Commissioner Meeting Brief

Meeting with Apple

Brief#: CMRB_25/0048

To	The eSafety Commissioner
Cleared by	s 22 a/g Executive Manager, ICE Branch
From	s 22 , Manager, Industry Supervision
Meeting Details/Subject	Meeting with Apple
Date of meeting	24 September
Time of meeting	9.30am – 1.00pm
Location	Meet at 10350 N Tantau Avenue then will transfer to Apple Park. Drivers for pick-up after the visit should wait at Wolfe Reception Center
Subject	Apple's compliance with the Online Safety Act
Purpose	To: 1. Discuss Apple's compliance with BOSE, Phase 1 and Phase 2
External Attendees	s 47F

Internal Attendees	Julie Inman Grant
	s 22
	s 47E(c), s 47F

BOSE
Key points

- s 47E(d)

- On 2 September 2025, Apple provided its response to report 2 of the Notice. The BOSE team is currently assessing all provider responses, and we will contact Apple in due course to consult on a draft transparency summary. We consider that Apple has engaged constructively in this process.

Key messages

- We are pleased that Apple engaged with eSafety to come to an agreement on alternate metrics relating to Communication Safety.

- Meaningful transparency is essential for driving change. Without access to information, eSafety cannot fulfil its functions and industry cannot be held to account for the safety of services it provides.

- Apple provided an affidavit to eSafety for use in our judicial review proceedings with Telegram, detailing the provider of the Telegram service on the app store. Thank Apple for their assistance.

Phase 1
Key points

- Apple is relying on the 'technical feasibility' exemptions under the RES Standard (which covers iMessage and FaceTime) and DIS Standard (which covers iCloud) in relation to requirements to detect and remove known CSAM and known pro-terror material.

- Apple is required to take 'appropriate alternative action' to be compliant with each standard.

- s 47G

- The RES and DIS Standards require disruption and deterrence measures to be 'effective'. We do not yet have information on the effectiveness of Communications Safety to fully assess whether or not Apple is meeting this requirement.

App Store Code

- s 47G

- One of the Taskforce's priorities are high reach, large services that can play gatekeeper roles, such as app stores. We are looking at relevant providers' compliance.

- On 22 August 2025, eSafety notified Apple that a formal warning had been issued to Ome.TV for breaching the RES Standard. The Ome.TV app remains available on the Apple App Store.

- s 47G

- On 2 September 2025, the Australian Government announced new reforms to restrict access to nudification apps and undetectable online stalking tools, in response to growing concerns about technology-facilitated abuse.

- s 47E(d)

Key messages

- s 47G

- To demonstrate to eSafety that the action Apple is taking is 'appropriate', Apple needs to demonstrate the efficacy of these actions.

- 'Effective' measures to disrupt and deter CSEM and pro-terror is also required by the RES and DIS Standards.

- s 47E(d)

Phase 2

Key points

- As of 9 September 2025, eSafety has registered 9 Phase 2 Codes which apply to age-restricted material such as online pornography. Apple participated directly in the Code drafting process.

- s 47E(d)

- On March 13, Apple presented their 'Helping Protect Kids Online' white paper to eSafety which covered Apple's evolving child safety features, including the use of age signals to contribute to platform compliance under SMAR.

- This white paper also announced new features which closely align with requirements under the Code, e.g. more granular age ratings on the App Store.

- On 20 June 2025, a representative from Apple wrote to you in response to a letter you sent to the Notice Recipients of the Phase 2 Codes on 13 June 2025, which contained questions in relation to age ratings on the Apple App Store.

○ s 47G

- Apple's Declared Age Range API as outlined in the whitepaper (discussed above) utilises parental and self-attestation of a user's age.

  ○ Section 5.1(vii)(A) of the Phase 2 Codes Head Terms provides that requiring a user to self-declare their own age is not an appropriate form of age assurance. However, parental attestation of age is listed as an example of appropriate age assurance (s 5.1(v)(E)).

Key messages

- eSafety welcomes this change from Apple and we will continue to engage as these proposed changes are implemented.

Social media minimum age obligations

Key points

- s 47G

Age Range API

- Parents can share their child's age range with the apps they use while protecting their child's privacy.

- Through this new feature, parents can allow their kids to share the age range associated with the Child Account with app developers in a way that does not reveal the child's birth date and keeps them in control of their data.

- App developers will be able to request this information through the new Declared Age Range API, which will help them to provide age-appropriate experiences for their users.

- Parents can choose if they would like age-range information to be shared always, for each app request or never, and can change their selection at any time. By default, children are not allowed to change how their age ranges are shared.

- Parents can allow them to make changes in Content & Privacy Restrictions settings.

App Store Age Ranges

- Apple's age ratings will be expanded to five categories, with three ratings to support adolescents: 4+, 9+, 13+, 16+ and 18+.

Risks and sensitivities

- s 47E(d)

Background

s 47G

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- On 24 July 2025, Apple indicated that ratings for all apps and games on the App Store have been automatically updated to align with this new system and will be reflected on Apple devices running beta versions of iOS 26, iPadOS 26, macOS Tahoe 26, tvOS 26, visionOS 26, and watchOS 26.

- The updated age rating system adds 13+, 16+, and 18+ to the existing 4+ and 9+ ratings. Age ratings are assigned to each country or region and may vary based on region-specific standards and laws.

    o   Note: Apple currently has <u>15+ and 18+ ratings for Australian users</u> to reflect <u>Australia's guidelines for the classification of computer games</u>

- Apple have added required questions to the ratings questionnaire for all apps. These new questions cover:

    - In-app controls.

    - Capabilities.

    - Medical or wellness topics.

    - Violent themes in your app or game.

- Apple indicates that these questions will assist it to set an age rating. If an app has a policy requiring a higher minimum user age than the rating assigned by Apple, app developers can set a higher age rating after they respond to the age ratings question

- Apple has requested developers provide responses to the updated age rating questions by January 2026.

- It is not clear whether Apple will be independently reviewing age ratings where a developer changes these.