

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. 3821



Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

EXPLANATORY NOTE

The State bears the primary duty to protect the rights and welfare of children, particularly in the rapidly evolving digital environment where unfiltered exposure to harmful online content, online predatory behavior, cyberbullying, and the dissemination of false or misleading information is prevalent. The widespread and early adoption of social media platforms by children and adolescents, often without the knowledge or consent of parents or without adequate protective measures, has created an urgent need for a clear legal framework regulating their access to such platforms.

In the Philippines, this concern is intensified by the high penetration rate of social media among young users. The country, often referred to as the social media capital of the world, reports that minors spend an average of four hours and fifteen minutes daily on platforms such as Facebook, Instagram, and TikTok. While these platforms may serve as channels for self-expression and provide access to mental health resources, excessive or unregulated use has been linked to increased risks of anxiety, depression, and diminished self-esteem.¹ The absence of age-specific regulatory safeguards in existing national law leaves parents, educational institutions, and communities with limited capacity to address these risks effectively. Early exposure to media among young children has been associated with poor sleep patterns, aggressive behaviors, social withdrawal, delayed social skills development, distorted perceptions of reality,

¹ Casilao, L., et al (December 2024). Dual Effects of Social Media on Adolescent Mental Health: A Systematic Review on Philippine Context. *Cognizance Journal of Multidisciplinary Studies*, Vol.4, Issue.12, pg. 358-371. DOI: 10.47760/cognizance.2024.v04i12.034. (Date last accessed: August 11, 2025).

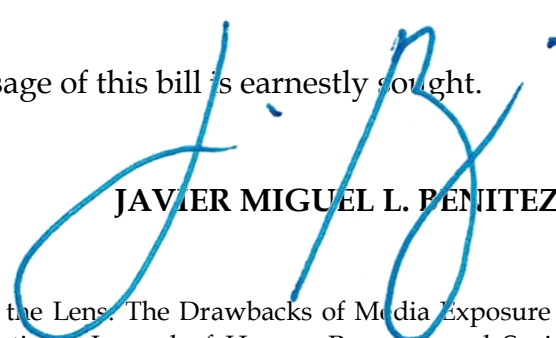
and reduced attention span—negative impacts that can persist into adolescence and affect academic performance.²

This bill establishes a national minimum age requirement for the creation and use of social media accounts by minors, alongside mandatory obligations for social media service providers to implement robust age verification and identity authentication mechanisms, ensure the prompt removal of underage user accounts, and protect all personal data collected in accordance with Republic Act No. 10173 (2012), otherwise known as the Data Privacy Act of 2012. The measure further designates the Department of Information and Communications Technology (DICT) as the lead implementing agency, vested with authority to conduct proactive monitoring, issue take-down or disabling orders, and coordinate with relevant government agencies for enforcement.

Firmly grounded in the 1987 Constitution of the Republic of the Philippines, which mandates the State to protect the right of children to proper care and to provide special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development,³ and to recognize the vital role of the youth in nation-building, this bill affirms the State's duty to give priority to their education, health, and overall well-being.⁴ By defining the specific duties of online platforms, digital content providers, and government agencies, this measure seeks to establish enforceable safeguards that uphold the physical, mental, and moral welfare of children and adolescents in the digital environment.

The proposed legislation seeks to provide a comprehensive framework for age-appropriate design, child safety standards, and digital literacy programs, complemented by strong enforcement mechanisms. In doing so, it reinforces the principle that the online rights of children are an extension of their offline rights, and that State protection must be as strong in the virtual sphere as it is in the physical world.

In view of the foregoing, the passage of this bill is earnestly sought.



JAVIER MIGUEL L. PENITEZ

² Celada, S., et al. (April 2025.) Behind the Lens: The Drawbacks of Media Exposure to Young Children's Social Development. *International Journal of Human Research and Social Science Studies*, Vol. 2 Issue 4, pp. 144-159. <https://doi.org/10.55677/ijhrsss/06-2025-Vol02I4>. (Date last accessed: August 12, 2025).

³ 1987 Constitution, Article XV, Section 3(2)

⁴ 1987 Constitution, Article II, Sections 13 and 17.

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Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

**AN ACT REGULATING THE USE OF SOCIAL MEDIA PLATFORMS BY
MINORS, IMPOSING AGE RESTRICTIONS, PROVIDING
PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER
PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

SECTION 1. *Declaration of Policy.* – It is the policy of the State to promote and protect the physical, mental, and emotional well-being of its children. Recognizing the rapid growth and influence of social media platforms, the State affirms its duty to safeguard children from online risks and harmful content.

It is also the policy of the State to balance the right to information and communication with the duty to provide a safe and developmentally appropriate online environment for Filipino children, in accordance with the best interests of the child, as recognized under the United Nations Convention on the Rights of the Child and relevant Philippine laws.

SEC 2. *Definition of Terms.* –

(a) *Age-restricted user* – refers to minors below fifteen years of age;

(b) *Social Media Platform* – refers to any internet-based service, network, application, website, or computer program that is intended to provide an electronic service that satisfies the following conditions:

(i) Its sole or primary purpose is to enable online social interaction between two or more end-users;

(ii) It allows end-users to link to, or interact with, some or all of the other end-users; and

(iii) It allows end-users to upload or post online content or materials on it.

SEC 3. *Use of Social Media Services, Age Restriction.* – Minors shall be prohibited from accessing or using social media services.

