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MS25-000931



Australian Government

 Department of Infrastructure, Transport,
 Regional Development, Communications, Sport and the Arts

To: The Hon Anika Wells MP, Minister for Communications and Minister for Sport (for decision)

Subject: Implementing the Social Media Minimum Age – s22(1)(a)(ii)

Timely Date: s22(1)(a)(ii)
Recommendations:

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

2.

3.

4.

 5. That you **sign** the notifiable instrument at **Attachment E** formally making 10 December 2025 the date the minimum age obligation comes into effect.
Signed / Not Signed

6. s22(1)(a)(ii)

7.

The Hon Anika Wells MP

Date:

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Comments:

Key Points:

s22(1)(a)(ii)



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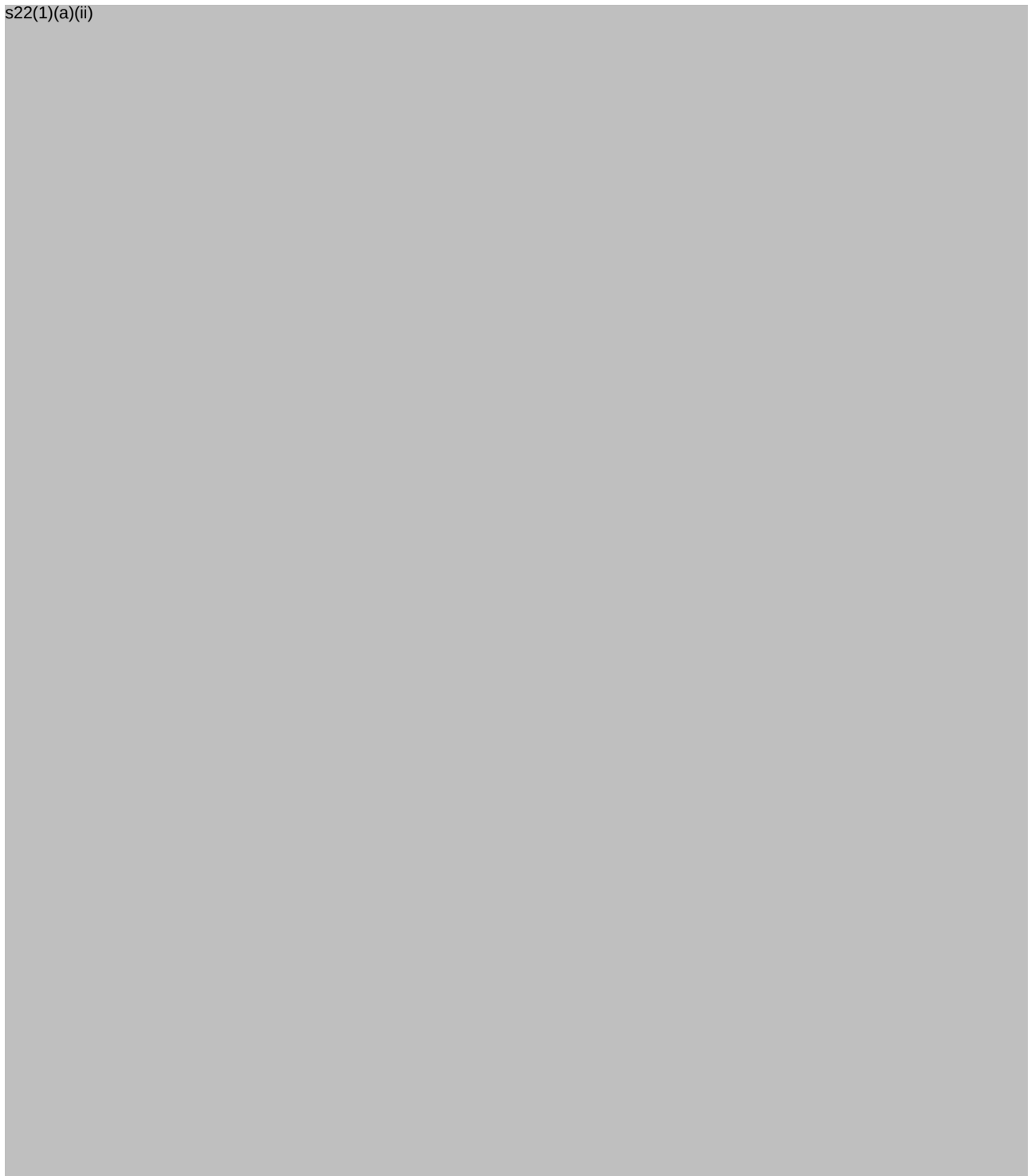
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s22(1)(a)(ii)

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6. Your agreement to the final text of the Rules and the Explanatory Statement will allow the instrument to be made by mid-year, as previously announced in order to provide greater certainty to regulated entities and Australian children and families, and support implementation of the SMMA Act by December 2025. Note that the Rules legislative instrument is disallowable in part or in full. If disallowed, an instrument of similar substance may not be made for 6 months.

s22(1)(a)(ii)

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s22(1)(a)(ii)



Instrument to make 10 December the Social Media Minimum Age commencement date

14. The minimum age obligation must come into effect by 10 December 2025, under a deferred commencement provision in the law. The Minister for Communications may specify the day the obligation commences by notifiable instrument.

15. We recommend you specify 10 December 2025 as the start date for the minimum age obligation. This will provide certainty to industry that an earlier commencement date will not be chosen. Notifiable instruments are not subject to Parliamentary disallowance. A draft instrument is at **Attachment E**.

s22(1)(a)(ii)



s22(1)(a)(ii)

The Day of Effect notifiable instrument specifies the

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commencement date of the SMMA. s22(1)(a)(ii)

s22(1)(a)(ii)

Attachments:

s22(1)(a)(ii)

Attachment E: Online Safety (Day of Effect of Social Media Minimum Age) Instrument 2025

s22(1)(a)(ii)

Cleared By: Sarah Vandebroek
 Position: First Assistant Secretary
 Division: Digital Platforms, Safety and
 Classifications
 Mob: s22(1)(a)(ii)
 Cleared Date: 25 July 2025

Contact Officer: Andrew Irwin
 Section: Online Safety Branch
 Ph: 02 s22(1)(a)(ii)
 Mob: s22(1)(a)(ii)

Instructions for Ministerial Services: Scanned copy of the signed and dated instruments required for lodgement with Federal Register of Legislation

Do you require a signed hardcopy to be returned: No

Responsible Adviser: s22(1)(a)(ii)

PDMS Distribution List: Barnaby Kerdel, s22(1)(a)(ii), s22(1)(a)(ii), s22(1)(a)(ii), Jim Betts, James Chisholm, Sarah Vandebroek, Andrew Irwin, s22(1)(a)(ii), s22(1)(a)(ii), s22(1)(a)(ii), s22(1)(a)(ii), s22(1)(a)(ii), s22(1)(a)(ii)

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Online Safety (Day of Effect of Social Media Minimum Age) Instrument 2025

I, Anika Wells, Minister for Communications, acting under subsection 63E(2) of the *Online Safety Act 2021*, specify 10 December 2025 as the day section 63D of that Act takes effect.

Dated 2025

Anika Wells
Minister for Communications

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