

Friday, 29 May 2026]

No 94—2026] THIRD SESSION, SEVENTH PARLIAMENT

PARLIAMENT

OF THE

REPUBLIC OF SOUTH AFRICA

ANNOUNCEMENTS,

TABLINGS AND

COMMITTEE REPORTS

FRIDAY, 29 MAY 2026

TABLE OF CONTENTS

ANNOUNCEMENTS

National Assembly

- | | | |
|----|--|---|
| 1. | Introduction of Bills | 2 |
| 2. | Referral to Committees of papers tabled..... | 2 |
| 3. | Membership of Committees | 2 |

COMMITTEE REPORTS

National Assembly

- | | | |
|----|---|---|
| 1. | Communications and Digital Technologies | 3 |
|----|---|---|

ANNOUNCEMENTS

National Assembly

The Speaker

1. Introduction of Bills

(1) The Minister of Employment and Labour

- (a) **Employment Services Amendment Bill** [B16–2026] (National Assembly – proposed sec 75) [Explanatory summary of Bill and prior notice of its introduction published in *Government Gazette* No. 54759 of 29 May 2026.]

Introduction and referral to the **Portfolio Committee on Employment and Labour** of the National Assembly, as well as referral to the Joint Tagging Mechanism (JTM) for classification in terms of Joint Rule 202.

In terms of Joint Rule 196 written views on the classification of the Bill may be submitted to the JTM. The Bill may only be classified after the expiry of at least seven parliamentary working days since introduction.

2. Referral to Committees of papers tabled

- (1) The following paper is referred to the **Standing Committee on Finance** for consideration:

- (a) Submission of the Financial and Fiscal Commission on the Division of Revenue Bill for 2027-2028, tabled in terms of section 9(1) of the Intergovernmental Fiscal Relations Act, 1997 (Act No. 97 of 1997), as amended.

3. Membership of Committees

- (1) The following committee membership changes have been made:

- (a) **African National Congress**

Joint Standing Committee on Financial Management of Parliament

Discharged: Mpapane, Mrs DE
Appointed: Nkabane, Dr NP

- (b) **uMkhonto weSizwe Party**

Impeachment Committee for Section 89 Enquiry

Discharged: Mokoena-Zondi, Mrs SMN
Appointed: Gama, Mr SI
Appointed: Mngxitam, Mr JA [Alternate]

COMMITTEE REPORTS

National Assembly

1. Report of the Portfolio Committee on Communications and Digital Technologies: Roundtable on Podcasting, dated 26 May 2026

1. Executive Summary

The Portfolio Committee on Communications and Digital Technologies convened a roundtable on 24 March 2026 at the Parliament of the Republic of South Africa to engage with the rapidly expanding podcasting and digital content creation sector. The primary objective was to move beyond the binary question of whether to regulate, towards a collaborative discussion on how to create a fit-for-purpose governance framework that balances innovation, economic growth, and the protection of constitutional rights.

The roundtable brought together a diverse range of stakeholders, including the Department of Communications and Digital Technologies (DCDT), Regulators (ICASA, Information Regulator, ZADNA), classification body (FPB), global platforms (Google/YouTube, Meta, TikTok), industry bodies (SA Podcasters Guild, SA Press Council, NAB, ACT, BRC), civil society, and individual content creators. The event was also broadcast on the Parliament YouTube channel, which was also well-attended and provided input to the discussions.

Key outcomes included a broad consensus on the following, alongside a clear emphasis that any future framework should remain light-touch, proportionate, and focused on clearly identifiable harms rather than podcasting as a format in itself:

- **Podcasting as an Economic Engine:** The sector was lauded as a "black-led island of excellence" and a vital creator of jobs for young South Africans, with strong potential for South Africa to become a leading African hub for digital podcasting, multilingual storytelling, cultural exports, and digital entrepreneurship;
- **A Balanced Approach:** Participants universally warned against over-regulation that could stifle creativity and freedom of expression, while acknowledging the need to address real harms such as hate speech, disinformation, and privacy violations. There was also a strong caution that even where direct licensing is rejected, future measures should not evolve into indirect licensing through mandatory registration, accreditation,

burdensome compliance requirements, or monetisation conditions that would disadvantage smaller and emerging creators;

- **Existing Frameworks:** The roundtable confirmed that South Africa is not starting from a blank slate. The Constitution, common law (defamation), the Protection of Personal Information Act (POPIA), the Electronic Communications Act (ECA), the Electronic Communications and Transactions Act (ECTA), the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA), the Cybersecurity Act, and the Films and Publications Act, among others, already provide a foundation that can be built upon, and many participants preferred stronger coordination and clearer mandates among existing regulators over the creation of overlapping new oversight structures.
- **The Challenge of Jurisdiction:** A significant challenge is the extraterritorial nature of global platforms and the difficulty of enforcing South African law on entities based outside the country. Linked to this is the principle of regulatory parity, which advocates for the same type of regulation to be applied to similar entities and activities, while accountability measures such as local legal representatives, transparent complaints processes, and cooperation obligations may be more practical than rigid localisation requirements that could discourage investment or participation in the digital economy.
- **The Need for a User-Centric System:** The current fragmented regulatory landscape leaves citizens confused about where to lodge complaints. A centralised, accessible remedy system is urgently needed; and
- **The Path Forward:** The way forward lies in a light-touch, risk-based approach that supports self-regulation and co-regulation, one that clarifies the mandates of existing regulators, and focuses on systemic platform accountability rather than the censorship of individual speech. Participants also cautioned that mandatory advertising allocations, levies, or other prescriptive market interventions should be approached with caution, with preference, where possible, given to incentive-based support such as incubators, skills development, creator funds, tax incentives, and public-private partnerships.

Overall, the roundtable reached broad agreement that podcasting should be supported through a light-touch, rights-based, and proportionate framework that protects citizens, promotes growth, and scales obligations according to reach, revenue, and systemic impact so that smaller creators are not unfairly burdened.

