

# DoC slammed for 'rushing' broadcasting legislation



By [lssa Sikiti da Silva](#)

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The Department of Communications (DoC), led by former army general Siphwe Nyanda, has come under fire from media experts and civil society groups for attempting to 'push' the new broadcasting legislation into law without proper consultation and in-depth research, a move they say risks to create more problems in the future.

At the centre of the matter is reviewing the Broadcasting White Paper of 1999 to sort out governance, funding issues and other corporate ills currently rocking the SABC to ensure that the government-controlled public broadcaster becomes viable and efficiently carries out its mandate.

Stakeholders said they were given only one month-and-a-half to comment on the department's newly-released Public Service Broadcasting Discussion Document, focusing on 70 detailed public service broadcasting questions related to the SABC, commercial and community media sectors and signal distribution issues.

A draft bill for public comment is due to be released in mid-September 2009, after which the bill will be taken to cabinet in October and later introduced to parliament in November.

But critics believe the timetable is too tight to allow for a thorough review of such a complex broadcasting policy, and ask for more time for debate and substantive research.

Prof Guy Berger, of Rhodes University's School of Journalism, told Bizcommunity.com yesterday, Thursday 3 September 2009: "Experience shows that when legislation on convergence is rushed through the policy stage, a lot of unresolved issues cause complications in terms of the actual law.

"More haste in policy means two years of delays in parliament. It is not advisable to mix work on law and policy simultaneously, rather the policy should be properly elaborated first, then law-making can follow without complications."

Prof Tawana Kupe, Wits University's Dean of Humanities and working group member of 'Save our SABC Coalition', said: "I understand that DoC wants to move speedily to solve issues of the SABC to ensure that the institution does not collapse.

"But what they do not fully realise is that the policies and regulations governing the SABC and indeed the whole of broadcasting in South Africa need a thorough review through a public consultation process.

"I think that they should resolve many other issues and do a proper job of developing new policies that take into account technological developments and the public interest."

Prof Berger added: “There is now a degree of stability emerging at the SABC, and the new board is now in sight as well.

“Accordingly, the urgency of revisiting fundamentals has diminished somewhat. These should indeed be addressed, but now there is a breathing space to do this thoroughly rather than rushing through in crisis-management mode.”

Kate Skinner, ‘Save our SABC Coalition’ spokeswoman, said: “We think government wants to move directly from the discussion document (green paper) to a bill. This is a problem.

“Once you get to the bill it is very difficult to change anything. The big debates need to happen at the policy-making stage. We actually have no idea why the DoC is moving so quickly with this. They say they need to fix the SABC urgently but this is not the way to do it. In fact the problems will just be deepened.

“One of the big issues we need to look at is the influence of digital migration on the SABC, broadband and public broadcasting more broadly. To come up with a way forward we need serious research. We hope the department will heed our call.”

Prof Berger said: “These are not separate silos of issues: each one impacts on the other. It is not advisable to speed ahead on one, and leave others behind. Rather there should be a moderate pace on all of them equally.”

The department was not available for comment.

## ABOUT ISSA SIKITI DA SILVA

Issa Sikiti da Silva is a winner of the 2010 SADC Media Awards (print category). He freelances for various media outlets, local and foreign, and has travelled extensively across Africa. His work has been published both in French and English. He used to contribute to Bizcommunity.com as a senior news writer.

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