

No News is Bad News! Digital Platforms Flex their Influence to No Avail

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After severe criticism from the Australian government and others, Facebook has reversed its initial response to the controversial news media code of banning all Australian news on its platform, now stating that news and key pages concerning public health and government will be restored (although it has not provided a deadline for when this will occur).

The ban was brought about by a controversial news media code brought in by the Australian Government (you may recall that we touched on this last year in our blog [here](#)). Since that post, the [*Treasury Laws Amendment \(News Media and Digital Platforms Mandatory Bargaining Code\) Bill 2021*](#) (the **Code**) was passed by both Houses of Parliament on 25 February this year.

Initially, the Code will apply to Google Searches and Facebook's NewsFeed with other digital platforms to follow where there is sufficient evidence that doing so would reduce bargaining power imbalance.

Facebook's response

Facebook have strongly criticised and lobbied against the Code, saying that it unfairly penalises their platforms and that high compliance costs and demands may make providing their free services to users uneconomical.

Despite this, Facebook has now advanced negotiations with a number of media companies and, last week, Seven West network (which owns Seven TV network and West Australian newspaper) was the first media company to sign a letter of intent with Facebook.

The Government intends to review the Code in a year from the commencement of the new law to ensure it is delivering outcomes that are consistent with the policy intent. As mentioned in our previous blog, the Code will have some serious impacts on the Australian news landscape and may not achieve the power balance intended.

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