Participants also stressed the need for interdepartmental collaboration to ensure policy coherence, effective oversight, and constitutionally compliant responses to unlawful harms such as misinformation and privacy violations.

2. Welcoming Remarks

Chairperson of PCCDT: Ms Khusela Sangoni

The Chairperson of the Portfolio Committee on Communications and Digital Technologies welcomed participants to the Podcasters Roundtable, emphasising that the purpose of the engagement is not to predetermine the type of regulation needed for podcasting, but rather to stimulate a robust debate on the Committee's legislative role. She underscored that this dialogue is intended to help solidify the Committee's legislative framework agenda and represents one of the first in a series of engagements aimed at developing a balanced, co-regulatory approach that fosters innovation, protects freedom of expression, and ensures strong accountability within South Africa's evolving digital media landscape.

3. Opening Presentation

Facilitator: Mr Dimitri Martinis

The facilitator opened the proceedings by establishing the foundational context for the day's discussions. His presentation set the tone by framing the conversation not around whether to regulate but around understanding the nature of the medium and how government can develop appropriate support mechanisms and regulatory models. His presentation included an overview of the different types of technology and distribution platforms, the difference between broadcasting and podcasting, and the shift in advertising revenues from print and broadcasting to online digital channels.

The facilitator framed the roundtable as the beginning of a longer process and stressed that the intention was to bring together different perspectives—from regulators, government, industry, and creators—to co-create a way forward. The conversation would not end after the roundtable but will continue across the country, with different hosts and in different forums, ensuring that voices from every corner of the sector are heard.

In conclusion, and as was emphasised by the Chairperson of the Portfolio Committee Ms Sangoni, the roundtable is not to impose predetermined outcomes but to listen, learn, and contribute towards building a framework that serves the interests of all South Africans.

4. Presentation by DCDT

The presentation provided both a statistical overview of South Africa's digital landscape and a policy framework for considering the future of podcasting and digital content creation. The presentation covered the following general themes:

- The Digital Landscape;
- Policy Intentions;
- Transforming the Broadcasting Landscape;
- The White Paper as a Starting Point; and
- Proposals for the Future.

The presentation concluded by emphasising the Department's role to create an enabling policy environment that allows the sector to grow while ensuring that the constitutional rights of all South Africans are respected. The collaborative process is important to achieve a conducive environment. The Department stressed that it is not seeking to impose solutions but to work with stakeholders to develop a framework that balances innovation, economic growth, and the protection of fundamental rights.

5. Panel Sessions

5.1 Panel One: Where Do Podcasts Fit in South African Law?

Facilitated by: Chairperson of ICASA

Panellists: Sizwe Mpofo-Walsh (SMWX), Odwe Abraham (Webber Wentzel), William Bird (Moxii Africa/Media Monitoring Africa), Uyanda Siyotula (SOS Coalition), and Ms N. Jordan-Dyani (Department of Communications and Digital Technologies).

Opening Remarks by ICASA Chair: The Chairperson strongly resisted characterising podcasts as a "problem." Instead, they framed the sector as a "black-led, independent, and financially sustainable" engine of excellence. The core question was reframed from 'how to' regulate podcasts to 'what' we are trying to regulate.

5.1.1 Overarching Responses

Three distinct areas of regulation were identified (i) dignity harms (hate speech, defamation); (ii) explicit content (violence, sexual content); and (iii) misinformation/fake news.

i) Dignity Harms

The first category identified was dignity harms. This includes hate speech, defamation, and violations of personal dignity. The panel noted that these harms are already covered by existing legal frameworks. The Constitution protects human dignity, and the common law of defamation provides remedies for those who are wronged. The question, therefore, is not whether new laws are needed to address these harms, but whether existing mechanisms are accessible and effective for ordinary citizens.

ii) Explicit and Harmful Content

The second category concerns explicit content— gratuitous violence, graphic sex, child sexual abuse material (CSAM), and content that may be harmful to minors and vulnerable communities. The panel noted that the classification of this material falls squarely within the mandate of the Films and Publications Board. The FPB has classification powers and the authority to issue takedown notices for content that violates the Films and Publications Act. Broadcasters are required to comply with the Broadcasting Complaints Commission of South Africa (BCCSA) Codes of Conduct for both over-the-air broadcasts and online content and print and digital publications are bound by the Codes of the Press Council of South Africa. Advertising material falls under the scope of the Advertising Regulatory Board (ARB) and the Interactive Advertising Bureau (iAB) for interactive content. The challenge here is not the absence of law but the application of these powers to the on-demand, user-generated nature of podcasting.

iii) Misinformation and Disinformation

The third and perhaps most pressing category identified was misinformation and disinformation. The panel noted that false information—particularly when it incites violence, promotes xenophobia, or undermines democratic processes—poses a significant threat. This was described as perhaps the main area of concern. Unlike defamation or explicit content, mis and disinformation do not always fit neatly into existing legal categories, making it a more complex regulatory challenge.

5.1.2 Response to the Principle of Regulation

The panel emphasised that any regulatory framework must be guided by clear principles. The purpose of regulation is not to license or censor content creators. Any overt attempt at licensing must be avoided. Instead, where regulation (whether direct, co-regulation, or self-regulation) is deemed necessary, the focus should be on accountability and compliance.

The panel noted that there are already laws in place to address many harms. The question is whether those laws are sufficient and accessible. If a person's dignity is infringed, they can approach the courts. If their privacy is violated, the Information Regulator has jurisdiction. If intellectual property is stolen, there are remedies available under the Copyright Act. The gap, therefore, lies not in the law but in the system's accessibility and coherence.

