

**CLASSIFICATION - CLASSIFICATION OF PUBLICATIONS: GENDER QUEER****QUESTION:** s47C

The Classification Board is an independent statutory body which has responsibility for making classification decisions on films, games and certain publications.

The Classification Review Board is responsible for reviewing decisions of the Classification Board, and is also an independent statutory body.

When classifying publications, the Classification Board and the Classification Review Board apply the Classification Act, the National Classification Code and the Guidelines for the Classification of Publications.

Classification Guidelines are agreed to by the Commonwealth and state and territory governments.

In response to enquiries about the book *Gender Queer: A Memoir*, the Director of the Classification Board exercised her call-in powers under state and

territory classification enforcement legislation to require the distributor to submit the book for classification.

On 3 April 2023 the Classification Board classified *Gender Queer: A Memoir* ‘**Unrestricted**’ with consumer advice of ‘**M – not recommended for readers under 15**’.


On 3 May 2023 an application was received for the Classification Review Board to review the decision of the Classification Board. The Review Board received over 500 submissions both for and against the publication.

On 20 July 2023 the Review Board upheld the earlier decision of the Classification Board and classified the publication ‘**Unrestricted**’ with the consumer advice ‘**M – Not recommended for readers under 15 years**’.

The Review Board decision notes that the consumer advice is warranted, since some content within the publication may offend some sections of the adult community and may not be suitable for younger readers.

I am not able to provide further comment on specific decisions.

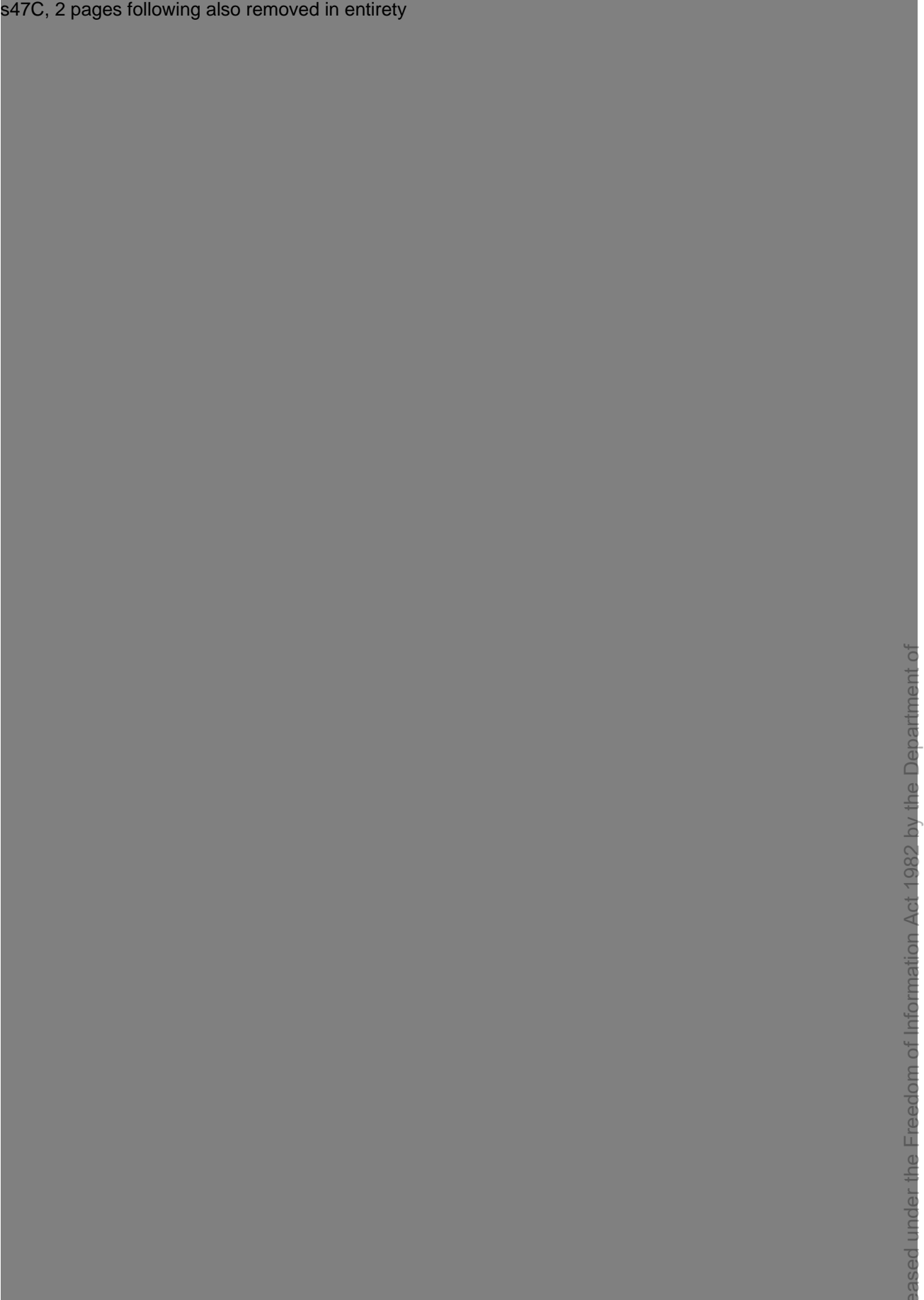
s47C, 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

**Background**

s47C, 2 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**NBN - BOARD AND EXECUTIVE BONUSES****QUESTION:** s47C

Public companies such as NBN Co play an important role in Australian society and they help keep Australians connected.

These companies also deliver essential services to our region communities that the private sector would otherwise not provide.

It is critical for the success of these entities that there be good governance.

Good governance helps strike the balance between public interest and commercial imperative, and provides a framework for sound decision making and oversight.

So when it comes to taxpayer-funded executive bonuses I would like to make a few principles clear.

The first is that bonuses, as best possible, should be linked to performance, and that performance targets should be fit for purpose.

This is about ensuring taxpayers money is well spent and the incentives for management are appropriate, proportionate, and well-designed.

The second is that the Boards and executives of public companies cannot be indifferent to reasonable community expectations.

They should, on occasion, exercise the contextual restraint the Australian community would expect of a publicly owned entity.


Clearly, there are issues that need to be examined so we can establish a better and more consistent framework.

This is why I and the Finance Minister are continuing to engage with NBN Co with a view to the company providing further information about how performance targets and bonus levels are set and benchmarked, how target setting and rewards for performance exceed a 'business as usual' expectation, and suggestions for areas to improve transparency.

To aid transparency while this work continues, in 2022, NBN Co released a statement on its company website, which provides more information about employee remuneration and changes made by the Company to its bonus scheme.

The position of NBN Co CEO is now listed as a Principal Executive Office under the Remuneration Tribunal Act 1973. The contract of employment and remuneration for the NBN Co CEO position is set by the NBN Co Board, within the limits outlined by the Remuneration Tribunal.

s22(1)(a)(ii)



QUESTION: s47C

Like many large corporates, NBN Co uses 'at-risk' pay to encourage high level staff to achieve or exceed the company's targets. Selected executives at NBN Co have a portion of their remuneration 'at risk' if they do not meet certain criteria.

NBN Co is a Commonwealth Company with an independent Board, which is the accountable authority and responsible for remuneration decisions.

The Report indicates for FY23 the Board approved STI award pool funding at 80 per cent of the maximum STI, at a total cost to NBN Co of \$5.2 million.


It is the NBN Co Board's view that these payments are a balance of reasonable reward for meeting defined objectives, where achievement is genuinely at risk, with industry remuneration, and community expectations.

s47C



**Background**

47C, 1 page following also removed in entirety




Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**OFFICIAL**

QB23-000134

**REGIONAL COMMS - IMCR LOCATIONS**

s22(1)(a)(ii), 8 pages following also removed in entirety



Cleared by: Karly Pidgeon  
Division: DIV - Communications Services and  
Consumer  
Created: 30 January 2023  
Last Updated: 19 October 2023

1


Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

**OFFICIAL**

**QB23-000134**

**Background**

47C, 1 page following also removed in entirety



**10**

Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts


**BROADCAST – ADVERTISING TO CHILDREN**

**QUESTION: What is the Government’s plan to protect children from harmful advertising practices? (Junk food, Gambling, Alcohol, Big Tech, Intimate products)**

I know there are real concerns in the community around advertising, especially advertising directed at children. The reasonable expectations of Australians is that marketing, advertising and media platforms respect community standards and act responsibly when it comes to advertising.

The Australian Communications and Media Authority administers a number of broadcasting codes of practice that provide rules designed to limit children’s exposure to inappropriate and harmful products, such as alcohol and gambling.

s22(1)(a)(ii)



I also welcome the Australian Association of National Advertisers’ (AANA) updated Children’s Advertising Code, which will provide new protections around advertising directed at children on all media platforms.

The Government is committed to advertising that respects community standards and will continue to work with industry and stakeholders to ensure advertising to children reflects community standards.

**QUESTION: What is the Government doing about gambling advertising to children? When will the Government respond to the Online Gambling Inquiry's report?**

I am, like many Australians, concerned about the extent and impact of gambling ads. I have made it clear that the status quo will not continue.

The Government welcomes the report of the House of Representatives Inquiry into online gambling and its impact on those experiencing gambling harm,

s22(1)(a)(ii)

The Committee's recommendations will underpin Government's consideration of what further reforms are required to reduce gambling harms.

We believe a harm minimisation approach needs to consider the multiple channels over which advertising is delivered – which include television, radio, streaming services, outdoor advertising, branding and social media.

That is why the Government is considering the full suite of evidence gathered through the House of Representatives Inquiry final report before proposing changes.

s22(1)(a) Government is committed to reducing harms associated with online gambling and I, along with the Minister for Social Services, look forward to outlining our next tranche of reforms in due course.

**QUESTION: What is the Government doing to stop junk food advertising to children? Will the Government support Sophie Scamps Private Member Bill?**

We are aware of concerns around the impact of marketing and advertising of unhealthy foods to children.

This is why – under the Health portfolio – the Government has invested nearly \$500,000 in a feasibility study to examine the current landscape of unhealthy food marketing to children and consider options for implementing restrictions in Australia.

The study will examine the evidence on approaches to restrict marketing and advertising to children across different settings including television and online.

This will provide a better understanding of the regulatory and non-regulatory options available to limit such marketing and advertising to children, as well the costs and benefits of these options, with recommendations to be provided to Government. The final report is due by June 2024.

**QUESTION: What is the Government doing to stop alcohol advertising to children?**

The Government is committed to keeping Australian children safe..

We are committed to the *National Alcohol Strategy 2019-2028* – a framework to prevent and reduce alcohol-related harm. It includes a priority area of focus aimed at reducing opportunities for promotion and pricing which contribute to risky alcohol consumption.

Alcohol advertising is regulated by several intersecting codes and standards, with a regulatory backstop under the *Broadcasting Services Act 1992*.

The Australian Communications and Media Authority administers a number of broadcasting codes of practice that provide rules designed to limit children's exposure to inappropriate and harmful products, such as alcohol.

The Commercial TV Code, for example, currently limits alcohol advertising to during the M and MA15+ classification zones.

Members of the public may contact the relevant peak industry body to raise their concerns and to enquire about how they can contribute to future review processes.

The Alcohol Beverages Advertising Code Scheme (ABAC) also administers a code of practice that prohibits the marketing of alcohol to minors on all platforms.


I welcome ABAC's undertaking to set up a working group of technical experts to update its digital alcohol marketing best practice guide.

s22(1)(a)(ii), 2 pages following also removed in entirety



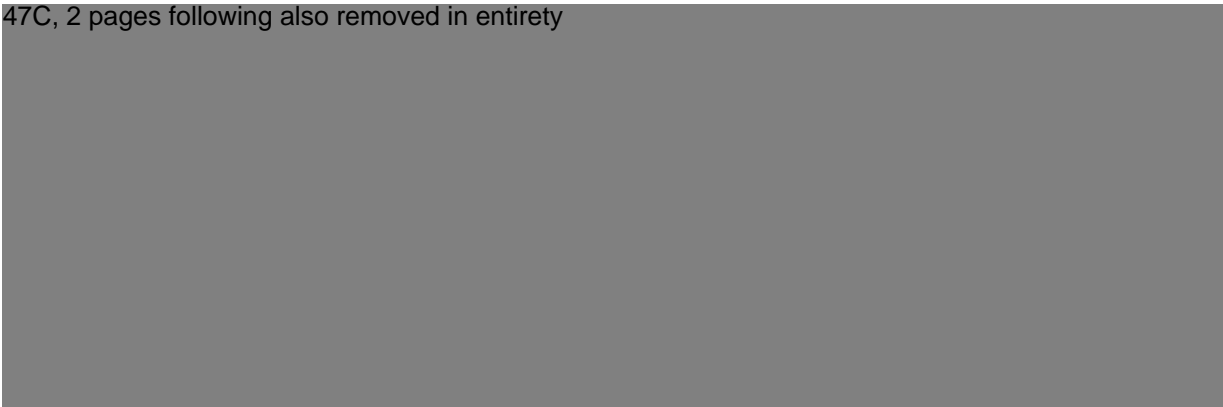


s22(1)(a)(ii)



**Background**

47C, 2 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

## **SBS – RELOCATION**

On 27 April 2023 the s22(1)(a)(ii) Government released the terms of reference and announced the steering committee for the SBS Relocation Feasibility Study into the possible relocation of the Sydney-based headquarters and studios of SBS to Western Sydney.

The feasibility study will examine the business case for relocating the nation's multicultural broadcaster to Western Sydney, which is one of Australia's most diverse and fast-growing areas.

It will be an opportunity to consider the future needs of the SBS, and the potential to create construction jobs and improve cultural investment in Western Sydney.

A central element of the Study is that it will examine the provision of a co-located public multi-purpose space for content creation. This space would be made available for use by local community groups and not-for-profit organisations.

The feasibility study will:

- examine the business case, benefits, and costs of relocating SBS facilities from Artarmon to Western Sydney;
- assess the benefits of providing a co-located multi-purpose space for content creation and public use; and
- incorporate a competitive bidding process between local government areas to choose an optimal relocation site.

To oversee the feasibility study, a steering committee has been established, chaired by Mr Mike Mrdak AO, former Secretary of the then-federal Communications and the Arts, and Infrastructure Departments.

Mr Mrdak brings a wealth of experience to this role.

The steering committee also includes:

- Ms Daryl Karp AM, Director and CEO of the Australian National Maritime Museum;
- Mr Mark Ramsey, Chief Executive Officer of Vecor Technologies;
- the SBS Managing Director, Mr James Taylor; and

- the First Assistant Secretary, Online Safety, Media and Platforms

Division from the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

If relocation is found to be feasible on a preliminary basis, a public Expression of Interest process would then be conducted, with the results expected in 2024.

Any decision on relocation is ultimately a matter for the SBS Board, taking into account the Board's role, duties and obligations under the *Special Broadcasting Service Act 1991* and the *Public Governance, Performance and Accountability Act 2013*.

s22(1)(a)(ii)

– and has committed to provide the SBS with five-year funding terms so it has greater stability as it delivers on its Charter for all Australians.

**QUESTION: Is SBS going to be relocated to Parramatta alongside the proposed ABC Offices?**

The announcement by the ABC to relocate approximately 300 employees to Parramatta by 2024 is an independent decision of the ABC that is separate to, and independent of, the Government's decision to commission an SBS relocation feasibility study.

**QUESTION: Did the ABC consult with SBS about relocating with it to Parramatta?**

I understand that the ABC has discussed colocation opportunities with SBS but that the space that could be made available to SBS at Parramatta would not meet the operational requirements of SBS.

***[If asked about relocating SBS to Melbourne]:***

The s22(1)(a)(ii) Government went to the election with a policy of commissioning a feasibility study into the relocation of SBS to Western Sydney.

SBS already has premises in Melbourne – located in Federation Square – and the Feasibility Study will not include consideration of additional sites in Melbourne.

SBS has both operational and editorial independence and the location of the SBS is a matter for the SBS Board.

***[If asked – What is the timetable for reporting on the feasibility study?]***

The steering committee will examine the issues in close detail and a preliminary finding on whether or not relocation is feasible is anticipated in late 2023.

If relocation is found to be feasible on a preliminary basis, a public Expression of Interest process will then be conducted with the results expected in 2024.


***[If asked about cost of relocating SBS]:***

It would be pre-emptive to comment on the potential cost of relocating the SBS, or related matters, before the feasibility study is completed.

As the Budget 2022-23 confirmed, the Government will provide \$1.0 million over two years from 2022–23 for the feasibility study into relocating the SBS from Artarmon to Western Sydney.

The cost of this will be met from within the existing resourcing of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

s22(1)(a)(ii)



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

A quarter of a century later, other TV networks have relocated and SBS is a distinctive, dynamic and successful multiplatform digital broadcaster that stands on its own two feet.

The s22(1)(a)(ii) Government will examine how a relocation could benefit the multicultural broadcaster and Western Sydney alike.


My department is conducting the study, which is being led by a steering committee, in close consultation with SBS, and more information on the terms of reference is available on the department's website.

The steering committee has advised me that it is conducting targeted consultation with key stakeholders, to assess initial feasibility as to any proposed relocation.

The steering committee will be holding meetings with Willoughby council and key western Sydney councils throughout October and November 2023.



s22(1)(a)(ii)



s47C


As part the of the design of the Feasibility Study, the department has engaged a probity adviser, the Australian Government Solicitor, who has developed a probity framework for the project.

This Probity Framework, which is available on the department's website, applies to all persons involved with the feasibility study, and will ensure all interested parties are treated fairly and equally. Its implementation is monitored by the Australian Government Solicitor.

The terms of reference and more information on the study are available on the department's website – and information will be made available to interested parties via the website as updates are available.

***If asked about the SBS Staff Survey, released 4 September 2023***

SBS has advised me that it recently launched a staff survey to assist with the study.


As Australia's most diverse broadcaster, the work that SBS does providing multilingual, multicultural and First Nations television, radio and digital media services to Australians matters.

This work couldn't be done without talented employees who are able to showcase the diversity of Australia.

I am looking forward to hearing the views of SBS staff from the survey.

**Background**

47C, 5 pages following also removed in entirety



**CLASSIFICATION REFORM****QUESTION: Why is the Government changing the classification system?**

Australians rely on classification to make informed media choices, especially when it comes to what content to show their kids. They need to have confidence in the classification system as a trusted source of information to guide their media choices – regardless of platform.

Successive reviews, including the Stevens Review in 2020, have found that the classification system is long overdue for reform as it has not kept pace with significant changes in the media environment.

In March this year, the Government announced a two stage reform process to prioritise immediate improvements to the classification framework, while comprehensive reforms for a modern framework are developed.

On 22 June this year, the Government introduced a Bill to enact the first stage of classification reforms. The legislation received Royal Assent on 14 September 2023, and will commence in early 2024.

The legislation:

- expands options for industry to self-classify content, supported by stronger oversight from the Classification Board, to encourage greater industry compliance,
- expands classification exemptions for low-risk content to increase community access to cultural content, and
- removes the need to re-classify content that has already been classified for broadcast television.

In the meantime, the Classification Board continues its important work.

Most recently, the Classification Board has updated consumer advice to ensure Australians are better informed about whether a film contains potentially triggering content such as bullying, suicide and self-harm, as well as disturbing content related to horror, or blood and gore.

The second stage of classification reforms will deliver comprehensive reform to the Scheme, including potential changes to clarify its purpose and scope, and establish fit-for-purpose regulatory and governance arrangements.

Consideration will also be given to classification criteria and responsiveness of the Scheme to evolving community standards and expectations. Consultation on this stage of reforms will commence later this year.

**QUESTION: What is the Government's plan to regulate simulated gambling/loot boxes and in-game purchases?**

The Government is aware of growing community concern about children accessing gambling-like content in computer games and the potential harms associated with these products, and we are taking action.

On 23 September, I announced that s22(1)(a) mandatory minimum classifications for computer games containing gambling-like content s22(1)(a)(ii) from September 2024, following unanimous agreement from the states and territories.

An R 18+ (Restricted) classification for 'simulated gambling' will legally restrict children accessing these games.

- This content is not suitable for persons under the age of 18. Proposed changes align with current age-based restrictions for real-world gambling.

An M (Mature) classification rating s22(1)(a)(ii) games containing 'loot boxes' that can be purchased.

- This rating sends a clear message to parents and carers about the age of suitability of games with paid loot boxes, and highlights that there are risks associated with these products which they should consider before allowing the children in their care to engage with them.

These ratings go further than what Neville Stevens recommended in his Review (which was PG for paid loot boxes, and MA 15+ for simulated gambling), informed by the findings of recent research commissioned by my department. It is a strong, and evidence-based approach.

But recognising that the classification framework is one avenue to address harms associated with gambling-like features in computer games, I have also asked the department to consider non-classification options and industry-led measures. The Government is also monitoring the industry-led approach in the United Kingdom.

The House of Representatives Standing Committee on Social Policy and Legal Affairs also recently inquired into online gambling and its impacts on those experiencing gambling harm. The Inquiry Report acknowledged that the

proposed mandatory minimum classifications were a positive first step in minimising potential harms from these products.

***If asked: Will industry self-classification compromise the integrity of the classification system?***

Industry self-classification has long-applied to free to air broadcasters under the *Broadcasting Services Act 1992*.

This model has been working well and I am confident it can be effectively applied to the classification of films and computer games.

Expanding options for industry to self-classify content will reduce costs and classification timeframes for industry, and make it easier for them to comply.

Industry classifiers will be trained and accredited by the Government and the Classification Board's powers will also be extended to provide quality assurance of industry-self classification decisions, to safeguard the scheme.

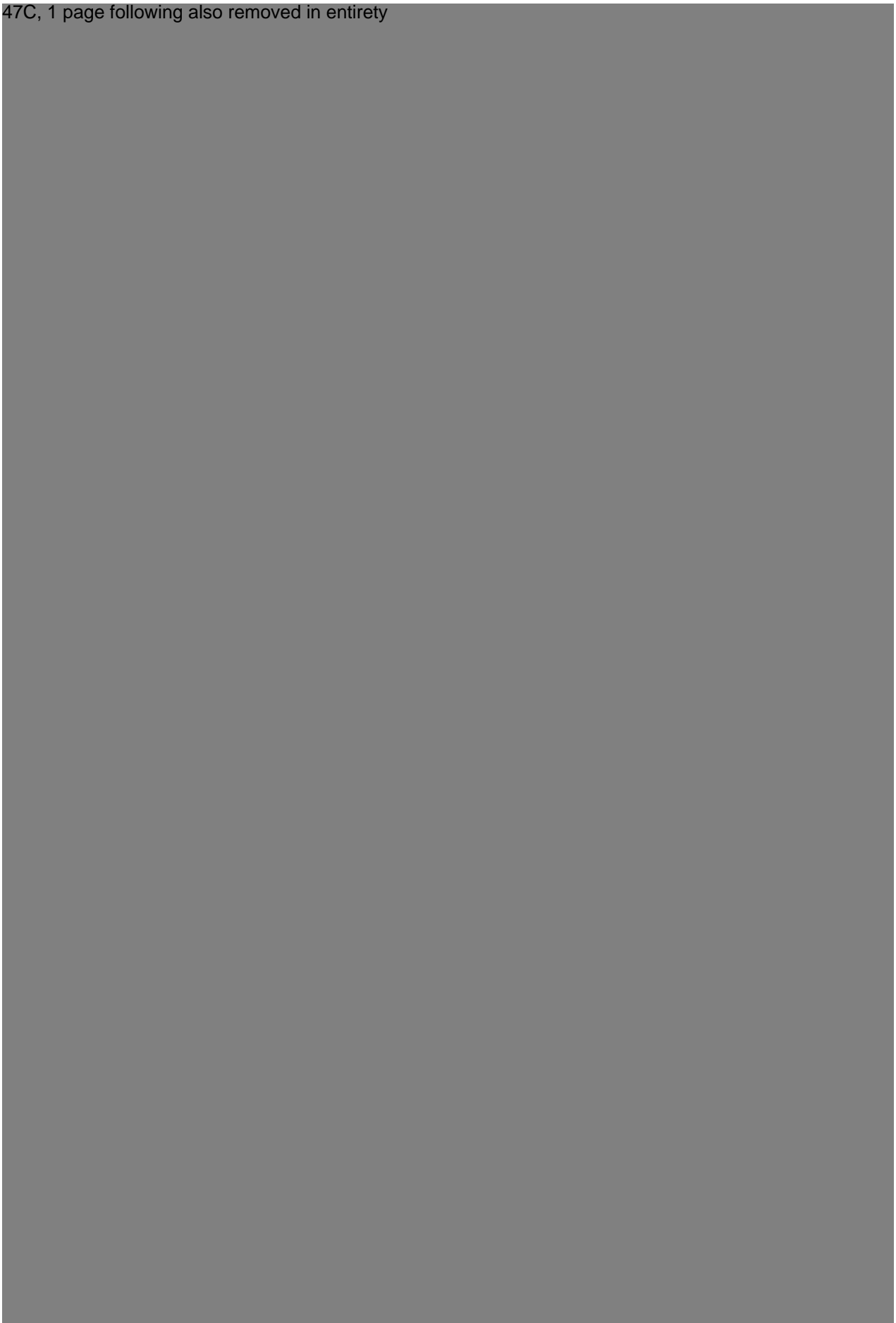
***If asked: about specific decisions of the Classification Board in relation to publications***

Refer to QB23-000897 – Classification of Publications: Gender Queer



**Background**

47C, 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**ONLINE SAFETY – GOVERNMENT RESPONSE TO HAMAS MATERIAL ON  
ONLINE PLATFORMS**

**QUESTION: What is the Government doing about violent material online?**

The Australian Government recognises that there will be individuals and families in Australia who are deeply affected by the Israeli-Palestinian conflict. Further, we are mindful of the risk that Australians may be exposed to violent and distressing online content.

The s22(1)(a)(ii) Government is committed to the safety and wellbeing of all Australians.

On 19 October 2023, the Government announced funding for a range of measures to support Australian communities affected by the Hamas attacks on Israel and the ongoing conflict.

This included \$6.7 million over four years to provide additional resources and build IT capability for the eSafety Commissioner to investigate referrals relating to violent and terrorist online content.

The Australian Government is working closely with regulators, including the eSafety Commissioner and the Australian Communications and Media Authority, law enforcement and intelligence agencies, telecommunications platforms and digital platforms to protect Australians from harmful online content.

I have also written to the major internet hosting and content service providers operating in Australia, as well as to their peak body Digital Group Industry Inc. (DIGI), and the Global Internet Forum to Counter Terrorism about online safety threats in this current environment. I made it clear that the Australian Government expects industry to proactively assist in detecting and preventing the spread of distressing violent and pro-terror content, and reminded them of their obligations under Australian law.

I have met with the eSafety Commissioner, who has published a fact sheet on the eSafety website outlining what Australians – including parents – should do if they, or their children, encounter violent or distressing material online.

Australians should not post, repost or share abhorrent violent material or hate speech. Members of the public wishing to report abhorrent violent material or

hate speech circulating online should report it to the digital platform directly using the 'report' buttons, and can also make a report to the eSafety Commissioner at [eSafety.gov.au](https://www.esafety.gov.au).

Under Australian law, the eSafety Commissioner can issue a takedown notice to a platform to remove the content, or block access to protect Australian users from viewing this content.

If you have concerns about possible signs of terrorism in the community, or terrorist and violent extremist content online, reports can also be made to the National Security Hotline on 1800 123 400.

**QUESTION: What should Australians do if they see violent material online?**

If you see violent or terrorist content posted online, please don't share it further. Even if your intention is to help or raise awareness, you may cause distress to others.

If you see violent, distressing or harmful material, make a report to the platform or service where it is available. Reports to the service help get the material removed quickly. Your actions could protect you and others from seeing that content again.

If the material is not removed, or if it's seriously harmful, you can make a report about terrorist and extreme violence to the eSafety Commissioner at [esafety.gov.au](https://esafety.gov.au).

Under Australian law, the eSafety Commissioner can issue a takedown notice to a platform to remove the content, or block access to protect Australian users from viewing this content.

Reports about terrorist and extreme violent content can also be made over telephone to the National Security Hotline on 1800 123 400.

