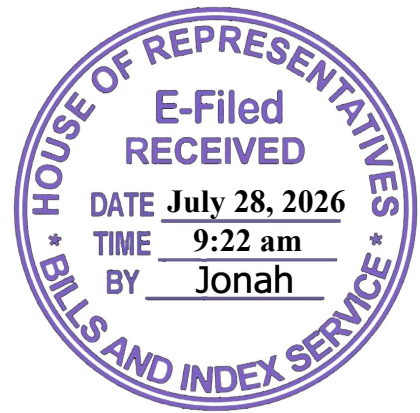


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10259



Introduced by
HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

EXPLANATORY NOTE

The rapid expansion of social media use among children has raised significant and well-documented concerns regarding exposure to harmful and inappropriate content, cyberbullying, exploitation risks, mental health impacts, data privacy violations, and the effects of algorithm-driven and engagement-based platform design that may contribute to addictive use patterns.

Current platform incentives are largely directed toward maximizing user engagement and time spent on platforms, which may not necessarily align with the developmental needs and welfare of children.

International policy developments, including Australia's Online Safety Amendment (social media Minimum Age) Bill 2024, reflect a growing recognition of the need for a systems-based regulatory approach that places responsibility on social media service providers to implement safeguards against underage access, rather than relying solely on user or parental compliance.

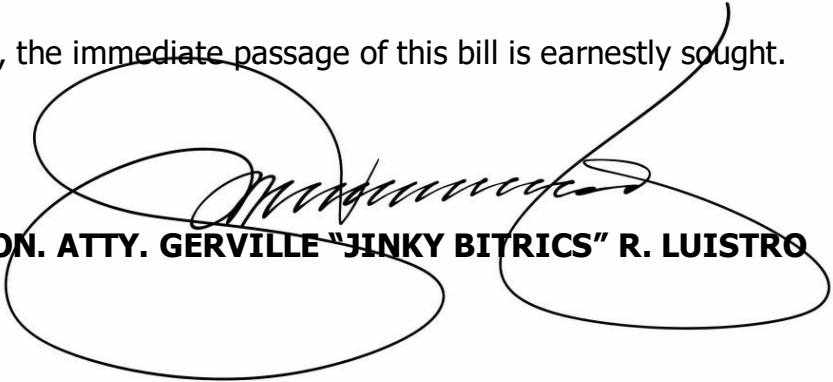
This measure seeks to establish a minimum age requirement for social media account access and to mandate that Covered Social Media Service Providers implement reasonable and proportionate age assurance measures to prevent access by children fifteen (15) years of age and below.

This bill does not intend to restrict access to digital learning platforms, educational technologies, or private messaging services, but rather to regulate access to social media

platforms that facilitate public or semi-public user-generated content and algorithm-driven content distribution.

In line with Article II, Section 13 of the 1987 Constitution, which mandates the State to protect the youth and promote their physical, moral, spiritual, intellectual, and social well-being, this measure establishes regulatory accountability on social media service providers operating within the Philippines for ensuring safer digital environments for children.

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



HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

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HOUSE BILL NO. 10259

Introduced by
HON. ATTY. GERVILLE "JINKY BITRICS" R. LUISTRO

AN ACT
RESTRICTING SOCIAL MEDIA ACCESS TO CHILDREN FIFTEEN (15) YEARS OLD AND BELOW, MANDATING AGE VERIFICATION MECHANISMS FOR SOCIAL MEDIA PLATFORMS, PROVIDING PENALTIES FOR NON-COMPLIANCE, AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title** - This Act shall be known as the "Social Media Age
2 Restriction Act of 2026"

3
4 **SECTION 2. Declaration of Policy** - It is hereby declared the policy of the State to
5 protect and promote the physical, mental, emotional, and social well-being of children by
6 addressing the risks associated with unrestricted access of minors fifteen (15) years of
7 age and below to algorithm-driven social media platforms. The State recognizes that such
8 exposure may subject children to foreseeable harms, including harmful content exposure,
9 online exploitation, addictive platform design, and adverse psychological effects.

10
11 In pursuit of these goals, the State shall:

12
13 (a) Institutionalize a preventive and systems-based regulatory framework
14 requiring Covered Social Media Service Providers, as a condition for operating
15 within the Philippines, to implement reasonable and proportionate measures to
16 prevent the creation, registration, and access of social media accounts by children
17 below the prescribed minimum age;

(b) Ensure that primary responsibility for enforcing age restrictions and implementing age assurance mechanisms rests upon Covered Social Media Service Providers, consistent with the principle that entities which design, operate, and derive economic benefit from digital platforms must likewise be accountable for foreseeable user harms;

(c) Require that age assurance and access restriction measures be implemented in a manner that is privacy-preserving, proportionate, and consistent with constitutional rights, including the right to privacy of communications and the right to data privacy under existing laws;

(d) Promote age-appropriate digital participation through the strengthening of digital literacy programs, parental guidance mechanisms, and institutional support systems, while recognizing that unrestricted access to social media platforms is not essential to meaningful digital participation by minors; and

(e) Ensure that nothing in this Act shall be construed -as restricting access to educational technologies, messaging services, and other digital tools not primarily designed for public or semi-public social interaction.