5.1.3 Responses on the Role of Platforms

The panel also addressed the role platforms play in the regulatory ecosystem. It was noted that platforms already exercise significant control over content through algorithms, community guidelines, and monetisation policies. Content can be demonetised or removed before it is even reported.

This raised a critical question: is the problem the content itself, or the systems that amplify and distribute it? The panel suggested that platforms themselves are not doing nothing; they are doing a great deal. The question is whether they are doing enough, particularly in the South African context, and whether they apply the same guidelines across different territories.

A specific gap was identified in context-specific awareness. Global platforms often fail to recognise words and phrases that are deeply harmful in South African languages and cultural contexts. Improving this understanding was described as low-hanging fruit.

5.1.4 Key Principles Emerging from the Discussion

The consensus was that there is agreement on the need for oversight and accountability, but the form of that control must be compliance-focused rather than licensing or censorship. Misinformation, sustainability, data privacy, inclusivity, and quality were highlighted as key areas for attention.

- Regulation is not about censorship: The purpose is to ensure accountability and compliance, not to license or silence creators.

- Existing laws provide a foundation: South Africa already has robust legal frameworks that address many harms.
- Fragmentation is the problem: Citizens do not know where to go when they are harmed. The system must be made accessible and coherent.
- Context matters: Global platforms must develop a better understanding of local languages, cultures, and harms.

5.2 Panel Two: Online Safety, Rights & Remedies

Facilitated by: Advocate Norman Gidi (CEO, FPB)

Panellists: Dr Pathiswa Magopeni (SA Press Council), Ms Hlengiwe Shelembe (Information Regulator), Ms Lerato Sima (ZADNA), Ms Elizabeth Christina Power (ALT Advisory).

Opening Remarks

Advocate Norman Gidi, CEO of the Films and Publications Board (FPB), opened Panel Two by welcoming the Chairperson, members of the Portfolio Committee, the Director General, and colleagues from the industry.

He described podcasting as having become a powerful platform for storytelling, education, activism, and entrepreneurship. It is influential, accessible, and especially popular among young people. However, with this growth comes a critical question: how do we protect people, especially children, without suppressing creativity and freedom of expression?

He posed three questions to the panellists:

- i) What are the most urgent online safety risks in podcasting today?
- ii) Are our current regulatory tools enough, or must they evolve?
- iii) How do we create seamless, user-friendly systems for remedies for South Africans?

5.2.1 Responses and Emerging Themes

On the Nature of the Information Ecosystem

A significant contribution to the panel was the reframing of the problem. The panel argued that the issue is not podcasting itself but the broader information ecosystem. This ecosystem has three layers: infrastructure (radio, television, print, digital), content (format and delivery), and genres (entertainment, actuality/news, commercial).

Podcasting, it was argued, is a delivery format that sits across all three layers. The mistake has been to treat it as an infrastructure problem when it is, in fact, a content problem. This reframing

has profound implications for regulation. If the problem is content, then the focus should be on developing codes and mechanisms that address harmful content regardless of the format in which it is delivered.

- **On Online Safety Risks:** The panel identified a range of online safety risks that are particularly acute in the podcasting space:
 - **Hate speech and incitement to violence:** These are already defined in law and are defined as specific limitations to freedom of speech, which is enshrined in the Constitution.
 - **Misinformation and disinformation:** The panel noted that online content can spread rapidly and cause offline real-world harm, including inciting violence and undermining democratic processes.
 - **AI-generated deceptive audio and video:** The growing capability to create realistic synthetic voices and images poses new risks for deception and impersonation.
 - **Lack of age classification:** Unlike traditional broadcasting, podcasts often lack audience advisories and classification, exposing children to material that is not suitable for their age.
 - **Privacy violations:** The collection and processing of personal information by podcasters and platforms raises significant concerns under POPIA.

5.2.2 Key Principles Emerging from Panel Two

The discussions in Panel Two yielded a coherent set of principles that participants agreed should guide any approach to developing regulatory guardrails for podcasting and digital content. These principles emerged as a shared vision of what an effective, human rights-based system should look like:

Building on Existing Frameworks

A second principle was that South Africa is not starting from a blank slate. Participants emphasised that the Constitution provides the foundational framework for freedom of expression and its limitations. Common law addresses defamation and other civil wrongs. POPIA governs the processing of personal information. The Films and Publications Act give the FPB powers to classify content and issue takedown notices for illegal material, and the Electronic Communications Act provides effective mechanisms for self-regulation by broadcasting services in respect of online content and content broadcast over the air. Any new

framework must build on these existing instruments, not duplicate or replace them unnecessarily. The goal is to adapt and harmonise, not reinvent.

Platform Accountability: Focusing on Systems, Not Speech

Perhaps the most significant principle to emerge was that regulation should target platforms' systems, not creators' individual speech. Participants observed that platforms are designed to be addictive, polarising, and to enable harm. The issue is not what individual podcasters are saying, but the systems through which content is amplified and distributed. Regulation should require platforms to respect, protect, and promote the rights of people in South Africa through due diligence, impact assessments, transparency, and accountability. The focus must shift from the substance of speech to the form of the systems that disseminate it.

Ensuring Independence of Regulatory Authorities

A third principle was that anybody with the power to make decisions affecting fundamental rights—freedom of expression, privacy, access to information, children's rights—must be independent. Participants argued that independence is not a technicality. It is the foundation for public trust and legitimacy. A regulator must be able to credibly resist both government commercial pressure and platform influence. This principle was articulated in response to suggestions that existing bodies might be tasked with new responsibilities without adequate safeguards for independence.

Creating a Centralised and Transparent Complaints Mechanism

Participants identified fragmentation as a core problem. Citizens do not know where to go when they are harmed. They are sent from one regulator to another, navigating a complex landscape without clarity. The principle that emerged was the urgent need for a centralised complaints mechanism, a single, accessible entry point with transparent processes where a person can lodge a complaint and have it routed to the appropriate body. This mechanism must be simple, accessible, and not require legal expertise. It must promote the principle of redress that lies at the heart of South Africa's constitutional democracy.

