

2025-2026

The Parliament of the
Commonwealth of Australia

THE SENATE

Presented and read a first time

Online Safety Amendment (Fix Our Feeds) Bill 2026

No. , 2026

(Senator Hanson-Young)

**A Bill for an Act to amend the *Online Safety Act
2021*, and for related purposes**

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1 **A Bill for an Act to amend the *Online Safety Act***
2 ***2021*, and for related purposes**

3 The Parliament of Australia enacts:

4 **1 Short title**

5 This Act is the *Online Safety Amendment (Fix Our Feeds) Act*
6 *2026*.

7 **2 Commencement**

8 (1) Each provision of this Act specified in column 1 of the table
9 commences, or is taken to have commenced, in accordance with
10 column 2 of the table. Any other statement in column 2 has effect
11 according to its terms.
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Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	
Note:	This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.	
(2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.		

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

1 **Schedule 1—Opting out of recommended**
2 **content**
3

4 ***Online Safety Act 2021***

5 **1 Section 4 (before the paragraph beginning “The online**
6 **content scheme includes”)**

7 Insert:

- | |
|--|
| <p>8 • Providers of social media services are required to ensure that
9 all Australian end-users of those services can opt out of
10 receiving recommended content at any time.</p> |
|--|

11 **2 Section 5**

12 Insert:

13 ***recommended content***, on a social media service, is material
14 provided on the service as a result of a system that does either or
15 both of the following:

- 16 (a) prioritises material provided on the service to end users;
17 (b) makes personalised suggestions in relation to material
18 provided on the service to end-users.

19 Note: Such systems may be referred to as recommender systems or content
20 curation systems.

21 **3 Section 29 (after the paragraph beginning “There is a**
22 **complaints system for cyber-abuse material”)**

23 Insert:

- | |
|--|
| <p>24 • There is a complaints system relating to opting out of
25 receiving recommended content on a social media service.</p> |
|--|

26 **4 After Division 4 of Part 3**

27 Insert:

1 **Division 4A—Complaints about opting out of**
2 **recommended content**

3 **37A Complaints**

4 If an Australian end-user of a social media service has reason to
5 believe that section 104B has been contravened because the
6 end-user cannot or could not opt out of receiving recommended
7 content on the service, the end-user may make a complaint to the
8 Commissioner about the matter.

9 **37B Investigation of complaints**

- 10 (1) The Commissioner may investigate a complaint made to the
11 Commissioner under section 37A.
- 12 (2) An investigation under this section is to be conducted as the
13 Commissioner thinks fit.
- 14 (3) The Commissioner may, for the purposes of an investigation,
15 obtain information from such persons, and make such inquiries, as
16 the Commissioner thinks fit.
- 17 (4) Subsections (1), (2) and (3) have effect subject to Part 14 (which
18 confers certain investigative powers on the Commissioner).

19 *Termination of investigation*

- 20 (5) The Commissioner may terminate an investigation under this
21 section.

22 **5 After Part 8**

23 Insert:

Part 8A—Opting out of recommended content

104A Simplified outline of this Part

- Providers of social media services are required to ensure that all Australian end-users of those services can opt out of receiving recommended content at any time.

104B Recommended content obligation for providers of social media services

(1) A provider of a social media service must ensure all Australian end-users of the service can opt out of receiving recommended content on the service at any time.

(2) A person contravenes this subsection if:

- (a) the person is a provider of a social media service; and
- (b) the person fails to comply with subsection (1).

Civil Penalty: The greater of 100,000 penalty units or 10% of the annual turnover of the provider during the period of 12 months ending at the end of the month in which the provider contravened, or began to contravene, the provision.

6 Section 198

Omit “37 or 42”, substitute “37, 37B or 42”.

7 After paragraph 221(1)(h)

Insert:

- (ha) the making of a complaint under section 37A;
- (hb) the making of a statement to, or the giving of a document or information to, the Commissioner in connection with an investigation under section 37B;

8 Paragraph 226(1)(a)

Omit “37 or 42”, substitute “37, 37B or 42”.

Schedule 2—Digital duty of care

Online Safety Act 2021

1 At the end of section 3

Add:

; and (c) to impose reporting obligations on providers of online services regulated by this Act about the number of Australian end-users of those services; and

(d) to impose obligations on large providers of online services regulated by this Act to identify, mitigate and manage the risks of harm or detriment from those services to Australian end-users.

