



# Balancing Innovation:

## Consumer protection & other regulation

Gabriella Razzano 2025

## OpenUp's mission

OpenUp seeks to empower African people and their governments, through the responsible and innovative use of data and technology, to become active agents in creating positive social impact..

We bring the perspective of not-for-profit innovators who are 70% revenue funded.

The method matters

# We have a multi-layered approach



An open first  
approach



Agile  
development



User-centred  
design



Data-driven  
empowerment



Sustainable,  
risk-aware innovation



Context-driven  
digital selection



Empathetic  
collaboration

What is it like to innovate here?

The lived reality in South Africa

Crippling social and  
income inequality, with  
painful poverty rates



**18.2 Million (31%)**

Living in extreme poverty

**3.3 Million**

NEET Youth



Innovation is about problem solving!

Low formal participation

The lived reality in South Africa (and  
the problem we are solving for)

There is a chronic disconnect  
between people and  
government, the powerless  
and powerful

Significant digital inequalities  
and innovation alienation.



## Citizens

Impact through partnership



### Parliament Monitor

With Rashaad's team at PMG we co-create and maintain their parliamentary and parliamentary monitoring websites, that see +/- 4 million users per annum. They are the *key* sources for Parliament open data in RSA, making Parliamentary accountability a reality.

## Transparency

Data for change



### Journalist

Our SA Lotteries tool consolidated scraped, open lotteries data. It helped Ray break his award-winning news story uncovering billions in Lottery fraud. The tool also helped the SIU recover millions of rands from corrupt officials.

## Government

Trusted by government



### National Treasury Official

With Prudence and her team we co-developed the Vulekamali Open Budget Portal, alongside civil society. The award-winning portal is the official source of South Africa's open budget data, with 2409 open datasets. The portal has helped South Africa rank as second in the global Open Budget Index.

What does regulation look like?



# We have regulatory complexity

## Laws:

- Consumer Protection Act
- Protection of Personal Information Act
- Electronic Transactions and Communications Act
- Cybercrime Act
- Cybersecurity Bill
- Copyright Bill
- Sectoral regulation too – think financial services, health etc.
- Companies Act, etc
- Competition Law
- Intellectual Property Law

*The biggest thing to note is the complexity of the governance ecosystem.*

## Trends:

- AI regulation being debated
- We tend to see more regulation than less
- It helps we have a Director who is a lawyer :)

The ugly truth: compliance is expensive.



Consider data protection (and  
POPIA lobby)

But maybe we should start elsewhere:  
what are the true challenges in the South  
African innovation sector, from our  
experience?

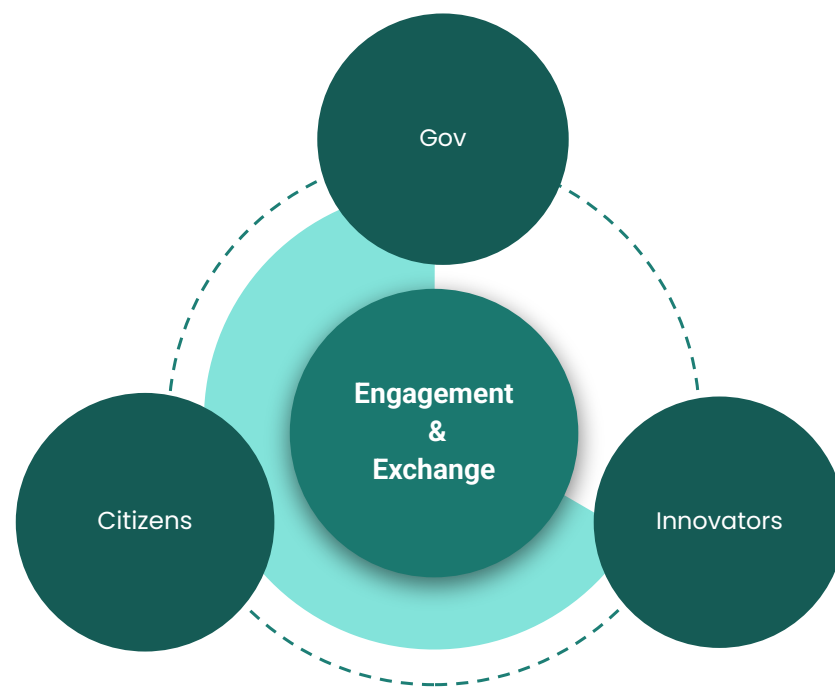


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How do you build  
a business when  
you don't trust  
business?

Side bar: this directly implicates data  
protection at a government level



Trust works *all* ways: Citizen to government; citizen to innovator; innovator to government; government to innovator; innovator to citizen; citizen to innovator.

# Uncertainty

Lisa Cook's theory – who invests, even in themselves, when there is economic and political uncertainty? Wicked problem.



# Lessons from the policy space

## Key challenges for Tech in Africa



- There's not much locally developed AI , though there is vibrant tech (**platform dependency**)
- Insufficient **good quality** data, open and even proprietary – cited as the greatest AI inhibitor in studies!
- **Digital divides** and meeting people's needs through technology must be the priority (Stahl and AI for **human flourishing**)
- **4IR euphoria** can distract from a focus on basic digital needs, skills and infrastructures as remaining a priority
- Public sector reliance on **private capacity** – but limits in imaginary and unsympathetic processes for development (contracting and **procurement**)
- Weak environments for supporting **local innovation communities** who can drive responsive, context-specific design
- Policy and law's **pacing problem** and the “Law of Horse” challenge



With all these innovator problems, is regulation the biggest one?



Good regulation can help build trust.

But it needs to be:

- Clear and calculable
    - Context relevant
      - Collaborative
    - Evidence-based
      - Flexible
- 
- 



*Apologies, but you have more  
work to do!*

The truth truth: we need to all become  
lobbyists – at the local and international  
level.





Get in touch

# Let's build something impactful, together.

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