



Netflix submission: Update to Modernise and Harmonise Classification Guidelines 2025

Friday 8 May, 2026

Netflix appreciates the opportunity to comment on the Consultation Paper: Update to Modernise and Harmonise Classification Guidelines 2025 (the “**Paper**”), developed by Mettlesome and the Social Research Centre.

At Netflix, we’re committed to entertaining the world through films and series and more recently, live shows and games.

Netflix launched in Australia in 2015 and since then has worked closely with the Australian Government and the Australian Classification Board (“**the Board**”) to develop and continuously refine Netflix’s proprietary self-classification tool (“**Netflix Classification Tool**”).

The Netflix Classification Tool, which was approved in 2016 by the then-Minister for Communications and the Arts under the *Department of Communications and the Arts, Classification (Publications, Films and Computer Games) Netflix Classification Tool Approval*, is designed to produce classification decisions in accordance with the Australian classification scheme (the “**Scheme**”), which includes the *Classification (Publications, Films and Computer Games) Act 1995 (Cth)* (the “**Classification Act**”), the National Classification Code (the “**Code**”) and the *Guidelines for the Classification of Films 2012* (the “**Guidelines**”). It enables Netflix to efficiently and accurately classify thousands of hours of content added to our Australian catalogue each month without placing an unnecessary burden on Australia’s classification system, and ensures our Australian members can make informed decisions about their viewing choices in accordance with Australian community standards.

Based on its use of the Netflix Classification Tool over the past decade, Netflix strongly supports the proposals in the Paper to enhance industry self-classification. This is critical to respond to the modern media environment, and will align streaming video on demand (“**SVOD**”) services’ approach to classification with Australian broadcasters’, who have successfully self-classified content in a co-regulatory arrangement under the *Broadcasting Services Act 1992* (“**BSA**”) for many years.

We also support proposals to simplify the Scheme. While the commencement of the Stage 1 reforms was an important milestone, Australia’s Scheme remains highly complex and places a significant compliance burden on SVOD services operating locally. For example, Australia currently has 41 content advisories and is one of the few countries in the world that employs content advisory modifiers (i.e. mild, moderate, strong, etc.). This - coupled with the requirement to apply old Australian Classification Board (the “**Board**”) ratings to older content,¹ without the ability to update these to reflect modern

¹ For example, advisories such as “surgical procedures”, “animal attacks” and “strong battle violence”, which the Board no longer uses, must still be applied to older content.

community standards - means that Netflix is currently required to display over 250 different content advisories on our Australian service.

The result is that Netflix members in Australia are subject to inconsistent and outdated content advisory information, even though the Board has recently updated the Guidelines and advisories. It is no wonder that Australians have indicated that classification information is “too confusing” (page 31), and that terms like ‘mild sense of peril’; ‘adult themes’ and ‘may cause offense’ are difficult to interpret (page 34).²

Our commentary on the Paper’s proposals therefore focuses on three key principles:

- First, reforms should prioritise the viewers’ experience, improving their confidence and understanding of the Scheme;
- Second, reforms should reduce the complexity of the Scheme, whilst ensuring the Scheme remains flexible, outcomes-based and proportionate. This will ensure it can easily adapt to evolving community standards; and
- Third, reforms should be justified and supported by sufficient evidence. It is important to recognise that the development and maintenance of the Netflix Classification Tool requires considerable investment, including technical expertise and operational capacity. For example, updating the Netflix Classification Tool to reflect new consumer advisories under the *Classification Tool Logic Rules – Films* in 2023 took over four months and considerable effort for Netflix to build, test and implement. Future reforms should therefore consider the time, effort and resources required for approved tools to make these changes.

With that in mind, Netflix provides the below feedback on key proposals in the Paper. We also provide commentary on the ongoing challenges for SVOD services that are regulated under both the *Online Safety Act 2021* (“**OSA**”) and the Scheme, and strongly encourage the Government and the Australian Classification Office to move ahead with decoupling the two frameworks.

Mettlesome-Social Research Centre recommendation	Netflix response
C01 - Introducing a new PG13 rating	Seeking further information. We understand the primary driver behind the introduction of a new, PG13 rating is to capture content that sits between the PG and M range. However, the Paper does not provide

² Department of Infrastructure, Transport, Regional Development and Communications, ‘Report on classification usage and attitudes research’ (May 2022), pp. 26-27, https://www.classification.gov.au/sites/default/files/documents/5270_ditrhc_classification_usage_publication_report_finalv2.pdf.