2 Section 4 (before the paragraph beginning “The complaints system for cyber-bullying”)

Insert:

- Providers of online services regulated by this Act (called regulated online services) are subject to certain minimum obligations including reporting requirements about the provider’s Australian end-users. Large providers and their key personnel are also subject to additional minimum obligations, including risk assessment and mitigation requirements. These obligations are enforced by severe civil penalties.

3 Section 5

Insert:

key personnel of a provider: see section 5C.

large provider of a regulated online service: see section 5B.

regulated online service: see section 5A.

4 After section 5

Insert:

5A Meaning of *regulated online service*

For the purposes of this Act, each of the following is a ***regulated online service***:

- (a) a designated internet service;
- (b) a relevant electronic service;
- (c) a social media service.

5B Meaning of *large provider*

For the purposes of this Act, a provider is a ***large provider*** of a regulated online service if:

- (a) the provider provides the service during a calendar year to any one or more of the following:
 - (i) a total number of Australian end-users equal to or greater than 10% of the population of Australia;
 - (ii) 2.6 million or more Australian end-users;
 - (iii) 630,000 or more Australian end-users that are children; and
- (b) the Minister, by notice given to the provider and published on a website maintained by the Department, determines that the provider is a large provider.

5C Meaning of *key personnel*

For the purposes of this Act, an individual is one of the ***key personnel*** of a provider if:

- (a) the person holds a position in, or relating to, the provider; and
- (b) because of that position, the person has actual or effective senior executive responsibility:
 - (i) for management or control of the provider; or
 - (ii) for management or control of a significant or substantial part or aspect of the operations of the provider.

5 Section 25 (after paragraph (a))

Insert:

- (aa) monitoring and enforcing the obligations of providers of regulated online services; and

6 After Part 2

Insert:

Part 2A—Minimum obligations of providers and key personnel of regulated online services

Division 1—Introduction

28A Simplified outline of this Part

- All providers of regulated online services are subject to reporting requirements.
- Large providers are also subject to other minimum obligations. These obligations are:
 - (a) duty of care obligations; and
 - (b) the key personnel obligations; and
 - (c) the risk assessment obligations; and
 - (d) the risk mitigation obligations; and
 - (e) the transparency obligations; and
 - (f) the end-user privacy and control obligations.
- Key personnel of large providers are personally subject to obligations, including to take reasonable steps to prevent contravention by the provider.

Division 2—Providers must comply with obligations

28B Obligations of all providers

A provider must comply with its reporting obligations under Division 3.

Civil Penalty: The greater of 100,000 penalty units or 10% of the annual turnover of the provider during the period of 12 months ending at the end of the month in which the provider contravened, or began to contravene, the provision.

28C Obligations of large providers

In addition to its obligations mentioned in section 28B, a large provider must also comply with each of the following:

- (a) its duty of care obligations under Division 4;
- (b) its key personnel obligations under Division 5;
- (c) its risk assessment obligations under Division 6;
- (d) its risk mitigation obligations under Division 7;
- (e) its transparency obligations under Division 8;
- (f) its end-user privacy and control obligations under Division 9.

Civil Penalty: The greater of 100,000 penalty units or 10% of the annual turnover of the provider during the period of 12 months ending at the end of the month in which the provider contravened, or began to contravene, the provision.

Division 3—Reporting obligations

28D The reporting obligations of all providers

- (1) The reporting obligations of a provider of a regulated online service are to publish the following information on a publicly available website:
 - (a) the total number of Australian end-users of the service during a month, averaged over the last 6 month period (the *reporting period*);
 - (b) the number of Australian end-users of the service that are children during a month, averaged over the last 6 month period (the *reporting period*);
 within the period provided under subsection (2) and in accordance with the requirements under subsection (3).

Note: For the consequences of a contravention of these requirements, see section 28B.

(2) For the purposes of subsection (1), the period is:

- (a) for the reporting period ending immediately before 1 July 2026—1 July 2026; and
- (b) for each successive reporting period—within 30 days of the end of that period.

(3) For the purposes of subsection (1), the information must:

- (a) be in the form required by the legislative rules; and
- (b) contain the details required by the legislative rules.

Division 4—Duty of care obligations

28E The duty of care obligations of large providers

The duty of care obligations of a large provider of a regulated online service are:

- (a) to take reasonable steps to conduct its business (including the design of systems and processes relevant to providing the service), and to provide the service, with honesty and integrity, and with due skill, care and diligence; and
- (b) in conducting its business (including the design and operation of systems and processes relevant to providing the service) and providing the service, to take reasonable steps to prevent matters from arising that would (or would be likely to) cause harm or detriment to Australian end-users of the service.

