be “business as usual” in ANC-controlled councils as he was “only interested in helping them develop their towns”
Wild cheer as ANC takes Paarl

STAFF REPORTER

CT 3/11/95

SEVERAL hours of anxious waiting finally gave way to scenes of wild jubilation as ANC supporters celebrated a historic election victory in the formerly conservative Boland town of Paarl yesterday.

Flag-waving supporters, who moments earlier had been uncertain of their chances, took to their vehicles and set off on a victory convoy through the streets of Paarl.

In sharp contrast, dejected and disbeliefing NP supporters milled about outside the Paarl sports grounds contemplating the ANC's narrow victory.

However, one NP candidate and former executive member of the traditionally strong NP region of Cucuapo, Mrs. Bokke Callear, was more positive when she proclaimed: "The NP are too good, I have overpowered the ANC.

Although everyone expected the result to be close, not many, least of all some of the ANC candidates, thought their party would win.

Early ANC winner in the Groenheuwel area, Mr. Bruce Kenna, said that despite his ANC victory in his ward, early indications were that results in other wards were disappointing.
Keegan quits ANC to form city alliance

PETER DENNETHY

VETERAN city councillor Mr Clive Keegan announced his resignation from the ANC at a Press Club lunch yesterday — to head a future apolitical alliance for the city's first all-race municipal elections next year.

"I will fight the election as part of a new grouping with an agenda to take us into the next century," he said, but he declined to name the grouping or who would form part of the new movement. An announcement would be made within the next month, he said.

Mr Keegan has 17 years' experience in local government office. He has been mayor of Cape Town and chairman of the executive committee, and is now co-chairman of the economic development committee.

He said he had been withholding his announcement until after the elections as he did not want to fight the ANC from within or lay himself open to accusations of political opportunism.

"In the last three months, there has been a ghost at the electoral banquet," he said. "We heard a lot about crime, and a lot of name calling, but nothing about a vision of the future of our city."

Rivalry

"There are a lot of people who could not give a fig about the traditional rivalry between the ANC and the NP," he said. "They want policies for urban government."

The new alliance would cut across party-political and racial lines, Mr Keegan said.

"The ANC is a national political party, and I continue to support it," he said. However, "we need a party that concentrates on the needs of Cape Town." Later yesterday, his fellow councillor Mr Llewellyn van Wyk, formerly a member of the DP but not aligned to any party at present, confirmed that he was having "tentative" discussions with Mr Keegan.

Another possible candidate, Mr Sivwe Matika (formerly of Azapo) who is co-chairman of the town planning committee, could not be reached for comment.

Mr Keegan said party politics and the impending elections had had a debilitating effect on the council.

"We had been wrong to support the formation of party caucuses in the council, he said. "The business of city management and planning for the future has yielded to ideological dispute."
Conflicting views on party support in Western Cape

Edward West

CAPE TOWN — The ANC has made significant inroads into the NP's support base in the Western Cape's coloured community, winning majorities in several towns where the NP triumphed in last year's general election.

However, both parties claimed early victory in the province yesterday as the results of nearly half the 95 towns taking part in the elections became known. By late afternoon the ANC had won 16 major towns including Worcester, Stellenbosch, Mossel Bay, Ladismith, Riversdale, Swellendam, Beaufort West, Vredendal and Saldanha Bay, as well as smaller towns such as Wolseley, Hopetown, Ashtown, Uniondale and Great Brak. Coloured areas such as Hout en Zoar, Ebenhaezer and Rieetpoort also went to the ANC.

ANC Western Cape leader Chris Nissen said the overall percentage vote indicated a major shift from the NP, specifically among coloured voters.

NP Western Cape leader Dawue de Villiers said it was "absolutely mad" to think there had been a swing towards the ANC. The NP had not participated in 23 transitional council wards because of agreements with ratepayers' associations. If these were taken into account, "we have well over 50% of the votes at this stage, which is better than we did last year".
Industry wants weekend election

LOCAL government elections in the Cape Town metropole should be held over a weekend or on an existing statutory public holiday, the Cape Chamber of Commerce and Industry says.

The chamber was reacting yesterday to regional Minister of Local Government Pieter Marais's statement that he would propose May 22 for the elections.

Chamber president Mike Stekhoven said Wednesday's elections in the rest of the country had brought the economy to a virtual standstill. Businesses that had opened would have had to pay overtime rates.

"We certainly cannot afford a repeat performance next year."

He said the elections should be held over a weekend, on a statutory public holiday or a Friday, but not in the middle of the week.

"Every day that the election is delayed is costing the region dearly."

— Sapa.
DEMACRICATION DISPUTE

Beneath the volcano

Constitutionalism was the victor in the Western Cape local government boundary dispute, with parliament coming a close second. Claims by the ANC and NP to have won the day are premature. The willful execution, initiated by the Nationalists, has wasted R1.5m of taxpayers’ money and the parties are practically back where they started — taking legal advice on the possibility of renewed court action.

However, the ANC is merely seeking to tidy up a few loose ends. Court action by the NP would be a last grasp at an elusive prize — their domination of a key local authority in the Western Cape. It is likely that the eventual outcome will be decided by the Special Electoral Court. Parliament finally passed the Local Government Transition Act (LGTA) Second Amendment Bill with a clear majority last month — the ANC and DP voting for it and the NP, FF and IPF voting against it.

But the highly acrimonious passage of the Bill has strained relations in the Government of National Unity (GNU) to breaking point.

Matters reached a head when ANC Transport Minister Mac Maharaj unleashed a bruising attack on Deputy President F W de Klerk during debate on the Bill. It sparked rumours of his resignation and caused jitters on the financial markets.

The accusation that De Klerk was a traitor and the call for his resignation as chairman of the Cabinet security committee was made to score a political point and to whip up emotions in the House before the local elections.

In the same vein, Deputy Minister of Provincial Affairs & Constitutional Development Valli Moosa told the House that the official positions given to the NP as gestures of reconciliation — such as Deputy Speaker and Senate President — had been compromised by the party’s failure to back the LGTA and keep the elections on track:

“The NP cannot be, at the same time, a partner in government and the most hostile and obstructive opposition. We need no longer treat the NP as a partner,” he said.

On an official level, the ANC claims the GNU is functioning well and inspiring all South Africans with a common national identity and purpose. But the reality is that the election campaign threatened to erase the national mood of reconciliation and sharpen ethnic and racial conflicts.

An ANC discussion document released last week says "Local government is a crucial centre of legislative and executive power. How we fare in these elections will be crucial, not only for delivery of socio-economic needs but also for the survival of the whole democratic project.”

The ANC is worried about the pace of delivery, which will be expedited if it has strong support at local government level, and it was therefore crucial for the ANC that elections take place on November 1 in as many areas as possible.

It could hardly have asked for a better campaign platform than the NP’s racist approach to the demarcation of new municipal boundaries in the Western Cape.

By picking a fight with the ANC the NP highlighted its own inability to shun off its old apartheid image. All its efforts — which have put back elections in the region by at least six months — have been an attempt to maintain its rightwing support base in the northern suburbs, where rates are expected to soar if the municipal boundaries are expanded to include Khayelitsha.

NP Local Government MEC Peter Marais rejected the findings of two separate bodies that proposed these boundaries, refused to refer the matter to the Special Electoral Court as stipulated in the LGTA and contravened a political understanding by loading the deciding committee with NP supporters to force through its proposals.

The ANC responded by having NP Minister of Provincial Affairs & Constitutional Development Roelf Meyer amend the LGTA to allow President Nelson Mandela to reconstitute Marais’ committee and overrule its boundary decisions by proclamation.

Western Cape premier Hernus Kriel attacked the proclamations in the Constitutional Court, arguing that they were unconstitutional interference in the province’s running of local government affairs.

The NP hailed the court ruling as a victory for itself and federalism. But the court didn’t make a ruling on the argument that central government had interfered unduly in the powers of the provinces. It merely found that the proclamations were procedurally faulty because they should have been passed by parliament and not the President.

Parliament was duly recalled to do the necessary. The result was that constitutionalism triumphed over political gerrymandering and parliament was affirmed as the sole law-maker.

This was not without embarrassment to Meyer, whose party proceeded to vote against the amended legislation, which appeared in his name and was necessary for the holding of the November elections — something he has fought for.

The Constitutional Court’s historic ruling marked the first occasion since 1954 that a court had overruled the national executive. It lay to rest any doubt about the court’s impartiality and confirmed SA as a constitutional State.
Michael Morris
Political Staff

Fresh from tough contests in its local council elections across the Western Cape, the big parties are already revving up their election machinery for an all-out battle in the Cape Metropole next year.

The metropolitan district — home to some 1.5 million voters — is the key to power in the province and a fierce battle is expected on African National Congress gains in Wednesday's poll of about a quarter of the Western Cape's more than two million registered voters reveals an expected fluidity, particularly in the coloured community and will intensify competition in the first local government ball.

As party strategists and analysts tested the straits of the unfolding electoral tapestry, it became clear the results would require more cautionary interpretation than it seemed at first.

A shift in favour of the ANC remains unquestioned, but observers warned that this excluded the vital 1.6 million votes in the metropolitan area and the 150,000 in the farming district.

Attention now to the scores of members of the independent and ratepayer candidates — 221 in all — who might turn out simply to be ANC or NP stand-ins, or some other independent counter-balancing force at local government level.

Their influence will differ from town to town.

But observers are unanimous in predicting a major showdown in the metropolis, with the ANC entering the fray for City Hall with an uncharted edge over the NP.

Clear majorities in the coloured vote — long and wrongly, held to be a solid NP support base — introduce an element of uncertainty to the elections that the big two parties will have to exploit.

Western Cape Local Government Minister Peter Marais declared confidently: "We are going to give the ANC the breathing of their lives. We'll shut them up forever."

However, ANC leader Chris Hani was equally confident the NP's grip was giving way and that voters would turn away from the former apartheid party in droves.

And Democratic Party leader Henrico Steyn — pleased with the party having established its first foothold in the province — predicted significant gains in its metropolitan homelands.

At the close of the count in the Western Cape, the ANC had won 18 seats, the NP 12, independent candidates 114, ratepayer organizations 37, "other" (mainly community service organizations) 10, Democratic Party and African National Congress seven and Freedom Front four.

In percentage terms, the NP secured 43 percent of the vote (down from 45 percent in last year's general election), the ANC 35 percent (up from 33 percent last year), the Democratic Party three percent and the Freedom Front two percent.

The ANC now controls 16 councils, the NP 11. There are independent majorities in 29 and a fusion of independents in 62 seats councils effectively defeat assessing a winner.

More reports on pages 4, 5.

MP Joe Marks in row over living in a subsidised house

Glynnis Underhill
Staff Reporter

A POLITICAL row has erupted around popular community leader Joe Marks, who is paying R200 a month for his subsidised council house while earning R316 000 a year as a member of the provincial parliament.

Voting to remain in the two-bedroom, ground-floor flat he has occupied for the past 27 years in Retreat, jovial Mr Marks said he would never abandon his community so other leaders had done.

Mr Marks, who was a fruit and vegetable-seller when he first moved into the house, said he would willingly pay increased rent if requested — but no requests had ever been made by Cape Town City Council.

The grassroots leader said he played a vital role in removing disputes among residents and the council and dismissed as "politicking" the issue which he said was brought up by the Mets Maqela Housing and Community Development Association in Retreat.

"I am not moving, I am a role model for people in the area. I would not move into a more leafy area like Pinelands just because I am now an NP. I have always been involved in engineering the struggle with the people at a grassroots level," he said Mr Marks.

David Samson, a convenor of the joint civic initiative — an umbrella body for civic organizations across the Cape Peninsula — said there was grave concern about the fact Mr Marks and his family were living in sub-economic housing.

Mr Marks’ son, John, who is a spokesman for the Cape Action Housing Action Committee and a member of the executive committee of the Western Cape Metropolitan Council, confirmed he was also staying in a subsidised council house in the area.

Mr Marks, who told City News on Thursday he was one of many officials from various community bodies who came from council estates.

"I was born in this house and I live in the area. We live in the community and we have no problem living here."

More on page 2.

Perlemoen: mea ducts to bullets

Perlemoen fired at the highly-placed police industry leader.

A police report states that an attempt was made on the life of an official in a food store in Cape Town. It was one of the tense moments after quotas were handed out by the Fishing Quota Board.

Nine newsmen will retain 95% of the quota given to them by the board, according to an agreement reached on the Cape Town Supreme Court yesterday.

Tension over the allocation of new quotas has risen to such an extent that one of the new quota-holders (who asked not to be named) was shot at last week by an unknown assailant outside his house near Hermanus. He is in hospital.
A-Z of local elections in the Western Cape

(269) 9/10 4/1115
Red Roof Shebeen?

Drinks on house at...
Osiedle Iłkapa Town Councilors appeal to community for support.

In the interest of maintaining the peace and tranquility of our community, we hereby appeal for the support of the residents to ensure that we can continue to serve our constituents effectively. Given the recent developments and the need for a coordinated approach to address various challenges, we urge all community members to come together and contribute to the betterment of our area.

We understand the importance of unity and cooperation, and we are committed to working tirelessly to safeguard our community's interests. We take this opportunity to remind everyone of the significance of being engaged in the community's affairs and to participate actively in activities that promote social cohesion.

Your support and participation will be greatly appreciated, and we look forward to a prosperous future for our community. Thank you for your understanding and cooperation.

Sabał Načal
Cape councillors 'evicted' after suspensions dispute

Cape Town - Ikapa town councillors have been ordered out of the council's premises by enraged employees in a dramatic turn which saw management officials on suspension forcibly reinstated by the workers. The councillors were told to go back to the respective organisations which elected them and tell them to find them new offices.

The executive committee chief, the mayor and the councillors yesterday handed their office keys to security guards and were ordered to leave all council property behind when they left. They will be allowed back only to attend council meetings. Councillors with council vehicles were forced to walk home or catch taxis.

The "evictions" followed a six-hour meeting at council premises after the council took a decision on Tuesday to suspend its chief executive officer, Deepak Bhandari and the town treasurer - Own Correspondent.
Metro has learnt that Mr. Wiensburg, a former council executive committee chairman, has held a series of exploratory meetings with potential candidates and financial backers.

The new party aims to cross racial and political boundaries, sources said, and would focus on grassroots issues and field local candidates throughout the Cape metropole.

Mr. Wiensburg, who is facing expulsion from the Democratic Party for refusing to join the party's city council caucus, yesterday declined to comment.

However, well-placed sources said Mr. Wiensburg had been approached by "a number of people of substance from different political structures" to lead a party based on "liberal values". His prime aim would be to usurp the DP's role as watchdog over ratepayer interests in the metropole.

Details of the new party follow hard on the heels of an announcement earlier this week by another city councillor, Clive Keegan, that he had resigned from the ANC at the end of October and was planning to form a new, urban alliance to fight the Cape metropole elections next year.

The ANC has dismissed Mr. Keegan, a former mayor and head of the city executive committee, as an "opportunist."

The Keegan alliance and the new Wiensburg-led party would swell the number of challengers to traditional political parties, already under threat from a plethora of civic, ratepayer, community organisations, other interest groups and independents.

Meanwhile, the stakes have increased for next year's metropolitan polls in the wake of the bruising Bo Kaap and southern Cape local election battle last Wednesday, when the ANC gained clear control over 16 towns out of 95, compared with 11 won by the NP.

The ANC claims this swing by coloureds to the party would continue when the election in the Cape metropole, expected in May next year, is held.

Wednesday's election involved only a quarter of the 560,000 voters registered in the Western Cape. Next year, more than 1.5-million metropolitan voters and 150,000 rural voters will decide party supremacy on local government level in the Western Cape.

After this week's election there are now independent majorities in 23 Western Cape towns, while in 42 others towns independents will hold the balance of power between the major political parties.
Marais rejects claims he ‘shot himself in the foot’

CLAIMS by the ANC that his attempts to postpone the Cape metropolitan elections to May 22 next year had contributed to their country town poll successes last week were rejected by Local Government Minister, Mr Peter Marais, at the weekend.

National ANC MP Mr Willie Hofmeyr claimed Mr Marais had “shot himself in the foot” by trying to delay metropolitan elections — because the ANC’s country town successes would have a “huge impact” on the outcome of the metropolitan and rural farm elections next year.

Both he and regional Health Minister Mr Ebrahim Rasool said the results would weaken the positions of many of the key Western Cape NP members, especially Mr Marais.

“Marais’ bitter recriminations signify that if anyone has personally lost, it is him, and it’s a bitter pill to swallow,” Mr Rasool said.

Mr Marais has rejected claims that his position has been weakened.

Mr Marais said that, unlike Mr Hofmeyr, he did not need “letters to editors” to prove his existence or relevance to local politics.

“And I want to remind Mr Rasool that I held his portfolio before he came onto the scene (Health and Hospitals 1991-1993) — the plans he’s now trying to implement were devised by me and are the fruits of my hard work with my chief director, Dr Alan MacMahon,” he said.

Personal attacks on him by the ANC were an admission that he was their chief opponent “whom they dare not ignore”.

The ANC should “rather concentrate on whether they can deliver in areas where they’ve won majorities,” Mr Marais added.

Contrary to Gauteng where eight court cases were pending post elections, the Western Cape elections had been trouble free.

To achieve a “similar success story” in May next year in a Cape Metropole which had four times as many voters, he needed at least until May 22 to prepare, he said.

If Constitutional Development Minister Mr Roelf Meyer was unhappy with this, he had let the media know but not himself, Mr Marais said.

Mr Meyer can appoint an administrator in Mr Marais’ place if Cape metropolitan elections do not take place by March 31.
NP loses Western Cape councils

CAPE TOWN — The ANC took control of most of the major towns and a great number of smaller councils in the Western Cape, but the NP retained its command over the overall number of votes in the province.

When the final result was added to that of the entire province at the Cape provincial buildings on Friday afternoon, it was clearly evident there had been a huge swing from the NP to the ANC compared with the 1994 election.

The NP had won 44% of the votes in the province while the ANC had won 36%, indicating a narrowing of the gap between the two parties since the last election when the NP secured 54% of the province’s votes to the ANC’s 33%.

The ANC had won 366 cumulative ward and proportional vote seats in the province compared with 292 for the NP, the PAC’s four, six for the DP, six for the CP, three for the Freedom Front, 97 for ratepayers’ associations and 164 independent seats.

Western Cape local government minister Peter Marais has rejected claims by the ANC that the NP had lost support. He said the NP was instead surprised by the support it had received in towns, as the party’s traditional support base in the province was from rural areas which are expected to hold elections with the Cape metropolitan area on April 22 next year.

Both parties have claimed support from significant numbers of the civic and ratepayers’ organisations that took part in the election. The NP said it had taken part in the elections in 23 of the 95 towns because of agreements with these organisations.

Marais said these organisations would probably have to “fly their flags” when a new mayor was appointed in each town. A greater measure of NP support in towns could be assessed with mayors’ appointments, he said.
Poll reveals mistrust of party politicians

News
Local elections in late 1996 — proposal

THE TIME FRAME suggested by the town clerk yesterday puts the Metropole local elections date in the second half of next year. CHRI$ BATEMAN reports. CT 8/11/95

LESSONS learnt from monitoring last week's local election in Gauteng convinced him that the Cape Metropole and rural districts' need at least 215 days from the time the Special Electoral Court makes a ruling on the Western Cape demarcation impasse, town clerk Mr Kerth Nicol said yesterday.

If agreed to by the government, Mr Nicol's time frame effectively places outstanding Western Cape elections in the second half of next year, because the Special Electoral Court has yet to be reconvened.

Mr Nicol appealed to Constitutional Development Minister Mr Roelf Meyer not to use his power to appoint administrators onto transitional councils if the voting deadline of March 31 was not met.

"I would ask him to leave transitional councils in place until elections," Mr Nicol said.

Mr Nicol's preparation time frame shackles local elections way beyond Local Government Minister Mr Peter Marais' proposed date of May 22 next year.

"The March 31 date is no longer practical if we want to follow legislative time frames and do justice to elections," Mr Nicol said.