By adhering to these principles, the State commits to fostering a safe, rights-respecting, and developmentally appropriate digital environment that safeguards children while enabling responsible and inclusive participation in the digital age.

SECTION 3. *Definition of Terms* - For purposes of this Act, the following terms are hereby defined:

(a) Account Holder - a natural person who owns, registers, controls, maintains, or operates a Social Media Account.

(b) Age Assurance Measure - any technological, administrative, procedural, or documentary method designed to reasonably determine whether a person satisfies the minimum age requirement prescribed under this Act.

(c) Child - any person fifteen (15) years of age and below.

(d) Circumvention - any act, omission, device, software, mechanism, misrepresentation, or arrangement intended to evade, defeat, manipulate, or bypass an Age Assurance Measure or any requirement imposed under this Act.

(e) Covered Social Media Service - an online platform, website, application, or electronic service that:

1 (1) allows users to create or maintain accounts or profiles;

2
3 (2) enables users to generate, upload, publish, share, view, or interact with
4 user-generated content; and

5
6 (3) facilitates social interaction, communication, networking, content
7 discovery, or engagement among users.

8
9 (f) Covered Social Media Service Provider - any natural or juridical person,
10 corporation, partnership, association, organization, or other entity that owns,
11 operates, controls, administers, or makes available a Covered Social Media Service
12 to users located within the Philippines, whether organized under Philippine law or
13 foreign law.

14
15 (g) Department - refers to the Department of Information and Communications
16 Technology (DICT).

17
18 (h) Minor - a person below eighteen (18) years of age as defined under Philippine
19 law.

20
21 (i) Reasonable Steps - measures that are proportionate, effective, reasonably
22 practicable, and appropriate, taking into consideration:

23
24 (1) the nature, size, and reach of the service;

25
26 (2) the risks posed to children;

27
28 (3) available technologies and industry standards;

29
30 (4) privacy and data protection obligations; and

31
32 (5) the costs and feasibility of implementation.

33
34 (j) Social Media Account - a user profile, registration, account, identifier, or digital
35 presence that enables access to or participation in a Covered Social Media Service.

36
37 (k) User - any individual who accesses, browses, registers for, maintains, or uses
38 a Covered Social Media Service.

39
40 (l) User-Generated Content - any text, image, video, audio, livestream, comment,
41 review, message, post, or other material created, uploaded, shared, transmitted,
42 or disseminated by a user through a Covered Social Media Service.

43

1 (m) Verification Data - personal information collected solely for purposes of age
2 assurance and compliance with this Act.

3
4 (n) Educational Platform - a digital service primarily designed and operated for
5 instructional, academic, training, or educational purposes and not principally for
6 social networking.

7
8 (o) Messaging Service - an electronic communications service whose primary
9 function is the exchange of direct messages between identified users and which
10 does not principally operate through public content feeds or recommendation
11 systems.

12
13 (p) Design Feature - any algorithmic, technical, interface, or engagement
14 mechanism incorporated into a Covered Social Media Service, including
15 recommendation systems, content ranking systems, autoplay functions, infinite
16 scrolling features, push notifications, or similar functionalities.

17
18 **SECTION 4. *Minimum Age Requirement*** - A Covered Social Media Service Provider
19 shall not permit a Child to create, register for, hold, maintain, or operate a Social Media
20 Account on a Covered Social Media Service.

21
22 Every Covered Social Media Service Provider shall take reasonable and
23 proportionate steps to prevent Children from creating, registering for, holding,
24 maintaining, or operating Social Media Accounts on its service.

25
26 For purposes of this Act, the minimum age for the creation, registration, holding,
27 maintenance, or operation of a Social Media Account shall be sixteen (16) years of age.