Harmonising Regulatory Mandates

Existing regulators—ICASA, the Information Regulator, ZADNA, and the Films and Publications Board (FPB)—each have distinct mandates, but those mandates were not designed with the online, on-demand ecosystem in mind. Overlaps and gaps exist. Participants agreed that legislation must be reviewed and amended to define jurisdiction over online content

clearly. The Regulators Forum should be formalised with a statutory mandate to develop joint protocols and ensure coordinated enforcement. A silo mentality is no longer acceptable.

Empowering Users Through Education

Participants recognised that regulation alone is insufficient. Users must be empowered to understand their rights and to know how to exercise them. Awareness of the right to privacy, the mechanisms for lodging complaints, and the remedies available is currently low. Education and public awareness campaigns are essential components of any effective system. Without an informed public, even the best-designed regulatory framework will fail.

Distinguishing Between Genres

Different species and genres of digital content require different approaches. Participants noted that news and actuality content demands accuracy, fact-checking, and right of reply. Entertainment content allows for fiction, artistic license, and a broader range of expression. Commercial content, including influencer marketing, requires transparency about sponsorship and funding. A single code of conduct cannot apply uniformly across all types of digital content and genres. The framework must be genre-sensitive, recognising that what is appropriate for a comedy podcast may not be appropriate for a news broadcast.

Protecting Children Through Classification

A simple but powerful principle that emerged is the importance of age classification, audience advisories, and content warnings, as is currently the practice with films, television programmes, and publications. The FPB's classification system provides a model that can be extended to podcasting. Self-classification by creators, in line with FPB guidelines, can ensure that parents and audiences are warned about content that may be unsuitable for children. This approach protects children without censoring adult content. It respects creators' autonomy while fulfilling the State's obligation to protect minors.

Addressing AI with Urgency

Participants raised an alarm about the emerging threat of artificial intelligence. AI can generate deceptive audio and video, create synthetic content that mimics real people, and decimate news media industries. Guidance and guidelines on the use of AI in content creation are urgently needed. This is not a future problem—it is already happening. The principle that emerged was that regulators and policymakers must act now to anticipate and address the risks posed by AI before they become entrenched.

Demanding Transparency and Accountability from Platforms

Platforms operate under different standards across various territories worldwide, and their content moderation decisions are not always transparent. There is no consistent, human rights-based approach across platforms. The principle of transparency requires that platforms publish regular reports on content removal, appeals, and government requests, with South Africa-specific data. Accountability requires that platforms maintain accessible appeals processes and designate local representatives for service of process. South Africans should not have to rely on the goodwill of foreign corporations to protect their rights.

Recognising Civil Society's Role

Finally, participants articulated a clear principle regarding the role of civil society. Civil society is not here to police or adjudicate. Its role is to be a bridge between the public and the reality of their rights. Civil society must observe, document, and provide evidence. It must hold up a mirror to both those who disseminate content and those who seek to regulate it. This role is essential to accountability and to ensuring that the voices of ordinary citizens are heard in the development of policy and law.

Ensuring Speed and Affordability of Remedies

The White Paper on Audio and Audiovisual Content and Online Safety recognises that complaints require a quick turnaround and redress. During elections or moments of crisis, delays in addressing harmful content can have serious consequences. Remedies must be fast, and they must not impose costs on the public that make justice unattainable. The principle is simple: when a person is harmed, they should be able to seek redress without delay and without financial burden. This is the promise of a constitutional democracy, and it must be delivered in the digital age.

5.2.3 Responses on the Adequacy of Current Regulatory Tools

The Information Regulator: Highlighted risks around the unlawful processing of personal information by podcasters and platforms, including collecting data for advertising without consent and security compromises. The remedy is to lodge a complaint with the Information Regulator, who can refer matters to other bodies where necessary.

ZADNA: Outlined its role in domain governance, with mechanisms for takedown notices and alternative dispute resolution for intellectual property issues. It can suspend domains used for

illegal or harmful content (e.g., child sexual abuse material and the exploitation of vulnerable communities).

FPB: Noted the spread of harmful and illegal content (hate speech, incitement, AI-generated deceptive audio). The FPB operates a co-regulatory model, allowing online distributors to self-classify content to protect children and inform adults. It also has the authority to issue takedown notices.

Press Council of South Africa: Confirmed that podcasters who produce journalistic content are welcome to join the Press Council, and it already trains such creators. However, the problem is one of content, not just podcasting. The information ecosystem is complex, and podcasting is a delivery format that spans genres (entertainment, news, and commercial). A fragmented regulatory landscape has led to a poor framing of the problem.

Regulation is necessary when rights are violated at scale. However, the target of regulation should be the platforms' systems, not creators' individual speech. This requires an independent body (an Online Safety Authority) with a unique set of competencies to oversee algorithms, systemic risk, and platform design. Civil society's role is to be a bridge, not a police force.

5.3 Panel Three: Growth, Measurement & Monetisation

Facilitated by: Gary Whitaker (CEO, Broadcast Research Council of South Africa (BRC))

Panellists: Thabo Makenete (Meta), Tholoana Ncheke (TikTok), Abongile Mashele (Google/YouTube), Jonathan Warncke (SA Podcasters Guild).

Opening Remarks

Mr Whitaker opened Panel Three by welcoming the Chairperson, honourable members, colleagues, and participants.

Mr Whitaker explained that across all media types, the central question is how to measure their audiences. From measurement comes trust, and from trust comes investment. Investment allows the entire ecosystem—organisations, platforms, and podcasters—to thrive. The more money there is, the more can be done in terms of improvements and regulations, and in putting money back into the system to create a viable industry for South Africa.