Mr Meyer's spokesman Mr Izak Retief said yesterday the Special Electoral Court had "not been finalised", and its chairman, Mr Justice Smalberger, was "trying to speed up the process, but the judge has quite a hectic work load".

The court fell apart when two of its five judges were appointed to the Constitutional Court. Three of the judges are nominated by the judge President and two by President Nelson Mandela.

Mr Nicol said the major lesson he learnt in Gauteng was how critical accurate voters rolls are.

Another cause of problems was insufficient time and attention given to the training of polling officials — "bearing in mind that voters arrive in hordes and many were not on the list."

Some officials also did not know how to use infra-red hand-scanning devices, he said.

Dale Granger reports that the number of registered voters in some areas of the Metropole will drop by as much as 40% due to duplication of voters, some of whom were registered up to 15 times, a Transitional Affairs Committee meeting of the City Council was told yesterday.

Voters roll co-ordinator Mr Brent Gerber said some of the duplication arose when people owned property in more than one area. Also, some married couples were registered under the same ID number. There were cases of three different people being registered under the same ID, he said.
Rasool hits at Marais' health claim

CLAIMS by Local Government
Minister Mr Peter Marais that local health plans were the fruits of his
labours as former health minister
were described by the present
incumbent Mr Ebrahim Rasool
yesterday as "spurious attempts to
cover his failure to deliver the
coloured vote for the NP".
The verbal war between Mr
Marais and ANC opponents has
escalated since elections results,
with Health and Social Services
Minister Mr Ebrahim Rasool saying
Mr Marais had neither the political
will nor the financial creativity to
turn around a R400 million health
deficit.

"Marais never addressed the
issue that 60% of his budget was
being used in three big hospitals to
the detriment of rural and squatter
communities — and during his
years (1991-1993) the Western
Cape was reputedly the TB capital
of the world," Mr Rasool said.

Deficit cut

In the 18 months since taking
over from Mr Marais, he had cut
the regional deficit to a
"respectable R150m" by shifting
patient load away from big hospi-
tals and creating savings to enable
the building of 20 new clinics.

"Mr Marais' essential weakness
is that he didn't have the political
will to change health, nor did he
understand that you needed a
financing plan," Mr Rasool said.
In his three year tenure with an
"unlimited budget" Mr Marais had
"not even got out of the starting
blocks", whereas his own administra-
tion had fundamentally altered
the face of provincial health with a
shrinking budget, Mr Rasool said.
‘Resign’ call to councillor

Municipal Reporter (263) ARG 8/11/95

THE African Christian Democratic Party is demanding the resignation of David Statham, an executive committee member of the Cape Town City Council, who has joined the National Party.

Mr Statham’s decision recently led the city council to vote in favour of a demand that he should resign from the executive committee because his change of party had affected the balance of the committee.

In a press statement, the ACDP said it had asked Mr Statham to withdraw from all positions attained as an ACDP councillor.

Mr Statham said in an interview shortly after the city council debate that he felt he was not under any moral obligation to resign and would remain in his seat as co-chairman of the emergency and protective services committee.
Errol Tobias sets new goals as mayor of Caledon

**Municipal Staff**
FORMER Springbok rugby player Errol Tobias, who was last night elected mayor of Caledon, says he still knows where the tryline is — and will now be crossing it for the community.

Mr Tobias was elected to the council in last week’s community elections on the ticket of the Caledon Community Association (Calco). After some behind-the-scenes negotiations, Calco formed a coalition with the African National Congress and elected him mayor.

David Abrahams of the ANC was elected his deputy.

Mr Tobias said one of his first tasks would be to unify the council and the town so the divisions and separation of the apartheid past would not influence the work they intended doing.

“There is a lot of work to be done among the disadvantaged sectors and especially in the small squatting camp. But our programmes will be an extension of the government’s reconstruction and development programme, and we will hopefully be able to get funds from them to build houses for the squatters and the homeless.”

“At the same time I will ensure that there is a balance in our approach so that the white town folk do not feel left out, but that they are part of the development and growth of the town.”

He said he was full of confidence for the future of Caledon and that he was honoured to lead such a wonderful community — where people still had a high regard and respect for religion, people and their property.

“One of the most sensitive issues in the town, like in most other municipalities, is the question of arrears. Fortunately our problem is not as big as most other towns, the amount owed being around R12 000.”

Mr Tobias said while he welcomed the chance to do something for the community, he was slightly saddened by the fact that he would not have enough time to spend coaching the area’s schoolboys in his favourite sport.

“I will have to see if I can squeeze some training in — but my focus will now be to score tries for the whole community.”
How the west was (almost) won

Gaye Davis

African National Congress morale soared this week as an analysis of Western Cape local government election results showed more coloured people voted ANC than for the National Party, in a startling turnabout on voting patterns during last year’s general election.

The overall result for the region — with the NP at 45 percent and the ANC at 36 percent — indicated ANC inroads into NP support among coloured people. But the detailed analysis shows a major swing which took even the ANC by surprise.

“We’re stunned,” said ANC MP Willie Hofmeyr. “We won three times as many wards as the NP in the coloured community — a landslide victory in any terms.”

Using detailed figures provided by the Local Government Elections Task Group, the ANC tallied the actual votes it won on second ballots cast in 260 Western Cape wards where coloured people made up 90 percent or more of voters. These were the proportional representation ballots, where people voted for a party rather than a candidate, and could thus be some measure of party loyalty.

The analysis shows that overall, the ANC won 44.3 percent (68 853) of 155 558 votes, while the NP won 37.3 percent (58 481) votes. Thus, said Hofmeyr, was a “huge swing” from last year’s election, where the ANC won less than 30 percent of coloured votes overall and as little as 20 percent in rural areas.

The shift was even more marked when it came to the number of coloured wards won by the ANC, Hofmeyr said. “The ANC won 187, or 52.7 percent, of the 260 wards. This does not take into account independents who do or may support the ANC. The NP won only 45 wards (17.3 percent).”

Considering that in last year’s general election the ANC failed to gain a majority at any Western Cape polling station except one, in the tiny town of Saron, the shift is remarkable.

The Western Cape ANC went into the local elections shadowed by its dismal showing against the NP last year and bruised by major internal tensions.

Attitudes regarding the value of coloured voters had to change. “List conferences came up with names of people from African communities in the top positions. We revisited them to achieve balance and there was genuine political acceptance of the need to do this. This was a coming of age for the ANC in the Western Cape and was a significant organisational and political shift. Many people voted against the ANC in 1994 because they couldn’t accept an organisation with strong African leadership.”

Rural ANC structures were revived and 10 regional offices — the bulk in rural areas — were set up, liaising closely with MPs and MPLs working in 32 constituency offices.

Pamphlets and posters were overwhelmingly in Afrikaans and Xhosa, focusing on land claims (“the ANC started the process”), scrapping arrears incurred up to February last year, and affirmative action (making the point that none of the NP MECs, unlike their ANC counterparts, had appointed coloured people to top posts in their departments).

Perceptions that the NP was still a white party — especially in rural areas, where racial oppression is more acutely felt — also helped, said ANC Western Cape secretary general James Ngcuk. Relatively small numbers of African people meant the NP’s “suwerwou” tactics could not work, said Hofmeyr. “A key factor was Musi’s inclusive, unity-seeking style of leadership, as opposed to the NP’s appeal to ethnic sentiment. And people’s fears of losing houses and jobs to black people had been proved unfounded.”

But the major challenge — elections in the Cape metro, where 1.5-million voters are registered, and the farming areas, with about 150 000 voters — lies ahead.

“After the last elections, morale plummeted. There were tensions which led to squabbles,” said Ngcuk. “These results have helped people regain self respect and confidence. It bodes well for the campaign that lies ahead.”
Caledon's mayor Errol Tobias aims to use rugby to forge racial unity

Cape Town — South Africa's first black Springbok rugby player Errol Tobias has been elected as the first black mayor of the traditionally white town of Caledon in the Western Cape.

Tobias, who played flyhalf for the Springboks in six international Test games from 1981 to 1984, has exchanged his rugby boots for the mayoral chain and says his main goal now is to unify the town which has been divided by apartheid.

"Our motto is one town, one community," he said yesterday.

He said while joint community projects such as clearing the town's rubbish would bring people together, rugby was the real bridgebuilder.

"I can use my knowledge of rugby to train and play with boys from different racial groups. If they all play together they can improve relations, and those same boys will some day lead the town," he said.

Tobias was elected on to the town council in last week's municipal poll as a member of the Caledon Community Association, which was formed two years ago.

After the elections the organisation, which won five of the 13 seats, formed a coalition with the African National Congress, which has two seats, and elected Tobias as mayor.

-Reuter.
Caledon passes ball to Tobias

And the captain calls for council to work like a rugby team

By HERMAN WASSERMAN

FOR FORMER Springbok rugby flyhalf Errol Tobias, his new job as mayor of the Overberg town of Caledon involves the same kind of challenge that he faced when still a rugby player - that of encouraging different people to work together as a team towards one goal.

The 45-year-old builder, who became famous 15 years ago as the first black Springbok rugby player, was elected mayor this week, after the Caledon Community Association (Cala), for which he was a candidate, won four of the town's eight contested wards.

He is the first black mayor of the town.

He said he would approach his new position in much the same way as he did when still a rugby player - employing team work to face up to the challenges at hand.

Challenges

"I think it is a great challenge, and I am very motivated to start getting down to business.

"What I want to achieve is a united Caledon. To achieve that it is necessary for the town council not to be divided between white and black, but to operate as a team.

"Affirmative action is high on the agenda, but also a very controversial issue. I would like to allay white people's fears about affirmative action so that we can work together.

"My dream is to see Caledon people striving as one to create a clean, happy and safe town where everybody will feel at home, and of which every resident will be proud," he said.

"The election to me was just like playing trials for a rugby team. In the trial period we were pitted against each other, but now that we have been elected, we must work together as a team."
Cape Metropole polls may be delayed to July

BY NORMAN WEST
Political Reporter

The Cape Metropole elections may be delayed until July because the Special Electoral Court can hear submissions on the metropolitan demarcation wrangle only in mid-December.

A spokesperson for the Electoral Court in Bloemfontein confirmed on Friday that mid-December was "the earliest date" that the court could hear and decide on the dispute between the ANC and the NP on Cape metropo
tan boundaries.

The findings of the Electoral Court are final and binding and not subject to further appeal.

Local Government Minister Peter Marais said last week he would propose to the Minister of Constitutional Develop
ement, Reelf Meyer, that elections be held on May 22.

But he added that elections on May 22 would be possible only "if the Electoral Court gave a verdict by Novem
ter 15."

This is now clearly impossible.

Mr Marais yesterday said deciding the boundary issue as late as Dec
ember, "would throw the whole schedule of procedures, before the elections can actually take place, into disar
Ray."

Rules governing local government elections lay down a time-scale of 215 days from proclamation to polling dates.

Mr Marais said with the Christmas holidays stretching into late Jan
uary, "elections could now be delayed even longer than I had feared."

"A final date, now, de
pends entirely on when the court reaches a ver
dict."

Court is flooded with claims

BY FRIDAY afternoon, dozens of dossiers con
aining submissions to the Special Electoral Court (SEC), tasked with deciding the final bound
aries of the Cape Metropole, had arrived at the of the court in Bloemfontein.

The court is expected to start deliberations on the issue in mid-Decem
ber.

The court's secretary said submissions had been received from most of the parties represented in the Western Cape Pro
vincial Legislature in
cluding the NP, ANC, IFP and DP.

Submissions have also been received from the PAC, as well as from the Durbansville municipal
ty, Milnerton municipal
ty and the Cape Metropo
titan Council. The southern Peninsula sub
urbs will also be re
presented.
Probes into councillor's role in job decision

DALE GRANGER

THE Cape Town City Council is investigating allegations that a councillor influenced a Parks and Forests official to pay a community officer who was improperly appointed.

The Parks and Forests officer, who signed pay cheques for R6 500, has been suspended.

According to a Green Paper before the council, councillor Mr Avril Harding, in a letter referring to a meeting of the Interim Management Team (IMT) on September 11, arranged for Mr John van der Merwe to be appointed Coniston Park development officer.

The Green Paper says, however, that the meeting not properly constituted, so any decisions it took had no legal force. Also, it had decided only that the question of Mr Van der Merwe's employment be discussed by a properly constituted meeting.

Other councillors at the meeting have confirmed that no decision was taken about the appointment.

"These minutes and the personal intervention of Mr Harding on two occasions were used to cause a council employee to sign cheques in favour of Mr Van der Merwe for R6 500 drawn on the community's account," the Green Paper says.

The city's deputy administrator, Mr Barnie Botha, said the council was awaiting a report from a disciplinary hearing before deciding whether to investigate further.
CHRIS BATEMAN

THE Cape Metropole can expect a final decision on its election boundaries before Christmas — pushing elections back to anywhere between June 23 and early August next year, it emerged at the weekend.

The secretary to the Special Electoral Court in Bloemfontein, Mrs Isabel Lindemann, said the court's five judges had long-standing routine court commitments, but intended hearing Durban's boundary dispute later this month and Cape Town's "definitely" next month, probably "around mid-December."

Confirming that verbal evidence would be heard, she said it would take "two to three days" for the court to rule on the dispute. The protracted wrangle went to the Electoral Court after a reconstituted provincial committee deadlocked over whether Cape Town or Tygerberg should take Khayelitsha.

Provincial Local Government Minister Mr Peter Marais has proposed a 158-day period from final demarcation to prepare for the metropolitan and rural district polls. However, city town clerk Mr Keith Nicol claims 215 days is more realistic.
Women lose out in council jobs

Municipal Reporter

The Cape Town City Council has only two women handymen, one woman firefighter, 96 women labourers and 20 professional assistants in its employ.

It has no women drivers, foremen or gardeners.

These are some of the results of a survey of women in local government which says that, according to its affirmative action board, women are under-represented in three of seven departments in the council.

The target figure for women is 53 percent.

Departments where women are well represented are health, human resources, treasurer, and, to a lesser extent, administration, where several women hold management positions.

The council's largest department — engineer's — has a staff of 725 but only 372 women working for it, amounting to only three percent representation.

The other two departments low on the list are the city planner's (21 percent representation) and the city electrical engineer's (five percent representation).
Council faces ‘worst financial crisis ever’

PETER DENNEY

CAPE TOWN’S finances are in the worst shape ever, and the city faces a “financial crisis” unless the question of unpaid arrears is resolved, the City Council heard yesterday.

“Unless we move this debate beyond populist sloganeering, this city will move into a financial crisis,” Mr Clive Keegan said.

He was speaking moments after NP councillor Mr Leon Markowitz had said the council was owed about R300 million in arrears, and was in “the worst financial circumstances ever”.

Mr Kenneth Penkman said Kapa owed R27m to the council for bulk water supplies, and Langa-lethu West R26.9m. The arrears from black townships were increasing at a rate of R6m a month, he said.

He did not know if the council was yet in a financial crisis, but a money shortage of that magnitude was enough to burn a hole in anyone’s pocket, he said.

The council voted yesterday to withhold an amount of R51m owed to the government for water to offset a debt of R55m due from the government for bulk water supplied by the council to black local authorities.

Mr Keegan said it would be irresponsible to merely transfer creditors’ responsibilities from one group to another, when it knew it would be placing a crippling burden on poor ratepayers who would have to pay.

Inferior

Mr Keegan, who was at Kemptown Park when the black arrears write-off agreement was signed but refused to add his signature, said the agreement had related only to former black local authority areas.

In those areas, services had not been delivered, or else accounts had been sent out for “obviously inferior services”.

Residents staged a sit-in yesterday in the Beacon Valley, Mitchells Plain, housing office in a protest apparently related to the “scrap arrears” campaign.
Vote to expel floor-crosser from exco

CAPE TOWN city councillors voted yesterday by 34 votes to 15 to oust councillor Mr. David Statham from the executive committee.

"This was a consequence of his "crossing the floor," some weeks ago from the African Christian Democratic Party to the NP."

The decision to expel him will not be put into effect yet, because Mr. Neil Ross of the DP indicated that he would move to overturn the decision at the council's next meeting on December 12.

This suspends the consequences of the vote, meaning that Mr. Statham remains an exco councillor until then.

During the debate, Mr. Leon Markovitz, leader of the NP caucus in the council, warned that he had taken legal advice on the matter and threatened that he would take the council to court over it.

Mr. Statham said he might go to the Constitutional Court to fight against discrimination.
‘Don’t rush Cape metro polls’

Politicians want to hold Cape Town’s metro elections by June next year — but officials warn that proper organisation will take longer.

DAVID BREIER
Staff Reporter
ARG 2/12/95

THE long-delayed Cape metro elections are likely to be held by the end of June next year, municipal sources have disclosed.

But electoral officials have warned that more time is needed to organise the area into wards with proper voters’ rolls.

If officials have to cut corners to hold elections before they are ready, it will affect the quality of the election, assistant city administrator Ben van Rensburg told Saturday Argus.

In effect, this will mean some voters queuing all day to vote in their wards and discovering to their anger that they have been registered in error in some other ward.

This is what happened in Johannesburg with the November 1 elections due to insufficient preparation, Mr Van Rensburg said.

He estimates it will take 215 days to demarcate wards with properly-prepared voters’ rolls.

This can only begin once the metropolitan sub-structures are finalised.

The special electoral court sits early next week to decide whether Khayelitsha should fall within the Cape Town or Tygerberg sub-structures. Informed sources expect the court to make its ruling within days.

This would mean an election early in July if officials are to be given enough time to organise.

But it is understood a political decision has been taken to hold the election during the current municipal financial year, which ends on June 30.

Mr Van Rensburg speculated the election would be held before that date.

Western Cape local government minister Peter Marais has named May 22 as the election date, but this is widely regarded as far too early to organise a proper election.

Mr Van Rensburg said holding the election less than 215 days after the electoral court makes its ruling, could mean reducing the time that voters’ rolls are open to public inspection.

It could also mean less time to sort out ward demarcation issues. He predicted it would take some time for political parties to debate ward demarcation as they strove for ward boundaries that favoured them.

Parties wanted to have wards demarcated to maximise their power base. “It is impossible to demarcate wards in such a manner as to satisfy everybody”.

Mr Van Rensburg said that in Johannesburg, it emerged after two hours of debate that there would never be consensus among the politicians on ward boundaries. The parties then agreed to accept the recommendations of the officials.

“We don’t think we’re going to have a two-hour process to sort our ward demarcation here. It’s going to be a longer process,” he said.
153 000 voters to be axed from roll

ST(M) 312/95

By NORMAN WEST

Political Reporter

Ten thousands of names are to be removed from the voters' roll in the Western Cape following the uncovering of widespread irregularities in the registration process.

Western Cape Minister of Local Government Peter Marais yesterday disclosed that 153 000 "duplicate voters" would be deleted from the voters' roll in the Cape Metropolitan region before community elections take place next year.

Mr Marais said part of the reason for voter duplication was the "commercialisation" of the registration process after people were paid up to R1 for every person they registered.

"It was discovered that even dead people were registered when money-grabbers copied their details from tombstones in graveyards and then claimed payment," he said.

ANC media spokesman Brent Simon said yesterday the ANC would support the deletion of duplicated registrations - but at the same time this would open a new area of potential conflict in the bitter row that has delayed elections in the Western Cape, until next year.

"The ANC, he said, would demand that voter registration rolls for the region be re-opened in the interests of people "who have not had a fair chance so far."

Mr Simon said the ANC would do "everything in our power to ensure that the voters' roll is re-opened to allow people who have not registered an opportunity to vote."

A legal source said people not yet registered had the constitutional right to inspect the rolls after a new electoral time-scale was announced.

"If their names are not on the list, they will be legally entitled to register on a supplementary roll."

Mr Asiel Mienie, chairman of the Local Government Joint Management Board responsible for registrations, said the computer system used to verify voters had been designed to pick up duplications.

They had already started the clean-up process through the computers, he added.

