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House of Representatives
Quezon City, Metro Manila

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HOUSE BILL NO. 10742



Introduced by **REPRESENTATIVE KATRINA REIKO CHUA - TAI**

EXPLANATORY NOTE

The internet now weaves itself into the daily lives of Filipino children, opening doors to learning, connection, creativity, and a world of information. Yet, as their digital footprints grow, so do the shadows: cyberbullying, grooming, sexual exploitation, harmful content, privacy breaches, excessive screen time, and a host of other online dangers.

The need for action is clear when we consider the sheer scale of digital life in the Philippines. By the end of 2025, nearly 98 million Filipinos will be online, with social media identities numbering around 95.8 million. Even more alarming, UNICEF Philippines revealed that about two million Filipino children aged 12 to 17 suffered online sexual abuse and exploitation in 2021.

This bill sets out to build a National Online Safety and Digital Child Protection Framework, anchored on prevention, education, parental support, privacy, and holding platforms accountable.

Instead of simply banning minors from social media, this measure takes a smarter, risk-based path. Platforms with features like complex algorithms, livestreaming, public chats, or direct messaging that heighten risks can be labeled as High-Risk Social Media Services and required to implement stronger protections.

The bill sets sixteen as the minimum age for independent access to High-Risk Social Media Services. Younger teens can still join, but only with parental consent and extra safeguards. Importantly, the measure does not punish children for trying to access age-restricted sites. Instead, it puts the main responsibility on digital platforms, requiring them to exercise a statutory duty of care.

Protecting children online is not just about safety; it is about nurturing their minds and growth: childhood and adolescence shape focus, critical thinking, creativity, emotional balance, and social skills. The World Health Organization found that 11% of adolescents in 44 countries showed signs of problematic social-media use in 2022, up from 7% in 2018. This troubling trend can disrupt sleep, school, friendships, and other vital parts of life.

But isolating children from technology is not the solution. Instead, the bill champions digital literacy, media and information skills, parental guidance, privacy safeguards, and responsible tech use. This empowers children to harness technology's benefits while learning to steer safely through its risks.

The measure shall complement existing Philippine laws, including the Data Privacy Act of 2012 and laws protecting children from online sexual abuse and exploitation. It also provides for coordination among existing government agencies to avoid conflicting mandates and strengthen enforcement.

At its heart, this bill aims to make technology a tool for Filipino children's growth, not a threat to it. It strikes a careful balance between protecting children, ensuring access to information, upholding privacy, supporting parental roles, demanding platform accountability, and defending every child's right to learn, connect, and thrive.

Safeguarding children online is an investment in the Philippines' intellectual, social, and economic future.

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



KATRINA REIKO CHUA-TAI

1 SEC. 3. **Objectives.** – This Act shall pursue the following objectives:

- 2 (a) Establish a national framework for online safety and digital child protection;
- 3 (b) Impose a statutory duty of care upon covered digital platform operators;
- 4 (c) Require covered platforms to identify, assess, mitigate, and monitor reasonably
5 foreseeable risks of harm to children;
- 6 (d) Establish privacy-preserving age-assurance mechanisms;
- 7 (e) Establish a minimum age for access to designated high-risk social media services;
- 8 (f) Strengthen mechanisms for reporting, removal, restriction, and appeal concerning
9 harmful content and conduct;
- 10 (g) Protect children's personal and sensitive information in accordance with applicable data
11 privacy laws;
- 12 (h) Promote digital literacy, online responsibility, and media and information literacy;
- 13 (i) Provide parents, guardians, educators, and caregivers with appropriate tools and
14 resources for protecting children online;
- 15 (j) Establish an independent regulatory and coordinating body to be known as the
16 Philippine E-Safety Commission; and
- 17 (k) Provide appropriate administrative, civil, and criminal remedies and penalties for
18 violations of this Act.

19 SEC. 4. **Scope and Application.** – This Act shall apply to digital platform operators that
20 make their services available in the Philippines and that:

- 21 (a) provide social networking, social media, user-generated content, livestreaming, online
22 community, or substantially similar services;
- 23 (b) provide services reasonably likely to be accessed or used by children; or

1 (c) meet the thresholds, classifications, or risk criteria prescribed by the Philippine E-
2 Safety Commission.

3 Nothing in this Act shall be construed to exempt a covered platform from obligations
4 imposed under Republic Act No. 10173, otherwise known as the “Data Privacy Act of 2012,”
5 Republic Act No. 11930, and other applicable laws.

6 SEC. 5. *Definition of Terms.* – For purposes of this Act:

7 (a) **Age Assurance** refers to a privacy-preserving process or technical measure used to
8 establish or estimate whether a user falls within a specified age category without
9 requiring the unnecessary collection or retention of the user's identity or other personal
10 information.

11 (b) **Child** refers to a person below eighteen (18) years of age.

12 (c) **Digital Platform Operator** refers to a natural or juridical person that owns, operates,
13 controls, manages, or provides a digital platform or service covered by this Act.

