



Ms Khusela Sangoni Diko

Chairperson of the Parliamentary Portfolio Committee on Communications and Digital Technologies

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For Distribution to the Honourable Members of the Committee

7 February 2025

Dear Ms Diko

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

1. SOS Support Public Broadcasting Coalition (SOS), Media Monitoring Africa (MMA) and the South African Editors' Forum (SANEF) are taken aback by the unlawful inclusion of the SABC Bill in the Committee's programme.
2. As we understand it, the Minister of Communications and Digital Technologies has officially and correctly (in our view) withdrawn the SABC Bill thereby removing it from the Committee's jurisdiction. Consequently, we believe that the SABC Bill should no longer be on the Committee's agenda for consideration and deliberations.

3. Both in written and oral submissions made to the Committee in 2024, not a single organisation supported the Bill being passed in its current form. In fact, various organisations, including ourselves, and the sector-regulator, the Independent Communications Authority of South Africa (ICASA), called for a complete withdrawal of the Bill given the absence of the finalised requisite policy, the Draft White Paper on Audio and Audiovisual Media Services and Online Content Safety, and, perhaps more importantly, the repetition, in the Bill, of provisions that simply replicate the policy failures of the past decades. We reiterate that the Minister was correct to withdraw the Bill as the SABC's legal and governance framework requires a comprehensive overhaul rather than mere amendments.
4. We note the media reports alluding to the contention and pushback from Cabinet, the Ministry and yourself on the Minister's decision to withdraw the Bill. SOS, MMA and SANEF are of the view that the [Rules of the National Assembly](#), are clear that it is the Minister which introduced a Bill that has the authority to withdraw it before a second reading thereof (Rule 277 read with Rule 334).
5. We understand that the Minister has informed the Speaker of the National Assembly, in writing, of his decision to withdraw the Bill and that decision should have been formally gazetted. We emphasise that neither the Speaker, the Cabinet nor the Committee has the power to overrule that decision, either in terms of the Rules of the National Assembly or in accordance with the Constitution.
6. We, therefore, respectfully request that the Committee recognise and respect the separation of powers and remove the SABC Bill, which has been withdrawn by the Minister, from its agenda.

Thank you.

Yours sincerely

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

cc The President, Cyril Ramaphosa as Head of Cabinet,
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