



**The Hon Michelle Rowland MP**

**Minister for Communications  
Federal Member for Greenway**

MS23-002983

The Hon Anthony Albanese MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

I am writing to clarify authority for a grant program that our Government confirmed in the October 2022 Budget.

On 18 March 2022, the previous Government announced a \$150 million package to invest in technology to keep women safe. This announcement included \$10 million for a grants program for the eSafety Commissioner to, "support online safety education and projects for community groups, sporting groups and faith communities". Our Government confirmed this commitment in our October 2022-23 Budget.

Given the broad scope of the previous Government's commitment and the omission of any mention of the women it was purported to help, I subsequently provided advice to the eSafety Commissioner to allow her office to get on with developing grant program guidelines. The guidance I provided to the eSafety Commissioner on 1 September 2022 is at Attachment A.

I am advised that the Department of Finance has approved the guidelines, but there is some ambiguity about whether there is policy authority for this grant program. I would be grateful if you could clarify my authority consistent with the approach set out in this letter. I am keen for this program to progress in order to allow eSafety to make grant payments in the current financial year.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Rowland'.

Michelle Rowland MP

22 / 2 / 2023

Enc

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The Hon Michelle Rowland MP  
PO Box 6022, Parliament House Canberra  
Suite 101C, 130 Main Street, Blacktown NSW 2148 | (02) 9671 4780

## Attachment A

Guidance to eSafety on the parameters of the grant program:

- Eligibility open to non-government organisations, registered with the Australian Charities and Not-for-profits Commission, noting this is consistent with the existing Online Safety Grants Program. Organisations will be selected that demonstrate a commitment to promoting safety for women and children, noting this may be demonstrated through initiatives targeting women and children, and/or men and the broader community. This will limit eligibility to ensure the selection process can be managed within eSafety's resources, but will still ensure a broad range of organisations will be in scope.
- Projects should focus on the prevention of online harms and enhanced safety for women and their children. This may include projects that target people who perpetrate technology-facilitated abuse and/or changing attitudes and behaviours in the broader community, as well as projects that specifically target women and children;
- Grant amounts to range between \$80,000 and \$500,000 to allow for a wide range of grants recipients, noting fewer grants of a larger size will be less expensive for eSafety to administer given eSafety did not receive funding to administer this grant program;
- Grant funding may be awarded over successive years; and
- The eSafety Commissioner (or her delegate) to be the final decision maker for funding under this grants program.

~~PROTECTED CABINET~~

**SENATOR THE HON KATY GALLAGHER**  
**Minister for Finance**

**THE HON MICHELLE ROWLAND MP**  
**Minister for Communications**

The Hon Anthony Albanese MP  
 Prime Minister of Australia  
 Parliament House  
 CANBERRA ACT 2600

Dear Prime Minister

We write to seek your approval, <sup>s47C</sup> [REDACTED] for the proposed reappointment of Mr Stephen Rue as Chief Executive Officer (CEO) of NBN Co Limited (NBN Co) by the NBN Co Board (the Board) for a three year term commencing 1 September 2023.

To align with the proposed CEO term, we also seek approval of the reappointment of Mr Rue as a Director on the Board for a three-year term commencing 1 September 2023. In line with the terms of Mr Rue's current Board appointment, any appointment to the Board will expire when the CEO appointment term expires.

The Chair of NBN Co, Ms Kate McKenzie, has written on behalf of the Board to request Shareholder Ministers' endorsement to reappoint Mr Rue to the role of CEO. This request is in accordance with a CEO Succession Plan which considered the tenure of Mr Rue, an executive search process, and other candidates from within NBN Co, against candidate requirements set by the Board. The NBN Co CEO position has not been advertised. As Shareholder Ministers of NBN Co, we endorse the Board's decision to reappoint Mr Rue as CEO for a fixed three year term. Mr Rue has confirmed his interest in continuing in the position.

