

From: s22(1)(a)(ii)
Sent: Tuesday, 10 December 2024 3:54 PM
To: s22(1)(a); s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii)
Cc: Irwin, Andrew; s22(1)(a)(ii); s22(1)(a)(ii); Age Assurance Trial Taskforce
Subject: For visibility - Draft Online Safety Rules and table of platforms [SEC=OFFICIAL:Sensitive]
Attachments: I24SY115.v13.docx; Major platforms - scope - age-restricted social media platforms.docx

OFFICIAL:Sensitive

Hi s22(1)(a); s22(1)(a)(ii) and s22(1)(a)(ii)

Thanks again for the chat last Friday. As promised, please find attached:

- The draft Online Safety Rules, which we will seek the Minister provide her agreement for us to consult on
- s42

s22(1)(a)(ii)

Specialist Advisor • Age Assurance Trial Taskforce • Online Safety Branch • Digital Platforms, Safety and Classification Division

s22(1)(a)(ii) [@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)

P s22(1)(a)(ii) • M s22(1)(a)(ii)

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Assessment of 'age-restricted social media platform' scope – major platforms

Note: This table provides an assessment of whether a platform will be subject to the minimum age obligation, based on the definition of an 'age-restricted social media platform' and the draft Rules. Note that this applies to having an account, and therefore does not cover viewing content in a logged-out state. There are some platforms that, while subject to the minimum age obligation on this basis, may be well placed to apply for an exemption due to the existence of features designed to protect children (such as YouTube Kids or Lego Play). Exemptions are not considered in this table.

Note: This table is an initial assessment by the Department only, it does not constitute legal advice on the definition or status of platforms.

Key: Green platforms are likely subject to minimum age obligation ('in scope'); Orange is uncertain; Red are likely not subject to minimum age obligation (out of scope, after considering the 'carve outs' in the proposed rules)

| | Platform | What is the sole or significant purpose(s) of the service? | Does the service allow end users to link to, or interact with, some or all of the other end users? | Does the service allow end users to post material on the service? | Key design features e.g. infinite scroll, recommender systems, image sharing, etc. | In scope of definition? Yes / no / uncertain | Is the service specified in the draft Rules? i.e. s42 | If uncertain whether the service is in scope, what are the factors contributing to this uncertainty? |
|------|--------------------------------|--|--|---|---|---|--|--|
| s47C | BlueSky | s47C | | | Image/video sharing, messaging, location sharing, online relationships, recommender systems | s47C | | |
| | Facebook | | | | Image sharing, location sharing, live streaming, messaging (via Messenger), comments | | | |
| | Instagram | | | | Recommender systems, 'likes', image sharing, infinite scroll | | | |
| | Lego Play (formerly Lego Life) | | | | Image/video sharing, gaming, explore feed, anonymous communication | | | |
| | LinkedIn | | | | Recommender systems, 'likes', infinite scroll, messaging, image/video sharing | | | |
| | Mastodon | | | | Image/video sharing, anonymous communication, location sharing, messaging | | | |
| | Pinterest | | | | Recommender systems, likes, image sharing, infinite scroll, messaging | | | |
| | Reddit | | | | Anonymous communication, messaging, image/video sharing | | | |
| | Snapchat | | | | Image/video sharing, location sharing, messaging | | | |

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| | Platform | What is the sole or significant purpose(s) of the service? | Does the service allow end users to link to, or interact with, some or all of the other end users? | Does the service allow end users to post material on the service? | Key design features e.g. infinite scroll, recommender systems, image sharing, etc. | In scope of definition? Yes / no / uncertain | Is the service specified in the draft Rules? i.e. s42 | If uncertain whether the service is in scope, what are the factors contributing to this uncertainty? |
|------|-------------------------------------|--|--|---|--|---|--|--|
| s47C | Threads | s47C | | | Location sharing, messaging | s47C | | |
| | TikTok | | | | Live streaming, messaging, image/video sharing, recommender systems, infinite scrolling | | | |
| | Tumblr | | | | Messaging, image/video sharing, infinite scroll (?), recommender systems (?) | | | |
| | Twitch | | | | Auto play, recommender system, infinite scrolling, algorithms based on popularity, 'trophies' incentivising engagement, live streaming | | | |
| | WeChat | | | | Messaging, image/video sharing, money transfers, voice chat, location sharing, on 'moments' includes likes and comments. | | | |
| | X (Twitter) | | | | Recommender system, infinite scrolling, live streaming | | | |
| | YouTube | | | | Auto play, recommender system, infinite scrolling, algorithms based on popularity, live streaming | | | |
| | Online dating (e.g. Tinder, Grindr) | | | | 'Swipes'/likes, messaging, image sharing coupled with ranking algorithms. | | | |
| | Discord | | | | Live streaming, messaging, image/video sharing, video calling | | | |
| | Telegram | | | | Messaging, E2EE, money transfers, image/video sharing, voice chat, broadcasting channels, groups of 200,000 | | | |

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| | | Platform | What is the sole or significant purpose(s) of the service? | Does the service allow end users to link to, or interact with, some or all of the other end users? | Does the service allow end users to post material on the service? | Key design features e.g. infinite scroll, recommender systems, image sharing, etc. | In scope of definition? Yes / no / uncertain | Is the service specified in the draft Rules? i.e. s42 | If uncertain whether the service is in scope, what are the factors contributing to this uncertainty? |
|------|-------------------------|----------------------|--|--|---|--|---|--|--|
| s47C | | | s47C | | | | s47C | | |
| | Messaging platforms | FB Messenger (Meta)* | | | | Messaging, image/video sharing, video calling | | | |
| | | Messenger Kids | | | | Requires a parent to sign up on a child's behalf, can be monitored via parent dashboard, does not require Facebook account | | | |
| | | Signal | | | | Messaging, image/video sharing, video calling, E2EE | | | |
| | | WhatsApp | | | | Messaging, image/video sharing, video calling, E2EE, only approved contacts can direct message | | | |
| | Online gaming platforms | Fortnite | | | | Gaming, messaging | | | |
| | | Minecraft | | | | Gaming, messaging | | | |
| | | PlayStation Network | | | | Gaming, messaging, VR spaces, live streaming | | | |
| | | Steam | | | | Gaming, messaging, live streaming | | | |

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| | | Platform | What is the sole or significant purpose(s) of the service? | Does the service allow end users to link to, or interact with, some or all of the other end users? | Does the service allow end users to post material on the service? | Key design features e.g. infinite scroll, recommender systems, image sharing, etc. | In scope of definition? Yes / no / uncertain | Is the service specified in the draft Rules? i.e. s42 | If uncertain whether the service is in scope, what are the factors contributing to this uncertainty? |
|------|-------|---|--|--|---|--|---|--|--|
| s47C | | | s47C | | | | s47C | | |
| | | Xbox Network | | | | Gaming, messaging, live streaming | | | |
| | Other | YouTube Kids | | | | Requires a parent to sign up on a child's behalf, parental controls and monitoring, recommender system | | | |
| | | Online marketplaces (e.g. Amazon, eBay) | | | | Limited – users can leave ratings for products or sellers, and can mark reviews as 'helpful' | | | |

For reference: Definition of Age-restricted social media platforms

The Online Safety Amendment (Social Media Minimum Age) Bill 2024 establish an obligation on 'age-restricted social media platforms' to take reasonable steps to prevent people under 16 years old from having an account. The Bill includes the following definition:

13B Age-restricted social media platform

(1) For the purposes of this Act, **age-restricted social media platform** means:

(a) an electronic service that satisfies the following conditions:

- (i) the sole purpose, or a significant purpose, of the service is to enable online social interaction between 2 or more end-users;
- (ii) the service allows end-users to link to, or interact with, some or all of the other end-users;
- (iii) the service allows end-users to post material on the service;
- (iv) such other conditions (if any) as are set out in the legislative rules; or

(b) an electronic service specified in the legislative rules;

but does not include a service mentioned in subsection (5).

Note 1: Online social interaction does not include (for example) online business interaction.

Note 2: An age-restricted social media platform may be, but is not necessarily, a social media service under section 13.

(2) For the purposes of subparagraph (1)(a)(i), online social interaction includes online interaction that enables end-users to share material for social purposes.

Note: Social purposes does not include (for example) business purposes.

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(3) In determining whether the condition set out in subparagraph (1)(a)(i) is satisfied, disregard any of the following purposes:

- (a) the provision of advertising material on the service;
- (b) the generation of revenue from the provision of advertising material on the service.

(4) The Minister may only make legislative rules specifying an electronic service for the purposes of paragraph (1)(b) if the Minister is satisfied that it is reasonably necessary to do so in order to minimise harm to age-restricted users.

Services that are not age-restricted social media platforms

(5) A service is not an **age-restricted social media platform** if:

- (a) none of the material on the service is accessible to, or delivered to, one or more end-users in Australia; or
- (b) the service is specified in the legislative rules. **[see draft Rules]**

s42



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From: s22(1)(a)(ii)
Sent: Thursday, 12 December 2024 9:25 AM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii); Age Assurance Trial Taskforce
Subject: RE: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

Morning s22(1)(a)(ii)

It's gone up to the Minister's Office already (Sarah hadn't mentioned she'd shared it with s22(1)(a)(ii)). That said, if there any tweaks you'd like to make, we'd be able to accept them up till 8 January, following which we'll settle any final edits to the paper with the Office.

Thanks ☺

s22(1)(a)(ii)

Specialist Advisor • Age Assurance Trial Taskforce • Online Safety Branch • Digital Platforms, Safety and Classification Division

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From: s22(1)(a)(ii)
Sent: Thursday, 12 December 2024 9:18 AM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii); Age Assurance Trial Taskforce
Subject: RE: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

Hi s22(1)(a)(ii)

Sarah gave s22(1)(a)(ii) a copy of the Consultation paper yesterday and indicated the Dept would appreciate eSafety comments on it and the draft. What is your timeframe for comments please?

Regards

s22(1)(a)(ii)

s22(1)(a)(ii)

Strategic Enablement

s22(1)(a)(ii)
esafety.gov.au



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From: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>
 Sent: Wednesday, December 11, 2024 3:32 PM
 To: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@esafety.gov.au](mailto:s22(1)(a)(ii)@esafety.gov.au)>
 Cc: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>; Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>
 Subject: RE: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

I'm working until COB Monday next week, and happy to chat with them about it. Note the table reflects some very preliminary thinking and not set in stone.

s22(1)(a)(ii)

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 Sent: Wednesday, 11 December 2024 3:24 PM
 To: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>
 Cc: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>; Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>
 Subject: RE: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

Hi s22(1) – the team is reviewing the Major Platforms Scope assessment document you provided & I think have some questions about some what's in/what's out etc - would you rather they just reached out individually (and who should that be to?)

Cheers

s22(1)(a)(ii)

s22(1)(a)(ii)

Strategic Enablement

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From: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>
 Sent: Wednesday, December 11, 2024 3:20 PM
 To: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@esafety.gov.au](mailto:s22(1)(a)(ii)@esafety.gov.au)>
 Cc: s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>; Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
 Subject: RE: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

Hi s22(1)

I think a meeting in the week commencing 6 January would probably be more useful. Our min sub on the Rules went up today, with the expectation that the Minister come back with a decision by Friday 20 December. In the meantime, there wouldn't be much to update you on beyond what we advised yesterday.

s22(1)(a)(ii)

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s22(1)(a)(ii) <[s22\(1\)\(a\)\(ii\)@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)>

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From: s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>
 Sent: Wednesday, 11 December 2024 3:01 PM
 To: s22(1)(a)(ii) <[REDACTED]@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <[REDACTED]@infrastructure.gov.au>; s22(1)(a)(ii) <[REDACTED]@infrastructure.gov.au>
 Subject: SMMA meeting next week? [SEC=OFFICIAL]

OFFICIAL

Hi folks – would you be free for another meeting to talk through SMMA implementation next week on Thursday 19th Dec from 2-3pm?

Thanks so much

s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>
 s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>
 Strategic Enablement
 s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>
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From: s22(1)(a)(ii)
Sent: Tuesday, 28 January 2025 2:48 PM
To: Irwin, Andrew; Age Assurance Trial Taskforce
Subject: FYI: Legal SMAR eSafety/DITRDCA [SEC=OFFICIAL:Sensitive, ~~ACCESS - Legal Privilege~~]

OFFICIAL:Sensitive, ~~Legal Privilege~~

Hi team,

FYI – we are meeting with eSafety Legal on Thursday afternoon to discuss s42

Let me know if you have an interest to attend.

s22(1)

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-----Original Appointment-----

From: s22(1)(a)(ii)
Sent: Thursday, 23 January 2025 8:29 PM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii)
Subject: Placeholder: Legal SMAR eSafety/DITRDCA [SEC=OFFICIAL:Sensitive, ~~ACCESS - Legal Privilege~~]
When: Thursday, 30 January 2025 3:00 PM-4:00 PM (UTC+10:00) Canberra, Melbourne, Sydney.
Where: Microsoft Teams Meeting

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Tenant key: esafety@m.webex.com

Video ID: 132 119 511 6

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From: eSafety Parliamentary [s22\(1\)\(a\)\(ii\)](#) @esafety.gov.au>
Sent: Wednesday, 30 April 2025 5:04 PM
To: [s22\(1\)\(a\)\(ii\)](#) ; eSafety Parliamentary
Cc: [s22\(1\)\(a\)\(ii\)](#) ; eSafety Commissioner
Subject: RE: For review by 2 May: MC25-002949 - social media minimum age [SEC=OFFICIAL]

Follow Up Flag: Follow up
Flag Status: Completed

OFFICIAL

Hi [s22\(1\)](#)

eSafety did not provide a response to [s47F](#) in relation to the YouTube exemption from SMAR. We have received and responded to other correspondence from [s47F](#) relating to other online safety matters.

Confirming eSafety has no issues with your proposed response, thank you for the opportunity to consider.

Kind regards

[s2](#)
2(

From: [s22\(1\)\(a\)\(ii\)](#)
Sent: Wednesday, 30 April 2025 3:22 PM
To: eSafety Parliamentary
Cc: [s22\(1\)\(a\)\(ii\)](#)
Subject: For review by 2 May: MC25-002949 - social media minimum age [SEC=OFFICIAL]

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Hi eSafety Parliamentary

[s47F](#) wrote to Minister Rowland, cc'ing the eSafety Commissioner, regarding the proposed exemption of YouTube from the social media minimum age obligation. The department has prepared a response for signature by our FAS in line with caretaker conventions.

Given the eSafety Commissioner was cc'd in the original correspondence, can I please confirm whether eSafety has provided a response to [s47F](#)? If not, do you have any concerns with the attached proposed response from the department?

I appreciate a response before the end of this week please, noting the election this weekend.

