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s 47F

Government Affairs and Public Policy

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Dear s 47F

Social media minimum age obligation

I am writing to provide you with an update on the social media minimum age (**SMMA**) obligation, specifically our next steps in determining whether individual services will be subject to the SMMA obligation and our development of regulatory guidance. I am also inviting you to participate in regular, ongoing engagement with eSafety prior to the obligation on age-restricted social media platforms coming into effect on 10 December 2025.

Background

An age-restricted social media platform is defined in section 63C(1)(a) of the *Online Safety Act 2021* (**the Act**) as an electronic service with a sole or a significant purpose of enabling online social interaction between 2 or more end-users, which allows end-users to link to, or interact with, some or all of the other end-users, and which allows end-users to post material on the service. Section 63C(6) provides that an electronic service is not an age-restricted social media platform if the service is specified in the legislative rules.

On 29 July 2025, the Minister for Communications, Anika Wells, made the *Online Safety (Age Restricted Social Media Platforms) Rules 2025*¹ (**the Rules**) under the Act, specifying certain classes of services that are not age-restricted social media platforms.

Where a service demonstrates that it falls within a class of service specified in the Rules, it will not be subject to the SMMA obligation set out in section 63D of the Act. The Explanatory Statement to the Rules states the intention of the Rules is to focus the SMMA obligation on platforms with features and functions known to be harmful to children, whilst excluding those services that pose fewer harms to children and which help children and young people to thrive. eSafety is developing an assessment framework to assist in determining whether specific services are subject to the Act.

Assessment of specific services

In a media release dated 30 July 2025², the Prime Minister and the Minister for Communications specifically identified YouTube as one of the services intended to be classed as an age-restricted social media platform and therefore subject to the SMMA obligation.

While eSafety has not yet formed a conclusive view, we also consider that YouTube is likely to be an age-restricted social media platform and subject to the SMMA obligation. This is because YouTube appears to:

- have a significant purpose of enabling online social interaction between its end-users
- allow users to link to, or interact with, some or all of the other end-users, and
- allow users to post material on YouTube.

Further, YouTube does not appear to have a relevant sole, primary or significant purpose in relation to a class of excluded services as set out in the Rules.

¹ See the Federal Register of Legislation in relation to the Rules - [Online Safety \(Age-Restricted Social Media Platforms\) Rules 2025 - Federal Register of Legislation](#), and the Explanatory Statement to the Rules - [Online Safety \(Age-Restricted Social Media Platforms\) Rules 2025 - Federal Register of Legislation](#).

² Press conference of 30 July 2025 at Parliament House, Canberra, [Press conference - Parliament House, Canberra | Prime Minister of Australia](#).

eSafety's research also evidences that YouTube is popular with Australian children under the age of 16 and has features and functions associated with the risks that the SMMA obligation intends to address.

The Explanatory Statement to the Rules³ provides some examples of services that are unlikely to fall within scope of the definition of age-restricted social media platform. YouTube Kids is identified as an example of a service that is unlikely to fall within scope of this definition due to the absence of the same interactive features as YouTube, and that it operates more like a video streaming service.

To assist eSafety in its assessment of whether YouTube and YouTube Kids are age-restricted social media platforms, we seek your response as to whether Google self-assesses either service as an age-restricted social media platform and if not, the basis on which Google considers it either does not meet the definition of age-restricted social media platform under section 63C, or is excluded under the Rules.

Industry engagement

Given eSafety's initial view that YouTube is an age-restricted social media platform, and to assist us in forming a final view in relation to both YouTube and YouTube Kids, we would like to proactively engage with you on a regular basis. This engagement would assist both eSafety and Google in the initial focus of determining whether these services are captured, and assist Google to understand the obligation on age-restricted social media platforms under Part 4A of the Act. Additionally, eSafety will proactively communicate eSafety's approach to ensuring compliance with the SMMA obligation in section 63D through this regular engagement.

We propose this engagement will involve agreement between Google and eSafety regarding a regular cadence of meetings, updates on Google's plan for compliance with regulatory obligations, opportunity to focus on targeted areas of interest at eSafety's or your request, and agreement to provide eSafety with updates in relation to any compliance challenges or concerns.

Regular engagement will facilitate early identification of challenges and potential compliance concerns and an opportunity for open and collaborative discourse. Regular engagement also

³ Explanatory Statement to the Online Safety (Age-Restricted Social Media Platforms) Rules 2025, [Online Safety \(Age-Restricted Social Media Platforms\) Rules 2025 - Federal Register of Legislation](#).

has the added benefit of minimising the potential for miscommunication and misunderstanding.

Regulatory guidance

As you would also be aware, eSafety has been engaging in broad consultation to support the development of regulatory guidance in relation to the SMMA obligation. Google was invited to participate in consultation and I understand we are waiting to hear back from Google with your response and proposed dates. In particular, we would be interested to learn more about the age assurance tools YouTube has announced it will implement shortly for end-users in the United States, whether these tools are already being applied in Australia, and if not, whether there is a plan to roll out these tools within the Australian context.

We understand from discussions with industry the preference for early guidance to assist platforms with their preparation for the commencement of the SMMA obligation. As we have indicated during consultations, eSafety's regulatory guidance will have regard to knowledge and practice from our previous work on age assurance, results from the government's technical trial, feedback from the consultation and comparable international frameworks.