SEC 4. *Obligations of Social Media Platforms.* – Social media platforms shall take reasonable steps and age verification measures to prevent age-restricted users from registering, accessing, or continuing to use their social media service. They shall:

(a) Adopt reliable means to ensure the age and identity of its users, such as but not limited to ID verification, facial recognition, and other identity authentication systems;

(b) Conduct regular audits of user account data to detect and remove age-restricted users from the platform; and

(c) Adopt prompt response mechanisms for reports or findings of age-restricted users on the platform.

SEC 5. *Data Privacy.* – Any personal information collected by social media platforms or third-party service providers for the purpose of implementing age verification measures and complying with age restriction requirements shall be subject to the provisions of Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012 and all other applicable data protection laws, rules, and regulations.

Platform providers shall ensure that:

(a) The data collected is limited, secure, and retained only for the period necessary to fulfill its intended lawful purpose;

(b) Users are clearly informed of the purpose and scope of data collection, including their rights under existing data privacy laws;

(c) Reasonable security safeguards are in place to protect the information against unauthorized access, use, or disclosure; and

(d) Any third-party processors involved in age verification comply with equivalent data protection standards.

Violation of this provision shall subject the platform to penalties under the Data Privacy Act and any other administrative, civil, or criminal penalties as may be prescribed by law.

SEC 6. *Role of the Department of Information and Communications Technology.* – The Department of Information and Communications Technology (DICT) shall serve as the primary implementing agency of this Act. In line with this mandate, the DICT shall have the following powers and functions:

(a) Monitor compliance of social media platforms with age restrictions, identity verification protocols, and other requirements under this Act;

(b) Establish reporting mechanisms for violations, including unauthorized use by minors and non-compliance by platforms or service providers;

(c) Conduct investigations, *motu proprio* or upon complaint, on alleged violations such as underage user access, data privacy breaches, or failure of platforms to act;

(d) Issue Disabling Orders directing the takedown, removal, or deactivation of accounts found in violation of age restrictions;

(e) Enforce administrative sanctions against internet service providers, including fines, suspension, or revocation of permits for failure to comply with this Act;

(f) Issue directives and impose penalties on social media platforms, including administrative fines and access restrictions, for any violation of this Act or its implementing rules and regulations; and

(g) Coordinate with relevant government agencies, including the National Telecommunications Commission (NTC), National Privacy Commission (NPC), Department of Social Welfare and Development (DSWD), and Department of Education (DepEd), to ensure consistent, child-sensitive, and effective enforcement of this Act.

SEC 7. *Disabling Order.* – Upon determination that a social media account is owned or operated by an age-restricted user in violation of this Act, the DICT

shall issue a Disabling Order directing the immediate takedown, removal, or deactivation of the said account.

Within three (3) days from the issuance of the Disabling Order, the DICT shall notify the NTC and instruct it to monitor the compliance of concerned social media platforms and internet service providers with the Order. The NTC shall coordinate with relevant entities to ensure enforcement and may recommend further administrative action in case of non-compliance.

Failure to comply with a Disabling Order shall subject the platform or service provider to administrative penalties that may be imposed by the DICT or NTC pursuant to this Act and other applicable laws.

SEC 9. Penalties. - Any social media platform, internet service provider, or third-party service provider that fails to comply with any provision of this Act, including but not limited to the failure to implement adequate age verification systems, refusal to comply with a Disabling Order, or unauthorized retention or misuse of personal data collected under this Act, shall be subject to the following administrative penalties, without prejudice to any civil or criminal liability under existing laws:

(a) For Social Media Platforms and Service Providers:

(i) An administrative fine of not less than One Million Pesos (P1,000,000) but not exceeding Twenty Million Pesos (P20,000,000) for each act of non-compliance, depending on the gravity and frequency of the violation;

(ii) A daily fine of not more than One Hundred Thousand Pesos (P100,000) for each day of continuing violation after due notice;

(iii) Suspension or revocation of access, operations, or licenses within the Philippines, upon repeated or willful violations, subject to due process.

(b) For Internet Service Providers:

(i) An administrative fine of not less than Three Hundred Thousand Pesos (P300,000.00) but not more than Three Million Pesos (P3,000,000) for failure to execute or enforce a Disabling Order issued by the DICT;

(ii) Temporary suspension or revocation of permits, or licenses for gross or repeated failure to comply.

(c) For Third-Party Age Verification Providers:

(i) An administrative fine of not less than Five Hundred Thousand Pesos (P500,000.00) but not more than Five Million Pesos (P5,000,000) for breach of data privacy provisions or failure to meet verification standards set under this Act;

(ii) Permanent ban from offering related services to platforms operating in the Philippines upon a finding of gross negligence or willful misconduct.

The imposition of the above penalties shall be without prejudice to prosecution under the Data Privacy Act of 2012 (R.A. No. 10173), the Cybercrime Prevention Act of 2012 (R.A. No. 10175), or any other applicable penal law.

SEC 10. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the DICT, in consultation with the NPC, the Department of Justice, the NTC, the DSWD, and relevant stakeholders from the education, child protection, and technology sectors, shall promulgate the necessary rules and regulations for the implementation of this Act.

SEC 11. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remaining provisions not affected thereby shall remain valid and subsisting.

SEC 12. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SEC 13. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any two (2) newspapers of general circulation in the Philippines