Kind regards

[s22\(1\)](#)
[s22\(1\)\(a\)\(ii\)](#)

A/g Assistant Director • Age Assurance Taskforce • Online Safety Branch • Digital Platforms, Safety and Classification Division
[s22\(1\)\(a\)\(ii\)](#) @communications.gov.au

ps22(1)(a)(ii)

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From: s22(1)(a)(ii)
Sent: Monday, 5 May 2025 12:54 PM
To: s22(1)(a)(ii)
Cc: Age Assurance Trial Taskforce
Subject: For vis - Min sub on draft Rules [SEC=OFFICIAL:Sensitive, ~~ACCESS - Legal Privilege~~]
Attachments: Min sub Online Safety Rules - Consultation outcomes and eSafety advice.docx; I24SY115.v18.docx; Attachment D - Draft Letter to eSafety Commissioner.docx

OFFICIAL:Sensitive, ~~Legal Privilege~~

Hi s22(1)(a)(ii), s22(1)(a)(ii)

Thanks for the chat last Friday.

Here is the draft min sub for your visibility, alongside the latest draft Rules and draft letter to the Commissioner.

These haven't been fully signed off by our SES as yet (it will be going up to our Dep Sec), so please keep that in mind when reading.

Reach out if you'd like to discuss. Thanks

s22(1)(a)(ii)

Director • Age Assurance Trial Taskforce • Online Safety Branch • Digital Platforms, Safety and Classification Division

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From: s22(1)(a)(ii)
Sent: Thursday, 29 May 2025 4:26 PM
To: s22(1)(a) @esafety.gov.au; s22(1)(a)(ii)
Cc: s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii)
Subject: For vis - draft letter re SMMA rules [SEC=OFFICIAL:Sensitive]
Attachments: Draft Letter to eSafety Commissioner.docx

OFFICIAL:Sensitive

Hi s22(1) and s22(1)

Per discussion at the meeting just now, please see attached draft letter from Minister Wells to the Commissioner.

We do not have visibility of any edits to the letter as yet, but please note it is subject to change by the MO.

Cheers

s2
2(1)

s22(1)(a)

Assistant Director • Age Assurance Trial Taskforce • Online Safety Branch
 Digital Platforms, Safety and Classification Division

s22(1)(a)(ii) @infrastructure.gov.au

P s22(1)(a)(ii)

GPO Box 594 Canberra, ACT 2601

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OFFICIAL:Sensitive

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s22(1)(a)(ii)

From: DLO Wells <DLO.Wells@mo.communications.gov.au>
Sent: Friday, 13 June 2025 12:09 PM
To: julie.inmangrant@esafety.gov.au
Cc: DLO Wells <DLO.Wells@mo.communications.gov.au>; eSafety Parliamentary s22(1)(a)(ii) @esafety.gov.au
Subject: Minister Wells Letter to eSafety Commissioner - draft Online Safety (Age Restricted Social Media Platforms) Rules 2025 - MS25-000807 [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Good morning Ms Inman Grant,

Please find attached letter from the Hon Anika Wells MP, Minister for Communications and Minister for Sport seeking advice on the attached draft Online Safety (Age Restricted Social Media Platforms) Rules 2025.

There is no hard copy of this letter to follow.

Kind regards,

s22(1)(a)(ii)

Department Liaison Officer • Office of the Hon Anika Wells MP • Minister for Communications and Minister for Sport
DLO.Wells@mo.communications.gov.au
 GPO Box 594 Canberra, ACT 2601

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OFFICIAL:Sensitive

s22(1)(a)(ii)

From: eSafety Commissioner <eSafetyCommissioner@eSafety.gov.au>

Sent: Thursday, 19 June 2025 4:03 PM

To: s22(1)(a)(ii) @mo.communications.gov.au>

Cc: DLO Wells <DLO.Wells@mo.communications.gov.au>; Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>;

VANDENBROEK, Sarah <Sarah.Vandenbroek@infrastructure.gov.au>; s22(1)(a)(ii)

<s22(1)(a)(ii) @INFRASTRUCTURE.gov.au>; eSafety Parliamentary <s22(1)(a)(ii) @esafety.gov.au>; s22(1)(a)(ii)

<s22(1)(a)(ii) @eSafety.gov.au>; s22(1)(a)(ii) @esafety.gov.au>; s22(1)(a)(ii) @eSafety.gov.au>;

Julie Inman Grant <Julie.InmanGrant@eSafety.gov.au>

Subject: eSafety Correspondence to Minister Wells: Advice on draft Online Safety (Age Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Some people who received this message don't often get email from esafetycommissioner@esafety.gov.au. [Learn why this is important](#)

OFFICIAL

Dear s22(1)

I hope you are having a lovely week.

As per the Ministers letter of 12 June, please find the eSafety Commissioners response and corresponding advice on the draft *Online Safety (Age Restricted Social Media Platforms) Rules 2025* (draft Rules).

Please reach out if you need any further information from us.

Kind regards

s22(1)

s22(1)(a)(ii)

s22(1)(a)(ii)

Office of the eSafety Commissioner



esafety.gov.au



s22(1)(a)(ii)

| s22(1)(a)(ii)



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From: Irwin, Andrew
Sent: Tuesday, 24 June 2025 3:37 PM
To: s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii)
Cc: s22(1)(a)(ii); s22(1)(a)(ii)
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Thanks s22(1)(a)

@All, we'll have an updated version, with the same riders (draft of the department's view, within Government), to circulate shortly.

We'll be on a very tight turn around for any red line comments, by about 3pm Thursday, to allow us to meet our deadlines.

Cheers,
s22(1)(a)

OFFICIAL:Sensitive

From: s22(1)(a)
Sent: Tuesday, 24 June 2025 3:29 PM
To: s22(1)(a)(ii); s22(1)(a)(ii)
Cc: s22(1)(a); Irwin, Andrew; s22(1)(a)(ii)
Subject: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive, ~~ACCESS-Legal Privilege~~]

OFFICIAL: Sensitive
~~Legal Privilege~~

Hi s22(1)(a) and s22(1)(a)



Thanks again for your time this morning. As discussed, attached is a copy of the Draft Online Safety (Age Restricted Social Media Platforms) Rules 2025 for your background and context as you read through [eSafety's advice to the Minister](#).

Please note this is confidential within government only, and the draft rules are the Department's thinking -- they have not been formally approved at this stage by the Minister.

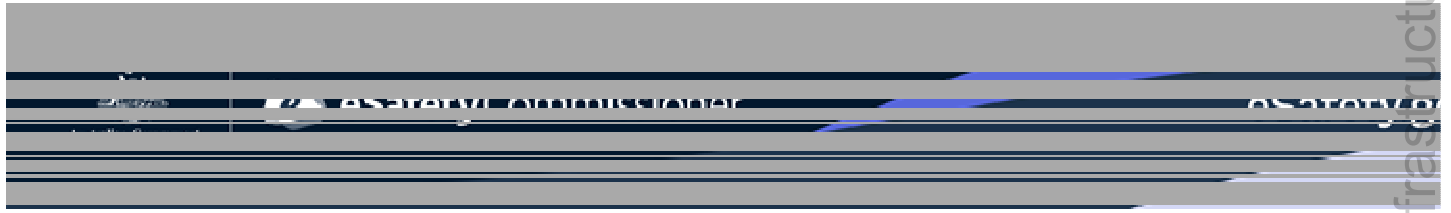
Happy to discuss.

Thanks!
s22(1)(a)

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

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

Executive Assistant: s22(1)(a)(ii) s22(1)(a)(ii) [@esafety.gov.au](mailto:s22(1)(a)(ii)@esafety.gov.au) / s22(1)(a)(ii)



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From: Irwin, Andrew
Sent: Tuesday, 24 June 2025 4:07 PM
To: s22(1)(a); s22(1)(a)(ii); s22(1)(a)(ii)
Cc: s22(1)(a); s22(1)(a)(ii); s22(1)(a)(ii); VANDENBROEK, Sarah
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]
Attachments: SMMA Rules DRAFT Explanatory statement.docx; I24SY115.v20.docx

OFFICIAL:Sensitive

As mentioned, please find attached the latest **draft** versions of the Rules and accompanying ES. As s22(1)(a) mentioned, these are still only departmental thinking (and in fact haven't been fully cleared through the Department line yet, but we wanted to get you early visibility), have not been approved/agreed by the Minister, and are government-in-confidence as they represent our ongoing thinking. They are still subject to change.

I got my days mixed up earlier. If you have any redlines re elements that will unduly inhibit your ability to regulate, grateful for any comments by 3pm **Wednesday**. (Apologies, we have externally-set deadlines here)

Thanks and happy to discuss,

Cheers,
 Andrew

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
 • Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au
 P +61 2 6136 6601 • M +61 438 929 258
 GPO Box 594 Canberra, ACT 2601

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Ngunnawal Country
 LGBTI Ally

OFFICIAL:Sensitive

From: s22(1)(a)(ii) @eSafety.gov.au>
Sent: Tuesday, 24 June 2025 3:29 PM
To: s22(1)(a)(ii) @oaic.gov.au>; s22(1)(a)(ii) @oaic.gov.au>

Duplicate of part of Document 9



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From: Irwin, Andrew
Sent: Tuesday, 24 June 2025 4:33 PM
To: s22(1)(a)(ii)
Cc: s22(1)(a)(ii) VANDENBROEK, Sarah
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Very much up to the Minister! We'll let you know if we hear anything.

OFFICIAL:Sensitive

From: s22(1)(a)
Sent: Tuesday, 24 June 2025 4:24 PM
To: Irwin, Andrew
Cc: s22(1)(a) ; VANDENBROEK, Sarah
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

No problem, Andrew – thanks. May I ask if you have a date in mind for lodgement?

s22(1)(a)(ii)

s22(1)(a)(ii)



s22(1)(a)(ii)



s22(1)(a)(ii)

Executive Assistant: s22(1)(a)(ii) s22(1)(a)(ii) [@esafety.gov.au](mailto:s22(1)(a)(ii)@esafety.gov.au) / s22(1)(a)(ii)



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From: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>
Sent: Tuesday, 24 June 2025 4:21 PM
To: s22(1)(a)(ii) [@eSafety.gov.au](mailto:s22(1)(a)(ii)@eSafety.gov.au)>

Cc: s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>; VANDENBROEK, Sarah <Sarah.Vandenbroek@infrastructure.gov.au>
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hey s22(1)(a) – I should add, for esafety if you have any revised words, grateful if you could put them in the text in track changes – that'll just help us meet our deadlines.

OFFICIAL:Sensitive

From: s22(1)(a)(ii) <[REDACTED]@eSafety.gov.au>

Sent: Tuesday, 24 June 2025 3:29 PM

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s22(1)(a)(ii)

From: s22(1)(a)(ii) <[REDACTED]@eSafety.gov.au>

Date: Wednesday, 25 June 2025 at 3:31:18 pm

To: "Irwin, Andrew" <Andrew.Irwin@infrastructure.gov.au>, s22(1)(a)(ii) <[REDACTED]@oaic.gov.au>, s22(1)(a)(ii) <[REDACTED]@oaic.gov.au>

Cc: s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>, s22(1)(a)(ii) <[REDACTED]@eSafety.gov.au>, s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>, "VANDENBROEK, Sarah" <Sarah.Vandenbroek@infrastructure.gov.au>, s22(1)(a)(ii) <[REDACTED]@eSafety.gov.au>, "Julie Inman Grant" <Julie.InmanGrant@eSafety.gov.au>, s22(1)(a)(ii) <[REDACTED]@esafety.gov.au>

Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi Andrew

Thanks very much for the opportunity to review, and apologies for being slightly late.

s47C

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s47C




Very happy to discuss.

Many thanks,

s22(1)(a)

s22(1)(a)(ii)

s22(1)(a)(ii)



s22(1)(a)(ii)



s22(1)(a)(ii)

Executive Assistant: s22(1)(a)(ii) @esafety.gov.au / s22(1)(a)(ii)




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From: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>

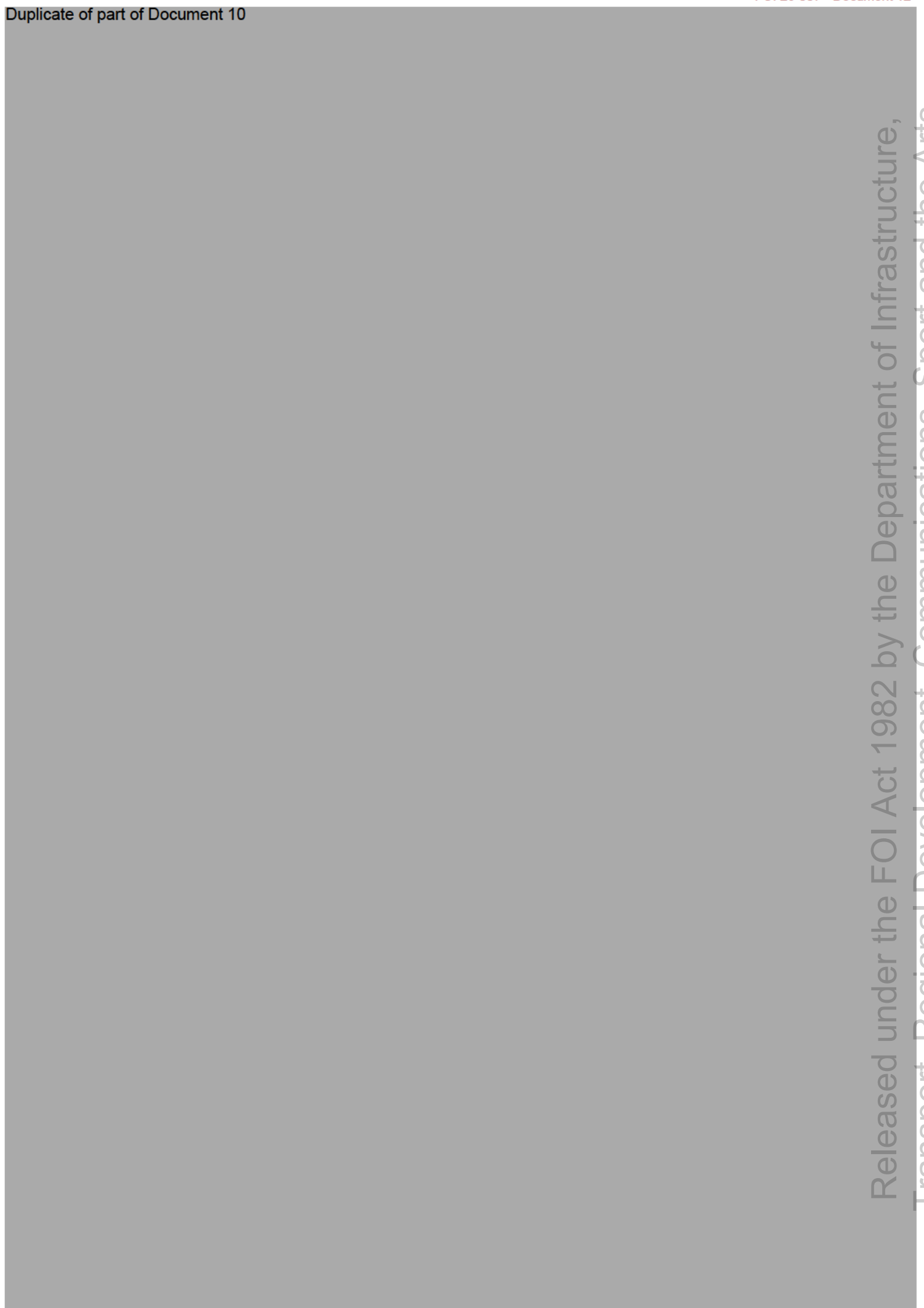
Sent: Tuesday, 24 June 2025 4:07 PM

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From: Irwin, Andrew
Sent: Wednesday, 25 June 2025 7:54 PM
To: s22(1)(a); s22(1)(a)(ii); s22(1)(a)(ii)
Cc: s22(1)(a); s22(1)(a)(ii); s22(1)(a)(ii); VANDENBROEK, Sarah; s22(1)(a)(ii); Julie Inman Grant; s22(1)(a)(ii)
Subject: Re: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:SENSITIVE]

OFFICIAL: SENSITIVE

Thanks for the quick response s22(1)(a) - the team have been looking through this afternoon and we're working to incorporate as quickly as we can before it goes up our line.

s47C

s42

s47C

Cheers,
Andrew

From: s22(1)(a)(ii) <s22(1)(a)(ii)@eSafety.gov.au>

Date: Wednesday, 25 June 2025 at 3:31:18 pm

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s22(1)(a)(ii)

From: s22(1)(a)(ii) @eSafety.gov.au>
 Date: Thursday, 26 June 2025 at 2:04:09 pm
 To: s22(1)(a)(ii) @eSafety.gov.au>, "Irwin, Andrew" <Andrew.Irwin@infrastructure.gov.au>
 Cc: s22(1)(a)(ii) @esafety.gov.au>, s22(1)(a)(ii) @eSafety.gov.au>, s22(1)(a)(ii) @eSafety.gov.au>
 Subject: Re: Further eSafety feedback by 2.00pm [SEC=OFFICIAL:Sensitive]

You don't often get email from s22(1)(a)(ii) @esafety.gov.au. [Learn why this is important](#)

OFFICIAL: Sensitive

Dear Andrew,

As promised, please find attached our edits to the research sections of the draft explanatory statement to SMMA, along with some comments for your consideration.

s47C

We'd be happy to provide additional research references in the next round of feedback if that would be helpful.