28
29 **SECTION 5. *Obligations of Social Media Platforms*** - To comply with the minimum
30 age requirement established under this Act, every Covered Social Media Service Provider
31 shall:

32
33 (a) implement and maintain age assurance measures reasonably designed to
34 prevent a Child from creating, registering for, holding, maintaining, or operating a
35 Social Media Account;

36
37 (b) take reasonable and proportionate steps to identify and restrict access to Social
38 Media Accounts reasonably determined or verified through available information
39 and system indicators to be held or operated by a Child;

40
41 (c) establish clear procedures for the review, restriction, suspension, or removal
42 of accounts found to be in violation of the minimum age requirement, subject to
43 notice and internal review mechanisms;

44

1 (d) adopt measures reasonably designed to prevent the circumvention or evasion
2 of age assurance measures implemented under this Act; and
3

4 (e) submit compliance reports, information, and records as may be required by
5 the Department of Information and Communications Technology (DICT) under the
6 Implementing Rules and Regulations.
7

8 Compliance with this Section shall not require absolute prevention of underage
9 access, provided that the Covered Social Media Service Provider demonstrates that it has
10 taken reasonable and proportionate steps consistent with this Act and its IRR.
11

12 **SECTION 6. *Role of Government Agencies*** - The Department of Information and
13 Communications Technology (DICT) shall be the lead implementing agency of this Act
14 and shall exercise primary authority over its administration, monitoring, and enforcement.
15

16 For purposes of implementing this Act, the following agencies shall perform the
17 following functions:
18

19 (a) Department of Information and Communications Technology (DICT) - shall
20 formulate standards and guidelines for age assurance measures, monitor
21 compliance by Covered Social Media Service Providers, conduct investigations,
22 receive complaints, and impose administrative sanctions as may be authorized
23 under this Act and its Implementing Rules and Regulations;
24

25 (b) National Privacy Commission (NPC) - shall ensure that age assurance measures
26 and related data processing activities comply with the provisions of Republic Act
27 No. 10173, otherwise known as the "Data Privacy Act of 2012," and other
28 applicable privacy and data protection laws;
29

30 (c) Department of Education (DepEd) - shall integrate age-appropriate digital
31 citizenship, online safety, and responsible social media use into relevant
32 educational programs and learning initiatives;
33

34 (d) Department of Social Welfare and Development (DSWD) - shall assist in the
35 development of child protection policies, public awareness programs, and
36 interventions relating to online risks affecting children;
37

38 (e) National Youth Commission (NYC) - shall provide policy recommendations and
39 conduct consultations with youth stakeholders regarding the implementation and
40 impact of this Act; and
41

42 (f) Department of Justice (DOJ) - shall provide legal assistance to implementing
43 agencies and prosecute violations of this Act whenever criminal liability is imposed
44 under its provisions.

1
2 The foregoing agencies shall coordinate with one another and may enter into inter-
3 agency agreements, subject to existing laws, rules, and regulations, to ensure the
4 effective implementation of this Act.
5

6 Within ninety (90) days from the effectivity of this Act, the DICT, in consultation
7 with the NPC, DepEd, DSWD, DOJ, NYC, representatives of Covered Social Media Service
8 Providers, child protection organizations, parents' associations, educators, and other
9 relevant stakeholders, shall promulgate the Implementing Rules and Regulations
10 necessary for the effective implementation of this Act.
11

12 **SECTION 7. *Prohibited Acts*** - It shall be unlawful for any Covered Social Media
13 Service Provider to:
14

15 (a) fail to take reasonable and proportionate steps to prevent a Child from creating,
16 registering for, holding, maintaining, or operating a Social Media Account in
17 violation of this Act;
18

19 (b) fail to implement and maintain age assurance measures required under this
20 Act and its IRR;
21

22 (c) knowingly permit the continued operation of a Social Media Account after
23 becoming aware, or having sufficient basis under system data or verification
24 indicators to reasonably determine, that such account is held or operated by a
25 Child;
26

27 (d) design, implement, or maintain systems, processes, or features that are
28 reasonably expected or intended to circumvent or undermine age assurance
29 measures required under this Act; and
30

31 (e) collect, retain, process, disclose, or use personal information obtained for age
32 assurance purposes beyond what is necessary and proportionate for compliance
33 with this Act and Republic Act No. 10173 (Data Privacy Act of 2012).
34

35 **SECTION 8. *Penalties*** - Any Covered Social Media Service Provider found in
36 violation of this Act shall be subject to the following penalties, without prejudice to civil,
37 criminal, or administrative liability under existing laws:
38

39 (a) Administrative Fines - ₱1,000,000.00 to ₱5,000,000.00 per violation instance,
40 taking into account the nature, gravity, duration, and number of affected users;
41

42 (b) Continuing non-compliance - additional daily fines may be imposed until full
43 compliance is achieved;
44

1 (c) Suspension of Operations - in cases of repeated, willful, or gross violations,
2 subject to due process and coordination with the National Telecommunications
3 Commission (NTC);

4
5 (d) Blocking or Restriction - in grave and persistent violations, the DICT may
6 recommend blocking or restriction of access through appropriate regulatory and
7 judicial mechanisms;

8
9 (e) Revocation of Registration - applicable to entities registered with SEC, DTI, or
10 other agencies, subject to due process; and

11
12 (f) Criminal Liability - corporate officers who knowingly, willfully, or through gross
13 negligence authorize violations shall be liable under applicable special laws.

