



MEDIA STATEMENT

11 November 2024

The Withdrawal of the SABC Bill: A Victory for Civil Society Advocacy

The SOS Support Public Broadcasting Coalition (SOS), Media Monitoring Africa (MMA), and the South African National Editors' Forum (SANEF) welcome the withdrawal of the SABC Bill by Minister Solly Malatsi. Minister Malatsi's decision to withdraw the SABC Bill is in line with the calls our organisations and others have been making since the Bill was first introduced in Parliament in 2023.

The withdrawal of the SABC Bill comes amid strong and sustained advocacy efforts by a broad range of actors, including civil society organisations, committed to ensuring that the South African Broadcasting Corporation (SABC) remains independent and becomes financially sustainable.

Problematic areas in the Bill

The ongoing advocacy of our organisations, including the presentation in the public hearings, emphasised that the Bill was being pushed through in a policy vacuum, pending the finalisation of the Draft White Paper on Audio and Audiovisual Media Services and Online Content Safety.

The Bill would have given the Minister three years to develop a new funding model framework (rather than a funding model itself) while the SABC is in a dire financial situation. In the meanwhile, it continues to provide for a cross-subsidization model which is broken – as a matter of fact the public division of the SABC has produced more income for the SABC than its commercial division for over two decades.

The Bill also created a commercial subsidiary that has its own Board. The Minister would also have been granted veto powers over the appointment of the Commercial Board and leeway to interfere in the operations of the SABC. SABC's history is littered with the detrimental effects of Ministerial interference in Board affairs on the SABC's independence and governance.

The Bill was also taking the SABC backwards – providing that the Editor-in-Chief of the SABC will again be the CEO instead of the head of news – a hard-won battle that Parliament itself drove and which the Department of Communications and Digital Technologies was determined to reverse. This provision in the Bill would have been in

direct contravention of the current SABC editorial policies which are in accordance with global good practice standards for public broadcasters.

Way forward

While the organisations are delighted that the problematic Bill has been withdrawn, there must be urgency in addressing the critical challenges faced by the SABC. We call on the Department to immediately reinstate the White Paper policy process, and also look at what urgent issues could be addressed to ameliorate the SABC precarious financial position. The Department must work in tandem with the industry and civil society to update the Bill and should provide opportunities for working together for the benefit of public broadcasting in the public interest.

We note that the withdrawal of the SABC Bill also offers the Department an opportunity to finalise the White Paper prior to reintroducing the Bill in Parliament.

The organisations echo the Committee's sentiments that the Draft White Paper should be finalised without delay, and we emphasise that the withdrawal of the Bill should not be interpreted as diminishing the urgency of completing this legislative process. The SABC Bill remains urgent!

Further, while the withdrawal of the SABC Bill is a victory, the scheduled analogue switch-off (ASO) on 31 December 2024 remains an urgent issue, with millions of people, about a third of the population, set to lose access to free-to-air television (FTA TV). We urge Minister Malatsi to once again make a decision that prioritises the public interest.

As organisations that have led on addressing and drafting public interest driven concerns we look forward to engaging with the Minister directly on an urgent basis to find constructive ways forward for the SABC.

The collective voice of civil society finally heard

The SOS Coalition takes pride in leading a comprehensive campaign calling for the withdrawal of the SABC Bill, which successfully gave the public a voice through petitions and garnered the support of 37 civil society organisations, all of whom endorsed the view that the flawed Bill needed to be withdrawn and redrafted for the benefit of our public broadcaster. This campaign served as a powerful demonstration of collective action and a strong civil society voice in the crucial fight against the infringement of media freedom. We are deeply grateful for the support of all the organisations and individuals involved, and we hope they will continue to play an active role in advancing public service media in South Africa.

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The following organisations have endorsed this statement and the campaign calling for the withdrawal of the SABC Bill:

Ahmed Kathrada Foundation	Lawyers for Human Rights
All Nations Community Centre	Legal Resources Centre
Alternative Information Development Centre	MMA (Media Monitoring Africa)
Amabhungane Centre for Investigative Journalism	Msunduzi Association of Residents Ratepayers and Civics (MARRC)
amandla.mobi	My Vote Counts
Bench Marks Foundation	OUTA (The Organisation Undoing Tax Abuse)
Cape Town TV	PARI (Public Affairs Research Institute)
Centre for Applied Legal Studies	People's Media Consortium
CFE (Campaign for Free Expression)	Project YouthSA
Dear South Africa	Public Service Accountability Monitor
Defend Our Democracy	Right2Know Campaign
Equality Collective	Right2Protest
Freedom of Expression Institute	SANEF (South African National Editors Forum)
groundWork, Friends of the Earth South Africa	SASFED (South African Screen Federation)
IAJ (Institute for the Advancement of Journalism)	SECTION27
ILRIG (International Labour Research and Information Group)	Social Policy Initiative
Imali Yethu Coalition	The Desmond and Leah Tutu Legacy Foundation
IPO (Independent Producers Organisation)	Workers World Media Productions
SOS Support Public Broadcasting Coalition	Youth Must Rise