Please don't hesitate to reach out if you have any questions.

Best wishes,

s22(1)

From: s22(1)(a)(ii) @eSafety.gov.au>
 Sent: Thursday, June 26, 2025 12:11 PM
 To: Irwin, Andrew <andrew.irwin@infrastructure.gov.au>
 Cc: s22(1)(a)(ii) @esafety.gov.au>; s22(1)(a)(ii) @eSafety.gov.au>; s22(1)(a)(ii) @eSafety.gov.au>; s22(1)(a)(ii) @eSafety.gov.au>; s22(1)(a)(ii) @eSafety.gov.au>
 Subject: Further eSafety feedback by 2.00pm [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hello Andrew,

Thank you for flagging where the draft explanatory statement to SMMA is within the clearance chain. We wanted to provide an update that our Research Team has identified issues within the draft we have. We're working to provide these redline edits to you by 2.00pm.

s47C

s47C

We'll have our feedback with you by 2.00pm.

Kind regards,

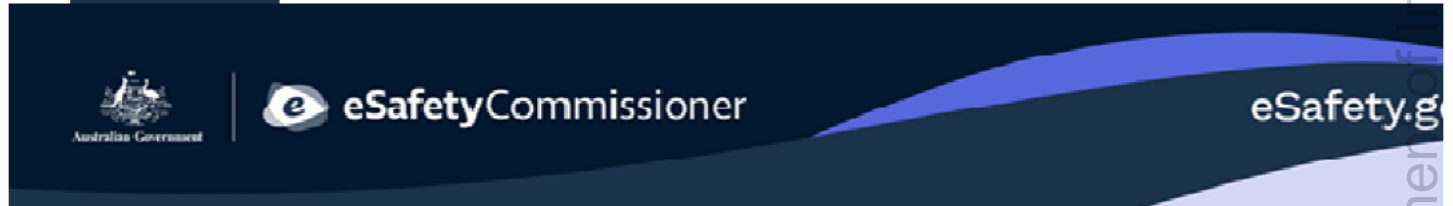
s22(1)(a)(ii)

s22(1)(a)(ii)



s22(1)(a)(ii)

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From: Irwin, Andrew
Sent: Wednesday, 2 July 2025 5:18 PM
To: s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii)
Cc: s22(1)(a)(ii); s22(1)(a)(ii); s22(1)(a)(ii); VANDENBROEK, Sarah; s22(1)(a)(ii); 'Julie Inman Grant'; s22(1)(a)(ii)
Subject: RE: Following up with confidential draft rules as context to advice [SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hi s22(1)(a)

Thank you for eSafety's feedback on the draft Explanatory Statement, just wanted to get back to you to let you know where it went, and apologies for the delayed reply.

We agree with and have implemented the majority of your suggested changes to the draft ES, particularly around eSafety's research and clarifying sole/primary and significant purpose.

s47C

I talked s22(1)(a)(ii) through the point on specific platforms yesterday, but happy to discuss further.

The Rules and ES are currently with the Minister for agreement. We will let you know once these have been finalised and if there are any consequential changes.

Cheers,
 Andrew

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
 • Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au

P s22(1)(a)(ii) • M s22(1)(a)(ii)

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Ngunnawal Country



LGBTI Ally

OFFICIAL:Sensitive

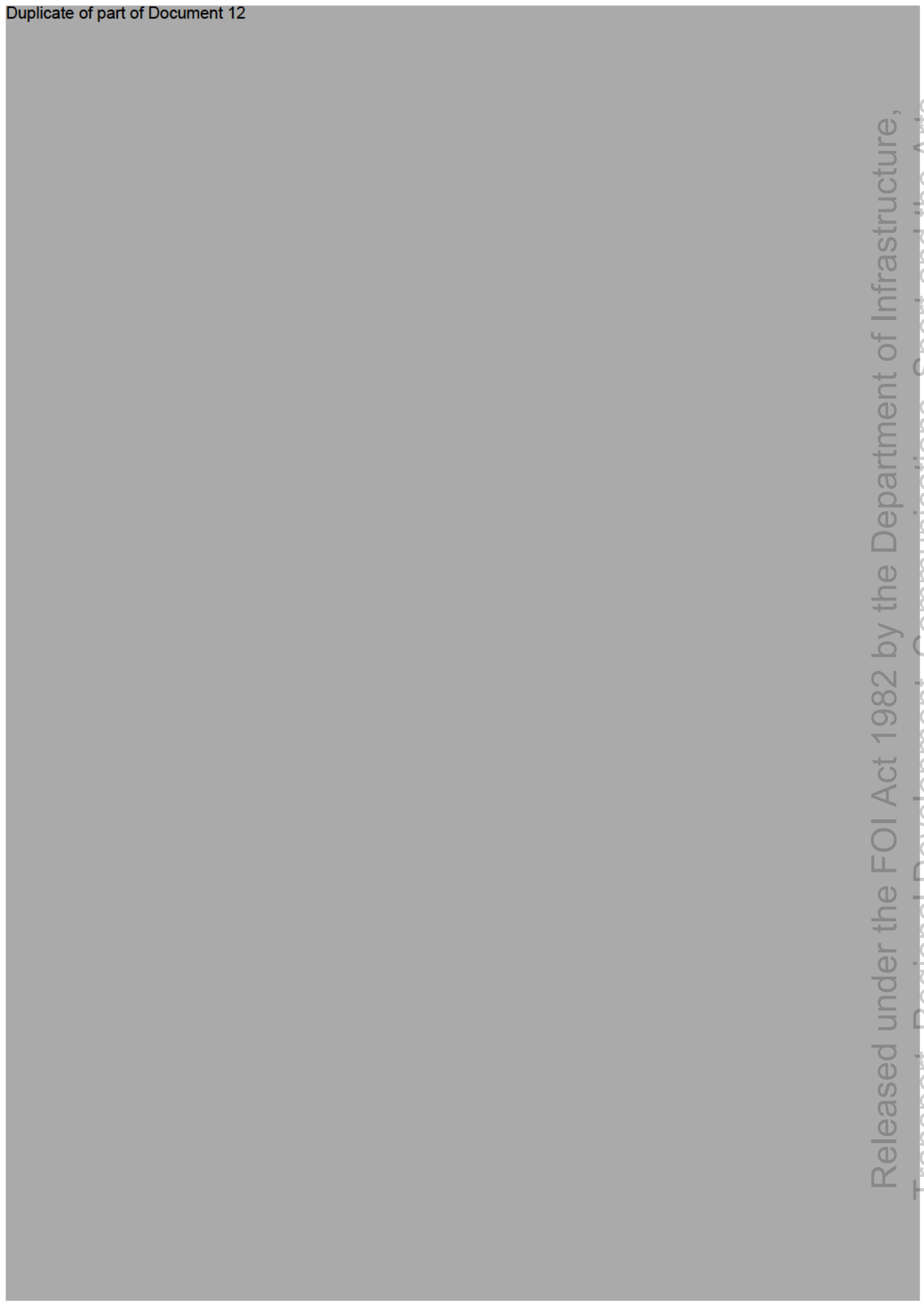
From: s22(1)(a)

Sent: Wednesday, 25 June 2025 3:31 PM

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From: s47F @tiktok.com>
Sent: Thursday, 13 February 2025 1:44 PM
To: Age Assurance Trial
Cc: s47F @tiktok.com; s47F @tiktok.com; s47F @tiktok.com; Irwin, Andrew
Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]
Attachments: List of Questions.pdf

Hello again,

Further to my email overnight, reiterating that we are available for the meeting on Tuesday, 18 February, at 10.30am to discuss TikTok's feedback. Could we please schedule the meeting for 1 hour, instead of 45 minutes to allow sufficient time for discussion? We would also prefer to meet with the Department in person, in Canberra or Sydney. Please let us know if this is possible.

We are concerned that the Discussion Paper provides very limited reasoning for the basis of the draft Rules. We have therefore **attached** a list of questions, the answers to which we believe are critical to understand in order to be able to provide meaningful feedback. It would be conducive to a productive discussion to have your responses ahead of the meeting. If this is not possible, we trust that the Department, Minister's Office and eSafety will be prepared to address these questions during our discussion.

Additionally, while the Discussion Paper states that only targeted consultation will take place and that the Minister intends to finalise the Rules by mid-2025, could you urgently clarify the exact timeframe for consulting with the Department and whether additional feedback sessions will be scheduled with TikTok? Furthermore, can you confirm whether this consultation will ultimately transition into a public process, as previously indicated by the Department?

Regarding your note on the potential attendance of representatives from eSafety, the OAIC, and the Office of the Minister for Communications, we would appreciate if you could confirm such attendance at your earliest convenience so that we can prepare accordingly. Additionally, please confirm whether the Department intends to invite officials from the ACCC or the Treasury given the significant competition concerns raised by the draft Rules?

Kind regards,

s47F

On Wed, Feb 12, 2025 at 10:15 PM s47F @tiktok.com> wrote:

Dear team, Thank you for your email. I will send through some additional details tomorrow, but for the purposes of helping confirm the offer to meet, we would be grateful if we can please lock in the offered time for a meeting next week. We would like to travel to Canberra for the meeting, and we'd like to request that the meeting is extended beyond 45 minutes, as we have a lot of questions. I'll send a more detailed email tomorrow. Kind regards and we look forward to seeing you soon, s47F

On Tue, Feb 11, 2025 at 2:39 PM Age Assurance Trial <ageassurancetrial@infrastructure.gov.au> wrote:

OFFICIAL

Dear s47F and s47F

We are writing to invite you to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with TikTok to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

Meeting details:

Date: Tuesday 18 February

Time: 10:30-11:15am AEDT

Please RSVP by **midday Thursday** to confirm your attendance via MS Teams.

Note that officials from the office of the eSafety Commissioner, the Office of the Australian Information Commissioner, and the office of the Minister for Communications may also be in attendance.

Kind regards

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

ageassurancetrial@infrastructure.gov.au

GPO Box 594 Canberra, ACT 2601

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List of questions concerning Section 6 of the draft Rules

1. Why has the Department concluded that YouTube warrants an exemption but other video sharing services that provide the same functionality and content do not?
2. Has the Department consulted with the eSafety Commissioner as contemplated under section 63C(7) of the OSA? If so, will the Department provide a copy of the Commissioner's advice?
3. eSafety's [position statement on recommender systems and algorithms](#) clearly includes YouTube in the discussion regarding the harms of recommender systems. Has this been taken into account in relation to the proposed exemption for YouTube?
4. The Discussion Paper claims that YouTube is "*an important source of education and informational content, relied on by children, parents and carers, and educational institutions*" and this "*contrasts substantially with other content streaming services, which are predominantly used by young people to view short-form entertainment content*".
 - a. What research has the Department done to support this conclusion?
 - b. The Discussion Paper also acknowledges that YouTube "*undoubtedly functions as a source of entertainment and leisure*". Has the Department conducted any research as to the primary purposes for which young people use YouTube?
 - c. Has the Department concluded that other platforms do not serve as an important source of education and informational content? If so, on what basis has the Department reached those conclusions?
 - d. Why is an exemption necessary to support access to educational and informational use on YouTube when YouTube content can be accessed by young people, parents and carers and educational institutions without an account (i.e. whilst logged out)?
 - e. The Department references [research](#) undertaken by the eSafety Commissioner in 2021. Is this the basis for stating that YouTube is an "*important source of education and informational content*"? Given this research is 4 years old and technology, content creation and consumer behaviours have evolved significantly, does the Department or eSafety intend to conduct updated research?
 - f. The NSW Government's "[Have Your Say Social Media Use and Impacts](#)" survey (Sept 2024) (**NSW Survey**), does not identify education as a key use case for YouTube. This survey also had a larger sample size. How does the Department reconcile this with its rationale for the exemption?
 - g. Is educational value the only reason for YouTube's exemption?
 - i. If not, what other factors were considered?
 - ii. If the Department cannot fully articulate the rationale before our meeting on Tuesday, will it do so shortly thereafter, or at least when the final Rules are published?
5. The Discussion Paper states that YouTube "*has consistently ranked as one of the top digital services*" among children and young people in Australia.
 - a. We understand this to mean YouTube is the most popular service among U16s. Is that correct?
 - b. Could you provide a copy of eSafety's research wherein this conclusion was made?
6. Regarding Messaging Services, the Discussion Paper states that prior consultations found messaging services "*were widely believed to provide benefits of connection that outweigh the risks of harm to young people*".
 - a. Will potential harms also be considered for services listed in Section 6, or only benefits?
 - b. If both are considered, how are they weighted? What threshold determines exemption?
7. An exemption in the form of Section 6 effectively grants YouTube exclusive access to U16 users. Has the Department consulted with Treasury and/or the ACCC regarding potential competition and regulatory impacts in the Australian market?
8. Given that the instrument is formal delegated legislation, to be clear and lawful, does the Department intend for the exemption granted to YouTube to apply irrespective of how the YouTube service may evolve over time? If not, how do the draft Rules ensure that the exemption only applies to YouTube in its current form?

From: Google Calendar <calendar-notification@google.com> on behalf of s47F [REDACTED]@snapchat.com>
Sent: Thursday, 13 February 2025 7:02 PM
To: Age Assurance Trial
Subject: Accepted: Snap | Targeted consultation on the draft Online Safety (... @ Mon Feb 17, 2025 3:30pm - 4:15pm (GMT+11) (Age Assurance Trial)
Attachments: invite.ics

Henry Turnbull has accepted this invitation.