The Special Electoral Court will sit tomorrow and Tuesday at the Supreme Court in Cape Town to hear submissions on the boundary dispute in the metrople.
Protest over NP plan for Khayelitsha

Staff Reporter 263 ARG 4/12/95

A placard protest against the National Party’s plan to include Khayelitsha in the Cape Town sub-structure of local government was held outside the Cape Supreme Court at Keerom Street early today.

The demonstration was planned to coincide with a sitting of the Electoral Court which is hearing evidence on the dispute between the Western Cape’s Minister for Local Government, Peter Marais, of the National Party and the Demarcation Board, which has proposed Khayelitsha be included in the Bellville sub-structure.

The organisers of the demonstration are demanding a united, non-racial and viable metropolitan government.

Spokesman Guzlar Khan said their campaign had the support of “the vast majority of organisations and communities in Greater Cape Town.”

“We now must go the final mile,” he said.
Court hears boundary dispute

ANDREA WEISS, Municipal Reporter
A SPECIAL electoral court of five judges began hearing evidence in the Supreme Court building today about the dispute over local government boundaries in metropolitan Cape Town which delayed local elections.

The dispute has pitted Western Cape Local Government minister Peter Marais and the National Party against the Demarcation Board, African National Congress and most municipalities in the metropolitan area, and earlier this year went to the Constitutional Court.

Four legal teams representing Mr Marais, the southern substructure, Cape Town City Council and the Cape metropolitan council were due to put their positions to the court, sitting today and tomorrow.

First to make a submission was J van der Bergh, SC, for Mr Marais who argued that the proposed eastern sub-structure, which forms part of the demarcation board’s six municipal models, was not financially viable and would therefore have to be merged with Tygerberg.

Mr Van der Bergh said the minister’s proposal — for the metropolitan area to be divided into four municipalities with Khayelitsha linked to Cape Town central — was supported by “simple logic.”

His main objection to the southern municipality being hived off on its own was that the population mix was not balanced enough and the Table Mountain chain would be split between two local authorities.

But Mr Marais’s submission was slated by Jeremy Gauntlett SC as “scrappy, perfunctory and lacking integrity.”

Mr Gauntlett was appearing for municipalities in the southern Peninsula which are hoping to be amalgamated into a new southern sub-structure.

G van Schalkwyk, SC, appearing for the Cape Town City Council, argued there was nothing before the court which would justify the incorporation of Khayelitsha into the central sub-structure.

Picture, page 5.
Special Electoral Court hearing on poll wrangle

CHRIS BATEMAN

4/12/95

THE wrangle over the division of the Cape Metropole for next year's elections is set to climax in the Cape Supreme Court this week.

This morning's argument begins before the Special Electoral Court by counsel for organisations ranging from the ANC and NP to the Cape Town City Council, the Cape Metropolitan Council, the southern suburbs sub-structure and the DP.

A placard demonstration, claiming to represent the broad sweep of opposition to Local Government Minister Mr Peter Marais' demarcation proposals, is scheduled to take place outside the Supreme Court.

The court will decide whether to accept or reject Mr Marais' proposal to include Guguletu, Nyanga and Crossroads with Tygerberg and Khayelitsha, Langa and the southern suburbs with Cape Town in one administrative sub-structure.

Khayelitsha lies at the heart of the battle which saw President Nelson Mandela intervening and the NP responding with a partly successful Constitutional Court challenge.

This constitutional challenge forced an unscheduled reconstruction of parliament and changes to the Transitional Local Government Act (TLGA) to facilitate the neutral restructuring of the Western Cape provincial committee.

Final arbiter

Mr Marais had allegedly replaced two members with NP-leaning people in an "attempt" (the ANC claims) to upset the neutral political balance and favour his party's demarcation model.

The TLGA requires Mr Marais to agree with the provincial committee on demarcations. The Special Electoral Court is now the final arbiter.

The court is scheduled to sit today and tomorrow.
ANC, NP leaders spell out why their parties lost

As the festive season approaches, thoughts in many minds turn to turkey, Father Christmas, and leaders of major political parties in the Western Cape. It's a time to reflect on the results of the recent elections and to consider what went wrong. While the ANC and NP may have faced some challenges, the focus now is on moving forward.

The ANC, under its leadership, had been a dominant force in the Western Cape for many years. However, the recent elections saw a significant shift in power. The ANC was expected to retain its stronghold, but the results were a blow to the party.

Chris Nissen, African National Congress leader in the Western Cape:

The President will be elated if we win because the Western Cape is perceived as the last bastion of apartheid.

The African National Congress believes the swing towards the ANC in local government elections was a clear mandate from the people of the Western Cape. The party has a firm conviction that it can lead the region to greater prosperity and stability.

The NP, on the other hand, faces a tough battle. The party's policies have been criticized for not addressing the basic needs of the people. The NP, under the leadership of Mr. Nissen, has been working hard to garner support.

The challenge is to identify the core issues and address them effectively. The ANC and NP must work together to ensure that the Western Cape continues to move forward.

The NP projected themselves as champions of white interests, yet they were perceived as not standing up to the ANC with any real vigour. Support for the NP in the business community was dwindling because business people were feeling increasingly uncomfortable under the ANC government and fears of nationalisation had come to nothing.

Another telling factor was the huge contribution of President Mandela to reconciliation and nation-building.

"But we also believe that the ANC has been a stabilising factor in the Western Cape," said Mr. Nissen. "The Western Cape has been very stable. You haven't seen the ANC leadership demonstrating unwillingness to work with the NP."

"Essentially, our only disappointment has been over the disbandment of the Freedom Front. We had hoped to see them continue as a force in the future."

He said the ANC planned to pick up pre-election activities soon to better position themselves for the next year.

The local party faithfuls were joined by such luminaries as Deputy Premier Tokyo Sexwale of the ANC, who launched an all-out assault on the metropolis.

"We are already busy with meetings with councillors who are coming into the wards. We are now strengthening our ground work, " he said.

"We have emerged from the quagmire of disempowerment. Our defeat last April was a victory, and we can now focus on provincial level," said Mr. Nissen.
Party will win the Western Cape election

CHRISTMAS AND TweeDe Nuwejaar. But the silly season will bring scant respite for the provincial elections beckon. ROGER FRIEDMAN reports.

DAWIE DE VILLERS, National Party leader in the Western Cape:

If they (the ANC) look over their shoulder we are the one party, though I accept quite a distance behind, with the potential to catch them up.

THE National Party believes the relatively low poll recorded in local government elections held thus far in the Western Cape is the first sign that black South Africans are starting to rethink their allegiance to the African National Congress.

"It is lud for democracy if the ANC enjoys too comfortable a position for a period from the other parties that there is no real challenge," said NP Western Cape leader Dawie de Villiers, looking ahead to the completion of local government elections some time next year.

"It is characteristic of the black community at the moment that they are relatively consolidated in their voting patterns.\nBut the ANC is a party of parties - including Cosatu and a variety of civic organisations - they can't just be as that.\n"Democracy will only come with maturity in our society, when that political maturity characterises the black community. There are signs that it will happen.\n
The low poll (on November 15) is the beginning. The first sign of black voters rethinking their support for the ANC," said Dr De Vil-

The November round of elec-
tions had otherwise proved very lit-
tle, although parties across the political spectrum claimed to have made progress.

"It is hard to interpret the Western Cape results because the majority of people have not yet voted," he said.

"But we are satisfied we have retained our position in the West-
ern Cape and believe our strength-
holds will show up next year.\n
\nDr De Villiers said the chal-
"I don't really surprise me,\n\nle facing the NP in next year's round of elections was to strengthen its position.\n\n"We are still the strongest party in the Western Cape and we believe the results will validate that position.\n
We had ordinary card-carrying members were the heart of the NP in the Western Cape. Membership had increased by 14 percent this year, with about 50 percent of new members from the coloured community.

The NP was also showing growth in the white community, with many former supporters who deserted the ship due to uncertainty over the country's transformation, now returning to the fold.

Dr De Villiers questioned the seemingly close relationship that seemed to be developing between President Nelson Mandela and Congress leader Dr C. Johnstone.\n
Dr De Villiers said he disagreed with those political analysts who perceived the Cape Metropolitan demarcation boundary row to have been harmful to the NP's cause.

"I have done NP supporters good to see their party stand up to the ANC giant.\n
"I believe standing up against what we regarded as interference from the top was right. To show that provincial governments should not be tampered with.\n
Turning to race, Dr De Villiers said criticism of the NP's trans-
formation process was unfair.

Three out of the six NP regional ministers in the Western Cape were coloured, Abe Williams was in the national cabinet, Pauline Cupido had recently been elected leader of the women's movement, and many coloured people had been elected to the Head Counci

So in our leadership echelons coloureds are probably better rep-

resented than in any other party.\n
"The unity in our party must translate into change on the ground. We need to break down barriers. The NP is an agent for change."
Court rejects Marais's 'four bergs' plan

ANDREA WEISS, Municipal Reporter

Khayelitsha has been put into a new Tygerberg municipal area after months of controversy on its future.

The special electoral court today ruled in favour of the demarcation board model for six new municipalities in the Cape Metropole. This means Khayelitsha has been included with Tygerberg and Ikapa-Crossroads as the new Cape Town.

As there is no right of appeal, the decision is final.

Giving judgment today Justice John Smalberger said "In our view the board's recommendations are clearly preferred".

He said submissions by local government minister Peter Marais which suggested Cape Town should be divided into four municipalities "lacked substance and supporting facts".

Immediately after the finding, supporters of the demarcation board left the court singing and dancing.

Mr Justice Smalberger said the court had been approached in its deadlock-breaking role to resolve the dispute between Mr Marais and the provincial committee.

He said the demarcation board had held several public meetings and considered 120 written submissions. Its report was detailed, cogent and well-reasoned.

In addition an evaluation commissioned by Mr Marais from Deloitte & Touche had supported the findings of the board.

The judge said "no materially valid criticism can be levelled at the demarcation board's approach". He said Mr Marais had also not advanced any criteria why his report should be accepted.

He said the board's report also enjoyed considerable support from members of the provincial committee, the ANC, the DP, local councils, ratepayers and community-based interest groups.

On merging the proposed eastern sub-structure with Tygerberg he said the board had concluded that it would have problems but these were not insurmountable.

On the issue of combining Khayelitsha with Cape Town and Ikapa with Tygerberg the judge said "this ignores the historic and established service links with central Cape Town."

Meanwhile the ANC was expected to call for Mr Marais's resignation today.

Asked about Mr Marais's position, ANC Western Cape leader Chris Nissen said this question would be dealt with at a press conference today.

Western Cape premier Hernus Kriel and Mr Marais, in a joint statement, said "It is difficult to comprehend how the court could adjudicate such an intricate matter with such far-reaching consequences in one-and-a-half days."

While accepting the judgment, they remained convinced demarcation into six substructures would not be in the best interests of the metropole.

"The inclusion of Khayelitsha into the Tygerberg substructure is not in the interests of the citizens of Khayelitsha."

They would recommend to the central government that the community elections in the metropole and the rural areas be held on May 22.

Achieving this date would need the whole-hearted co-operation of all substructures and the Metropolitan Council.

● Picture, page 8
Deal on ANC rent arrears

Staff Reporter (263)

The Western Cape region of the African National Congress and the Cape Town City Council have reached an agreement on the more than R9,000 in rental arrears owed by the ANC.

But if the ANC fails to pay up it will be evicted from the offices in Bonteheuwel.

At a recent meeting between the parties, the ANC agreed to repay the outstanding amounts owed for the lease of an office rented in the Bonteheuwel town centre before last year’s elections.

The meeting agreed that the regional ANC office pay the rent for the period January 20, 1994 to April 30 and that the local Bonteheuwel branch be responsible for the rent from May 1 to the present.

The regional ANC used the office for election purposes and failed to pay the R400 a month rent, while the local branch took over the office after the elections and also did not pay the R50 a month rental due.

Yesterday the council’s housing committee agreed that the local branch could re-occupy the office on condition that it entered into negotiations about a new rental lease.
Council will have role in library restructuring

MUNICIPAL REPORTER

CAPE TOWN'S library service will not be restructured without the input of the City Council's politicians and officials, councillors were told yesterday.

Fears were expressed recently that Cape Town municipality's library service, including staff and libraries, would fall under the provincial administration.

Many Capetonians who use city libraries feel the provincial service is not as good as their own.

After a recent scare over restructuring of the library service, a city delegation went to meet Mrs Martha Olickers, regional Minister of Education and Culture, to tell her the council's viewpoint.

Deputy city administrator Mr Attie van der Merwe reported to the amenities committee yesterday that the delegation had been told that no restructuring would take place without local input.

"Province have not asked us for any meetings yet. We don't want to push it (the issue) before the election," he said.

He added that the grant the province gave to Cape Town for running its own library service was likely to be reduced in the forthcoming budget.
Marais: Poll date by the weekend

ANTHONY JOHNSON
"et al/21/95"

A DATE for Cape Town's local government poll should be by the weekend, Western Cape Local Government Minister Mr Peter Munas said yesterday.

However, the Mother City could "miss" the proposed May 22 election date unless a number of city and provincial officials were prepared to cancel their Christmas leave and start preparing for the poll, he said.

He would talk to Cape metropolitan officials "to see if they can work through December..."

The Electoral Court is expected to rule on the Cape Town metropolitan boundary dispute this week, allowing for detailed planning to begin for the election.

Telescope

The minister noted that regulations stipulated that 212 days were necessary to prepare for the election once the boundaries were decided, but it was possible to telescope the procedure to 150 days.

Differences still remain between the parties on whether the election should be held over one or two days, whether polling day should be a public holiday and on whether a general re-opening of voter registration was advisable.

All parties on the Western Cape multi-party liaison committee yesterday declared that last month's elections in 95 towns in the province were free and fair.
PROPOSALS ‘ABSURD’, ELECTORAL COURT TOLD

Boundaries ruling today

THE POINT OF THE new civic boundaries was to make the richer poorer, Judge Mohamed Navsa of the Special Electoral Court said yesterday. **CHRIS BATEMAN** reports.

JUDGMENT by the Special Electoral Court in the finale of the bitter Cape metropolitan demarcation battle — which will fundamentally alter the civic face of the Peninsula — is due today.

Regional Minister of Local Government Mr Peter Marais’ proposals to create a civic “colossus” of 1.8 million people by including Khayelitsha and the southern suburbs with Cape Town were “disreputable, absurd and lacking integrity or persuasive power”, the court was told yesterday.

This was said by Mr Jeremy Gauntlett, SC, for the southern sub-structure, who was broadly supported in rejecting Mr Marais’ proposals by advocates for Cape Town, the ANC and the Cape Metropolitan Council. Argument was heard by judges Mr Vusi Tshabalala, Mr Piet van der Walt, Mr John Smallberger (chairman), Mr Edwin King and Mr Mohamed Navsa.

Among Mr Marais’ arguments, put by Mr J van der Berg, SC, were that the southern sub-structure’s ratio of blacks to coloureds and whites was too far removed from the metropolitan norm to be accepted.

Mr Van der Berg said that establishing a southern sub-structure that was separate from a Central (Cape Town) sub-structure would deprive the Central structure of “vital revenue”. This would weaken its capacity to upgrade Khayelitsha or Crossroads/Kapa.

However, he conceded that, with the exception of the eastern sub-structure, the southern sub-structure would have the lowest per capita income.

**‘Robin Hood’**

Asked by Judge Navsa if attaching a richer suburb to a poorer would make “the richer poorer”, Mr Van der Berg said “Yes, but that sounds like Robin Hood.”

Judge Navsa replied “That’s the point of the exercise.”

The court also heard a plea by Durbanville mayor Mr Lucas Olivier for his suburb to be excised and allowed to function independently. He said 75% of Durbanville ratepayers surveyed wanted the suburb to remain as it was.

Asked by Judge Navsa if the argument that people living around Durbanville should not share this lifestyle was not “most compelling”, Mr Olivier said “I’m not so sure it would have that effect.” Judge Navsa shot back: “I think you must guard against being an island of privilege in a sea of expectation.”

A ruling today would place the date for the Cape metropolitan and rural district local elections firmly in late June or early July.
CAPE TOWN — The Special Electoral Court should make known its decision on the Cape metropole demarcation dispute by tomorrow, a spokesman for Western Cape local government MEC Peter Marais said yesterday.

The court was scheduled to sit yesterday and today to consider Marais’ proposal to include Crossroads, Guguletu and Nyanga in the Tygerberg sub-structure and Khayelitsha and Langa in the Cape Town sub-structure.

The dispute led to the local government elections being postponed until next year in the Cape metropole.

After an agreement could not be reached in the provincial demarcation committee, the matter was referred to the Special Electoral Court.

The ANC, the NP, the DP, the Cape Town city council, and the Cape metropolitan council all have counsel representing them at the hearing — Sapa
Kriel 'no' to call for Marais to be fired

Municipal Reporter

WESTERN Cape Premier Hern
nis Kriel says he has no inten
ion of sacking Local Govern
ment Minister Peter Marais.

This was the word from his press secretary, Frikkie Odendaal, after the African National Congress yesterday called on the premier to reshuffle the cabinet.

The call came soon after the Special Electoral Court ruled in favour of the Demarcation Board report for six new municipalities in the metropolitan area, and against an alternative proposal put forward by Mr Marais.

Using the slogan "Marais must be reshuffled", the ANC said it wanted Mr Marais relieved of his portfolio.

"He handled the demarcation process in a way which has become his trademark in all his dealings with local government — divisive, aggressive, petulant, disrespectful and autocratic.

"His style is typical of the krafadigheid of the NP of the past and the NP in the Western Cape. There is no place for this conduct in our new democracy. There must be ministerial accountability."
dispute is resolved

THE CAPE

TO THE NEWS

BACKGROUND

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6/12/49

ANDREA WEISS Municipal Reporter

R5-m and 10 months later, the demarcation
CMC head urges councillors to unite

Municipal Reporter, 6/12/95

CAPE Metropolitan Council (CMC) chairman Willie van Schoor today urged councillors to join forces following the final settlement of the boundary dispute in the metro.

Speaking at the opening of the last monthly meeting of the CMC this year, Mr Van Schoor said: "Congratulations to those who got what they asked for, and to those who feel disappointed I want to say, and now I'm very serious, let us quickly get rid of any feelings of despair.

"Let us recognise that the decision is final and regard it as a new point of departure and a challenge. Let us take hands and work together to achieve the very best possible for all our people."

Mr Van Schoor said councillors had a responsibility to ensure a smooth transition and to prepare the way for free and fair elections in the Metro.
Lines drawn in battle for city

BOUNDARIES RULING SHIFTS NAT/ANC POWER Tussle
peace over boundaries
New rates will depend on govt support
North, accepts demarcation

Commerce welcomes boundaries ruling.

NORTHERN

Colorado.

Six Erskine, Wittenstein's firm. He's been selected as the external counsel of the Northern councils, among which the Northern council for the boundary.
LOCAL Government Minister Mr Peter Marais yesterday came in for a drubbing from the Special Electoral Court, which described his Metropolitan proposals as "lacking any real substance".

Mr Justice Smallberger said Mr Marais' proposals to link Khayelitsha with Cape Town and Tygerberg with Kapa and Crossroads "ignored historical ties and established service links", extended existing service lines and disregarded the wishes of the inhabitants of these townships.

The court found that the "overwhelming majority" of parties at yesterday's hearing supported the Demarcation Board's four sub-structure model, which was "cogent and well-reasoned" and was supported by independent auditors appointed by Mr Marais.

To loud clapping from the gallery the court chairman, Judge Smallberger, ordered Mr Marais to implement the Board's recommendations and said that his arguments "lacked substance and supporting facts".

The ruling led to an immediate ANC call for Mr Marais' removal while the DP said it was "administratively unsound, if not irregular", for Mr Marais to have overturned a "comprehensive process of consultation without himself going through a similar process".

The ANC said Mr Marais handled the demarcation in a "divisive, aggressive, petulant, disrespectful and autocratic" manner with no regard for the vast majority of stakeholders in local government.

Premier Mr Hernus Kriel, in a joint statement with Mr Marais, noted "disappointment", saying it was "difficult to comprehend" how the Electoral Court could adjudicate "such an intricate matter with such far-reaching consequences" in a day-and-a-half.

