

# SENATE ENVIRONMENT AND COMMUNICATIONS REFERENCES COMMITTEE

## INTERNET SEARCH ENGINE SERVICES ONLINE SAFETY CODE

### Office of the Australian Information Commissioner

#### Digital Duty of care, VPN and age verification

**Senator Pocock has placed the following written questions on notice to the OAIC.**

1. Can you please outline what work you have undertaken to progress the Digital Duty of Care the Labor government committed to in 2024
2. Please provide a list of all stakeholders the AIC has met with in relation to a Digital Duty of Care.
3. What is the latest information you have regarding how many VPNs are currently being used by Australian Citizens
4. Has the AIC done any consultation regarding device level age verification or API access?

**The response to the senator's question is as follows:**

1. The Digital Duty of Care is proposed to be developed under legislation administered by Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts (DITRDCSA) - the *Online Safety Act 2021*.
2. Please refer to answer to question 1. The OAIC has attended separate meetings with eSafety, DITRDCSA, the Digital Platforms Regulators Forum and the Online Safety Cross Government Working Group in which a Digital Duty of Care has been discussed.
3. The OAIC does not have this information.
4. On 10 October 2025, the OAIC released publicly available guidance for regulated entities regarding age assurance in the context of the Social Media Minimum Age (SMMA) framework. Our guidance notes the SMMA framework is technology-neutral and does not mandate any single method or combination of methods. See: [Privacy Commissioner puts social media platforms on notice with new guidance | OAIC](#) and [Privacy Guidance on Part 4A \(Social Media Minimum Age\) of the Online Safety Act 2021 | OAIC](#).