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Hi s47 [REDACTED] and s47F [REDACTED]

Thank you for agreeing to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The Online Safety Amendment (Social Media Minimum Age) Act 2024 (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- * Messaging
- * Online games

Attachments

Error! Filename not specified. Discussion Paper - Onlin...

Error! Filename not specified. Exposure Draft - Onlin...

- * Apps that primarily function to support health and education

- * YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with Snap to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- * whether the draft Online Safety Rules are appropriately targeted;
- * potential implementation challenges; and
- * whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

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Phone conference ID: 524 941 808#

Join on a video conferencing device

Tenant key: teams@vc.govteams.gov.au

Video ID: 138 105 490 4

More info

For organisers: Meeting options | Reset dial-in PIN

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When

Monday Feb 17, 2025 · 3:30pm – 4:15pm (Eastern Australia Time - Sydney)

Location

MS Teams | 5.009 Uluru, Room - Nishi - 5.009 Uluru (Cap 08, Webex)

[View map](#)

Guests

Age Assurance Trial - organizer

s47F - creator

s22(1)(a)(ii)@communications.gov.au

s47F

Irwin, Andrew

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)@esafety.gov.au - optional

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**Australian Government****Department of Infrastructure, Transport,
Regional Development, Communications and the Arts**

Online Safety Rules – Services excluded from the social media minimum age obligation

Discussion Paper

February 2025

Released under the FOI Act 1982 by the Department of Infrastructure,
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Purpose

On 29 November 2024, the Online Safety Amendment (Social Media Minimum Age) Bill 2024 (the Bill) was passed by the Federal Parliament. The Bill introduces the minimum age obligation into the *Online Safety Act 2021* (the OSA), which requires in-scope social media platforms to prevent Australians under the age of 16 from having an account.¹

The new requirements apply to 'age-restricted social media platforms', a term defined in the OSA. While the definition casts a wide net, the Minister for Communications can narrow the scope through legislative rules.²

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) is seeking views on draft Online Safety Rules that enable certain services to be excluded from the social media minimum age obligation. These services currently include:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

The Online Safety Rules would allow children and young people to continue to have and create accounts with the specified services. This paper also seeks feedback on the proposed exclusion of services and what other considerations should be incorporated into future Rules, having regard to the risks and benefits they provide to young people.

Discussion questions are included throughout this paper to guide comments (with a consolidated list at the conclusion of this paper). Interested parties may wish to provide responses to some or all of the questions.

Stakeholder feedback from targeted consultation will inform the final design of the Online Safety Rules, which the Minister proposes to make by mid-2025. This timeframe would provide certainty to young people, parents and industry, ahead of the minimum age obligation coming into effect (in or before December 2025). It will also allow for in-scope services to implement the obligation to apply age assurance methods to prevent Australian persons under 16 years from holding an account with their service.

The legislation determined account ownership as the threshold of the minimum age obligation in the interests of avoiding adverse commercial outcomes for Australian businesses who use social media as a business interface, if broader access were restricted (such as restricting access even in the logged-out state).

Excluded classes of services and platforms

The Bill introduces a minimum age obligation on 'age-restricted social media platforms'. Under section 63C, a platform is an age-restricted social media platform if it meets the following conditions:

- the sole purpose, or a significant purpose, of the service is to enable online social interaction between 2 or more end-users
- the service allows end-users to link to, or interact with, some or all of the other end-users
- the service allows end-users to post material on the service.³

However, a platform is *not* an age-restricted social media platform if it is specified as excluded in rules made by the Minister for Communications (paragraph 63C(6)(b) of the OSA).

¹ Further information about the Bill is available on the Department's website: [Online Safety Amendment \(Social Media Minimum Age\) Bill 2024 – Fact sheet](#)

² Legislative rules are a type of delegated legislation, made by a minister (or other person) to whom Parliament has given law-making authority. Other examples of delegated legislation are regulations and ordinances.

³ The Minister may make legislative rules that impose additional conditions for the purposes of this definition.

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Using rules to take certain platforms out of scope of the minimum age obligation allows the Government to be responsive to changes in the social media ecosystem. It gives the Minister flexibility to rule out specific platforms or classes of platforms, as deemed appropriate in meeting community expectations around harm minimisation for young people. In particular, the legislative rules can help provide young people with continued access to platforms and services that predominately provide experiences grounded in connection, education and support.

During the development of the Bill, the Department conducted extensive consultation with young people, parents, mental health professionals, legal professionals, community and civil society groups, state and territory first ministers, and industry representatives. The draft Online Safety Rules and the services they propose to exclude from the minimum age obligation have been developed based on feedback received during these previous stakeholder engagements.

Messaging services

Throughout previous consultation, preferences for what kinds of services should be in scope for the minimum age obligation differed, but messaging services were widely believed to provide benefits of connection that outweigh the risks of harm to young people from those services. Feedback indicated that denying access to messaging apps could also have broader negative consequences, such as making communication within families harder.

The draft Online Safety Rules provide for messaging services to be excluded from the minimum age obligation, framed as:

services that have the sole or primary purpose of enabling end-users to communicate by means of messaging

The introduction of a sole or primary purpose test in the rule is intended to limit the scope of the exclusion. This is a narrower test than a 'significant' purpose, and means that only those apps that are primarily dedicated to messaging would be excluded. For example, it would not facilitate an exclusion for Snapchat, in its current form. While Snapchat supports messaging, it also contains social networking features such as Stories and Snap Map that are core features to the service. As such, messaging is unlikely to be a sole or primary purpose of the platform.

s47C

While there are known risks of ill intended contact through messaging platforms, these are addressed through other existing mechanisms in the OSA, and powers under the *Criminal Code Act 1995*, such as those that criminalise using a carriage service to 'groom' persons under 16 years of age.

Discussion questions – messaging services

- 1.1. Do you consider the rule on messaging services to be appropriately targeted?
- 1.2. Why or why not?
- 1.3. What implementation challenges (if any) do you foresee with this rule on messaging services?

Online gaming services

Online games are currently regulated under the National Classification Scheme. The Scheme provides information on the age suitability of online games through a combination of the classification and relevant consumer advice. Imposing additional age-based regulation to online games would create unnecessary regulatory overlap.

The draft Online Safety Rules therefore provide for online gaming to be excluded from the minimum age obligation, framed as:

OFFICIAL*services that have the sole or primary purpose of enabling end users to play online games with other end-users*

As with messaging, the sole or primary purpose test in the rule limits the scope of the exclusion, ensuring that platforms that offer games as an insignificant aspect of their services are not scoped out. For example, Facebook hosts the game Words with Friends. As the hosting of this game is not a sole or primary purpose of Facebook, it would not be excluded under this rule.

s47C

Discussion questions – online games

- 2.1. Do you consider the rule on online games to be appropriately targeted?
- 2.2. Why or why not?
- 2.3. What implementation challenges (if any) do you foresee with this rule on online games?

Services that primarily function to support the health and education of end-users

The draft Online Safety Rules would take out of scope services that function in a similar way to social media in their interactivity, but operate with a significant purpose to enable young people to get the education and health support they need. This will help to focus the new legislative framework on retaining many of the benefits of social media for young people, while minimising the dangers.

On this basis, the draft Online Safety Rules currently provide for the following types of services to be excluded from the minimum age obligation:

services that have the sole or primary purpose of supporting the education of end users;

services that have the sole or primary purpose of supporting the health of end users;

services that have a significant purpose of facilitating communication between educational institutions and students or students' families;

services that have a significant purpose of facilitating communication between providers of health care and people using those providers' services.

s47C

Discussion questions – health and education

- 3.1. Do you consider the rule on health and education services to be appropriately targeted?
- 3.2. Why or why not?
- 3.3. What implementation challenges (if any) do you foresee with this rule on health and education services?

YouTube

Based on research undertaken by the eSafety Commissioner, YouTube has consistently ranked as one of the top digital services used by children and young people in Australia. While the platform undoubtedly functions as a source of entertainment and leisure, it is an important source of education and informational content, relied on by children, parents and carers, and educational institutions. This contrasts substantially with other

OFFICIAL

content streaming services, which are predominantly used by young people to view short-form entertainment content.⁴ On this basis, the proposed Online Safety Rules exclude YouTube from the minimum age obligation.

Discussion questions – YouTube

- 4.1. Do you support YouTube being excluded from the minimum age obligation (i.e. young people should be able to have YouTube accounts)?
- 4.2. Why or why not?
- 4.3. Are there any unintended consequences of excluding YouTube?

Other services that shouldn't be subject to the minimum age

Stakeholder views are sought on whether other services (classes or specific platforms) should be incorporated into the Online Safety Rules, and therefore exempt from the minimum age obligation. The Government is particularly interested in ensuring that children and young people continue to have access to services that support connection, creativity and curiosity, without exposing children to serious online harms that is the central purpose of the SMMA.

Discussion questions – other services

5. What other classes/types of services (if any) should be excluded from the minimum age obligation (i.e. young people should be able to have accounts with those services)? Why?

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⁴ eSafety Commissioner, 'Consultations with young people to inform the eSafety Commissioner's Engagement Strategy for Young People', 2021

From: Google Calendar <calendar-notification@google.com> on behalf of s47F @bytedance.com>
Sent: Saturday, 15 February 2025 2:50 PM
To: s22(1)(a)(ii)
Subject: Accepted: TikTok | Targeted consultation on the draft Online Safety... @ Tue 18 Feb 2025 10:30am - 11:30am (AEDT) (isobel.klein@communications.gov.au)
Attachments: invite.ics

s47F has accepted this invitation.

OFFICIAL

Hi s47F

Thank you for agreeing to meet with us to discuss draft rules to be made under the new social media minimum age laws.

The Department’s office is located in the Nishi Building, 2 Phillip Law St, Canberra ACT 2601. The security desk is located to the right, behind the cafe. Please call Paris Borkowski on arrival 02 6136 8323.

Background
The Online Safety Amendment (Social Media Minimum Age) Act 2024 (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to ‘age-restricted social media platforms’, a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

Attachments

- Error! Filename not specified. Discussion Paper - Onl...
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The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- * Messaging
- * Online games
- * Apps that primarily function to support health and education
- * YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with TikTok to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- * whether the draft Online Safety Rules are appropriately targeted;
- * potential implementation challenges; and
- * whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

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Tenant key: teams@vc.govteams.gov.au

Video ID: 131 969 829 9

More info

For organisers: Meeting options | Reset dial-in PIN

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When

Tuesday 18 Feb 2025 · 10:30am – 11:30am (Eastern Australia Time - Sydney)

Location

Room M.003 Williams, Nishi Building, Canberra

[View map](#)

Guests

s22(1)(a)(ii)@communications.gov.au - organizer

s47F - creator

s47F@tiktok.com

s47F@tiktok.com

s47F@tiktok.com

Irwin, Andrew

s22(1)(a)(ii)

s22(1)(a)(ii)

s22(1)(a)(ii)

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From: Irwin, Andrew
Sent: Monday, 17 February 2025 2:59 PM
To: s47F; s47F
Cc: Age Assurance Trial; s47F @tiktok.com; s47F @tiktok.com; s47F @tiktok.com; VANDENBROEK, Sarah
Subject: RE: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

OFFICIAL

Thanks for that s47F

Apologies for the delays in replying. We've reached out and can confirm Treasury will join the meeting tomorrow.

Thanks for providing those questions. Looking forward to talking tomorrow.

Cheers,
 Andrew

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
 • Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au
 P +61 2 6136 6601 • M +61 438 929 258
 GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development and Communications and the Arts
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I am part time – working 9.30-4.30 Monday and Tuesday, 9-2.30 on Wednesday, and regular hours on Thursday and Friday.

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*I would like to acknowledge the traditional custodians of this land on which we meet, work and live.
 I recognise and respect their continuing connection to the land, waters and communities.
 I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

Ngunnawal Country
 LGBTI Ally

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From: s47F @tiktok.com>
Sent: Monday, 17 February 2025 2:48 PM
To: s47F @bytedance.com>
Cc: Age Assurance Trial <ageassurance@infrastructure.gov.au>; s47F @tiktok.com; s47F @tiktok.com; s47F @tiktok.com; Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>
Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Dear team,

Further to s47F email on Friday, and in advance of our meeting tomorrow, are you able to please give us an indication of whether we can expect Treasury or the ACCC will have representatives joining our consultation discussion? Additionally, should we expect that the department will have some answers to the previously asked questions for discussion?

In terms of attendees, we will have our colleague, s47F, joining the call remotely tomorrow. And in person, you can expect myself, s47F and s47F in person.
Sincerely, s47F

On Fri, Feb 14, 2025 at 6:23 PM s47F <s47F@bytedance.com> wrote:

Dear team,

I note s47F email from yesterday afternoon where we asked the Department to confirm whether it intends to invite officials from the ACCC.

Please be advised that we met with the ACCC this morning and they informed us that they had not had any direct engagement with the Department with respect to the draft rules, but expressed their willingness to attend the feedback sessions.

As previously noted, our position is that the draft rules create significant competition concerns that need to be addressed in this consultation. As such, we kindly reiterate our request that the ACCC be invited to the consultation.

Kind regards,

s47F

On Thu, Feb 13, 2025 at 5:00 PM Age Assurance Trial <ageassurancetrial@infrastructure.gov.au> wrote:

OFFICIAL

Hi s47F

In regard to meeting admin –

I will send through a meeting invite for a 1 hour meeting at our Canberra office, with some details on what to do on arrival. I'll include an MS Teams link for any virtual attendees.

A representative from eSafety will be in attendance, and we will advise on any other Government attendees if and when they are confirmed.

Kind regards

s22(1)

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

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ageassurancetrial@infrastructure.gov.au

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I acknowledge the traditional custodians of this land on which we meet, work and live.

I recognise and respect their continuing connection to the land, waters and communities.

I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islander people.

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From: s47F [redacted]@tiktok.com>

Sent: Thursday, 13 February 2025 1:44 PM

To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>

Cc: s47F [redacted]@tiktok.com; s47F [redacted]@tiktok.com; s47F [redacted]@tiktok.com; Irwin, Andrew
<Andrew.Irwin@INFRASTRUCTURE.gov.au>

Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Hello again,

Further to my email overnight, reiterating that we are available for the meeting on Tuesday, 18 February, at 10.30am to discuss TikTok's feedback. Could we please schedule the meeting for 1 hour, instead of 45 minutes to allow sufficient time for discussion? We would also prefer to meet with the Department in person, in Canberra or Sydney. Please let us know if this is possible.

We are concerned that the Discussion Paper provides very limited reasoning for the basis of the draft Rules. We have therefore attached a list of questions, the answers to which we believe are critical to understand in order to be able to provide meaningful feedback. It would be conducive to a productive discussion to have your responses ahead of the meeting. If this is not possible, we trust that the Department, Minister's Office and eSafety will be prepared to address these questions during our discussion.