Mr Rue was appointed CEO of NBN Co on 1 September 2018. Mr Rue has been a member of the NBN Co Executive Committee since July 2014 and is well placed to support the delivery of the Company's Corporate Plan objectives. Previous to his CEO role, Mr Rue was the Chief Financial Officer at NBN Co for more than four years.

In recommending that Mr Rue continues in the role, the Board has emphasised Mr Rue's reappointment will support a stable and increasing level of operating performance at the company. We consider Mr Rue has deep knowledge of NBN Co's governance, financial and reporting environments. He is a highly regarded senior executive and company director with more than 20 years' experience.

~~PROTECTED CABINET~~

~~PROTECTED CABINET~~

Mr Rue's contract of employment and remuneration are subject to finalisation through the Board's governance processes. The Remuneration Tribunal is currently not responsible for setting the remuneration of the NBN Co CEO as it is not listed as a Principal Executive Office under the *Remuneration Tribunal Act 1973*. The remuneration package for Mr Rue's Director and CEO position in 2022 comprised annual base salary of \$2.1 million and a maximum Short Term Incentive opportunity of up to 49 per cent of the base subject to meeting predetermined corporate and individual performance measures.<sup>s47C</sup>

[REDACTED]

s47C

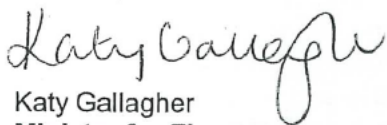
A fixed term of three years would both provide the company with an acceptable amount of leadership certainty, and allow the Government to consider a change at the end of that period, following the completion of NBN Co's fixed-line network upgrade program under the 2022-23 October Budget Measure *Improving the NBN*.

s47C

We note that should Mr Rue be reappointed as Director to the NBN Co Board, the gender ratio for the Board will remain 55.6 per cent female and 44.4 per cent male.

We have enclosed the relevant documentation for your consideration including: the <sup>s47C</sup> [REDACTED] Appointment Pro Forma (Attachment A), Mr Rue's updated Curriculum Vitae and Private Interests Declaration (Attachments B and C), and the current NBN Co Board member list (Attachment D).

Yours sincerely



Katy Gallagher  
Minister for Finance



Michelle Rowland  
Minister for Communications

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# APPOINTMENT DETAILS PRO-FORMA

<b>Proposing Minister/s</b>	The Hon Michelle Rowland MP- Minister for Communications Senator the Hon Katy Gallagher MP - Minister for Finance
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<b>Organisation</b>	NBN Co Limited
<b>Proposed Position</b>	Director and Chief Executive Officer
<b>Is this a New Appointment or a Reappointment?</b>	Reappointment

<b>Proposed Appointee</b>	Mr Stephen <sup>s47F</sup> Rue
<b>Nominee's Current Position and / or Relevant Credentials</b>	Director and Chief Executive Officer NBN Co Limited

s47F

<b>Proposed Term</b>	from 1 September 2023 on a fixed term basis for 3 Years	<b>Full time (FT) or Part Time (PT)</b> FT
<b>Remuneration</b>	In 2022, base salary for Mr Rue was approximately \$2.1m with target short term incentive opportunity of 30 per cent. The salary comprises both the CEO and Director role.	<b>Set by</b> NBN Co Board

<b>Has the APSC Merit and Transparency policy for Agency Heads and Statutory Offices been followed?</b> <a href="https://www.apsc.gov.au/working-aps/governments-merit-and-transparency-policy">https://www.apsc.gov.au/working-aps/governments-merit-and-transparency-policy</a>	Exempt  <b>If no or exempt, please explain why.</b> NBN Directors exempt CEO Excluded - the CEO is formally appointed by the NBN Co Board	<b>Is the Private Interests Declaration attached?</b> Yes	Additional information attached: NA
		<b>Is a current CV attached?</b>	Yes
<b>For all other vacancies, has the Minister addressed appointment options?</b>	Yes	<b>Is the current membership list of the body attached?</b>	Yes