While accepting the judgment, the pair maintained that a six sub-structure demarcation was "not in the interest of the metropole", nor of the citizens of Khayelitsha.

Mr Kriel rejected calls by the ANC to remove Mr Marais from his post.
Decision final, no appeal allowed

(263) e1 6/12/95

POLITICAL STAFF

THE unanimous upholding of the “detailed, cogent and reasoned” report of the Western Cape Demarcation Board by the Electoral Court yesterday — fought tooth and nail over for nearly a year by Local Government Minister Mr Peter Marais — is the final chapter in a tortuous battle of wits.

Mr Marais’ metropolitan proposal was to include iKapa and Crossroads with Tygerberg and the eastern sub-structures (Blauwberg) and Khayelitsha, Langa and the southern sub-structure with Cape Town (Tafelberg) in a second massive structure of 1.8 million people.

His motivation for a Cape Metropolitan model of four “berg sub-structures” (Blauwberg, Tygerberg, Helderberg and Tafelberg), was rejected by the five Electoral Court judges yesterday as “lacking substance and supporting facts”.

Khayelitsha, once the fastest growing and still the most costly suburb in the Peninsula, lay at the heart of the battle which saw President Nelson Mandela intervening and the National Party responding with a short-lived Constitutional Court victory.

Balance upset

It all began with Mr Marais replacing two provincial committee members with NP-leaning people in an attempt (the ANC claims) to upset the neutral political balance and favour his party’s demarcation model.

The Transitional Local Government Act (TLGA), requires Mr Marais to reach concurrence with this provincial committee before any demarcation becomes final, or in the case of a committee deadlock, to refer the matter to the Electoral Court.

Lawyers for President Mandela argued before the 11 Constitutional Court judges that the urgent demands of transition allowed Mr Mandela to regulate the application of laws in provinces such as in his sudden “correcting” of the Western Cape’s provincial committee.

Premier Mr Hermus Kriel’s government however had viewed this as “blatant interference in provincial affairs” and won on a technicality centring on Mr Mandela’s procedural manner.

‘Interference’

Mr Mandela’s “interference” was to restore the provincial committee’s neutrality and change the law by proclamation to make Mr Marais answerable to Justice Minister Mr Dullah Omar and Constitutional Affairs Minister Mr Roelf Meyer for all future committee appointments.

The Constitutional Court victory for the NP forced an unscheduled reconvening of Parliament and changes to the TLGA to consolidate this neutral restructure of the pivotal committee.

This reconstituted committee then deadlocked along ANC/NP lines, as it was originally designed to do, and the Special Electoral Court became the final arbiter.

The entire process led to the Western Cape having to delay local government elections with only county town elections possible on November 1.

Elections in the Cape metropolitan and rural district areas will be possible at the very earliest on May 22 next year.
Electoral court ruling hits NP's Western Cape hopes

Edward West

CAPE TOWN - In a major setback for the NP's electoral hopes, the Special Electoral Court has overruled Western Cape local government MEC Proter Marais' controversial demarcation of the Western Cape metropolitan area.

The court ruled yesterday in favour of six metropolitan substructures, with the inclusion of the black township of Khayelitsha into the NP stronghold of Tygerberg and Ikapa-Crossroads into the central substructure.

The ruling brings to an end an acrimonious mini-judicial dispute which forced the postponement of local government elections on the peninsula. It deals a heavy blow to NP hopes of holding the Tygerberg substructure in the elections scheduled for next year.

By including Khayelitsha in the central substructure and opting for four substructures, Marais had overruled demarcation board proposals. He was accused by the ANC, DP and civic organisations of "gerrymandering" the provincial local government committee to secure endorsement of his plan.

Judge John Smalberger found that the demarcation board's proposals were "cogent and well reasoned" Marais' own advisers, accountants DeLotte & Touche, had significantly supported the board.

The ruling is not subject to appeal.

The Western Cape ANC said the verdict vindicated its belief that the metropolitan substructure boundaries should not result in "NP strongholds."

It called for the dismissal of Marais.

Western Cape premier Hernus Kriel and Marais said that the six-substructure demarcation was not in the interests of the area.

Kriel said the provincial government intended recommending to central government that the community elections in the metropolitan and rural areas be held on May 22 next year.

The ANC estimated that the delay would cost the taxpayer up to R5m. Additional expenses included the cost of advisers and convening Parliament.
Electoral Court clears block to West Cape poll

National Party attempt to move responsibility for township debt is thrown out as court opts for fixed boundaries

REUTERS

The Special Electoral Court overturned the National Party-led Western Cape government yesterday and cleared the way for local elections in May.

Western Cape Premier Hermus Kriel and local government minister Peter Marais said in a joint statement they regretted the court's decision to uphold the original demarcation of post-apartheid municipal boundaries, but accepted the ruling.

"We will recommend to the central government that the community elections in the metropole and rural areas be held on the 22nd of May 1996," they said.

The ANC, junior partner in the provincial unity government, hailed the ruling and demanded Marais' immediate resignation.

"We are overjoyed. It is a vindication of what we have been saying all along," said ANC provincial legislator Cameron Dugmore.

"We are unanimous in our call that Peter Marais must go. He has held this province to ransom for the past eight months. He has delayed the election. Peter Marais must resign," he said.

A five-member panel headed by Appeal Court judge John Smalberger dismissed an NP attempt to alter municipal boundaries drawn up by an independent demarcation board preparing for the country's first all-race local government elections in November.

Marais had sought to shift financial responsibility for upgrading the debt-laden Khayelitsha township, which is dominated by the ANC, from the NP stronghold of Tygerberg to the liberal central Cape Town region.

"The board's cogent and well-reasoned proposals have to be viewed against the MEC's proposals, which lacked substance and supporting facts," Smalberger said.

"In our view, the board's recommendations are clearly to be preferred.

"The Member of the Executive Council for local government (Marais) is directed to implement the delimitation recommendations of the Demarcation Board that the Cape Town Metropolitan Council be divided into six sub-structures. This is the unanimous view," - Reuters
Mid-week voting under fire

ANDREA WEISS and CLIVE SAWYER
Staff Reporters

VOTERS in metropolitan Cape Town and Western Cape rural areas will go to the polls on May 29 — but already the idea of another mid-week election has come under fire.

Elections in KwaZulu-Natal will be held on the same date, Roelf Meyer, national Minister of Provincial Affairs and Constitutional Affairs, has announced.

The date for the elections, delayed because of demarcation disputes, was decided after local government ministers in both provinces were consulted.

Even before the announcement, voices were raised against another mid-week poll.

Geoffrey Ashmead, president of the Cape Chamber of Commerce and Industry, said assurances had been given by Western Cape local government minister Peter Marais that it was intended to avoid a mid-week election.

"It is certainly most disappointing that the province has not seen its way clear to bring the elections forward to an earlier date," he said.

The Democratic Party said the election should be held on May 1 because it was a public holiday.

Roger Huilley, deputy chairman of the Cape Metropolitan Council, said this would give new councils enough time to prepare new budgets for the next budgetary cycle from July.

Official notice of the date will be published in the Government Gazette soon.
Wienburg expelled

COUNCILLOR Mr Arthur Wienburg was expelled from the Cape Metropolitan Council chamber yesterday after a series of clashes with chairman Mr Willie van Schoor.

The trigger to his expulsion was his calling the chairman “Deaf Willie”. This happened after Mr Van Schoor had said he would not be taking any more “points of order” on a particular matter.

Mr Wienburg objected to Mr Van Schoor’s unwillingness to take further “points of order”. He immediately raised a “point of order”, but the chairman appeared to be ignoring him.

“I’m talking to Deaf Willie,” Mr Wienburg remarked to his colleague.

Mr Van Schoor looked up and said: “I am calling you to order. If you make that remark again I am going to ask you to remove yourself from this chamber.”

“I have a point of order,” Mr Wienburg replied.

“I am not going to take any more points of order on this matter,” the chairman said, and asked him to leave the chamber. Mr Wienburg left, muttering something about democracy as he went.
Demarcation row cost taxpayer R3m

CHRIS BATEMAN

THE seven-month long Cape metropole demarcation tussle, which ended in defeat for provincial Local Government Minister Mr Peter Marais this week, cost the taxpayer at least R3 million — enough for 200 low-cost housing subsides.

While these costs will be split between the three tiers of government, it is the taxpayer/taxpayer who will foot the bills.

- Independent auditors who vetted the Demarcation Board's proposals on Mr Marais' instructions would have charged some R240,000.
- The Supreme Court challenge on President Nelson Mandela's proclamation cost an estimated R750,000.
- The Constitutional Court challenge cost between R750,000 and R1 million.
- The unscheduled reconvening of Parliament cost R850,000 (mainly air fares for MP's).
- The Electoral Court representation of four civic bodies by senior counsel cost R500,000.
- The estimated six extra provincial committee sittings to discuss the tussle cost about R10,000 a sitting (the six members charge for their time). This does not include legal fees for negotiations between the NP and the ANC in an attempt to avoid the Constitutional Court case.

Yesterday theANC accused Mr Marais and Premier Mr Hermus Kriel of 'borders on contempt' of the Electoral Court in their reaction to its ruling on Tuesday.

The NP party expressed difficulty in comprehending how the court could ‘adjudicate such an intricate matter with such far-reaching consequences in a day-and-a-half.'

The ANC's Mr Cameron Daggmore said they were 'casting doubt on processes followed to reach the judgment and imply the court did not apply its mind properly.'
Local election set for May 29

CAPETONIANS will be able to cast their ballots in the long-delayed local government elections on May 29 next year.

Voters in kwaZulu/Natal will go to the polls on the same day, Provincial Affairs and Constitution Development Minister Mr Roelf Meyer announced yesterday.

A total of 1.5 million voters in the Cape Metropole and 1.5 million in the rural areas will be eligible.

In kwaZulu/Natal, South Africa’s most populous province, more than five million people will be eligible to vote.
Cape Town substructure may have fewer councillors

THE new central substructure which will replace the Cape Town City Council could find its number of councillors slashed from 96 to 50.

This was a proposal put before the provincial committee for local government by Minister Peter Marais at a meeting yesterday.

This proposal would make 30 ward seats available to the new municipality, which will have an estimated population of 1.4 million people.

Half the ward seats will be allocated to Ikapa and Crossroads in terms of a 50:50 provision in the Local Government Transition Act which requires seats to be divided equally between former black local authorities, on the one hand, and coloured and white areas, on the other.

Other proposals are for a 26-member council in the northern substructure, which runs from Milnerton northwards to Manore, 30 for the Helderberg substructure, and 36 for the southern substructure, which takes in the south Peninsula from Wynberg.

Tygerberg would come in as the second largest council with 46 seats, 28 of which will be ward seats. Half the ward seats would be allocated to Khayelitsha.

In terms of the proposal, the eastern substructure, which consists of a swathe of municipalities on the eastern boundary of the metropole, would have 32 seats.

The Cape Metropolitan Council, which will be an umbrella body guiding development and planning for the city, will have 60 seats, meaning that only 24 seats would be available for the proportional representation vote. The other seats would be occupied by councillors nominated by their substructures.

The provincial committee did not agree to the proposal but has decided that the input of local councils should be obtained.

Within a few days, the joint executive committees of the six new municipalities are expected to meet to begin work on the political amalgamation required.
The Angu
Picture Qbed Zlwa

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Hall of Fame In-

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8/12/95
Cape poll could be delayed again

Western Cape Local Government MEC Peter Marais, whose boundary demarcation plan was rejected in court this week, is at the centre of a new election controversy, reports Rehana Rossouw.

A new local government row is looming in the Western Cape over Local Government MEC Peter Marais’ refusal to prepare new legislation for rural local elections or to consult all interest groups.

Rural organisations have signalled that the election, rescheduled for May 29 next year, could be delayed again. This comes after the electoral court this week resolved the protracted dispute between Marais and the ANC on metropolitan boundaries, ruling that Cape Town be carved into six municipalities, in line with the Demarcation Board’s proposal and not Marais’ proposals.

In an open letter to Marais last month, the Centre for Rural Legal Studies (CRLS) warned that the MEC would yet again have to bear the blame for a delay in elections in the Cape as he had ignored regular calls for consultation and transparency from NGOs and political parties regarding the development of his model for rural elections.

The CRLS said it knew of no direct consultation with farmworkers, women or NGOs concerned to be the non-statutory partners in local government negotiations on the formulation of a rural model for local government.

“The only consultation which appears to be happening is between the MEC and his representatives, organised labour in the form of the Western Cape Agricultural Union, other organisations closely aligned to farmers, and the Regional Services Councils,” wrote CRLS fieldworker Terence Fife.

“Without proper consultation between the MEC and other role players from across the political and organisational spectrum, the model the MEC arrives at will not be acceptable to all affected parties.”

Fife said Marais was the only MEC in the country who had not consulted all stakeholders on the rural local government model. The CRLS called for a provincial local government summit to ensure the voices of farmworkers, women and other interest groups were heard.

The Rural Local Government Lobby — comprising the CRLS, NGOs and two farmworker trade unions — met Marais two weeks ago to raise these concerns. They asked that he amend his voting formula for the rural areas from 60 percent proportional representation and 40 percent nominated representation of interest groups, to 60 percent of votes for interest groups.

Fife said Marais had admitted that he had not been consultative enough, but said he believed women did not require special representation, despite the fact that they were allowed it in other provinces.

Marais also balked at the suggestion that he prepare new legislation for the elections. Fife said, the rural lobby was unhappy that the Regional Services Council run the elections next year, and a new arrangement would have to be legislated.

A suggestion that voter registration be reopened in rural areas was also rejected by Marais, said Fife, claiming the MEC said voters from other provinces would storm the Western Cape to register illegally.

At the time of going to press, Marais had not yet responded.
PETER MILLER

When push comes to shove

KwaZulu-Natal’s embattled Local Government & Housing Minister Peter Miller may brush off his future in public life with the comment that politicians have a limited shelf life and his might be close to expiry. But his political survival record suggests he’s unlikely to be that easily brushed aside — even by his sometimes formidable party leader Mangosuthu Buthelezi.

A great deal will depend, however, on whether the Home Affairs Minister’s bitter tirade against Miller — for allegedly ignoring IFP policy in drafting rural local government legislation — was made in a fit of all-too-familiar pique or part of a campaign, as some believe, to oust Miller.

Miller (54) has been in active politics since his student days and in elected politics since 1978. In that time he has served four political parties. Though this suggests survival is his only priority, Miller explains that his progression — from the United Party (UP) to the New Republic Party (NRP) and to the NP — was as a result of the successive deaths of the parties.

“I was never totally accepted or completely comfortable in the NP, though it was the vehicle for change at the time.” His departure from the NP in 1993 followed a campaign not dissimilar from that now being conducted against him.

Miller joined Inkatha because he believed the future lay in parties led by major black politicians. “This was coupled with his conviction that Inkatha sought freedom for its people under a political system incorporating federalism and free enterprise.”

“Those principles still apply. Whether they are being actively pursued by all my political associates is a moot point.”

His vision is based on conventional federalism, as practised by Australia, the US, Germany and Canada. “I’d rather live in a country which tends towards a unitary constitution than extreme versions, which would tend to ‘Balkanise’ the country.”

 Fluent in Xhosa and competent in Zulu, Miller was raised in East Griqualand and matriculated at Mafube High School in 1958. Before attending the University of Natal — where he graduated with an BSc in agriculture (cum laude) in 1966 and received the award for the best all-round student in the faculty — he trained with SA Air Force chief lieutenant general James Kriel as a pilot.

Miller worked as research officer with the Department of Agriculture before becoming a director of East Griqualand Insurance Brokers in 1969. Nine years later he became financial director of the Kokstad Toyota franchise and then, in 1981, MD of International Farm Services — a position he only relinquished because of the demands made on his time by politics.

His political career began with the Kokstad branch of the UP, serving as vice-chairman from 1973-1977. He was elected to the provincial council in 1979, ousting the NP incumbent after a successful campaign to incorporate East Griqualand into Natal — something he’s now fighting again.

He was chief whip in the council from 1981-1986, during which time he also became chairman of the NRP provincial caucus. In 1986, P W Botha appointed Miller to the executive of the Natal Provincial Administration. He served for seven years until his resignation to join Inkatha in 1993.

Miller is regarded as one of the IFP’s most competent provincial ministers. His grasp of local government and housing issues have earned him the respect of political opponents, such as the late Joe Slovo.

Miller — married, with two children — is an accomplished sportsman, having played squash for the province and first-class rugby, cricket and tennis.

Schlosberg

Music to their ears

Irving Schlosberg, former MD of Gallo’s independent record company RPM, is the man on whom EMI SA is pinning its hopes for a marketing renaissance.

The creative force behind Leon Schuster’s “Die Kommissie Bokie” and the “Monster Hits” compilations, Schlosberg (45) repositioned RPM when it began to founder in the late Eighties, following the loss of several major international licences. He went on to make it SA’s largest independent record company.

His secret, which he isn’t shy about sharing, is “knowing and loving the music market and grabbing every opportunity it presents.” Indeed, the Schuster recording, launched at the height of World Cup Rugby fever, sold 200 000 odd units in 15 weeks.

EMI SA is a wholly owned subsidiary of the UK’s giant Thorn EMI, which famously paid Richard Branson the fabulous price of £310m for his Virgin Music company. What Schlosberg is looking forward to at EMI SA “is being able to combine the hunger of the independent with the resources of a major.”

EMI SA has a market share of more than 20% It competes with Tusk and Gallo — each of which has a third share, with EMI, of local CD maker Compact Disc Technologies — as well as Polygram, Sony, BMG and a host of independents.

EMI SA is well placed to take advantage of areas of potential growth. In the case of increasing visits by international artists, Schlosberg notes “it’s when sales really sour.” He adds, suggestively, that EMI SA is expecting soon to play host to “simply the best artist in the world.”

Growth could also come through subsidiary CCP, which deals with local black artists, including pop queen Brenda Fassie and Rebecca, a gospel singer whose last recording racked up sales of 185 000 units (25 000 is a gold disc in SA).

Schlosberg also correctly points out that EMI-owned Decca/BMG, with artists such as Gé Korsten, is “the biggest Afrikaans music company in the world.”

“Then, too, there is the exploitation potential of the mountains of EMI music released throughout the years.”

Schlosberg, who was born in Johannesburg and schooled at Highlands North High, is a chartered accountant. He qualified at Wits and served articles with Charles Orbach & Co. Eighteen years ago, he joined EMI as group accountant and went on to become MD in 1987.

He and his wife, Brenda, have two daughters, aged 12 and 15, who, Schlosberg chuckles, play an important role in helping him predict musical hits. He adds that tennis and a 6 km jog a day keep him fit for the competitive record industry fray.

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gal impendence to proceeding with the discussion and division.

There was little excitement in the day-and-a-half sitting, with the exception of:

- Complaints about weapons - initially issued to tribal leaders by the former KwaZulu Legislature - being temporarily stored in the parliamentary building having been recently recalled by police as part of a central government crackdown on firearms.
- A walk out of the debating chamber by the ANC and DP.
- Censure of the Speaker for losing two petitions handed to him concerning the payment of traditional leaders and the king, and for not following the correct procedure in submitting a Bill to re-enact the Ingonyama Trust Act to the House of Traditional Leaders.
- The expulsion of two Inkhata hecklers by the Speaker.

The lack of progress made in the legislature is a clear reflection of what ANC member Mike Stichiffe described as focusing on a series of monthly crises, rather than implementing the provincial powers contained in schedule six of the interim constitution.

Minority parties criticised Inkhata and the ANC for their constant backroom rather than getting on with the job of governing.

Perhaps more significant for the country and the province than the legislature's Ulundi sitting, was the drama unfolding in court Z of the Durban Magistrate's Court, where former Defence Minister Magnus Malan and 19 others were indicted on 13 counts of murder, four of attempted murder, and one of attempted murder or conspiracy to commit murder. The charges relate to the massacre of 13 people on January 21 1987 in what turned out to be a botched plot to assassinate political activist Victor Nuni.