Questions to the Platforms (Meta, TikTok, Google):

- What is happening at the platform level in terms of digital content creation?
- How do you handle podcasting within your organisation?
- Do you differentiate between podcasts and other forms of content?

Questions to the SA Podcasters Guild:

- What are your thoughts on measurement, growth, and monetisation? This question invited the Guild to share creators' perspectives on the sector's challenges and opportunities.
- What is the one change you would like to see 12 months from now that would make a substantial difference for podcasters and content creators in South Africa? This forward-looking question sought to identify the creator community's most urgent priority.

5.3.1 High-Level Responses

Meta & TikTok: Both platforms stated they do not differentiate between podcasts and other content; they see all digital content as content. Their focus is on safety through community guidelines and proactive content removal (e.g., TikTok reported removing 99.5% of violative content proactively). Monetisation is tied directly to compliance with these guidelines.

Google/YouTube: Stressed the economic contribution of content creators and the democratisation of expression. YouTube's "Four R's" guardrail framework was presented:

- i) Removing harmful content (including illegal content like hate speech and CSAM);
- ii) Raising authoritative voices;
- iii) Reducing the spread of borderline content; and
- iv) Rewarding creators through monetisation that is only available to those who adhere to advertising-friendly content guidelines.

SA Podcasters Guild: Founded in 2023 with over 500 members, the Guild focuses on community, education, and growth. The barrier to entry is low, but professionalisation and monetisation are key challenges. The Guild seeks support and investment, not stifling regulation. The shift from audio to video has raised the barrier to entry, and there is no single standard for measuring engagement across different platforms.

5.3.2 General Responses from the Panellists

Content is Content: A foundational principle that emerged from all platform representatives was that they do not distinguish between podcasts and any other type of digital content. Whether it is two people talking, a dancing video, an educational tutorial, or a travel vlog, it is all treated as content. This has significant implications for regulation. If platforms do not distinguish between formats, regulatory frameworks that attempt to treat podcasts as a special category may be misaligned with how platforms operate.

Safety as a Foundation for Monetisation: Platforms emphasised that monetisation cannot be separated from safety. Creators and users must feel safe on the platform. This principle guides the extensive investment in community guidelines, content moderation, and proactive removal of harmful content. The data presented showed that millions of pieces of content are removed proactively, often before they are even reported. The principle is clear: a safe environment is a prerequisite for a sustainable creator economy.

Proactive Moderation is the Norm: Platforms demonstrated that they are not passive carriers of content. They actively police their spaces through algorithms, human reviewers, and independent oversight boards. One platform reported removing over 920,000 pieces of content in South Africa over three months, with 99.5 per cent removed proactively. The principle that emerged is that platforms already exercise significant internal control and accountability mechanisms, and any regulatory framework must acknowledge and build on these systems.

Local Context Matters: Platforms have made significant investments to ensure their algorithms understand local context. Platforms described working with universities across the continent to train AI to understand South African and other African languages, as well as cultural nuances. The principle is that global platforms must develop and maintain context-specific awareness to effectively moderate content in South Africa. Words that are deeply harmful in one context may be harmless in another, and algorithms must be trained to recognise the difference.

Economic Contribution and Democratisation: Platforms emphasised that content creation is a significant economic contributor. Advertising revenue reaches billions of rands, and although audience numbers are growing rapidly, driven by young South Africans, the lion's share of digital revenues has shifted to the global platforms (search and digital). This was also a finding of the Competition Commission's Platforms and Digital Media Inquiry (PDMI). A

key principle is the democratisation of expression. Previously, content had to go through broadcasting channels. Now, anyone can create digital content in their living room and express their views by posting it onto a global platform. This has opened up opportunities for voices that were previously unheard, and any regulatory framework must preserve this accessibility.

The Long Tail of Creators: The SA Podcasters Guild provided ground-level insight into the structure of the industry. There is a short head of successful, monetised creators and a very long tail of those who are still finding their way. Most creators are hobbyists, and very few are claiming podcast income on their taxes. The principle is that regulation must be proportionate. A one-size-fits-all approach would burden the long tail of small creators without effectively addressing the harms that may arise from larger, more influential platforms and content creators.

Government and industry should invest in incubators and skills development programmes. Incubators could provide mentorship, technical training, and business support to help creators turn their passion into sustainable livelihoods.

Measurement is Complex and Multi-Dimensional: There is no single standard for measuring engagement across platforms. On TikTok, an impression is the opportunity to see content. On YouTube, a view requires a certain number of seconds of watch time. On podcasts, a download is a different measure entirely. The principle that emerged is that measurement must be understood as multi-dimensional. Different metrics serve different purposes, and a synthesised approach that captures diverse forms of engagement, including live events, Patreon accounts, and audience interaction, may be needed in the future.

Investment Must Flow to Creators: A critical principle articulated by creators was that investment must flow directly to the creators, not just to the platforms that host it. Currently, advertising spend goes predominantly to platforms. Creators struggle to afford even a plane ticket to be at the table. The principle is that if the goal is to grow the industry, support and investment must reach the creators themselves. A proposal was made to allocate a percentage of digital advertising budgets directly to podcasters, with platform transparency into how revenues are generated and distributed.

Support, Not Stifling

The overarching principle from Panel Three was that the industry needs growth and support, not stifling regulation. The sector is a rare source of job creation for young black South Africans. It is a vibrant, entrepreneurial space that has flourished precisely because barriers to entry are low. Any regulatory approach must be light-touch, proportionate, and focused on enabling growth while addressing specific, clearly identified harms.

5.3.3 Proposals on Platform Accountability and the Guild

Localise Platforms: A proposal that emerged strongly from the broader discussions, including in Panel Three, is that global platforms should localise their operations in South Africa. This would include establishing local offices, employing South African staff, and being subject to South African law and jurisdiction. Localisation would enable better enforcement, greater accountability, and a more meaningful contribution to the local economy.