<b>What is the legislative authority?</b>	Constitution of NBN Co Limited
<b>Have all legislative requirements been met?</b>	Yes
<b>Who appoints?</b>	For Board membership – Shareholder Ministers For CEO -NBN Co Board, following consultation with the Commonwealth (as per s12.1.1 NBN Co Constitution <a href="https://www.nbnco.com.au/content/dam/nbnco2/documents/nbn-constitution.pdf">https://www.nbnco.com.au/content/dam/nbnco2/documents/nbn-constitution.pdf</a> )

<b>Departmental Contact Officer</b>	<sup>s22(1)(a)(ii)</sup>	<b>Phone</b>	61 2 <sup>s22(1)(a)(ii)</sup>
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All details must be supplied. Contact the Appointments team within your Department (if applicable) if you have any queries. <sup>s22(1)(a)(ii)</sup>

## CURRICULUM VITAE

Name: Mr Stephen <sup>s47F</sup> Rue

Former name (s):

<sup>s47F</sup>

Residential address:

<sup>s47F</sup>

Date of birth:

<sup>s47F</sup>

Present position:

Managing Director and Chief Executive Officer  
**nbn** co limited

Educational and professional qualifications:

1983-1987: Bachelor of Business Studies

1987-1988: Diploma in Professional Accounting

1992-Current: Member of Chartered Accountants Australia and New Zealand

2013-Current: Fellow of the Australian Institute of Company Directors

Relevant experience:

2003-2013: Chief Financial Officer, News Corp Australia

2014-2018: Chief Financial Officer, **nbn** co limited

2018-Current: Chief Executive Officer, **nbn** co limited

Current board memberships:

**nbn** co limited

Former board memberships:

2012-2013: Foxtel

2012-2013: Fox Sports

2003-2013: REA Group

2003-2013: Australian Associated Press

2003-2012: Chairman of the Community Newspaper Group, Perth

2010-2013: Chairman, Melbourne Storm Rugby League Club

<sup>s47F</sup>

## PRIVATE INTERESTS DECLARATION

PROPOSED POSITION & ORGANISATION	Stephen <sup>s47F</sup> Rue Managing Director <b>nbn</b> co limited
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Please answer the following questions by circling the reply that applies to your personal circumstances. **If you answer "yes" to any question, please provide details in a signed and dated attachment to this form.** Please note that answering "yes" to any question does not necessarily preclude you from being appointed. Your response will be treated as confidential and will only be used for purposes connected with this proposed appointment.

1. Do you have any disclosable criminal convictions, i.e. convictions as an adult that form part of your criminal history other than those protected by the Spent Convictions Scheme (see Part VIIC of the <i>Crimes Act 1914</i> )?	<sup>s47F</sup>
2. Are you, or have you been, the respondent or defendant in any civil or criminal court action (including as a company director or other office holder)?	
3. (a) Have you ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act 1996 (the Bankruptcy Act) or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?  (b) If you are in a partnership, have any of your partners ever been declared bankrupt, entered into a debt agreement under Part IX of the Bankruptcy Act or entered into a personal insolvency agreement under Part X of the Bankruptcy Act?	
4. Has any business or commercial enterprise for which you, or if applicable your partner(s), have had responsibility ever gone into receivership or a similar scheme or arrangement?	
5. During the last 10 years have you, or if applicable your partner(s), been the subject of a court order in connection with monies owing to another party?	
6. Have you ever been summonsed or charged concerning non-payment of tax or outstanding tax debts, investigated for tax evasion or defaults, or negotiated with the Australian Taxation Office over outstanding tax debts?	
7. Have you ever been the subject of a complaint to a professional body which has been substantiated, or is currently under investigation?	
8. Have you ever been dismissed from employment because of a discipline or misconduct issue?	
9. Are you the director of a company? If yes, please provide details.	
10. Do you or your immediate family have any financial interest in any company or business, or are you or your immediate family employed or engaged by any company or business, which might have dealings with, or an interest in the decisions of, the office to which you may be appointed? If yes, include advice in a separate attachment on how this conflict of interest would be managed.	
11. Are you a lobbyist registered on the Australian Government's Lobbyists Register or the register of a state or territory? If yes, please provide details in a separate attachment.	
12. Are you currently employed by the Commonwealth, the Administration of a Territory, or a public statutory corporation or incorporated company owned by the Commonwealth on a full-time basis? If yes, please provide details.	
13. Is there any other information which could be relevant to your suitability for the proposed appointment?	