If you are concerned about family or loved ones in Israel or the Occupied Palestinian Territories, emergency consular assistance is available through the Australian Government's 24-hour Consular Emergency Centre.

**QUESTION: What can parents and carers do to protect children from this material?**

Parents may feel that they want to take extra precautions against their children seeing disturbing content online at this time.

The eSafety Commissioner's website has helpful resources on how to get started with parental controls in social media, games, and apps and on devices. These controls can help parents restrict access to places online where there is a higher risk of seeing disturbing content. There is also advice for young people on what they can do themselves.

**QUESTION: What if platforms don't remove this material?**

The eSafety Commissioner has a range of enforceable options to compel platforms to remove or block access to this material.

The Online Safety Act establishes an Online Content Scheme, which regulates harmful online content. Under the Online Content Scheme, the eSafety Commissioner can notify a service provider of the existence of material that promotes, incites or instructs in matters of crime or violence on its service; and order the removal of that content within 24 hours.

Failure to comply with a blocking or removal notice is punishable by fines of up to 500 penalty units (currently \$156,500 for an individual and \$782,500 for a corporation).

Where an order for removal is not complied with, eSafety may exercise other powers to have the content removed or made inaccessible. For example, the eSafety Commissioner may:

- Order an internet service provider to block access to a website within 24 hours;
- Issue a link deletion notice to a search provider; or
- Issue an app deletion notice to an app store.

Additionally, eSafety may issue a blocking or removal notice in for materials that promote, incite, instruct in, or depict, abhorrent violent conduct – that is, engaging in a terrorist act, murder or attempted murder, torture, rape, or using violence to kidnap a person. Failure to comply may result in a civil penalty of up to 500 penalty units.

Furthermore, failure of a company to remove abhorrent violent material produced by a person engaging in the act, or their accomplice, as soon as they become aware of it is also an offence under the *Criminal Code Act 1995*. This is punishable by a fine up to 50,000 penalty units (currently \$15.650 million) or 10% of their annual turnover (whichever is greater).

QB23-000900

If the conduct depicted is happening in Australia, service providers must also report this to the Australian Federal Police or risk fines of up to 4,000 penalty units (currently \$1.252 million).

**QUESTION: What action has the eSafety Commissioner taken to respond to the crisis?**

eSafety is working in collaboration with my department, other government agencies, law enforcement, industry, and other stakeholders.

eSafety is working closely to monitor reported content with the Department of Home Affairs' National Situation Room under Australia's domestic crisis response protocol for online terrorist and extreme violent content – the Online Content Incident Arrangements.

eSafety has contacted online providers about their readiness to respond, and will continue to reach out regarding any content detected.

Given the potential for the situation to change quickly, eSafety is continuing to monitor the situation, including the reports and questions they are receiving online, and will adjust its messaging as needed.



eSafety is providing information through its social media channels on what to do if you see distressing online content and how to report to eSafety, and promoting its website resources. The eSafety Commissioner has also published a fact sheet on its website outlining what Australians – including parents – should do if they, or their children, encounter violent or distressing material online.

eSafety is also providing information through schools and the community. Information support to the community is being coordinated through its 28 Trusted eSafety Providers, 69 education stakeholders including Kids Helpline, ReachOut and Headspace, and 902 eSafety champions who take a leadership role on online safety in their schools.

In addition, eSafety is providing guidance to support the government, independent and Catholic school sectors through its National Online Safety Education Council.

**If asked about platform staffing cuts**

Since late 2022, around three quarters of X staff have been let go, including from content moderation areas. In February, X confirmed that it no longer has a public policy presence in Australia.

Meta flagged in late 2022 that it is cutting over 11,000 jobs globally. Other platform and tech companies have also announced staffing cuts. This includes Snap, which operates Snapchat, Microsoft, Google and Amazon.

As private companies, platforms are able to make decisions about their staff, however, it raises questions about the platforms' ability to moderate and respond to reports of harmful content on their services in Australia. We are closely monitoring the potential impacts of these staffing cuts.

Keeping Australians safe online is a shared goal across government, industry and civil society. The Government's expectation is clear – platforms must keep their users safe, and the Government will not hesitate to take regulatory action should Australian users be at risk.

QB23-000900

Background

s47C



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**DIGITAL PLATFORMS - MISINFORMATION ON THE VOICE AND POLITICAL ADVERTISING****QUESTION:** s47C


Work on the Misinformation and Disinformation Bill is separate to the referendum, and arises out of a 2019 recommendation by the ACCC on the need for enforcement powers in this area.

s22(1)(a)(ii)

As the chamber will be aware the Joint Standing Committee on Electoral Matters (JSCEM) is considering how to enhance the integrity and transparency of the electoral system. The Government will consider the recommendations put forth by JSCEM in its final report as we move towards electoral reforms.



s22(1)(a)(ii), 1 page following also removed in entirety

s22(1)(a)(ii)



**QUESTION: How does the proposed Misinformation and Disinformation Bill differ to Truth in Political Advertising?**

The measures set out in the draft legislation are focused on improving the transparency and consistency of platform efforts to address mis- and disinformation, s22(1)(a)(ii)



The Bill is focussed on material that is provided on a digital service and may be spread at scale, not posters or corflutes that can be utilised during political campaigning.

The Bill will encourage digital platform providers to have robust systems and processes in place to address seriously harmful mis- and disinformation on their services.

The ACMA will not be targeting individual users or pieces of content - they will not be able to remove or request removal of individual posts, and will not have a role in determining what is true or false.

The code and standard making powers in the Bill would not apply to electoral or referendum communication, such as advertising, that is required to be authorised under the Commonwealth Electoral Act 1918 and the Referendum (Machinery Provisions) Act 1984.

Commonwealth electoral legislation prevents voters from being misled about the process of voting and requires the authorisation of electoral advertising. Those electoral requirements would not change with the proposed Bill.

In its interim report on the conduct of the 2022 Federal election and other matters, the Joint Standing Committee on Electoral Matters (JSCEM) recommended the introduction of laws to regulate ‘truth in political advertising’, giving consideration to the South Australian model.

Truth in Political Advertising, as evidenced by the South Australian model, is focused on individual pieces of content. This content is not only on digital platforms, but other mediums such as broadcast TV and Radio, print and online services.

**QUESTION: What is the eSafety Commissioner doing to keep Australians safe online in the aftermath of the Voice Referendum?**

On 28 March 2023, the eSafety Commissioner released research showing Indigenous Australians are three times more likely to experience hate speech online than the national average.

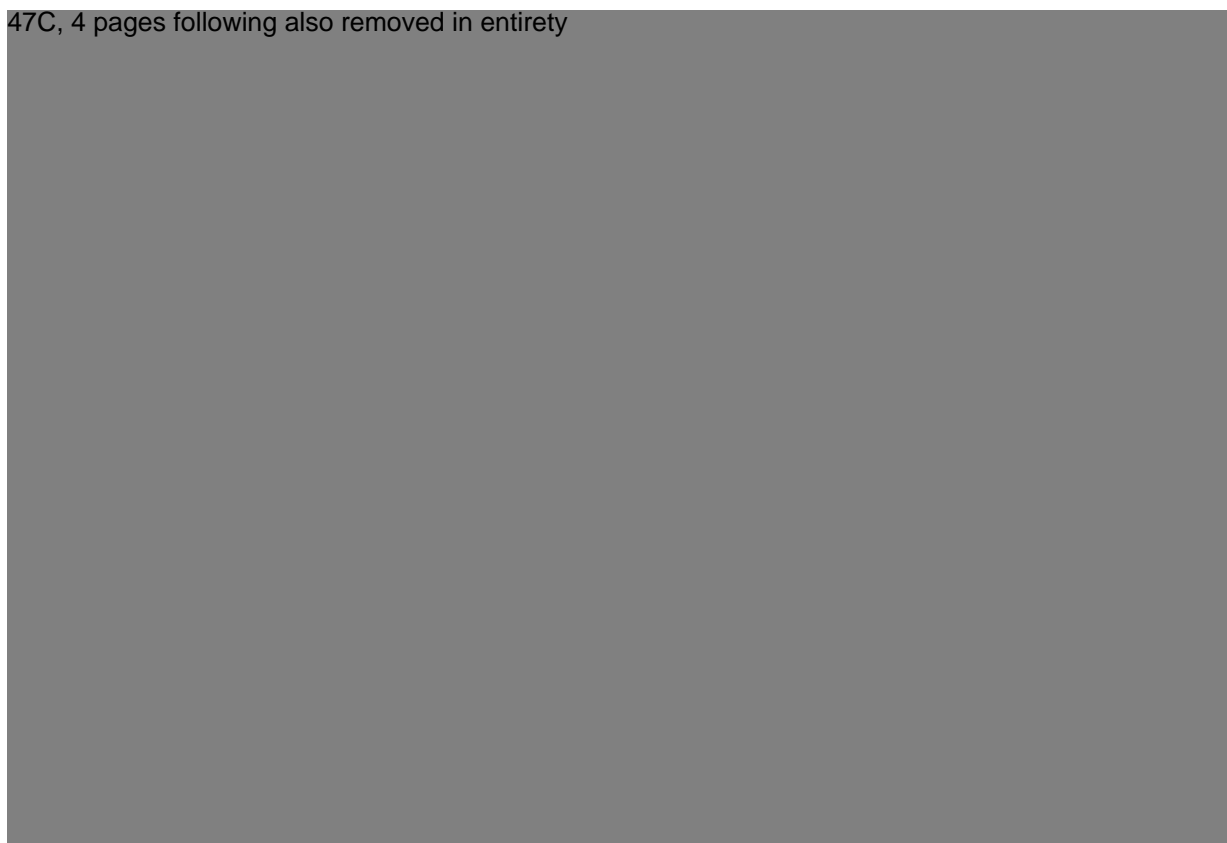
The *Online Safety Act* provides eSafety with powers to address seriously harmful abuse of adults, cyberbullying of children and the non-consensual sharing of intimate images. The Act also allows eSafety to respond to offensive and illegal content.

eSafety's work is in addition to other efforts across Government on the Referendum including the work of the Australian Electoral Commission in combatting disinformation relating to Referendum processes and voting and the Electoral Integrity Assurance Taskforce which protects the integrity of Australia's democratic processes.

The Government is also considering what more can be done to address group hate speech online.

#### **Background**

47C, 4 pages following also removed in entirety





**BROADCAST: MEDIA REFORM – ANTI-SIPHONING**

**QUESTION: Why has the Government released the anti-siphoning review proposals paper?**

**QUESTION: What are the next steps in the anti-siphoning review?**

**QUESTION: Will the Government guarantee free access to view all major sporting events?**

On 19 August 2023, the s22(1)(a)(ii) Government released a proposals paper as part of the next stage of the review of the anti-siphoning scheme and list.

The reforms outlined in the paper will help to ensure that iconic sports – including the Olympic Games, cricket, AFL and NRL – continue to be s22(1)(a)(ii) for free.

The Government committed to reviewing the scheme in the context of the 2022 election, recognising that the market in which sporting events are televised and consumed by audiences is rapidly evolving.

The review – which the Government initiated in late 2022 – has found that the core objective of free access to important events remains sound, but that the

scheme needs to be modernised to incorporate online services, which are not regulated under the current scheme.

The proposals paper outlines three possible models to address this regulatory gap, and the primary focus of each is the extension of the scheme to online media.

The Government's preferred approach to the reform of the scheme is the 'broadcasting safety net' model, which affirms the role of broadcasting services as the 'safety net' for free access to nationally important and culturally significant sporting events for all Australians.

This model would prevent streaming and other online services, along with subscription broadcasters, from acquiring a right to provide coverage of an event on the anti-siphoning list until a free-to-air broadcaster has a right to televise the event on a free-to-air broadcasting service.

Changes to the scheme can't be considered in isolation from the list, and the review has found that there is a case to consider the composition of the list with respect to women's sports events and Para-sports.

Submissions to the proposals paper will inform the development of legislation to modernise the anti-siphoning scheme and list, which will be introduced to the Parliament.

**QUESTION: How will the changes to the anti-siphoning scheme and list impact women's sport?**

**QUESTION: Will the proposed changes to the anti-siphoning list provide parity between men's and women's sports?**

The Australian Government recognises the importance of televised coverage of women's sports. We've recently seen the positive impact that sport can have in our country with the games of the Matildas as part of the 2023 FIFA Women's World Cup.

The anti-siphoning list is currently skewed towards men's sport, and the review has found that there is a case to address this issue.

The anti-siphoning review proposals paper includes three options for the making of a new list, and each option takes a more inclusive and representative approach to women's sports by including men's and women's

international cricket, rugby league, rugby union and soccer matches that involve a senior Australian representative team.


The s22(1)(a)(ii) Government has amended the anti-siphoning list to include future matches of the FIFA Women's World Cup, so we are already making progress on comparable listings for these sports, regardless of whether it is men or women that are wearing the 'green and gold'.

The Government's preferred list option – the modernised list – would also include the finals of the NRL Women's Premiership, the finals of the AFL Women's Premiership and the NRL Women's State of Origin series, recognising the growing importance of these events on the Australian sporting calendar.

The inclusion of events on the anti-siphoning list does not guarantee free access to iconic sporting events. But the Government's preferred model does provide free-to-air broadcasters with the first opportunity to acquire the rights and provide free coverage to all Australians.

**Background**

47C, 3 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**BROADCAST – REGIONAL AND REMOTE ISSUES****REGIONAL AND REMOTE ISSUES – Government Approach**

**QUESTION: Will the Government reform media control rules for regional media?**

**QUESTION: Does the Government commit to equality of television service provision for regional Australians?**

A diverse and competitive media market is essential in the functioning of Australia's democratic institutions and processes. Too few news media voices can impede the ability of the fourth estate to hold those in power to account and inform Australians about the events that impact their daily lives.

The Government is developing the News Media Assistance Program (News MAP) as a principles-based and evidence-informed framework to guide Government intervention to support the news media sector, including in regional Australia.

The Government is implementing initiatives to support the sustainability of the Australian media sector, including 5-year funding terms for the national broadcasters, an additional \$4 million per annum, ongoing, for community broadcasting and support for public interest journalism with \$20 million

towards the Journalist Fund, for regional media cadets, and the Regional and Local Newspaper Publishers Program.

We are also committed to ensuring that all Australians – particularly those in regional and remote areas – can access television services. Where terrestrial television reception is not available, the Viewer Access Satellite Television (VAST) safety net service is funded and currently provides services to over 250,000 premises, primarily in regional and remote Australia.

The Government will extend funding to continue the VAST service across regional and remote Australia for a further seven years to 30 June 2031, providing commercial free-to-air television to over 1.5 million Australians. Additional funding is being provided in 2023-24 for the VAST service that covers Eastern Australia.

Funding is also being provided in 2023-24 to initiate work to assess the state of broadcasting transmission and reception equipment in remote and regional Australia. This work will look at gaps and deficiencies in service provision, with a particular focus on First Nations communities.

The Government will also continue to engage with the Future of Broadcasting Working Group to further support regional and remote broadcasters as part of a commitment to equality of TV services for all Australians.

This Government will be principles-based, evidence-informed and consultative in supporting support local news, community media and jobs.

***If asked:* Will the Government reduce spectrum tax for regional broadcasters to help ease their cost pressures?**

The Government recognises the challenges faced by the Australian media sector to continue to produce Australian content and deliver local news, particularly in regional areas.

Nineteen regional broadcasters are receiving \$9.5 million in support over two years from 2022-23. This support will be delivered as a rebate on the Commercial Broadcasting Tax paid by broadcasters for the spectrum that they use. This rebate continues the support provided to eligible broadcasters since 2017.




The Australian Communications and Media Authority reviewed the Commercial Broadcasting Tax in 2021 and recommended the tax should be maintained. The Government will consider the future of the tax in the context of broader media reforms. Charging for spectrum promotes its efficient use and reflects its value as a finite resource.

### **REGIONAL AND REMOTE ISSUES – Access to Television Services in First Nations Communities**

**QUESTION: What is the Government doing about the lack of access to free-to-air television services in remote First Nations communities?**

The s22(1)(a)(ii) Government recognises the importance of television services for local communities.

s22(1)(a)(ii)



A recent study by the Royal Melbourne Institute of Technology (RMIT) has reportedly found that up to 80 per cent of households in some First Nations communities have no working free television service. I understand this figure is for one area in the Northern Territory.

The Government is considering access to communications services for First Nations Australians through the work of the First Nations Digital Inclusion Advisory Group. The members of the Advisory Group each bring a range of experiences, knowledge and expertise across fields such as broadcasting and media, digital inclusion, data, telecommunications and online safety.

The Advisory Group has provided its initial report to me and this was released publicly on Monday, 23 October. The report recommends the delivery of targeted measures to improve access to affordable and reliable connectivity and to help support First Nations people have the digital skills they need to be safe online, and aware of their connectivity options.

The report will be considered by the Government as it continues to work in partnership with First Nations people to remove the barriers to full participation in our digital society.

Further, the VAST safety-net ensures around 1.5 million people in rural and regional Australia, including First Nations communities, have access to commercial free-to-air television.

The Australian Government is providing \$14.6 million in 2022-23 and \$15.7 million in 2023-24 to deliver the VAST service.

Over \$172 million has been committed to deliver commercial free-to-air content on the VAST service since it commenced (2009-10 to 2023-24).

Current VAST funding agreements expire on 30 June 2024. The Government will continue to fund the VAST service to 30 June 2031. Work on extending the arrangement will commence immediately.

Additionally, the Government is undertaking work in 2023-24, in close consultation with key stakeholders, to assess the state of broadcasting transmission and reception equipment in remote and regional Australia. A key focus of this work is television transmission and reception in First Nations communities, noting the critical nature of issues impacting access.

This work is looking to identify and quantify the gaps and deficiencies in television transmission and reception infrastructure in remote and regional areas of Australia. This is intended to support ongoing access to high quality broadcast television services for these communities.

**QUESTION: What is the Government doing to support Imparja's financial issues?**

I have met with Imparja to discuss these issues. My department has also met with Imparja.

The Government will provide additional funding for the VAST service that covers Central and Eastern Australia in 2023-24. These services are operated by a joint venture between Imparja and Southern Cross Austereo.

**QUESTION: What is the Government doing to support the provision of Mildura Digital Television?**

I have received correspondence in relation to the provision of Mildura Digital Television and my department has also met with MDT.

I acknowledge the significant, structural issues that are affecting the provision of broadcasting services in regional areas of Australia, and the difficulties of operating commercial broadcasting services in this environment.

The Government is considering options to support the provision of television broadcasting services to audiences in regional and remote Australia, and is in dialogue with MDT about their issues.

**REGIONAL AND REMOTE ISSUES – Access to Commercial Television Services in Eidsvold, Queensland**

**QUESTION: What is the Government doing to ensure communities such as Eidsvold in Queensland can continue to access Free to Air TV?**

Free-to-air television broadcasting is a core part of life for so many Australians, especially in regional communities.

Regional audiences, particularly in areas with poor internet connectivity, rely heavily on television for their news and entertainment.

The Federal Government generally doesn't fund terrestrial television towers, but it does fund access to television services through the Viewer Access Satellite Television (VAST) service.

VAST provides access to television and radio services to viewers who are unable to receive adequate digital television reception from existing terrestrial towers.

Officers from my Department and the Australian Communications and Media Authority have contacted the Mayor of the North Burnett Regional Council to advise that residents of Eidsvold can access commercial free-to-air television

through VAST and arrangements to apply for the service. s22(1)(a)(ii)

Television is a key platform that unites and connects the nation, and I appreciate its importance to all Australians.

**QUESTION: What is the Government doing to direct more Government ad spend to regional media / to respond to ACM / CPA open letter to the Australian Government?**

s22(1)(a) Government will be principles-based, evidence-informed and consultative in supporting support local news, community media and jobs.

In 2023, we are developing the News Media Assistance Program (News MAP) as a principles-based and evidence-informed framework to guide Government intervention to support the news media sector, including in regional Australia.

The issues raised by regional newspaper publishers about the direction of Government ad spend are, among other things, being considered as part of the News MAP development process.

Here I note that the Government's ad spend in regional newspapers has substantially exceeded the target of a minimum 20 per cent of all print advertising, as recommended by the 2022 Inquiry into Regional Newspapers over the last several years.

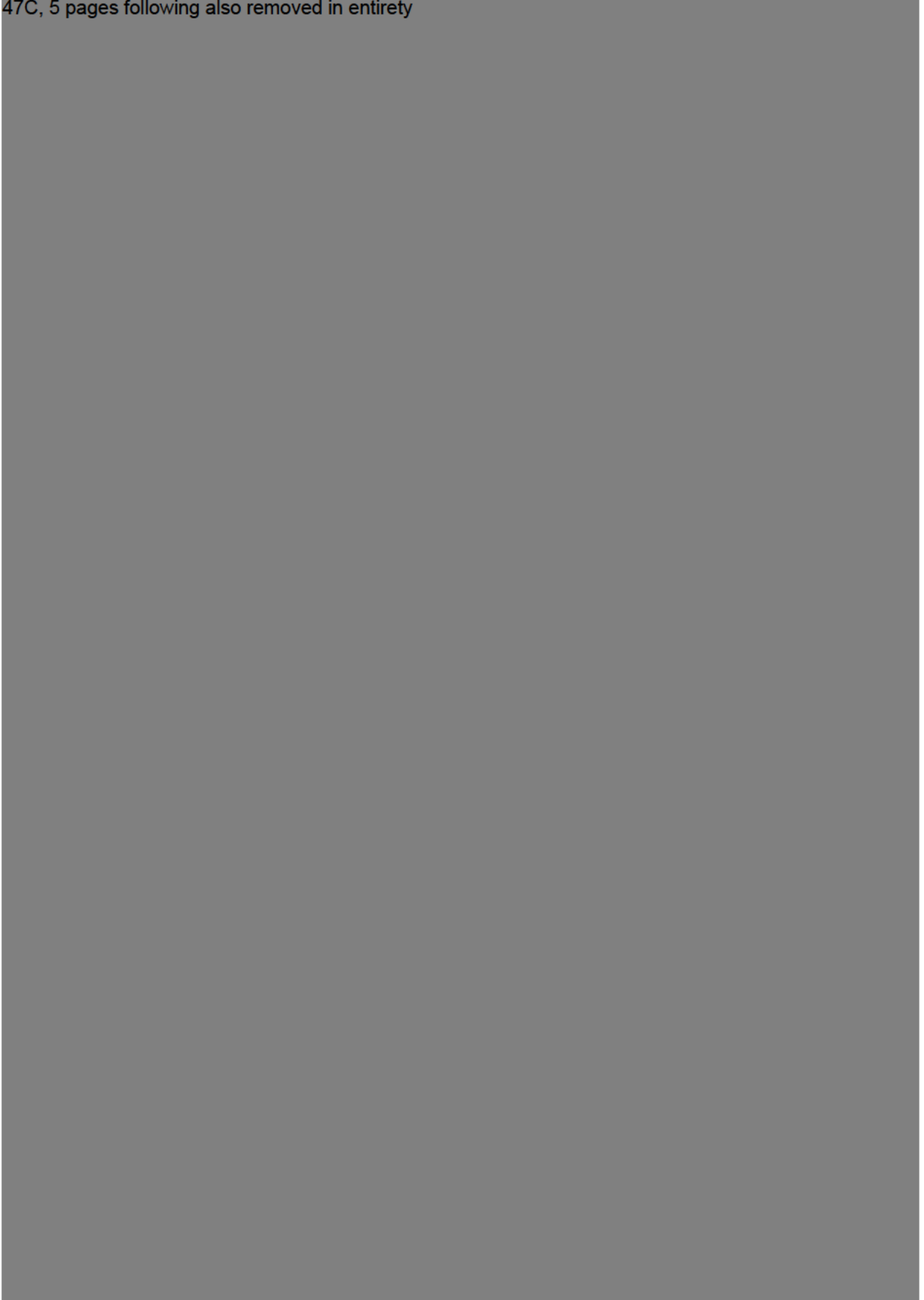
However, the matter is under consideration and to that end, I have met with news publishers and my Department has received a briefing from the Department of Finance.

I look forward to further engagement with the sector on these issues over the remainder of this year as well as while as the News MAP is developed.



**Background**

47C, 5 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**PLATFORMS AND NEWS - GENERATIVE AI**

**QUESTION: What is the Government doing to counter online harms created by generative AI?**

AI presents immense opportunity to drive economic growth and productivity across the Australian economy.

McKinsey has forecast that automation, including AI, could cumulatively add between \$1.1 trillion and \$4 trillion to the Australian economy by the early 2030s.

But the speed of innovation also means that AI presents potential new risks including, algorithmic bias, data privacy and security, the rapid spread of misinformation and deepfakes.


My colleague, the Minister of Industry, Ed Husic MP, released a discussion paper 'Safe and responsible AI in Australia', on 1 June 2023.

The paper sought feedback on governance mechanisms to ensure AI is used safely and responsibly. Public consultation on the discussion paper closed on 4

August. There was substantial public interest with over 500 written submissions received.

The government is now considering our approach to regulation and governance of AI in Australia.

s22(1)(a)(ii)



This brought together digital platforms, AI companies, academics, regulators and government and explored the possible role of government, industry,

education and standards.

I will continue to work with my department, as well as regulators – the Australian Communications and Media Authority and the eSafety Commissioner – to explore the implications of generative AI in the context of issues within my portfolio.

### ***Online Safety Act 2021***

In my portfolio, deepfake intimate images and other AI generated content which meets the thresholds of the schemes under the Online Safety Act are subject to the takedown powers of the eSafety Commissioner.

However, the online world is continually changing and Australia's approach must evolve with it.

The Government has undertaken to complete a review of the Online Safety Act within this current term so that Australia and our world-leading online safety framework remain fit for the evolving online environment.

### ***ACMA powers to combat disinformation and misinformation***

AI generated misinformation and disinformation disseminated on digital platform service would be within scope of the proposed new ACMA powers to combat misinformation and disinformation on digital platforms.

Under the proposed powers, the ACMA will be able to require industry develop codes, or if this fails, mandate standards, to combat systemic misinformation and disinformation.

A registered code or standard, may for example, include requirements for platforms to crack down on endemic bots spreading false information.

The ACMA will also have information gathering and record keeping powers that will enable it to continue to monitor the effectiveness of measures being applied by digital platforms to combat misinformation generated or enabled by AI.

The Government is working through feedback from our consultation on the draft bill to tackle misinformation and disinformation, which would improve transparency about the systems and processes digital platforms have in place to protect Australians.

The consultation has given the industry and community the opportunity to make constructive suggestions before the bill is introduced to Parliament.

### ***Media literacy***

We also know it is more critical than ever for Australians to have the right skills, competencies and confidence to identify and understand how AI is shaping their experience of the media.

The Australian Government is improving media literacy in schools, with the rollout of the Digital Licence and Media Literacy Lab for Australian school students, but there is more that needs to be done.

### ***Use of algorithms by Digital Platforms***

The Government is aware of potential risks posed by algorithms on digital platforms. Algorithms come in many different forms, and can employ generative AI and machine learning in online recommender systems, that determine how information and content is targeted at users.

In March this year, the Government responded to the recommendations of the Social Media and Online Safety Inquiry. We committed to consider the

operation and transparency of algorithms on social media platforms, and whether they are leading to harms to Australian users.

My Department is working with Home Affairs and will report back in March 2024.

***Criticism of AI by traditional media***

The Government is aware of concerns from some traditional media outlets about the potential harms of generative AI on news quality.

The Government is committed to harnessing the opportunities of AI while guarding against any possible harms.

This is why the Minister of Industry, Ed Husic MP, recently consulted on the safe and responsible use of AI in Australia.


The government is considering our approach to the regulation and governance of AI, and is engaging with both media and digital platform stakeholders on this issue.

The issues posed by generative AI and copyright are also being considered by the Attorney-General as part of a Ministerial copyright roundtable process, which brings together a wide range of sectors, including publishing, broadcasting, screen, education, research, music, gaming, technology and cultural collections.



**Background**

47C, 2 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**BROADCAST: MEDIA STANDARDS**

**QUESTION: What is the Government doing to ensure that Google and Meta fairly pay for Australian news content and that Australians retain access to critical search services?**

s22(1)(a) Government has backed in the News Media Bargaining Code to support Australian news businesses.

