



Presented to the House under Standing Order 272

J.17

FILMS, VIDEOS, AND PUBLICATIONS (URGENT INTERIM CLASSIFICATION AND PREVENTION OF ONLINE HARM) AMENDMENT BILL

LEGISLATIVE STATEMENT

SECOND READING

Purpose

This Bill updates the Films, Videos, and Publications Classification Act 1993 (the Act) to allow for urgent prevention and mitigations of harms caused by objectionable publications.

The Bill's objective is to ensure that government, internet service providers, and online content hosts can swiftly and consistently address objectionable material.

The Bill provides additional regulatory tools to manage harms caused by content that is livestreamed and/or hosted online. The Bill mostly relates to online publications, however one aspect of the Bill (urgent interim classification assessments) will apply to all publications covered by the Act.

Key Provisions

The main ways in which the Bill will amend the Act are as follows:

- *To criminalise the act of knowingly livestreaming objectionable content*
 - The bill will make it a criminal offence to knowingly livestream objectionable content. Anyone that commits this offence can face up to 14 years of imprisonment, or for a corporate body, a fine of up to \$200,000.
- *To allow the Chief Censor to make interim classification assessments*
 - The Chief Censor will be able to make interim classification assessments in urgent situations for content that is likely to be objectionable.
- *To allow take-down notices to be issued requiring the removal of objectionable online content*
 - This Bill allows authorised Inspectors to be able to issue take-down notices for online content hosts to remove objectionable material on their sites.
 - Online content hosts will also be subject to a civil pecuniary penalty of up to \$200,000 if they do not comply with an issued take-down notice.
- *To clarify that 'safe harbour' provisions in the Harmful Digital Communications Act 2015 would not apply to objectionable online content.*
 - This will close a loophole by ensuring the 'safe harbour' provisions in the Harmful Digital Communications Act 2015 will not apply to objectionable material online.