### ASSURANCE

I advise that to the best of my knowledge my private, business and financial interests, including taxation affairs, would not conflict with my public duties or otherwise cause embarrassment to myself or to the Government during my term of appointment. I also undertake to advise the responsible minister should a situation arise in the future which might cause a conflict of interest with my responsibilities under this appointment.

<sup>s47F</sup>  
[Redacted Signature]

Stephen Rue  
22 December 2022



## PRIVATE INTERESTS DECLARATION - ATTACHMENT

PROPOSED POSITION & ORGANISATION	Stephen <sup>s47F</sup> Rue Managing Director <b>nbn</b> co limited
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Please provide details for all 'yes' answers to any question on the Private Interests Declaration form. Please detail how any conflict(s), actual or perceived, will be managed if appointed. Please note that responses to Q12 may be relevant to remuneration payable for part-time appointments with reference to section 7(11) of the *Remuneration Act 1973*. The Act provides that a person is not entitled to remuneration for part-time appointments when holding certain full-time employment, engagement or appointment. Your responses will be treated as confidential and will only be used for purposes connected with the proposed appointment.

QUESTION	DETAILS AND CONFLICT MITIGATION STRATEGY
09	I am currently an Executive Director of <b>nbn</b> co limited.
12	<b>nbn</b> co limited has embedded conflicts of interest policies and procedures which are adhered to in any circumstances where the Board or a Committee is required to make a decision or recommendation with respect to matters which relate to my role as Chief Executive Officer of the organisation. Matters of this nature are considered by the Board or Committee in camera. I am not present for the deliberations and, I am not afforded access to any supporting documentation in the lead up to the Board/Committee meeting at which a matter is dealt with.

### ASSURANCE

I declare that to the best of my knowledge, the information provided above is true and correct.

<sup>s47F</sup>

Stephen Rue  
22 December 2022

**NBN Co LIMITED:** as at 15/02/2023

<u>NAME</u>	<u>GENDER</u>	<u>POSITION</u>	<u>FT/PT</u>	<u>STATE OF RESIDENCE</u>	<u>DATE APPOINTED</u>	<u>EXPIRY DATE</u>
<i>1. Current members:</i>						
Mr Stephen RUE	M	Executive Director &	FT	NSW	<b>09.09.21</b>	<b>31.08.23</b>
					<i>01.09.21</i>	<i>08.09.21</i>
					<i>01.09.18</i>	<i>31.08.21</i>
		Chief Executive Officer			<b>01.09.18</b>	<b>31.08.23</b>
Ms Kate McKENZIE	F	Chair & Director	FT PT	NSW	<b>01.01.22</b>	<b>31.12.24</b>
					<i>01.12.19</i>	<i>30.11.22</i>
Ms Nerida CAESAR	F	Director	PT	NSW	<b>01.01.22</b>	<b>31.12.24</b>
Mr Drew CLARKE AO PSM FTSE	M	Director	PT	ACT	<b>22.08.20</b>	<b>21.08.23</b>
					<i>22.08.17</i>	<i>21.08.20</i>
Ms Pam BAINS	F	Director	PT	QLD	<b>19.03.22</b>	<b>18.03.25</b>
Mr Andrew DIX	M	Director	PT	VIC	<b>07.04.21</b>	<b>06.04.24</b>
Ms Nicole LOCKWOOD	F	Director	PT	WA	<b>19.03.22</b>	<b>18.03.25</b>
Mr Michael MALONE	M	Director	PT	WA	<b>20.04.22</b>	<b>19.04.25</b>
					<i>20.04.19</i>	<i>19.04.22</i>
					<i>20.04.16</i>	<i>19.04.19</i>
Ms Elisha PARKER	F	Director	PT	QLD	<b>08.12.21</b>	<b>07.12.24</b>
<i>2. Proposed Appointments:</i>						
Mr Stephen RUE	M	Executive Director & Chief Executive Officer	FT	NSW	01.09.23	31.08.26