Recent revelations about Google's preparation to remove Search from Australia – and the actions of both Google and Meta in Canada – highlight how important it is to get this policy right.

This is why s22(1) Government is actively considering Treasury's review of the Code and how to improve its operation.

The review found that in the first year of the News Media Bargaining Code more than 30 commercial agreements were made between digital platforms, Google and Meta, and a cross section of news businesses.

The review also found the agreements were highly unlikely to have been made without the Code.

Treasury's review made a number of recommendations, including that

Government consider:

- directing the Australian Competition and Consumer Commission (ACCC) to prepare periodic reports on which digital platforms should be covered by the Code;
- whether ACCC information-gathering powers could be used to obtain information about commercial agreements between digital platforms and news businesses in the context of its response to Interim Report No.5 of the ACCC's Digital Platforms Services Inquiry; and
- conducting a further review of the Code after four years' operation.

The Government is considering the findings and recommendations of this review and will respond in due course.

**QUESTION: What is the Government doing to ensure that media reporting standards meet public expectations?**

Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

They expect that service operators have processes and systems in place to reduce the potential for harms and also that any complaints can be addressed. These audience expectations were highlighted in a position paper released by the Australian Communications and Media Authority last year: *What audiences want — Audience expectations for content safeguards*.

The ACMA is in discussion with industry on updates to industry codes of practice for the broadcast sector.

I also acknowledge concerns that the current sector specific approach to media regulation can result in gaps and discrepancies when it comes to content safeguards, with different rules potentially applying to content off- and online. These issues were most recently considered as part of the Review of the Privacy Act; the final report of which was released by the Attorney General in February this year.

The review included recommendations to strengthen self-regulation as it applies to privacy protections, including through the development of criteria for adequate media privacy standards and a template standard which media organisations could adopt.

The Government Response to the Privacy Act Review Report was released on 28 September 2023 and, among other things, agrees in-principle that the OAIC should develop and publish criteria for adequate media privacy standards and a template privacy standard that a media organisation may choose to adopt.

**What is the Minister doing to improve media standards in light of apparent leaking of trial evidence, in relation to the Brittany Higgins matter (Zali Steggall question)**

I thank the Member for Warringah for her question.

I acknowledge the Member has asked about the use of material produced as a result of a subpoena, which is a matter for the Attorney-General.

The media are subject to a range of restrictions that impact their professional conduct as well as the news, public interest journalism and other content and programs they produce.

The media are also subject to a range of laws within the remit of the Attorney-General's portfolio, including laws of contempt, defamation and privacy.

In my portfolio, a range of self- and co-regulatory codes of practice and editorial standards, as well as direct law and regulation, operate to regulate the media.

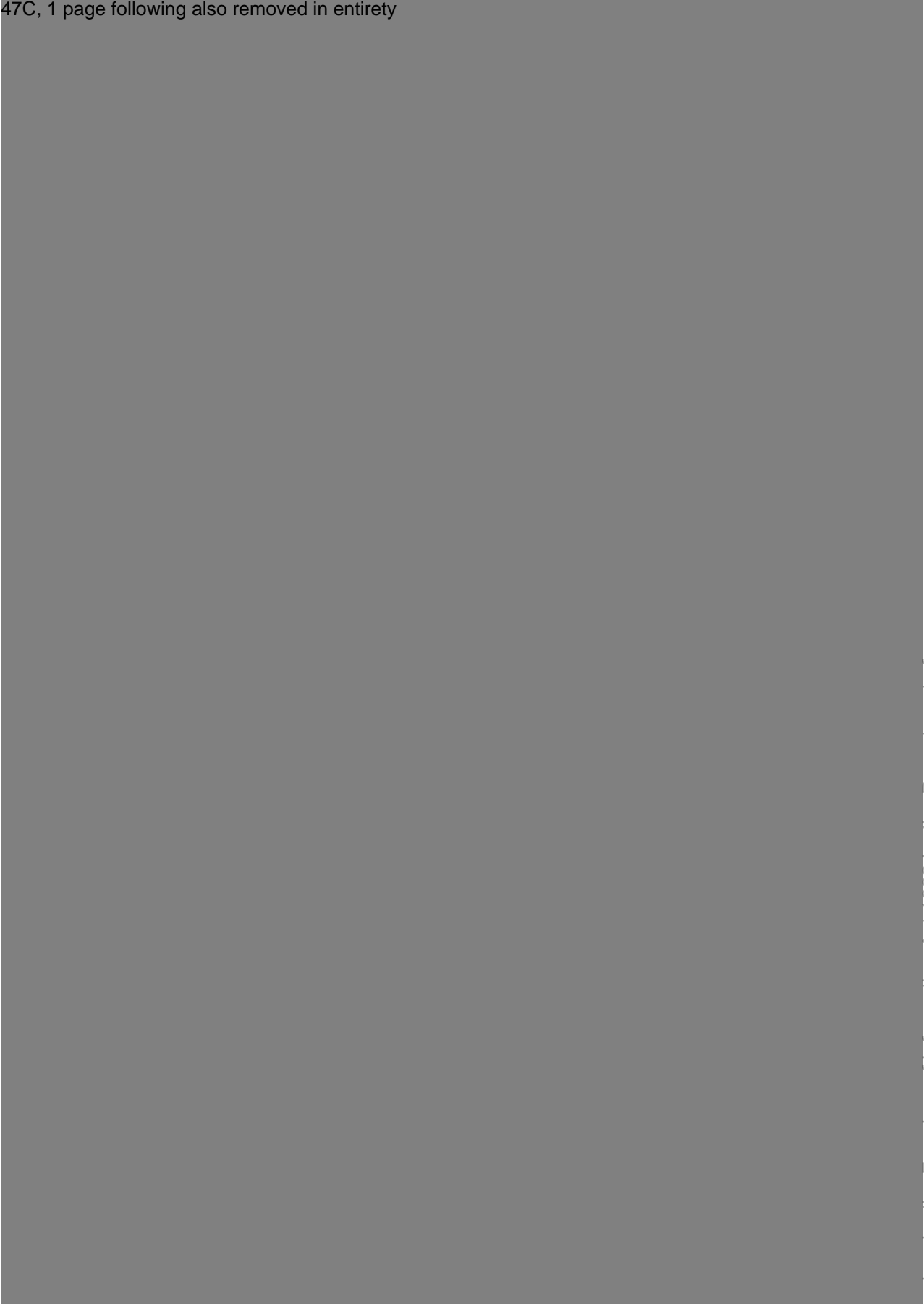
Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

They expect that service operators have processes and systems in place to reduce the potential for harms and also that any complaints can be addressed.

The Australian Communications and Media Authority is currently engaging with industry on updates to content safeguards for the broadcast sector to improve alignment with audience expectations. The Government is also considering recommendations to strengthen self-regulation as it applies to issues such as privacy protections.

**Background**

47C, 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**COMMUNICATIONS FOIs**

**QUESTION: What is the current status of Freedom of Information requests relating to the Minister for Communications portfolio?**

Under the Freedom of Information (FOI) Act, FOI requests and decisions are made by the Minister and the department as separate entities.

The department provides administrative assistance to my Office where appropriate.

Since 1 July 2022, the my office has received 20 requests for access to documents under the Freedom of Information (FOI) Act.

My office has responded to 15 of these requests within statutory timeframes. Another five requests remain under active consideration, all of which remain within statutory timeframes.

In the 2022-23 financial year, the department's Communications Group considered 39 requests for access to documents under the FOI Act.

Of those, prior to 1 July 2023, 32 were finalised within statutory timeframes and 2 outside timeframes. This represents a compliance rate of 94%, which is




consistent with department's compliance rate more broadly. Five requests remained on hand as at 1 July 2023.

In the 2023-24 financial year up to 10 November 2023, the department's Communications Group has considered 15 requests. Of those, 9 were finalised within statutory timeframes and 1 was finalised outside statutory timeframes. This represents a compliance rate of 90%, with the department's compliance rate more broadly sitting at 96% for the year to date.

Five requests remain under consideration by the department.


Of the five requests on hand with the department, two are currently outside statutory timeframes, and the department is actively working to finalise these requests as quickly as possible.

s22(1)(a)(ii), 1 page following also removed in entirety



Background

47C, 3 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**TELCO - TPG/TELSTRA DEAL AND TPG/VOCUS**

**QUESTION: Does the Government support the Competition Tribunal's decision to block the Telstra-TPG regional network sharing deal?**

I thank the member for the question.

The Australian Competition Tribunal has handed down its judgement in the Telstra-TPG case, finding against the proposed regional network sharing deal and therefore backing the ACCC's decision in December last year.

As an independent judicial body, it would not be appropriate to comment on the decision.

The Government will continue to monitor market developments and regulatory settings to ensure that policy and regulatory settings maximise the benefit to Australia, especially those in regional, rural and First Nations communities.

This Government views regional, rural and First Nations communications as one of the highest priorities. This is why the October 2022 budget contained \$2.2 billion of regional communications funding, making it the largest regional communications funding package since the establishment of the NBN.

**QUESTION: What are the Government's views on TPG's efforts to sell its non-mobile infrastructure assets?**

I thank the Member for their question.

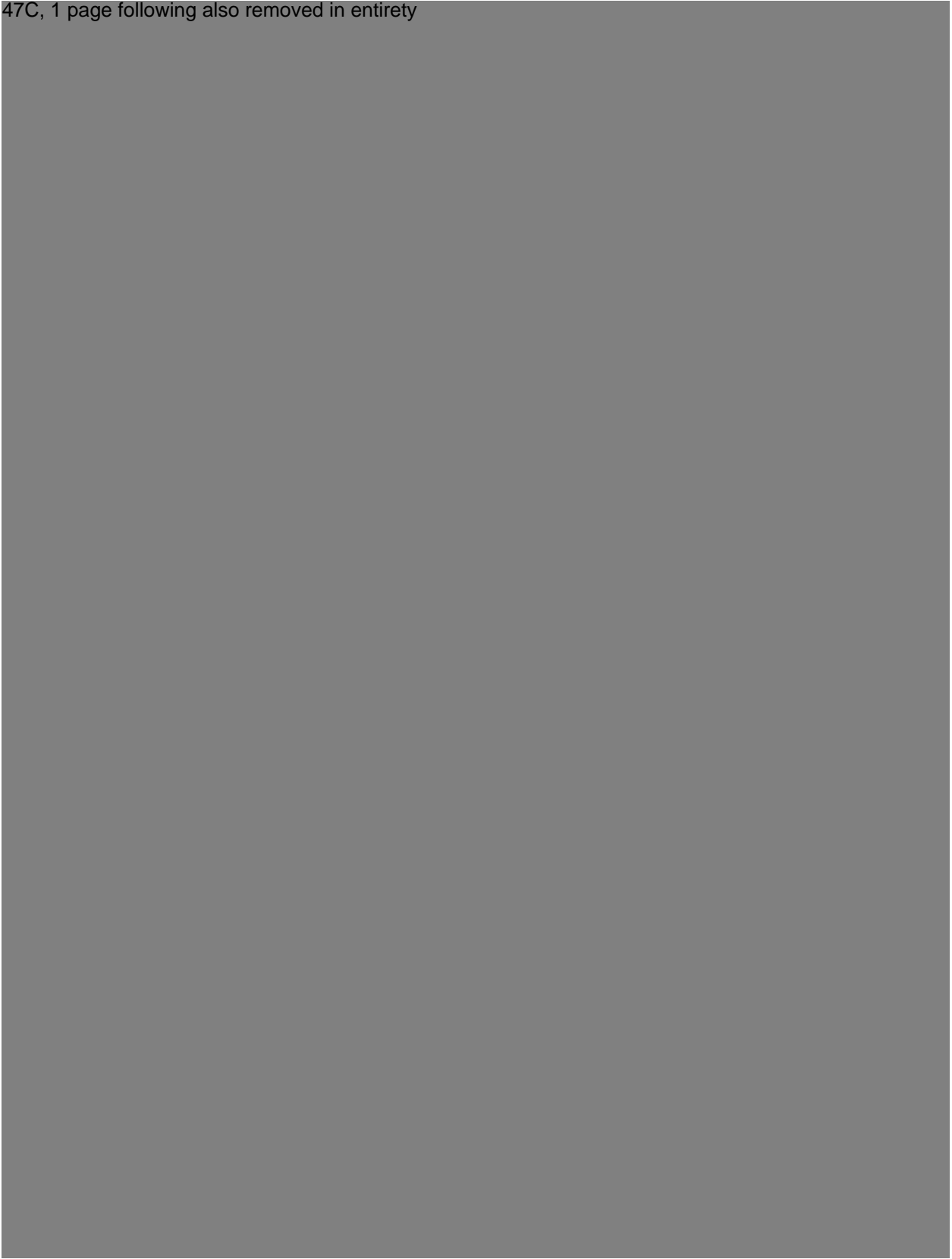
The Government is aware of the announcement made on 13 November 2023 by TPG Telecom that it was unable to reach agreement on the terms of the offer made by Vocus Group on 1 August to acquire certain fixed infrastructure assets.

TPG has noted there is ongoing interest in its fixed infrastructure assets. Any proposed acquisition may be subject to review by the Australian Competition and Consumer Commission.

The Government will continue to monitor market developments to ensure that policy and regulatory settings maximise the benefit to Australia.

**Background**

47C, 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**OFFICIAL****QB23-000082****NBN - FREE NBN SERVICES TO 30,000 FAMILIES**

**QUESTION: How is the Government going to deliver on its promise to provide free NBN services to families?**

In 2023, being connected to broadband is essential to maximise educational opportunities and to take advantage of a digital society.

Fortunately, the overwhelming majority of Australian families and their children have internet access at home. However, there remains a small proportion of families that, for whatever reason or personal circumstance, do not, and this has been exacerbated by cost of living pressures.

To address this inequity the s22(1)(a)(ii) Government is committed to helping disadvantaged families through targeted measures that deliver practical outcomes, such as the School Student Broadband Initiative.

Given ongoing cost of living pressures, the s22(1)(a)(ii) Government has extended the School Student Broadband Initiative for another two years beyond our original 12 month commitment.

**OFFICIAL****QB23-000082**

All families, existing and new, will receive a free service for longer – that is, until the end of 2025. It is available across all NBN technologies including fibre, fixed wireless and satellite. That means families in the NBN Sky Muster footprint can access the initiative.

We saw during the COVID-19 lockdowns how quickly children can be left behind without connectivity. The fact is, without home broadband access our kids could not fully participate in their education and learn necessary skills.

The s22(1)(a)(ii) Government has provided an additional \$4.3 million to NBN Co from the 2023-24 Mid-Year Economic and Fiscal Outlook (MYEFO) to extend the free services, bringing our total investment to \$8.8 million.

Around 5,400 disadvantaged families without broadband at home have now been connected to free internet. More than 40% of the families connected under the scheme have been in rural and regional Australia.



**OFFICIAL****QB23-000082**

Following my launch of the National Referral Centre, it is now easier for families to access the initiative. Any Australian family can contact the National Referral Centre on 1800 954 610 to have their eligibility checked.

This complements the other 50 nominating organisations including State and Territory governments, charities and community organisations, and social housing providers that have signed on as partners.

To provide families with the best opportunity to receive a free service, the nomination period has also been extended until the end of 2024.

NBN Co is also able to take referrals from Members of Parliament and Senators to support families in-need.

I am pleased that a number of my colleagues across this Parliament are promoting the initiative and identifying families in their electorates. I thank you for your support, and look forward to working together on this important initiative.

**OFFICIAL****QB23-000082**

**QUESTION: Is the Government negotiating with the States and Territories to identify eligible families?**

In November 2022, I wrote to all the States and Territories seeking their support in nominating students in need of the support offered by this initiative.

The ACT, Victorian, Queensland, South Australian, Northern Territory, Western Australian and Tasmanian Governments have all committed to the initiative – their participation makes sure this initiative is available as widely as possible.

Overall, we now have over 50 nominating organisations partnering and a National Referral Centre able to provide this assistance to families that could benefit from free NBN at home.

**OFFICIAL**

**QB23-000082**

**Background**

s47C



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**REGIONAL COMMUNICATIONS – OVERARCHING**

**QUESTION: How is the Government investing in connectivity for communities in regional and remote Australia?**

The Government is investing more than \$2.2 billion in regional communications over five years, the largest investment in regional communications since the inception of the NBN.

Our Better Connectivity Plan for Regional and Rural Australia - a key part of this investment - is providing \$1.1 billion to regional and rural communities.

This includes \$656 million to improve mobile and broadband connectivity and resilience in rural and regional Australia, such as:

- **\$400 million** for mobile coverage and communications resilience;
- **\$200 million** for two additional rounds of the **Regional Connectivity Program**;
- **\$30 million** to increase **on-farm connectivity**;
- **\$20 million** for an **independent audit of mobile coverage**; and
- **\$6 million** to boost funding for the **Regional Tech Hub** to better support consumers.

And, \$480 million is being provided for the **NBN Fixed Wireless and Satellite Upgrade Program**.

Approximately \$1.1 billion will deliver high speed NBN broadband to 660,000 regional homes and businesses.

In addition, the Government has committed funding for two further rounds of the **Peri-Urban Mobile Program**, helping communities on the peri-urban fringe of major cities stay connected and access vital information during natural disasters and other emergencies.

Implementation of these initiatives is well underway.


**QUESTION: Can you provide an update on the status of regional connectivity programs?**

The Government is making significant progress in delivering programs to support regional connectivity.

The Department has assessed applications for the combined **Mobile Black Spot Program** and the **Regional Connectivity Program**. This opportunity includes


\$32.5 million for solutions in First Nations communities, with \$10 million of this to improve digital connectivity for First Nations communities in Central Australia. We expect to be able to announce outcomes from the RCP 3 and MBSP7 shortly.

s22(1)(a)(ii)



The new **On Farm Connectivity Program** enables primary producers to extend connectivity to boost productivity, improve health and safety, and support sustainable resource management.

s22(1)(a)(ii)



77 businesses

approved to supply eligible connectivity solutions and equipment.

Round 1 opened for applications on 27 October 2023 and to date we have had over 360 applications for rebates under this scheme to assist farmers.

On 19 October 2023, I announced the awarding of \$37.2 million in funding for new base stations under the **Improving Mobile Coverage Round** of the **Mobile**

**Black Spot Program** to deliver improved coverage and quality of service for regional and remote communities, motorists and tourists in 42 target areas. \$15 million in grants is now available through Round 2 of the **Mobile Network Hardening Program** which will fund improvements to the resilience of mobile network infrastructure in rural, regional and remote Australia, including First Nations communities.

Applications closed on 17 November 2023, and are now being assessed. I expect to make announcements about successful projects in early 2024.

Consultation on the design of Round 2 of the **Peri-Urban Mobile Program** closed on 16 August 2023. We have expanded this to include major regional cities, such as Geelong, Newcastle and Townsville.

New rounds of the \$50 million Telecommunications Disaster Resilience Innovation Program closed for applications on 17 November 2023. An announcement on successful projects will be made in early 2024.


The \$20 million **Broadcasting Resilience Program** was launched on 23 June 2023, and will keep rural and regional communities informed and connected during natural disasters by increasing the broadcasting resilience of 107 ABC broadcast sites around the country.

The **Audit of Mobile Coverage** is progressing. The Request for Tender for the Audit closed on 15 November 2023. The Government is now considering tenders received.

The NBN Fixed Wireless and Fibre upgrades are proceeding.

**QUESTION: What is the Government doing to address consumer telecommunications issues?**

s22(1)(a)(ii)



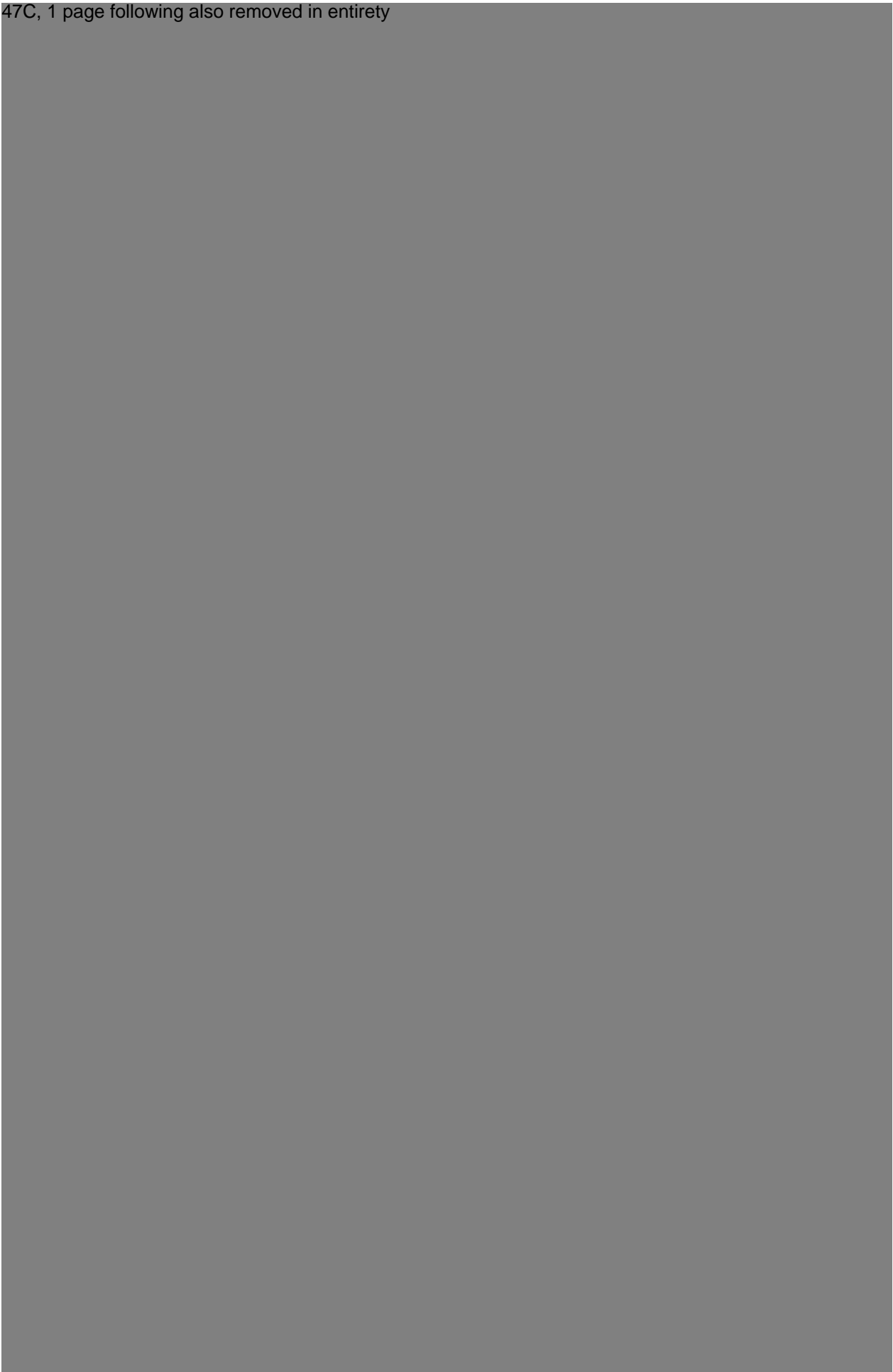
I note the ACMA released a position paper on 6 July which clearly outlines expectations it has for industry to address a range of issues through the current review of the Telecommunications Consumer Protections Code (TCP Code), including: selling practices, credit assessments, and the treatment of consumers in vulnerable circumstances.

I am continuing to engage with stakeholders on a range of other reforms to improve consumer safeguards and consumer outcomes, including reform of



penalties and code enforcement and a potential retailer registration or  
licencing scheme – which is open for consultation until 30 November.





47C, 1 page following also removed in entirety







Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts




**ABC & SBS CURRENT ISSUES**

Issue	Response
<b>ABC Bruce Lehrmann defamation case</b>  s47C	<p>I understand that the ABC has reached a settlement with Mr Lehrmann over this matter.</p> <p>The ABC ultimately has operational independence. It is for the ABC to determine how to manage its own legal matters, including defamation claims and litigation, within its funding envelope.</p> <p>The ABC remains accountable to the Parliament for its use of taxpayer funds through a range of accountability mechanisms including annual reports, corporate plans, financial and performance audits and appearances before Parliamentary Committees, subject to legal professional privilege and the protection of confidential, including commercial-in-confidence, information.</p>
<b>ABC radio services in Cairns</b>  s47C	<p>Through natural disasters and emergencies like bushfires and floods, the ABC provides lifesaving emergency broadcasting for local communities. The ABC is a trusted source of information for Australians.</p> <p>The ABC has expanded its Emergency Broadcasting team, which operates 365 days a year and provides specialist reporting services around Australia, including Far North Queensland.</p> <p>The ABC has made the decision to replace its Mornings program in Cairns with programming presented from Townsville. The ABC has advised that this restructure has allowed it to create an additional local reporter role in Cairns to produce more local news.</p> <p>The ABC ultimately has editorial and operational independence. It is up to ABC management to determine how to structure the organisation within its funding envelope.</p>
<b>ABC Managing Director reappointment</b>  s47C	<p>Under the <i>Australian Broadcasting Corporation Act 1983</i>, the ABC Board is responsible for appointing and reappointing a Managing Director.</p> <p>Mr Anderson's new term commenced on 1 July 2023, for a period of 5 years.</p>

<p>s47C</p> 	<p>The ABC announced the reappointment on 23 August 2023.</p> <p>The decision to announce the reappointment was a matter for the ABC Board.</p>
<p><b>ABC coverage of the Israel-Hamas conflict</b></p> <p>s47C</p> 	<p>s22(1)(a)(ii)</p>  <p>s22(1)(a)(ii)</p>  <p>Any concerns or complaints about ABC editorial decisions are best directed to the ABC. The ABC has a robust process for handling complaints, including through review by the ABC Ombudsman.</p> <p>I note that on 9 November, the ABC Ombudsman released the findings of investigations into the ABC's coverage of the Gaza hospital explosion. The Ombudsman was satisfied that the ABC made reasonable efforts to ensure the accuracy of the reporting and that later news broadcasts acted to clarify the earliest bulletins. The Ombudsman was satisfied that the ABC reported on the incident with due impartiality, consistent with the editorial standards.</p> <p>The Ombudsman also released findings into investigations of three interviews on the Gaza conflict conducted on the 7.30 program. The Ombudsman found that ABC did not breach standards for accuracy and impartiality, and did not breach standards 4.1 or 4.2 of the Editorial Policies.</p>

<p><b>ABC coverage of the Israel-Hamas conflict</b></p> <p>s47C</p> 	<p>As members know, under its Charter, the ABC has editorial independence. However, I do understand that media coverage of this unfolding situation is distressing for many people, particularly those with close personal ties to the region.</p> <p>I note that on 24 November, the ABC Ombudsman released the findings of its investigations into the ABC's 13 November Q+A episode. The ABC Ombudsman acknowledged that the episode included highly polarised views, but that these were appropriately challenged by the host and critically discussed by other panellists. Overall, the ABC Ombudsman was satisfied that the episode did not breach the ABC's editorial standards for due impartiality and harm and offence.</p>
<p><b>ABC RMIT fact-checking partnership</b></p> <p>s47C</p> 	<p>ABC RMIT Fact Check is a partnership between RMIT University and the ABC, that determines the accuracy of claims by public figures, including politicians and institutions engaged in public debate.</p> <p>The ABC has operational and editorial independence and it is a matter for the ABC to determine its partnerships and contractual arrangements.</p> <p>s22(1)(a)(ii)</p>  <p>Additionally, content is independently checked and overseen by ABC staff prior to being published and subject to the same editorial policies, and complaints and corrections process as all other ABC content.</p> <p>I am also advised that after a delay in its application process, the ABC's accreditation renewal under the International Fact Checking Network (IFCN) has now been finalised and will soon be reflected on the IFCN website.</p> <p>The ABC RMIT Fact Check is a separate entity to the RMIT FactLab, which has partnered with Meta.</p>
<p><b>ABC selection of Q&amp;A guests</b></p> <p>s47C</p> 	<p>The ABC is a vital news and cultural institution that strengthens Australia's media diversity, contributes to the cultural and social fabric of the nation and</p>