Though the accused were not asked to plead and a trial date was set for March 4, the fact that Inkhata leader Mangosuthu Buthelezi is quoted in the 65-page indictment has revived Inkhata claims that the trial is part of a plot to destroy both the party and its leader.

In spite of assurances by Natal Attorney-General Tim McNally that Buthelezi will not be asked to testify, the party arranged several weekend demonstrations to protest against attempts to implicate their leader.

Also significant was the submission of the first interim report to President Nelson Mandela by the Boundary Commission in Grahamstown, which is inquiring into the finalisation of boundaries between KwaZulu-Natal and the Eastern Cape - both provinces claim that East Griqualand should be within their jurisdiction.

Commission chairman Justice J J Tenggove, without revealing the contents of the report, stressed that the report deals with issues which require the urgent attention of the Provincial Affairs & Constitutional Development Minister Roelf Meyer.

Progress is also being made with the drafting of a provincial constitution with the province's three constitutional experts, professors Charles Dlamini, Kathie Goven-der, and George Devenish, starting the task of compiling a document which will form the basis for a provincial constitution.

The draft, described as a "cut and paste" affair will reflect the constitutional views of all the parties. Once their task is completed it will be made available for public consultation before being finalised for consideration by the legislative assembly.

The significance of this is that there seems little likelihood that the provincial legislature will do much to tackle the many other issues affecting the province until the constitutional problems have finally been put behind it.
ANC, Nats 'blocked other groups'

FEROZA MILLER
Staff Reporter

THE ANC and the National Party worked together in recent elections in the Cape Flats to keep other organisations out, it has been claimed.

Two Retreat community organisations have dismissed the Southern Reconstruction and Development Forum's eight-member executive committee as "not inclusive" and "lacking gender sensitivity."

The Lavender Hill Housing Action Committee (LAVHAC) and Steenberg Retreat Housing Action Association (SRHAA) said the committee, which was elected on November 30, comprised only National Party and ANC members.

LAVHAC chairman Andor Grey Marks said: "We were distressed to see that throughout the electoral process the NP voted for ANC candidates and vice-versa. They voted each other into key positions to keep other organisations from achieving key positions."

"What also left a bad taste in our mouths was how the issue of gender was handled," said Mr Marks.

From an executive of eight, only three women were elected — as assistants.

SRHAA executive committee member Mark Lakay, said the forum was not inclusive and non-transparent.

However, both LAVHAC and SRHAA have committed themselves to continued participation in the forum.
If there are 50 seats, the DP says 30 are for wards and only 15 of those will be in the nine wards with the most voters. The DP wants no more than 12,000 voters per ward, and the Provincial Representation Committee agreed with the local government. A local government should also set up a body to provide a decision on ward boundaries. The DP wants the provincial government to set the new boundaries. A High Court decision is expected by the end of this month.
Fire service shambles.

Councillor Clive Keegan formally proposed at the council's monthly meeting that it should express its deep gratitude to all who fought the fire.

Mayor William Bantam said he had already written to the fire service and also thanked Bellville, Goodwood, Milnerton, Parow and the Cape Metropolitan Council for helping to fight the fire.

Call to revamp fire service — page 25

PTO
Angry Mfulemi residents hold firemen hostage

Staff Reporter

The Mfulemi community seized a fire-engine from the Cape Metropolitan Council and held firemen captive after they helped put out a shack fire in the settlement late last night.

Mfulemi mayor Oliver Nqubela said today residents were "dying like flies" in shack fires, and the community was "incensed" there was no stand-by fire-fighting equipment available to them in spite of repeated requests.

Cape Metropolitan Council fire chief Pete Harries responded: "All the resources available in the Western Cape could certainly be spread around better, but there are no funds available to put a station in Mfulemi?"

Mr Nqubela said four shacks burned last night. Calling the fire brigade was "fruitless" as the fire was usually out by the time they arrived.

"A big engine and a Landranger came out last night... The community withheld the Landranger and are keeping it at the police station as a symbolic gesture..."

"That's what they want... a small bicycle on standby..."

Khayelitsha was getting a fire-engine and had 17 officers in training. Mfulemi wanted the same.

Chief Harries said his officers, stationed at Milnerton, were held hostage by an "aggressive" Mfulemi community for two hours before being released and allowed to leave on one fire engine.

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Source: SALDINI Project for Statistics on Living Standards and Development

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DF9 Unemployment rates and employment numbers by gender, race, classification and metropolitan status
Western Cape govt expects R800m budget shortfall

CHRIS BATeman

The Western Cape government expects a budget shortfall of R800 million this financial year, R200m less than predicted, but will still have to secure bridging finance to meet its massive staff salary bill.

This was said yesterday by Western Cape Finance Minister Mr Kobus Meiring, after the Western Cape cabinet decided to set up a special multi-party budget committee to oversee the 1996/97 budget, 80% of which is taken up by salaries.

"We're caught between the devil and the deep blue sea because bridging finance has to be paid back to Pretoria — and we can't avoid paying salaries," he said.

Education and health remained the biggest headaches, Mr Meiring said.

Free health care to pregnant women and young children had drained revenue resources by some R60 million — although increased income from horse racing and motor vehicle licences (figures unavailable) had helped even out this expenditure.

"Patients who can pay do, but increasingly public health is for the indigent," he said.

Mr Meiring warned against expecting a "jackpot" boost to the coffers from gambling tax.

"We originally saw this as a salvaion for all our problems but the closer to it we got the more we realised that it will not be that big a money-spinner," he said.

Pressed, he said his "guessmate" would be an annual gambling income of between R100 and R200 million — nowhere near the figure needed to ease the province's financial woes.

With a white paper on gambling released and being scoured for constitutional flaws by Premier Mr Hermus Kriel's lawyers, debate is now only expected towards the end of February.

Betting tax

Mr Meiring said he doubted whether actual gambling legislation would be ready before the end of next year, adding: "They haven't even decided on what betting tax will be."

He said provinces had yet to receive funding from Pretoria for police, tourism and sport.

The Department of State Expenditure was trying to resolve these provincial allocations by playing " refereeing" between the nine provinces and Pretoria.

The Western Cape's new special budget committee is to meet again on January 18.
Parties differ over number of city councillors, seats

The present number of Cape Town city councillors—98—should be almost halved, the Demarcation Board has said.

While the NP agrees with this recommendation, both the ANC and the DP say 50 seats are not enough.

ANC spokesman Mr Brent Simon said 25,000 to 30,000 voters in a single ward was not good for effective local government.

DP spokesman Mr Jan Tversen said there should not be more than 12,000 voters per ward.

As there are more than 650,000 voters in the Central Substructure (Cape Town municipality with its new boundaries), that means the DP wants at least 54 seats.

The NP says 50 is enough.

Independent Mr Clive Keegan—a former ANC member—also says 50 councillors is plenty for Cape Town. He said the council had been “utterly unwieldy” with its 98 members.

The real problem was the Local Government Transition Act, which required that 50% of the ward seats be in black areas, and the other 50% in white and coloured areas, he said.

This meant in white and coloured areas wards would be larger than the old Parliamentary constituencies. That provision should be scrapped.

If Cape Town gets a total of 50 seats, 30 will be ward seats and the other 20 will be elected by proportional representation, from a political party list.

Of the 30 ward seats, 15 have to be in black areas and the other 15 in white and coloured areas.

The Demarcation Board said on Friday Tygerberg (with 454,000 voters) should have 46 seats, Southern (172,000) should have 36, Eastern (120,000) 32, Helderberg (72,000) 30, and the Northern Substructure (Greater Milnerton), with 61,000 voters, should have 26 wards.
Unions plan to hit out at privatisation

TYRONE SEALE
Political Staff

WESTERN Cape trade unions plan to table a tough at tomorrow’s meeting of the Cosatu national executive to discuss government proposals to restructure state assets.

Deputy-President Thabo Mbeki has announced that parts of South African Airways and Telkom will be sold off, although the government will keep the controlling share.

Sun Air, Transkei Airways and Autonet will be sold in their entirety.

Metro Rail, Spoornet, Portnet and the SA Rail Comuter Corporation have been targeted for efficiency-driven restructuring.

In Cape Town yesterday the secretariat of the alliance embracing Cosatu, the SA Communist Party and the African National Congress met to discuss possible mass action to halt privatisation.

Public sector unions such as the Police and Prisoners Civil Rights Union (Popcru), the Post and Telecommunications Workers Association (Potwa), the National Education, Health and Allied Workers’ Union (Nehawu), the SA Municipal Workers’ Union (Samwu) and the SA Democratic Teachers’ Union (Sadtu) took part in the meeting.

Cosatu regional secretary Joseph Williams said the trade union federation was concerned about job losses that might result from privatisation.

Transport and General Workers Union (TGWU) spokesman Harald Harvey said unions were saying to their alliance partner, the ANC, that it was time the organisation asserted itself in the cabinet instead of being “led by the nose by capital.”

SACP regional secretary Philip Dexter said the restructuring of state assets had to be implemented with the principles of the Reconstruction and Development Programme as guidelines.

Efficient services had to be rendered, particularly to poor South Africans, and this had to be done without job losses and without the process of reconstruction itself becoming an arena for the very corruption the government hoped it would stamp out by privatising certain institutions.

SA Railways and Harbours Workers Union (Sarhub) spokesman Neil Newman said his union’s 3 500 to 4 000 Western Cape members were considering a day of action.

Speaking for Potwa, Nathan Bowers said “the feeling on the ground” was “very militant” as at least 14 500 jobs could be lost through privatisation in so-called non-core services.

He said Potwa supported the Sarhub day of action and was working on its own programme.

Day after car theft suspects beaten to death

MARIAN WEAVERS

le, and his father William Andries Graham, 53, of Roosval, and Dawid Eslin, 27, of Pretoria Gardens, appeared briefly in the Pretoria North District Court yesterday in connection with two charges of murder.

No charges were put to them and they were not asked to plead.

Their appearance followed the arrest of the five men on Monday after the bodies of two men, identified only as Jerry and Penny, were found in a bil- tong drying shack on Graham Senior’s farm near Roosval.

The victims were allegedly beaten and tortured by the five suspects and left in the room overnight. Their bodies were found when the room was opened on Monday, police said.

The victims were allegedly abducted and assaulted because they were suspected of having stolen a bakkie belonging to one of the accused.

Four of the suspects surrendered to police and a fifth was later arrested.

According to a post mortem one of the victims died as a result of a brain haemorrhage and the other due to severe blood loss.

Decision on interim name for council

Municipal Reporter

CAPE Town/Kaapstad/Kaap — that is what the Cape Town City Council wants to be called until political changes to restructure new municipalities have been completed.

The council has appealed to provincial authorities not to rush into a decision on new names for substructures because this is “an important and highly sensitive issue”.

Local government minister Peter Marais has asked councils to make suggestions for new names for the six new municipalities in the Cape metropole by Friday.

But at yesterday’s council meeting it was decided they would urge that the joint executive committee — tasked with amalgamating the 39 local authorities into six new municipalities — be allowed to grapple with the issue of a name.

Meanwhile the council has suggested that the names given to the new municipalities by the Demarcation Board be retained — namely Eastern, Northern, Southern, Tygerberg and Helderberg.
Huge ward sizes are rejected as ‘incomprehensible’

MUNICIPAL REPORTER

COUNCILLORS hoping to contest ward seats for the new central substructure are in for a shock if a proposal by Local Government Minister Peter Marais to restrict the size of the new council to 50 is accepted.

This was the view of Neil Ross, Democratic Party leader for the Cape Town City Council, who argued that a 50-seat council would inevitably lead to wards of 22,000 voters in coloured and white areas.

Mr Ross arrived at his figures by dividing the number of wards in the municipality between the former black local authority areas of Ikapa and the remaining coloured and white areas on a 50:50 basis as laid down by the Local Government Transition Act.

Black local authorities for the new central substructure would have in the region of 11,000 voters per ward.

Mr Ross said 22,000 per ward would be the highest number of voters per ward in the whole of South Africa — the average in Johannesburg being in the region of 12,000.

It would also effectively mean only five wards for the whole of Mitchell’s Plain and another five for the greater Athlone area.

“We are talking in terms of bringing local government to the people, but no councillor can be near to the people in terms of a ward of 22,000 people.”

John Muir, also of the DP, said that the proposed ward sizes were “incomprehensible”.

The DP contingent also got support from Hanlie Tisseker of the African National Congress who argued that a smaller council would damage the chances of smaller parties because they would need more votes to get on to the proportional representation list.

“I don’t think anyone wants the situation where we have two major parties contesting local elections,” he said.

Llewellyn van Wyk pointed out that in the new order, ward councillors were not the only interface between people and local government. He said political parties also played a role, as did civic organisations and reconstruction and development forums.

The council has decided to ask its representatives on the joint executive committee (JEC), which will amalgamate the Cape Town City Council with Pinelands and Ikapa, to push for a council of 100.

However, the council also decided to delegate to the JEC authority to deal with all matters relating to council size and ward demarcation.
ARG 13/11/93
Premiers sign agreement on assets share
Labour Reporter

PREMIER of the Western Cape, Hernus Kriel and his counterparts from the Eastern Cape, Northern Cape and the North West today signed an agreement on how the assets, budgets and posts of the former Cape Provincial Administration would be divided among the four new provinces.

While the signatories were unable to specify which assets would go to which province, save that the fewest assets had gone to the North West, all expressed satisfaction with the agreement which outlines a process for the division.

The assets include vehicles, land, posts and budgets.

Mr Kriel was unable to say how many of the Western Cape posts would specifically be targeted as affirmative-action placements.

Premier of the North West Pops Molefe said the agreement should result in greater equity in human and material resources.

He said a meticulous audit of assets had been started.
Provinces club together to tap local, foreign funding

SIX PROVINCIAL PREMIERS agreed yesterday to join an investment forum to be set up by the National Business Initiative.

CHRIS BATeman reports

Six of the country's provincial premiers agreed yesterday to form a joint investment forum aimed at boosting their respective economies — and have asked the National Business Initiative (NBI) to convene a workshop before Christmas.

In a joint announcement after a gathering hosted by Premier Hermus Knel in the city yesterday, the six — excluding Mzimhlophe, Gauteng and the Free State — said they had all received international pledges for the training of councillors and local government officials. They had formed the Premiers' Local Government Investors Forum to tap the resources of the international donor community, the private sector and central government.

"Only through vibrant training programmes can we empower our officials to engage with the diverse challenges and needs of our communities," the six said.

The NBI would set up the forum and had been asked to convene a workshop before Christmas.

The six premiers are Mr Manne Dipico (Northern Cape), Mr Popo Molefe (North West Province), Mr Knel, Dr Frank Mdlolose (kwaZulu/Natal), Mr Ngoako Ramathlodi (Northern Province) and Professor Sheperd Mayatala (acting premier, Eastern Cape). The three unrepresented premiers said "unforeseen circumstances" prevented their attendance.

Yesterday also saw the four premiers who govern what 18 months ago was the Cape Province sign a historic agreement dividing billions of rand's worth of budget, assets and posts.

Mr Dipico described the signing as "the culmination of a painful, protracted process," and praised the officials who made the signing possible. Mr Knel said all had agreed upon a "verification process" to ensure equity in distribution.
NEW BROOM: New Grabouw mayor Fanie Booysen, 36, an unemployed resident of a squatter camp, aims to improve the lot of the town’s poor.

Unemployed squatter elected mayor of Grabouw

Staff Reporter

WITH more than half of the townsfolk living in the squalor of squatter camps and back-yard shacks, newly elected mayor of Grabouw Fanie Booysen believes his appointment to be entirely fitting.

As an unemployed resident of one of the several sprawling shanty settlements surrounding Grabouw, Mr Booysen, 36, feels he is in a perfect position to gauge the town’s needs.

Immediately after his election last night Mr Booysen made it his priority to uplift living standards.

He lives in Rooi Dakke settlement where access to clean water and hygienic toilets is a daily grind: “Where I stay there are no facilities. This is one of my priorities.”

Mr Booysen also aims to bring unity to Grabouw where a dispute over a piece of serviced land that simmered, sometimes boiling over, for more than a year.

“We need to bring the people together and bring stability to Grabouw, once and for all.”

He said the spirit of the meeting between former political foes at which he was elected last night was excellent: “If it carries on like that the town will prosper.”

Mr Booysen was born in King William’s Town and divided his youth between the Eastern Cape and Grabouw. He settled permanently in apple country in 1988.

On the unbanning of the African National Congress in 1990, he was elected vice-chairman of the Grabouw branch and has held executive positions ever since.

He and his wife Rita have an infant son, Mhengeni.
Four percent growth predicted for W Cape

A REGIONAL GROWTH RATE that is higher than the national average is possible, Minister of Economic Affairs Mr Chris Nissen says. ANTHONY JOHNSON reports.

The Western Cape could expect a growth rate of four to six percent until the turn of the century compared with a national average of three percent, the regional Minister of Economic Affairs and the RDP, Mr Chris Nissen, predicts.

"This is well within the range of the possible, especially if we include RDP- and business-linked investments that are on the cards," he told a Bureau for Economic Research conference. "Think of all those five-star hotels and casino projects." He said the R4.7-billion Saldanha Steel project and the Cape Town bid for the 2004 Olympic Games could also boost the economy.

However, he cautioned that the Western Cape could not take a four-to-six percent growth rate for granted. It was also a pipe-dream to imagine that "job creation would just happen" in a free enterprise fashion. He said that three factors could seriously endanger growth prospects:

- The unequal sharing of growth and development
- Meeting the condition for rapid and stable output growth
- Meeting national and international competition.

Mr Nissen noted that 30-40% of households in the Western Cape were affected by unemployment.

More than 90% of all company directors were "lily-white" and well over 75% of middle and upper management was white, he said.
Marais to take on ANC over Paarl office-grabbing

CHRIS BATEMAN
POLITICAL STAFF

LOCAL government Minister Mr Peter Marais yesterday signalled his intention of taking the ANC head-on over the decision to put its members in all major positions on Paarl's town council.

The ANC won a majority of council seats a fortnight ago — with the help of the ward system that gave stronger weight to a Mbekweni township vote than to the rest of Paarl.

However, Mr Marais said yesterday that the constitution "demanded" that a system of proportional representation be applied and cited the ANC's total of 15,027 votes versus 18,477 combined NP, DP and independent votes in Paarl.

His department yesterday began drafting a proclamation that will require all local government bodies to "apply a system of proportional representation in the election of executive committee members."

Mr Marais said all transitional local councils would be required to appoint their executive committees in strict accordance with current practice at both central and provincial levels.

Although the ANC won less votes, it has filled the posts of mayor, (Mr Allen Paulse), deputy mayor and chairman of esco (Mr Mike Mgobo) and appointed party members to all five standing committees.
ANC finishes off ‘gevaar’

CHRIS NISSEN AND WILLIE HOFMEYR

PERHAPS the greatest significance of the local elections was the decisive breakthrough by the ANC in the coloured and Indian minority communities who had overwhelmingly voted for the NP in the 1994 elections. One day this election may well be seen as the keypoint at which the electorate finally turned its back on those who have relied on “swart gevaar” tactics for electoral success.

This was very clear in Gauteng where, for example, in the major Indian area of Lenasia, the ANC won all the wards.

But in the Western Cape, the significance of this change has been obscured by the fact that much of the focus has been on the overall results which include a large number of conservative white voters. Little attention has been paid to the results in the coloured community.

Last year the NP managed to win the Western Cape convincingly when they used “swart gevaar” tactics effectively to scare the coloured community into voting for them.

Most survey results and analysts (eg Hermann Gillmoree) agree that in 1994 the NP won about two-thirds of the votes against about 25% for the ANC. The NP claimed similar figures (eg by Piet Marais in Die Burger of 6.11.95).

The crucial issue in the local elections was whether the NP would be able to repeat their runaway victory.

To establish this, we prepared a detailed analysis of all the wards in which coloured people are 90% or more of the population.

Huge swing

The results show that of the 155 668 voters, 68 538 or 44.3% voted ANC and 56 481 or 37.8% voted NP.