Current Gender and Geographic composition		
Gender balance	Geographic balance	
Males: 4 (44.4%) Females: 5 (55.6%)	NSW: 3 VIC: 1 SA: 0 NT: 0	WA: 2 QLD: 2 TAS: 0 ACT: 1 Other (e.g. overseas): 0

Future Gender and Geographic composition		
Gender balance	Geographic balance	
Males: 4 (44.4%) Females: 5 (55.6%)	NSW: 3 VIC: 1 SA: 0 NT: 0	WA: 2 QLD: 2 TAS: 0 ACT: 1 Other (e.g. overseas): 0

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## The Hon Michelle Rowland MP

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**Minister for Communications  
Federal Member for Greenway**

MS23-000020

The Hon Anthony Albanese MP  
Prime Minister  
PO Box 6022  
House of Representatives  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

s22(1)(a)(ii)

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The Hon Michelle Rowland MP  
PO Box 6022, Parliament House Canberra  
Suite 101C, 130 Main Street, Blacktown NSW 2148 | (02) 9671 4780

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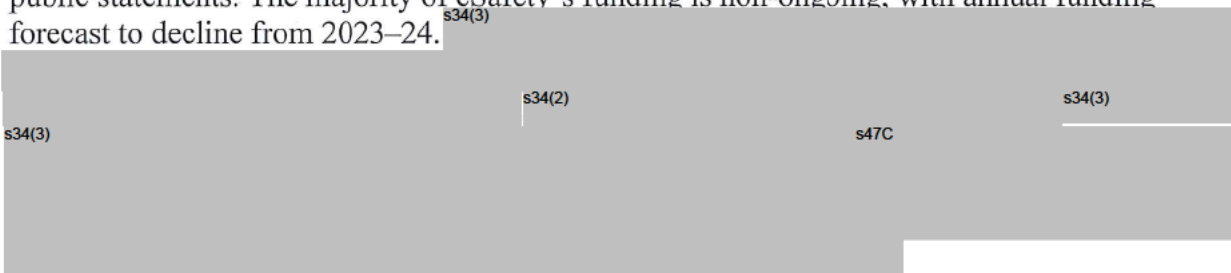


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s22(1)(a)(ii)

eSafety funding

The draft Government response foreshadows that the Government will consider the Office of the eSafety Commissioner's ongoing funding in a future Budget. This is consistent with public statements. The majority of eSafety's funding is non-ongoing, with annual funding forecast to decline from 2023–24.



s22(1)(a)(ii)

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s22(1)(a)(ii)

Should your office wish to discuss this matter further, the contact officer in my department is Ms Bridget Gannon, A/g First Assistant Secretary, Online Safety, Media and Platforms Division <sup>s22(1)(a)(ii)</sup> @infrastructure.gov.au).

s22(1)(a)(ii)

Yours sincerely



Michelle Rowland MP

24 / 3 / 2023

Enc

cc    The Attorney-General, the Hon Mark Dreyfus KC MP  
      The Hon Amanda Rishworth MP, Minister for Social Services  
      The Hon Clare O'Neil MP, Minister for Home Affairs  
      The Hon Dr Jim Chalmers MP, Treasurer  
      The Hon Ed Husic MP, Minister for Industry and Science

~~PROTECTED CABINET~~



## The Hon Michelle Rowland MP

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Minister for Communications  
Federal Member for Greenway

MS23-003651

The Hon Anthony Albanese MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

I am writing to seek additional policy authority to legislate a ban on the use of credit cards and credit related products for online wagering.

s34(3)

s34(2)

On 28 April 2023, the Minister for Social Services, the Hon Amanda Rishworth MP and I announced the Government will introduce legislation to ban the use of credit cards for online wagering by the end of the year.