14
15 **SECTION 9. Exemptions** - This Act shall not apply to the following services,
16 provided that they do not meet the definition of a Covered Social Media Service under
17 Section 3 of this Act, and provided further that the determination of coverage shall be
18 based on the actual functions and features of the service, rather than its stated purpose
19 or marketing representation:

20
21 (a) Educational Platforms - digital services primarily designed and operated for
22 instructional, academic, training, or educational purposes, where user interaction
23 is limited to educational or course-related communication, and which do not
24 principally enable public or semi-public user-generated content sharing,
25 algorithmic content feeds, or social networking features;

26
27 (b) Messaging Services - electronic communication services whose primary
28 function is the exchange of direct, private, or group messages between identified
29 users, and which do not principally provide public or semi-public content feeds,
30 algorithmic recommendation systems, content broadcasting mechanisms, or open-
31 ended user discovery features;

32
33 (c) Government-Designated Child Protection or Educational Platforms - digital
34 services officially designated by the Department of Information and
35 Communications Technology (DICT), in coordination with the Department of
36 Education (DepEd) and the Department of Social Welfare and Development
37 (DSWD), as primarily serving child protection, educational, or developmental
38 purposes, pursuant to standards and criteria to be issued in the Implementing
39 Rules and Regulations.

40
41 Provided, that a service otherwise exempted under this Section shall be deemed a
42 Covered Social Media Service, and shall become subject to this Act, if it introduces,
43 enables, or materially expands functionalities that allow:

- (1) public or semi-public user-generated content sharing;
- (2) algorithmic content recommendation or ranking systems;
- (3) social networking, follower-based interaction, or content broadcasting to undefined audiences.

Provided further, that the DICT shall have the authority, upon notice and due determination, to reclassify any service as a Covered Social Media Service if its actual functions and features fall within the scope of this Act, regardless of its stated classification, branding, or intended use.

SECTION 10. *Parental Guidance and Digital Literacy* - The State shall institutionalize and strengthen coordinated programs on digital literacy and online child safety through the following measures:

(a) Responsible Digital Citizenship Education - The Department of Education (DepEd) shall integrate age-appropriate modules on responsible internet use, online safety, digital ethics, and awareness of risks associated with social media use into the basic education curriculum;

(b) Parental Guidance and Control Awareness - The Department of Information and Communications Technology (DICT), in coordination with the Department of Social Welfare and Development (DSWD) and DepEd, shall develop and implement nationwide information campaigns and training programs to promote the use of parental control tools, safe internet practices, and informed supervision of children's online activities;

(c) School-Based Online Safety Programs - DepEd shall ensure the implementation of structured school-based programs, seminars, and orientation activities on online safety, cyber risks, and responsible digital behavior for learners, parents, and educators;

(d) Multi-Sectoral Collaboration - The DICT, DepEd, DSWD, and other relevant agencies shall coordinate with local government units, civil society organizations, and private sector stakeholders in the implementation of digital literacy and online safety initiatives under this Act.

SECTION 11. *Implementing Rules and Regulations* - Within ninety (90) days from the effectivity of this Act, the Department of Information and Communications Technology (DICT), in consultation with the National Privacy Commission (NPC), Department of Education (DepEd), Department of Social Welfare and Development (DSWD), Department of Justice (DOJ), National Telecommunications Commission (NTC), and other relevant stakeholders from the private sector, civil society, and child protection

1 organizations, shall promulgate the necessary rules and regulations for the effective
2 implementation of this Act.

3
4 Such rules and regulations shall include, among others, standards for age
5 assurance measures, determination of Covered Social Media Services, compliance
6 requirements, enforcement procedures, and reporting obligations.

7
8 **SECTION 12. *Separability Clause*** - If any provision of this Act is declared
9 unconstitutional or invalid, the remaining provisions not affected thereby shall remain in
10 full force and effect.

11
12 **SECTION 13. *Repealing Clause*** - All laws, executive orders, administrative
13 issuances, rules and regulations inconsistent with this Act are hereby modified,
14 superseded, or repealed accordingly.

15
16 **SECTION 14. *Effectivity*** - This Act shall take effect fifteen (15) days after its
17 complete publication in the Official Gazette or in a newspaper of general circulation.

18
19 **Approved,**