<p>s47C</p>	<p>represents a major Commonwealth contribution to public interest journalism.</p> <p>The ABC is government-funded but has operational and editorial independence. Matters such as the selection of guests are the responsibility of the ABC Board and executive.</p> <p>Under the <i>Australian Broadcasting Corporation Act 1983</i>, the Board has a statutory duty to maintain the ABC's independence and integrity.</p> <p>The ABC's independence is enshrined in legislation but the ABC remains accountable through complaints processes, its annual reports, government audits and inquiries, and appearances before Parliament, including Senate Estimates.</p> <p>The ABC has a robust process for handling complaints, including through review by the ABC Ombudsman.</p>
<p><b>ABC Woodside protests</b></p> <p>s47C</p>	<p>s22(1)(a)(ii)</p> <p>I understand that legal proceedings are underway, and accordingly, it is not appropriate to provide a running commentary on the conduct of the protesters.</p> <p>I understand Woodside made several representations to ABC management, including the ABC Chair, and that Woodside lodged a formal complaint with the ABC. Woodside has also been in contact with my office.</p> <p>As confirmed both in the media and in writing, an official complaint has now been received by the ABC and the ABC has conducted an examination of the circumstances surrounding this matter.</p>
<p><b>ABC Woodside protests</b></p> <p>s47C</p>	<p>The ABC has operational and editorial independence. As a result, decisions on the broadcasting of content remains the responsibility of the ABC.</p> <p>Concerns about content broadcast by the ABC should be directed to the ABC for consideration by the ABC</p>

	Ombudsman, and may be referred to the ACMA if the response from the ABC is not considered to be satisfactory or a reply has not been received within 60 days.
<b>ABC Woodside protests</b> s47C 	The ABC is responsible for managing its legal matters. Any questions about them should be directed to the ABC.
<b>ABC Managing Director remunerations</b> s47C 	<p>Under the ABC Act, the Managing Director's remuneration is determined by the independent Remuneration Tribunal, with any additional allowances payable determined by the ABC board. As members know, both the ABC and the Remuneration Tribunal are independent of Government and it is therefore not appropriate for me to comment further on their pay decisions.</p> <p>The ABC ultimately has editorial and operational independence and it is up to ABC management to determine how to structure the organisation within their funding envelope to meet the changing needs of audiences. The ABC has previously advised that under its planned restructure it anticipates a number of redundancies and this is obviously a very difficult time for any individual whose role may be impacted by the changes.</p> <p>Like many media organisations, the ABC faces significant challenges in today's media environment, with evolving audience trends – with audiences increasingly online and consuming media digitally, and with new technologies changing how their work is conducted.</p>
<b>ABC Heston Russell defamation case</b> s47C 	<p>I understand the Federal Court has now handed down its decision in these defamation proceedings and has awarded damages to Mr Russell. The ABC is responsible for managing its legal matters, including defamation claims and litigation.</p> <p>The ABC is a trusted source of news, information and entertainment for all Australians. Under its Charter, the</p>

s47C	<p>ABC has editorial independence and must provide high-quality news and current affairs reporting. s22(1)(a)(ii)</p> <p>It is for the ABC to determine the disclosure of information in relation to its legal disputes.</p> <p>The ABC remains accountable to the Parliament for its use of taxpayer funds through a range of accountability mechanisms including annual reports, corporate plans, financial and performance audits and appearances before Parliamentary Committees, subject to legal professional privilege and the protection of confidential, including commercial-in-confidence, information.</p>
<p><b>Board appointments: Upcoming ABC Chair Board vacancy</b></p> <p>s47C</p>	<p>The Chairperson of the ABC, Ms Ita Buttrose AC OBE has advised the Government that she is not seeking reappointment following the completion of her current term in March 2024. s22(1)(a)(ii)</p> <p>I have asked the Chairperson of the independent Nomination Panel to conduct a merit-based selection process to select a new ABC Chairperson. Applications for this role opened on 25 August 2023 and closed on 22 September 2023.</p> <p>Under the <i>Australian Broadcasting Corporation Act 1983</i>, the Nomination Panel is responsible for running the process for Board vacancies and nominating candidates to government.</p> <p>The Nomination Panel operates at arms' length from government to ensure its independence. Once the selection process has concluded, the Governor General makes appointments to the Board based on recommendations by the Government.</p> <p>Members of the Nomination Panel are appointed by the Secretary of the Department of the Prime Minister and Cabinet.</p> <p>I am committed to ensuring the Boards of the ABC and SBS remain effective and independent. In addition to better funding for the ABC and SBS, the s22(1)(a)(ii)</p>



	<p>Government has committed to reviewing options for delivering a greater level of financial stability and certainty to the national broadcasters to safeguard against arbitrary ideological cuts and political interference.</p> <p>s22(1)(a)(ii)</p>
<p><b>ABC complaints handling</b></p> <p>s47C</p>	<p>The ABC is consistently ranked one of Australia's most trusted news brands and the ABC has operational and editorial independence, including for complaints handling.</p> <p>But independence does not mean a lack of accountability.</p> <p>Australians expect high standards of the public broadcaster – high editorial standards as well as transparency and accountability – and the ABC has one of the most extensive and robust complaints handling process of any media organisation in Australia.</p> <p>But as with any media organisation, the ABC doesn't always get it right, and I support the ABC's commitment to continuous improvement.</p> <p>The ABC's complaints handling processes are a matter for the ABC Board and Executive.</p> <p>The ABC Ombudsman heads up an expanded Editorial Complaints Unit and reports directly to the ABC Board on matters such as complaints data, adverse findings in complaints and lessons that can be learned from complaints.</p> <p>As has long been the case, and is enshrined in law, complaints about ABC broadcast content may be escalated to the Australian Communications and Media Authority (ACMA) for review if complainants are not satisfied with the response from the ABC.</p>
<p><b>ABC and SBS funding certainty and protection</b></p>	<p>Now that 5-year funding terms have been announced, our next step is to review options for strengthening the independence of the ABC and SBS, to safeguard against arbitrary funding cuts and political interference.</p>

s47C	<p>The review is being conducted by my Department and will examine the funding and governance arrangements of the national broadcasters to safeguard against funding cuts and political interference. The public consultations on the review have now closed and submissions were published on the department's website on Friday 10 November.</p> <p>I welcome the constructive engagement from many stakeholders in the consultation process. The department is still working through the review and I will not comment further until the work is complete and I have properly considered the findings and recommendations.</p>
------	---

**Contact:** Margaret Lopez (Media Industry and Sustainability Branch) s22(1)(a)(ii)

Last updated: 27 November 2023

**UNIVERSAL SERVICE OBLIGATION (USO) REFORM****QUESTION:** s47C

s22(1)(a)(ii)

Work needs to progress now because the USO is not fit for purpose – it needs to catch up with technological and market developments. This is why I have commenced consultation on a modernised universal service framework.

Cleared by: s22(1)(a)(ii)  
Division: DIV - Communications Infrastructure  
Created: 18 January 2023  
Last Updated: 27 November 2023

**OFFICIAL****QB23-000094**

We have a world-class NBN fixed-wireless network, and by the end of 2024, 97 per cent of Australian premises will have access to high-speed, fixed line or fixed-wireless broadband that could also support voice services.

There are also significant opportunities arising from the launch of low earth orbit satellites that offer improved broadband, reduced latency, and have the potential to improve voice access, both for landlines and mobiles.

A recent House of Representatives inquiry recommended a practical universal service obligation for mobile telecommunications service providers be implemented. We are carefully considering this and other inquiry recommendations, along with market developments. For example, Telstra and Optus have publicly announced commercial arrangements to leverage emerging low earth satellite technology to expand mobile coverage in coming years.


Our objective is to modernise the USO in a manner that benefits regional and remote consumers and their long-term interests.

**OFFICIAL****QB23-000094**

I have been clear that we will not make changes to USO arrangements unless there are tested and proven alternatives to existing technologies.

Alongside consultation now underway, the Government will robustly trial alternative technologies, including LEOSats, for their suitability to deliver USO voice services.

s22(1)(a)(ii)



In the October 2022 Budget, we delivered a significant increase in regional communications funding and committed to one of the most significant regional telecommunications investment packages since the establishment of the National Broadband Network, with over \$2.2 billion in regional telecommunications over the next five years.

**OFFICIAL**

**QB23-000094**

**OFFICIAL**

**QB23-000094**

**Background**

s47C



**CONSUMER TELCO ISSUES (RETAIL FOCUS)**

**QUESTION: What is the Government doing to address consumer telecommunications issues?**

Telecommunications should enrich peoples' lives, not cause inconvenience, frustration or detriment and that is why I have directed the ACMA to create an enforceable industry standard to ensure appropriate support is provided to telecommunications customers experiencing financial hardship.

I understand the ACMA is now considering submissions on the draft standard, following the closure of the public consultation process on 24 November 2023, and I thank all who have contributed to this important process.

The Government understands that in the context of cost of living pressures that we have in Australia at the moment, we need to do everything we can to ensure consumers maintain access to essential services. Staying connected is no longer a luxury - it is a necessity to support education, work and access to critical services.

In addition, I note the ACMA released a position paper on 6 July which clearly outlines expectations it has for industry to address a range of issues through



the current review of the Telecommunications Consumer Protections Code (TCP Code), including: selling practices, credit assessments, and the treatment of consumers in vulnerable circumstances.

I am continuing to engage with stakeholders on a range of other reforms to improve consumer safeguards and consumer outcomes, including reform of penalties and code enforcement and a potential retailer registration or licencing scheme – which is open for consultation until 22 December.

### ***TIO and ACMA Complaints Data***

I welcome the recent release of the TIO and the ACMA's annual consumer complaints data for the telco sector.

It is positive to see that the total number of complaints made by consumers to the TIO saw a considerable decline. I applaud efforts by industry in this regard.

I note that the total amount of complaints received directly by telcos from their customers (as reported by the ACMA) slightly increased during the last financial year 2022-23 (and sits at over a 1 million complaints) but remained steady as a proportion of total services in operation. We need to continue

efforts to bring these numbers down.

I note that the complaints data indicates that complaints relating to financial hardship are increasing, which is a concern and further emphasises the need to take action to support consumer outcomes.


I note that the TIO's quarter 1 complaints data for 2023-24 was released on 15 November. It is positive to see the overall decline of complaints in comparison to previous quarter and financial year.

### ***Affordability***

I am concerned that Australians are experiencing difficulty paying for their telco services, and about telcos increasing prices. Cost of living pressures are putting a significant strain on peoples' budgets. That is why I have directed the ACMA to create an enforceable industry standard to ensure appropriate support is provided to telecommunications customers experiencing financial hardship.

s22(1)(a)(ii)

s22(1)(a)(ii)



**QUESTION: What is the Government doing to address the needs of disabled & elderly Australians in increasing access to communications, media & broadcasting services?**

Accessibility of communications services is crucial to ensure all members of the community can fully engage in all aspects of life – employment, education and connection to friends and family.

The Australian Communications and Consumer Action Network (ACCAN) has established the Accessible Telecoms portal, which provides tailored and specific information and advice to people with disability on the products and services that best meet their individual needs.

My Department has recently secured a two-year grant to support the ongoing provision of the Accessible Telecoms portal while we work closely with ACCAN to ensure the long-term sustainability of this very important service. I see great benefits across a range of cohorts for this type of information provision.

I understand that recently the benefits of the service have also been promoted to older Australians who have found it equally effective in helping those that may not be accustomed to the latest technological advancements, navigate the choice of service and device.

It is important to call out other existing measures available to assist in helping vulnerable members of our community stay connected.

Firstly, the National Relay Service (NRS) continues to provide essential communications access to the deaf and hearing-impaired community. Each month several thousand people use the NRS, making more than 30,000 calls and I remain focused on ensuring that this service continues to meet the needs of users.

In terms of broadcasting, the ABC and SBS are each receiving ongoing, indexed funding to support the continued provision of audio description. Audio description provides people who are blind or who have impaired vision an additional narration describing what is happening onscreen.

The Government is also committed to supporting the community broadcasting sector through the Community Broadcasting Program.

Radio Reading Network services in the community broadcasting sector are funded through this program. In the Radio Reading network there are 19 AM/FM radio services and 10 digital radio stations across Australia.

Our focus on getting and keeping all in the community connected will be a constant for this Government. Access to communications services has never been more important. We must always ensure that we don't leave anyone behind.


**QUESTION: What is the Government doing about the United Nations breach finding relating to audio description?**

The Government strongly supports the rights of people with disabilities to fully participate in Australian social, cultural and economic life.

As Shadow Communications Minister, I proposed that audio description on Australian TV be implemented by the provision of funding to the national broadcasters, the ABC and SBS.

Audio description – or AD – is an additional narration track that enables people who are blind or who have a vision impairment to follow a television program.

s22(1)(a)(ii)



In the May budget, the s22(1)(a)(ii) Government has delivered on its election commitment of 5-year funding terms for the national broadcasters with new funding of \$103.8 million over five years to extend audio description, the ABC's enhanced news gathering and SBS's media sector support. This ensures the

national broadcasters can continue to deliver quality content with certainty.

Audio description is here to stay.

This extra funding will generate permanent AD provision by the national broadcasters. The Government will provide \$3.2 million each to the ABC and SBS for audio description over 3 years from 2025-26. The audio description funding will be permanent, with the payments indexed and rolled into ongoing funding.

The ABC and SBS are now providing around 200 hours a week of audio described content on broadcast TV between them at present. The ABC has recently introduced audio description on iview, meaning people now have access to free, audio described content where and when they want it.

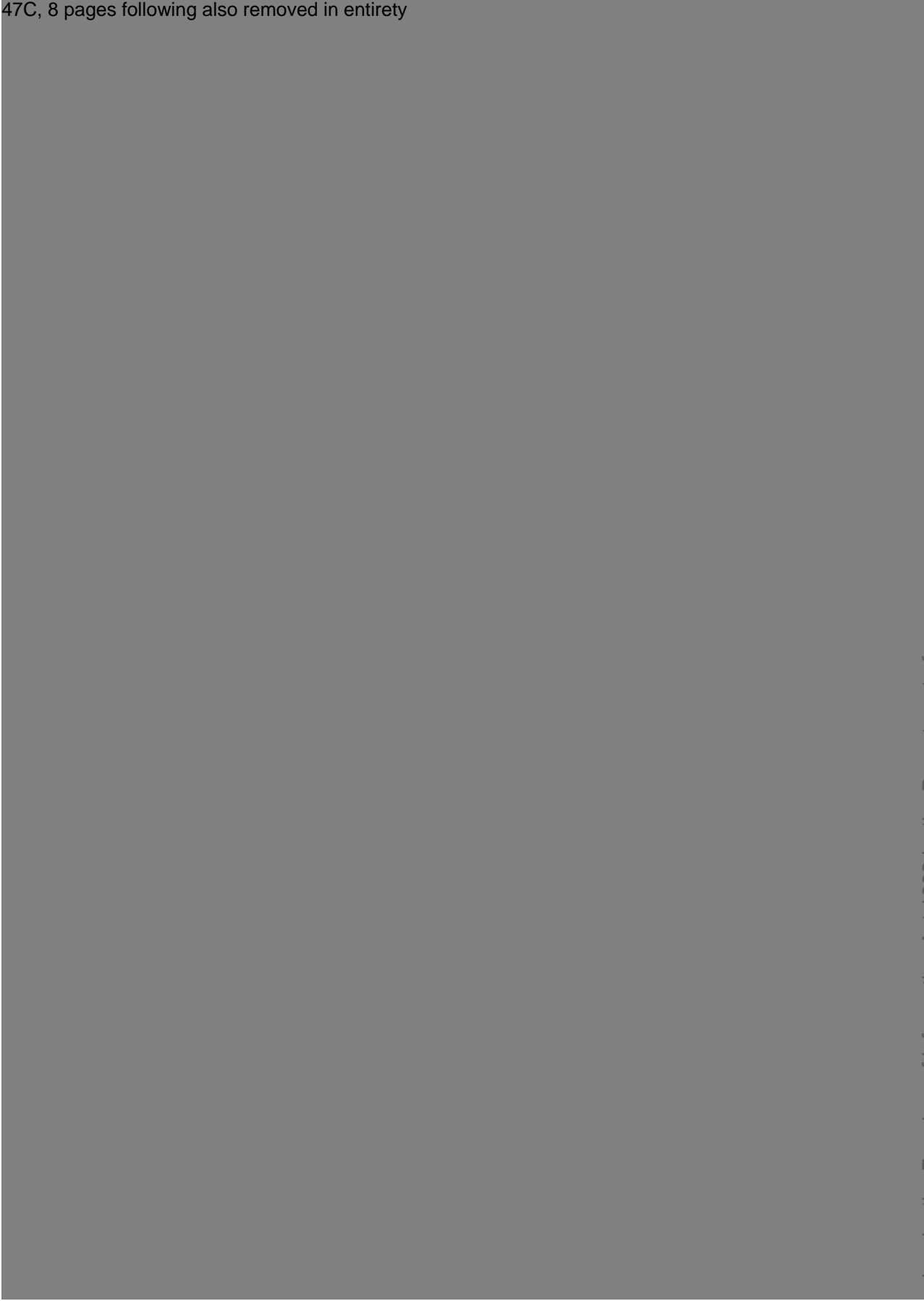
This approach recognises the co-regulatory system of broadcast regulation in Australia, backed up by legislative powers, that operates to promote public interest objectives in a way that does not impose undue financial or administrative burdens on industry and supports the sustainability of the media sector.





**Background**

47C, 8 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**MISINFORMATION AND DISINFORMATION - ACMA POWERS****QUESTION:** s47C

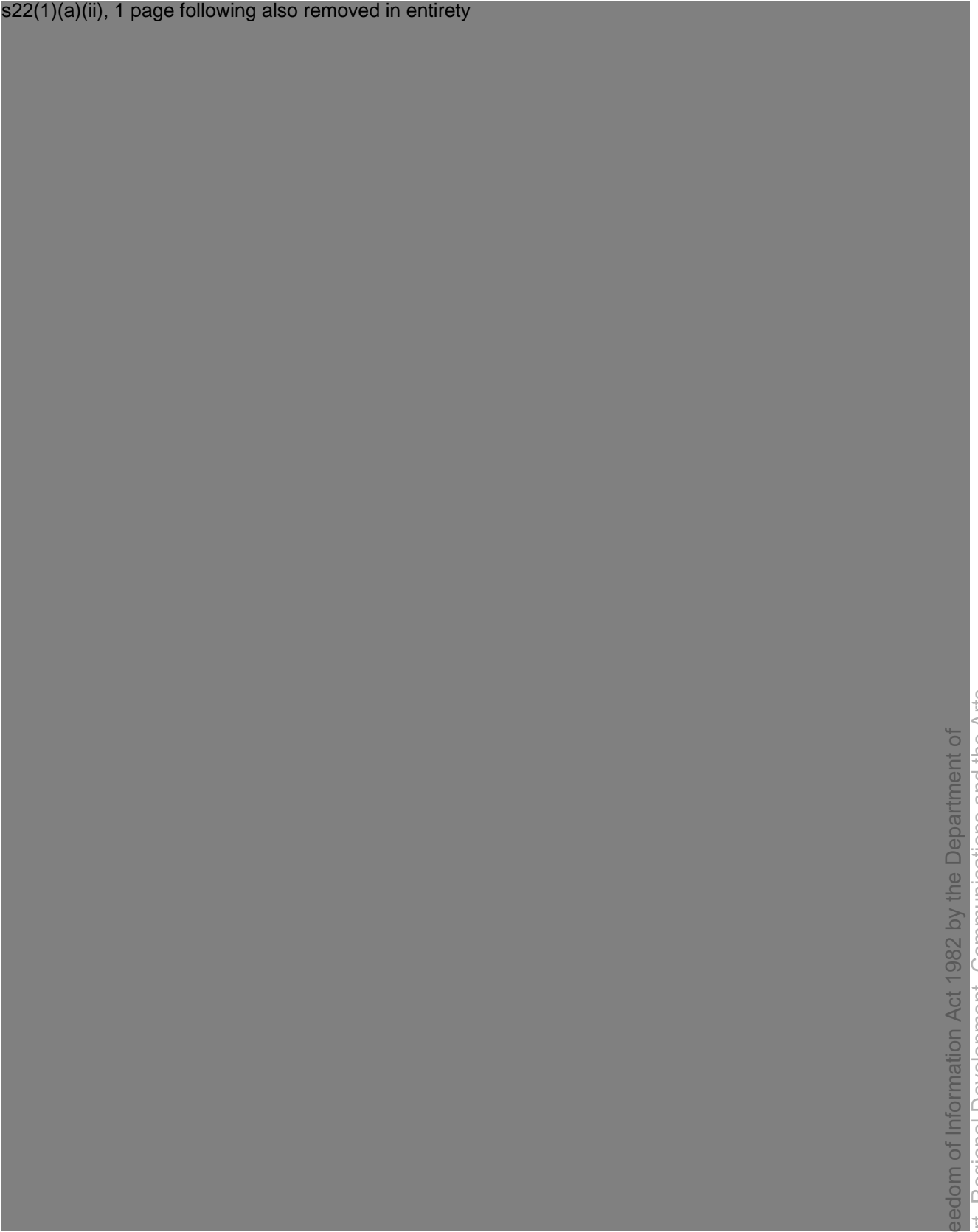
On 25 June, the Government released an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill for public consultation. The consultation closed on 20 August.

The draft Bill is about looking under the hood of the digital platforms and improving transparency about the systems and processes that platforms have in place to protect Australians.

The draft Bill would also provide the Australian Communications and Media Authority (ACMA) with reserve powers to step in, should voluntary efforts prove inadequate in protecting Australians from serious harm resulting from online misinformation and disinformation.

70% of Australians are concerned about misinformation. We also hold serious concerns about disinformation spread by bad actors who want to undermine our democracy.

s22(1)(a)(ii), 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**QUESTION:** s47C

On 27 November, the digital platforms peak body, Digital Industry Group Inc. (DIGI) announced that it had upheld a complaint against X/Twitter and withdrew X's signatory status to the voluntary code on misinformation and disinformation.

DIGI's independent complaints sub-committee upheld a complaint that before the referendum, X had removed mechanisms that allowed users to report misinformation and disinformation to the platform. Reporting is a key requirement under the voluntary code. X did not take remedial action, and did not cooperate with DIGI's investigation, therefore its signatory status to the code was withdrawn.

This underscores the need for regulation. Digital platforms cannot treat their responsibilities for the safety of Australians as being optional.

**QUESTION:** s47C

On 25 June, the Government released an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill for public consultation.

The draft Bill is about looking under the hood of the digital platforms and improving transparency about the systems and processes that platforms have in place to protect Australians.

Digital platforms already take action on content that breaches their policies. In this proposed Bill, they would continue to be responsible for content on their services. The proposed Bill builds on an existing voluntary code that the industry has signed up to.

The release of the draft legislation has given industry and the community the opportunity to provide feedback on the proposed Bill and make constructive suggestions. Receiving this feedback was the purpose of the consultation, and we're taking the time to work through the submissions.

Many of the submissions, **including** the Digital Industry Group Inc. (DIGI) acknowledge the seriousness and threat of misinformation and disinformation

but provide feedback or raise concerns about elements of the draft Bill, such as the definitions used. s22(1)(a)(ii)

s22(1)(a)(ii)

The Government is working methodically through this process, and the revised Bill will be introduced into the Parliament next year.

**QUESTION:** s47C

On 25 June, the Government released an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill for public consultation.

The proposed legislation seeks to increase transparency and to hold digital platforms to account for protecting Australians from serious harm of online misinformation and disinformation. The consultation closed on 20 August.

I would like to thank the Australian public, industry and stakeholder groups for their constructive contributions to the public consultation on the proposed legislation.


My Department received a large number of submissions and comments which now need to be reviewed to ensure that they do not contain defamatory, offensive or violent material, and to ensure private information is redacted.

The Department is publishing these in tranches on its website currently, which is standard practice for the management of public consultations.




**QUESTION: The Australian Human Rights Commission’s public submission has said that the Bill would restrict freedom of expression and the definitions of harm are “overly broad”. Professor Anne Twomey also has expressed concerns about the Bill. What does the Government have to say?**

s22(1)(a)(ii)



The Government will consider feedback to public consultation from all stakeholders before bringing this forward to the Parliament next year.

s22(1)(a)(ii)



The draft Bill is focused on transparency and the adequacy of systems and processes put in place by digital platforms. If platforms fail to combat misinformation and disinformation over time, the ACMA would be able to use its reserve powers to register enforceable industry codes, or create a standard requiring platforms to lift the bar on their efforts to keep users safe.


The ACMA could place obligations on the platforms to do more to protect Australians through measures such as stronger tools to identify and report misinformation and disinformation, more robust complaints handling, and more extensive use of fact checkers.

The draft framework focuses on systemic issues which pose a risk of serious harm on digital platforms. The ACMA will not have the power to request specific content be removed from the internet. It will also exclude certain types of content such as professional news, satire and educational content.

The exposure draft follows recommendations made by the ACMA in 2021 and are intended to strengthen and support the voluntary code developed by the Digital Industry Group Inc. (DIGI).

In July 2023 the ACMA released its second report to Government with its assessment of the voluntary code. This reinforces the need for greater transparency, as well as for broadening the scope of the voluntary code, among other things.

s22(1)(a)(ii)



I thank the industry and the wider community for providing feedback to the public consultation on the proposed Bill, which closed on 20 August.

**QUESTION:** s47C



The definition of misinformation and disinformation includes a high threshold of serious harm to balance the public interest in combatting misinformation and disinformation with robust public debate.

The proposed powers will focus on ensuring digital platform providers have systems and measures in place to combat misinformation and disinformation on their services which pose a risk of serious harm.

The ACMA would have no role in determining truthfulness, nor will it have a role in taking down or requesting action regarding individual pieces of content.

If the ACMA uses its reserve code registration or standard making powers, it will be required to consider whether a code creates any potential burdens on freedom of political communication, and if so, to consider whether they are reasonable and excessive.

The Government has welcomed the community's feedback and is now considering refinements to the Bill, including to definitions, exemptions and clarification on religious freedom, among other things.

s47C

We take seriously our obligation to protect Australians from online harms, including misinformation, hate speech and abhorrent violent material.

The relevant Ministers are to working with the eSafety Commissioner, ACMA, law enforcement and intelligence agencies, telcos, and digital platforms.

Australians should not post, repost or share abhorrent violent material, hate speech or misinformation online.

Anyone who sees misinformation, hate speech or abhorrent violent material online should report it on the digital platform directly using the 'report' button. People can also make a report about abhorrent violent material to the eSafety Commissioner at [eSafety.gov.au](https://www.esafety.gov.au)

If there are concerns about possible signs of terrorism in the community or terrorist and violent extremist content online, reports can also be made to the National Security Hotline on 1800 123 400

**QUESTION:** s47C

This Bill would not prevent public criticisms of the Government. It has inbuilt protections for freedom of expression including content exemptions for professional news, satire and parody.

The authorised government content exemption was developed to in order to ensure critical communications from government agencies, such as a social

media post by a state emergency service providing evacuation advice during a major bushfire, would not be captured.

The Government is considering public feedback to ensure that that scope reflects the intention.

s47E(d)



The Government will consider the feedback from the public consultation before bringing this forward to the Parliament. Consultation is an important step in ensuring the powers meet community expectations.

**QUESTION:** s47C

The draft Bill includes a number of 'freedom of speech' safeguards which are intended to protect public debate including scientific debate or criticism of academic content.

The proposed legislation aims to increase transparency and to hold digital platforms to account in tackling seriously harmful misinformation and disinformation.

The draft Bill also includes explicit protections for freedom of communication.

Any obligations placed on the digital platforms through a registered code or standard could include a range of measures aimed at encouraging transparency and consistency across the platforms. For instance, labelling disputed content or providing alternative sources of information and complaints handling mechanisms for content actions taken by the

platforms. Such inclusions would improve users' ability to see and understand how platforms treat their content.

The ACMA will have no role in determining truthfulness, and it will not be able to require platforms remove particular pieces of content

**QUESTION:** s47C

The claim that the draft Bill will empower the ACMA to 'cancel Christian posts', or any other individual religious posts, is incorrect.