Additionally, while the Discussion Paper states that only targeted consultation will take place and that the Minister intends to finalise the Rules by mid-2025, could you urgently clarify the exact timeframe for consulting with the Department and whether additional feedback sessions will be scheduled with TikTok? Furthermore, can you confirm whether this consultation will ultimately transition into a public process, as previously indicated by the Department?

Regarding your note on the potential attendance of representatives from eSafety, the OAIC, and the Office of the Minister for Communications, we would appreciate if you could confirm such attendance at your earliest convenience so that we can prepare accordingly. Additionally, please confirm whether the Department intends to invite officials from the ACCC or the Treasury given the significant competition concerns raised by the draft Rules?

Kind regards,

s47F

On Wed, Feb 12, 2025 at 10:15 PM s47F <[REDACTED]>@tiktok.com> wrote:

Dear team, Thank you for your email. I will send through some additional details tomorrow, but for the purposes of helping confirm the offer to meet, we would be grateful if we can please lock in the offered time for a meeting next week. We would like to travel to Canberra for the meeting, and we'd like to request that the meeting is extended beyond 45 minutes, as we have a lot of questions. I'll send a more detailed email tomorrow. Kind regards and we look forward to seeing you soon, s47F

On Tue, Feb 11, 2025 at 2:39 PM Age Assurance Trial <ageassurancetrial@infrastructure.gov.au> wrote:

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Dear s47F

We are writing to invite you to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

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The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with TikTok to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

Meeting details:

Date: Tuesday 18 February

Time: 10:30-11:15am AEDT

Please RSVP by midday Thursday to confirm your attendance via MS Teams.

Note that officials from the office of the eSafety Commissioner, the Office of the Australian Information Commissioner, and the office of the Minister for Communications may also be in attendance.

Kind regards

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

ageassurancetrial@infrastructure.gov.au

GPO Box 594 Canberra, ACT 2601

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I acknowledge the traditional custodians of this land on which we meet, work and live.

I recognise and respect their continuing connection to the land, waters and communities.

I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islander people.

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--
s47F

[tiktok.com](https://www.tiktok.com)



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From: s47F [REDACTED]@tiktok.com>
Sent: Wednesday, 19 February 2025 9:08 PM
To: Age Assurance Trial
Cc: s47F [REDACTED]@tiktok.com; s47F [REDACTED]@tiktok.com; s47F [REDACTED]@tiktok.com; Irwin, Andrew; s47F [REDACTED]
Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]
Attachments: TikTok vs YouTube- with details.pdf; TikTok newsroom- TikTok's dedicated STEM feed launches in Australia to inspire next generation of engineers, scientists, and doctors.pdf; Safety and privacy protections for teens on TikTok.pdf; TikTok newsroom- More ways for our community to enjoy what they love.pdf; TikTok newsroom- #DidYouKnow you can Learn on TikTok.pdf

Dear team

Thank you for your time yesterday, the opportunity to speak, and for including officials from Treasury on the call.

I've attached a number of documents that outline details on how TikTok works, its safety features, and the settings we have in place, so you can have more clarity on our platform's functionality and the types of content that can be found on it. While not an exhaustive list, these speak to the extensive product and policy protections we have in place to keep younger users safe.

As mentioned in our discussion, there is a significant amount of educational content on TikTok:

- Education and learning is a significant and very popular content genre on TikTok. Popular hashtags such as [#LearnOnTikTok](#), [#BookTok](#) and countless other education and learning associated hashtags feature frequently on the platform. [#LearnOnTikTok](#) had more than 43 million posts in the last 3 years, and has had 1 trillion views. For Australia specifically, in the last 3 years, we're talking 5 billion views for just one of the education and learning hashtags.
- There is a dedicated [fact-checked STEM feed](#) available to all users in Australia, which appears as a 'tab' within TikTok (screenshot attached). After launching in the United States almost [two years ago](#), more than 500 Australian organisations and creators feature on the dedicated feed, which launched locally with endorsement from the NSW Rural Fire Service, the Australian Museum, the University of Melbourne, Dr Karl Kruszelnicki, SEA LIFE Sydney Aquarium, Gilmour Space Technologies, and more. 1 in 3 young people on TikTok visit the STEM feed on a weekly basis where it's available.
- Earlier this week, respected technology journalist Trevor Long documented his own, very [recent experience of educational content on TikTok](#), in direct comparison to YouTube, with 12% of TikTok content being educational, and only 1% of YouTube content falling into that category.

With regard to our significant safety investment:

- We take extensive advice from experts and teens alike, to support the development of products and policies to support our work to keep younger users safe. This includes through our [youth council](#) as well as our [Safety Advisory Council](#).
- We have purposefully designed product settings and features that support the safety and wellbeing of young users in particular. This includes specific teen [safety and privacy protections](#), as well as [safeguards and restrictions for 13 to 15 year olds](#).
- Like YouTube, TikTok also has a robust system of [Content Levels](#) designed to prevent certain content with more mature or complex themes from reaching audiences between ages 13-17. When we detect that a video contains overtly mature or complex themes, for example, fictional scenes that may be too frightening or intense for younger audiences, a content level will be allocated to the video to help prevent those under 18 from viewing it across TikTok. You can find more [detail here](#) on other ways we create age appropriate experiences, including the availability for any user to use '[restricted mode](#)'.
- Finally, Singapore's Infocomm Media Development Authority (IMDA) recently released the inaugural Online Safety Assessment Report on Designated Social Media Services (DSMSs). TikTok was recognised as the industry

leader for the work we do to keep the platform safe, especially for teens. We outperformed our peers, including YouTube, and you can find more detail in our newsroom post [here](#).

We are critically concerned by the proposed exemption for YouTube, which is both unreasonable and without an evidentiary basis. It is clear that neither the Department nor the Minister's office can explain the exemption. It is further obvious from our conversation yesterday that the Department has not undertaken any analysis of how much educational and informational content appears on other social media platforms, and lacks the critical product information necessary to understand how such platforms operate, which undermines the legitimacy and substance of the draft rules as they stand. If the policy position is that YouTube should be exempt on the basis of education, then it seems far more appropriate that a category-based exemption for education is pursued.

Further to the extensive conversation we had about the similarities and differences between YouTube and TikTok, I have attached a side by side comparison of TikTok and YouTube from a product perspective. This comparison highlights our significant concerns about YouTube, as a highly comparable product, receiving an unexplained and, in our view, unjustifiable and unreasonable, explicit exemption.

It's further of concern that it appears neither the Treasury or Australian Competition and Consumer Commission have been asked to provide advice on highly relevant competition considerations in the making of these proposed draft rules. We respectfully urge you to have these important discussions as a matter of priority.

Regarding our previously forwarded questions, we remain eager to have our questions answered. We urge you strongly to consult on the proposed exemptions, in a public and transparent way. The suggestion that a closed consultation may take less time is flawed and shows once again, a prioritisation of speed over substance.

It is our intention to provide you with a written submission, outlining more specific detail from us as to how we believe the rules could be significantly improved, putting platforms on an even playing field, while also supporting the government to meet its stated policy intention of keeping younger users safe.

We look forward to speaking with you soon,

s4



On Thu, Feb 13, 2025 at 1:43 PM s47F <[REDACTED]>@tiktok.com> wrote:

Hello again,

Further to my email overnight, reiterating that we are available for the meeting on Tuesday, 18 February, at 10.30am to discuss TikTok's feedback. Could we please schedule the meeting for 1 hour, instead of 45 minutes to allow sufficient time for discussion? We would also prefer to meet with the Department in person, in Canberra or Sydney. Please let us know if this is possible.

We are concerned that the Discussion Paper provides very limited reasoning for the basis of the draft Rules. We have therefore **attached** a list of questions, the answers to which we believe are critical to understand in order to be able to provide meaningful feedback. It would be conducive to a productive discussion to have your responses ahead of the meeting. If this is not possible, we trust that the Department, Minister's Office and eSafety will be prepared to address these questions during our discussion.

Additionally, while the Discussion Paper states that only targeted consultation will take place and that the Minister intends to finalise the Rules by mid-2025, could you urgently clarify the exact timeframe for consulting with the Department and whether additional feedback sessions will be scheduled with TikTok? Furthermore, can you confirm whether this consultation will ultimately transition into a public process, as previously indicated by the Department?

Regarding your note on the potential attendance of representatives from eSafety, the OAIC, and the Office of the Minister for Communications, we would appreciate if you could confirm such attendance at your earliest convenience so that we can prepare accordingly. Additionally, please confirm whether the Department intends to invite officials from the ACCC or the Treasury given the significant competition concerns raised by the draft Rules?

Kind regards,

s47F

On Wed, Feb 12, 2025 at 10:15 PM s47F <[REDACTED]>@tiktok.com> wrote:

Dear team, Thank you for your email. I will send through some additional details tomorrow, but for the purposes of helping confirm the offer to meet, we would be grateful if we can please lock in the offered time for a meeting next week. We would like to travel to Canberra for the meeting, and we'd like to request that the meeting is extended beyond 45 minutes, as we have a lot of questions. I'll send a more detailed email tomorrow. Kind regards and we look forward to seeing you soon, s47F

On Tue, Feb 11, 2025 at 2:39 PM Age Assurance Trial <ageassurancetrial@infrastructure.gov.au> wrote:

OFFICIAL

Dear s47F

We are writing to invite you to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with TikTok to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

Meeting details:

Date: Tuesday 18 February

Time: 10:30-11:15am AEDT

Please RSVP by **midday Thursday** to confirm your attendance via MS Teams.

Note that officials from the office of the eSafety Commissioner, the Office of the Australian Information Commissioner, and the office of the Minister for Communications may also be in attendance.

Kind regards

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

ageassurancetrial@infrastructure.gov.au

GPO Box 594 Canberra, ACT 2601

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| Feature | <div> TikTok</div> | <div> YouTube</div> |
|--|--|---|
| Algorithm | <div></div> <p>Content is recommended based on 3 main signals: the user, video engagement (likes, comments, watch time etc), and content information (sounds, hashtags, country the video is from etc).</p> | <div></div> <p>A number of signals build on each other to help inform YouTube's algorithm: clicks, watch time, survey responses, sharing videos, likes, and dislikes.</p> |
| Sharing content | <div></div> <p>Users can share a video via a link, Direct Message, SMS, WhatsApp, Facebook Messenger etc.</p> | <div></div> <p>Users can share a video via a link, SMS, WhatsApp, Facebook Messenger etc.</p> |
| Recommend accounts to follow | <div></div> | <div></div> |
| Ability to refresh your feed | <div></div> | <div></div> |
| Follow/subscribe to people or creators | <div></div> <p>The 'Following' feed features content from people or creators users choose to follow.</p> | <div></div> <p>Users can subscribe to people or creators.</p> |
| Reporting content | <div></div> <p>To report content on TikTok, a user long presses the screen and selects 'Report'.</p> | <div></div> |
| Content levels | <div></div> | <div></div> |
| Educational content | <div></div> | <div></div> |
| Likes & Comments | <div></div> | <div></div> |
| Video collaborations | <div></div> <p>TikTok offers the ability to Duet or Stitch for users aged 16+ only.</p> | <div></div> <p>YouTube allows users to record side-by-side videos.</p> |
| Video editing capabilities Record, edit, and publish videos in app. | <div></div> | <div></div> |
| Livestreaming | <div></div> <p>Users must be 18+ to livestream on TikTok.</p> | <div></div> <p>Users aged 13+ can livestream on YouTube.</p> |
| Direct messages | <div></div> <p>Users can control who can send direct messages in their privacy settings.</p> <p>Direct messages are not available for users aged 13-15.</p> <p>Parents can control direct message settings for teens aged 16-17 through Family Pairing.</p> | <div></div> |
| Autoplay / Autoscroll | <div></div> <p>TikTok does not have an autoplay function.</p> | <div></div> <p>YouTube's auto-play feature is turned on by default and keeps videos playing without a user having to select a new video.</p> |
| Default screentime for under 18s | <div></div> <p>Every user under 18 automatically has a 60-minute daily screentime limit.</p> | <div></div> <p>Users can manage their screentime on YouTube in settings. This is not turned on by default.</p> |

Safety and privacy protections for **teens on TikTok**

At TikTok, we consider the unique developmental needs of teens, meaning those accounts registered to teens 13-15 experience TikTok differently to those aged 16-17.

| Feature |  13-15 |  16-17 |  18+ |
|---------------------------|--|--|--|
| Direct messaging | Not allowed | Off by default | Friends by default |
| Account visibility | Private by default | Private pre-selected, option to set to Public | Public |
| Eligible for For You feed | Not eligible | Eligible | Eligible |
| Video downloads | Not allowed | Off by default | Allowed |
| Comment rules | Only Friends can comment | Followers by default | Everyone |
| Duet and Stitch | Not allowed | Off by default | Allowed |
| Going LIVE | Not allowed | Not allowed | Allowed |
| Daily screen time | 60 minutes | 60 minutes | Personal choice |
| Virtual gifting | Not allowed | Not allowed | Personal choice |
| Nighttime notifications | Disabled from 9pm | Disabled from 10pm | Personal choice |

We work to educate families on the safeguards available to help them manage their TikTok experience at our [Youth Portal](#), [Safety Centre](#), and [in-app videos](#), and through partnerships with teachers' organizations, youth safety NGOs and educational institutions around the world.



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From: s47F [REDACTED]@meta.com>
Sent: Thursday, 20 February 2025 11:44 AM
To: Age Assurance Trial; Irwin, Andrew; s22(1)(a)(ii) [REDACTED]; s22(1)(a)(ii) [REDACTED]; s22(1)(a)(ii) [REDACTED]; s22(1)(a)(ii) [REDACTED]; s22(1)(a) [REDACTED]@esafety.gov.au
Cc: s47F [REDACTED]; s47F [REDACTED]; s47F [REDACTED]; s47F [REDACTED]
Subject: Re: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]
Attachments: Follow up letter to Dept of Comms re ED of Legislative Rules .docx.pdf

Dear Andrew and team,

Please see the attached letter to follow up on our targeted consultation meeting earlier this week.

Look forward to hearing from you and meeting again shortly.