Thus, from trailing the NP by 42% the ANC now leads by 7% - this represents a huge swing of nearly 25% from the NP to the ANC. This is more than the ANC requires to beat the NP in the next provincial election.

The impact of this shift on the number of wards won surprised even us. Of the 260 wards, the ANC won 137 or 52.7% against the 45 wards or 17.3% for the NP. The ANC won three times as many wards as the NP - a landslide victory in any terms.

But what makes it even more remarkable is that in the elections last year the ANC did not win a majority of votes in any polling station in the rural areas except in the tiny town of Bacoyn.

Reasons

How is it that the ANC captured the coloured vote which the NP up to now claimed belonged to them?

First, the ANC has through its hard work in the community exposed the myths and propaganda of the NP - the stories that people’s houses and jobs would be taken away, that pensions and subsidies would be lost, and so forth. More stories appeared, for example that “Mandela promised cars and washing machines, but did not keep his promises”

But this time the NP’s “campaign of fear” was just not substantial enough to counter the ANC’s “campaign of delivery”. We ignored the NP’s skinhead stories, and focused on people, the real issues which affect them, and how these can be solved.

Secondly, many people were also disillusioned with the NP’s inability to deliver where it had control. One of the NP’s biggest problems is that it is not willing to threaten the privileges of its conservative white supporters. In many ways, the Boerderbord still rules in the rural areas.

Thirdly, apartheid oppression is still very much a fact of life in the urban areas. But the NP of Kriel and Marais is simply not prepared to challenge the openly racist attitudes of many of its supporters.

Many coloured people found a comfortable home in the ANC while retaining their cultural identity and language. Besides, the ANC convinced many that, unlike the NP, it had the political will to build a better life for all.

On the other hand, for many people, the ANC government had delivered more in 18 months than they had seen in 48 years.

Although much remains to be done, a promising start was made with the provision of basic services, health care, school feeding, etc. It convinced many that the ANC, unlike the NP, had the political will to build a better life for all.

The ANC gains in the Western Cape are a victory for the non-racial tradition of the ANC.

The hard work before the election has managed to break through the fears that many people had of the ANC - many coloured people found a comfortable home in the ANC while retaining their cultural identity and language.

The attempts by the NP and the much publicised ethnic coloured parties to polarise African and coloured voters failed dramatically. Coloured people did not accept Piet Marais’ invitation to “be king in the Western Cape” to the exclusion of others.

Ashes

Instead voters opted for the ANC’s vision of a South Africa which we can share. The result is a vindication of the magnificent efforts of President Mandela to build a new and united nation out of the ashes of apartheid.

Although much hard work remains, we are confident that the elections in the Cape Metro will confirm that the local elections were the beginning of the end for those who rely on the divisive “swart gevaar” politics of the past.

Ct Rev Chris Nissen is chairperson of the ANC (Western Cape), MEC for Economic Affairs and MPL for the Blue Downs area. Willie Hofmeyr is NP for the Claremont area and serves on the Justice Committee in parliament.
New legislation on borrowing may prevent proper upkeep of structures.

Threat to Cape Buildings.
Row in Grabouw as shebeen owner is elected new mayor

Staff Reporter

ANOTHER political row has broken out in Grabouw — this time over the appointment of the owner of a shanty town shebeen as mayor.

Fanie Booyzen of the African National Congress — owner of The Place To Be Tavern in the Hooldakkake informal settlement area — was elected mayor of the Overberg town on Tuesday.

But he hadn’t even finished burning his new chains of office when the Grabouw Community Organisation issued a statement, apparently faxed from the offices of Pan African Congress MP Patricia de Lille, condemning his appointment.

The unsigned statement accused Mr Booyzen’s “illegal” business of fomenting crime.

“This is a low point for Grabouw and paves the way for an increase in illegal activities.”

The community organisation had already written a protest letter and handed a petition to regional Minister of Local Government, Pieter Marais, in a bid to resolve the issue.

Asked why the fax was sent from her fax machine, Mrs De Lille said she had loaned it to the community organisation for the duration of the local government election campaign and would get it back on her return to Cape Town next month.

She had no knowledge of Mr Booyzen or the row following his appointment.

Calls to the community organisation’s office were referred to the house of PAC councillor Dennis Marinus, the founder and chairman of Graco, who was defeated by Mr Booyzen in the election for the town’s mayor.

But a family member of Mr Marinus said he was ill yesterday and could not speak on the phone. In any case, he was no longer a member of the organisation, she said.

This was confirmed by the organisation’s secretary, Francesca Vergotine, who said Mr Marinus had resigned after his appointment as a town councillor.

Mrs Vergotine said the town’s mayor should be an example to others, and running a shebeen was hardly the example she had in mind.

An angry Mr Booyzen said it did not concern him who had faxed the statement to The Argus.

“I was voted into this position by the people of Grabouw, who know exactly what I do.

“They can call it whatever they want, but as far as I’m concerned, I am unemployed and trying to make ends meet by running a small business,” he said.

“If Mrs De Lille or the Grabouw Community Organisation have something they want to tell me, they must tell me personally.”

Mr Booyzen was particularly upset that he had been accused of fomenting crime.

He accused the community organisation and the PAC — which he said amounted to the same thing in Grabouw — of being the “very people” who had blockaded the town, shut down schools, caused violence and dirtied Grabouw’s name in the national media.

For more than a year tension has run high in Grabouw over the allocation of serviced sites on the fringe of the town.

The land set aside for serviced sites was illegally occupied several times by residents claiming allegiance to the Grabouw Community Organisation and the PAC.
NP congress to consider new name

Wyndham Hartley

CAPE TOWN — A new name for the NP is again on the agenda for its Western Cape congress to be held in Somerset West tomorrow.

It is almost certain that the NP will also reflect on apparent gams made in the Western Cape by the ANC in the recent local government elections.

The party's national leader, Deputy President FW de Klerk, will not be able to attend the congress as he is on official business in Europe.

Constitutional Development Minister Roelf Meyer, who was at the centre of the denunciation row in the Western Cape which saw NP premier Hermans Kriel take the government of national unity to the Constitutional Court will be present at the one-day congress.

On the agenda is a discussion of the devolution of power to the provinces. It was the contention of Kriel's provincial government that local government regulations intruded on the constitutional rights of the provinces.

In a resolution from the Montagu branch the head council of the party was asked "to again reflect on the name of the party."

There were suggestions at the NP's recent Eastern Cape congress that a new name should be found.

However, in the past these suggestions have been rejected by the leadership of the party.

Also on the agenda for "in-depth discussion" is the crime situation in the country, the lack of economic growth and the NP's role in the government of national unity.
Centre accuses

Marais of bias

Municipal Reporter

The Centre for Rural Legal Studies has accused Local Government Minister Peter Marais of one-sided consultation in the drawing up of a new model for rural local government.

The centre has written an open letter accusing Mr Marais of only meeting organised agriculture and not farm workers, and more particularly women.

Elections for rural local councils still have to be held, along with the Cape metropolitan area's local elections next year.

"Without consultation... the model the minister arrives at will not be acceptable to all affected parties," the centre said.

It said this would result in further delays to the election in rural areas.
Boundary dispute: Court sets date

ST (m) 19/11/95

By NORMAN WEST
Political Reporter

THE Special Electoral Court (SEC), convened to resolve the Cape metropolitan boundaries dispute, will sit in the Supreme Court in Cape Town on December 4 and 5.

The dates were confirmed on Friday by the secretary of the SEC, Isabel Landemann.

The court will be headed by Appeal Court Judge J W Smalberger. It will hear argument on the dispute between Local Government Minister Peter Marais and his Provincial Committee on Local Government (PCLG) regarding the delimitation of inner boundaries of the Cape Transitional Metropolitan Council.

Other judges will be Mr Justice Edward King of Cape Town, Mr Justice Vuka Tshabalala of Bisho, Mr Justice M S Nafiu of Johannesburg and Mr Justice P J van der Walt of Pretoria.
PARTY NAME CHANGE WANTED

NP ‘white’ image under fire

THE NP will have to do some serious soul-searching after its branches in the province accused it of being lacklustre, unimaginative and out of touch. BARRY STREEK reports.

The National Party’s white image and even its name came under fire at its Western Cape congress in Somerset West at the weekend.

Provincial Local Government Minister Mr Petrus Marais told the congress: “Our party is too white. Our packaging is still too white.”

MP Mr Meit Hamman revealed that in response to a questionnaire, 133 NP branches in the province had accused the NP of being lacklustre, unimaginative, and out of touch with its followers and members.

Mr Hamman said marketing and propaganda were the Achilles heel of the NP.

“We take the right decisions and we have the right policy, but when it comes to implementing them, we fall flat.”

Mr Hamman also said the party was developing a new strategy and marketing plan. This could include a change of name, which the congress endorsed unanimously.

Dr Dawie de Villiers, party leader in the Western Cape, warned, however, that it was not an instant solution and “an artificial change of name will have no value.”

He also said that two years ago when the party had changed its colours and emblem, a change of name had been rejected.

“We want people to join the NP on the basis of our values,” Dr De Villiers said.

Despite the criticism, 200 observers without speaking rights and 200 delegates attended the one-day congress.

Re-elected

It was also revealed that the party had an operational budget of R2.2 million, 81 district councils, 585 branches — an increase of 74 in the past year — and 10 000 new members in the Western Cape.

Dr De Villiers, who was unanimously re-elected, also predicted the NP would make a strong showing in the elections in the Cape Metropolitan area and in the rural councils next year.

It was clear, however, that the NP did not do as well as it expected, and claimed afterwards, in the local government elections.

Mr Marais also criticised the NP for not putting up candidates in black areas and giving the seats to the ANC. “If we are not available in black areas, how are we going to market ourselves?” he asked.

Mr David Graaff, MP, said. “The NP did not perform as well as it should have.”

He said a ward in one town was lost because the NP candidate forgot to register and the mayor of the same town went overseas for a month and only returned a week before the election.
R170m needed for Umtata Hospital

Kathryn Strachan

UMTATA Hospital, which was described as “an affront to humanity” by a parliamentary delegation last week, needed R170m to bring it up to standard, Eastern Cape deputy permanent secretary Sipilo Stamper said at the weekend. But the entire budget for upgrading health services in the province was only R84m.

The department would present its “master plan” for Umtata Hospital to the Eastern Cape parliament this week, and request it to seek donor funding for the five-year plan.

The parliamentary delegation said conditions at the hospital were appalling. There were broken bottles and rubbish strewn around the shed which served as a psychiatric unit, in the paediatric ward there were five babies in a cot and two babies in an incubator. The hospital lacked basic equipment.

Stamper said R12m was being spent this year on upgrading the hospital, and on building a new outpatient department.

While the delegation said terrible conditions in the hospital were a health risk and it should be condemned and a new hospital built in its place, Stamper said his department was well aware of the appalling conditions. However, the hospital did provide a service, and it was not practical to shut down the building altogether.

There were attempts to take the pressure off Umtata Hospital by rerouting patients to better-equipped hospitals in Queenstown and East London, Stamper said.

Plans for upgrading other hospitals in the province had begun.

Health services in the former Transkei were the worst, victims of apartheid, said Stamper, and these were at the top of the department’s list of priorities.

However, it was impossible to redress decades of neglect in 16 months, he said in response to criticism of his department’s performance.

A computer system which was installed in the Umtata medicine depot earlier this month was expected to improve the supply of medicines to former Transkei clinics, which had complained of running out of essential medicines every month.

De Villiers’ no to new NP name

Wynham Hartley

CAPE TOWN — A change of name for the NP without a rearrangement of its leadership would be purely cosmetic and is out of the question in the short term, Western Cape NP leader Dawie de Villiers said at the weekend.

For the second time in recent weeks, an NP branch has asked at a provincial congress that serious consideration be given to a name change. It was first mooted at the NP’s Eastern Cape congress and again on Saturday when the Western Cape NP gathered in Somers West.

NP spokesman Dane du Plessis said the congress was told by De Villiers that when the NP changed its colours and logo a few years ago the main issue of changing the name was researched and the evidence gathered showed that the party should not change its name.

It would be pointless to have a new name for the party which had all the old faces, he said. — in the future if there was a rearrangement of the party and its leadership, then a name change was a possibility.

There was considerable opposition to a name change on the basis that supporters would become confused and votes could be lost as a result.

The party leadership emerged bruised from the one-day congress. Sharp criticism from the floor of the congress said that part of the reason for the party’s poor performance in the local government elections earlier this month was that the leadership was not seen enough at grassroots level.

Leaders must be seen to be involved on the ground and not purely at large public meetings, de Villiers told the congress. They warned that if this did not happen, it would fuel perceptions that the leadership was not interested in those they wanted to vote for them.

Doubt was also expressed about the NP’s continued participation in the Government of National Unity.
Cape will get constitution

By mid-March, says NP
Building co-operation

New body aims to power RDP efforts

ESTELLE RANDALL
Labour Reporter

A POWERFUL new body to coordinate and shape development in the Western Cape is being nurtured in preparation for its formal launch in March next year.

This is the Provincial Development Council (PDC) which has the stamp of approval of the provincial government, labour, business and community stakeholders—all of whom are being drawn in to drive this new engine which will help power implementation of the RDP in the Western Cape.

Presently there is no single body which draws together all relevant stakeholders who could contribute to making the RDP work in the province.

The PDC will change all this.

Building the blocks of co-operation which will make the PDC a reality is 35-year-old Adrian Sayers.

He’s difficult to pin down as he flits between his city office, with its countless mounds of paper spread around, and appointments with the stakeholders he must win over to the PDC.

“Convincing players in the different sectors is quite tricky,” Mr Sayers confesses.

“I have to bring together diverse groups and get them to agree to work together on the basis of decision-making by consensus.”

People are bringing with them different experiences, backgrounds, styles of operating and of course different politics. It’s difficult to get all these diverse groups to unite around issues that are above party politics and that will bring long-term gains to our province, and not necessarily directly enhance a particular political party.”

The PDC wants to draw together provincial government, business, labour and community groups into a consensus based provincial counterpart to the national body with the teeth to ensure the province’s development is effective and sustainable.

Mr Sayers also has to strike a balance between himself remaining politically neutral and dealing with the highly politicised arena of development.

However, as a former trade unionist, Mr Sayers has the benefit of cutting his teeth on internal trade union and industry negotiations on a range of issues during the 1980s and immediately after the April 1994 election.

He was first education officer and later Western Cape regional secretary for the National Union of Metalworkers of South Africa (NUMSA) until June 1994, when he was asked to become adviser to the Western Cape MEC for Transport and Public Works, Leonard Ramath借口.

This gave him valuable insights into the inner workings of the new government.

He was appointed to establish the PDC in October 1994. So far he has met all the provincial stakeholders and has begun to establish interim regional councils on the West Coast, the Overberg and in the Boland.

Draft legislation around the PDC is currently being prepared for discussion in the provincial cabinet and a bill will be released for public comment early next year.

Objectives of the council are to facilitate full employment in the province, facilitate acceptable living standards for all the province’s people, embrace the RDP and to help in the formulation of a development policy which will ensure sustainable development in the Western Cape.

It will do this firstly by facilitating consensus and co-ordination between the provincial government, the private sector and civil society (trade unions and community-based organisations, for example).

Secondly, it will also promote consensus and co-ordination between local development bodies and local authorities.

Thirdly, it will co-ordinate rural and metropolitan interests.

The council will draw in between 30 to 35 members from labour, business, community-based organisations and non-governmental organisations.

The provincial council will have an economic affairs chamber, comprising specialist committees such as tourism, commerce and industry, and agriculture. It will also have a social affairs chamber which will focus on health, welfare, education and housing.

Attached to the provincial council structure will be seven regional development councils and local development forums.
City council asked to step into top positions at Ikapa

Municipal Reporter

THE Ikapa administration is now in such a chronic state of collapse that the Cape Town City Council has been asked to step in and take over key management functions.

This is the substance of a report to the council by deputy city engineer Mike Marsden, in charge of the strategic management plan to restore services to the city's townships.

In his report Mr Marsden said the situation at Ikapa had been compounded by the suspension of its acting town clerk and acting town treasurer.

Mr Marsden said rapid action would have to be taken to restore the Ikapa administration because work in a number of service delivery areas had started.

Actions needed included establishing project teams to look at staff structures, placements and records, departmental procedures, resource allocation and disciplinary as well as grievance matters. Industrial relations had broken down and these also had to be addressed, Mr Marsden said.

The Council's executive committee has agreed to help Ikapa, but feels their managers will have to be given the authority to act decisively. Key jobs which Cape Town is likely to take over are those of town clerk, head of administration and town treasurer.

Crime has also struck a blow to the strategic management plan, according to Mr Marsden's monthly progress report. In Crossroads, the engineer's vehicle was hijacked, in Guguletu, the driver of a cleaning-tanker was robbed, and in another incident technicians were shot and wounded by gang members.

In Langa shots were fired near contractors.

A number of consultants and contractors have had to be persuaded to stay in the area after these incidents, Mr Marsden said.

The management plan's good progress could only be sustained if work proceeded in a safe and secure environment.
agenda

issue

settled

when the gambling

Cape Town casino

issues ten licenses for tourism

Tourism activity earns World Cup tourism, job creation

The provincial leg

Casino licenses to province

next year's budget

END
No qualifications, but residents got iKapa jobs

IKAPA: Sixteen members of the Philips Residents' Committee — with an average qualification of Std 5 — appointed themselves to senior posts in the iKapa municipality yesterday.

"It was reported the municipality recently advertised 35 posts. The committee later handed it a list of the names of members if they were to be appointed.

Application forms were not filled in, interviews did not take place, and qualifications were not disclosed.

"We had an agreement with them that 35 posts would be advertised and out of the 35 posts they came back to say 16 of those posts are not negotiable," iKapa mayor Mr Khonzile Mamba said.

The posts included township manager, senior administrative clerks, administrative officers, a principal foreman and workshop superintendent. Applicants for these posts normally have tertiary qualifications.

Despite the appointments being declared invalid, the committee members have indicated they will demand their full salaries at the end of the month.

Spokesman Mr Madoda Glyose said "To be experienced you must first get a job and there is what we call in-job training. The people could be trained inside." — Sapa
New coloured party will contest election

A PARTY propagating coloured nationalism, the Coloured Freedom Movement, has been formed in the Western Cape.

Its leader, Mr. Michael Roman, said coloureds were not prepared to make war. The CFM would contest next year's local government elections in the Cape metropole.

Meanwhile, the Kleurling Woestandsbeweging (KWB) last night angrily denied that Mr. Roman had ever been a member of the KWB.

It was reported yesterday that Mr. Roman had left the KWB to form the Coloured Freedom Movement to fight the local government elections.

However, KWB leader Mr. Mervin Ross said: "He has never been a member of our organisation, let alone a member of our executive."

Mr. Ross said people were trained to divide coloured people from supporting the KWB but it would continue to boycott the elections — Political Staff
Council seeks loan as cash crisis escalates

ANDREA WEISS
Municipal Reporter

FOR the first time in more than 10 years, Cape Town City Council will have to borrow hundreds of millions of rands on the open capital market to make up a shortfall in its budget this financial year.

This was revealed today by city treasurer Eddie Landsberg at a meeting of the city's executive committee, when he said the city's expected shortfall for the 1995/96 budget was R250 million.

In addition, the city's reserves were already eroded by a further R100 million.

This meant Mr Landsberg would have to go to the capital market to borrow R350 million.

Apart from special project funding for the Palmet water scheme two years ago, the council last raised general capital funds in 1983.

Mr Landsberg also revealed that the city was owed R327 million for arrears and other accounts.

Mr Landsberg's bombshell came in the middle of a debate on whether the city should put up money to secure an international athletics event at the Green Point Stadium over the next five years.

Athletics South Africa has approached the council for support for the world-class event which the International Amateur Athletics Federation has approved.

The cost to the city will be in the region of R400 000 a year over and above a further R350 000 which would be needed to upgrade Green Point Stadium to meet international requirements.