Note: For the consequences of a contravention of these requirements, see section 28C.

Division 5—Key personnel obligations

28F The key personnel obligations of large providers

- (1) A large provider must notify the Commissioner if any of the following events occurs:
 - (a) an individual becomes one of the key personnel of the provider;

-
- 1 (b) an individual ceases to be one of the key personnel of the
2 provider.
- 3 (2) The notification must:
- 4 (a) be given within 14 days after the event occurs; and
- 5 (b) be in the form approved by the Commissioner; and
- 6 (c) if the notification is of an individual becoming one of the key
7 personnel of the provider—be accompanied by a signed
8 declaration that the individual:
- 9 (i) is a fit and proper person; and
- 10 (ii) is a resident of Australia; and
- 11 (iii) meets the requirements (if any) set out in the legislative
12 rules.
- 13 Note: For the consequences of a contravention of these requirements, see
14 section 28C.

15 **Division 6—Risk assessment obligations**

16 **28G The risk assessment obligations of large providers**

- 17 (1) A large provider of a regulated online service must undertake an
18 assessment (a ***risk assessment***) that identifies and assesses the risks
19 associated with providing the service.
- 20 (2) Without limiting subsection (1), the provider must have regard to
21 the following matters in undertaking a risk assessment:
- 22 (a) the dissemination of illegal and harmful materials;
- 23 (b) the dissemination of online scams;
- 24 (c) negative effects on electoral processes and public security;
- 25 (d) negative effects on civil and political rights, such as political
26 freedoms, freedom of opinion and expression;
- 27 (e) negative effects on gender-based violence, children’s best
28 interest and public health;
- 29 (f) serious negative consequences to Australian end-users,
30 including their physical and mental wellbeing;
- 31 (g) the matters (if any) specified in the legislative rules.
- 32 (3) Without limiting subsection (1), the provider must consider the
33 following systems in undertaking a risk assessment:

- 1 (a) recommender systems and any other relevant algorithmic
2 systems;
3 (b) content moderation systems;
4 (c) terms and conditions and their enforcement;
5 (d) systems for selection and presenting advertisements;
6 (e) relevant data related practices of the provider.
- 7 (4) The provider must exercise due diligence in undertaking the risk
8 assessment.
- 9 (5) A risk assessment must be consistent with any relevant standards
10 made under section 28H.
- 11 *Provider must review and update risk assessments*
- 12 (6) A large provider must review its risk assessment for the purpose of
13 identifying and assessing any new or changed risks:
14 (a) if either of the following occur:
15 (i) the Commissioner communicates to the provider
16 information that identifies or assesses risks associated
17 with providing the service;
18 (ii) circumstances specified in the legislative rules; and
19 (b) in any event—at least once every 3 years.
- 20 (7) A large provider must update its risk assessment to address any
21 issues identified by a review as soon as practicable after the review
22 is completed.
- 23 *Notification and publication requirements*
- 24 (8) A large provider must, as soon as practicable after the end of each
25 financial year:
26 (a) give the Commissioner a copy of its risk assessment as
27 prepared under subsection (1) or updated under
28 subsection (7); and
29 (b) publish that risk assessment on a publicly available website.
- 30 (9) A risk assessment given or published under subsection (7) must be
31 accompanied by a report including the following:
32 (a) details of the risks identified;
33 (b) indications of the severity of the risks;
-

- (c) measures of the scale of the risks in Australia;
- (d) a risk mitigation plan about managing and mitigating the risks in accordance with Division 7.

Note: For the consequences of a contravention of these requirements, see section 28C.

28H Commissioner may make standards

- (1) The Commissioner may, by legislative instrument, make one or more standards about requirements for risk assessments.

Note: For varying or revoking a standard, see subsection 33(3) of the *Acts Interpretation Act 1901*.

- (2) Without limiting subsection 33(3A) of the *Acts Interpretation Act 1901*, standards under subsection (1) may provide differently for different kinds of entities, things or circumstances.

Division 7—Risk mitigation obligations

28J The risk mitigation obligations of large providers

Risk mitigation policies, procedures and systems

- (1) A large provider of a regulated online service must have policies, procedures and systems to monitor, manage and mitigate risks associated with providing the service.
- (2) The policy, procedure or system must be consistent with any relevant standards made under section 28K.