Require Fair Contribution to Infrastructure: A proposal was made that platforms and over-the-top (OTTs) services should contribute fairly to the infrastructure they use. Currently, network operators bear the cost of building and maintaining the infrastructure that platforms rely on. The proposal is to explore mechanisms for fair contributions to fund infrastructure development, particularly in underserved areas.

Provide Equipment and Working Capital Support: The Guild proposed that support should extend to equipment and working capital. Many creators cannot afford professional equipment or the costs of producing content consistently. The proposal is for grants, loans, or tax incentives that would enable creators to invest in their production capabilities.

Address Data Costs: The Guild proposed addressing data costs with urgency. High data costs are a barrier to both creators who need to upload content and audiences who need to access it. The proposal is for zero-rating public-interest content and for continued pressure on network operators to reduce data prices.

6. Breakaway Sessions and Report Backs

Following the three panel discussions, participants were divided into two breakaway groups. The purpose of these sessions was to move from broad, plenary discussion to focused, detailed engagement on specific thematic areas. The breakaways were designed to allow stakeholders—including regulators, industry representatives, content creators, and civil society—to engage in deeper, more interactive dialogue and develop proposals on how parliament, the executive, and

regulators should approach regulation and support for the sector. Proposals were also made on the role of industry and civil society.

The facilitator, Mr Dimitri Martinis, explained that the breakaways would provide an opportunity to synthesise what had been heard from the various inputs during the morning sessions. The goal was to crystallise the discussions into concrete recommendations about what participants wanted and, more importantly, to whom those recommendations should be directed.

Following the main panel discussions, the two breakaway groups deliberated on specific themes:

6.1 Breakaway Group 1: *Network-Level Enablers, Growth and Inclusion*

This group focused on the foundational elements needed for the sector to thrive. Key issues included:

- **Barriers to Entry:** Base-level equipment, working capital, and lack of sustainable monetisation for the "long tail" of smaller creators;
- **Affordability & Infrastructure:** The need for affordable data, devices (with tax breaks for devices under R2,000 noted), and improved connectivity, especially in rural and underserved communities;
- **Formalisation:** Governance and regulation were reframed as tools for formalising the industry to attract investment, protect creators, and build trust with advertisers and users; and
- **Collaboration:** Strong support for collaborative models, including infrastructure sharing among network operators, and the creation of incubators for skills transfer.

6.1.1 Summary of Breakaway Group 1 Recommendations:

Invest in Incubators and Skills Development: Government and industry should establish incubators to support emerging creators, particularly in rural and underserved communities, providing mentorship, training, and access to equipment.

Allocate a Percentage of Digital Ad Spend to Podcasters: Require that a portion of digital advertising budgets be spent directly with podcasters and content creators, mirroring the existing set-aside for community radio.

Address Data Costs: The government and the regulator should work with network operators to reduce data costs and explore zero-rating public-interest content to improve accessibility for creators and audiences alike.

Provide Equipment and Working Capital Support: The government should create grant programmes, low-interest loans, or tax incentives to help creators acquire professional equipment and sustain their operations.

Formalise the Industry to Attract Investment: Parliament, the executive, and the regulators should develop governance frameworks and compliance mechanisms that provide investors and advertisers with certainty about the standards to which creators adhere.

Encourage Infrastructure Sharing: Policy and legislation should promote collaboration among network operators to share infrastructure costs, particularly in rural areas where building networks is expensive.

Support Indigenous Languages: Government and Industry to invest in content creation in African languages, recognising the significant commercial and cultural opportunity.

Strengthen Education and Digital Literacy: Government and Industry to develop training programmes on ethical content creation, legal responsibilities, and the risks of online spaces, ensuring they reach creators in all communities.

6.2 Breakaway Group 2: *Definitions, Tiers, Safety and Compliance*

This group examined the legal and regulatory architecture needed for the sector. Key Issues included:

- **Regulating Content, Not Formats:** The focus should be on the content itself, not the platform or technology. Different genres (news, entertainment, commercial) require different regulatory approaches.
- **Self-Regulation:** There was strong support for self-regulation and co-regulation, but with a recognition that it must be robust, inclusive, and backed by a sense of accountability and enforceability.
- **The 6 Rs Framework:** The group expanded on the concept of the 4 Rs (Rights, Responsibility, Recourse, Regulation) to include Research and Reform, forming a 6 Rs framework to guide policy.
- **Consumer Awareness:** There is a critical gap in public awareness of their rights and how to lodge complaints.

6.2.2 Summary of Breakaway 2 Recommendations:

Summary of Breakaway Group 2 Recommendations

Adopt the 6 Rs Framework: Guide all regulatory work by the principles of Rights, Responsibility, Recourse, Regulation, Research, and Reform.

Establish a Centralised Complaints Mechanism: Policy should create a single, accessible entry point where citizens can lodge complaints about online harms, with complaints routed to the appropriate regulator or self-regulatory body.

Strengthen the Regulators Forum: Formalise the Regulators Forum with a statutory mandate to develop joint protocols, coordinate enforcement, and address grey areas where mandates overlap.

Develop Genre-Specific Codes of Conduct: Policy, regulation and industry bodies to create differentiated codes for news/actuality content (requiring accuracy and right of reply), entertainment content (allowing artistic licence), and commercial content (requiring sponsorship transparency).

Implement Age Classification for Podcasts: Extend the FPB's co-regulatory classification model to podcasting, allowing creators to self-classify content with age warnings to protect children without censoring adults.

Address AI Urgently: Policy and legislation to develop guidance and guidelines for the use of AI in content creation, including disclosure requirements for AI-generated content.

Mandate Sponsorship Disclosure: Legislation and regulations should require that all sponsored content be clearly declared, including disclosure of the source of funding, to ensure transparency for audiences.