Kind regards,

s47F [REDACTED]

From: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>
Date: Thursday, 13 February 2025 at 5:14 pm
To: s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>, s22(1)(a)(ii) [REDACTED]@infrastructure.gov.au>, s22(1)(a)(ii) [REDACTED]@infrastructure.gov.au>, s22(1)(a)(ii) [REDACTED]@INFRASTRUCTURE.gov.au>, s22(1)(a)(ii) [REDACTED]@COMMUNICATIONS.gov.au>
Cc: s22(1)(a) [REDACTED]@esafety.gov.au, s22(1)(a)(ii) [REDACTED]@esafety.gov.au
Subject: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

OFFICIAL

Hi s47F [REDACTED]

Thank you for agreeing to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules. The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with Meta to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

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Tenant key: [teams@vc.govteams.gov.au](#)

Video ID: 133 602 955 0

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For organisers: [Meeting options](#) | [Reset dial-in PIN](#)

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20 February 2024

Andrew Irwin
Assistant Secretary, Online Safety Branch

Age Assurance Trial
Department of Infrastructure, Transport, Regional Development, Communications and the Arts

By email:

Andrew.Irwin@INFRASTRUCTURE.gov.au

ageassurancetrial@infrastructure.gov.au

Dear Andrew and team,

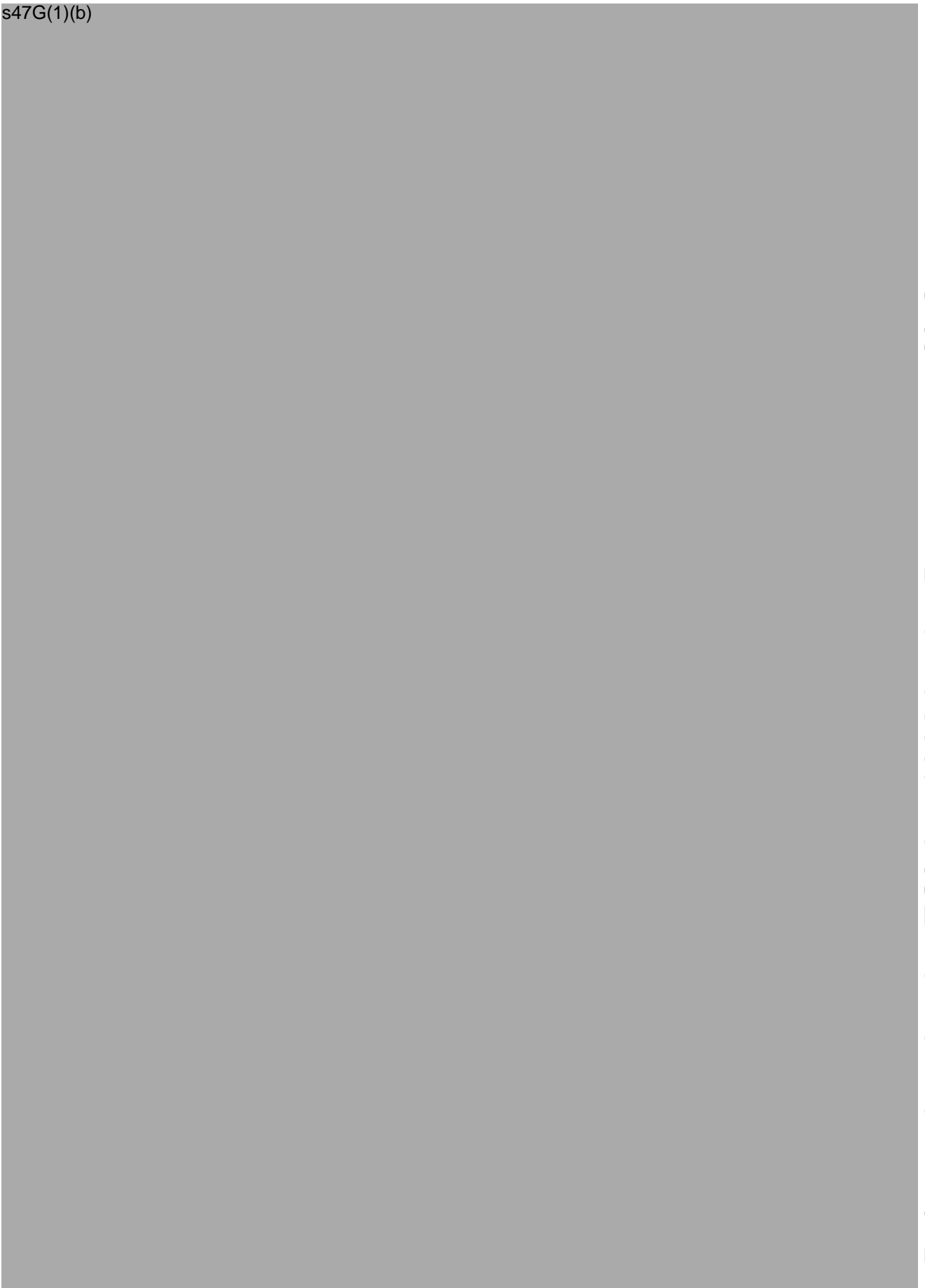
Thank you for your time recently as part of your targeted consultation with stakeholders about the *Exposure Draft – Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (Exposure Draft)*.

s47G(1)(b)

A large rectangular area of the document is completely redacted with a solid grey fill, covering the majority of the lower half of the page.

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s47G(1)(b)






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s47G(1)(b)



Please also confirm when we can again meet as part of a targeted follow-up consultation in the week of the 3rd of March 2025. s47G(1)(b)



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s47F



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From: s47F @snap.com>
Sent: Friday, 28 February 2025 11:46 AM
To: s22(1)(a)(ii)
Cc: s47F ; Age Assurance Trial; Irwin, Andrew
Subject: Re: Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]
Attachments: 2025.02.28 Snap Inc. Submission to targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025.pdf

Hi Andrew, s22(1)(a)(ii) and team

Hope you're all doing well. Please find a written submission from Snap attached. We'd be happy to meet to discuss if you have any questions or comments about this.

Thanks

s47F

On Wed, Feb 12, 2025 at 12:52 PM s22(1)(a)(ii) @infrastructure.gov.au> wrote:

OFFICIAL

Hi s47F

In terms of written responses, we will ask that any formal submissions are provided to us by 28 February 2025. This would allow us to continue progressing the Rules in a timely way.

The Government's intent is for the Rules to be made in the first half of this year, noting however that a federal election will occur at some point during that period.

s22(1)(a)(ii)

A/g Assistant Secretary • Online Safety Branch • Digital Platforms, Safety and Classification Division

s22(1)(a)(ii) @infrastructure.gov.au

P s22(1)(a)(ii) • M s22(1)(a)(ii)

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I recognise and respect their continuing connection to the land, waters and communities.

I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islander people.

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From: s47F [redacted] <[redacted]@snap.com>
Sent: Wednesday, 12 February 2025 12:10 PM
To: s22(1)(a)(ii) [redacted] <[redacted]@infrastructure.gov.au>
Cc: s47F [redacted] <[redacted]@snapchat.com>; Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>
Subject: Re: Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Hi s22(1) [redacted] a quick couple of follow ups:

- Will there be an opportunity to provide written feedback, and if so, are there any deadlines we need to bear in mind?
- When is the Government planning on finalising the rules? Can you give us a sense of the process and timeframes?

This info would be helpful ahead of the session next week if possible.

Thanks

s47F [redacted]

On Wed, Feb 12, 2025 at 11:41 AM s22(1)(a)(ii) [redacted] <[redacted]@infrastructure.gov.au> wrote:

OFFICIAL

Hey s47 [redacted]

In response to your questions:

- Yes, confirming this will be a 1:1 meeting.

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- At this stage, broader public consultation (inviting public submissions) is not planned, but is not off the table. We are meeting with a very wide network of key stakeholders on the draft Rules throughout February. Depending on the outcome of these, the Government will consider whether any additional consultation process should be undertaken.

Hope that helps.

Thanks

s22(1)(a)(ii)

A/g Assistant Secretary • Online Safety Branch • Digital Platforms, Safety and Classification Division

s22(1)(a)(ii) [@infrastructure.gov.au](mailto:s22(1)(a)(ii)@infrastructure.gov.au)

P s22(1)(a)(ii) • M s22(1)(a)(ii)

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From: s47F [@snapchat.com](mailto:s47F@snapchat.com)

Sent: Tuesday, 11 February 2025 3:47 PM

To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>

Cc: s22(1)(a) [@snapchat.com](mailto:s22(1)(a)@snapchat.com); Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>

Subject: Re: Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025
[SEC=OFFICIAL]

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Hi Taskforce

Thank you for sharing this and for the opportunity for direct consultation. Henry and I are able to attend a video call at 3:30pm on Monday. Can I please just confirm that it will be a 1:1 consultation?

Could I ask, is the Department also planning to undertake public consultation and if so, would you have an expected timing for that?

s47

--

s47F

Public Policy, ANZ

Snap Inc.

M: s47F

E: s47 [@snapchat.com](mailto:s47@snapchat.com)

Snapchat: benau.snap

On Tue, Feb 11, 2025 at 2:30 PM Age Assurance Trial <ageassurancetrial@infrastructure.gov.au> wrote:

OFFICIAL

Dear s47 and s47F

We are writing to invite you to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules.

The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with Snap to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

Meeting details:

Date: Monday 17 February

Time: 3:30-4:15pm AEDT

Please RSVP by **midday Thursday** to confirm your attendance via MS Teams.

Note that officials from the office of the eSafety Commissioner, the Office of the Australian Information Commissioner, and the office of the Minister for Communications may also be in attendance.

Kind regards

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

ageassurancetrial@infrastructure.gov.au

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28 February 2025

Snap Inc. submission to the targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025

We thank the Department for the opportunity to present a submission in response to the exposure draft of the Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the exclusion rules) and accompanying Discussion Paper.

We share the Government's goal of prioritising the safety and wellbeing of young Australians, while also ensuring that they do not lose their ability to connect with their friends and family.

As a brief introduction, Snapchat is a communications app designed for people ages 13 and up, who primarily use it to talk with their close friends and family. We have built our platform with Safety by Design principles at the core, with [extra safeguards for teens](#). For example, we don't allow teens to communicate one-to-one with another person unless they are friends on Snapchat or an existing contact in their phone; we default key safety and privacy settings for teens to the strictest standards, and offer quick and simple reporting tools for our users and their parents or carers to report a safety concern to us, with reports going to our global 24/7 safety teams which include team members based in Australia.

Two pieces of independent research released in 2024, from [ReachOut, Beyond Blue and the Black Dog Institute in Australia](#) and the [University of Amsterdam](#), found that Snapchat has a positive impact on friendship and wellbeing, without the negative mental health symptoms associated with some other platforms.

Response to discussion questions

- 1.1 Do you consider the rule on messaging services to be appropriately targeted?
 1.2 Why or why not?
 1.3 What implementation challenges (if any) do you foresee with this rule on messaging services?

We support the proposed exclusion for services that have the sole or primary purpose of enabling end-users to communicate by means of messaging.

As set out in the Discussion Paper, messaging services were widely considered by stakeholders to provide benefits of connection to young people that outweigh the risks of harm, and the proposed threshold establishes a high bar to cover only those apps that are primarily dedicated to messaging.

This is borne out by [research from YouGov last year](#) showing that 4-in-5 Australian teens and 3-in-4 Australian adults feel happy when direct messaging with family and close friends, while 3-in-5 adults and nearly 9-in-10 teens are more likely to feel happy when using messaging apps for communicating, significantly more than those who say the same about using social media platforms. According to the same research, Australians are roughly 2-3 times as likely to view messaging apps as better than social media platforms for being their authentic self, developing or fostering relationships, and avoiding misunderstandings. This study demonstrated that

Snapchat, which is primarily a messaging app, helps support and deepen friendships in Australia.

However, while we support this exclusion rule on messaging services, we are concerned with how the Government has framed this rule in the Discussion Paper, which we believe raises some important issues and questions. We have addressed these below and provided recommendations for the Government's consideration.

Applying a fair and equitable application of the exclusion rules

For the social media minimum age to become a credible and successful example of technology regulation, the Government will need to demonstrate an equitable and impartial application of the law so that all services are held to a consistent standard. For example, if providing a "Story" function (allowing users to share videos and images for a 24-hour period) means that a platform is not considered to "have the sole or primary purpose of enabling end-users to communicate by means of messaging," all platforms should be held to that standard.

We note that the Government has indicated in its Discussion Paper that it considers Snapchat would not be covered by the exclusion rule on messaging services because of the existence of Stories and the Snap Map on our platform. It is worth noting that prominent messaging services that the Government is proposing to exclude also contain equivalent "Stories" features and location-sharing functions. This highlights the need for consistency in how the exclusion rule is applied.

Recommendation 1: The exclusion rule for messaging services must apply a fair and impartial standard that applies equally across all messaging services. If the Government considers that a platform should not be excluded because of the presence of any specific features, all messaging apps must be held to that same standard.

Adopting a risk-based approach to exclusions

Given the overarching objective of the social media minimum age is the online safety of teens, we recommend greater consideration or assessment of online safety risks in the test for whether a platform falls within the exclusion rule for messaging apps, informed by the eSafety Commissioner.

We consider that the exclusion rule on messaging services presents a critical opportunity to encourage platforms to implement **Safety by Design**, a principle that has been championed globally by the eSafety Commissioner, and incentivise platforms to make design decisions that contribute to stronger safety for teens online. We therefore believe the exclusion rule on messaging services should be subject to a risk assessment of objective Safety by Design criteria set out by eSafety. We understand that eSafety is currently conducting such a risk assessment, and recommend that this regulatory guidance is published and that it directly informs the Government's approach to all exemptions, including the rule of messaging services.

Similarly, as the draft exclusion rule recognises, the majority of popular messaging platforms offer ancillary features in addition to their core of messaging. Currently, the draft rule provides limited guidance on how the "sole or primary purpose" test can be consistently undertaken across platforms, and no opportunity to assess the relative benefits or risks to young people of the diverse range of ancillary features that are increasingly available across platforms.

We believe that **whether additional features pose a risk to younger users should be the core determining factor** in evaluating whether messaging services can provide these and remain excluded. As above, they should be subject to a risk assessment of objective risk criteria set out by the eSafety Commissioner, published as regulatory guidance. A determination of the “sole or primary purpose” of a platform should then be informed by this guidance.

Recommendation 2: The exclusion rule for messaging services should incorporate an objective assessment of risk, to be informed by the eSafety Commissioner and published through regulatory guidance. This should include a risk assessment of the different characteristics of messaging services, and of ancillary features, based on Safety by Design principles. Whether messaging platforms can continue to provide ancillary features in addition to messaging should depend on the eSafety Commissioner’s risk assessment.