	sufficient data to justify the introduction of an additional rating, particularly given Australia already has classifications which indicate more mature themes / parental guidance (i.e. M and MA15+). Further, this reform has potential to further confuse viewers, offering no demonstrable distinction between the existing PG and the new PG13 rating. It is also worth noting that the introduction of a new, additional rating would require self-classifying entities to update their respective classification tools and re-classify titles as PG / PG13 retrospectively.³ This would require significant time and resources, with little demonstrable benefit.
C02 - Overhaul of classifiable element 'Themes'	Netflix does not support narrowing the scope of the 'Themes' element to a fixed list of sub-elements such as sexual violence, suicide, discrimination and scariness. The strength of the current 'Themes' category lies in its breadth and flexibility, allowing the Classification Board to assess content in a mature, contextual and non-prescriptive way. However, Netflix does support any mechanism that simplifies existing 'Themes', and Australia's content advisories more broadly. As mentioned above, more than 250 content advisories are currently used to classify content on the Netflix service in Australia. We are concerned that the proposal to overhaul classifiable elements will introduce further complexity by introducing additional genre descriptors and sub-elements, with little evidence that this change will meaningfully help to better inform viewing choices. Further, the reforms will introduce significant operational burden for self-classifying entities. Netflix already submits a classification grid / matrix to the National Classification Database ("NCD") which includes impact / frequency outputs for "themes" and other key elements like violence, language, etc. An additional sub-matrix for themes covering sexual violence, suicide, discrimination and scariness adds another level of complexity to how our ratings program is designed and the details we need to submit to the NCD. Careful consideration should also be given to the associated costs of providing additional functionality to the NCD.
C03 - Improving	Netflix supports any reforms that base classification decisions on

³ Note - see proposal C11 for commentary on updates to classifications.

reliance on evidence over morality	empirical evidence of actual harm. This will ensure that reviews of classification decisions are meaningful and material, as opposed to being based on minor discrepancies between Netflix and the Board's advisories.
C05 - Replacing MA15+ with MA16+	Netflix does not support a replacement of MA15+ with MA16+. No data has been provided to justify this recommendation and we are concerned that the proposal could introduce further complexity and overlap between the OSA and the Scheme. While we understand the intention is to align this age rating with the OSA's social media ban's minimum age of 16, it is important to recognise that the OSA and the Scheme are intended to regulate two different types of content: • <u>OSA</u>: unclassified user generated content where there is a higher risk of harm to viewers; and • <u>Scheme</u>: professionally produced content which is rated based on content which is legal but may be objectionable. The independent Report of the Statutory Review of the OSA ("OSA Review") has recommended decoupling the OSA and the Scheme to remove duplication and better align regulation to actual risk (see further information about decoupling on page 7).⁴ A MA16+ rating would introduce additional and unnecessary overlap, with limited, demonstrable benefit to viewers.
C09 - Establishing a Classification Advisory Council	Netflix supports the principle of ensuring the Scheme reflects community standards and expectations. We agree that a Classification Advisory Council ("CAC") could ameliorate challenges around reviewing and updating the Scheme, and help to ensure that the Scheme and its Guidelines are evidence based, particularly in line with recommendation C03. However, we would encourage further consultation on the CAC's operating model before it is finalised. The CAC should be required to assess evidence of the consumer benefits from a proposed change, and the associated implementation and compliance costs, before recommending updates to the Scheme. Further, content distributors, such as Netflix, should have the opportunity to comment on the likely level of operational burden associated with

⁴ See [Report of the Statutory Review of the Online Safety Act](#), Recommendations 29-33

	regular updates to the Guidelines. This will ensure that any updates to the Guidelines in line with the CAC's recommendations are impactful, proportionate and take into consideration the extensive time, effort and resources required to make these changes to approved tools, such as the Netflix Classification Tool.
C10 - Introducing single touch classification	Netflix supports the principle that the same content should not require multiple classifications if it is delivered through multiple distribution channels. Currently, Netflix's Classification Tool only covers classification of online films and series. It does not allow Netflix's to classify titles that are released theatrically before they are made available on our service. In these instances, Netflix must seek a formal rating from the Board for a theatrical title's release. This introduces complexity for Netflix, and unnecessary operational demand on the Board. Introducing 'single touch' classifications should therefore allow self-classifying entities and their classification tools to classify titles across all distribution channels. Netflix also supports the principle that a title only warrants re-classification if the content significantly changes. Currently, a title may require re-classification if the name of the title changes, or if the length of the title changes due to the introduction of 'out takes' during the credits, for example. Allowing the initial classification to remain when there are minor discrepancies with the original content which are unlikely to change the rating or introduce new content advisories will ensure an outcomes-based approach and greater regulatory efficiency.
C11 Permit updates to classifications	Netflix supports updates to classifications. While we recognise the intention behind this proposal is to ensure that classifications reflect new information or context, Netflix supports updates to classifications for more practical reasons. As mentioned above, more than 250 content advisories are used for classified content currently available on the Netflix service in Australia. In an attempt to improve consistency in the ratings that our Australian members see on our service, Netflix has previously proposed to standardise content advisories in Australia, mapping the 250+ different content advisories to a shortened, select list of terms on the Board's list of approved content advisories.