Future-Proof Legislation: Parliament and the executive must draft laws in broad, principle-based terms to accommodate emerging technologies and platforms that do not yet exist.

Invest in Research: The government, in collaboration with regulators and industry, must commission a baseline study to map the size, demographics, economic impact, and geographic distribution of the digital content creation sector.

Embed Digital Sovereignty: Policy and legislation must assert South Africa's right to make laws that apply to platforms operating in the country, including requirements for local representation and accountability.

Strengthen Consumer and Creator Education: Government, regulators, industry, and civil society should launch public awareness campaigns on rights and remedies and integrate education on freedom of expression and its limitations into school curricula.

Support Self-Regulation with Statutory Backing: Legislation must recognise, and regulators must accredit industry bodies that meet independence and fairness standards, giving their codes and adjudications statutory recognition while preserving a right of appeal.

Mandate Platform Transparency: Policy and legislation must require large platforms to publish regular, South Africa-specific transparency reports on content removal, appeals, and government requests.

6.3 General Takeaways from the Breakaways

Group 1: Growth & Inclusion

The breakaways reinforced two cross-cutting messages: first, that growth and inclusion require lower barriers to entry, affordable data and devices, incubators, skills development, and investment in creators; and second, that safety and compliance should focus on content rather than format, supported by self- and co-regulation, accessible complaints mechanisms, genre-sensitive standards, and future-proof legislation.

7. Members of Parliament – Comments and Contributions

On the Nature of Regulation

Members expressed a clear view that nothing can exist in a vacuum in a country that has laws. The podcasting sector must fit somewhere within the existing legal framework. While there was recognition that South African communications may be over-regulated in some areas, there was also agreement that some form of regulatory oversight and governance is necessary. The challenge is to find where podcasts fit without creating unnecessary red tape that stifles small and medium enterprises.

Several members warned against over-regulation, noting that it could frustrate the industry and kill free speech. They argued that regulation should be simplified and specified within existing frameworks rather than creating new layers of compliance. The example of churches was raised to illustrate the dangers of a complete absence of regulation, highlighting harmful practices that emerge without oversight.

On Economic Empowerment and Transformation

Members generally acknowledged and celebrated the growth of podcasting as a black-led industry. Members noted that the ICT sector has historically been colonised, with South Africans serving as consumers rather than creators. Podcasting was described as offering South Africans an opportunity to become innovators and creators and to take control of the narrative.

Members called for the industry to be supported, noting that it talks directly to the national priority of building an inclusive economy. They emphasised that young people are struggling and that podcasting is one of the few opportunities available to them. The success of podcasts in townships and rural communities was highlighted as a cause for celebration and encouragement.

On Misinformation and Digital Sovereignty

Members raised concerns about misinformation and disinformation, describing them as South Africa's number one enemy. They pointed to the 2021 unrest as a clear example of the dangers posed by unchecked misinformation and how online harms can translate into offline harms. There was a call for legislation to address this specific harm.

Members also emphasised the need for digital sovereignty. They argued that South Africa cannot have a sector operating as a law unto itself, particularly when it comes to platforms that originate outside the country. The question of how to regulate digital services that originate overseas but are consumed locally, with revenue flowing offshore, was raised as a significant challenge requiring cross-border collaboration between states.

Members emphasised that podcasting should remain open and independent, subject to minimal, rights-based regulation that avoids broad licensing, intrusive state control, or indirect barriers such as mandatory registration, accreditation, or onerous monetisation conditions. They supported a co-regulatory or self-regulatory model focused on clearly defined legal breaches, due process, proportionate remedies, and stronger coordination among existing institutions rather than unnecessary overlapping new authorities.

Members further noted that, while digital sovereignty remains important, measures such as compulsory localisation, mandatory contributions, or fixed advertising set-asides should be weighed carefully against possible effects on investment, competition, and costs. They favoured practical accountability measures—including local legal representatives, transparent complaints processes, cooperation duties, and targeted support such as incubators, skills development, creator funds, tax incentives, and public-private partnerships—with obligations scaled to reach, revenue, and systemic impact.

On Global Platforms and Economic Contribution

Members questioned how to ensure that global platforms pay their fair share in taxes and invest back into the local creative economy. They noted that platforms like Spotify and YouTube are generating revenue from South African content and audiences and called for this revenue to be reinvested locally.

The participants emphasised that making data more affordable is a shared responsibility that requires coordinated action by the Department of Communications and Digital Technologies (DCDT), regulators, network operators, and other relevant stakeholders, so that creators can produce content and audiences can access it.

On Recourse and Accountability

A recurring concern was the lack of clear recourse for members of the public who are harmed by podcast content. Members noted that while traditional media has established complaints mechanisms through bodies like the BCCSA and the Press Council, there is no clear pathway that exists for podcasting. Without an authority to turn to, podcasters become laws unto themselves.

Members also raised concerns about the speed of recourse. Litigation was described as expensive and beyond the reach of ordinary citizens. There was a call for alternative dispute resolution mechanisms that are fast, accessible, and do not require legal expertise.

On Future-Proofing Legislation

Members cautioned that in five years no one will know which communication systems will be in place. Legislation must be adaptable and forward-looking. They warned against legislating around specific flashpoints in the news cycle, but rather to address the norm of podcasting in South Africa.

There was also a call for more research and data to understand the sector. Members emphasised the need for research to develop fit-for-purpose solutions that address concerns, protect citizens and grow the sector.

On Balancing Rights

Members emphasised the need to balance protecting the public from harm with the assurance that citizens are free to criticise the government without fear. They noted that in other African countries, regulations have been too strict, leading to journalists and podcasters being

imprisoned. South Africa must avoid going down that path while still addressing genuine harms.

8. Comments from Parliament YouTube Channel

Distrust of Regulation: A significant number of commenters expressed concern that the roundtable was a pretext for State censorship and over-regulation, viewing it as a threat to freedom of expression. Phrases like "They want to censor our voices" and "imagine needing a licence" were common.

