GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

NOTICE 3880 OF 2026

DRAFT SOUTH AFRICA NATIONAL ARTIFICIAL INTELLIGENCE (AI) POLICY

The Minister of Communications and Digital Technologies, hereby publishes, in accordance with section 85 (2) (b) of the Constitution of the Republic of South Africa, 1996, the Draft South Africa National Artificial Intelligence (AI) Policy that was approved by Cabinet on 25 March 2026 (combined with the Special Sitting of Cabinet on 01 April 2026), for public comment.

Members of the public and interested persons are invited to submit their comments / inputs / written representations on this Draft Policy, within sixty (60) days of the date of publication of this notice, final day being 10 June 2026, 16h00 at the latest. Late submissions may not be considered.

All written comments and enquiries on this publication should be directed to:

The Director-General, Department of Communications and Digital Technologies
Attention: Mr M. Mashologu (Deputy Director-General: Digital Society and Economy)

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By email: aipolicy@dcdt.gov.za

All contributors are requested to mark clearly "Draft South Africa National Artificial Intelligence (AI) Policy" in the subject field of their correspondence.

An interested person making a written submission is deemed to have consented to its disclosure to a requester, except if otherwise clearly requested by such interested person based on one of the grounds for refusal of access to records as provided in the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000).

A copy of the Draft Policy is available at www.dcdt.gov.za and www.gov.za



MR SOLLY MALATSI, MP

MINISTER OF COMMUNICATIONS AND DIGITAL TECHNOLOGIES

DATE: 09 April 2026

Explanatory Note

Setting a policy agenda for AI is inherently complex, as the technology has an immense range of applications. Because of the broad range of applications and applicability in almost every conceivable sector, a general national policy cannot, and should not, address every aspect of AI. Rather, a national policy's primary objective is to identify the core principles that guide sectoral approaches.

Considering the rapid development of AI technologies and the mainstream adoption of such technologies, traditional regulatory or policy development approaches are unlikely to adequately address the challenges and leverage the opportunities associated with AI. Included in this approach is the use of open-ended language in the Draft National AI Policy, which creates the opportunity for engagement towards the finalisation of the final policy document.

The Draft National AI Policy is based on the South Africa National Artificial Intelligence Policy Framework of August 2024, the 32 submissions received on this Framework, and consultations with government structures through the Cabinet Cluster process.

As such, the Department of Communications and Digital Technologies acknowledges that the Draft National AI Policy is a work-in-progress, and that the national government's final approach to the AI Policy agenda will require extensive external consultations with both local and international experts and interest groups. The Draft National AI Policy should thus be seen as a point of departure and indication of government's current thinking, rather than a strict indication of South Africa's final approach to the AI policy landscape.

There are various interventions that have wording that is purposefully open-ended (such as "establish guidelines/standards"). This approach is implemented in the Draft National AI Policy due to the acknowledgement of the importance of engaging with industry and subject-matter experts to find appropriate definitions.

Exactly because of the broad nature of AI technologies, it is important to note that the implementation of the interventions proposed by the Draft National AI Policy fall under the mandates of various government departments and entities. The successful implementation of the policy will thus require a whole-of-government approach.

The National AI Policy will establish the national priorities and norms, but a key aspect of the Policy is the recognition of sector-specific dynamics that require specialised approaches.

Sector-specific working groups will be established to develop implementation roadmaps aligned to each Cluster's sectors, including manufacturing, energy, infrastructure, transport and trade, and other such sectors where the need for specific responses are identified. These would serve in developing sector strategies and guidelines for the implementation of appropriate and specific AI.

Accordingly, DCDT envisions a staged implementation approach, to enable government to respond to the most pressing regulatory needs immediately, while simultaneously co-creating a comprehensive policy approach that is future-proof and technology-neutral:

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1. **Year 1 (2025/26):**
    a. Finalisation of the National AI Policy
    b. Identification and publication of key draft regulatory requirements necessary to address unacceptable risks
    c. Initiate development of National AI Policy Guidelines
2. **Year 2 (2026/27):**
    a. Publish National AI Policy Guidelines
    b. Implement key regulatory requirements for high-risk use cases
    c. Identify and publish draft regulatory requirements for medium and low risk AI use cases
    d. Develop and adopt sectoral AI strategies
    e. Commence institutional framework design and funding approach, and secure funding.
3. **Year 3 (2027/28)**
    a. Full implementation of outstanding policy interventions, which may need to be updated to match emerging trends in AI technologies.

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