Mr Landsberg said his comments were not aimed at sport but his role was to look at the financial business of the city of Cape Town "dispassionately."

Mr Landsberg said the spirit of the memorandum on the athletics event was related to the Olympics.

He asked whether all the costs the city was going to have to bear for Olympic-related developments should not be co-ordinated and centralised.

By doing that, Olympic spending would be transparent to the public.

Mr Landsberg said of an initial R5 million budgeted for Olympic-related projects, only R1 1/2 million was left.

Against this, the city had given R2 million in commitments.

"The funds are not there to support what we are talking about at the moment," Mr Landsberg said.

He said Athletics South Africa was one of many sporting codes which, if Cape Town was successful in the Olympic bid, would be approaching the city for support over the next nine years.

Mr Landsberg said the worst thing the city could do was not to budget for these requests.

In another report to the city's executive committee, Mr Landsberg called for all standing and ad hoc committees to actively pursue a policy of financial restraint for the rest of the year.

Branch heads have also been warned that there will be no supplemental funds available if they exceed their budget.

Areas already over-spent include the administration service, ambulance service, civic amenities branch, street work, traffic, abattoir and general services, which includes work carried out for Ikapa.
Residents 'take over' municipality

Kapra - Sixteen members of the residents' committee with an average standard five education have appointed themselves as senior posts in the Kapra municipality on the Cape Flats - and are demanding to be paid at the end of the month.

The municipality advertised 35 posts and was handed a list with the names of members the committee demanded must be appointed. But application forms were not filled in, interviews did not take place, and qualifications were not disclosed.

"We have an agreement with them that 35 posts will be advertised and out of the 35 posts they have come back to say 16 of those posts are not negotiable," Kapra mayor Khonzele Manna said "Those posts are designated by themselves to the committee."

The posts include township manager, senior administrative clerks, administrative officers, a principal foreman and workshop superintendent. Applicants for these posts normally have tertiary qualifications.

Despite the appointments being declared invalid, the committee members say they will demand full salaries at the end of the month. Their spokesman Mododa Gqoza said they wanted to rid the township of corruption.

"To be experienced you must first get a job and there is what we call in-job training," he said. - Sapa.
ANC criticises new movement

Political Correspondent

THOSE advocating “coloured” and other ethnic nationalism are trying to drag the country back to apartheid, says the African National Congress.

The ANC was reacting to the formation of a breakaway “Coloured Liberation Movement” from the Kleurling Weerstandsbeweging.

The breakaway group reportedly intended contesting elections in the Cape Town metropole on a coloured nationalism ticket.

“The KWB’s attempt to call for a boycott of the local government elections in rural areas in the Cape failed dismally, and the ANC made great progress in these areas.

“We are convinced we will have even greater success in the election next year in the Cape metropole.”

The ANC always had recognised that many cultures made up the South African nation, but those who propagated ideas of narrow ethnic nationalism “are attempting to drag us back into the apartheid past.”
Local council budgets slashed

CLIVE SAWER
Political Correspondent

FUNDING for city and town councils countrywide faces drastic cutbacks by the government.

And the shock reduction in next year's budget for intergovernmental grants has sparked the ire of the Department of Constitutional Development. Also, the Institute of Municipal Treasurers and Accountants has criticised the government for bad timing.

News of the cutback comes after a warning that local government is going to prove costly for at least five years before the first economic benefits are felt.

And, in a further shock, a working group appointed by the Department of Constitutional Development has recommended a radical restructuring of the electricity industry, which until now has been an essential cash cow for local government.

Revelations about the state of local government emerged this week in evidence to the parliamentary committees on provincial affairs and constitutional development.

Andrew Boraine of the Department of Constitutional Development said the local government transition would be costly.

"This understanding is not shared by the Department of Finance, parliamentary finance standing committee and the cabinet treasury committee."

Next year's budget for intergovernmental grants from central to local government had been cut to R2.9 billion.

With the establishment of 300 new rural local authorities, there was less money for more bodies.

"All local authorities will receive less than they have done in the past few years," Mr Boraine said.

The working group on electricity, he said, had recommended the rationalisation of all distribution bodies into a single national body.

It had recommended the establishment of a single national system for tariffs.

Embattled local authorities face a new financial crunch next year.

Mr Boraine said a report on the future of the national electricity network was due to be put to the cabinet by February.

In past years, councils have creamed off profits from the resale of electricity and used these to subsidise other services.

Depriving them of this income could be a serious blow.

Mr Boraine said local authorities should be challenged to reduce their administrative overheads.

Some local authorities were spending more than half their budgets on staff, and this should be reduced to about 30 to 35 percent, he said.

He also criticised local authorities who had failed to effect savings by rationalisation.

In most municipalities, the reduction of non-essential services was not happening.

Eddie Landsburg, of the Institute of Municipal Treasurers and Accountants, lashed out at the timing of the cutback in intergovernmental grants.

Mr Landsberg, who is also Cape Town's city treasurer, urged the government not to be hasty in removing electricity as a source of income for local government.

In a discussion of the Masakhane campaign, Mr Landsberg said there were parts of Cape Town where standards of payment were high, in spite of low standards of services.

Ikapa had the best record of payment for services in the whole of Cape Town, even though it services were of a lower standard than the rest of the city.

Mr Landsberg said the system of property valuation and rating was outdated.

It should be reviewed thoroughly, and replaced by something simple and easy to adapt to disadvantaged areas.

News of the cutback in intergovernmental grants has also aroused concern about the fate of local government workers in former homelands.

In the former Transkei and Ciskei, some municipal workers have reportedly not been paid for some time because of a lack of funds through the absence of intergovernmental grants.
VOTED TO SCRAP DEBTS WHILE OWING MONEY

Arrears: Councillors' conduct to be probed

THE town clerk will probe whether two councillors who voted to scrap arrears while owing money to the council breached an ordinance.

TOWN clerk Mr Keith Niccol may soon have two executive committee members of the city council "on the carpet" for voting to scrap arrears while they still owed the council money.

Mr Niccol said yesterday the matter was being investigated and he could not say what action would be taken against the two.

Mr Campher-Williams said she was awaiting the ANC caucus and council executive committee meeting this week to learn what would be discussed and decided by the caucus, and what the council would be instructed to do.

Mr Niccol said the Scrap All Arrears Committee had determined the writing off of arrears was not feasible and the arrears were in the disadvantaged areas. It would not benefit their operations.

Mr Niccol said the council would be instructed to achieve the Scrap All Arrears Committee's recommendations.

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Coloureds 'still face discrimination'

COLOURED SHOULD "MOBILISE" as they were being discriminated against in affirmative action, the RDP, education and health, Belhar deputy mayor Ms Fiorina Serfontein said at an Institute for Multi-Party Democracy focus meeting yesterday.

Widely differing views on the role of coloured nationalism and its relationship with national reconciliation were raised.

City council affirmative action project director Mr Gavin Pretorius said there was strong resistance to affirmative action from coloured council workers.
City councillors prefer 100-seat new council

THE Cape Town City Council and yesterday it would prefer the new council to have 100 seats — but would leave the decision to the new joint executive committee (JEC) of the central municipality.

Mr John Murr of the Democratic Party's caucus in the council said yesterday that Cape Town wards had till now each had an average of 5,000 to 6,000 voters, with two councillors for each ward.

If Cape Town had 50 seats instead of 100, there would be 22,000 votes per ward Tygerberg, with 46 seats, would also have 22,000 voters per ward.

The greater Milnerton municipality (26 seats) would have under 4,000 voters per ward. The 36-seat Southern municipality, extending from Wetton Road and Strandfontein Road to Simon's Town, would have close to 8,000.

With 100 seats in Cape Town, the number of voters would fall to 13,000 per ward in the White and coloured areas, and 5,500 in the former black local authority areas.
Excom ousted after move to NP
(263) CT 13/12/95

MUNICIPAL REPORTER

COUNCILLOR Mr David Statham (NP) was ejected from the Cape Town City Council's executive committee yesterday, and replaced by Mr Saleem Mowzer (ANC).

The council decided to eject Mr Statham from his position as chairman of the emergency and protective services committee, and on, after he had crossed the floor from the African Christian Democratic Party (ACDP) to the NP.

The ACDP had been part of the non-statutory group — those who had not taken part in local government under the apartheid regime.

Early this year, the council decided that each council committee would have two co-chairs, one from the statutory side and one from the non-statutory side. Both co-chairs would have seats on the executive committee.

Councillors had argued that Mr Statham's move affected the balance of power between the statutory and non-statutory sides. He replied that the balance had been required just to start up the council, that it had not been meant as an enduring arrangement, and that it had been disturbed from the start by other "floor-crossings".

Asked for a ruling on whether the 50-50 division of exco seats still held, City Administrator Mr Cys Hofmeyr said it did, but could be overturned by ordinary resolution if the council wished.

It was not possible to introduce such a resolution yesterday.
ANDREA WEISS, Municipal Reporter

FURY has erupted over a proposal by controversial Western Cape local government minister Peter Marais that would result in Cape Town having massive municipal wards with 22,000 voters each.

A war of words has erupted between Mr Marais of the National Party and other parties over the proposed-size of the new council to be elected on May 29 next year.

Previously Cape Town City Council wards ranged from 6,000 to 10,000 voters each.

The decision will be taken next week by Mr Marais in conjunction with the provincial committee for local government.

At stake is the size of the proposed council for the central substructure, which will consist of an amalgamation of the bulk of Cape Town City Council, Ikapa and Pinelands.

Mr Marais wants Cape Town to have fewer councillors as he says a 100-seat council would cost ratepayers R10 million a year.

The NP has proposed a 50-seat council, but the Democratic Party and the African National Congress are angry because they believe this would lead to enormous wards with councillors having to represent about 22,000 voters, and populations of up to 60,000 people each.

Part of the reason for the large wards would be that half the wards would go to the former black local areas, and half to traditionally white and coloured areas, in terms of a provision in the Local Government Transition Act.

Yesterday, the new central joint executive committee (JEC) voted for a 100-seat council which would allow for wards of about 11,000 voters each, which is the case in Johannesburg.

Mr Marais has said the demand for 100 Cape Town seats as being excessive and too expensive, saying that the Western Cape government consisted of only 42 members.

However, senior DP councillor John Muir said Mr Marais was “mixing apples with pears” because the size of the provincial government was totally irrelevant — all provincial MPs are elected proportionally and do not represent seats.

“We are talking about good representation at local level,” Mr Muir said.

Neil Ross, leader of the DP in the Cape Town City Council, said the number of people in each ward was absolutely critical.

“The special electoral court showed that (Mr Marais) view of how to structure local government is totally different from the rest of the community,” Mr Ross said.

If government was to be closer to the people in Cape Town it was essential to have smaller wards.

“No councillor can service 22,000 voters,” he said.

Ward councillors were frequently approached about relatively mundane issues such as refuse removal, electricity or blocked drains which were important for their quality of life.

Ward sizes for the other five substructures would be in the region of about 5,000 voters for Ikapa/Crossroads, the wards, which would cover about 12,000 voters.

Mr Ross said a 100-member council would not be permanent as the loading of seats in the former black local authorities would fall away after this election.

Hamel Tusekeri, leader of the African National Congress in the Cape Town City Council, said his party believed that to have effective local government, there needed to be adequate representation.

He argued that the burden was not just a question of voters, but also of population, and the proposed 50-seat council, would see councillors serving populations of about 60,000 people which was “not good for local government.”

NP debars councillors

Municipal Reporter

THE National Party has suspended two of its members in the Cape Town City Council for voting out of caucus over the dismissal from the executive council of NP member David Statham after he crossed the floor.

NP council caucus leader Leon Markovitz confirmed that Robert Dewrance and Gaffoor Ebrahim had been suspended pending an explanation of their voting.

Year ends — with too many empty seats

Municipal Reporter

THE Cape Town City Council ended its official year today on an inauspicious note when it failed to achieve a quorum to finish its agenda for December.

The 56-member council was to have met today to complete its monthly agenda which it had not finished on Tuesday.

Items which were to have been decided today included a request for financial help for the athletics meeting in Green Point and for the South African Hockey Association, which had a shortfall on the Hartleyvale Olympic qualifying tournament.

Several motions put forward by councillors, among them calls for the banning of fireworks, and calls for a municipal police service, also had to be abandoned.

When the council tried to hold its meeting this morning, there was no quorum. Councillors waited for 15 minutes and then had a roll call, but to no avail.

Democratic Party councillor Chris Jobbert said the situation was embarrassing.
A GROUND-BREAKING labour agreement — which should avert municipal strikes in the Cape Town metropolitan area in the foreseeable future — was signed by employer and employee organisations in the Cape Town Civic Centre yesterday.

The agreement has been two years in the making, said city councillor Mr Neil Ross, who played a central role in securing the agreement to set up a new 13-a-side bargaining forum for municipal labour on the one side and employers on the other side.

The parties to the agreement are the Cape Town City Council, the Cape Metropolitan Council, the Cape Local Authorities Employers' Organisation, SA Municipal Workers' Union, SA Association of Municipal Employees, Cape Town's municipal Professional Staff Association and the SA Local Authorities and Allied Workers' Union.

Should these groups reach deadlock in wage negotiations, the agreement provides that the dispute must be referred to mediation. If mediation fails after five days — or up to 21 days if both sides agree to the extension — then it goes on to arbitration. The arbitrator's decision 'shall be final and binding upon all parties'.

The parties must agree to a panel of at least six arbitrators, acceptable to all of them. In any specific dispute, one arbitrator will be selected on a rotational basis.
THE Joint Executive Committee of the new Cape Town City Council voted yesterday that the city should have 100 councillors — a move which will cost ratepayers R10 million a year and form the largest city council in South Africa.

Reacting to the vote, Western Cape Minister of Local Government Mr Peter Marais accused the councillors of climbing aboard the gravy train.

"We cannot afford this," he said. "People must temper their demands if we are to see the city go bankrupt and depend on handouts from central government."

Mr Marais pointed out that the Western Cape government consists of just 42 people.

A 100-seat council would be the largest municipal council in the country, unless some council in Natal opts for something even bigger. The largest new municipalities — Johannesburg and Pretoria — each have 70 seats.

Mr Marais, who is pushing for a 50-seat council, said Cape Town wanted to depart from a sliding scale, according to which the number of seats had been decided for the 95 councils in the rest of the Western Cape.

This was because its nominated councillors, who are earning "nice allowances", want a greater chance of being on the council for the next five years.

Ordinary councillors of Cape Town get R2 011 a month, while exco members get an extra R4 214 — a total of R6 225. Some also serve on the Metro Council, which gives separate allowances of a similar order. The estimated allowance cost of a 100-seat council will be R3.7 million annually, compared to just under R2 million for a council half that size, according to City Council figures.

There are also accommodation, secretarial, printing and stationery costs, which bring the total up to over R10 million a year, according to council treasury staff.

"Some people are still boycotting service charges, some are demanding arrears write-offs, central government is cutting its allocation of finances to provinces and Cape Town wants a 100-seat council. The demands must be financed by someone," Mr Marais said.

First meeting

The Central Substructure’s (Cape Town’s) Joint Executive Committee decided it wanted a 100-seat council at its first official meeting yesterday.

Deputy city planner Mr Jan Hugo and urban studies officer Mr Keith Smith said if there were 50 seats on the council, there would be over 20 000 voters per ward in the white and coloured areas. All the Atlantic suburbs (Sea Point, Camps Bay and others) would make up only one ward, with one councillor.

The recommendation now goes to Mr Marais, who, with the Provincial Committee, will have to agree on the number of seats. Any deadlock may delay the elections, now scheduled for May 29.
Ikapa wants to wait and see...

That Ikapa has yet to make up its mind about the future of its political leaders is a telling indication of the extent to which the party's internal rivalries have complicated its decision-making. The province has been at loggerheads for months over the issue of who should replace the current leader, who is still not formally confirmed in the post. Party members have been making suggestions for the council but the decision has yet to be made.
NEWS

QUESTIONS RAISED ON 100-SEAT BODY

49 city councillors absent

THE PROPOSAL to have a 100-seat council for Cape Town was "sheer madness", councillor Mr Clive Keegan said at yesterday's year-end meeting of the City Council.

The Cape Town City Council ended its year yesterday without being able to vote on a single item on the agenda as at least 49 of the 98 councillors were missing.

This raises questions over the efficiency and practicality of a mammoth 100-seat council voted for by the Joint Executive Committee this week.

The bill for the new 100-seat council would amount to R10 million a year, and councillors and ratepayers' associations have also questioned whether such an unwieldy body could serve the city efficiently.

The vote by the JEC for 100 seats also flies in the face of the Demarcation Board, which recommended 50 seats for Cape Town.

Councillor Mr Arthur Wienburg yesterday called the 100-seat proposal "shocking and scandalous". He said the present situation with the council consisting of 98 nominated councillors was a disaster.

Council meetings were being poorly attended, he said, pointing out that at yesterday's meeting to complete its monthly agenda there were not enough members to reach a quorum.

Another councillor, Mr Clive Keegan, also criticised the proposal, saying a 100-seat council was "sheer madness".

"Previous experience has shown us that a large council is expensive, unwieldy and incapable of making informed decisions," he said.

He slated many of the current crop of councillors, saying they were nothing more than "voting fodder who took no part in debates and decision-making."

Although he acknowledged that the size of the present wards proved problematic, he said he was still in favour of a smaller council as there was a far greater chance of reaching quorums at council meetings.

Warning

Mr Wienburg said a smaller council would mean much larger wards, but councillors would just have to work harder.

He also had a word of caution to would-be councillors "If you aren't prepared to work hard then don't stand."

Councillor and Democratic party spokesman Mr Ian Iversen, however, supported a 100-seat council.

Councillors needed to be easily contactable, he said and large wards would prevent them from doing their job properly.

Mr Gordon Mergington, leader of the Good Hope Alliance, an umbrella group of ratepayers' organisations covering the southern and Atlantic suburbs and the Cape Flats, said a 100-seat council would be excessive.

"On the other hand, access to the councillors should be reasonable. The nearer to 50 the better,..."

"There might have to be some compromise. Once wards had been drawn up "there might have to be some juggling" to lessen the disparity between the low number of voters per ward in black areas, and the high number in white and coloured areas."

— Staff Reporters

See Page 10
New exco faces iKapa jobs row

CAPE TOWN's new joint exco was less than an hour old when it was pitched into a controversy over jobs, between the "Brown's Farm community" and the iKapa Town Council which are merging into Cape Town.

The new exco will serve the whole of Cape Town, as defined by its new boundaries promulgated yesterday, which includes Pinelands, iKapa (Langa, Guguletu, Nyanga), Crossroads and Brown's Farm.

The new exco is supposed to concern itself mainly with preparations for next year's local elections and merging the separate councils.

A Brown's Farm spokesman said the iKapa town council had advertised for 35 posts to be filled several months ago.

Residents of Brown's Farm, which was administered by iKapa, have reservations about how people are chosen for jobs, the criteria used, and the legitimacy of the iKapa council as an authority over Brown's Farm.
Size of council slammed

A 100-SEAT council for Cape Town was "madness" — with many of the 98 councillors nothing more than "voting fodder who took no part in debates and decision-making", former exec chef Mr Clive Keegan charged yesterday.

"Mr Keegan was one of many who came out strongly against a vote by the Joint Executive Committee that there should be 100 councillors, a move that could cost R10 million a year."

Local Government Minister Mr Peter Marais says the huge council could bankrupt the city.

* See Page 8
Rural government form finalised

Municipal Reporter

THE Western Cape's new form of rural local government has been approved by the provincial committee and Local Government Minister Peter Marais.

The new model, which includes district councils with members drawn from local councils in the towns as well as rural councils outside of the towns, will be applied to the seven regional services council areas in the Western Cape.

A district council will retain the power to levy charges, and will fix fees, tariffs or charges for services it renders.

SA a member of African Development Bank

JOHANNESBURG — South Africa has become an official member of the African Development Bank after paying $4.7 million into the bank's account in New York. South Africa's instrument of accession was deposited yesterday at the United Nations headquarters, the Treasury of Finance said.

