

Infrastructure, Transport, Regional Development, Communications and the Arts

Committee Inquiry Question on Notice

Environment and Communications

Communications Legislation Amendment (Combatting Misinformation and Disinformation) Bill 2024 [Provisions]

IQ24-000078

Division/Agency: DIV - Digital Platforms Safety and Classification

Hansard Reference: Written (22 October 2024)

Topic: The impact of AI

Karen Grogan asked:

How will the Department and the ACMA consider the impact of AI technology as part of the regulatory framework aimed at addressing misinformation and disinformation?

Answer:

The Bill is aimed at addressing the threats posed by the spread of seriously harmful misinformation and disinformation online. Artificial Intelligence (AI) content that meets the definition of 'misinformation' or 'disinformation' (i.e. is reasonably verifiable as false, misleading or deceptive, reasonably likely to cause or contribute to serious harm, and is not 'excluded dissemination'), would be captured under the Bill.

The Bill has been drafted in full recognition of the rapidly evolving state of technology; it has been deliberately framed in technology neutral terms to allow for flexibility in light of this fact. Additionally, the Bill provides for a number of matters to be dealt with through rules and other legislative instruments, to enable rapidly changing technologies, including AI, to be factored into the regulatory approach. For example:

- there is flexibility to adjust the definition of 'digital communications platform' through legislative instrument to take into account how technological developments, including, for example, generative AI, may influence the shape and nature of digital platforms in the future (see e.g. paragraph 5(1)(e))
- there is flexibility to take into account developments in technology, including, for example, AI, to be addressed in any code approved, or standard determined by the Australian Communications and Media Authority (ACMA) (see cl 44 for examples of matters that may be included in codes or standards)
- paragraph 15(1)(d) allows the ACMA to make digital platform rules to articulate specific circumstances of dissemination of content involving inauthentic behaviour. This allows flexibility for rules to be made to respond to new types of inauthentic behaviour as the online landscape evolves.

