



THE HON PAUL FLETCHER MP

Minister for Communications, Urban Infrastructure, Cities and the Arts

MEDIA RELEASE

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Online Safety Act now in force and leading the way

The Morrison Government's Online Safety Act has today come into effect, providing the eSafety Commissioner with even stronger powers to keep Australians safe online.

The Act brings some big changes, including a world first cyber-abuse take-down scheme to protect adults, along with a strengthened cyber-bullying scheme to protect children.

The eSafety Commissioner now also has the authority to order platforms to remove the “worst of the worst” online content—including child sexual abuse material and terrorist content—no matter where it is hosted.

The Act also gives the eSafety Commissioner stronger information gathering and investigative powers to obtain identity information behind anonymous online accounts used to bully, abuse or exchange illegal content.

Minister for Communications, Urban Infrastructure, Cities and the Arts, the Hon Paul Fletcher MP, said the new Online Safety Act is another step forward in the Morrison Government's world-leading approach to combating cyber-abuse.

“Online safety is a priority for the Morrison Government and our new Online Safety Act is the foundation on which our world-leading approach stands,” Minister Fletcher said.

“As more Australians work, learn and conduct business online, the Government will make sure that they can do so safely, and that perpetrators are being held accountable for abusive and threatening behaviour.”

The Act also puts the tech industry on notice, with Basic Online Safety Expectations setting a new benchmark for platforms to take responsibility in protecting Australians online.

“The internet has brought immense advantages, but also new risks, and Australians rightly expect the big tech companies to do more to make their products safer for users,” Minister Fletcher said.

“Australians deserve to be able to use online platforms in the knowledge that they will be safe from vile and unacceptable online abuse, along with other dangers.”



Australia's new Online Safety Act 2021

The new *Online Safety Act 2021* builds on Australia's world-leading online safety framework by delivering new and strengthened statutory schemes, functions and powers for the eSafety Commissioner to help keep Australians safe online. The new Act will commence on 23 January 2022.

Better protections for all Australians

The Government has created a **world first cyber-abuse take-down scheme** for Australian adults. The scheme allows the eSafety Commissioner to order the removal of seriously harmful online abuse when websites, social media and other online services fail to remove this content following user complaints.

New requirements to take action within 24 hours when they receive a notice from the eSafety Commissioner. Take-down notices for image-based abuse, cyber-abuse, cyber-bullying, and seriously harmful online content will need to be actioned within 24 hours, a significant reduction to the time required for websites, social media and other online services to act.

Enhanced information gathering powers for the eSafety Commissioner to **unmask the identities behind anonymous online accounts** used to bully, abuse or humiliate others, or to exchange illegal content.

A **rapid website blocking power** for the eSafety Commissioner to respond to online crisis events, such as the Christchurch terrorist attacks, by making internet service providers block access to terrorist and extreme violent content to stop its viral spread.

A strengthened Online Content Scheme where industry must keep their users safe online through updated industry codes or standards and where the eSafety Commissioner may **order the removal of the 'worst of the worst' online content** – no matter where it is hosted.

New provisions for the eSafety Commissioner to **require search engines and app stores to remove access** to websites or apps that systemically ignore take-down notices for class 1 material.

An **expanded cyber-bullying scheme** for children to enable removal of cyber-bullying material from the full range of online services where children are now spending time – such as games, websites and messaging services – and not just social media platforms.

Online Services and perpetrators who fail to comply with take-down notices may be liable to significant civil penalties – up to \$111,000 per offence for individuals and \$555,000 for corporations.

The Transitional Provisions and Consequential Amendments Act compliments the Online Safety Act by **increasing maximum criminal penalties for use of a carriage service** to menace, harass or cause offence from 3 to 5 years' imprisonment.

Setting expectations for industry

Like other sectors, industry has a responsibility to make sure Australians can use their digital products and services safely, which is why a set of **Basic Online Safety Expectations** will be set in law. Under **new mandatory reporting requirements**, services will have to report on how they will uphold the expectations and they can be penalised if they fail to report.

Further information about the support and assistance provided by the eSafety Commissioner is available at www.esafety.gov.au.