



HIGH COURT OF AUSTRALIA

NOTICE OF FILING

This document was filed electronically in the High Court of Australia on 14 Oct 2026 and has been accepted for filing under the *High Court Rules 2004*. Details of filing and important additional information are provided below.

Details of Filing

File Number: S163/2025
File Title: The Digital Freedom Project Incorporated (ABN 27 500 105 08)
Registry: Sydney
Document filed: Form 27C (A-G of Tas) Intervener's Submissions
Filing party: Interveners
Date filed: 14 Oct 2026

Important Information

This Notice has been inserted as the cover page of the document which has been accepted for filing electronically. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties and whenever the document is reproduced for use by the Court.

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

S163/2025

BETWEEN: **THE DIGITAL FREEDOM PROJECT INCORPORATED**
(ABN 27 500 105 086)
Plaintiff

and

10

THE COMMONWEALTH OF AUSTRALIA
First Defendant

THE ESAFETY COMMISSIONER
Second Defendant

MINISTER FOR COMMUNICATIONS
Third Defendant

20

**SUBMISSIONS OF THE ATTORNEY-GENERAL FOR THE STATE OF TASMANIA
(INTERVENING)**

PART I: CERTIFICATION

1. These submissions are in a form suitable for publication on the internet.

PARTS II & III: INTERVENTION

2. The Attorney-General for the State of Tasmania (**Tasmania**) intervenes pursuant to s 78A of the *Judiciary Act 1903* (Cth) in support of the Defendants.

30 **PART IV: SUBMISSIONS**

3. The Plaintiff seeks to establish that it has standing to seek the relief sought in these proceedings (Question One of the Special Case) and to challenge the validity of Part 4A of the *Online Safety Act 2021* (Cth) (**Act**) on the ground that it impermissibly burdens the implied freedom of political communication (Question Two of the Special Case).
4. Tasmania does not seek to be heard on the issue of standing.
5. Tasmania adopts its submissions in the *Reddit* proceeding (S166/2025) as to why Part 4A of the Act does not impermissibly burden the implied freedom.

6. Additionally, Tasmania adopts the submissions of the First and Third Defendants in this proceeding as to the validity of Part 4A of the Act (**DS [11]-[22]**).
7. The questions in the Special Case should be answered in proceeding S163/2025 as proposed by the First and Third Defendants at **DS [23]**.

Part V: ESTIMATE OF TIME

8. It is estimated that Tasmania will require no more than 10 minutes for the presentation of oral argument in respect of both S163/2025 and S166/2025.

Dated 14 October 2026



Sarah Kay
Solicitor-General of Tasmania
Office of the Solicitor-General
(03) 6165 3614
sarah.kay@justice.tas.gov.au



Sarah Piggott
Counsel for the Attorney-General (Tas)
Office of the Solicitor-General
(03) 6165 3614
sarah.piggott@justice.tas.gov.au

10

20

IN THE HIGH COURT OF AUSTRALIA
SYDNEY REGISTRY

S163/2025

BETWEEN: **THE DIGITAL FREEDOM PROJECT INCORPORATED**
(ABN 27 500 105 086)
Plaintiff

and

THE COMMONWEALTH OF AUSTRALIA
First Defendant

THE ESAFETY COMMISSIONER
Second Defendant

MINISTER FOR COMMUNICATIONS
Third Defendant

**ANNEXURE TO INERVENER'S SUBMISSIONS (ATTORNEY-GENERAL FOR
THE STATE OF TASMANIA)**

No.	Description	Version	Provision(s)	Reasons for providing this version	Applicable date(s)
1.	<i>Acts Interpretation Act 1901</i> (Cth)	Current	s 15A	Currently in force	All relevant times
2.	<i>Online Safety Act 2021</i> (Cth)	Current	s 5, Part 4A, s 233	Currently in force	All relevant times
3.	<i>Online Safety (Age Restricted Social Media Platforms) Rules 2025</i> (Cth)	Current	rr 4A, 5	Currently in force	Since 26 March 2026 (r 4A); all relevant times (r 5)
4.	<i>Online Safety (Age Restricted Social Media Platforms) Amendment Rules 2026</i> (Cth)	As made	Sch 1 cl 1	Amended the 2025 Rules	26 March 2026