Risk mitigation plans and measures

- (3) A large provider of a regulated online service must prepare a risk mitigation plan in relation to risks identified in a risk assessment prepared by the provider under section 28G.
- (4) The plan must identify measures to manage and mitigate those risks.
- (5) Without limiting subsection (4), such measures may include any one or more of the following:

- 1 (a) changing the design, features or functioning of the regulated
2 online service, including the online interface;
3 (b) changing the terms and conditions and their enforcement;
4 (c) changing content moderation processes;
5 (d) testing and changing algorithmic systems, including
6 recommender systems;
7 (e) changing advertising systems, including the way
8 advertisements are targeted at or presented to Australian
9 end-users;
10 (f) improving internal business processes to maximise safety;
11 (g) collaborating with other digital services;
12 (h) taking targeted measures to improve child safety, such as age
13 assurance or parental control tools;
14 (i) taking into account the best interests of children when
15 making decisions;
16 (j) ensuring information and evidence about potential illegal
17 activities is appropriately recorded and reported.
- 18 (6) The plan and the measures must be consistent with any relevant
19 standards made under section 28K.

20 *Providers must implement measures*

- 21 (7) The provider must take reasonable steps to implement those
22 measures.

23 Note: For the consequences of a contravention of these requirements, see
24 section 28C.

25 **28K Commissioner may make standards**

- 26 (1) The Commissioner may, by legislative instrument, make one or
27 more standards about either or both of the following:
28 (a) requirements for policies, procedures and systems to monitor,
29 manage and mitigate risks;
30 (b) requirements for risk mitigation plans and measures.

31 Note: For varying or revoking a standard, see subsection 33(3) of the *Acts*
32 *Interpretation Act 1901*.

- 1 (2) Without limiting subsection 33(3A) of the *Acts Interpretation Act*
 2 *1901*, standards under subsection (1) may provide differently for
 3 different kinds of entities, things or circumstances.

4 **Division 8—Transparency obligations**

5 **28L Annual transparency report**

- 6 (1) A large provider of a regulated online service must prepare a report
 7 a ***transparency report*** in respect of the 12 month period ending
 8 immediately before 1 July 2027 and each consecutive period of 12
 9 months.
- 10 (2) A transparency report in respect of a period must include the
 11 following information:
- 12 (a) metrics about design, features and functioning of the service;
 - 13 (b) metrics about access of the service by Australian end-users
 14 that are children;
 - 15 (c) metrics about online scams, including Australian end-user
 16 reporting and response times;
 - 17 (d) metrics about child sexual exploitation and abuse;
 - 18 (e) metrics about content moderation;
 - 19 (f) details about measures to prevent and deal with misuse;
 - 20 (g) details about monthly number of Australian end-users;
 - 21 (h) details about advertising on the service;
 - 22 (i) the information (if any) required by the legislative rules.
- 23 (3) A transparency report in respect of a period must be published on a
 24 publicly available website within 30 days of the end of that period
 25 and in accordance with the requirements under subsection (4).
- 26 (4) For the purposes of subsection (3), the report must:
- 27 (a) be in the form required by the legislative rules; and
 - 28 (b) contain the details required by the legislative rules.
- 29 Note: For the consequences of a contravention of these requirements, see
 30 section 28C.

1 **28M Compliance audits**

2 (1) The Commissioner may appoint or establish a person or body that
3 is independent of the Commissioner to conduct an audit (a
4 ***compliance audit***) of a large provider of a regulated online service
5 for the purpose of determining whether the provider is complying,
6 or has complied, with this Part.

7 (2) The provider must:

8 (a) cooperate fully with the auditor in relation to the compliance
9 audit; and

10 (b) provide the auditor with all reasonable facilities and
11 assistance in relation to the compliance audit.

12 (3) This section does not limit any of the other powers or functions of
13 the Commissioner or ACMA.

14 Note: For the consequences of a contravention of these requirements, see
15 section 28C.

16 **28N Making research data accessible to researchers**

17 *Researchers may request research data*

18 (1) Subsection (2) applies if a researcher that is:

19 (a) either:

20 (i) affiliated with an Australian research organisation
21 (including an academic entity or not-for-profit
22 organisation); or

23 (ii) an Australian resident or permanent resident of
24 Australia; and

25 (b) undertaking research for non-commercial purposes;
26 requests a large provider of a regulated online service to give, or
27 make accessible, research data that is:

28 (c) collected using the service; and

29 (d) already established and maintained for the purposes of
30 research.