The guidance will include principles intended to facilitate positive outcomes for Australian end-users as well as support platforms to achieve the intention of the SMMA obligation. These will include and have regard to the principles raised consistently in consultations:

- Age assurance measures, whether deployed in a standalone manner or as part of a multi-layered approach, should be accurate, effective and robust
- Age assurance measures should be privacy-preserving and adopt a data minimisation approach
- Age assurance measures should respect and promote human rights and minimise the potential for bias and discrimination
- Services should be clear and transparent about the age assurance measures they implement by clearly informing users about their options to confirm their age, what data will be used, how data is stored and protected and what the user's rights are in the process.

We recognise platforms vary in design, risk profile, and user base. What is reasonable on one service may not be reasonable on another and may also evolve over time. As outlined by eSafety during consultations, the regulatory guidance will set out parameters in relation to reasonable steps and will not be prescriptive (for example, the guidance will not state that a certain class or type of tool must be used).

Consistent with the SMMA obligation, platforms are responsible for determining appropriate technical specifications in relation to the use of tools or technology to assess the age of Australian end-users and prevent the creation and holding of accounts by Australian children under the age of 16. Decisions around which tools or technologies to implement should be guided by the principles in the regulatory guidance, which we have foreshadowed at a general level above, as well as informative sources like the government's forthcoming age assurance technology trial report, a platform's own testing/innovation and emerging international standards.

eSafety's expectations

eSafety will provide further guidance to industry in the coming weeks, however we wish to make clear our expectations for what Google should be doing **now** in preparation for the SMMA obligation taking effect on 10 December. eSafety has also published some [FAQs](#) on the eSafety website which may assist you in developing your plans and communications to support and inform your end-users' understanding of the SMMA obligations.⁴ Importantly, and consistent with prior messaging,⁵ eSafety expects you to prioritise:

- Preparing to find and deactivate accounts held by Australian end-users under 16 from 10 December. This includes end-users with a self-declared age of under 16 as well as any end-users determined to be under 16 through Google's systems and processes.
- Providing early, clear and age-appropriate communications to affected end-users including:
 - how they can download or otherwise preserve/access their account information while they are unable to use an account to access an age-restricted social media platform

⁴ eSafety website, [Social media 'ban' or delay FAQ | eSafety Commissioner](#).

⁵ See the eSafety Commissioner's speech at the National Press Club in Canberra on 24 June 2025: [Swimming between the digital flags: helping young Australians navigate social media's dangerous currents | eSafety Commissioner](#).

- what will happen to their account information when their account is deactivated
 - how and when they can expect or request their account be reinstated, including how to appeal if they believe their account was deactivated in error, and
 - support information and resources, noting that some end-users may feel distressed or confused.
- Taking reasonable steps to prevent current Australian end-users under 16 with accounts from increasing their declared age to over 16, opening new accounts indicating that they are over 16, or seeking to change their location or other settings in an effort to open or retain an active account on an age-restricted social media service.
 - Examples of steps taken by some social media services are set out in eSafety’s transparency report titled [‘Behind the Screen’](#), published in February 2025.
 - Ensuring that the mechanisms for reporting a potential underage end-user and assessing those reports are accessible, fair, transparent, timely and empower end-users/reporters with the option to appeal or challenge an outcome, and that Google is prepared to manage potential increase in volume of reports from 10 December.
 - Scoping effective age assurance measures to be applied at the point of account creation and across the user-journey. Self-declaration, on its own, will not be sufficient. Google should give consideration to:
 - the overview of the principles eSafety has outlined above
 - building on the systems and processes already in place to enforce current minimum age rules
 - how fallback mechanisms might be triggered for borderline cases
 - circumvention risks, including location-based circumvention such as VPN use or age-based circumvention such as spoofing techniques, and appropriate safeguards to combat these risks.

Services are encouraged to document decision-making, risk and impact assessments and other key information related to the implementation of age assurance measures that you consider may demonstrate the taking of reasonable steps.

The above points are intended to provide you with an early, interim indication of our approach and position. More detailed guidance will be provided shortly.

In the meantime, please reach out if you have any questions about the steps outlined above, or if there is any other information you require to proceed with your product development actions in anticipation of the obligation taking effect on 10 December.

As you are aware, the privacy regulator, the Office of the Australian Information Commissioner (**OAIC**), is a co-regulator of the SMMA legislative requirements and we will continue to work closely with the OAIC as we progress with preparation for implementation of the SMMA obligation.

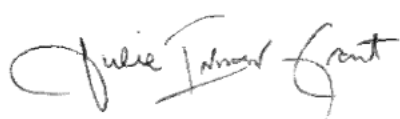
Next steps

We would appreciate your response to this letter, and in particular, any information you consider relevant to an assessment of whether YouTube and YouTube Kids are age-restricted social media platforms and your willingness to engage with eSafety on a proactive and regular basis as set out above, by 29 August 2025.

In the interests of transparency, eSafety intends to provide an update on the eSafety website shortly, setting out our next steps which may include that we have written to some of the most commonly-used platforms to invite regular and close engagement, and that regulatory guidance will be published soon for the benefit of all platforms.

Please do not hesitate to contact my team at s 47E(d) [@esafety.gov.au](mailto:esafety.gov.au) to discuss.

Yours faithfully



Julie Inman Grant
eSafety Commissioner