Commonwealth Coat of Arms

**Enhancing Online Safety (Intimate Images and Other Measures) Legislative Rules 2017**

*Enhancing Online Safety for Children Act 2015*

I, Mitch Fifield, Minister for Communications, make these Legislative Rules under subsection 108(1) of the *Enhancing Online Safety for Children Act 2015*.

Dated 23 May 2017

MITCH FIFIELD

Minister for Communications

# Name of legislative rules

The name of these rules is the *Enhancing Online Safety (Intimate Images and Other Measures) Legislative Rules 2017*.

# Commencement

These Rules commence on the day after they are registered on the Federal Register of Legislation.

# Definitions

In these rules:

***Act*** means the *Enhancing Online Safety for Children Act 2015*

***Australian*** means an individual who is ordinarily resident in Australia

***genital or anal region***, in relation to a person, means the person's genital or anal region whether bare or covered by underwear

***intimate image*** means a moving or still image that depicts—

1. a person engaged in sexual activity; or
2. a person in a manner or context that is sexual; or
3. the genital or anal region of a person or, in the case of a female, the breasts

***older Australian*** means an Australian who is 50 years of age or older

***online safety*** means the capacity of a person to use social media services and electronic services in a safe manner

***specified person*** means:

1. an Australian at risk of having intimate images of them shared without their consent; and
2. an older Australian

Note: The following expressions have the meaning given to them by the Act (see subsection 13(1) of the *Legislation Act 2003*):

* electronic service; and
* social media service.

# Conferral of additional functions

For the purposes of paragraph 15(1)(r) of the Act, the following additional functions are specified:

* + - 1. to promote online safety for specified persons;
      2. to collect, analyse, interpret and disseminate information relating to online safety for specified persons;
      3. to support, encourage, conduct, accredit and evaluate educational, promotional, training and community awareness programs that are relevant to online safety for specified persons;
      4. to support, encourage, conduct and evaluate research about online safety for specified persons;
      5. to publish (whether on the internet or otherwise) reports and papers relating to online safety for specified persons;
      6. to give the Minister reports about online safety for specified persons;
      7. to advise the Minister about online safety for specified persons; and
      8. to consult and cooperate with other persons, organisations, and governments on online safety for specified persons.