

DPSC Division – Standard Words

Social Media Minimum Age

- The *Online Safety Act 2021* (OSA) was amended in November 2024 to introduce a social media minimum age framework (SMMA), providing greater protections for young Australians at a critical stage of their development.
- The SMMA:
 - Requires age-restricted social media platforms to take reasonable steps to prevent under 16s from having accounts.
 - Introduces a new definition for ‘age-restricted social media platform’ to which the minimum age obligation applies, alongside rule-making powers for the Minister for Communications to narrow or further target the definition.
 - Specifies that no Australian will be compelled to use government identification (including Digital ID) for age assurance purposes, and platforms must offer reasonable alternatives to users.
 - Establishes robust privacy protections, placing limitations on the use of information collected by platforms for the purposes of satisfying the minimum age obligation, and requiring the destruction of information following its use.
 - Provides powers to the eSafety Commissioner and Information Commissioner to seek information relevant to monitoring compliance, and to issue and publish notices regarding non-compliance.
 - Imposes maximum penalties of up to \$49.5 million for breach of the minimum age obligation by corporate actors.
 - Increases maximum penalties to up to \$49.5 million for breaches of industry codes and standards, to reflect the seriousness of the contravention, consistent with community expectations.

Legislative rules

- On 29 July 2025, the Minister for Communications made the Online Safety (Age-Restricted Social Media Platforms) Rules 2025 (the Rules) to exclude certain services from the SMMA obligation.
- The Rules strike a balance between protecting young people from the harms associated with social media use, and allowing ongoing access to services that are essential for communication, education and health. They also enable maintained access to services that are (currently) known to pose fewer risks of online harms, particularly arising from addiction, problematic use, unhealthy social comparisons, and exposure to content that is inappropriate for children.
- Importantly, the Rules are informed by and reflect feedback received by the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (the department) as part of consultation conducted earlier this year.

- The department sought feedback from over 100 stakeholders representing industry, young Australians, parents and carers, civil society and mental health, legal and child-development experts.
- The Rules also reflect the research and advice the Minister received from the eSafety Commissioner on 19 June 2025.

YouTube

- The Government's decision to include YouTube in the SMMA obligation is based on this stakeholder feedback and the eSafety Commissioner's advice providing evidence that children are experiencing harms on YouTube.
- It is important to make clear that the SMMA obligations will only apply to children and young people 'holding an account' with age-restricted platforms. Applying the SMMA obligation to YouTube will not prevent children and young people from accessing content on the platform in a 'logged out' state. This ensures that educational resources will remain accessible while harms associated with holding an account are reduced.
- YouTube Kids is also unlikely to fall within the definition of 'age-restricted social media platform' as it operates more like a video streaming service, without the same interactive features as YouTube or other forms of social media. Accounts on YouTube Kids are also held by the parent or guardian, rather than the child themselves.

Next steps

- The SMMA obligation will come into effect on 10 December this year, and will require certain social media platforms to take 'reasonable steps' to prevent Australians under 16 years from having an account.
- Under the SMMA, the eSafety Commissioner may issue regulatory guidelines, to assist social media platforms understand the regulator's expectations and how the laws will be enforced. The guidelines are currently being developed, with input from stakeholders through a consultation process. It is expected the eSafety Commissioner will finalise the guidance by October 2025.
- The regulatory guidelines will include information about the types of effective age assurance measures required at the point of sign-up to systemically prevent underage users from creating accounts. The guidelines are also likely to set out the level of proactive detection required by platforms to identify underage users that are already on the services, as well as to the extent to which platforms should seek to address circumvention, including through VPNs.
- In developing the guidelines, the eSafety Commissioner may also take into account the final report of the Age Assurance Technology Trial, provided to Government at the end of July. The report paints a positive picture for age assurance in Australia, highlighting a range of effective methods, with no significant technological barriers to implementation.

Online Safety Reforms – Duty of Care

- On 4 February 2025, the Government tabled the report of the independent statutory review of the *Online Safety Act 2021*, which made 67 recommendations to strengthen Australia's online safety laws.
- The Government is examining the recommendations put forward in the review.
- A key recommendation of the review is moving towards a systems-based 'duty of care' to ensure digital platforms take responsibility for minimising harm on their services.
- On 13 November 2024, the Government announced its intention to legislate a duty of care. The Government is working to develop a duty of care model that could be adopted in Australia, with careful consideration being given to the design and implementation of an appropriate framework.