It is not about individual pieces of content or posts by a social media user.

The draft Bill is about looking under the hood of the digital platforms and improving transparency.


It would give the ACMA powers to require digital platforms to have better systems and processes in place to protect Australians from serious harm. This includes seriously harmful content against a group in Australian society on the **basis of religion**, ethnicity and race.



The Government is reviewing feedback from the public consultation on the draft Bill and considering refinements that clarify protections for religious expression.

**Background – Misinformation and Disinformation**

47C, 17 pages following also removed in entirety




Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**ABC JOURNALISTS - OPEN LETTER ISRAEL-HAMAS CONFLICT**

**QUESTION: *Why has the Minister failed to condemn ABC journalists who have signed an open letter calling for media outlets to treat Israel like Hamas when it comes to reporting?***

s22(1)(a)(ii)



I understand that ABC management has taken steps to assist its news staff in undertaking the challenging task of covering the conflict. This includes setting up an advisory panel and hub for editorial guidance to advise staff on editorial policy and language used in news coverage.

I understand journalists from the ABC have signed an open letter to Australian newsrooms, calling for an end to the conflict in Gaza, an end to attacks on journalists, and for the conflict to be covered with integrity, transparency and rigour.

As Members know, the ABC has operational and editorial independence.

However I do understand that coverage and debate about this unfolding

situation is concerning for many people. Any concerns or complaints about ABC staff or editorial decisions are best directed to the ABC.

The ABC has a robust process for handling complaints, including through review by the ABC Ombudsman.

**QUESTION: *Why does the Government support a free media?***

The Australian Government believes that a balanced, robust and independent media sector plays an important role in the functioning of Australian society and democracy.

The importance of a free media is recognised through industry playing a lead role in the development and administration of content standards that reflect community expectations.

Broadcasters and publishers have regulatory obligations that are subject to complaints and adjudications and the content of individual news stories is an editorial decision for each broadcaster or publisher.

Most content broadcast in Australia is regulated by co-regulatory codes of practice developed by broadcasting industry sectors in accordance with the *Broadcasting Services Act 1992* (BSA). This co-regulatory system recognises the importance of ensuring that television content reflects community standards and provides a means by which the community can formally express its views to broadcasters.

**QUESTION: *What is the Government doing to ensure that media reporting standards meet public expectations?***

Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

Audiences also expect that service operators have processes and systems in place to reduce the potential for harms (particularly to vulnerable groups such as children) and enable concerns and complaints to be addressed.

These audience expectations were highlighted in a position paper released by the Australian Communications and Media Authority in June last year: *What audiences want—Audience expectations for content safeguards. A position paper for professional content providers.*

I have made a number of public statements as Minister for Communications making clear that industry should also expect that our regulatory structures facilitate open, fair and safe services for audiences, and enable Australian businesses to operate on a level playing field.

The Government is committed to a program of work to modernise media regulations and fulfil the legitimate expectations of consumers and industry for consistency, transparency and equity in our regulatory environment.

Our goal for this reform program is clear and unambiguous—to consistently regulate services that make available ‘like’ content and support the achievement of key policy objectives with the flexibility to accommodate new and emerging services and technologies.

Regulatory gaps and inconsistencies are manifest at multiple points in Australia’s current regulatory system and well documented.

At present, the content and programs that are accessed by a user on a broadcasting service are not subject to the same regulatory safeguards and

protections as content on programs on a streaming video service – even if the content is identical.

Our longer-term reform program will seek to address this issue of consistency.

***QUESTION: What is the Government doing to support media literacy?***

Media literacy in every stage of life is essential to support a healthy democracy. Digital media is integral to modern society, and we must ensure that we have the skills to engage with it critically, safely and with confidence.

Supporting media literacy will contribute to Australians being equipped to test the integrity of content provided to them and to hold media outlets to account for that content.

In May 2023, this Government announced \$2.5 million in funding over two years (2023-24 and 2024-25) to support improved media literacy in culturally and linguistically diverse (CALD) communities. This includes:

- \$1.0 million to develop and implement improved community engagement strategies via a new policy partnership with the Federation of Ethnic

Communities Councils of Australia (FECCA) to reach CALD populations, including hard to reach populations. These strategies will have a focus on improving media literacy to combat mis- and disinformation and scams, and support economic and civic engagement.

- \$1.5 million for FECCA to administer a small funding program to support community organisations to develop and/or deliver media literacy resources focused on combatting misinformation and disinformation impacting CALD communities.
- The Government has also provided funding to the Alannah and Madeline Foundation to develop and roll out media and digital literacy products to all Australian schools, which will help students develop knowledge and skills to deal with digital challenges such as mis- and disinformation

**QUESTION: *What is the Government doing to prevent mis- and disinformation and to protect Australians from online harms?***

While media literacy can help individuals to critically analyse any mis- and disinformation they encounter, there is also a role for the digital platforms themselves.

Mis- and disinformation can create social division, erode trust in democratic institutions, undermine public safety and health efforts and can be a vector for foreign interference.

The Australian Government takes the obligation to protect Australians from online harms seriously.

The Government is working with regulators, including the eSafety Commissioner and the Australian Communications and Media Authority, law enforcement agencies, telecommunications providers and digital platforms following the Israel-Hamas conflict.

I have written to the major internet hosting and content service providers operating in Australia, as well as to the peak body Digital Group Industry Inc. (DIGI), and the Global Internet Forum to Counter Terrorism.

I made it clear that this Government expects industry to assist in the detection and prevention of any spread of distressing violent and pro-terror content, and reminded them of their obligations under Australian law.



**QUESTION: *What is the focus of the Home Affairs' social cohesion measure?***

Strengthening social cohesion extends to addressing threats to community cohesion such as racism, hate speech, violence, polarisation and social exclusion.

**QUESTION: *Why give money to support balanced reporting and to deal with social media content – shouldn't that be happening anyway?***


The challenges to community cohesion the Hamas- Israel conflict have been exacerbated by the rapid escalation of polarising commentary, the use of inflammatory and divisive language and the proliferation of abhorrent online content.

The measures we are putting in place are aimed at:

- curbing the dissemination of abhorrent content, and
- ensuring communities are able to access factual information, including in languages other than English, and
- addressing threats to social cohesion such as racism, hate speech and violence.

**Background**

47C, 2 pages following also removed in entirety




Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**GAMBLING - OVERARCHING**

**QUESTION: Will the Government proceed with a ban on gambling advertising as per the House Committee report?**

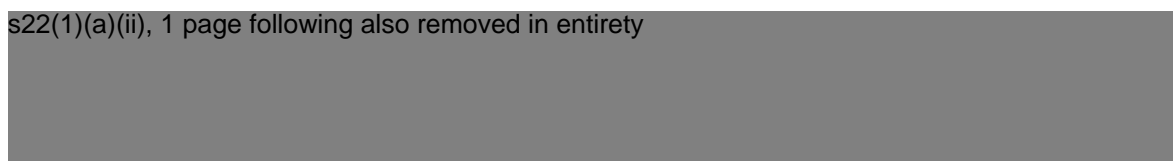
s22(1)(a)(ii)



The Government received the final report of the inquiry at the end of June, which made 31 recommendations ranging from the need for consistent national consumer protections and improved research and data, reform of online gambling regulation and gambling advertising rules, and addressing illegal offshore gambling and simulated gambling games.


These recommendations will underpin the Government's consideration of what further reforms are required to reduce gambling harms.

s22(1)(a)(ii), 1 page following also removed in entirety



**Cleared by:** Margaret Lopez  
**Division:** DIV - Online Safety Media and Platforms  
**Created:** 22 March 2023  
**Last Updated:** 29 November 2023

s22(1)(a)(ii)



This Government is committed to reducing harms associated with online gambling and I, along with the Minister for Social Services, look forward to outlining our next tranche of reforms in due course.

**QUESTION: What is the Government doing to reduce gambling harms?**

The s22(1)(a)(ii) Government is committed to ensuring online gambling takes place within a robust legislative framework with strong consumer protections. Over the last twelve months this Government has delivered important consumer protections including:

- launching BetStop, the National Self Exclusion Register;
- banning the use of credit cards for online wagering;
- implementing consistent gambling messaging and wagering staff training;
- introducing mandatory customer pre-verification, which requires wagering operators to verify a customer's identity before they can place

a bet, strengthening protection for minors and those vulnerable to gambling harm; and

- initiating the inquiry into online gambling, which has provided us with a further evidence base which we are now considering.

The Minister for Social Services also brought together state and territory ministers for the first time since 2017 to discuss what comes next to address gambling harms.

In relation to BetStop, I'm pleased to share with the House that since its launch less than two months ago, BetStop has already had over 13,000 Australians register to voluntarily self-exclude from online wagering. Over half of these registrants are between the ages of 18 and 30, and 40 percent have elected to self-exclude for a lifetime. Registrants have nominated 1,600 people as support persons – to help them through their self-exclusion period. This will be a game-changer when it comes to helping these individuals stay safe from gambling-related harm.

Other important elements of our harm minimisation agenda that are underway include:

- introducing new mandatory minimum classifications for games with gambling-like features, which we have now received unanimous

agreement from states and territories to progress and will come into force in September 2024; and


This Government is committed to reducing harms associated with online gambling and I, along with the Minister for Social Services, look forward to outlining our next tranche of reforms in due course.

**QUESTION:** s22(1)(a)(ii)

s22(1)(a)(ii)

The bill that passed the Senate yesterday focused banned the use of credit cards for online wagering. It's passage through the Senate today will mean

s22(1)(a)(ii), 2 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

The Government's media reform program will include consideration of Commercial Broadcasting Tax arrangements.

The s22(1)(a)(ii) Government will be principled and evidence-based in its approach.

### **CREDIT CARDS**

**QUESTION: When will the Government ban the use of credit cards in online gambling?**

On the 6<sup>th</sup> of December the Parliament passed legislation to ban the use of credit cards and credit related products for online wagering.

It's as simple as this – people should not be betting with money that they do not have.

The Bill implements [recommendations from the Parliamentary Joint Committee on Corporations and Financial Services](#) from November 2021.

s22(1)(a)(ii)

The ban will be applied to Australian licensed wagering services and will bring online wagering into line with land-based gambling where credit cards cannot be used.



It will mean licensed wagering services must not accept payment via a credit card, including one linked with a digital wallet, or via digital currency such as cryptocurrency.

Individuals will still be able to use a debit card to gamble online.

Lottery services will be excluded from the ban as they present a low-risk to gambling harm. This exemption was recommended by the 2021 PJC Inquiry, as it found that lotteries - including not-for-profits, charities and newsagents - lead to relatively lower harm than other forms of online gambling.

This was also the view of the House of Representatives Standing Committee on Social Policy and Legal Affairs' inquiry into online gambling and its impacts on those experiencing gambling harm, which stated in its June 2023 report that lotteries have a lower risk of gambling than other forms of online gambling.

The Senate Environment and Communications Legislation Committee recommended the Bill be passed and that a review into the regulation of keno-type lotteries under the *Interactive Gambling Act 2001* be conducted over the next 12 months.

I have asked my department to investigate the impact of online keno, noting that the Bill provides for a 2 year review to assess the effectiveness of the ban and to identify any issues.

The ACMA will receive enhanced powers to enforce the ban, and penalties of up to \$ 234,750 could apply for any breach.

There is widespread support to ban credit cards for online gambling - from the wagering industry, banks, harm reduction advocates and the broader community.

The Government is committed to minimising harm from online gambling, and banning the use of credit cards for online gambling is an important element of our agenda.

### **GAMING AND LOOT BOXES – REFORM ANNOUNCEMENT**

**QUESTION: What is the Government's plan to regulate simulated gambling/loot boxes and in-game purchases?**

On 23 September, I announced that new mandatory minimum classifications for computer games containing gambling-like content will be in force from

September 2024, following unanimous agreement from the states and territories.

An R 18+ (Restricted) classification for 'simulated gambling' will legally restrict children accessing these games.

- This content is not suitable for persons under the age of 18. Proposed changes align with current age-based restrictions for real-world gambling.

An M (Mature) classification rating will apply to games containing 'loot boxes' that can be purchased.

- This rating sends a clear message to parents and carers about the age suitability of games with paid loot boxes, and highlights that there are risks associated with these products which they should consider before allowing the children in their care to engage with them.

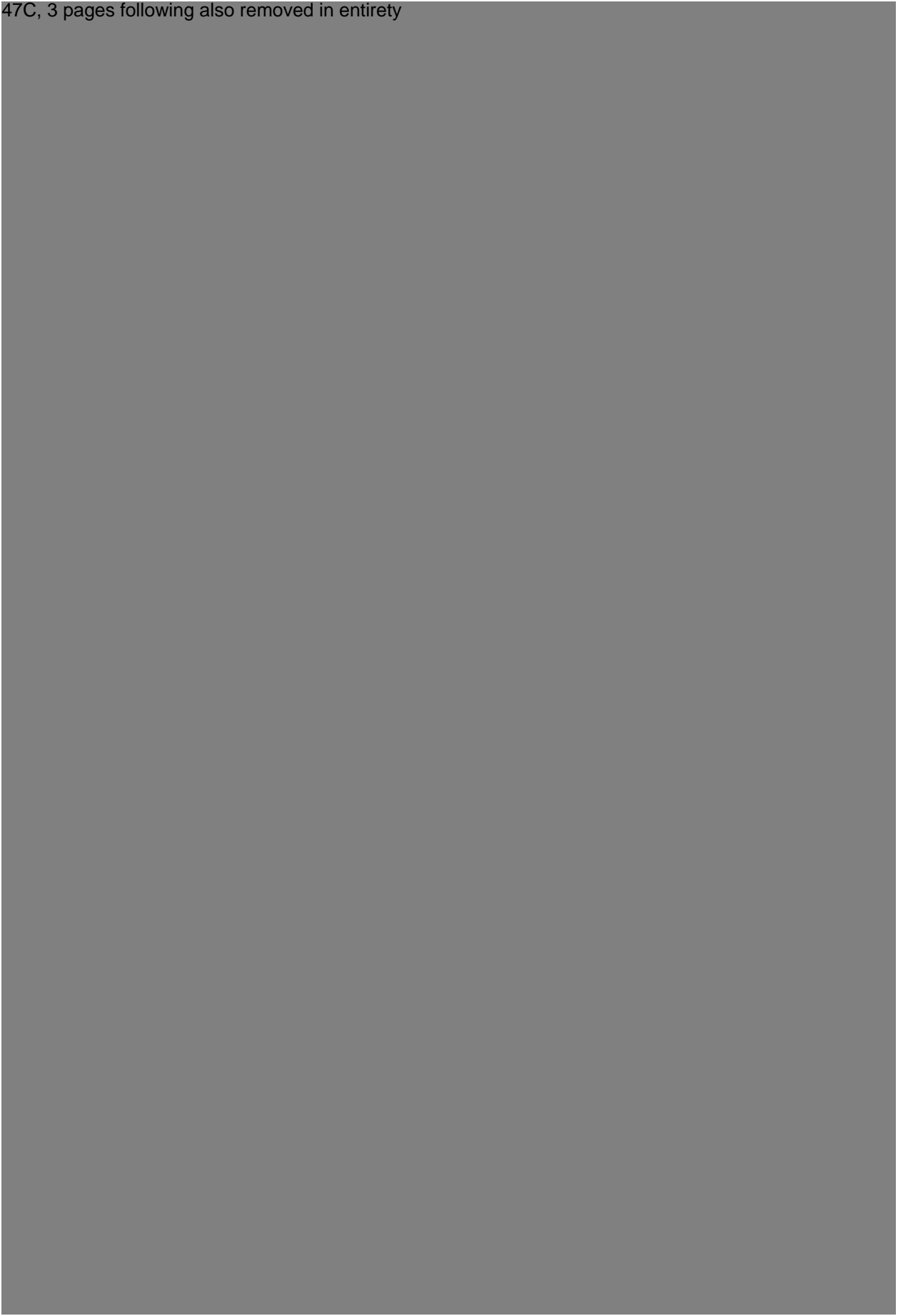
These ratings go further than what Neville Stevens recommended in his Review (which was PG for paid loot boxes, and MA 15+ for simulated gambling), informed by the findings of recent research commissioned by my department. It is a strong, and evidence-based approach.

But recognising that the classification framework is one avenue to address harms associated with gambling-like features in computer games, I have also asked the department to consider non-classification options and industry-led measures. The Government is also monitoring the industry-led approach in the United Kingdom.

The House of Representatives Committee Report also acknowledged that the proposed mandatory minimum classifications were a positive first step in minimising potential harms from these products.

**Background**

47C, 3 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

QB23-000089

**TELCO – UNSOLICITED COMMUNICATIONS – SCAMS**

**QUESTION:** Can the Minister outline what the s22(1)(a)(ii) Government is doing to protect Australians from scams?

I thank the Member for their question. And as they - and I think nearly every Member here knows - too many Australians have been victim of a scam, or know someone who has.

That is why the Government is providing \$86.5 million over 4 years for a comprehensive package of measures to combat scams.

Today, the s22(1)(a)(ii) Government has commenced public consultation on our commitment to introduce new, mandatory industry codes for the private sector to combat scams.

The framework would introduce minimum, consistent obligations for all relevant businesses to prevent, detect, disrupt, and respond to scams along with sector-specific obligations tailored to each sector.

With an initial focus on banks, telecommunications providers and digital platforms, businesses would be expected to have robust measures in place to

address the risk of scams on their services and strong penalties would apply if businesses fail to comply with the obligations.

It's Scams Awareness Week this week. Scamwatch statistics for the period January to September show almost 3 in 4 scam reports involved impersonation, with losses totalling \$92 million. The most common contact mode for these scams is SMS (text message).

Within my portfolio, the Australian Communications and Media Authority has been provided with more than \$10 million to set up Australia's first SMS sender ID Registry to help protect us from those scams impersonating trusted industry or government brand names – like Linkt or myGov – in text message headers.

These are the scams where people receive texts that appear to come from legitimate businesses or government agencies but are in fact attempts to trick people into disclosing their personal and financial information.

A sender ID registry will supplement the rules that came into force in July last year to help combat scam texts.

Under these rules, registered by the ACMA, telecommunications providers are required to identify, trace and block scam text messages.

If the telcos fail to comply with the rules, they face hefty penalties.

Under this regime, I am pleased to report that 257 million scam SMS were blocked and 748 million scam calls blocked in the year to June 2023.

The perpetrators of scams are **criminals** who operate domestically and overseas, and they are becoming more sophisticated. They are looking to different channels to take advantage of and harm innocent Australians. This includes online platforms such as WhatsApp, Facebook Messenger and Instagram.

The ACCC estimates that Australians **lost more than 3.1 billion dollars** in 2022 to scams.

This Government is committed to a new long-term, coordinated, whole-of-government approach to reduce Australians' losses to scams.



In the May budget, the Government through its Fighting Scams measure has committed an additional \$86.5 million over 4 years from 2023–24 to combat scams and protect Australians from financial harm.

Funding will support the new National Anti-Scam Centre (NASC) to facilitate real time data sharing and the coordinated disruption and prevention of scams.

There is also funding for the Australia Securities and Investments Commission to take down investment scams.

So I say this to Australians who are tuning in. Scammers are on notice: the Australian Government will use every tool at our disposal to stop them ripping off hard working Australians.

**IF ASKED: What is the Government doing to stop digital platforms such as Facebook and Instagram, from displaying scams ads that use deep fake videos of high-profile Australians “endorsing” fraudulent investments?**

The Government has committed to introducing industry codes to made digital platforms responsible for reducing the prevalence of scams on their services.

Today, my department together with the Department of Treasury launched a consultation process seeking feedback on the proposed features of the Scams Code Framework.

The speed of innovation in artificial intelligence technology means that AI presents potential new risks including: algorithmic bias, data privacy and security, the rapid spread of misinformation and deep fakes. The Government is considering our approach to regulation of AI - noting my colleague Ed Husic, the Minister for Industry, released a discussion paper in June.

The ACCC has also raised concerns with online scams through its fifth Digital Platforms Services Inquiry report; the Government Response to this report will be released soon.

Can every scam be stopped? The reality is scams will always exist and consumers always need to be vigilant. But these measures offer better protections and deterrence than ever before.

Background (ACCC)

s47C



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**QUESTION: Australians received unsolicited text messages about the recent referendum. Was this in breach of the Spam Act?**

The *Spam Act 2003* regulates commercial electronic messages (commercial Short Message Service (text) /Multimedia Message Service, emails and instant messaging). The Spam Act does not regulate political communications.

Political communication is protected by law in Australia.

**Background (referendum)**

s47C



**OPTUS OUTAGE****QUESTION: What will the Government's review of the Optus outage consider?**


- The terms of reference for the review released today, details the breadth of the Government's enquiry.
- It will focus on:
  - The functioning of Triple Zero during the outage, including contrasts to other outages, and whether changes are required to:
    - a. the technical settings required to ensure the continued access to Triple Zero by users whose network is experiencing outages;
    - b. the regulatory settings required to ensure the continued access to Triple Zero by users whose network is experiencing outages;
    - c. the circumstances in which other networks may be relied on to support a network that is subject to a major outage; and
    - d. the interaction between carriers, carriage service operators, Mobile Virtual Network Operators (MVNOs), the Emergency Call Person and other participants in the telecommunications sector to ensure the continued access to Triple Zero by users whose network is experiencing outages (including an examination of existing processes).

- The role of Government in managing and responding to national service outages.
- The adequacy of requirements for customer communication in national service outages.
- The adequacy of how customer complaints processes and compensation processes performed for consumers and small business following the outages.
- Other telecommunications sector implications, including resilience and interdependencies between telecommunications networks.
- The review will consult widely with industry, consumer and small business stakeholders as well as with Australian Government and state and territory agencies. The review will provide a report to the Minister for Communications by 29 February 2024.
- The review will be led by Mr Richard Bean, a former head of the Australian Communications and Media Authority.

**QUESTION: What compensation will Optus pay to customers?**

- <sup>s</sup><sub>2</sub> note Optus extended an offer to its pre-paid and post-paid mobile customers.

s22(1)(a)(ii)



- If a customer is unhappy with the response s22(1)(a)(ii)  
can raise a complaint with Telecommunications Industry Ombudsman.  
Further information can be found at [www.tio.com.au](http://www.tio.com.au).

**QUESTION: Opposition: why isn't the Government determining what compensation should be paid?**

s22(1)(a)(ii)

- If consumers have a complaint they should raise these matters with their service provider in the first instance.
- It is important to acknowledge the impacts of service disruptions can vary across customers s22(1)(a)(ii)
- Small businesses who were uniquely impacted by the outage should initially contact their Optus account manager, or the Optus Business Centre or Business Care on 133 343, which is open from Monday-Friday, 9am to 5pm.
- If a customer is unhappy with the response, they can raise a complaint with the Telecommunications Industry Ombudsman. Further information can be found at [www.tio.com.au](http://www.tio.com.au).

- What Australians want foremost is for their services to work and be reliable.
- And if things do go wrong, Australians reasonably expect businesses and service providers to do the right thing by their customers.

**QUESTION: What is the Government doing to ensure that an outage of this scale is not repeated?**

- The outage caused significant economic and social disruption for millions of Australians right across the country.
- Australians expect and deserve better from their s22(1)(a)(ii) providers, and it is essential that we understand what happened, what went wrong, and what improvements can be made in the future.

s22(1)(a)(ii)

- Separately, the Australian Communications and Media Authority has independently commenced an assessment to investigate Optus' compliance with the rules regarding Triple Zero emergency calls.
- The matter has also been referred to the Senate Environment and Communications References Committee, and the Government will be paying close attention to the Committee's findings.



**QUESTION: Impacts of Optus outage on Australians with a disability who rely on connected devices**


- Connectivity is an essential service and vital for the functioning of our society and economy.
- For many Australians with a disability, including those relying on internet assisted technology, the Optus outage would have been deeply distressing.
- s22(1)(a)(ii) [REDACTED], Marayke Jonkers said recently “If you’re elderly, if you have a disability, you’re relying on voice to text, or on-screen readers ... all those things that require the internet.”

s22(1)(a)(ii) [REDACTED]

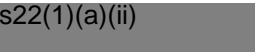
- It is essential that we understand what happened, what went wrong, and what improvements can be made in the future to reduce the risk of a disruption of this scale recurring – whether that be by Optus or any other major telecommunications provider.

s22(1)(a)(ii) [REDACTED]


s22(1)(a)(ii)



**QUESTION: Was the Optus outage caused by a cyberattack?**

- Optus  there is no indication to suggest that the Optus outage was the result of a cyberattack.

s22(1)(a)(ii)



**QUESTION: Would emergency mobile roaming have helped during the Optus outage?**

- The ACCC's finding that roaming is technically feasible in emergencies such as natural disasters is a welcome development, but further work needs to be done to design and develop the capability and mitigate risks such as network congestion.

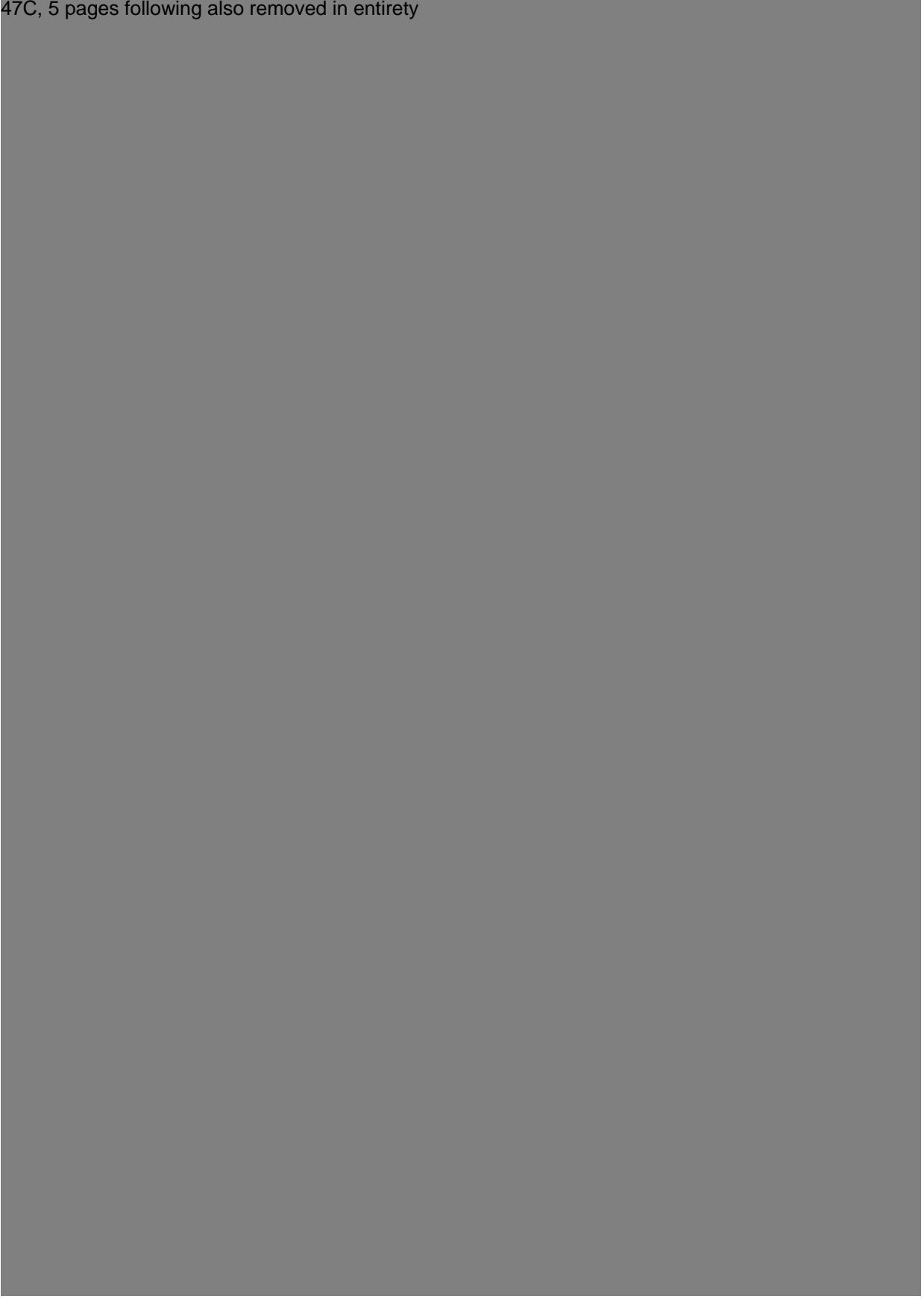
- The Government has tasked the Department of Infrastructure, Transport, Regional Development, Communications and the Arts and the National Emergency Management Agency with scoping out an emergency roaming capability and reporting back by March next year. s22(1)(a)(ii)

[REDACTED]

[REDACTED]

**Background**


47C, 5 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

**NBN - SAU VARIATION – ACCC**

s22(1)(a)(ii)



NBN Co revised its SAU variation informed by extensive consultation and engagement between it, the Australian Competition and Consumer Commission (ACCC), industry and other stakeholders.

