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FlagPost | 11 February 2026

Media policy and regulation: what to expect in 2026

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Confidential, Impartial, Timely

The Albanese Government has set itself a busy agenda of media regulatory reform. It has already implemented several changes since coming to office, however numerous promised media policies remain unrealised. This FlagPost briefly outlines key pieces of media policy and regulation that may be expected in 2026.

Online Safety Act reform and a digital duty of care

In 2024, senior public servant Delia Rickard undertook a [statutory review of the Online Safety Act 2021](#) (OSA). The report was provided to Government in October 2024 and published in February 2025.

The report made 67 recommendations (pp. 21–25) to strengthen online safety in Australia. The Government is yet to publish [a promised response to the review](#), however it has committed to enacting 2 recommendations:

- [introducing a digital ‘duty of care’](#) (recommendation 4)
- [prohibiting ‘nudify’ apps and undetectable stalking apps](#) (recommendation 27).

A [digital duty of care](#) would require platforms ‘to take reasonable steps to prevent foreseeable harms on their platforms and services, with the framework to be underpinned by risk assessment and risk mitigation, and informed by safety-by-design principles’.

[Consultation on the duty of care](#) (p. 20) began in late 2025, including [a public survey](#). No timeline for legislation has been provided.

News Bargaining Incentive

On 12 December 2024, the Government announced the [News Bargaining Incentive](#), which would effectively replace the current [News Media Bargaining Code](#). A timeline for legislating the proposed Incentive has not been announced, however [the Government has stated](#) (p. 5) that the measure will apply to tax years commencing on or after 1 January 2025.

Both the Code and the Incentive aim to support the sustainability of public interest journalism in Australia by addressing [imbalances in the bargaining relationship](#) between large digital platforms and news media businesses.

The proposed [Incentive addresses limitations in the effectiveness of the Code](#), whereby platforms can ‘avoid their obligations by removing news’. It would place a financial incentive on certain large digital platforms to financially contribute to public interest journalism in Australia, regardless of whether they host news content. A Government [fact sheet](#) on the policy notes that further technical details will be developed through consultation. A consultation paper – [expected in early 2025](#) – was [published in November 2025](#).

Regulatory changes commencing in 2026

New online safety regulations will take effect in 2026. The industry codes for Class 1C and Class 2 material, developed by the online industry and registered by the [eSafety Commissioner](#) under the OSA, are designed to [prevent children from accessing or being exposed to age-inappropriate material](#) online. [Three codes came into effect](#) on 27 December 2025 (6 months after registration) and an additional 6 codes will come into effect from 9 March 2026. Most notably, the [Internet Search Engine Services Online Safety Code \(Class 1C and Class 2 Material\)](#) (p. 5) requires that, by 26 June 2026, internet search engine services ‘implement appropriate age assurance measures for account holders... to protect and prevent Australian children from accessing or being exposed to online pornography and high impact violence material in search results’.

While the [social media minimum age](#) framework is already in effect, the number of platforms required to comply with the regulations is likely to [increase throughout 2026](#) as the eSafety Commissioner identifies new platforms that fall within their scope. However, [the High Court](#) has agreed to hear a special case challenging the framework, which, if successful, could thwart the future of the policy.

The TV prominence framework, legislated in 2024, [took effect on 10 January 2026](#). This regime aims to ‘ensure local TV services are easy for Australian audiences to find’ on new connected TV devices.

Potential policy moves

Gambling advertising

The final report of the House of Representatives Standing Committee on Social Policy and Legal Affairs’ [Inquiry into online gambling and its impacts on those experiencing gambling harm](#) (June 2023) made several recommendations relevant to the communications portfolio, most notably a ‘comprehensive ban on all forms of advertising for online gambling’ (recommendation 26).

While the Government is [yet to formally respond to the inquiry](#), it is under [mounting pressure](#) to implement the recommended ban. [Six private members’ and senators’ bills](#) aimed at reducing gambling advertising were introduced in the 47th Parliament by the Coalition, the Australian Greens and independent MPs.

Other possible measures

Several other media policies have been flagged by the Government but are lacking in recent updates. These include:

- Prominence requirements to ensure Australian radio services can be easily accessed on smart speakers, which were the topic of [consultation in late 2024](#). While there has been no government update, the [radio industry continues to advocate](#) for change.

- Legislating 5-year funding terms for both national broadcasters – the ABC and SBS – as [announced in December 2024](#). The [Government has also noted](#) that it would ‘consider options for appropriate protections of announced funding within legislative frameworks’ (p. 6).
- Truth in political advertising requirements – the Government’s [Electoral Legislation Amendment \(Electoral Communications\) Bill 2024](#), which [would have prohibited](#) ‘the authorisation of certain electoral and referendum matter that is inaccurate and misleading to a material extent’, lapsed at the dissolution of the 47th Parliament. While the Government is yet to comment on its intentions in this space in the current Parliament, [2 private members’ and senators’ bills](#) that mirror the 2024 bill have already been introduced.

Further action in media regulation may arise from the recommendations of several recent reviews and inquiries, to which the Government is yet to formally respond. These include:

- the [Community Broadcasting Sector Sustainability Review: Findings Report](#), released in March 2025
- the [second interim report](#) and [final report](#) of the Joint Select Committee on Social Media and Australian Society (2024).

An additional review into the ‘future of television’, [expected in early 2025](#), is [yet to commence](#) (p. 23).

Looking forward

Multiple developments in media policy and regulation are likely in 2026, although timeframes for many expected actions remain unclear. What is clear, is that as the [Australian media environment continues to rapidly evolve](#), progress in this space will be of significant interest to stakeholders and the Parliament.

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