The Office of Parliamentary Counsel (OPC) has drafted the Interactive Gambling (Credit Card Betting) Amendment Bill 2023 (exposure draft bill) at **Attachment A** to ban the use of credit cards and credit related products for online wagering services. Before releasing the Bill for exposure, additional policy authority is required for various measures:

- prohibit wagering providers from accepting or offering to accept digital currency as payment for wagering services (cryptocurrency);
- do not expressly require online gambling operators to block BINs, as the technical mechanisms for complying with the legislation is left to the operators themselves;
- empower the Communications Minister to proscribe by legislative instrument any new credit payment products as they emerge; and
- include defences to the new prohibition so that an operator is not liable if they exercise due diligence or if they accept credit card and similar payment methods from other gambling operators;

~~PROTECTED CABINET~~

- enable remedial directions to be sought, and enforceable undertakings to be accepted, in relation to suspected breaches of civil penalty provisions instead of offences (which achieves the same policy outcome but without requiring the regulator to form an opinion about the state of mind of the gambling operator).

The additional measures support the policy objective of banning the use of credit as a payment option for Australia licensed wagering services. The Bill also contains some technical corrections to the legislative notes relating to the evidential burden in proceedings for an offence or civil penalty provision in the Act.

Subject to your approval, my department will consult with banking, payment and wagering stakeholders, responsible gambling advocates, and Commonwealth, state and territory agencies. Feedback will be sought on the draft exposure bill; the technical mechanism and regulatory costs of implementing the ban; illegal offshore wagering services and recommendations from ACMA's 2021 Report on the Review of Part 2B of the IGA – Credit betting prohibitions.

Following this consultation, I intend to introduce the bill during the Spring sitting period. I will come back to you and seek further policy authority prior to introduction if required.

To ensure we can meet introduction timeframes to retain T status for the current sitting period, I ask for your approval of the proposed authority variations by 10 August.

Yours sincerely



Michelle Rowland MP

3 / 8 / 2023

Encl.

Attachment A: Exposure Draft Interactive Gambling (Credit Card Betting) Amendment Bill 2023

~~PROTECTED CABINET~~





## The Hon Michelle Rowland MP

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Minister for Communications  
Federal Member for Greenway

The Hon Anthony Albanese MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

### **Retention of T status for Interactive Gambling Amendment (Credit Card and Other Measures) Bill 2023 – Spring 2023**

Dear Prime Minister

I am writing to seek your agreement to retain T status for the Interactive Gambling Amendment (Credit Card and Other Measures) Bill 2023 (the Bill).

If enacted, the Bill will amend the *Interactive Gambling Act 2001* (the Act) to prohibit the use of credit cards and credit related products for online wagering, and provide the Australian Communications and Media Authority (ACMA) with enhanced powers to enforce the ban and other offence provisions under the Act.

On 28 April 2023, I announced the Government's commitment to ban the use of credit cards for online wagering. My Department has undertaken a two-week targeted consultation with stakeholders from the wagering, banking and payment sectors, harm reduction advocates, academics and Commonwealth, state and territory officials, which closed on 29 August 2023.

Stakeholders have raised some concerns around the drafting of the Bill and the technical means to block the use of credit related payments. My Department will need time to work through these issues and liaise with the Office of Parliamentary Counsel on re-drafting, including possibly seeking additional policy authority from you. Therefore, I may not be in a position to introduce the Bill in week four of Spring sittings (commencing 11 September 2023), as originally intended.

Given this, I request retention of T status and to introduce the Bill in week five (commencing 16 October 2023), to support its passage through the Parliament before the conclusion of Spring sittings.

Australia has the highest gambling losses per capita and there is urgent need to implement strong consumer protections to minimise gambling harms in the community. The Bill will provide an immediate and effective impact, stopping Australians from gambling with money they don't have. The loss of T status could delay the implementation of this important consumer protection. I have enclosed a copy of the Statement of Reasons for T status, which further demonstrates the urgency of the Bill.