The AfDB voted to admit South Africa as its 77th member this week. South Africa — barred from membership under white minority rule — was the only African state not belonging to the bank.

But the bank had been keen to attract South Africa — creditworthy and with a strong economy. Although South Africa is taking only an initial one percent of voting shares, the move is seen as a gesture of confidence in the bank, which is undertaking major reforms of its structure and loans portfolio.

Admission means South African private companies will now be able to bid for projects financed by the AfDB and will be eligible for loans on preferential terms — Reuters.

¡Ho! ¡Ho! 

in the Eastern Cape
Row over demand for 100 councillors threatens polls

AN ACRIMONIOUS dispute between the ANC and the National Party over the number of ward seats for the Central substructure could jeopardise the May 29 local elections in the Western Cape.

This new election hurdle comes a week after a Special Electoral Court overruled attempts by Local Government Minister Peter Marais to exclude Khayelitsha from the Tygerberg substructure.

Ironically, Mr Marais and the NP now support the Western Cape Demarcation Board's recommendation that the Cape Metropolitan Council should have only 50 councillors, while the ANC wants 100.

Professor Fanie Cloete, chairman of the board, warned that any delays would result in "grave complications."

His board would have to deal with a "terrible time schedule" to meet various pre-election deadlines.

It was essential that hearings on ward delimitation be held in January if polls were to be held on May 29, Prof Cloete said.

Mr Marais said he would resist ANC demands for 100 ward councillors and would refer the matter to the Special Electoral Court if necessary.

In another significant development, it emerged on Friday that only three of the six metropolitan substructures in which elections are to be held will be affected by an agreement which automatically allocates black areas 50 percent of contested ward seats.

Prof Cloete said the 50/50 principle—which he admitted had a tendency to "distort" results—would affect only the Central (Cape Town), Tygerberg and Helderberg substructures.

He said the Northern, Southern and Eastern substructures would not be affected.

This was because the Local Government Transition Act referred only to "formal" Black Local Authorities established in terms of the Black Local Authorities Act.

The 50/50 principle did not affect areas where "informal settlements" had sprung up in recent times—such as Marconi Beam and Du Noon in Milnerton in the Northern substructure.

ANC media officer Brent Simon yesterday called Mr Marais' opposition to a 100-member Metropolitan Council a "stunt" and accused him of spreading "misinformation and half-truths."

Mr Marais will proclaim the proposed boundaries for the six substructures in the Provincial Gazette on Tuesday.
Cape plans to aid depressed areas

By HERMAN WASSERMAN

A FINAL draft plan for the development of Cape Town's poorest black and coloured areas should be completed by June next year, consultants for the project said this week.

The plan, called the Metro South East Plan (MSEP) and facilitated by the Cape Metropolitian Council, is aimed at uplifting the poorest areas on the outskirts of the Metro and integrating them with the rest of the Metro.

The south eastern Metro is regarded as the poorest area in the Cape Metropole, and includes areas like Khayelitsha, Mitchell's Plain, Guguletu, Nyanga, Phillipi, Crossroads, Mfuleni, Belhar and Delft.

Planning for the MSEP started three years ago, and is nearing its final phases.

It is a sub-regional plan that aims to provide guidelines for future development in the region, and linking the area by road and rail links to the rest of the Metro - from which it had been segregated from under the previous government.

According to the MSEP, development nodes will be started in each of the sixteen substructures involved in the plan, of which the main node will be situated in Phillipi.

These nodes will then be connected to each other and to the rest of the metropole by transport links that are to be established.

Along these new roads and rail system commercial development will also be stimulated.

These links are very important for the development of the Metro South East.

Housing

At the moment the area is used mostly for housing and there are very few places where people can find jobs, start businesses or partake in leisure activities.

The MSEP will suggest ways of dealing with the problems that have arisen in the communities as a result of their isolation and deprivation of busi-
MANDELA, DE KLERK TO HIT CAMPAIGN TRAIL

ANC, NP to pull out all stops in poll battle

PRESIDENT NELSON MANDELA believes the ANC’s message of non-racialism will win the day, while the NP is convinced it can hold its ground. ANTHONY JOHNSON reports.

The battle for the hearts and minds of the Cape metropole’s 1.5-million voters has begun — with more than five months to go to polling on May 29.

The ANC and the National Party say they intend to pull out all stops in their bid to win control of the Greater Cape Town area. Party leaders Mr Nelson Mandela and Mr F W de Klerk are to campaign intensively.

During a whistle-stop tour of the West Coast on Saturday to thank towns that elected ANC councils on November 1, Mr Mandela paid special tribute to coloured voters who had turned their backs on racial intolerance.

He predicted that the ANC’s message of non-racialism would carry the day in the Cape metropole elections.

During its post-mortem of the November 1 poll, the ANC’s national executive committee had resolved last weekend to leave no stone unturned in ensuring an ANC victory in Cape Town and KwaZulu/Natal, ANC spokesman Mr Ronne Manoepe said.

Inroads

“The ANC ... will deploy all its leaders — including President Mandela — as far as possible.”

The ANC had made inroads into the support bases of other parties, particularly the NP, and would pull out all stops to consolidate these gains in Cape Town, Mr Manoepe said.

The NP is also planning an intensive and elaborate campaign for Cape Town, but is worried about peaking too early.

Its Western Cape secretary, Mr Karel Greyling, insists that the rash of posters — bearing party leader Mr De Klerk’s face and put up in central Cape Town recently — are normal seasonal greetings posters.

Observers, however, see them as part of a multi-pronged campaign that will build to fever pitch.

The NP is planning rallies, roadshows and public meetings in which Mr De Klerk, credited with the NP’s strong showing in the April 1994 poll, will play a prominent part.

However, it will rely again mainly on the tried-and-trusted formula of door-to-door canvassing.

Mr Greyling expects the NP’s campaign to pick up momentum in late January and early February.
Marais backtracks on 50-seat council

PETER DENNERY

MINISTER of Local Government Mr Peter Marais has backtracked on his insistence on a 50-seat central substructure — as opposed to the 100-seat council recommended by the Joint Executive Committee — and has proposed a 70-seat substructure as a compromise.

After an inconclusive all-day meeting of the Provincial Committee, Mr Marais said he still believed a 50-seater for Cape Town and a 46-seat council for Tygerberg would suffice.

His new proposal brings the Western Cape's allocation of wards in line with the largest Gauteng municipalities: Johannesburg South and Central Pretoria have 70 seats each.

Tygerberg will have the lowest number of voters per seat among these "big four" councils, should Mr Marais' proposals succeed.

The Provincial Committee — a multi-party group established to oversee Mr Marais' decisions during the run-up to elections — had not reached agreement on his new proposals by late yesterday.

By law, four out of the six committee members and Mr Marais must agree, or the deadlock must be referred to the Electoral Court. Going to court over ward boundaries would be likely to delay the local elections beyond May 29.

Better ratio

A provincial spokesman said yesterday it was not yet clear whether the meeting would resume today. The matter had not yet been referred to the court.

The four members who met Mr Marais yesterday were Dr Wynand Malan, Mr Cecil Herandien, Mr Kam Chetty and Mr John Neels. Ms Hilda Ndudie and Mr Leon Markowitz were out of town.

Mr Marais said that according to his new scheme, the Cape Town metropole would have a better voter/councillor ratio than the largest metropole (Gauteng).
Southern wards thrashed out

Consensus soon on remaining 13 boundaries

PETER GOOSEN
Staff Reporter

THE boundaries of nine of the southern substructure's 22 wards have been thrashed out at a meeting of the new Joint Executive Committee for the area.

Consensus on the remaining 13 is likely to be reached this week.

The biggest of the new wards so far accepted by the committee is Hout Bay/Llandudno, which will have about 9,000 voters. Constantia will be divided into two wards, one with Deep River and Mowbray — which will have 6,700 voters — and the other with Tokai, representing a further 6,700 voters.

Included among the other wards accepted by the committee were — Muizenberg, Fish Hoek/Clovelly and Kommetjie/Ocean View. The Simon's Town ward includes Red Hill, Cape Point and Scarborough.

Members of the committee — at their first official meeting — looked at ward boundaries drawn up by their own ward demarcation working group.

Steered by the newly-appointed co-chairs, Andy Ross-Munro of Constantia and Peter Gabriel of Grassy Park, the committee quickly accepted the first nine ward boundaries before debating an alternative proposal for the other 13 put forward by Cape Town representative Joyce Gibbs of Muizenberg.

The 13 wards are those falling "below the line". Mrs Gibbs said her proposal was far more practical and would mean that each ward would have more or less the same number of voters — about 6,000.

The working group's proposal had two wards with more than 8,000 voters. There was also an anomaly in that the Vrygrond informal settlement had been excised from Muizenberg and joined to another to increase that ward's voting numbers.

When the debate showed that there was support for Mrs Gibbs' proposal, Mr Ross-Munro suggested that the working group and other councillors who were interested sit down and reach consensus on the 13 wards which would then be accepted by the committee as a whole.

The committee's demarcation proposals must be with the Demarcation Board by January 4. Public hearings will take place on Wednesday, January 10 at the Wittehome Hall in the morning and at Fish Hoek in the afternoon.

Deputy chairs elected on Monday were Mansoor Jaffer, Cape Town, and Vic Kabalin of Fish Hoek.
Day-long talks fail to end wards clash

MUNICIPAL REPORTER

AGREEMENT on the number of councillors to be elected in each of the six Cape Town municipalities remained out of reach of the Provincial Committee yesterday, in spite of day-long telephone negotiations among its members.

Its acting chairman, Dr Wynand Malan, tried throughout the day to achieve a breakthrough on agreement.

Negotiations are likely to continue today.

The Provincial Committee is supposed to concur with Minister of Local Government Mr Peter Marais on the number of councillors. This will determine the number of wards and their sizes.

If the Provincial Committee fails to agree with Mr Marais, the issue will have to go to the Electoral Court for resolution. This is likely to delay the local elections, now due at the end of May.

Mr Marais has offered to compromise to accommodate requests for larger councils. He had wanted a 46-seat council for Tygerberg and a 50-seater for Cape Town, but said this week he would accept 70-seat councils for each. The joint executive committees of all except the southern municipality have asked for more seats.

Draft

Mr Marais has said he is willing to allow the northern municipality 30 seats instead of 26, Helberg 32 instead of 30, and the Eastern 40 instead of 32.

Although the Provincial Committee has not agreed to these proposals, it has no problem with the proposal that the southern substructure should have 36 seats, 24 of them wards.

The southern wards are still being drawn up by officials. A first draft was rejected on Monday evening by the southern substructure's joint executive committee.
Start made on setting
Cape ward boundaries

WARD delimitation begins in earnest today following agreement over the size of the new councils.

Cape Town Central will have 74 seats, Tygerberg 72, Southern 36, Eastern 40, Northern 30 and Helderberg 32.

Sixty percent of these seats will be available for wards, while 40 percent are set aside for proportional representation.

ANC and National Party representatives on the provincial committee have agreed to these numbers which were proposed by local government member Peter Marais.

Today, the central joint executive committee, which consists of representatives from Pinelands, Cape Town and Ikapa which are being merged into one municipality, will deliberate proposed ward boundaries.

They will be looking at maps showing various suburbs and the numbers of registered voters, as well as a schedule reflecting details for consideration of ward boundaries.

The meeting will also look at proposed names for the new municipalities.

Mr Marais has suggested that Central be known as Tafelberg, Northern be called Blauwberg, Southern be called Constantiaberg, Eastern be called Kuilsriver.

Helderberg and Tygerberg would remain the same.

The six JECs are having to meet over the festive season to meet a deadline of January 4 for ward delimitation proposals.
ANC SEEKS ANOTHER MEETING

New city council is to have 74 seats

A COMPROMISE ON the number of seats in the new city council has been agreed to by the ANC and Local Government Minister Mr Peter Marais. PETER DENNEHY reports

The ANC has agreed there should be 74 seats in the new Cape Town City Council, and 72 for Tygerberg, says Western Cape ANC leader Mr Chris Nissen.
The ANC's negotiating team on the Provincial Committee had been persuaded to accept that, Mr Nissen said yesterday.

They had not yet sent in their written acceptance of the deal because they wanted another meeting to discuss amending the elections model for rural councils.

Dr Wynand Malan, acting chairman of the Provincial Committee, said the ANC wanted to accept the number of seats for Cape Town councils only on condition a proclamation on rural councils, which has already been made, is withdrawn.

"We are not going to do that. We are not even going to have another meeting. If they don't give in we will take it to court. That is the final story," Dr Malan said.

Mr Fritz Marks, assistant to Western Cape Local Government Minister Mr Peter Marais, confirmed that Mr Nissen had faxed him yesterday agreeing to the new compromise.

"The ANC wanted 100 seats (for Cape Town), and the minister wanted 50," Mr Marks said. "Mr Marais shifted to 70, the ANC shifted to 76, and they settled on 74. Tygerberg will have 72, the ANC accepts that," he said.

The Local Government Transition Act says 60% of seats on each council will be ward seats, and the rest proportional representation seats allocated to parties. This means 44 of Cape Town's 74 seats will be ward seats.

Cape Town used to have 17 wards, but that was when coloured people could only vote for management committees and black townships were outside the boundaries of all municipalities.

There used to be two councilors to a ward, but now there will be only one.
Demarcation of wards: Call to reverse apartheid

Van Wyk says new boundaries should be used

JOSEPH ARANES
Municipal Staff
WARD demarcation in the central sub-structure should be used to reverse some of the legacies of apartheid planning.

This was the view of independent Cape Town city councillor Llewellyn van Wyk at a meeting of the joint executive committee for the new Central municipality.

Speaking during a debate on ward demarcation, Mr Van Wyk said instead of using the railway lines and roads built by the previous government to separate communities, new boundaries should be used.

“We must not perpetuate the enforced separation that divided our communities for so long, instead we should use this opportunity to unite our society,” Mr Van Wyk said.

Assistant town planner Japie Hugo said his department had used voter figures from the voters’ roll to cut up the municipality because nobody knew where to start the process.

“We started on the basis that the local government provincial committee will accept the ANC’s compromise proposal that there should be 74 seats in the sub-structure.”

He passed around maps outlining his proposals for the ward demarcation and the number of registered voters in each ward.

In terms of this proposal, each ward on average would have about 13,000 voters.

Mr Hugo said “At the moment the lines on the map mean nothing. It must be a political decision to demarcate the wards.”

He warned the meeting that they needed to resolve all areas of concern and would have to reach consensus by December 28 to give his department enough time to submit the proposed ward structures to the demarcation board by the cut-off date of January 4.

Failure to do this would mean that the community elections in the metro could be postponed again.

Most of the councillors at the meeting were not too happy with this arrangement as they felt they needed more time to consult local communities and other interested groups.

Mr Van Wyk said they were undertaking the least transparent process since the 1994 elections.

“We need to record our objections to the manner in which this process is unfolding and make it clear that is not the way we would like to handle this process.”

He said that the number of wards should be equitably split so that most wards had more or less the same amount of voters, preferably 13,000, as the local government regulations prescribed.

Ian Ivensen agreed and felt that one of the nine wards given to Mitchell’s Plain should be removed as the area would then have a ward/voter ratio of only 11,000 while some other wards had 16,500 and 15,700 voters.

The committee also elected advocate Norman Arendse to chair the election committee with Pinelands attorney, N G McDoigal, as his alternate.

Cape Town city town clerk Keith Nicol was elected returning officer for the sub-structure and Brent Gerber, the voters’ roll officer.
THE Atlantic suburbs from Clifton to Granger-Bay should be in the same ward as the central city, District Six, Woodstock and Salt River, according to draft ward proposals for Cape Town, tabled at a central joint Executive Committee (JEC) meeting yesterday.

Camps Bay, on the other hand, is in the same ward as most of the city bowl — Tamboerskloof, Oranjezicht, Vredehoek and the Bo-Kaap.

"This might change," city administrator Mr Gys Hofmeyer said, because some councillors felt Camps Bay fitted better with the rest of the Atlantic seaboard than with the city bowl.

Councillors did not reach a conclusion yesterday on whether they wanted wards to be as homogeneous as possible, or whether dissimilar communities should be thrown together in a single ward.

Mitchells Plain has eight wards, though this may change to seven Strandfontein is on its own, with the Philipps farmlands.

Some of the other proposed wards are: Kensington; Pinelands/Thornton/Ndabeni; Observatory/Rondebosch; Rondebosch East/Landevorne/Lower Kenilworth; Bishopscourt/Newlands; Bridgetown/Silverton in Athlone; Belgravia; Gatesville; Manenberg; Heideveld; and Hanover Park.

At Provincial Committee level, formal agreement has not yet been reached on how many wards Cape Town should have.

But it seems fairly certain there will be 74 seats on Cape Town municipality, as the ANC and the NP have agreed on this — and they are now still fighting about the elections format for rural councils.

At short notice, officials drew up a ward map in accordance with the 74-seat proposal. Sixty percent of the seats must be ward seats, which means there must be 44 wards in Cape Town, and the rest of the seats filled by proportional representation.

The 44 wards are in turn divided into 22 in the white and coloured areas and 22 in the black townships of Langa, Guguletu, Nyanga, Crossrads and Brown’s Farm.

The number of registered voters in Cape Town municipality’s black townships, at the middle of this month, was 210,611. The number of registered voters in the rest of the municipality was 322,429.

Thus black wards have an average number of 9,570 voters, while white and coloured wards have an average of 14,610 per ward.

In the meeting, deputy city planner Mr Joepie Hugo handed over responsibility for the boundaries to the councillors in a dramatic fashion, tearing up a copy of his own department’s work.

Officials like himself had just drawn up wards as a starting point, he said. All the boundaries that were supposed to be drawn up by politicians could be changed.

Planners had just done a number-crunching exercise, to see how many voters should be in each ward.

Then they started at one side of the map, adding up little blocks of voters until they got to roughly the right number, then they looked for a boundary like a major road or a railway line, he said.

JEC co-chairs Ms Nomandla Mfeketo and Mr Brian Watkyns said the JEC would meet again on December 28 and probably also on January 3 to try to reach agreement on ward boundaries before the January 4 deadline for their submissions. They would like the public to make contributions:

- The Demarcation Board is to hold public hearings from January 8 to January 19. Anyone wanting to make submissions at such hearings should notify Mr M.P. Randall of the Demarcation Board at Room 4-24, 27 Wale Street, by January 4.
Deal puts poll back on track

THE nightmare possibility of another postponement of local government elections in the Cape Metropole loomed large this week.

It was averted by a last-minute compromise between the African National Congress and National Party on the number of seats in the six new city councils.

However, the next step in the build-up to the May 29 polls — the delimitation of wards — may prove as controversial as defining the boundaries of the councils has been.

"There is still a possibility that the elections may be delayed," said Fritz Marx, private secretary to Local Government Minister Peter Marais.

"It is always a possibility." The joint executive committee for the proposed central Cape Town council met this week to start mapping out proposals for ward boundaries. It has to submit these to the Demarcation Board by January 4.

The board is to hold public hearings from January 8. Its recommendations go first to Mr Marais then the Provincial Committee for approval.

Delimitation

The executive committee said in a statement after its meeting that ward delimitation should be transparent and that it should be given the chance to get public comment before making its submission.

"There is clearly not enough time for this," it said. It faced a "very difficult and politically sensitive task."

At the meeting, independent city councillor Llewellyn van Wyk said ward demarcation should be used to reverse some of the legacies of apartheid planning.

"We must not perpetuate the enforced separation that divided our communities for so long," he said.

After weeks of wrangling, the Provincial Committee agreed on Friday that there should be 74 seats in the Cape Town council and 72 in Tygerberg. The ANC had demanded 100 seats for Cape Town while Mr Marais suggested 56.

The committee is a multi-party group established to oversee Mr Marais's decisions in the run-up to the elections. Any deadlock in the committee has to be referred to the electoral court.

Last month, the court was asked to resolve a dispute over substructure boundaries.

Mr Marx said the ANC had dropped a demand that Mr Marais review election models for rural councils before the elections went ahead — Sapa
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