

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10226



INTRODUCED BY REP. PATRICK MICHAEL "PM" D. VARGAS

AN ACT
ESTABLISHING A TIERED REGULATORY FRAMEWORK FOR MINORS' ACCESS
TO SOCIAL MEDIA PLATFORMS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The rapid proliferation of social media use among minors has raised serious concerns relating to mental health, exposure to harmful content, online exploitation, and addictive platform design. In the Philippines, social media usage is among the highest in the world. Data from DataReportal indicates that Filipinos spend an average of more than 3 to 4 hours daily on social media, with a significant portion of users at a young age. Studies by the United Nations Children's Fund and the World Health Organization have linked social media use among adolescents to increased anxiety, depression, sleep disruption, and reduced attention span.

Emerging research likewise shows that prolonged exposure to algorithm-driven content may reinforce harmful behaviors, distort self-image, and expose minors to cyberbullying, violent age-inappropriate material, and disinformation. The country has also been identified as a global hotspot for online child exploitation, with the Department of Justice and international partners reporting a sharp rise in cases involving online sexual abuse and exploitation of children, often facilitated through social media platforms.

While the Philippines has enacted laws such as the Cybercrime Prevention Act of 2012 (Republic Act No. 10175), the Data Privacy Act of 2012 (Republic Act No. 10173), and Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act (Republic

Act No. 11930), these measures primarily address harms after they occur rather than regulating access, design features, and systemic risks inherent in digital platforms.

Globally, governments are shifting toward preventive frameworks. Australia has enacted a minimum age ban on social media access, while European jurisdictions, such as France, have adopted parental consent models. Legislative proposals in the United States also aim to restrict algorithmic targeting of minors and impose heightened duties of care on platforms. These developments signal a growing international consensus that protecting minors in the digital environment requires proactive, design-based regulation and shared responsibility among the State, parents, and digital service providers.

The “*Responsible Social Media Access for Minors Act*” proposes a hybrid regulatory approach, balancing the State’s duty to protect minors, the constitutional rights to expression and access to information, and the primary role of parents and guardians. It recognizes evolving capacities of minors while ensuring that digital environments are designed with their safety and well-being in mind.

Instead of a total prohibition, the bill introduces a tiered system of access combined with strict platform accountability, ensuring both protection and proportionality. By embedding safeguards directly into the platform design and access mechanisms, the measure seeks to mitigate risks before harm occurs, thereby promoting a safer and more developmentally appropriate digital environment for Filipino youth.

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



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

SECTION 1. Short Title. – This Act shall be known as the “*Responsible Social Media Access for Minors Act.*”

SECTION 2. Declaration of Policy. – It is hereby declared the policy of the State to safeguard minors from harmful digital environments while upholding their rights to information and expression, and recognizing the primary role of parents and guardians in child development. The State shall ensure that social media platforms are designed and operated in a manner consistent with the best interests of the child.

SECTION 3. Definition of Terms. – As used in this Act:

- a. Minor – Any person below eighteen (18) years of age
- b. Adolescent Minor – Fifteen (15) to below (18) years of age
- c. Social Media Platform – Any online service that primarily enables users to create, share, and disseminate user-generated content to a broad audience, and to interact with other users through public or semi-public networks.
- d. Age Assurance System – Privacy-preserving mechanisms to determine or estimate a user’s age

e. High-Risk Features – Platform features that are reasonably likely to encourage compulsive or excessive use, including but not limited to algorithmically curated feeds, autoplay, push notifications designed to engage users, and infinite scroll mechanisms.

SECTION 4. *Tiered Access Framework.* A tiered regulatory system for social media access is hereby established:

- a. Below Fifteen (15) Years Old. Prohibited from creating or maintaining social media accounts. Platforms shall block access except for education-specific or closed-network platforms
- b. Fifteen (15) to below eighteen (18) years Old. Access to social media platforms shall require verified parental consent for initial account creation, after which users may independently assess, provided that:
 - i.) Default accounts to high privacy settings;
 - ii.) Disable or limit high-risk feature;
 - iii.) Prohibit targeted advertising and behavioral profiling; and
 - iv.) Provide accessible safety tools, including time-use dashboards, content-filters, and reporting mechanisms.

SECTION 5. *Obligations of Social Media Platforms.* All covered platforms operating in the Philippines shall: (a) implement robust and reliable age assurance systems prior to account creation; (b) apply graduated protections based on user age; (c) Disable or restrict high-risk features for users below eighteen (18); (d) provide clear, accessible parental control tools; (e) Ensure privacy-by-design and safety-by-design architecture; (f) Establish fast-track reporting and takedown mechanisms for harms involving minors; and (g) submit annual transparency reports to regulatory authority in such form and containing such information as may be required under this Act and its implementing rules and regulations.

SECTION 6. *Prohibited Acts.* It shall be unlawful for any platform to allow access in violation of the tiered framework; to engage in behavioral profiling of, or targeted advertising directed at minors; to employ manipulative or deceptive design practices that materially encourage excessive use among minors; and to fail without justifiable cause, to act with reasonable promptness on verified reports involving harm to minors.