The ACCC, as the independent regulator, has now accepted NBN Co's revised proposal having regard to the long-term interests of end users. This decision will provide long-term regulatory certainty.

The revised SAU will give greater price certainty for industry and contains a number of elements that promote affordability and enhanced service quality. It will also enable NBN Co to continue to invest efficiently in its network. Improved certainty of prices from the variation will also reduce barriers for retailers entering the market and seeking to expand their offering to consumers.

The Government is pleased with the revised SAU's pricing and service standards being reflected in the new version of the Wholesale Broadband Agreement which came into effect on 1 December 2023.

The new pricing arrangements will result in greater price stability, keeping prices in line with inflation and protecting consumers from unexpected sharp price hikes.

**QUESTION: Did the process take too long?**

It was important that NBN Co took the time to respond to issues raised by the ACCC and seek feedback from stakeholders.

The revised wholesale prices came into effect on 1 December 2023 through a new Wholesale Broadband Agreement known as WBA5.

**QUESTION: Does the SAU variation do enough to improve service quality?**

The Government is committed to supporting improved broadband services for consumers in Australia. NBN Co's ongoing upgrade programs across its network being funded by the Government will increase service quality and the reliability of the network over time.

NBN Co's SAU variation includes a number of elements to promote service quality.

It includes baseline service standards, a number of which were enhanced compared to the previous WBA4 arrangements, and makes provision for these baseline service standards to be enhanced over time. The variation also gives significant powers of review to the ACCC.

The company's varied SAU also incorporates annual service improvement plans and annual service performance reviews in the upcoming regulatory cycle.

The ACCC has accepted NBN Co's proposal having regard to the long-term interests of end users including the impact on service quality.

**QUESTION: Will the SAU variation promote affordability?**

The ACCC has accepted NBN Co's SAU variation because it considers the revised arrangements are in the long-term interest of broadband users.

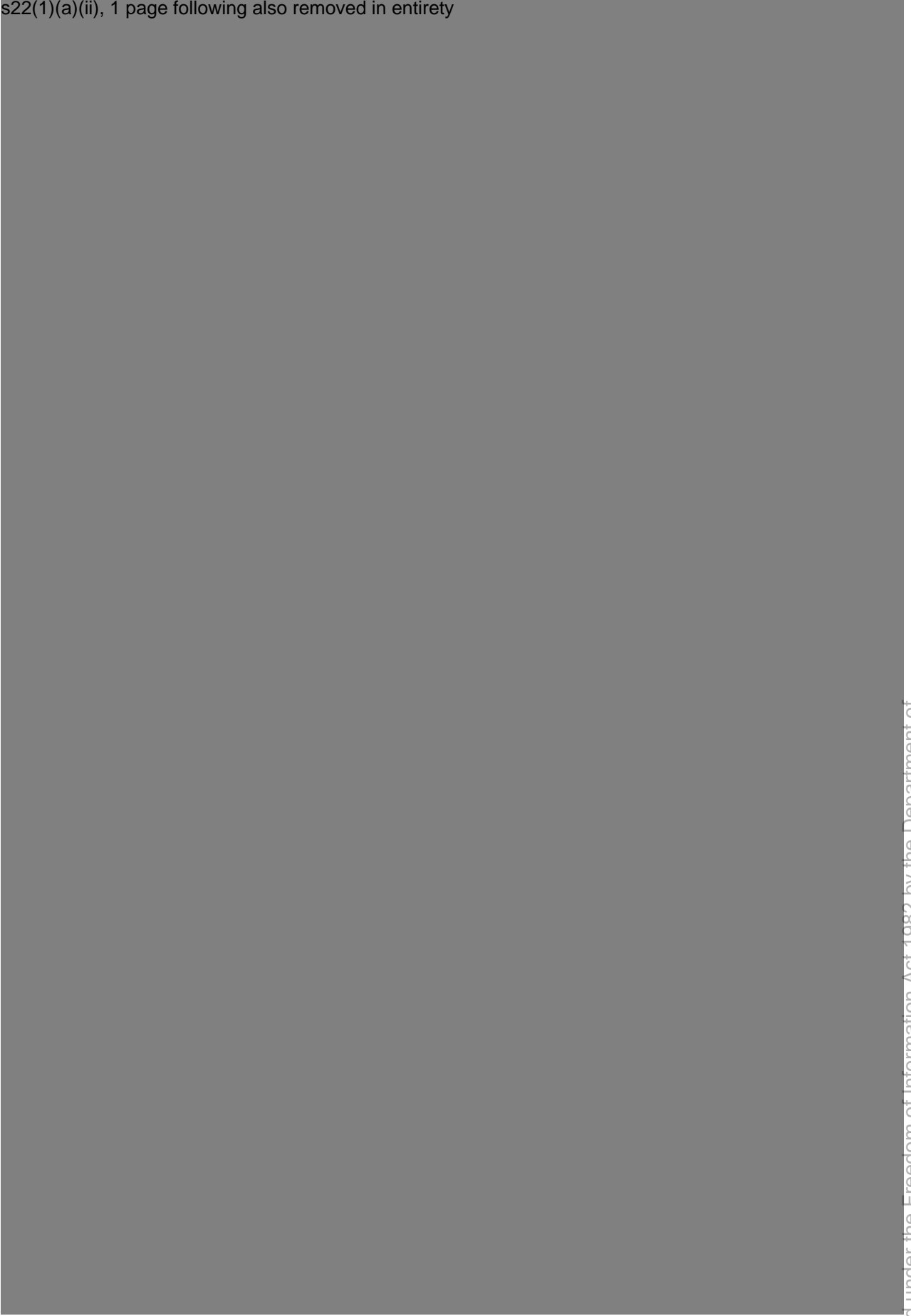
The ACCC Commissioner Anna Brakey stated that: "the new pricing arrangements will result in greater price stability, keeping prices in line with inflation and protecting consumers from unexpected sharp price hikes."



NBN Co's varied SAU contains a number of elements that promote price certainty for retailers and affordability for consumers, and NBN Co announced further enhancements on 1 November 2023. These improvements include:

- Removing variable CVC charges of 100 Mbps and above residential products and reducing their prices, supporting Australians to take advantage of the full fibre upgrade.
- Reducing variable CVC charges on 50 Mbps and below products from \$8 per Mbps to \$5.50 per Mbps, and providing a clear pathway for removing these charges by 2026
- Reducing the wholesale bundle price of the 25 Mbps product from \$37 per month to \$26 per month.
- Introducing a new, low cost voice service.
- Increasing the CVC inclusion on the 50 Mbps from 2.65 Mbps to 3.55 Mbps.
- Establishing a ceiling price for 50 Mbps and below products to provide cost certainty to retailers
- Limiting annual price increases on the overall basket of residential products to CPI in the upcoming regulatory period.

s22(1)(a)(ii), 1 page following also removed in entirety




Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

The impact of price changes would vary across retailers depending on their product mix. It is also important to note that NBN Co does not set retail prices for NBN services since that is a matter for retailers.

NBN Co has published a three-year pricing roadmap on 1 November 2023 to provide transparency of its proposed pricing from 2023-24 to 2025-26 and certainty to industry. This included some enhancements to the price changes implemented on 1 December 2023, including increases to the CVC inclusions for the 25 Mbps, 50 Mbps and Fixed Wireless products that are above what NBN Co previously committed under the accepted SAU.

s22(1)(a)(ii), 3 pages following also removed in entirety




NBN Co's approach in the SAU variation process is to ensure that it has the opportunity to be commercially sustainable, including that it can achieve and maintain a standalone investment-grade credit rating.

Background


s47C



**NBN – OVERARCHING**s22(1)(a)(ii)  


We are investing \$2.4 billion over four years to give an additional 1.5 million premises full-fibre access. That means 90 per cent of homes and businesses in the NBN fixed line footprint will have access to gigabit speeds by late 2025.

This includes providing full-fibre access to more than 660,000 additional homes and businesses in the regions currently relying on copper wire. This will boost the reliability of services and productivity of regional businesses, and supports the changes in the ways we work, study and transact since the pandemic.


s22(1)(a)(ii)  


In addition to the fibre upgrades we are already delivering upgrades of the NBN fixed wireless network, with **\$480 million** provided towards a \$750 million upgrade. An additional 120,000 premises that are currently satellite-only premises will be able to access fixed wireless, with over 28,500 of these premises already ready to go. Further, all premises in the expanded footprint will be able to access speeds of up to 100 Megabits per second.

On satellite, NBN's Sky Muster Plus Premium product is offering a plan with unmetered data over satellites and download speeds up to 100mbps across the entire satellite footprint.

With its uncapped data usage, capability to provide up to 100 megabits per second download speeds and lower wholesale pricing, this product will improve the quality of life for people living and working in regional, rural and remote areas of Australia.

s22(1)(a)(ii)



***If asked about NBN letter to the ACCC regarding Broadband Speeds***

Since the inception of the NBN growth in Australian average fixed download speeds has accelerated from just 9 Mbps at the end of 2011 to 53 Mbps at the end of 2022.

In 2011, our highest residential speed was 100 Mbps – that’s now jumped to close to 1 Gbps.

And while speeds have increased, the cost of the internet in real terms has dropped by about 5 per cent since 2000.

Consumers are able to make their own decisions about the plan that best suits them. The more devices and applications a household has accessing broadband simultaneously, the higher speed plan will meet their needs to ensure consistent performance.

The new Special Access undertaking approved by the ACCC allows the provision of a new basic voice and data service at around half the price of NBN Co’s existing entry level broadband offer.


A recent survey found NBN users save over two hours per week and \$2,580 per year in avoided costs by conducting activities over the internet.

***If asked about the NBN Co CEO now being under Remuneration Tribunal arrangements***

The position of NBN Co CEO is now listed as a Principal Executive Office under the *Remuneration Tribunal Act 1973*. The contract of employment and remuneration of the CEO position will be set by the NBN Board, within the limits outlined by the Remuneration Tribunal.

**Background**

47C, 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts



**EMERGING COMMUNICATIONS — LOW EARTH ORBIT SATELLITES****QUESTION: Will the Government be supporting the development of a Sovereign Low Earth Orbit Satellite capability?**


The Government is well aware that LEOSats are likely to offer game-changing solutions for connectivity across Australia – especially for Australians living in rural and remote areas, including First Nations communities. LEOSats also offer important opportunities for improved resilience since they are non-terrestrial networks and therefore less susceptible to natural disasters.

While promising, there are still many uncertainties as to the performance, cost and sustainability of LEOSats.

I established the Low Earth Orbit Satellite Working Group last year to identify and leverage the opportunities this technology presents for Australia. It brings together, for the first time, the key global satellite companies and Australian Government agencies to closely track developments, manage risks and harness opportunities.


This forum has been invaluable in exploring the roles that LEOSats can play, and to cut through the substantial hype and better understand the realities.




s22(1)(a)(ii)



I will be closely engaged with the industry to assess the potential of LEOSats for Australia, and this government will explore all reasonable options which ensure that Australia's national interests and the long-term interests of rural, remote and First Nations Australians are well-served.

#### NBN Sky Muster

NBN is also undertaking an RFI process to better understand the advantages and challenges of four different LEO constellations. 



NBN Co's satellites will reach their end of life around 2032. We will consider these options and make decisions in the long-term interests of consumers.

Starlink services are better than what NBN Co offers

It has been widely reported that Starlink, the most advanced LEO network, has quickly built a significant subscriber base. It is always a good thing for Australians to have additional choices for their connectivity. NBN services will, however, continue to provide services to all Australians no matter where they live.

It is clear that Starlink is already offering connectivity that meets the needs of some Australians although NBN Co's Sky Muster service has only experienced a modest reduction in active users to date. At the same time, the number of premises connected to NBN fixed wireless services is continuing to grow.

We also recently saw the NBN launch Sky Muster Plus Premium plans which provide regional Australia with unmetered internet access. The movement of premises off Sky Muster – s22(1)(a)(ii)

– has freed up capacity on those satellites, and enabled the provision of the unmetered SkyMuster Plus service.

The services offered by Starlink and NBN Co's retail service providers do, however, differ in relation to provision of user support, professional installation and set up costs and I continue to encourage consumers to choose a service that best meets their needs.

Telstra has also announced its intention to offer consumer grade services using Starlink from late 2023. I welcome these developments and the choices for connectivity available for consumers living in regional and remote Australia.

#### Direct-to-device services – commercial announcements

Direct-to device technology and commercial opportunities are rapidly evolving. Optus has in place an arrangement with Starlink to offer LEOSat connectivity to mobile devices across Australia with text from late 2024 and voice and data to follow.

Telstra is pursuing a similar strategy announcing trials of a similar service from 2024. It has not revealed which LEOSat constellation it intends to use.

- This is in addition to Telstra's arrangement with Oneweb for mobile backhaul and with Starlink to act as a reseller of its services.

Both of these services will complement the networks' existing coverage.

Background

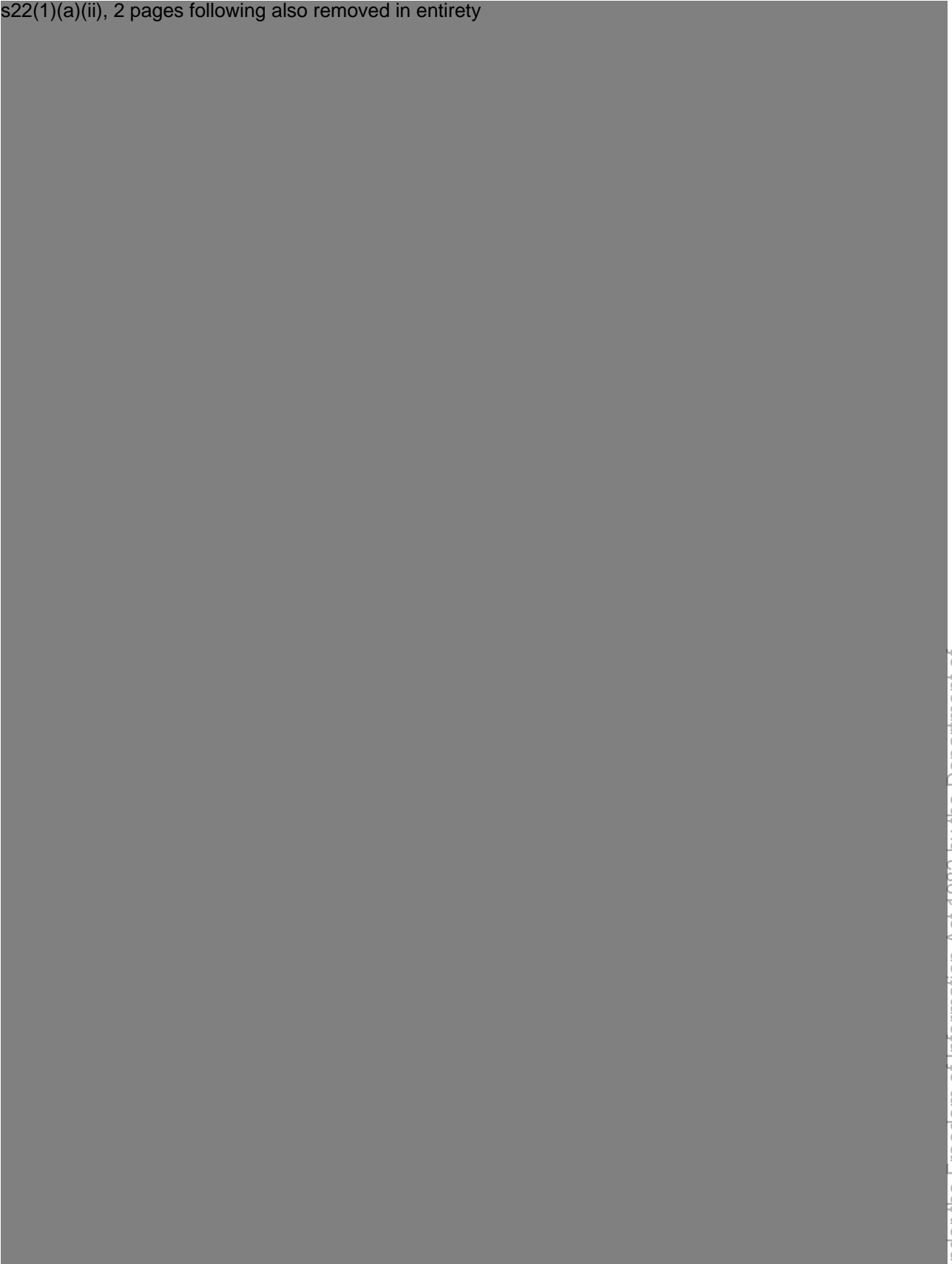
s47C



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**ONLINE SAFETY: AGE VERIFICATION**

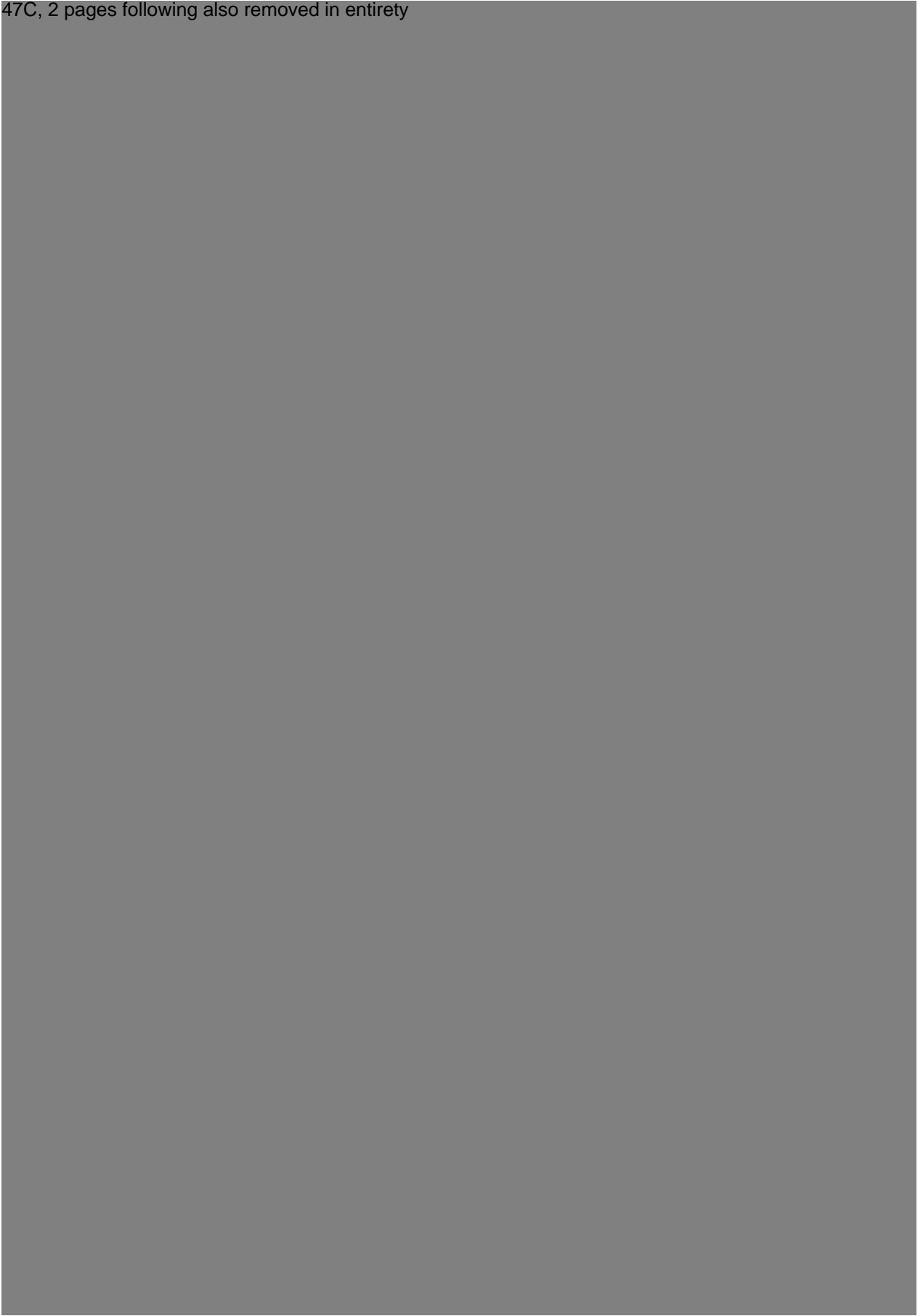
s22(1)(a)(ii), 2 pages following also removed in entirety



Cleared by: s22(1)(a)(ii)  
Division: DIV - Online Safety Media and Platforms  
Created: 18 January 2023  
Last Updated: 4 December 2023

**Background**

47C, 2 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of  
Infrastructure, Transport, Regional Development, Communications and the Arts

## **BROADCAST – OVERARCHING MEDIA REFORMS**

### **MEDIA REFORM AGENDA – Scope and Parallel Work Streams**

**QUESTION: Why is the Government abandoning the media harmonisation agenda?**

The Government is committed to modernising media regulation and has wasted no time in beginning this work.

I am developing measures to better connect, inform and empower Australians.

In the immediate term, we are focussing on:

- Implementing a legislative framework supporting the prominence of local television services on internet-connect TVs.
- Reforming the anti-siphoning scheme.
- Introducing Australian content obligations for streaming services – in line with *Revive* – Australia’s new National Cultural Policy, announced by the Minister for the Arts.

Work on these priorities is underway and is being informed by consultation processes.



We are developing a News Media Assistance Program, or 'News MAP' to lay foundations for principled, targeted and evidence-based interventions to support a vibrant and diverse news media sector.

To assist the development of News MAP, the Government provided \$900,000 for the Public Interest Journalism Initiative (PIJI) to continue producing the Australian News Data Report and maintaining datasets on changes in the state of public interest journalism and news media production in Australia.

The Government has also provided \$1.5 million to the Local and Independent News Association (LINA) to underpin its work in supporting digital, hyper-local and independent news publishers.

In the October 2022 Budget, the Government maintained existing programs supporting the media sector, including:

- A Journalist Fund supporting public interest journalism by cadet journalists in the regions.
- Extending transitional support to relevant regional broadcasters via a rebate in relation to Commercial Broadcasting Tax arrangements.

- The Television Research and Policy Development Program to provide Government and industry with information needed to make choices about the future of free-to-air tv services.

Over two Budgets, the Government has made other funding commitments to support the media sector, including:

- Better funding the ABC and SBS with stable, 5-year funding terms, the rolling-in of terminating measures into base operational funding, and the restoration of \$83.7 million to the ABC in funding that the previous Government cut.
- Support for the AAP newswire's sustainability.
- \$15 million for over 200 regional and local independent newspaper publishers, including First Nations and multicultural publishers; and
- An additional \$4 million per year of funding for the Community Broadcasting Program, taking annual funding to over \$20 million per year.

**QUESTION:** s47C

In August last year, I released a consultation paper seeking views on a proposal to remake the Broadcasting Services Definition Exclusion Determination.

The instrument was remade in September and, while not a reform initiative in itself, it provides stability and certainty to industry while we progress a broader reform agenda.

This is an interim step towards our broader goal to modernise media regulations and fulfil the legitimate expectations of citizens and consumers and industry for consistency, transparency and equity in our regulatory environment.

**QUESTION: When will the Government act to make digital platforms more accountable?**

Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

And they expect service operators to have processes and systems in place to reduce the potential for harms and enable concerns and complaints to be addressed.

At present, the content and programs that are accessed by a user on a broadcasting service are not subject to the same regulatory safeguards and

protections as content on programs on a streaming video service – even if the content is identical.

Our longer-term reform program will seek to address this issue of consistency.

With our initial focus on anti-siphoning, prominence and the provision of Australian content on streaming services, we can make real progress in relation to bringing over-the-top streaming services into the regulatory framework.

And we are also progressing other streams of work.

The Government has released an exposure draft of the Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023 for public consultation.

The Bill would establish a new framework to empower the Australian Communications and Media Authority (ACMA) to hold digital platforms to account for harmful disinformation and misinformation online. [For further information see **QB23-000103**]

**MEDIA REFORM AGENDA – SVOD Australian content requirements**

QUESTION: s47C

QUESTION: s47C

QUESTION: s47C

As part of our **National Cultural Policy – *Revive*** – which was launched by the Prime Minister and advanced by the Minister for the Arts, the Government has committed to take the necessary action so that Australians continue to be able to see and hear quality home-grown content, regardless of which platform they are using.

The National Cultural Policy is a broad, comprehensive roadmap for Australia's arts and culture that now informs work in the Communications Portfolio to modernise media regulation and update analog-era broadcasting legislation for the digital age.

The Minister for the Arts and I consulted with stakeholders in the first half of this year. Following valuable industry feedback on high-level models, the


Government refined its view and in the third quarter of 2023 requested further data from streaming services.

This information has been analysed and on 6 November 2023, the Government commenced further targeted consultation on its refined approach.

The Government remains committed to commencement of the obligation by 1 July 2024.

We are committed to a genuine consultation process and taking the time we need to ensure we get this right, whilst keeping to the original commencement timeframe.

s22(1)(a)(ii)



We are committed to actually legislating an Australian content obligation on streaming services, commencing next year, and we are taking the time to get it right, with industry, in a consultative and evidence-informed way.

The obligation will be introduced as part of the Government's broader reforms to media legislation and is the joint responsibility of the Minister for Communications and the Minister for the Arts.

Any reporting about specific details of the obligation the Government will impose is incorrect: no model has yet been agreed.

Meanwhile, work to implement a legislative framework supporting the prominence of local television services, and the review of the anti-siphoning scheme, remain key reform priorities for 2023.

The production of children's screen content has fallen as a result of the changes to content quotas on free-to-air television.

On 19 May 2023, the ACMA released a report showing Australian content spending by commercial television in 2021-22. Some program genres saw increases in spending however there was a decrease in expenditure on Australian children's programs.

Similar results for children's drama programs can be seen in the 2022 Australian content compliance results for commercial television broadcasters, released by the ACMA on 31 July 2023. All licensees met the Australian content requirements for their primary and non-primary channels in 2022, with metropolitan licensees exceeding their transmission quotas, however the results show a marked reduction in children's drama programming and children's drama program hours on 2021 figures.

The National Cultural Policy has committed to introducing requirements for Australian screen content on streaming platforms and as part of this, reviewing policy settings to support the production of certain sub-genres, including children's content.




**BROADCAST: MEDIA CONCENTRATION**

**QUESTION: Will there be a Royal Commission into media concentration – if not, why not?**

**QUESTION: When will the Government respond to the Senate Inquiry into media diversity?**

**QUESTION: In light of the revelations about Fox News in the Dominion Voting Systems lawsuit in the USA, what is the Government doing to ensure media standards are upheld and to probe the "Murdoch media empire and the control and influence they have over Australian democracy"**

s22(1)(a)(ii)



There have been multiple reviews and inquiries into the media and public interest journalism over the past decade, yet the recommendations from these processes have not been properly addressed.

Instead of another inquiry, our focus is on implementing the backlog of recommendations to support the viability of the media sector that already exist.

s22(1)(a)(ii)

There are three priorities

we are pursuing:

- Properly measuring media diversity and developing a framework to target measures for the news media industry, based on evidence of what will move the needle;
- Direct government funding to support a diverse and sustainable media industry; and
- Media reform to bring the regulatory framework into 21<sup>st</sup> century.

