



WHAT DOES THE LAW SAY?

DIGITAL ID IS VOLUNTARY UNDER AUSTRALIAN LAW

The Digital ID Act makes clear that Digital ID cannot be forced on you.

Section 3(1) of the Act lists, amongst its “objects”, providing individuals with secure, convenient, voluntary, and inclusive ways to verify their identity in online transactions with government and businesses.

3 Objects

(1) The objects of this Act are as follows:

- (a) to provide individuals with secure, convenient, voluntary and inclusive ways to verify their identity in online transactions with government and businesses;

According to the Act, the government will achieve this objective by establishing an Australian Government Digital ID System.

Section 74(1) stating that “A participating relying party must not, as a condition of providing a service or access to a service, require an individual to create or use a digital ID.”

Division 5—Other matters relating to the Australian Government Digital ID System

74 Creating and using a digital ID is voluntary

Creating and using a digital ID is voluntary

- (1) A participating relying party must not, as a condition of providing a service or access to a service, require an individual to create or use a digital ID.

Note: The effect of this subsection is that a participating relying party that provides a service, or access to a service, must provide another means of accessing that service that does not involve the creation or use of a digital ID through the Australian Government Digital ID System.

The law also requires that any alternative method must be genuinely usable. Under s74(1A), a service provider is in breach if they provide the service “by means other than the creation or use of a digital ID”, and either the other means is not reasonably accessible, or using the other means results in the service being provided on substantially less favourable terms.”

**In short: Digital ID must remain voluntary.
You must be offered a fair and accessible alternative.**



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WHAT DOES THE LAW SAY?



Your Privacy Is Your Right

Privacy is what allows you to live freely. Without it, your actions, beliefs, choices, and relationships become visible to outside powers. Just as you close your curtains, lock your door, or keep your PIN secure, protecting your privacy is normal. In the physical world, you choose what you share and with whom. The digital world should be no different; in fact, the risks are often greater because they are less visible.

Some say, "I've got nothing to hide." But privacy isn't about hiding; it's about boundaries.

Others say, "My information is already out there." Yes, fragments of it are. But Digital ID changes the nature of the risk by tethering all those fragments back to one verified identity. It is not the separate data points that matter — it is their merging.

Once merged, you cannot always know:

- Who holds the combined picture
- How it will be analysed
- What decisions may be made about you because of it

Privacy protects freedom. Losing it is easy. Rebuilding it is nearly impossible.

Why the Australian Human Rights Commission Is Concerned

The Australian Human Rights Commission has [formally raised concerns about the Under-16 Social Media Ban](#).

Their assessment is clear: the law risks infringing on fundamental rights, including:

- freedom of expression
- freedom of association
- access to information
- the right to education
- the right to culture, play, and development
- the right to health and well-being
- and critically, the right to privacy

To enforce the ban, Australians — including adults — may be required to prove their age on every platform, leading to:

- mass data collection
- biometric verification
- centralised storage
- government-corporate data sharing
- long-term tracking of online behaviour

The Commission's conclusion is unequivocal: There are far less intrusive ways to protect children, including:

- parental involvement
- digital literacy
- platform accountability

— not mass surveillance.



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