SECTION 7. *Parental Rights, Responsibilities, and Accountability.* Parents or legal guardians shall have the right to provide or withdraw consent for a minor's access to a covered platform, to access and utilize platform-provided supervision and control tools, and to request the deletion, deactivation, or

restriction of a minor's account, in accordance with this Act and its implementing rules and regulations.

In the exercise of these rights, parents or guardians shall have the corresponding responsibility to exercise reasonable supervision over a minor's access to social media platforms and to take appropriate measures to ensure compliance with the provisions of this Act.

A parent or legal guardian shall be presumed to have acted in good faith in the supervision of a minor's access to social media platforms, unless there is clear and convincing evidence to the contrary.

Any parent or legal guardian who knowingly and willfully permits or facilitates a minor's access to a social media platform in violation of this Act shall, after due notice and hearing, be subject to the following:

- a. First offense- Mandatory attendance in a digital parenting or online safety seminar to be administered by the Department of Social Welfare and Development (DSWD or other accredited institutions;
- b. Second Offense- A fine of not less than Ten Thousand Pesos (Php 10,000.00) but not more than Fifty Thousand Pesos (Php 50,000.00), taking into account the circumstances of the violation;
- c. Subsequent Offenses- A fine of not less than Fifty Thousand Pesos (Php 50,000.00) but not more than One Hundred Thousand Pesos (Php 100,000.00), and mandatory participation in enhanced parental responsibility programs.

Penalties under this section shall be imposed only upon a finding of willful conduct or gross negligence, with full observance of due process.

No penalty shall be imposed where the parent or guardian demonstrates good faith efforts to supervise or restrict the minor's access, including the use of available parental controls or other reasonable safeguards.

SECTION 8. *Regulatory Authority.* The Department of Information and Communications Technology (DICT), shall exercise primary regulatory and enforcement authority, including the setting of technical standards and monitoring compliance;

- b. Set technical standards for age assurance systems;
- c. Monitor and enforce compliance;
- d. Coordinate with international regulators where necessary

SECTION 9. Administrative Sanctions. The implementing agency shall have the authority, motu proprio or upon verified complaint, to investigate any violation of this Act and, after due notice and hearing, impose any of the following administrative sanctions:

a. Cease and Desist Order. Issue an order directing the covered platform to immediately cease and desist from committing or continuing the violation, and to undertake the necessary measures to remedy or mitigate its effects within a specified period;

b. Administrative Fines. Impose administrative fines ranging from Five Million Pesos (PhP 5,000,000.00) to Fifty Million Pesos (PhP 50,000,000.00), or up to such percentage of the annual gross revenue of the platform in the Philippines as may be determined by the implementing rules and regulations, whichever is higher, taking into account the nature and gravity of the violation, the duration and frequency of the offense, the number of data subjects or users affected, the extent of harm or prejudice caused, and degree of fault or negligence;

c. Daily Penalties. In case of continuing violation or failure to comply with any lawful order of the implementing agency, impose an additional daily fine until the violation is fully remedied, subject to such limitations as may be provided in the implementing rules and regulations;

d. Suspension or Restriction of Operations. Suspend or restrict, in whole or in part, the operations of the covered platform within Philippine jurisdiction for a period commensurate with the gravity of the violation, where there is a finding of willful or repeated non-compliance, and where such measure is necessary and proportionate to secure compliance;

e. Compliance Orders. Require the adoption, modification, or implementation of policies, systems, or safeguards to ensure compliance with this Act;

f. Referral for Prosecution. Endorse the case to the appropriate authorities for institution of criminal proceedings, where warranted under existing laws.

In the exercise of its powers under this Section, the DICT shall observe the requirements of due process. It shall take into consideration the respondent's good faith, degree of diligence, cooperation in the proceedings, previous compliance history, and efforts to mitigate or remedy the violation, without prejudice to the protection of the best interests of the child.

SECTION 10. Safeguards and Constitutional Compliance. The implementation of this Act shall, at all times, be in accordance with the Constitution, ensuring that the right to freedom of speech and expression is respected, that no undue prior restraint on lawful content is imposed, that any regulation adopted is content-neutral and narrowly tailored to achieve a

legitimate governmental interest, and that the best interests of the child are upheld as a paramount consideration.

SECTION 11. *Implementing Rules and Regulations.* Within ninety (90) days from the effectivity of this Act, the DICT, in coordination with the National Privacy Commission, Department of Social Welfare and Development, and National Telecommunications Commission, shall promulgate the implementing rules and regulations necessary for the effective implementation of this Act.

SECTION 12. *Separability Clause.* – If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 13. *Repealing Clause.* – All laws, orders, rules, and regulations, other issuances, or any part thereof, inconsistent with any provision of this Act, are hereby repealed or modified accordingly.

SECTION 14. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,