



Cyril Ramaphosa

President of South Africa and Head of Cabinet

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7 February 2025

Dear President Ramaphosa

**SOS COALITION, MEDIA MONITORING AFRICA AND THE SOUTH AFRICAN EDITORS' FORUM: THE WITHDRAWAL OF THE SABC BILL**

1. SOS Coalition Supporting Public Broadcasting (SOS), Media Monitoring Africa (MMA) and the South African Editor's Forum (SANEF) are extremely concerned by Cabinet's efforts to undermine the Rules of the National Assembly and usurp the powers of the Minister of Communications and Digital Technologies (DCDT), Solly Malatsi, pertaining to the withdrawal of the SABC Bill.
2. The organisations are of the view that the Rules of the National Assembly (NA) clearly state that it is the Minister that introduced a Bill that has the authority to withdraw it before a second reading thereof (Rule 277 read in conjunction with Rule 334).
3. We are confident that the Minister followed due process and notified the Speaker of the NA, in writing, of the decision to withdraw the Bill, in line with Rule 277 (1).

4. We note that the Cabinet has written to the Speaker, “overruling” the decision of the Minister. This is *ultra vires* in that it contravenes the Rules of the NA, as the Rules do not grant Cabinet any role in the Bill withdrawal process.
5. It is our understanding that neither Cabinet nor the Speaker have the authority to overrule the decision of the Minister, either in terms of the Rules of the National Assembly or Constitution.
6. Therefore, we request that the Cabinet provide us with the specific provisions or legal instruments that give it the power to interfere in the Bill withdrawal process.
7. The Constitutional Court has more than intimated that the separation of powers doctrine is crucial for the proper functioning of our constitutional democracy. The Speaker is legally obliged to act on the Minister’s decision and has no legal basis to implement Cabinet’s decision in matters concerning Bill withdrawal procedures.
8. It is for this reason that we do not recognise the reinstatement of the Bill and expect the Speaker to gazette its withdrawal, in line with the Minister’s decision.

Thank you

**Yours sincerely**

**Uyanda Siyotula, SOS Support Public Broadcasting Coalition**

**William Bird, Media Monitoring Africa**

**Reggy Moalusi, South African National Editors’ Forum**

**cc** Minister of Communications and Digital Technologies, Solly Malatsi,  
ministry@dtps.gov.za

**cc** Speaker of the National Assembly, Thoko Didiza, speaker@parliament.gov.za

**cc** Chairperson of the Parliamentary Portfolio Committee on Communications and  
Digital Technologies, Ms Khusela Sangoni Diko, ksangoni@parliament.gov.za