	However, the Board did not accept our standardisation proposal on the basis that Subsection 8(3A) of the <i>Classification (Publications, Films and Computer Games) Act 1995</i>, requires classified films to “display ... consumer advice in accordance with any determinations under [s8]”. In the Board’s view, this technically means that content advisories which form part of a classification decision published on the NCD must be used exactly as published. In other words, they cannot be updated even where the intent of a proposed update is to streamline relevant consumer advisories in line with current community standards to make said advisories clearer and more relevant to viewers. We would therefore support the ability to update classifications. This would move the Scheme away from the currently prescriptive and rigid approach to classification, to one that allows the Board and its guidelines to better reflect community attitudes. In doing so, Netflix can pursue its standardisation proposal and ensure that classifications on our service are viewer-friendly, consistent and most accurately reflect prevailing community standards.
C12 - Self-classification by default	Netflix supports self-classification by default. Australian broadcasters have for many years successfully self-classified content in a co-regulatory arrangement under the BSA. This has also been achieved through the voluntary TV Parental Guidelines system in the US. In these instances, self-classification successfully prevails whilst the Board can maintain a support and review role, when necessary, to review potentially high profile or sensitive titles.
C14 Expanded use of automated classification tools	Netflix supports expanded use of automated classification tools. However, as noted above, we would want to ensure that any updates associated with broader adoption of automated classification tools are impactful, proportionate and take into consideration the extensive time, effort and resources required to make these changes to approved tools, such as the Netflix Classification Tool. It is also worth noting that there will be numerous differences in self-classifying entities’ business models. Expansion of automated classification tools should recognise this and allow different approaches to self classification based on what is best for the business in question.
C15 Classification on website - uniform matrix	Seeking further information. It is unclear how this proposal would intersect with the introduction of a submatrix (C02), which Netflix has raised concerns around.

C20 Element icons	Netflix supports this proposal in principle, provided it is complemented by a significant reduction in the number of advisories, and the removal of modifiers like mild, moderate, strong, high impact. This would align Australia with other jurisdictions which employ an icon model, noting these jurisdictions have significantly less content advisories. For example, South Korea has 7 content advisories and the Netherlands has 6 content advisories.
C21 Quick links to classification listings	Netflix does not support this proposal. Netflix already provides context about a title through: the rating, content advisories, a synopsis, content tagging and a trailer. Updating our product to support quick links would require considerable time and investment, with limited consumer benefit given the numerous, existing channels of information we already provide about a title.

Other comments

We recognise that matters relating to the OSA are out of scope for the Paper. However, it is important to note that proposals originally presented in the *Consultation Paper: Modernising Australia's Classification Scheme: Stage 2 Reforms* - such as clarifying the scope of the Scheme and changes to governance arrangements - had potential to inform how the Government decoupled the OSA and the Scheme, which is a key recommendation of the Review.⁵

SVOD services, such as Netflix, are regulated under both the OSA and the Scheme. In contrast, broadcaster video-on-demand (“**BVOD**”) services, such as 7Plus, 9Now, and SBS On Demand, are explicitly excluded from the scope of the OSA, and are regulated only under the Scheme. This means that services delivering the same type of content to Australians are treated differently under the law. The result is regulatory inconsistency, duplication and disproportionate compliance requirements for SVOD services, which implement a range of measures to provide safe, age appropriate experiences for users which exceeds what is provided by BVOD services.

Netflix therefore strongly supports decoupling the OSA and the Scheme. As outlined in Netflix's submission to the *Consultation Paper: Modernising Australia's Classification Scheme - Stage 2 Reforms*, decoupling the OSA and the Scheme would remove duplication that delivers no additional safety outcomes, level the playing field between SVOD and BVOD services, and refocus the regulatory efforts of the Office of the eSafety Commissioner and the Board, on genuine need.

We understand that the Government has been awaiting the outcome of Mettlesome and the Social Research Centre's review of the classification guidelines to inform their approach to 'decoupling'. However, it is unclear what proposals in the Paper relate to - or would influence - the way the decoupling is implemented. The OSA relies on the Classification Act's definition of Class 1 and Class 2

⁵ See [Report of the Statutory Review of the Online Safety Act](#), Recommendations 29-33

material. Yet the proposals presented in the Paper pertain to ratings and guidelines that fall outside of the definitions of Class 1 and Class 2 material.

Given there appears to be no relationship between the proposals presented in the Paper and the 'decoupling' proposal, we encourage the Government and the Australian Classification Office to move ahead with decoupling.

Doing so would reduce duplication, create consistency and better align regulation with actual risk without impacting online safety protections currently afforded to consumers.