

FOI 25291 Document created under section 17 of the FOI Act

List of platforms that were issued information-gathering notices by eSafety on 11 December 2025

1. Facebook
2. Instagram
3. Threads
4. TikTok
5. Snapchat
6. YouTube
7. Reddit
8. Kick
9. Twitch
10. X



eSafetyCommissioner

DATE

[Provider]

Att: [Name of designated contact person/counsel]

By email: [Designated contact person/s email]

CC: _____

Commented s 22 If applicable

Our reference: YYYYMMDD – SMAR – [PLATFORM] – 63G

Commented s 22 : retitle the document with this reference

Notice requiring you to provide information

1. The eSafety Commissioner (**Commissioner**) is required to monitor and promote compliance with the *Online Safety Act 2021* (Cth) (**the Act**), including the social media minimum obligation in s 63D of the Act.
2. Section 63D states that a provider of an age-restricted social media platform must take reasonable steps to prevent age-restricted users (that is, an Australian child who has not reached 16 years) from having accounts with the age-restricted social media platform.
3. Failure to comply with s 63D could result in the commencement of civil penalty proceedings for a civil penalty order of up to AU\$49.5 million for a single contravention by a body corporate, or other action as determined by the eSafety Commissioner.
4. To monitor a provider's compliance with s 63D, the Commissioner can require the production of information relevant to a provider's compliance with s 63D (s 63G(3)).
5. Please see **enclosed** a notice given to **[Provider]** under s 63G(3) (**the Notice**) requiring you to provide information relevant to your compliance with s 63D **in respect of** **[Platform]**.

s 42

Power to give the Notice

6. Division 4 of Part 4A of the Act gives the Commissioner the power to, by written notice, require a provider to give information relevant to their compliance with s 63D where the Commissioner believes on reasonable grounds that:
 - a. the person is a provider of an age-restricted social media platform; and
 - b. the person has information relevant to the person's compliance with s 63D.

Commented s 22 : where the provider and platform name are different, use the full provider name here and put in brackets a shortened version [e.g. Meta Platforms, Inc. (**Meta**)] Use the shortened version throughout the rest of this part of the notice.

7. I am a [delegate] of the Commissioner for the purposes of exercising the Commissioner's information-gathering powers in s 63G(3).

s 42

Basis for giving the Notice

8. I give the Notice to you on the basis that I believe on reasonable grounds that:

- [Provider] is the provider of [Platform]; and
- [Platform] is an age-restricted social media platform; and
- [Provider] has information relevant to its compliance with s 63D [in respect of [Platform]].

Required action

9. The Notice requires you to provide the information specified in Schedule A to the Notice in the manner and form prescribed at Schedule A to the Notice to the office of the eSafety Commissioner (eSafety) by [time] AEST on [date].

Failure to comply with the Notice

10. [Provider] must comply with a requirement under s 63G to the extent that it is capable of doing so (s 63H).

11. Failure to comply with the Notice is a contravention of s 63H and could result in the commencement of civil penalty proceedings for a civil penalty order of up to AU\$825,000 for a single contravention by a body corporate, or other action as determined by the Commissioner.

Extension of time to comply

12. If [Provider] requires additional time to comply with the Notice, please contact the Social Media Age Restrictions team by email at socialmediaage@esafety.gov.au by [time] AEST on [date]. Please provide reasons for why you are seeking an extension of time.

13. The Notice due date continues to apply unless eSafety confirms an extension is granted.

Confidentiality of the Notice

14. The Notice and its contents should be kept confidential unless [mutually agreed/eSafety otherwise agrees] in writing.

Commented s 22: Template states mutually agreed. Was updated to 'eSafety otherwise agrees' in Notice 1



eSafetyCommissioner

15. You may share the Notice for the purpose of obtaining legal advice should you wish to do so.

Confidentiality of compelled information and Commissioner's disclosure powers

16. The Commissioner has disclosure powers under Part 15 of the Act. The Commissioner may disclose information obtained under this Notice in certain circumstances, including to the Minister for Communications (s 208), certain authorities (s 212), and to the general public (e.g. s 217).

17. Please complete the **enclosed** template if you wish to provide reasons why particular information should not be disclosed.