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The Hon Michelle Rowland MP  
PO Box 6022, Parliament House Canberra  
Suite 101C, 130 Main Street, Blacktown NSW 2148 | (02) 9671 4780

The Minister for Social Services, the Hon Amanda Rishworth MP, and I continue to consider the Government's response to the House of Representatives Online Gambling Inquiry report which was handed down on 28 June 2023. Reforms in response to this report will complement the credit card ban and other consumer protections for online gambling recently introduced by the Government, including the successful launch of BetStop, the national self-exclusion register on 21 August 2023.

I have copied in the Treasurer, the Hon Dr Jim Chalmers MP and the Minister for Social Services in this letter.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Rowland', with a stylized, flowing script.

Michelle Rowland MP

30 / 8 / 2023

Encl.

Attachment A: Statement of Reasons for Introduction and Passage in the 2023 Spring Sittings



## STATEMENT OF REASONS FOR INTRODCUTION AND PASSAGE IN THE 2023 SPRING SITTINGS

### TITLE OF BILL: INTERACTIVE GAMBLING AMMENDMENT BILL 2023

#### Purpose of the Bill

The bill will introduce the following measures to tackle gambling harms in Australia:

- i. Amend the Interactive Gambling Act 2001 (IGA) to expressly prohibit the use of independently issued credit cards, including via digital wallets, for online gambling.
- ii. Provide the Australian Communications and Media Authority (ACMA) with enhanced powers to enforce the ban measure.
- iii. Implement consumer protections that may arise from the House of Representatives inquiry into online gambling and its impacts on those experiencing gambling harm (HoR Inquiry), including restrictions around gambling advertising.

#### Reasons for Urgency

Australia has the highest gambling losses per capita, with \$25 billion in losses in 2018-19. The Australian Gambling Research Centre (AGRC) showed that 7.2 per cent of Australians are already experiencing – or at risk of experiencing – gambling harm; the impact of which typically extends to around six others, including family and friends. With its 24/7 accessibility and proliferation of mobile devices and betting apps, an increasing number of people are gambling online. There is an urgent need to implement stronger consumer protections for online gambling to reduce harms in the community.

There is a high correlation between credit card use and gambling harm. Research by the Gambling Treatment and Research Clinic (University of Sydney), suggested that 54 per cent of surveyed participants who reported using their credit card for online gambling met criteria for problem gambling, and a further 19 per cent met criteria for moderate risk gambling.

The 2021 Parliamentary Joint Committee on Corporations and Financial Services Inquiry into the Regulation of the use of financial services such as credit cards and digital wallets for online gambling in Australia (PJC Inquiry) recommended a ban on credit cards and digital wallets for online gambling. There is widespread support to expediate a ban on credit cards for online gambling - from the wagering industry, banks, responsible gambling advocates and the broader community. A ban on credit card and credit related products will provide an immediate and effective impact and stop people betting with money they do not have.

The HoR Inquiry has been examining online gambling regulation and consumer protections that can be implemented to reduce gambling harms. A key aspect has been the effectiveness of current gambling advertising restrictions on limiting children's exposure to gambling products and services, among a range of other issues. The inquiry has handed down recommendations which are being considered by Government. Given the community concerns and interest from across the political spectrum, there will be significant pressure on the Government to act quickly in this space.

This bill will complement the Government's commitment to harm minimisation and provide further protection measures that delivers real benefits to the community. Introduction and passage of the Bill will align with another key Government harm minimisation measure, the launch of BetStop (the National Self-Exclusion Register for online wagering) in the second half of 2023.

(Circulated by authority of the Minister for Communications)



## The Hon Michelle Rowland MP

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Minister for Communications  
Federal Member for Greenway

The Hon Anthony Albanese MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

### **Retention of T status for Combatting Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023**

Dear Prime Minister

I am writing to seek your agreement to retain T status for the Combatting Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2023.