Economic Focus: Many users argued that the focus should be on supporting creators (e.g., ensuring they are paid by platforms and providing tax breaks) rather than punishing them. There was a call for a "how to grow it" conversation instead of "how do we contain podcasts."

Focus on 'Big' Podcasts: A recurring suspicion was that the government was specifically targeting successful, independent, and outspoken podcasts.

Scepticism of Platforms: Several comments expressed distrust in the ability and willingness of global platforms (e.g., "Elon won't listen to them") to comply with local regulations and the power of local regulators to enforce compliance.

Frustration with Infrastructure: Some commenters highlighted the practical challenges for creators, such as high data costs and lack of access to basic equipment, which they felt were more pressing issues than regulation.

Nuanced Views on Harm: While many opposed regulation, some acknowledged the existence of harmful content, citing specific examples of racist, misogynistic, or insulting speech on podcasts. There was debate about where free speech ends and actionable harm begins.

8.1 Analysis of YouTube Channel Comments

The YouTube comments reveal a public that is deeply sceptical of government intentions, fearful of censorship, and focused on the economic barriers facing creators. These concerns align with the roundtable's emphasis on supporting the sector, reducing data costs, and avoiding over-regulation.

However, the public comments largely missed or downplayed the roundtable's constructive discussions on self-regulation, industry organisation, and the need for accessible recourse

mechanisms. The divergence on trust and the perceived targeting of big podcasts highlights a communication gap that the Committee must address as it moves forward.

The alignment on economic support and the rejection of licensing suggests that the Committee's proposed way forward, emphasising light-touch governance, support for self-regulation, and economic enablement, has the potential to address public concerns if communicated effectively and implemented transparently.

9. Key Themes and Resolutions

The Portfolio Committee on Communications and Digital Technologies has a clear pathway to foster a sustainable and accountable podcasting and digital media ecosystem in South Africa. The proposed recommendations for the way forward include:

a. Legislative and Policy Finalisation

- **Finalise the Draft White Paper:** The Committee should oversee the urgent completion of the Draft White Paper on Audio and Audiovisual Media Services and Online Safety to provide a clear regulatory framework that includes on-demand audiovisual content and digital platforms. The Committee urges the DCDT to expedite the completion of the White Paper before the end of the seventh administration.
- **Amend Existing Legislation:** Rather than creating entirely new laws, the Committee should pursue targeted amendments to the Electronic Communications and Transactions Act (ECTA) and the Electronic Communications Act (ECA) to introduce platform liability for harmful content and align accountability with universal access goals within the term of the seventh Parliament.
- **Adopt an Industry Representative Body (IRB) Model:** In the short term, the Committee should support the establishment of an IRB under ECTA. This would allow for co-regulation, in which platforms adhere to a code of conduct in exchange for limited liability protections. The Portfolio Committee should consider a recommendation to integrate the South African Human Rights Commission's (SAHRC) constitutional mandate directly into the proposed IRB frameworks to address misinformation that leads to rights violations.

b. Economic Support and Sustainability

- Support creator sustainability through targeted mechanisms such as a national content fund, possible levy options, and collective bargaining models, with careful assessment of feasibility, competition effects, and benefits for independent and community creators.

c. Infrastructure and Access

- **Zero-Rate Public Interest Content:** The Committee should work with regulators to enforce the zero-rating of digital content for public benefit organisations and public interest media to reduce data costs for all citizens, and especially low-income citizens and those living in underserved areas of the country.
- **Address Foundational Barriers:** Ensure that policy focuses on reducing the high cost of data and devices, which remain the primary barriers to entry for both creators and listeners.

d. Accountability and Sovereignty

- **Expand BCCSA and Press Council Mandate:** Provide a formal channel for public recourse by expanding the Broadcasting Complaints Commission of South Africa's remit to include digital audiovisual platforms.
- **Strengthen platform accountability** through practical measures such as local representation, service-of-process arrangements, transparency reporting, and accessible complaints procedures, while assessing localisation requirements carefully against possible impacts on investment and competition.
- **Adopt a minimal, rights-based approach** that prioritises post-publication remedies, platform transparency, support for the integrity of the information ecosystem, and stronger coordination among existing regulators before creating new oversight structures.

e. Inter-Departmental Collaboration

To address the complex issue of economic incentives, the Portfolio Committee should urgently consider convening a joint committee meeting with the Departments of Communications and Digital Technologies (DCDT), Justice and Constitutional Development, Trade, Industry and Competition (DTIC), Sports, Arts and Culture (DSAC), and Small Business Development (DSBD) by the fourth term of the 2026 Parliament.

Purpose:

- Harmonise policy and legislation
- Engage on how incentive issues—such as tax breaks for creators, grants for digital equipment, and R&D support for AdTech—could be addressed.
- Strategic Housing: Determine where these incentives should be run (e.g., housed within the MDDA, DSAC, or a new digital-specific agency) to avoid institutional fragmentation and ensure they are accessible to black-led, small-scale enterprises.

f. Evidence-Based Research

Data Collection: During the joint sitting, consider proposing the commissioning of a comprehensive study to assess the size, composition, and economic contribution of the South African podcasting sector, ensuring that all future regulatory steps are based on current data.

When this report is adopted by the Committee, it should be widely publicised, and it is recommended that an online launch be held to ensure that as many people as possible can participate and become aware of its contents, especially those who could not attend the round table.

The Committee should encourage all parties to this round table process to ensure that a quarterly review of the recommendations is done and reported to the Committee by the relevant parties.

10. Chairperson's Closing Remarks

In her closing remarks, the Chairperson stated that the Committee would develop a report incorporating today's recommendations. The Committee will hold ongoing discussions with the government and encourages the government, regulators, civil society, and industry to continue the conversation.

Report to be considered.