Reporting online content to eSafety

- The eSafety Commissioner (eSafety) is Australia's independent regulator for online safety. Visit www.eSafety.gov.au to find out more on how to stay safe online and www.esafety.gov.au/report to report online abuse.
- eSafety empowers Australians to have safer experiences by:
 - educating people about online safety risks, how to be safe online, and where to go for help [Key topics | eSafety Commissioner](#);
 - helping remove harmful content such as:
 - Cyberbullying of children and young people **Error! Hyperlink reference not valid.**;
 - Adult cyber abuse **Error! Hyperlink reference not valid.**;
 - Image based abuse **Error! Hyperlink reference not valid.**;
 - Illegal and restricted content [Illegal and restricted online content | eSafety Commissioner](#); and,
 - keeping technology companies accountable for what happens on their platforms and services.
- Once reported, eSafety will quickly investigate your complaint. Due to the high volume of complaints it receives, eSafety prioritises complaints that require the quickest compliance and enforcement action. This includes material that shows or describes sexual exploitation or abuse of children, pro-terror material and material that promotes, incites or instructs in matters of crime or violence.
- If you are in Australia and in immediate danger or at risk of harm, call emergency services on Triple Zero (000). Sometimes the police may already be involved when you report to eSafety. If not, we may encourage you to report the matter to police while eSafety continue to help you.

Two-stage process to reform the National Classification Scheme

- In March 2023, the Government announced a 2 stage reform agenda for the National Classification Scheme.
- Stage 1 of the reforms commenced in March 2024, when the *Classification (Publications, Films and Computer Games) Amendment (Industry Self-Classification and Other Measures) Act 2023* came into effect. The stage 1 reforms:
 - Allowed accredited persons to classify films and computer games;
 - Allowed broadcaster classification decisions to be used under the Classification Act;
 - Refined the Board's powers in relation to the quality assurance of industry classification decisions;
 - Expanded exemptions from classification for low risk cultural content distributed through public libraries or displayed in cultural institutions.
- There has been strong uptake from industry to self-classify content with (as at 30 June 2025):
 - Over 150 persons accredited to classify films or computer games;
 - Over 2,900 decisions made by accredited persons.
- These reforms have improved compliance with the National Classification Scheme (the Scheme) with more content classified to Australian standards.
- Also under Stage 1 reforms, in September 2024 the Guidelines for the Classification of Computer Games were amended to address community concerns about children accessing gambling-like content in computer games.
- New mandatory minimum classifications came into effect:
 - R 18+ (Restricted) classification applies to computer games with 'simulated gambling' legally restricting access to these games to persons aged 18 and over;
 - M (Mature) classification applies to computer games containing 'loot boxes' that can be purchased.
- To inform the development of options for Stage 2 reforms, an 8-week public consultation process was undertaken between April and May 2024. The department held targeted discussions with key government and industry stakeholders and received 140 submissions from industry, community groups, academics and interested stakeholders.
- Consultation revealed that the Scheme has not kept pace with significant changes in the media environment or community standards, including the treatment of mental health and suicide depictions, content permitted at the X 18+ classification and children's access to sexually explicit material in publications.

- In line with this feedback, the department has commissioned the Social Research Centre and Mettlesome to modernise and harmonise the *Guidelines for the Classification of Publications 2005*, *Guidelines for the Classification of Films 2012*, and *Guidelines for the Classification of Computer Games 2023* (the classification guidelines).
- This is the first holistic update of the classification guidelines in two decades and will be informed by recommendations from prior reviews of the Scheme, current areas of community concern and best available evidence of harms.
- This complements outcomes from the May 2024 National Cabinet on gender-based violence, where the government committed to working with states and territories to examine the current classification guidelines, informed by the best available evidence about harms, to ensure they are fit-for-purpose and best protect vulnerable people from exposure to violent pornography.
- This work is also occurring in parallel with outcomes from the 'Statutory Review of the *Online Safety Act 2021*', particularly recommendations related to interaction between the Scheme and the Online Content Scheme.
- Any proposed updates to the classification guidelines will be subject to further public consultation.
- Due to the cooperative nature of the Scheme, options for reform need to be agreed by all states and territories through the Standing Council of Attorneys-General (SCAG).