Need for consultation on the Explanatory Statement

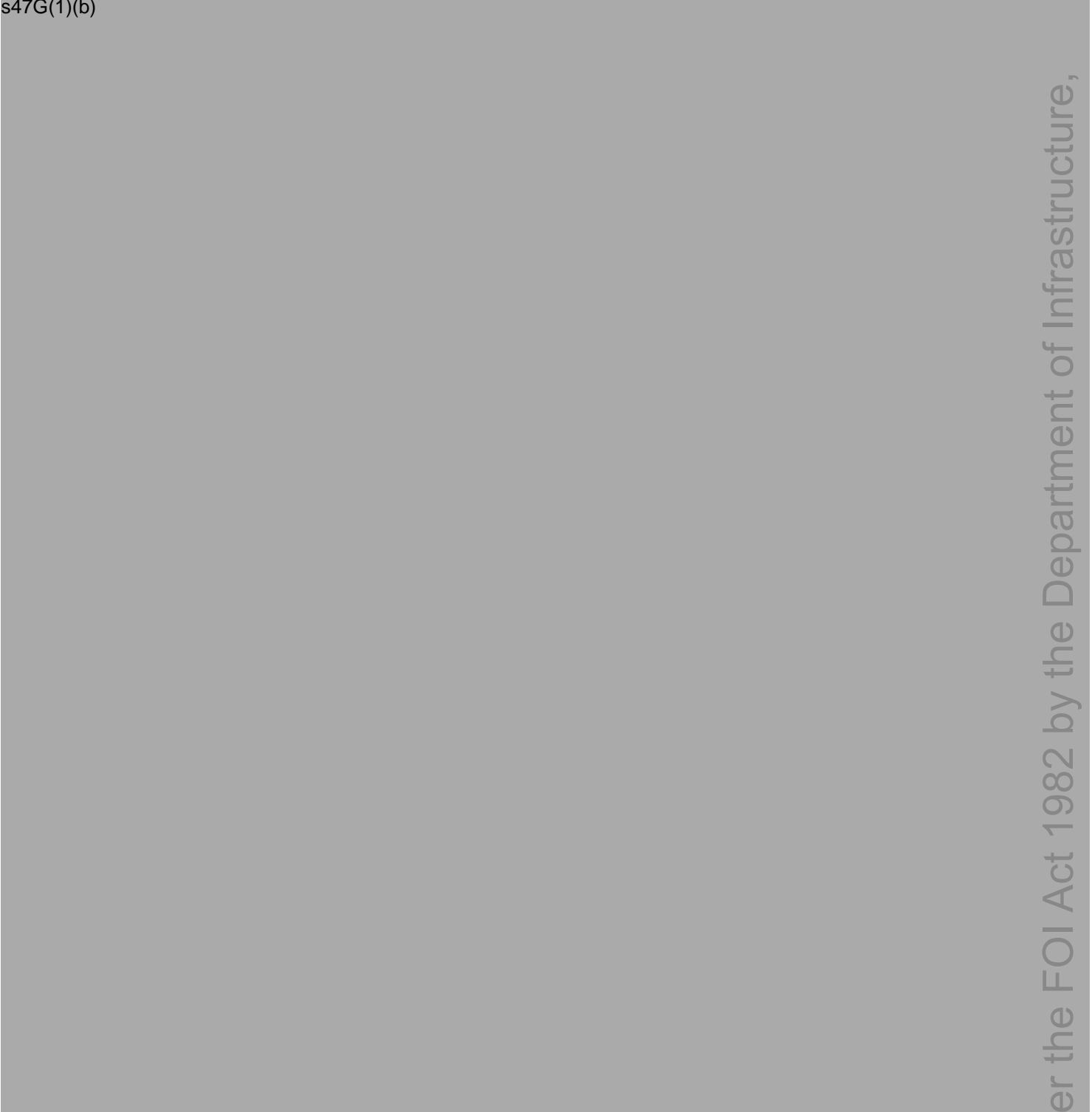
We understand that the exclusion rules will be accompanied by an Explanatory Statement, which the Government has not yet commenced stakeholder consultation on. Given the high-level nature of the draft exclusion rules instrument, any commentary in the Explanatory Statement may be influential to how the proposed exclusion rules will be applied in practice. It is therefore essential for there to be transparency around the Explanatory Statement, including stakeholder consultation on the Government’s draft Explanatory Statement before it is finalised.

Recommendation 3: The Government must consult on its draft Explanatory Statement to the exclusion rules, in addition to consulting on the draft exclusion rules themselves.

4.1 Do you support YouTube being excluded from the minimum age obligation (i.e. young people should be able to have YouTube accounts)?
4.2 Why or why not?

We repeat our view above that there must be a fair and impartial application of exclusions and all services should be held to the same standard. We see no reason why preferential treatment should be given to any specific companies and services through the rules in such a way that those companies and services do not need to satisfy the grounds for exclusion that all other services must be measured by. As above, we believe the eSafety Commissioner’s risk assessment should inform the Government’s approach to exemptions from the law, rather than arbitrary exclusions for certain companies and platforms.

s47G(1)(b)



From: s47F [REDACTED] <[REDACTED]@tiktok.com>
Sent: Friday, 28 February 2025 1:45 PM
To: Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>
Cc: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; s47F [REDACTED] <[REDACTED]@tiktok.com>; s47F [REDACTED] <[REDACTED]@tiktok.com>; s47F [REDACTED] <[REDACTED]@tiktok.com>; VANDENBROEK, Sarah <Sarah.Vandenbroek@infrastructure.gov.au>
Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Hi Andrew

Thank you for letting us know. We will provide our written submission to you by Monday at 9am (Feb. 3).

Regards,

s47F

On Wed, Feb 26, 2025 at 3:51 PM Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au> wrote:

OFFICIAL

Hi s47F

Thanks for your email and for making the time to meet with us in person last week.

As you can expect, we've been fairly snowed under with consultation meetings on the rules, and will continue to be so for the next week or so. We'll aim to come back to you on your questions by the end of next week. Appreciate your patience in this regard.

Thanks,

Andrew

OFFICIAL

From: s47F <s47F@tiktok.com>
Sent: Monday, 24 February 2025 6:08 PM
To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>

Cc: s47F @tiktok.com; s47F @tiktok.com; s47F @tiktok.com; Irwin, Andrew
<Andrew.Irwin@INFRASTRUCTURE.gov.au>; s47F @tiktok.com>

Subject: Re: [External] Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Dear Andrew and Department team,

Further to my correspondence below, I am writing to seek the Department's advice on the following matters:

1. We would like to ensure our understanding of our discussion on 18 February 2025 aligns with yours. Could the Department please provide TikTok with the minutes of that meeting?
2. We would also like to ensure that the representations the Department makes to the Minister for Communications about our position are accurately reflected. We understand that the broader Ministerial Submission and recommendations will be confidential, but we would like to see the section with advice to the Minister on our position. Could the Department please provide?
3. Can the Department confirm the ACCC and Treasury's advice on competition issues raised by the proposed exemption for YouTube will be considered as part of this targeted consultation, and advice prepared as part of the Ministerial Submission to the Communications Minister? If so, will the Treasurer or Assistant Treasurer also be provided with a copy of the Ministerial Submission? If not, why is this advice not being included?
4. A regulatory impact statement for industry was not undertaken as part of the passage of this legislation last year due to the extremely short timeframe. Can the Department confirm whether a regulatory impact statement will be prepared as part of this targeted consultation? If not, has an exemption been sought?

Kind regards,

s47F

On Wed, Feb 19, 2025 at 9:08 PM s47F @tiktok.com> wrote:

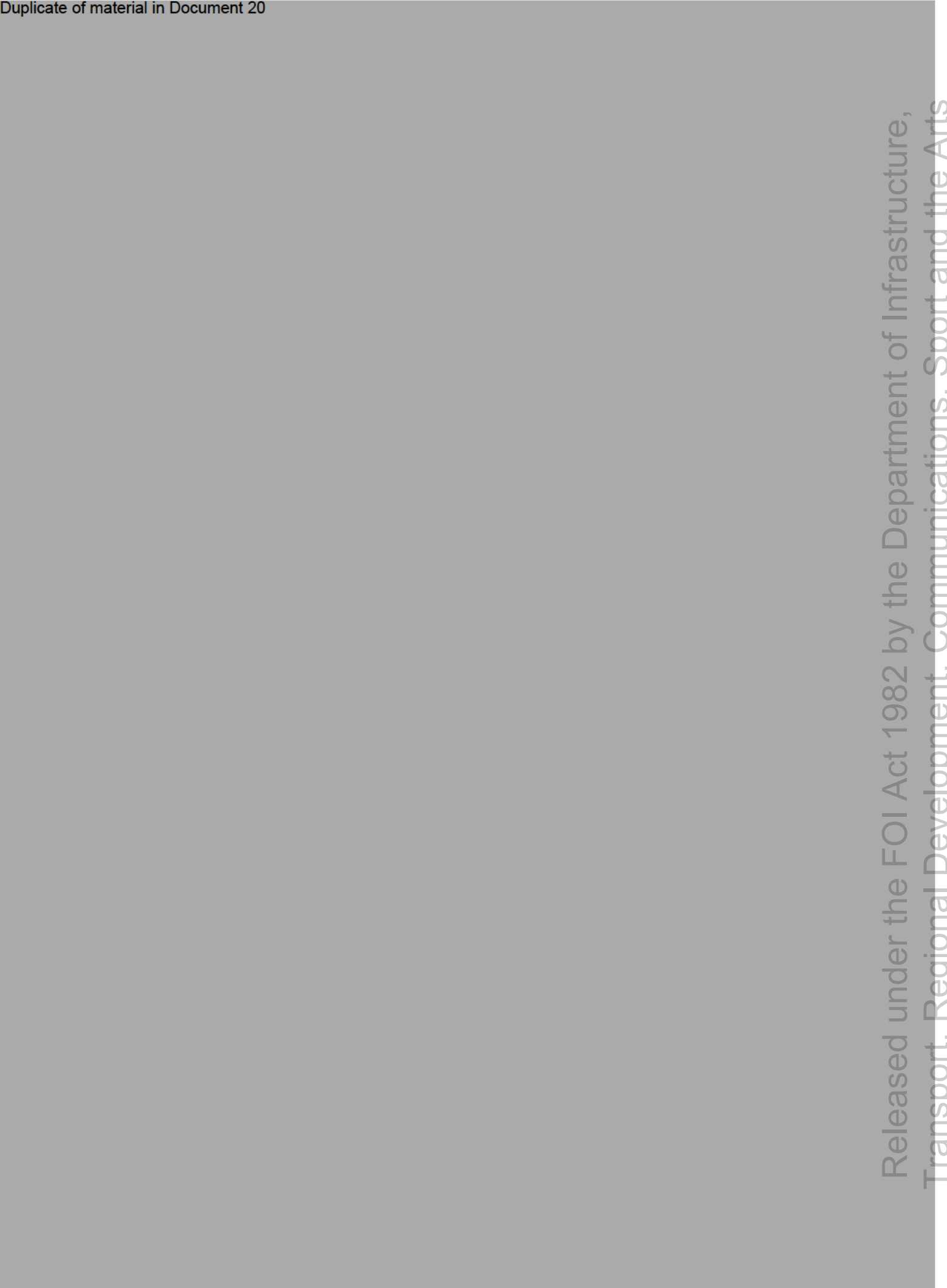
Duplicate of material in Document 20

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Transport, Regional Development, Communications, Sport and the Arts

Duplicate of material in Document 20

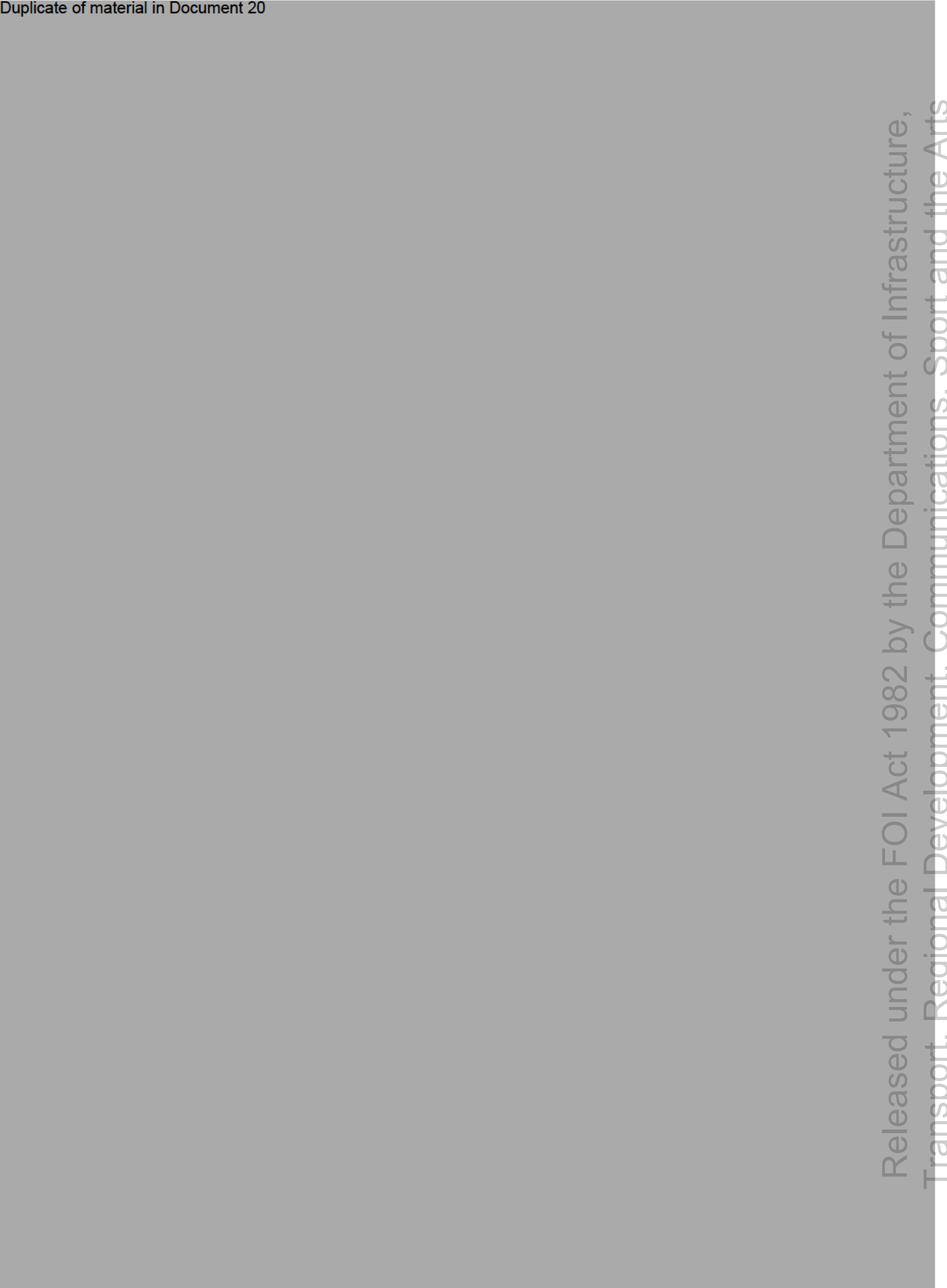
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Transport, Regional Development, Communications, Sport and the Arts

From: s47F @tiktok.com>
Sent: Tuesday, 11 March 2025 11:30 AM
To: Irwin, Andrew
Cc: Age Assurance Trial; s47F; s47F; s47F @tiktok.com; s47F
Subject: Re: [External] RE: TikTok Australia - submission [SEC=OFFICIAL]

Dear Andrew and team,

Following on from our submission and other correspondence, we'd like to arrange a further meeting with the Department to understand 'next steps', the timeframes ahead, and any other information the Department is able to provide about the process.

We continue to have a range of questions that we have not yet had answers to, as well as some serious concerns about the process and the draft rules.

We understand that similar meeting requests have been facilitated.

We look forward to hearing from you as to when we can meet again.

Sincerely,

s47F

On Tue, Mar 4, 2025 at 9:53 AM Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au> wrote:

OFFICIAL

Received thank you – we'll make sure to get back to you if we have any questions after having a read through.