Review rights

18. The decision to give you the Notice is not a reviewable decision under s 220 of the Act. As such, it is not subject to internal review or external merits review by the Administrative Review Tribunal.

19. You may be able to seek judicial review of the Notice. Judicial review does not consider the merits of the decision to give you the Notice, it considers the legality of the decision.

20. If you have any questions about this Notice, please contact the Social Media Age Restrictions team at socialmediaage@esafety.gov.au.

SIGNATURE

[Job Title], Social Media Age Restrictions

Delegate of the eSafety Commissioner

Attachment: Notice under s 63G(3)
Disclosure of information template

Commented is 22 : If delegate line (paragraph 7) is removed from above this should be amended to

Julie Inman Grant
eSafety Commissioner

NOTICE REQUIRING YOU TO PROVIDE INFORMATION
(under s 63G(3) of the *Online Safety Act 2021 (Cth)*)

s 42

To: [Provider]

By email: [insert]

CC: [insert]

Commented s 22: if applicable

1. This notice (**the Notice**) is given to you under s 63G(3) of the *Online Safety Act 2021 (Cth)* (**the Act**) and requires you to provide the information specified in Schedule A to the Notice in the manner and form specified in Schedule A to the Notice by [time] AEST on [date] to the extent that you are capable of doing so.
2. I am giving you the Notice because I am satisfied that:

- a. Section 63G(3) authorises the eSafety Commissioner (**Commissioner**) to give a written notice to a person to whom s 63G applies requiring them to give information to the Commissioner relevant to the person's compliance with s 63D of the Act.
- b. **The Commissioner has delegated the power under s 63G(3) to me.**
- c. The conditions for giving the Notice are met because I believe on reasonable grounds that:
 - i. [Provider] is the provider of [Platform]; and
 - ii. [Platform] is an age-restricted social media platform; and
 - iii. [Provider] has information relevant to its compliance with s 63D in respect of [Platform/s].

s 42

Commented s 22: If provider and platform have different names, use the full name of the provider here and shorten in brackets, refer to the shortened version throughout the rest of this part of the notice [e.g. Meta Platforms, Inc. (**Meta**)]

False or misleading information

3. Giving false or misleading information to eSafety is an offence under the *Criminal Code Act 1995 (Cth)*.

Failure to comply with the Notice

4. You must comply with a requirement under the Notice to the extent you are capable of doing so.



eSafetyCommissioner

- Failure to comply with the Notice could result in the commencement of civil penalty proceedings for a civil penalty order of up to AU\$825,000, or other action as determined by the Commissioner.

Confidentiality of the Notice

- The Notice and its contents should be kept confidential unless [mutually agreed/eSafety otherwise agrees] in writing.
- You may share the Notice for the purpose of obtaining legal advice should you wish to do so.

Commented s 22]: Note: Template states 'mutually agreed' but this was updated to 'eSafety otherwise agrees' in Notice 1

Commissioner's disclosure powers

- The Commissioner has disclosure powers under Part 15 of the Act. The Commissioner may decide to disclose information obtained under this Notice, including to the Minister for Communications (s 208), certain authorities (s 212), and to the general public (e.g. s 217).

SIGNATURE

[Job Title], Social Media Age Restrictions

Delegate of the eSafety Commissioner

Commented s 22]: if delegate information is removed from above, this should be replaced with

Julie Inman Grant
eSafety Commissioner

SCHEDULE A – INFORMATION REQUIRED TO BE PROVIDED

The information you must provide is as follows:

21. . .

a. . .

22. . .

23. . .

This information must be provided in the following manner and form:

Commented [eS15]: e.g. in PDF and sent to XX@esafety.gov.au.

- The information is to be provided in a PDF and sent to socialmediaage@esafety.gov.au.
- Where the information sought is a number and the number is zero, you must provide the number and not respond with 'not applicable' or 'N/A'. Additional context may also be provided.
- Where [Provider] considers it is not capable of providing the required information, [Provider] should include statements explaining the basis on which it has determined it is not capable of providing the information.

The following definitions apply in this schedule:

Age-restricted social media platform has the meaning given by s 63C of the *Online Safety Act 2021* (Cth).

Age-restricted user means an Australian child who has not reached 16 years.

Commented [eSL16]: Remove (and add to) as necessary.