In November 2022, I announced the first step towards a news measurement framework for the digital era – a foundational step in modernising the way news media diversity is measured in Australia.

The Australian Communications and Media Authority completed a consultation process earlier this year on a new framework for measuring media diversity

and the Government is currently considering advice on the implementation of the framework.

The s22(1)(a)(ii) Government is committed to developing a News Media Assistance Program – or News MAP – to provide the evidence base needed to inform news media policy interventions and measures to support public interest journalism and media diversity.

We have allocated a total of \$5.6 million through the 2022-23 and 2023-24 Budgets to support the initial development of the News MAP, which will assist in ensuring future interventions are targeted to where they can best address the long-term challenges facing the sector.


- Out of this funding, the Government has provided \$900,000 for the Public Interest Journalism Initiative (PIJI) to support PIJI to continue collecting, analysing and maintaining Australian public interest news and journalism data.
- The Government has provided \$1.5 million in funding for the Local and Independent News Association (LINA). This will underpin LINA's

important work supporting digital, hyper-local and independent news publishers.

**Secondly, and in terms of direct government support for a diverse and sustainable news media sector:**

The Government has moved the ABC and SBS to stable, 5-year funding terms as part of the 2023-24 Budget, and is providing an additional \$103.8 million over 5 years to extend existing terminating measures and roll them into ongoing funding for the national broadcasters.


The Government is also providing \$5 million for the Australian Associated Press (AAP) to help sustain its independent, fact-based newswire service which provides news content to around 450 media publications, of which over 300 are located in regional areas.

- s22(1)(a)(ii)
- 

- A \$15 million lifeline for over 200 regional and local independent newspaper publishers across the country, including First Nations and multicultural publishers, under the Regional and Local Newspaper Publishers Program.
- An additional \$4 million per year of ongoing funding for the Community Broadcasting Program.

**Finally**, we are undertaking an ambitious program of media reform to support the sustainability of the media sector, including with a review of anti-siphoning, a legislated prominence regime for local TV and an Australian content obligation for streaming services.

s22(1)(a)(ii)



**What about introducing media standards, so that audiences can have more faith in journalism? (Zoe Daniel's proposal in Saturday Paper April 2023)**

Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

They expect that service operators have processes and systems in place to reduce the potential for harms and also that any complaints can be addressed. These audience expectations were highlighted in a position paper released by the Australian Communications and Media Authority last year: *What audiences want—Audience expectations for content safeguards*.

The ACMA is in discussion with industry on the next updates to industry codes of practice for the broadcast sector.


I also acknowledge concerns that the current sector specific approach to media regulation can result in gaps and discrepancies when it comes to content safeguards, with different rules potentially applying to content off- and online. These issues were most recently considered as part of the Review of the Privacy Act; the final report of which was released by the Attorney General in February this year.

The review included recommendations to strengthen self-regulation as it applies to privacy protections, including through the development of criteria

for adequate media privacy standards and a template standard which media organisations could adopt.

The Government is currently considering the outcomes of the stakeholder consultation process undertaken earlier this year to inform its response.

s22(1)(a)(ii)



The media are subject to a range of restrictions that impact their professional conduct as well as the news, public interest journalism and other content and programs they produce.

The media are also subject to a range of laws within the remit of the Attorney-General's portfolio, including laws of contempt, defamation and privacy, for example.

In my portfolio, a range of self- and co-regulatory codes of practice and editorial standards, as well as direct law and regulation, operate to regulate the media.

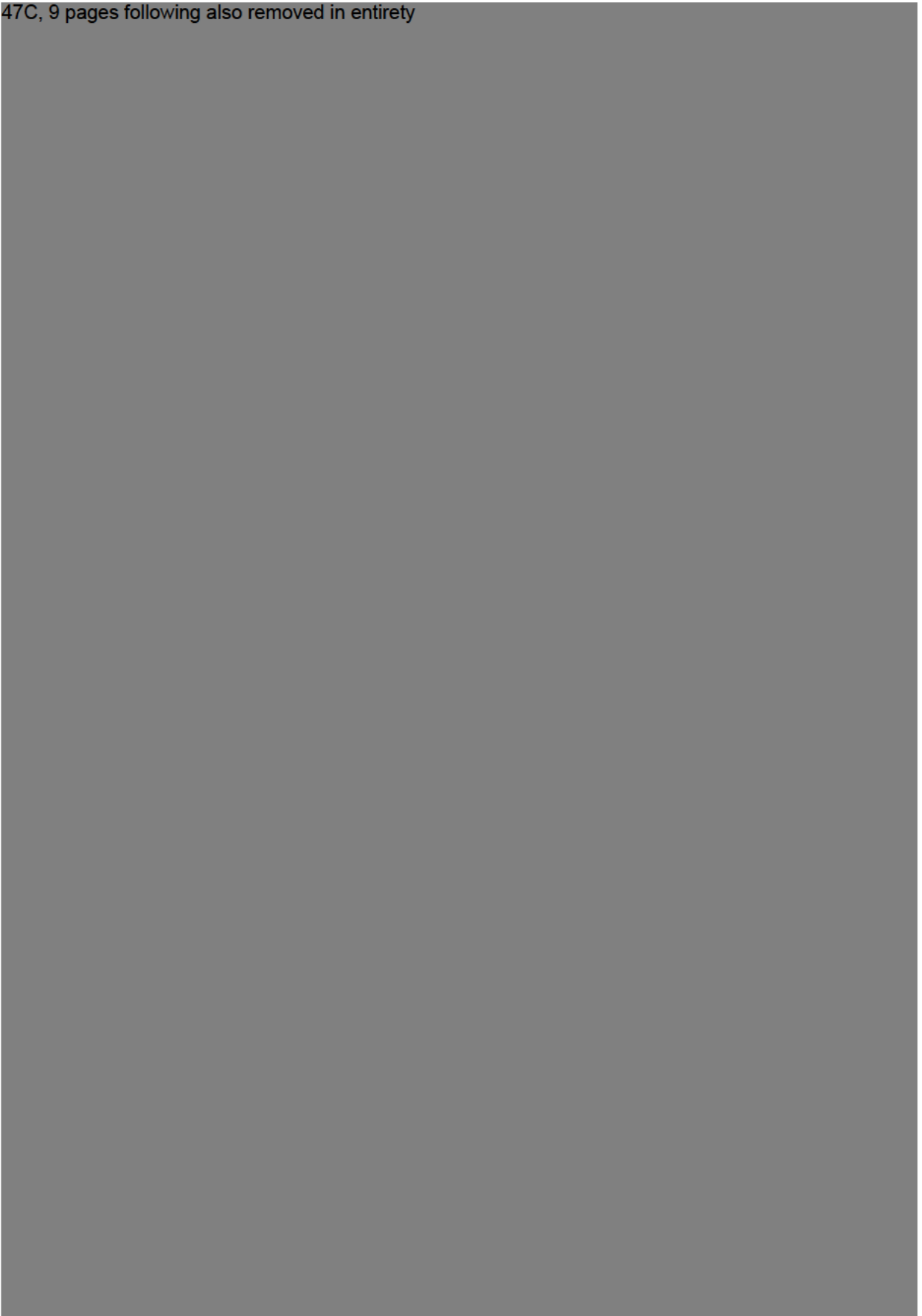
Australian audiences expect that media content they access is subject to basic safeguards that reflect contemporary community standards.

They expect that service operators have processes and systems in place to reduce the potential for harms and also that any complaints can be addressed.



Background

47C, 9 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

## **COMMUNICATIONS LEGISLATION AMENDMENT (PROMINENCE AND ANTI-SIPHONING) BILL 2023**

### **MEDIA REFORM – Bill overview**

The Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023 marks a significant step in bringing our regulatory framework into the 21st century.

The Bill will legislate a prominence framework for connected TV devices and reform the anti-siphoning scheme to maintain its relevance nearly thirty years after it was first introduced.

s22(1)(a)(ii) on its election commitments to support access to local TV services and free sports coverage in the streaming era.

It is s22(1)(a)(ii) that Australia's analogue-era regulatory framework has not been updated for the digital age.

As more and more people consume media online, s22(1)(a)(ii)

s22(1)(a)(iii) free-to-air broadcasters provide essential news, emergency

broadcasting, sport, s22(1)(a)(ii) and drama s22(1)(a)(ii)

, the many

Australians who rely on these s22(1)(a)(ii)

New online services are constantly entering the market, and these services are not required to meet the same obligations as free-to-air broadcasters.

s22(1)(a)(ii)

The Government has moved to address this challenge and enable our local media industry to support Australians to engage in social, economic and cultural life and participate in our democratic processes.

**MEDIA REFORM – Prominence****QUESTION:** s47C

The Government made an election commitment to legislate a prominence framework to ensure that local TV services can easily be found on connected TV devices.

We want Australians to be able to readily access the services that they rely on for Australian content, news and emergency information, and the broadcast of iconic sporting events.

The framework contained in the Bill will prohibit manufacturers of internet-connected television devices from supplying a device that doesn't comply with a set of minimum prominence requirements, and to take reasonable steps to ensure that compliance is maintained once the device is supplied.

The framework will prohibit manufacturers from requiring payment or any other form of consideration from broadcasters in relation to the minimum prominence requirements.

The minimum prominence requirements will be prescribed in regulations, which will be released for consultation in the New Year.

It is intended that the regulations will set out a right for free-to-air broadcasters to have their linear TV and broadcasting video on demand services made available on the home screens of connected TV devices.

The regulations will also provide a right for free-to-air broadcasters to have their apps pre- or auto-installed on those devices, without payment of fees.

In turn, broadcasters will need to offer their services to device manufacturers in a way that meets the reasonable technical standards of the device.

The framework will not prevent users at home from customising, or changing the position of apps on their screen. It will not prevent a user from removing an app they do not want on their device.

The framework will also not prevent a device manufacturer from placing their own proprietary apps in a position on the primary user interface that they consider to be the most important spot.

This balanced approach ensures free-to-air broadcasting services continue to be available on connected TV devices to consumers, without imposing significant burdens on manufacturers or distorting consumer choices.

**If asked:** <sup>s47C</sup>

The Bill will not tell Australians what app they can or cannot install, or watch on their smart TVs. Consumers will be able to move or uninstall any apps that they don't want on their device.

This Bill is also not retrospective. It will only apply to any connected TV device manufactured and supplied 18 months after the legislation comes into effect, and will not apply to devices that are already in Australian homes.

The Bill will require the manufacturers of regulated television devices to make free-to-air TV service apps available on any new regulated television devices.

Through regulations, it is intended that this will require the tiles for those apps – including for live TV – to be on the primary user interface.

However, once consumers take a new TV home, they will be at liberty to uninstall any apps, or rearrange the order of those apps, as they see fit.

**If asked:** <sup>s47C</sup>

I note that there has been debate in the media about prominence in recent weeks, and that the Australian Subscription Television and Radio Association, as the lobby group for pay TV, has strong views about the issue.

The prominence framework will ensure that local TV services – linear television and broadcasting video on demand services – are easily accessible for Australian viewers so that they are able to watch them if they wish.

This is important because independent research conducted by the Social Research Centre in 2022 found that a quarter of adult Australian TV users were not able to find broadcasting video on demand services through their device.

The ASTRA survey is just one of a range of pieces of research about prominence. Independent research from the Royal Melbourne Institute of Technology found that more than half of smart TV users agreed that free-to-air

applications should be preinstalled on new televisions. Similar findings were reported in research commissioned by Free TV.

***If asked:*** <sup>s47C</sup>



The minimum prominence requirements will be prescribed in regulations, which will be released for consultation early in the New Year to ensure full transparency.

The use of regulations to specify minimum prominence requirements will allow them to be adjusted over time to accommodate changes in technology and consumer preferences.

This will be particularly important given the rapid rate of change in the TV market in terms of technologies and consumer preferences.

Regulations can't be made until the Bill has received Royal Assent, and will be subject to Parliamentary scrutiny and disallowance processes.

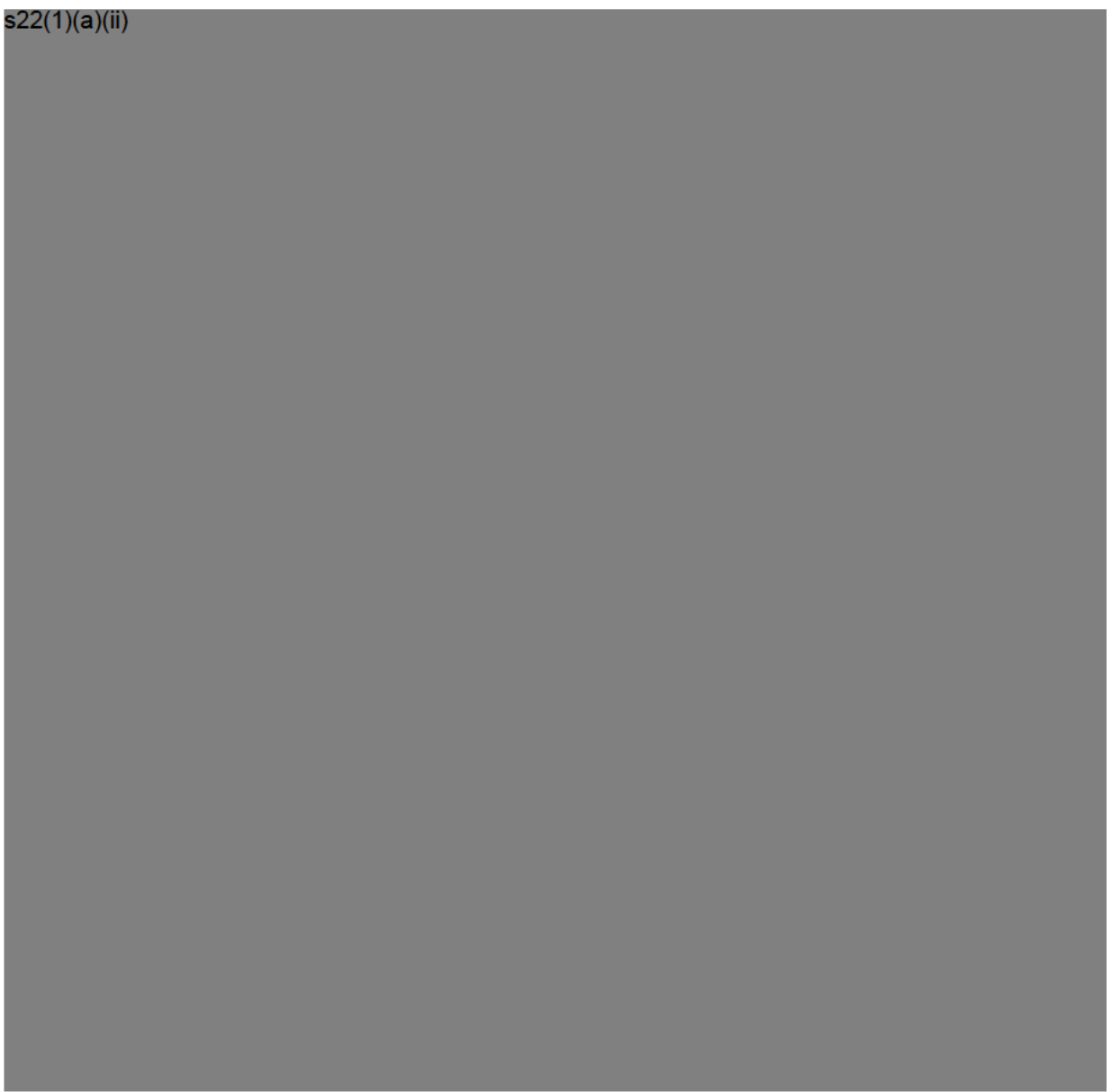


**If asked:** s47C

A large rectangular area of the document is redacted with a solid grey block.

The Government's immediate focus in relation to prominence is local television services. Further consideration will be given to radio prominence as part of our broader media reform agenda.

s22(1)(a)(ii)

A large rectangular area of the document is redacted with a solid grey block.

**MEDIA REFORM – Anti-siphoning scheme****QUESTION:** s47C

During the 2022 election campaign, the Government committed to review the anti-siphoning scheme and give working families the chance to watch, for free, events of national and cultural significance.

The anti-siphoning scheme is designed to support free access to televised coverage of nationally important and culturally significant sporting events. The Bill modernises the scheme to extend its application to digital media.

This is an important reform as global streaming services are not currently subject to the scheme.


This means there is no impediment to a global streaming s22(1)(a) (ii) acquiring the right to an iconic sporting events ahead of local free-to-air broadcasters, and placing it behind a paywall.

The Bill will address this risk by preventing all media content services – including streaming services – from acquiring a right to televise or provide

coverage of an event on the anti-siphoning list until a free-to-air broadcaster has a right.

In this way, the Bill affirms this Government's commitment to the role of free-to-air broadcasting as the 'safety net' for free access to televised coverage of iconic sporting events for all Australians.

s22(1)(a)(ii)



The Bill further acknowledges that media is in a state of transition, with Australian viewers shifting between traditional TV and streaming services in a relatively seamless manner to watch free local services.

For this reason, the Bill includes a review of the scheme in five years to assess how the framework is operating, the state of the market, and whether changes are warranted.

QUESTION: s47C

Alongside reforms to the anti-siphoning scheme, the Government intends to modernise the anti-siphoning list.

The Government is also releasing a consultation draft of a new anti-siphoning list; a much needed reform to bring the regulatory framework into line with today's community expectations.

As it stands, the list does not include sports that involve athletes with a disability. To a lesser extent, the list also favours men's competitions.

s22(1)(a)(ii)

This would include men's and women's international rugby league, rugby union, cricket and soccer matches that involve a senior Australian representative team.

This list would also include:

- all events held as part of the Summer Paralympic Games
- the finals series matches of the AFL Women's Premiership
- the finals series matches of the NRL Women's Premiership
- the NRL Women's State of Origin Series
- and the Women's "Ashes" series played in the United Kingdom.

These additions will ensure the consistent and inclusive treatment of nationally important and culturally significant events, regardless of the gender or the disability status of the athletes competing in them.

**If asked:** <sup>s47C</sup>



The events which Amazon has acquired the rights to televise are mostly not on the current anti-siphoning list. I note that Amazon has acquired the rights to televise International Cricket Council events in Australia, including the men's and women's Cricket World Cups, men's and women's T20 World Cups, the Champions Trophy, and the World Test Championship Final.

This development shows why the reforms contained in the Communications Legislation Amendment (Prominence and Anti-siphoning) Bill 2023 are necessary. Under the current anti-siphoning scheme, there is no impediment to a global streaming service like Amazon from acquiring the rights to iconic sporting events ahead of local free-to-air broadcasters, and placing them behind a paywall.

The Bill will address this risk by preventing all media content services – including streaming services – from acquiring a right to televise or otherwise provide coverage of an event on the anti-siphoning list until a free-to-air broadcaster has a right.

This Government is aware of the rapid evolution of the media sector, and changes in how Australians consume sports, and the Bill is calibrated to accommodate the reality of the contemporary media landscape.

The anti-siphoning list includes a range of matches in the ICC Cricket World Cup if they are played in Australia or New Zealand. For the period the Amazon agreement ends in 2027, I understand these tournaments are scheduled to be played elsewhere in the world.

**If asked:** s47C [REDACTED]

**If asked:** s47C [REDACTED]

The anti-siphoning scheme – which supports free access to televised coverage of events of national importance and cultural significance – has always benefited free-to-air broadcasters.


Free-to-air broadcasting plays an important public role by providing local news, local stories, crucial emergency information, and supporting Australia's cultural identity.

This is because free-to-air broadcasting services are free and widely accessible, and are well placed to provide coverage of iconic events.

Our free-to-air broadcasters are finding it increasingly difficult to compete with global streaming services (e.g. YouTube TV, Hulu, Amazon Prime, Peacock) as these services move further into the provision of live sports coverage.

The Bill supports the sustainability of free to-air broadcasting without imposing unreasonable constraints on the operations of sporting bodies, subscription broadcasters or streaming services.

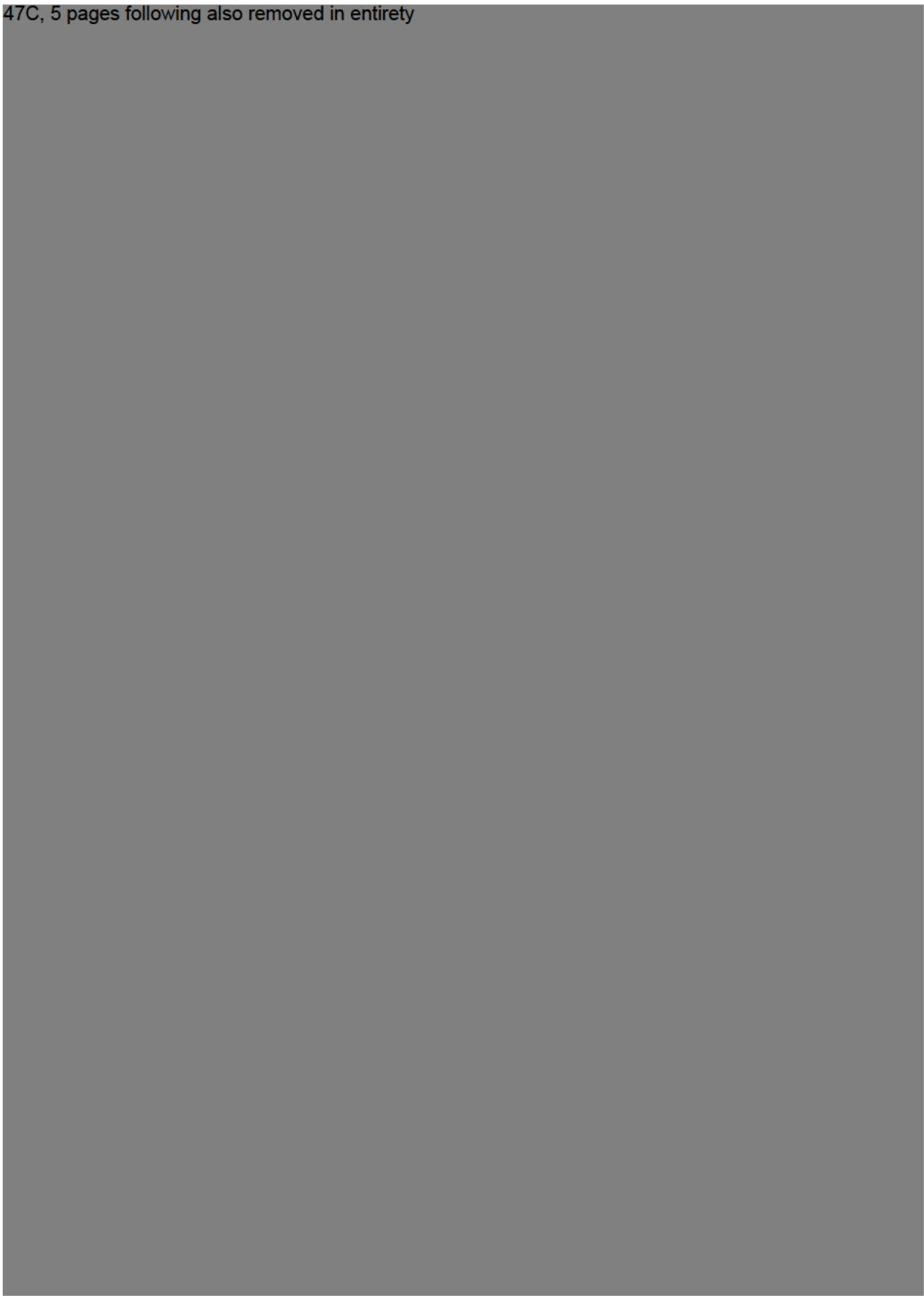
s22(1)(a)(ii)





Background

47C, 5 pages following also removed in entirety

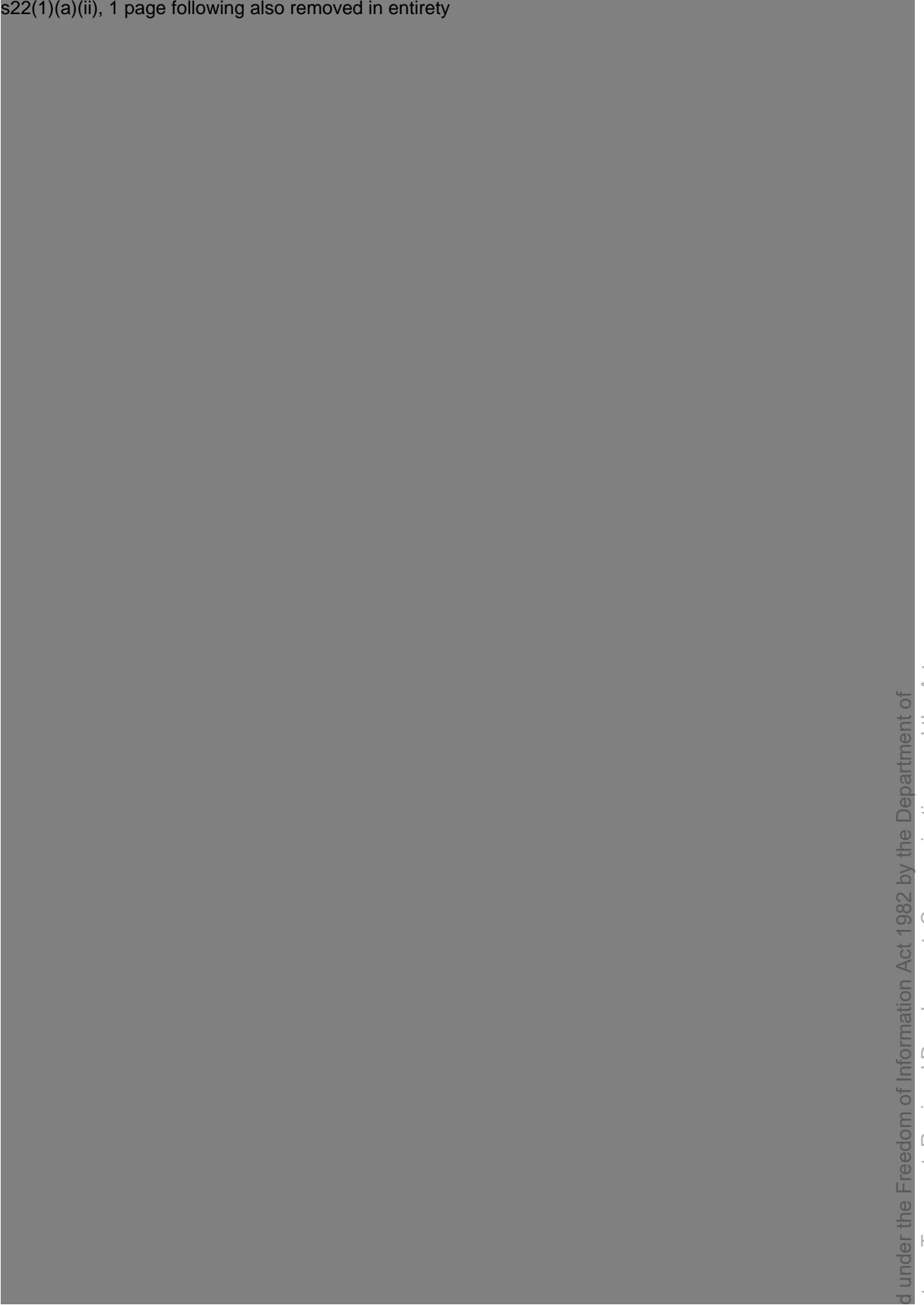


Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**ONLINE SAFETY – OVERARCHING****INDEX**

<b>Topic</b>	<b>Page number</b>
Government's online safety agenda	2
Online Safety Act Review	4
Proposed reforms to the Basic Online Safety Expectations (BOSE) Determination	6
Online Safety Act and industry accountability	9
eSafety's transparency measures to address child sexual exploitation and abuse material	11
Women's safety (incl. online dating safety)	14
Eating disorders and social media	16
Deepfake intimate images and AI cyberbullying in schools	18
Online hate speech	20
<b>Background</b>	<b>22</b>

s22(1)(a)(ii), 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**QUESTION: What will the review of the Online Safety Act consider and when will a report be finalised?**

On 22 November 2023, I announced the appointment of Ms Delia Rickard PSM to undertake the independent review of the Online Safety Act 2021 (the Act).

