



Senator the Hon Michaelia Cash

ATTORNEY-GENERAL

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SENATOR FOR WESTERN AUSTRALIA

The Hon David Coleman MP

ASSISTANT MINISTER TO THE PRIME MINISTER FOR MENTAL HEALTH AND SUICIDE PREVENTION

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JOINT MEDIA RELEASE

25 October 2021

**LANDMARK PRIVACY REFORMS TO BETTER PROTECT
AUSTRALIANS ONLINE**

The Morrison Government has today announced landmark privacy legislation to protect Australians online and ensure that Australia’s privacy laws remain fit for purpose in the digital age.

Attorney-General Michaelia Cash today released an exposure draft of the Privacy Legislation Amendment (Enhancing Online Privacy and Other Measures) Bill 2021, which would enable the creation of a binding Online Privacy code for social media services, data brokers and other large online platforms operating in Australia.

Online platforms subject to the code will need to comply with strict new privacy requirements, including stronger protections for children on social media. Under the code, social media platforms will be required to take all reasonable steps to verify their users’ age, and give primary consideration to the best interests of the child when handling children’s personal information. The code will also require platforms to obtain parental consent for users under the age of 16.

The Online Privacy Bill will also introduce tougher penalties and enforcement powers to enable Australia’s privacy regulator, the Office of the Australian Information Commissioner, to resolve matters more effectively and efficiently.

Attorney-General Michaelia Cash said this legislation would ensure Australians’ privacy would be treated more carefully and transparently by online platforms such as social media companies.

“We know that Australians are wary about what personal information they give over to large tech companies. We are ensuring their data and privacy will be protected and handled with care. Our draft legislation means that these companies will be punished heavily if they don’t meet that standard,” she said.

The code, which will be co-developed by the Australian Information Commissioner and industry, will strengthen requirements for these organisations to be transparent about how

they handle personal information. The code will also set stricter rules regarding children and other vulnerable groups.

Assistant Minister to the Prime Minister for Mental Health and Suicide Prevention David Coleman said the new code will lead the world in protecting children from social media companies.

“In Australia, even before the COVID-19 pandemic, there was a consistent increase in signs of distress and mental ill-health among young people. While the reasons for this are varied and complex, we know that social media is part of the problem,” Mr Coleman said.

“Young people have told us this themselves. In a 2018 headspace survey of over 4000 young people aged 12 to 25, social media was nominated as the main reason youth mental health is getting worse. And the recent leak of Facebook’s own internal research demonstrates the impact social media platforms can have on body image and the mental health of young people.

“That’s why this legislation is so important. It will provide families with powerful protections, and require fundamental changes to the way that social media platforms operate in Australia.”

The Attorney-General’s Department today also released a discussion paper as part of the broader review of the *Privacy Act 1988* (Privacy Act). The discussion paper builds on the work of the Online Privacy Bill. It tests proposals for broader reforms to Australia’s privacy frameworks. The discussion paper has been developed following extensive feedback and consultation on an [issues paper](#) released late last year.

The discussion paper seeks stakeholder feedback on a wide range of proposals to reform the Privacy Act, aimed at better empowering consumers, protecting their data and supporting the Australian economy.

“Both the bill and the discussion paper demonstrate the Australian Government’s commitment to making sure privacy laws are fit for the modern age and keep pace with our digital lives,” the Attorney-General said.

The Attorney-General said the ongoing work was part of the Government’s response to the [Australian Competition and Consumer Commission’s Digital Platforms Inquiry](#).

Written submissions on the Online Privacy Bill are due on **3 December 2021** and submissions to the discussion paper on **7 January 2022**. Submissions will be considered as part of finalising the Online Privacy Bill for introduction to Parliament, and in the development of the final report for the Privacy Act Review. The government will decide on any legislative changes resulting from the Privacy Act Review after it has considered the Final Report.

More information about these consultations is available on the Attorney-General’s Department’s [website](#).