

Online Safety Act 2021 (Cth)

Section 141(3)

VARIATION NOTICE

To:

Victoria A. Espinel
President and CEO
BSA | The Software Alliance

John Stanton
Chief Executive Officer
Communications Alliance

By email: [REDACTED]

This notice is issued on 23 June 2022 under section 141(3) of the *Online Safety Act 2021* (the Act).

As eSafety Commissioner, I am satisfied that BSA | The Software Alliance and Communications Alliance together represent the group consisting of providers of **hosting services**, so far as those services are provided to end-users in Australia (s 135(2)(f)).

Under section 141(3) of the Act, I vary the notice issued to you on 11 April 2022, to extend the period by:

replacing the words,

"provide me with a copy of the code by COB Friday 9 September 2022"

with the words,

"provide me with a copy of the code by 5:00 pm Friday 18 November 2022"

Consequences of non-compliance

Under section 145(1)(a) of the Act, the eSafety Commissioner may, by legislative instrument, be permitted to determine an industry standard that applies to participants in the group consisting of providers of **hosting services**, so far as those services are provided to end-users in Australia (s 135(2)(f)), if:

- the request in the notice of 11 April 2022, and as varied by this notice extending the period for submission of the draft code, is not complied with
- a draft code developed in response to the notice of 11 April 2022, as varied by this notice extending the period for submission of the draft code, does not contain appropriate community safeguards to deal with one or more of the matters specified in Schedule A to the notice of 11 April 2022, or
- the request in the notice of 11 April 2022, as varied by this notice extending the period for submission of the draft code, is complied with, but the eSafety Commissioner subsequently refuses to register the code.

Signed:



Name: Julie Inman Grant

eSafety Commissioner

Dated 23 June 2022