Ms Rickard was Deputy Chair of the Australian Competition and Consumer Commission for more than a decade and has extensive experience in regulating consumer harms. Her knowledge of the changing digital landscape and how harmful behaviour has evolved online will prove invaluable to the review of the Act.

The review will be broad-ranging and include consideration of the overarching policy objectives, and the operation of the Act. It will examine the effectiveness of the complaints-based regulatory schemes, how it is addressing online harms, and identify gaps in the legislation. I anticipate that matters such as online hate speech and international approaches to online safety regulation to be considered as part of the Review.

Public consultation for the Review will commence in early 2024, with a final report to be provided to Government in the second half of the year.

During the consultation period next year, I invite individuals, civil society groups and industry to have their say on whether our online safety settings remain fit for purpose.

The s22(1)(a)(ii) Government is committed to ensuring that Australia has world-leading online safety laws that allow Australians to harness the potential of the digital environment, while also keeping them safe online.

**Question: How can changes to the Basic Online Safety Expectations which are not enforceable address emerging harms?**

On 22 November 2023, I announced the start of consultation on proposed amendments to the Basic Online Safety Expectations (BOSE) Determination.

Comments on the proposed reforms can be made via my department's website until 16 February 2024.

The Basic Online Safety Expectations include the Australian Government's minimum safety expectations of digital platforms, including social media services, for protecting Australians online.

The amendments to the BOSE will increase industry accountability and enhance protections for Australians online. These include:

- new additional expectations that generative artificial intelligence (AI) capabilities must be designed and implemented with user safety in mind and minimise the production of unlawful or harmful material;
- that the best interests of the child should be front of mind in all actions taken by digital platforms;
- detecting and addressing online hate speech that breaches a service's terms of use; and

- the publication of regular transparency reports outlining what steps platforms are taking to keep Australians safe online.

The proposed reforms reinforce to industry that they are primarily responsible for the harms that occur on their platforms and that the Australian Government expects industry to take appropriate action to protect Australians.

Under the BOSE regime, the eSafety Commissioner can require service providers to report on how they are meeting the expectations. A service provider who fails to comply with a reporting notice from the Commissioner may be subject to civil penalties. This is a powerful tool for increasing industry transparency and accountability.

The proposed changes to the BOSE Determination are only one mechanism through which the Australian Government is ensuring our regulatory framework remains fit for purpose.

I recently announced the appointment of Ms Delia Rickard PSM to undertake the independent review of the Online Safety Act 2021 (the Act). The review will be broad-ranging and include consideration of the overarching policy objectives, and the operation of the Act.

Public consultation for the Review will commence in early 2024, with a final report to be provided to Government in the second half of 2024.

**QUESTION: How is the Online Safety Act (Industry Codes and BOSE) driving industry accountability?**

Keeping Australians safe online is a shared goal across governments, industry, civil society groups and the community. However, the s22(1)(a)(ii) Government believes that industry is primarily responsible for the harms that occur on its platforms.

Under the Online Safety Act, industry is expected to do more to keep its users safe and this includes developing industry codes.

The eSafety Commissioner has registered six industry codes, which cover Social Media Services, App Distribution Services, Hosting Services, Internet Carriage Services, Equipment and Search Engine Services. These codes outline steps the online industry must take to limit access or exposure to, and distribution and storage of, seriously harmful material, including child sexual exploitation material.

The Commissioner decided to not register the Relevant Electronic Services and Designated Internet Services industry codes after finding they did not provide appropriate community safeguards as required under the Online Safety Act, and will instead develop industry standards.

The decision on whether to register the codes is a regulatory decision solely reserved for the eSafety Commissioner.



A key element of holding industry to account is increasing transparency. In addition to clearly setting out Government's expectation of industry, the Basic Online Safety Expectations underpin efforts to improve transparency.

The eSafety Commissioner has to date issued three separate reporting notices covering 10 service providers requiring them to report what they are doing to keep Australians safe online.

Work to keep our online world safe is ongoing – every day new challenges emerge. Our Government will continue to hold industry to account and put the safety of Australians first.

**QUESTION: How will eSafety's recent transparency measures address online child sexual exploitation and abuse material?**

Keeping Australians safe online is a shared goal across governments, industry, civil society groups and the community. However, industry must take responsibility for the harms that occur on its platforms.

The Online Safety Act provides the eSafety Commissioner with important powers to compel transparency from the digital industry, with respect to how they are meeting the Government's Basic Online Safety Expectations.

The eSafety Commissioner's recent transparency report indicates that detection tools and technologies are not being used consistently by industry to address child sexual exploitation and abuse material, and that more can be done.

All child sexual exploitation and abuse material is horrific and I expect industry to be doing more to rid the internet of this abhorrent material. This means adopting appropriate technological, human and process interventions to prevent this material from being shared on its platforms.

The Government's expectations are clear and we will continue to monitor how industry is meeting its responsibilities.

The eSafety Commissioner's findings highlight why the Basic Online Safety Expectations are a key part of the Online Safety Act and underpin efforts to improve transparency and accountability of platforms.

These transparency powers work hand-in-hand with another core element of the Online Safety Act, which is the development of mandatory, enforceable Industry Codes.

The eSafety Commissioner has now registered six industry codes which outline steps the online industry must take to address seriously harmful material, including child sexual exploitation material. These codes cover Social Media Services, App Distribution Services, Hosting Services, Internet Carriage Services, Equipment and Search Engine Services.

The Commissioner decided to not register two additional codes after finding they did not provide appropriate community safeguards as required under the Online Safety Act, and will instead develop industry standards.

I encourage industry to work collaboratively with the eSafety Commissioner to understand what they can be doing better and to uplift their capacity to prevent unlawful and harmful conduct and activity on their services.

The eSafety Commissioner has issued X an infringement notice for failure to comply with its reporting obligations under the Basic Online Safety

Expectations scheme. X was given 28 days to pay the penalty, or request withdrawal of the infringement notice or additional time to pay the penalty. X has not paid the penalty within the allocated time.

X has applied to the Federal Court for judicial review in relation to this matter. It would not be appropriate to comment further on any matters that are before the Court.

Regulatory actions such as issuing infringement notices and formal warnings are a matter for the eSafety Commissioner.

**QUESTION: What is the Government doing to prevent social media being used by underage children? (in response to Meta case in US)**

The Government takes children's online safety extremely seriously and we believe that industry must take responsibility for harms that occur on its platforms and services. I am very concerned to see the reporting alleging that Meta knew, but did not act to prevent underage users from accessing its services in the United States.

Australia has a world-leading online safety framework with the Online Safety Act, which empowers the eSafety Commissioner to take down harmful content and hold industry to account for protecting their users.

The Act also establishes the Basic Online Safety Expectations, which set out the Australian Government's minimum safety expectations of digital platforms, including social media services, for protecting Australians online.

On 22 November, I announced the start of consultation on proposed amendments to the Basic Online Safety Expectations (BOSE) Determination.

The amendments to the Expectations will increase industry accountability and enhance protections for Australians online. These include new expectations:

- that the best interests of the child should be front of mind in all actions taken by digital platforms; and

- that service providers take reasonable steps (including proactive steps) to detect breaches of their terms of use, policies and procedures in relation to the safety of end-users, and standards of conduct for end-users.

This could include the identifying and removing users who are below the age outlined in the platform's own terms of use.

The proposed reforms reinforce to industry that they are primarily responsible for the harms that occur on their platforms and that the Australian Government expects industry to take appropriate action to protect Australians.

Under the Basic Online Safety Expectations regime, the eSafety Commissioner can require service providers to report on how they are meeting the expectations. A service provider who fails to comply with a reporting notice from the Commissioner may be subject to civil penalties.

This is a powerful tool for increasing industry transparency and accountability and I welcome the eSafety Commissioner utilising these reporting powers to understand how platforms in Australia are meeting the expectations.

The Government is committed to the coordinated and systematic implementation of the Act. We are also continuing to drive awareness of the eSafety Commissioner and the important resources and support it provides.

Our expectations are clear and we will continue to monitor how industry is meeting its responsibilities to Australians and hold them to account for their role in keeping Australians safe online.

**QUESTION: What is the Government doing to keep children safe from extremism on gaming websites? (in response to reporting of extremists using gaming site Roblox to recruit children)**

The Government takes children's online safety extremely seriously and we believe that industry must take responsibility for harms that occur on its platforms and services. I was very concerned to see the reporting over the weekend citing warnings from the Australian Federal Police about extremist and violent content appearing on the Roblox platform, which is popular with children.

This kind of material is never acceptable for children.

I am advised by eSafety that it has had regular contact with Roblox in its regulatory capacity since 2017. These conversations, together with complaints and investigations data, show that the major issues on the platform have been child safety in the context of sexualised content on the platform, along with unwanted contact and grooming. eSafety has advised me it is liaising with the AFP in relation to this report of extremist content, and will provide me with advice as soon as possible.

I recently wrote to the major internet hosting and content service providers operating in Australia, as well as to their peak body Digital Group Industry Incorporation (DIGI) and the Global Internet Forum to Counter Terrorism, and



made it clear that the Australian Government expects providers to proactively assist in the detection and prevention of any spread of distressing violent and pro-terror content.

Industry's responsibilities are enforced by the strong powers of the eSafety Commissioner. The Commissioner has the power to seek removal of the 'worst of the worst' illegal and harmful content, no matter where it's hosted. eSafety can assess content for compliance with the Online Content Scheme, and if content is found to be in breach of the Scheme, eSafety can issue a notice to compel service providers to act. Service providers that fail to act on a notice within 24 hours can face significant financial penalties.

Our expectations are clear and we will continue to monitor how industry is meeting its responsibilities to Australians, and hold platforms to account for their role in keeping Australians safe online.

In addition, the eSafety Commissioner has published a fact sheet on their website outlining what Australians – including parents – should do if they, or their children, encounter violent or distressing material online.

Australians should not post, repost or share abhorrent violent material or hate speech. Members of the public wishing to report abhorrent violent material or hate speech circulating online should report it to the digital platform directly

using the 'report' buttons, and can also make a report to the eSafety Commissioner at [eSafety.gov.au](https://www.esafety.gov.au).

If you have concerns about possible signs of terrorism in the community, or terrorist and violent extremist content online, reports can also be made to the National Security Hotline on 1800 123 400.

**QUESTION: What is the Government doing to keep women and girls safe online?**

Every Australian deserves to live free from violence and abuse, and this includes being free from online abuse. eSafety's research shows that women and girls are more likely to experience online abuse that is personal, sexualised, violent, and threatening. Two-thirds of reports made to eSafety are from women and girls.

2022 research from Australia's National Research Organisation for Women's Safety showed that technology-facilitated abuse has become a key part of domestic and family violence and that one in three Australian adults have experienced technology-facilitated abuse from a current or former partner.

The s22(1)(a)(ii) Government is providing \$31.6 million over five years from 2022-23 towards online safety measures to support the National Plan to End Violence Against Women and Children 2022-2032. This includes:

- \$16.6 million for a technology-facilitated abuse support service;
- \$10.0 million for the Preventing Tech-based Abuse of Women Grants Program; and
- \$5.0 million to extend the National Online Safety Awareness Campaign.

Dating apps are now the most common way to meet a partner in Australia, yet the level of violence experienced by users of these platforms is deeply concerning. Research from the Australian Institute of Criminology shows that there is an alarmingly high prevalence of sexual harassment, abuse and child sexual exploitation on online dating platforms.

In January, Minister Rishworth and I convened the National Roundtable on Online Dating Safety. We brought together governments, industry, law enforcement and non-government organisations to explore how these services can better protect their Australian users.

The Government expects dating platforms to keep users safe. In September, I wrote to the seven companies that run the most popular dating services in Australia, requesting that they develop a voluntary code of practice to keep their users safe.

I have asked that the code include commitments to improve engagement with law enforcement, support at-risk users, improve safety policies and practices, and greater transparency about harms.

The code is to be in place by the middle of next year and I have made it crystal clear that if industry fails to improve safety outcomes for Australians, the Government will not hesitate to develop legislative options.

**QUESTION: What is the Government doing to address eating disorders linked to the use of social media platforms?**

Eating disorders are among the most complex and harmful mental illnesses, and recovery can be long and extremely difficult. The Government recognises this challenge and takes it extremely seriously.

My colleagues, the Minister for Health and Aged Care and the Assistant Minister for Mental Health and Suicide Prevention, lead mental health support. The s22(1)(a)(ii) Government's May 2023 commitment to provide \$70 million in grants will see innovative research and treatment for mental ill-health and eating disorders, improved services and better support for patients, their families and carers.

In terms of the connection between social media and eating disorders, we take this issue very seriously and are committed to addressing harms in the online environment, particularly those affecting young people.

The Government is currently exploring how digital technology is impacting young people's mental health through a number of channels. This includes through the mental health and suicide prevention Youth Advisory Group established by the Minister for Youth. The Government also looks forward to recommendations from the National Mental Health Commission which has consulted with youth advisory and expert groups on this issue.

We know that a key line of defence is digital and media literacy. Building the capacity of young people to think critically about the online content they are consuming, and to recognise and understand the drivers behind it, is critical.

To support this, the Government is providing \$6 million over three years to make digital and media literacy tools, developed by the Alannah & Madeline Foundation, freely available to all schools in Australia.

Addressing eating disorders is a complex policy task and the Government welcomes consultation and ideas from a diverse range of voices on this issue.

Government, parents and carers, the mental health sector and digital platforms all have a role to play in making headway against this complex and dangerous illness.

**QUESTION: What is the Government doing to address deepfake intimate images and AI-enabled cyberbullying in schools?**

Every Australian deserves to live free from violence and abuse, and this includes being free from image-based abuse, harassment and cyberbullying.

However, the rapidly evolving online environment and emerging technologies such as generative artificial intelligence (AI), create new avenues for online harm with the ability to manipulate voice and images.

Deepfakes are fake images, videos, or sound files which depict people doing or saying things they did not actually do or say. Regardless of how the content is generated it can still have serious impacts on victims' lives.

Australia's Online Safety Act is 'technology neutral'. This means that eSafety's complaints-based investigations schemes can capture these deepfake AI-generated images, text, audio and other content.

Image-based abuse, cyberbullying material and adult cyber abuse can all be reported to eSafety, regardless of how the content was generated. The eSafety Commissioner has powers to have this harmful content removed and, depending on the circumstances, can issue removal notices to services or individuals and issue fines for non-compliance.

eSafety can also refer matters to law enforcement if appropriate. The Criminal Code makes it an offence to use a carriage service to menace, harass or cause offence. There are aggravated offences that apply if the content is private sexual material. The maximum penalty for an aggravated offence is 7 years' imprisonment.

I strongly encourage anyone who has been the subject of cyberbullying, adult cyber abuse or who is depicted in an intimate image posted online without their consent to go to [esafety.gov.au](https://esafety.gov.au) for more information on the support that eSafety can provide.



**QUESTION: What is the Government doing to address the posting of online hate speech on X Corp by a notorious Australian neo-Nazi?**

There is no place for racism or hatred in Australia – offline or online. The reports of this type of material circulating in the community is very disturbing.

The Australian Government believes that all people are entitled to respect, equality, dignity, and to be free from hatred or harassment. We will continue to oppose extremism, hatred, ethnic division and incitement to violence in all its forms.

Under the *Online Safety Act 2021*, the eSafety Commissioner has powers to address online material targeted at an Australian adult that is menacing, harassing or offensive, and intended to cause serious harm. Hate speech targeted at an individual, based on their race or religion, may meet this threshold. The eSafety Commissioner can also act where online material incites violence or promotes crime or terrorism.

The Government is considering what more can be done to address hate speech directed at groups or communities online, including through the Review of the Online Safety Act to be completed in this term of government.

The Government has also proposed a number of amendments to strengthen the Basic Online Safety Expectations Determination to increase industry

accountability for protecting Australians online. The proposed changes include an expectation that services detect and address online hate speech that breaches a service's terms of use.

The eSafety Commissioner is already undertaking important work under the Basic Online Safety Expectations transparency framework. In June this year, the Commissioner issued a reporting notice to Twitter (now X), following an increase in reports to eSafety of online hate on the platform. The response is currently under consideration by the eSafety Commissioner.

On 6 December 2023, the Parliament passed the s22(1)(a)(ii) Government's legislation that criminalises the Nazi salute and the public display of, and trade in, Nazi hate symbols. The Bill passed with unanimous support, sending a clear message there is no place in Australia for acts and symbols that glorify the horrors of the Holocaust and terrorist acts.


Furthermore, on 19 October 2023 the Government provided \$12.8 million over four years to protect Australians from terrorist and violent extremist online content, including additional resources for the eSafety Commissioner to receive and respond to referrals of abhorrent content.

I want to reiterate that hate speech has no place in Australia – offline or online. The Government and our online safety regulator take this issue very seriously

and we are watching closely to make sure platforms play their part in preventing this material circulating online.

**Background**

47C, 4 pages following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**AUSTRALIA POST: OVERARCHING**

**QUESTION: Will the Government's reforms to modernise Australia Post maintain existing postal services?**

Australia Post is one of our cherished national institutions. Over 200 years strong. Australia Post provides essential services to our communities in all parts of Australia. Its post offices are the lifeblood of regional communities.

Australia Post is facing challenges with the decline in demand for letters: the average household now receives less than one third of the number of letters compared to 2007-08.


This has contributed to a \$384.1 million loss in the letters business in 2022-23.

Australia Post does not receive financial support from the Australian Government, but is required to meet a range of Community Services Obligations. If not addressed, Australia Post's financial position will continue to deteriorate.

The s22(1)(a)(ii) Government recognises that action is needed to support Australia Post to transition to meet the needs of contemporary Australians while remaining financially sustainable.

That is why, on the 6<sup>th</sup> of December, the Government announced reforms which will enable Australia Post to boost productivity, increase its focus on parcels and improve long-term financial sustainability while delivering services that Australians need and want into the future.

s22(1)(a)(ii)



The reforms announced by the s22(1)(a)(ii) Government will require amendments to the Australian Postal Corporation (Performance Standards) Regulations 2019 to:

- Update the geographical classification of post offices to better reflect today's population;

- Allow Australia Post more discretion in setting commercial pricing of priority mail which is primarily used by business customers, and
- Reduce letter delivery frequency from every business day to every second; while parcels will be delivered every day.

The reforms to letter delivery will boost the productivity of the Australia Post's workforce by freeing up its delivery and processing resources to support parcel delivery.

To support the changes to more efficient letter delivery, Australia Post has worked collaboratively with its workforce and the Communications Workers Union to trial a new delivery model across multiple sites nationally.

These trials have already achieved real productivity improvements, demonstrating that it is possible to modernise while supporting secure, well-paying jobs.

The reforms will also allow Australia Post to invest in more parcel posting and collection places that are open at more convenient times – such as parcel lockers.

These reforms were developed following comprehensive consultation with businesses, unions, governments, licensees and ordinary Australians.

The reforms will not reduce the minimum number of local post offices that Australia Post must provide. Under the Performance Standards Regulations, Australia Post is required to maintain at least 4,000 retail outlets, with at least 2,500 retail outlets in rural or remote zones.

Consultation showed overwhelming support for a well-designed package of reforms that continue to support the delivery of traditional postal services, supports growth services, and underpins the long-term financial sustainability of Australia Post.

I thank the approximately 1,000 Australians who responded to the Government's consultation.

***If asked about* WILL THE REFORMS RETURN AUSTRALIA POST TO PROFITABILITY?**

The changes announced by the s22(1)(a)(ii) Government will deliver significant improvements to Australia Post's financial sustainability. In particular, the shift to every second day delivery for letters.

There are many factors affecting Australia Post's overall profitability, in particular its performance in the highly competitive parcels market where returns depend on macroeconomic factors such as consumer spending.

The success of this policy will be measured by mitigating the losses in Australia Post's letters businesses and increasing workforce productivity.

The increase in stamp prices currently being considered by the ACCC, if not objected, will also make an important contribution to improving Australia Post's financial position.

s22(1)(a)(ii)

In recent years, Australia Post has focused on building its parcels business as Australians increasingly turn to online shopping.

As publicly disclosed in Australia Post's Annual Report, letter services lost \$384.1 million last financial year. This was partly offset by profit from parcels and other activities.



To be clear, the parcels business has made a profit, as outlined in publicly available, audited financial statements.

Unlike letters, Australia Post does not have a monopoly in parcel delivery. The parcels market in Australia is highly competitive and Australia Post competes with large multinationals and smaller courier companies.

The announced reforms will enable Australia Post to boost productivity, increase its focus on parcels and improve long-term financial sustainability while delivering services that Australians need and want into the future.

**If asked** <sup>s47C</sup>



Ongoing digital transformation means that Australia Post's operations will need to continue to evolve in the future.

The Government will continue to work with all stakeholders to meet the needs and expectations of Australians on what a modern and sustainable postal service looks like.

However, the Government's immediate focus is on delivering the significant package of reforms we have announced.

Australia Post has significant work ahead in modernising its business. While the Government is not involved in the day to day commercial operations, the reforms we are introducing will help support Australia Post to undertake the modernisation initiatives required to remain financially sustainable.

***If asked about* OPENING THE NETWORK TO OTHER COURIER COMPANIES**

Australia Post has extensive national delivery and Post Office networks that provide services to all Australians, no matter where they live and work.

Australia Post's networks are accessible to other courier and logistics companies on a commercial basis.

As part of the Government's consultations on postal services modernisation, some stakeholders have put forward proposals to alter these existing arrangements, claiming additional benefits could be achieved for Australia Post, Post Office licensees and a range of other stakeholders.

The Government has also heard from other stakeholders that they do not support changes to the existing arrangements.

No changes are being made to the existing arrangements to access Australia Post's network as part of this package of reforms.

The Government's focus in the near term will be working closely with Australia Post to implement the announced reforms and to ensure clear communication to the Australian public of changes to the way that they use postal services.

The Government will continue to work with all stakeholders to meet the needs and expectations of Australians on what a modern and sustainable postal service looks like.

***If asked about* WHETHER POST OFFICES WILL BE CLOSED**

The reforms announced by the s22(1)(a)(ii) Government on 6 December 2023 will not reduce the minimum number of local post offices that Australia Post must provide. Under the Performance Standards Regulations, Australia Post is required to maintain at least 4,000 retail outlets, with at least 2,500 retail outlets in rural or remote zones.


Australia Post exceeded these minimum numbers as at 30 June 2023. It had over 4,200 retail outlets, including over 2,500 in rural and remote areas.

In rural and regional Australia, Australia Post retail outlets serve a crucial community role, including as serving as the only financial institution in hundreds of communities through Bank@Post.

Decisions to close individual Post Offices within the existing regulatory requirements may happen for a range of reasons including a lease expiry, a licensee handing back a license or reduced demand.

These business as usual closures are managed by Australia Post and the Government expects that any closures that are operationally necessary will be done in consultation with affected stakeholders.

s22(1)(a)(ii)



The Government will continue to work with Australia Post, licensees, unions, businesses and communities to ensure retail network services meet the needs of modern Australia, taking into account the Prescribed Performance Standards.

***If asked about* LICENSED POST OFFICE NETWORK VOLUNTARY LICENCE**

**HANDBACK PROGRAM**

Australia Post is continually looking to optimise their retail network to meet consumer demands. As part of that process they have invited some eligible licensees to participate in a voluntary licence handback program. The offer has been extended to specific metropolitan outlets which are located in close proximity to another post office (within 1.75km) and have lower turnover. Similar programs have been conducted previously.

The offer is entirely voluntary and is consistent with the current performance standards prescribing minimum points of presence.

This offer is not related to the Government's recently announced reforms.

***If asked about* POSTAGE PRICES INCREASING DUE TO MODERNISATION**

The changes announced by the s22(1)(a)(ii) Government on 6 December to modernise postal services are separate to any announcements of increases to postage prices that may occur in the near future.

Earlier this year, Australia Post lodged a draft price notification to the ACCC seeking to increase the Basic Postage Rate from \$1.20 to \$1.50, effective early 2024.

The ACCC's assessment of the draft price application includes a public consultation process. A public survey was open for responses from 5 to 29 September. The ACCC can decide to object or not object to the price increase, or it can suggest a lower price increase.

Around 43 per cent of Australians no longer send physical letters, so it is expected that the impact on those that do will be around \$4.50 each year.

Importantly, prices for concession card holders remain at 60c and seasonal greeting cards will remain at 65 cents.

Australia Post's Basic Postage Rate — the cost to send a regular stamped letter — is one of the lowest amongst Organisation for Economic Co-operation and Development (OECD) countries, 86 cents below the average for OECD countries. Bulk business mail prices are tied to the Basic Postage Rate.

Australia Post's financial results highlight the significant structural challenges facing the company, particularly as consumer trends change, letter volumes decline and e-commerce grows.


As part of the package of reforms announced by the s22(1)(a)(ii) Government on 6 December 2023, the Government will also work with Australia Post and stakeholders to reform the letter pricing oversight framework to enable Australia Post to set stamp prices over multiple years. A longer-term pricing plan would give Australia Post, consumers and businesses longer term certainty about future prices for postage of regular letters.

***If asked about AUSTRALIA POST JOB LOSSES UNDER THE RECENTLY ANNOUNCED REFORMS***

Australia Post's extended workforce employs over 63,000 people.

The changes to Australia Post's letter delivery arrangements will promote job security for Australia Post workers and will boost productivity and improve the financial viability of Australia Post.

s22(1)(a)(ii)



Australia Post has worked cooperatively with its workforce and the Communications Workers Union to test a more efficient delivery method which will be adopted by Australia Post as part of the reform package to modernise postal services.

This approach has demonstrated that it is possible to modernise while supporting secure, well-paying jobs.

***If asked about* ESTABLISHING AN AUSTRALIA POST BANK**

The Government is committed to ensuring that rural and regional Australians have access to essential banking services. Australia Post's existing financial services, including Bank@Post, play a critical role in serving Australian communities.

Bank@Post is offered at over 3,500 post offices, including in hundreds of communities that have no other physical banking presence.



Bank@Post ensures that consumers have choice, providing basic banking services on behalf of over 80 financial institutions.

The Government does not have any plans to establish an Australia Post bank.


Australia Post has committed to continuing to invest in its financial services to support communities, including in relation to recommendations made by the Regional Banking Taskforce.

Australia Post is working with the major banks to improve customer migration to Bank@Post when branches close.

Australia Post is also working with financial institutions on how to better meet the cash float and deposit needs of small businesses and community groups, noting banks would need to contribute to any additional costs.

I also note the Senate Inquiry into Banking closures in regional Australia. The Government will continue to work closely with banks, Australia Post and other key stakeholders to identify solutions for maintaining or improving banking services and accessibility in regional areas.

s22(1)(a)(ii), 1 page following also removed in entirety



Released under the Freedom of Information Act 1982 by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

***ONLY IF ASKED Was the Government aware that Australia Post breached  
Australian Consumer Law?***


All businesses and companies operating in Australia are expected to understand and meet their obligations under Australian law, including Australia Post.

The Government is aware of possible historic contraventions by Australia Post of Australian Consumer Law that affect some Australia Post and StarTrack customers.

Australia Post has advised it is working closely with the Australian Competition and Consumer Commission on the matter and has assured me that substantial rectification measures have been implemented to prevent this from happening again.

Australia Post will communicate with affected customers in the coming weeks.

s22(1)(a)(ii)



**If asked: Why were services to Israel suspended and what is the Government doing about it?**

Australia Post advise that they temporarily suspended services to Israel due to the impact of the current security situation on inbound and outbound flight capacity.

Mail is generally carried onboard passenger flights, and flights into Israel have reduced by 80 per cent as a result of the current security situation.

The suspension was communicated to Israeli government officials as soon as it occurred, and Australia Post has been working hard to secure alternative capacity to resume services. I am pleased to inform the house that Australia Post has secured alternative freight capacity and have advised customers that services have now resumed from today (7 December).

The security situation is obviously evolving and Australia Post will continue to monitor the situation and keep customers and the community informed of any further developments.

#### **Background**

47C, 1 page following also removed in entirety