On 25 June 2023, the Government commenced public consultation on the draft exposure Bill to provide the Australian Communications and Media Authority (ACMA) with new powers to combat online misinformation and disinformation. Submissions closed on 20 August.

The public consultation generated significant media interest and public feedback with the Department receiving over 23,000 submissions and comments. The majority of the concerns centred on the impact of the Bill on freedom of expression. These concerns were also expressed by the Shadow Communications Minister who opposes the Bill.

In light of the volume of feedback, my Department will need time to work through these and liaise with the Office of Parliamentary Counsel on re-drafting, including possibly seeking additional policy authority from you. Therefore, I will not be in a position to introduce the Bill in week four of Spring sittings (commencing 11 September 2023), as originally intended.

S47C

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Misinformation and disinformation pose a threat to our society, economy and our democratic way of life. The Bill would mark a major step forward in addressing the spread of online misinformation and disinformation and to hold digital platforms to account. The loss of T status could delay the implementation of this new framework to protect online users. I have enclosed a copy of the Statement of Reasons for T status, which further demonstrates the urgency of the Bill.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Rowland', written in a cursive style.

Michelle Rowland MP

30 / 8/2023

Encl.

Attachment A: Statement of Reasons for Introduction and Passage in the 2023 Spring Sittings

**PROTECTED**  
**Sensitive Cabinet**

**STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2023  
SPRING SITTINGS**

**COMMUNICATIONS LEGISLATION AMENDMENT (COMBATTING  
DISINFORMATION) BILL**

**Purpose of the Bill**

This Bill will give the ACMA powers to combat the growing problem of dis- and misinformation on digital platforms. The Bill will provide the ACMA with the following powers:

- Information gathering powers
- Record keeping rule powers
- Reserve powers to register, request variation of, and deregister industry codes of practice
- Reserve powers to make standards

Dis- and misinformation is eroding trust in democratic institutions, undermining social cohesion and public health efforts, and causing harm to individuals and businesses. This Bill will ensure Government is empowered to incentivise industry to take effective measures to address and combat mis and disinformation on digital platforms, assess the effectiveness of measures put in place by platforms, understand key systemic narratives and trends, and to take action if industry action proves insufficient to address the problem.

**Reasons for Urgency**

Globally, recent changes in leadership, staffing and policies at major digital platforms have raised concerns amongst regulators as well as the community that content moderation and information integrity functions are being comprised, increasing the incidence of mis- and disinformation online.

Formal regulatory powers are required to ensure that incentives are in place to encourage industry to meet their obligations and where voluntary measures are insufficient, enable the Australian Communications and Media Authority (ACMA) to act to mandate standards and take enforcement action. This is consistent with the approach being taken by the EU and other governments. Australia risks falling behind other like-minded countries if action is not taken to address this issue.

In January 2023, the Minister for Communications announced that the Government will provide the ACMA with new powers to combat mis- and disinformation online.

The Government has committed to undertake public consultation on the powers through the release of an Exposure Draft Bill in the first half of 2023 and introduce legislation in Parliament later this year following consultation.

There is growing concern about whether digital platforms can be relied upon to meet obligations under the current voluntary framework to combat mis- and disinformation in the current information environment. The Government's commitment to proceed with this legislation will send a strong signal to digital platforms.

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Job cuts across a number of digital platforms is an emerging issue which will impact the ability of these companies to respond to and counter foreign interference. This interference can occur through information operations that can include mis- and disinformation.

Digital platforms continue to report significant disinformation campaigns and influence operations. For example, in December 2022 as part of ongoing investigations into coordinated influence operations, Google terminated 5,233 YouTube channels linked to China and 121 YouTube channels linked to Russia.

s33(a)(i)



It is important to ensure the existence of incentives to encourage industry to meet those obligations, that government has effective means of monitoring compliance, and that avenues are available to direct compliance if voluntary measures prove insufficient.

(Circulated by authority of the Minister for Communications, Michelle Rowland)

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