31 Note: Examples of research data include research API access schemes.

Provider must ensure access to research data

- (2) The provider must ensure that the research data is accessible to the researcher:
- (a) as soon as reasonably practicable after the request is made; and
 - (b) where technically possible, in real-time.
- (3) However, subsection (2) does not apply in relation to research data that includes:
- (a) protected information; or
 - (b) personal information (within the meaning of the *Privacy Act 1988*); or
 - (c) any information the disclosure of which the provider reasonably considers might cause a significant security vulnerability for the service.

Note: For the consequences of a contravention of these requirements, see section 28C.

28P Public Information Register

- (1) A large provider of a regulated online service must establish and maintain a register to be known as the Public Information Register.
- (2) The register must contain the following information:
- (a) information included in a report published by the provider under section 28D;
 - (b) information included in a risk assessment (including a risk mitigation plan) published by the provider under section 28G;
 - (c) information included in a transparency report published by the provider under section 28L;
 - (d) information (if any) prescribed by legislative rules made for the purposes of this paragraph.
- (3) The provider must ensure that:
- (a) a person may access the register to search for information contained in the register; and
 - (b) the register is operational at all times.

Note: For the consequences of a contravention of these requirements, see section 28C.

Division 9—End-user privacy and control obligations

28Q The end-user privacy and control obligations of large providers

The end-user privacy and control obligations of a large provider of a regulated online service are:

- (a) to ensure that privacy settings for Australian end-users of the service default to maximum privacy protections; and
- (b) to ensure that Australian end-users of the service can opt out of targeted advertising.

Note: For the consequences of a contravention of these requirements, see section 28C.

Division 10—Obligations of key personnel of large providers

28R Obligations of key personnel of large providers

A person who is one of the key personnel of a large provider must conduct the responsibilities of their position:

- (a) by acting with honesty and integrity, and with due skill, care and diligence; and
- (b) by dealing with the Commissioner and ACMA in an open, constructive and cooperative way; and
- (c) by taking reasonable steps in conducting those responsibilities to prevent matters from arising that would (or would be likely to) result in a material contravention by the provider of this Act or the legislative rules.

Penalty: 500 penalty units.

7 Before paragraph 164(1)(a)

Insert:

- (aa) section 28B;
(ab) section 28C;

8 Before paragraph 165(1)(a)

Insert:

(aa) section 28B;

(ab) section 28C;

9 Before paragraph 182(4)(a)

Insert:

(aa) section 28H;

(ab) section 28K;

10 After paragraph 182(4)(zb)

Insert:

(zba) section 194A;

11 After paragraph 183(2)(zb)

Insert:

(zba) the number of notices given by the Commissioner under section 194A during that year;

12 At the end of section 193

Add:

- The Commissioner also has additional information gathering powers in relation to the obligations of large providers of regulated online services under Part 2A.

13 After section 194

Insert:

194A Commissioner may obtain information or documents etc.

Scope

(1) This section applies to a person if:

- (a) the person is a large provider of a regulated online service;
- and

- 1 (b) the Commissioner believes on reasonable grounds that the
2 person has information or a document that is relevant to the
3 operation of Part 2A (minimum obligations of providers and
4 key personnel of regulated online services).

5 *Commissioner may require information or documents*

- 6 (2) The Commissioner may, by written notice given to the person,
7 require the person to:
8 (a) give to the Commissioner any such information; or
9 (b) produce to the Commissioner any such documents; or
10 (c) attend an interview with the Commissioner, including to
11 make a statement or answer questions.
- 12 (3) The notice must:
13 (a) if the notice requires the person to give information or
14 produce a document or thing—specify:
15 (i) the period (which must be at least 14 days after the
16 notice is given to the person) within which the person is
17 required to comply with the notice; and
18 (ii) the manner in which the person is required to comply
19 with the notice; and
20 (b) if the notice requires the person to attend an interview—
21 specify:
22 (i) a time and place at which the person is to attend; and
23 (ii) the nature of the matter to which the interview will
24 relate.

25 **194B Copies of documents**

- 26 The Commissioner may:
27 (a) inspect a document produced under subsection 194A(2); and
28 (b) make and retain copies of, or take and retain extracts from,
29 such a document.

30 **14 Section 195**

31 After “section 194”, insert “or 194A”.

1 **15 Subsections 196(1) and (3)**

2 After “section 194”, insert “or 194A”.

3 **16 At the end of subsection 221(2)**

4 Add:

5 ; or (i) a notice under subsection 194A(2).