Cheers,

Andrew

OFFICIAL

From: s47F @tiktok.com>
Sent: Tuesday, 4 March 2025 9:35 AM
To: Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>; Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>
Cc: s47F @tiktok.com>; s47F @tiktok.com>; s47F @tiktok.com>
Subject: TikTok Australia - submission

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Dear Andrew

Please find attached our submission regarding the Australian Government's Exposure Draft Online Safety (Age-e-Restricted Social Media Platforms) Rules 2025. Kind regards,

s47F

Tel: s47F

Email: s47F [@tiktok.com](mailto:s47F@tiktok.com)



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From: Irwin, Andrew
Sent: Tuesday, 15 April 2025 2:39 PM
To: s47F; s47F; Age Assurance Trial; Age Assurance Trial Taskforce; s22(1)(a)(ii)
Cc: s47F; s47F; s47F; s47F; VANDENBROEK, Sarah; s22(1)(a)(ii)
Subject: RE: Meta follow-up [SEC=OFFICIAL]

OFFICIAL

Thanks for following up s47F – s47G(1)(b)

Cheers,
 Andrew

OFFICIAL

From: s47F @meta.com>
Sent: Tuesday, 15 April 2025 1:34 PM
To: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>; s47F @meta.com>; Age Assurance Trial
 <ageassurancetrial@infrastructure.gov.au>; Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>
Cc: s47F @meta.com>; s47F @meta.com>; s47F @meta.com>; VANDENBROEK, Sarah
 <Sarah.Vandenbroek@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>
Subject: Re: Meta follow-up [SEC=OFFICIAL]

Hi Andrew,

Thank you for this update and look forward to discussing more tomorrow.

s47G(1)(b)

s47F

From: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>
Date: Tuesday, 15 April 2025 at 12:15 pm
To: s47F @meta.com>; s47F @meta.com>; Age Assurance Trial
 <ageassurancetrial@infrastructure.gov.au>; Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>
Cc: s47F @meta.com>; s47F @meta.com>; s47F @meta.com>; VANDENBROEK, Sarah
 <Sarah.Vandenbroek@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Meta follow-up [SEC=OFFICIAL]

OFFICIAL

Hi s47F

Just ahead of the meeting tomorrow wanted to flag something we'd like to raise. s47G(1)(b)

s47G(1)(b)

Hopefully we can discuss tomorrow,

Cheers,
Andrew

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
• Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au

P s22(1)(a)(ii) M s22(1)(a)(ii)

GPO Box 594 Canberra, ACT 2601

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I am part time – working 9.30-4.30 Monday and Tuesday, 9-2.30 on Wednesday, and regular hours on Thursday and Friday.

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I recognise and respect their continuing connection to the land, waters and communities.
I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

Ngunnawal Country



OFFICIAL

From: Irwin, Andrew

Sent: Tuesday, 1 April 2025 3:12 PM

To: s47F @meta.com; s47F @meta.com; Age Assurance Trial
<ageassurancetrial@infrastructure.gov.au>; Age Assurance Trial Taskforce
<AgeAssuranceTrial2@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au
Cc: s47F @meta.com; s47F @meta.com; s47F
s47F @meta.com; s47F @meta.com; VANDENBROEK, Sarah
<Sarah.Vandenbroek@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au
Subject: RE: Meta follow-up [SEC=OFFICIAL]

OFFICIAL

Thanks s47F - @s22(1)(a)(ii) can we send a teams please?

Cheers,
Andrew

OFFICIAL

From: s47F @meta.com>
Sent: Tuesday, 1 April 2025 3:11 PM
To: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>; s47F @meta.com>; Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Cc: s47F @meta.com>; s47F @meta.com>; s47F @meta.com>; s47F @meta.com>; VANDENBROEK, Sarah <Sarah.Vandenbroek@infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>; s22(1)(a)(ii) @infrastructure.gov.au>
Subject: Re: Meta follow-up [SEC=OFFICIAL]

Hi Andrew & s22(1)(a)

Just jumping in here to help schedule – Wednesday 16th at 10:30am works on our side. Would you like me to send through a zoom link or if you prefer Teams happy for you to schedule the invite?

Many thanks,
s47F

From: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>
Date: Tuesday, 1 April 2025 at 2:41 pm
To: s47F @meta.com>, Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>, s47F @meta.com>, Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Cc: s47F @meta.com>, s47F @meta.com>, s47F @meta.com>, s47F @meta.com>, VANDENBROEK, Sarah <Sarah.Vandenbroek@infrastructure.gov.au>, s22(1)(a)(ii) @infrastructure.gov.au>, s22(1)(a)(ii) @infrastructure.gov.au>
Subject: RE: Meta follow-up [SEC=OFFICIAL]

OFFICIAL

Hi s47F

Thanks for following up. I'm actually overseas next week, but the week after would be good. s22(1)(a) will be able to help lock things in, but a quick look at my calendar suggests maybe:

- Tuesday 15th 10am or 11.30
- Wednesday 16th: any time 9.30-12.

Do any of those work for you?

Cheers,
Andrew

OFFICIAL

From: s47F [REDACTED]@meta.com>
 Sent: Tuesday, 1 April 2025 2:05 PM
 To: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>; Age Assurance Trial
 <ageassurancetrial@infrastructure.gov.au>; s47F [REDACTED]@meta.com>; Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>
 Cc: s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>; s47F [REDACTED]
 s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>
 Subject: Re: Meta follow-up [SEC=OFFICIAL]

Hi Andrew,

I hope you are well.

I wanted to follow up and see if you had time next week or the week after for a call to discuss the options here? A virtual catch up is probably best given I'm sure even caretaker is a very busy time for you all!

If you can let us know some days and times that work at your end, that would be appreciated.

s47F [REDACTED]

From: Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>
 Date: Monday, 17 March 2025 at 2:15 pm
 To: s47F [REDACTED]@meta.com>, Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>, s47F [REDACTED]@meta.com>, Age Assurance Trial Taskforce
 <AgeAssuranceTrial2@infrastructure.gov.au>
 Cc: s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]
 s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>
 Subject: RE: Meta follow-up [SEC=OFFICIAL]

OFFICIAL

Thanks s47F [REDACTED] looking forward to the update.

Cheers,
 Andrew

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
 • Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au

PS22(1)(a)(ii) • MS22(1)(a)(ii)

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I recognise and respect their continuing connection to the land, waters and communities.
I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.

Ngunnawal Country



OFFICIAL

From: s47F [redacted] <[redacted]@meta.com>
Sent: Monday, 17 March 2025 1:16 PM
To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; s47F [redacted] <[redacted]@meta.com>; Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au>; Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Cc: s47F [redacted] <[redacted]@meta.com>; s47F [redacted] <[redacted]@meta.com>; s47F [redacted] <[redacted]@meta.com>; s47F [redacted] <[redacted]@meta.com>; s47F [redacted] <[redacted]@meta.com>
Subject: Meta follow-up

Hi Andrew and the Age Assurance Trial team,

Thank you for your time recently to discuss the ongoing targeted consultation around the scope of services and the draft Rules.

s47G(1)(b)

Kind regards,

s47F [redacted]

From: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>
Date: Wednesday, 5 March 2025 at 10:20 am
To: s47F [redacted] <[redacted]@meta.com>, Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>, Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>, Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Cc: s47F [redacted] <[redacted]@meta.com>, s47F [redacted] <[redacted]@meta.com>, s47F [redacted] <[redacted]@meta.com>, s47F [redacted] <[redacted]@meta.com>, s47F [redacted] <[redacted]@meta.com>
Subject: RE: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

OFFICIAL

Hi s47F [redacted]

Thank you for helping with scheduling. I will send through an invite for that time now.

Kind regards

s22(1)
[redacted]

OFFICIAL

From: s47F [REDACTED]@meta.com>
Sent: Wednesday, 5 March 2025 9:47 AM
To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>; Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Cc: s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>; s47F [REDACTED]@meta.com>
Subject: FW: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Hi Isobel,

Mia has forwarded on your email to help with scheduling – thank you for these availabilities, could we please go ahead and schedule for Thursday 6 March 4:30-5pm. Thank you and look forward to receiving the invite dial in as mentioned.

Many thanks,
 s47F [REDACTED]

s47F [REDACTED]

From: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>
Date: Tuesday, 4 March 2025 at 3:04 pm
To: s47F [REDACTED]@meta.com>
Cc: s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, s47F [REDACTED]@meta.com>, Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>, Age Assurance Trial Taskforce <AgeAssuranceTrial2@infrastructure.gov.au>
Subject: RE: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

OFFICIAL

Hi s47F [REDACTED]

I am reaching out to arrange a time to meet this week. Apologies for the delay, I'm sure you understand we have been extremely busy with our targeted consultation.

Are you available to meet at any of the following times over MS Teams?

Wednesday 5 March between 10:30 to 2:30pm
 Thursday 6 March 4:30-5pm
 Friday 7 March 4:15-5pm

Please let me know what works for you and I will send through a calendar invite.

Kind regards

s22(1)

Age Assurance Trial Taskforce

Online Safety Branch • Digital Platforms, Safety and Classification Division

ageassurancetrial@infrastructure.gov.au

GPO Box 594 Canberra, ACT 2601

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OFFICIAL

From: s47F <[redacted]@meta.com>
Sent: Thursday, 20 February 2025 11:44 AM
To: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>; Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <[redacted]@infrastructure.gov.au>; s22(1)(a)(ii) <[redacted]@infrastructure.gov.au>; s22(1)(a)(ii) <[redacted]@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <[redacted]@COMMUNICATIONS.gov.au>; s22(1)(a) <[redacted]@esafety.gov.au>
Cc: s47F <[redacted]@meta.com>; s47F <[redacted]@meta.com>; s47F <[redacted]@meta.com>
Subject: Re: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

Dear Andrew and team,

Please see the attached letter to follow up on our targeted consultation meeting earlier this week.

Look forward to hearing from you and meeting again shortly.

Kind regards,

s47F

From: Age Assurance Trial <ageassurancetrial@infrastructure.gov.au>
Date: Thursday, 13 February 2025 at 5:14 pm
To: s47F <[redacted]@meta.com>; s47F <[redacted]@meta.com>; s47F <[redacted]@meta.com>; s47F <[redacted]@meta.com>; Irwin, Andrew <Andrew.Irwin@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <[redacted]@infrastructure.gov.au>; s22(1)(a)(ii) <[redacted]@INFRASTRUCTURE.gov.au>; s22(1)(a)(ii) <[redacted]@COMMUNICATIONS.gov.au>
Cc: s22(1)(a) <[redacted]@esafety.gov.au>; s22(1)(a)(ii) <[redacted]@esafety.gov.au>
Subject: Meta | Targeted consultation on the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 [SEC=OFFICIAL]

OFFICIAL

Hi s47F s47F s47F s47F and s47F

Thank you for agreeing to meet with us to discuss draft rules to be made under the new social media minimum age laws.

Background

The *Online Safety Amendment (Social Media Minimum Age) Act 2024* (SMMA Act) introduces a requirement that certain social media platforms prevent Australians under 16 years from having an account on their service.

This requirement applies to 'age-restricted social media platforms', a new term introduced by the SMMA Act. While the definition of this term casts a wide net, the Minister for Communications can narrow the scope through legislative rules. The Government has stated that, in the first instance, these rules will be used to exclude the below services from the minimum age obligation:

- Messaging
- Online games
- Apps that primarily function to support health and education
- YouTube

Consultation

To give effect to these exclusions, we have developed the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the draft Rules).

The department is seeking direct feedback from select stakeholders with particularly strong interests and/or relevant expertise. In this regard, we would welcome a virtual meeting with Meta to discuss the issues raised in the consultation paper.

In the course of this meeting, we are seeking views on:

- whether the draft Online Safety Rules are appropriately targeted;
- potential implementation challenges; and
- whether any other classes of services should be incorporated into the Rules, having regard to the risks and benefits they provide to young people.

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Australian Government
**Department of Infrastructure,
Transport, Regional Development,
Communications and the Arts**

Ref: MC25-003372

s47F

Meta

via: s47F@meta.com

Dear s47F

Thank you for your letter of 3 March 2025 to the Hon Michelle Rowland MP, Minister for Communications, concerning the proposed exclusion of YouTube from the social media minimum age obligation. I am replying on her behalf. I apologise for the delay in responding.

With the announcement by the Prime Minister, the Hon Anthony Albanese MP, of the forthcoming election on 3 May 2025, the Australian Government has assumed a caretaker role. The Government is operating in accordance with the caretaker conventions pending the outcome of the 2025 federal election. During this period, by convention, decisions are not taken or advice given, that is likely to commit an incoming Government. Further information about these conventions can be found at www.pmc.gov.au/resources/guidance-caretaker-conventions.

The definition of 'age-restricted social media platform' under the *Online Safety Amendment (Social Media Minimum Age) Act 2024* casts a wide net to ensure the minimum age obligation applies broadly to the range of services that are commonly understood to be social media.

While the former Minister for Communications proposed to exclude YouTube, no legislative rules have been made giving effect to this or any other exclusion from the minimum age obligation.

The Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the department) undertook targeted consultations on the draft rules in February and March to seek feedback from stakeholders with strong interests and/or relevant expertise. This includes young people, parents and carers, the digital industry, and child-development, mental health and legal experts. This process builds on the extensive consultations undertaken as part of the age assurance trial and development of the social media minimum age legislation.

The department will brief the incoming government on the outcomes of the consultation. Following this, but before making any legislative rules, the incoming Minister for

Communications will seek and have regard to the advice of the eSafety Commissioner, in accordance with the requirements of the legislation.

I note that you have engaged constructively with the department during the consultation and I appreciate the information you have provided in your letter. Your views will be taken into consideration in briefing the incoming government on the legislative rules.

You may like to write again to the Government after the outcome of the election is known.

I trust this information will be of assistance.

Yours sincerely

s22(1)(a)(ii)

Sarah Vandenbroek
First Assistant Secretary
Digital Platforms, Safety and Classification Division

28 / 4 /2025

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From: s47F@snapchat.com>
Sent: Wednesday, 11 June 2025 11:43 AM
To: Irwin, Andrew
Subject: Re: Email response [SEC=OFFICIAL]

No problem Andrew. I'll keep an eye out for your team.

s47F

On Tue, Jun 10, 2025 at 3:04 PM Irwin, Andrew <Andrew.Irwin@infrastructure.gov.au> wrote:

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Hi s47F

Thanks for your email and apologies for the delay in responding. Unfortunately I'm not available to meet this week, but members of my branch will also be attending the Digital Childhoods Summit.

Regarding the status of the draft Online Safety (Age-Restricted Social Media Platforms) Rules 2025, no legislative rules have been made giving effect any exclusion from the social media minimum age obligation.

As you know, in February and March 2025, the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts undertook targeted consultation on the draft legislative rules, which listed the electronic services that are proposed to be excluded from the social media minimum age obligation.

Prior to any rules being made, the Minister for Communications, the Hon Anika Wells MP will seek and have regard to the advice of the eSafety Commissioner, in accordance with the requirements of the legislation.

We will be in touch when we have more details to share. If you need to contact us on these matters in future, please feel free to email us at ageassurancetrial@infrastructure.gov.au

Yours sincerely

Andrew Irwin (he/him)

Assistant Secretary • Online Safety Branch
 • Digital Platforms, Safety and Classification Division

Andrew.Irwin@infrastructure.gov.au

PS22(1)(a)(ii) • MS22(1)(a)(ii)

GPO Box 594 Canberra, ACT 2601

Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts
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I am part time – working 9.30-4.30 Monday and Tuesday, 9-2.30 on Wednesday, and regular hours on Thursday and Friday.

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