

Good morning distinguished Ladies and Gentlemen,

It is a pleasure for me to extend a warm welcome to you on behalf of the Konrad Adenauer Stiftung.

The Konrad Adenauer Stiftung is a political foundation with its headquarters situated in Sankt Augustin near Bonn and in Berlin. Our offices abroad are in charge of more than 200 projects in more than 120 countries. KAS has been cooperating with partners internationally for the past 52 years.

Promoting democracy and the rule of law has always been the main objective of the Konrad Adenauer Stiftung – not only in South Africa but also all over the world.

As the Konrad Adenauer Stiftung we are committed to the rule of law, strong institutional checks and balances, the devolution of power, and political pluralism.

The seminar today follows in the tradition of cooperation between the Faculty of Law of the North West University and Konrad Adenauer Stiftung in South Africa that started in 1997.

The primary role of the municipal council is that of political oversight of the municipality's functions, programmes and the management of the administration. All of the powers of local government are vested in the municipal council. It has the power to make by-laws (legislative authority) and the powers to put those laws into effect (executive authority). The municipal council has executive and legislative authority over the matters set out in Part B of schedule 4 and Schedule 5 of the Constitution.

Section 153 of the South African Constitution also assigns developmental duties to municipalities.

In administering the matters assigned to local government, the municipal council must strive within its capacity to achieve the Constitutional objects of local government.

There are a number of reasons why municipalities do not yet fully explore the potential of their legislative mandate: one of them being the capacity of municipalities to design, draft and promulgate by-laws. This is why we are here today, to identify critical areas for municipal by-law-making. Later in the year the object is to build capacity by way of focused training among municipalities as far as the legal drafting of by-laws is concerned

The Konrad-Adenauer-Stiftung was involved in South Africa's constitutional development process from its inception. Based on the positive experience within the German federal and decentralised system – and convinced that the principle of subsidiarity is the most participative and effective way to serve the interests of the people – KAS supports the ongoing political debate in South Africa.

I would like to extend our gratitude to Prof Nicola Smit, Prof Anél du Plessis, Rieëtte Venter and Angela van der Berg as well as the dedicated staff of the Faculty of Law for our excellent cooperation and for the preparation of today's function.

I hope you enjoy the day with us and wish you fruitful discussions.