

Today, the South African Competition Commission [published Google's submission](#) to the Media and Digital Platforms Market Inquiry in response to the Provisional Report. Below we are providing key quotes from our submission that give more detail on the concerns outlined in our [initial blogpost](#). Our concerns are that the proposed remedies do not account for changing news consumption habits, apply a disproportionate burden on Google, as well as creating adversarial effects on consumers, publishers, the South African digital economy and innovation in the country.

# Section 1

## Introduction and overarching issues

**The SACC does not take into account the fact that the way people access news has changed:** We search, stream and scroll across multiple sites, platforms and screens to understand what's going on in our communities and around the world. For example:

- *"South African users of Google Search... increasingly avoid news..., only infrequently search for news... The Provisional Report does not take into account how these proven user attitudes and behaviours of Google's users impact the value of news to Google".*
- *"The Inquiry's Consumer Survey finds that 77% of users access news via social media, while only 17.1% use Google Search as their primary platform for news and 2.4% use Discover"*
- *"During the last three years the percentage of news-seeking queries (i.e. queries displaying Top Stories in first position) entered into Google Search by users located in South Africa was: {0.91% in 2024}"*.
- *"While the Provisional Report notes the inadequate referral traffic from social media to news websites, it does not attribute sufficient weight to that fact when assigning Google primary responsibility for improving traffic and subsidising the South African news industry financially".*

**The SACC's proposed remedies put a disproportionate burden on Google:** As well as ignoring the change in consumer behaviour, the Commission's recommendations would force one platform to compensate news publishers for the inadequate referral traffic they get from social media sites. For example:

- *"...the Provisional Report conducts no calculation of the relative value exchange, and places no obligation on {social media} platforms to contribute to any funding solution - it requires only that they restore traffic to pre-deprecation levels".*
- *"...the transition must be constructed jointly with equivalent contributions from other stakeholders - platforms, business and government, and also complemented with active investment by publishers themselves to adapt and innovate their business models".*
- *"The proposed solutions set out in the Provisional Report - which essentially resolve to have Google single-handedly subsidising the news industry - are not appropriate".*

# Sections 2 — 5

These sections cover how our products work (Search, YouTube, Adtech, Gemini apps) and why the proposed remedies would result in significant harm to publishers and people in South Africa. Specifically the proposed remedies would lead to:

1. **Less choice for consumers:** Google Search finds the most relevant results for your query from the thousands, or even millions, of web pages on that topic. Forcing Google to give algorithmic preference to local news will limit diversity of sources and perspectives, imposing on people what to read and watch. This is also contrary to South Africans' fundamental rights to free expression and diversity of views.
  - *"...the traffic requirement would have the unintended consequence of distorting competition between local and foreign news publishers, and between online news publishers and other web publishers, particularly given the Provisional Report's wide definition of news to include non-news content. It will also have the unintended consequence of limiting a user's choice and access to diversity of views and perspectives".*
  - *"Google is not able to guarantee any particular level or value of traffic. It is up to users what they wish to search for and click..."*
2. **Less money for publishers:** Our advertising technology helps publishers make money on their websites, videos and apps. The proposed changes would make it harder and more expensive for many publishers to earn money for their content.
  - *"The Provisional Report misunderstands the significant benefits afforded to both advertisers and publishers from programmatic advertising. Advertisers and publishers can transact in a variety of ways (e.g. programmatically, direct deals), each of which compete to maximise the value of a given match".*
  - *"Google cannot artificially control or redirect publisher inventory/advertiser spend against its customers' wishes; doing so would cause customers to switch to rival platforms or direct deals".*
  - *"Google's conduct in relation to ad tech does not have any adverse effect on competition so there is no basis for the imposition of any remedies".*
3. **The proposed remedies would lead to a less vibrant content ecosystem:** YouTube offers South African creators, including many publishers, a global audience of billions and the ability to earn the majority of revenue from ads that run on their content. Proposing that certain creators (news publishers) get a greater share of revenue from their content than others is unsustainable.

- *“YouTube sets some threshold criteria for content creators who wish to monetise content. These criteria are transparent and accessible to all content creators. They have not stopped creators of many types and sizes from being successful on the platform”.*
  - *“News publishers get a fair share of platform revenue on the same basis and terms as other platform participants. In fact, YouTube supports news publishers disproportionately relative to the economic value they contribute to the platform”.*
  - *“YouTube remains a steadfast supporter and partner to news publishers and public broadcasters globally and in South Africa. However, if YouTube’s proactive support, such as through building specific news verticals, leads to findings that YouTube should make further contributions, without proper recognition and sharing of burden, it can only serve to deter YouTube from making similar voluntary contributions in future”.*
4. **Impeding digital trade:** The Commission suggests a digital service tax that would be applied to a narrow band of digital services, including digital advertising, and would benefit a selected industry - publishers. Such taxes are trade barriers that could impede cross-border digital trade.
- *“the provisional recommendation of a digital tariff or levy of 5 to 10% of digital advertising revenue is beyond the scope of the Inquiry, unlawful, unconstitutional, unfair, unreasonable, irrational and impractical. Since this turnover is primarily earned from non-news sources, and would damage the businesses of the platforms concerned in areas that have no link to news at all, the provisional remedial action is unlawful and impermissible. Further, such a levy or tariff would be disproportionate and likely violate the Republic’s international trade law obligations. The Act does not empower the SACC to seek to impose remedial actions on firms and then threaten the introduction of manifestly unlawful, irrational, unfair and unreasonable sanctions if parties fail to comply”.*
5. **Restricting innovation in South Africa:** The Commission's idea for how to modify specific AI products would break innovative features like AI Overviews and Gemini, both of which have been helping people in South Africa more easily learn about complex topics. Not only would this limit South Africans' access to knowledge openly available elsewhere in the world, it could create conditions detrimental to future investment and innovation in the market.
- *“Generative AI is an emerging and rapidly evolving technology, with intense competition across a diverse landscape of developers. This highly competitive environment is driving keen interest by investors, rapid innovation, and diversification”.*
  - *“Gemini Apps is not a news aggregator and news is not a significant use case for Gemini Apps... Gemini Apps is designed to assist users across a wide range of use cases, including writing, summarization, learning, and coding...”*
  - *“Publishers can easily opt-out. The Google-Extended protocol provides a simple way for any websites to opt out from having its content used to train the AI models that power Gemini Apps, without affecting their presence in Google Search results in any way. Moreover, websites that opt out using Google-Extended will not be used as a grounding source in Gemini Apps”.*

Read the full submission [here](#)