14 (d) **High-Risk Social Media Service** refers to a social media service designated by the
15 Commission as presenting a heightened risk of harm to children by reason of its
16 features, design, business model, audience, scale, or functionality, including services
17 that substantially facilitate public or semi-public interaction between users, algorithmic
18 recommendation, livestreaming, contact between minors and unknown adults, targeted
19 advertising, viral content distribution, or other features identified by regulation.

20 (e) **Online Harm** refers to physical, psychological, emotional, sexual, financial,
21 reputational, or other reasonably foreseeable harm occurring through or facilitated by
22 a digital service.

23 (f) **Parent or Guardian** refers to a parent, court-appointed guardian, or person legally
24 exercising parental authority or custody over a child.

1 (g) **Safety by Design** refers to the integration of child-safety, privacy, security,
2 accessibility, and risk-reduction measures into the design, development, operation, and
3 governance of a digital service.

4 (h) **Social Media Service** refers to an online service that principally enables users to create,
5 upload, share, communicate, interact with, or discover user-generated content or other
6 users.

7 (i) **Digital Child Protection** refers to measures designed to protect children from abuse,
8 exploitation, harmful content, unsafe interactions, privacy violations, and other
9 reasonably foreseeable risks arising from digital technologies.

10 SEC. 6. **Best Interests of the Child.** — In the implementation of this Act, the best interests
11 of the child shall be a primary consideration. Measures adopted pursuant to this Act shall be
12 proportionate to the risk addressed and shall take into account the child's age, maturity, evolving
13 capacities, rights to privacy and expression, accessibility requirements, and legitimate interest in
14 participating in the digital environment.

15 SEC. 7. **National Online Safety Framework.** — The Commission, in coordination with
16 the Department of Information and Communications Technology (DICT), Department of
17 Education (DepEd), Department of Social Welfare and Development (DSWD), Department of
18 Justice (DOJ), Philippine National Police (PNP), National Bureau of Investigation (NBI), National
19 Privacy Commission (NPC), National Telecommunications Commission (NTC), and other
20 relevant agencies, shall establish a National Online Safety and Digital Child Protection
21 Framework.

22 The Framework shall include:

- 23 (a) national online-safety standards;
24 (b) child online-risk assessment standards;
25 (c) safety-by-design principles;
26 (d) age-assurance standards;

- (e) reporting and complaint mechanisms;
- (f) child-friendly dispute-resolution mechanisms;
- (g) digital literacy and parental education;
- (h) research and data collection;
- (i) emergency response mechanisms; and
- (j) inter-agency coordination and referral procedures.

SEC. 8. *Statutory Duty of Care.* — Every covered digital platform operator shall owe a statutory duty of care to take reasonable and proportionate measures to protect children from reasonably foreseeable harms arising from the design, operation, or use of its service.

The duty of care shall include the obligation to:

- (a) identify and assess foreseeable risks to children;
- (b) implement reasonable measures to eliminate or mitigate such risks;
- (c) conduct periodic child-safety risk assessments;
- (d) implement appropriate safety-by-design measures;
- (e) maintain accessible and child-appropriate reporting mechanisms;
- (f) respond promptly to credible reports of serious harm;
- (g) prevent or mitigate grooming, exploitation, harassment, bullying, and other foreseeable forms of abuse;
- (h) provide appropriate parental and child safety controls;
- (i) protect children's personal information;
- (j) maintain adequate systems for content and account moderation;
- (k) provide users with meaningful explanations of material safety decisions affecting their accounts;

1 (l) establish procedures for appeal and human review of significant enforcement decisions;
2 and

3 (m) cooperate with lawful investigations and emergency child-protection measures.

4 SEC. 9. *Child Safety Risk Assessment.* — A covered digital platform operator shall conduct
5 and document a child-safety risk assessment:

6 (a) before launching a new service or substantially changing an existing service;

7 (b) at least annually; and

8 (c) whenever there is a material change in the platform's functionality, business model,
9 user population, or risk profile.

10 The assessment shall identify reasonably foreseeable risks to children and the measures
11 adopted to prevent, minimize, or respond to such risks.

12 The Commission may require submission of a summary of such assessment and may
13 prescribe standards for its preparation.

14 SEC. 10. *Safety by Design.* — Covered digital platform operators shall adopt safety-by-
15 design principles, including, where appropriate:

16 (a) child-appropriate default privacy settings;

17 (b) restrictions on unsolicited contact by unknown adults;

18 (c) controls against unwanted direct messaging;

19 (d) mechanisms to limit exposure to harmful or age-inappropriate content;

20 (e) safeguards against compulsive or exploitative design practices;

21 (f) effective blocking and muting tools;

22 (g) child-friendly reporting mechanisms;

23 (h) transparent and accessible parental controls;

1 (i) safeguards against unauthorized profiling and targeted advertising directed at children;

2 and

3 (j) mechanisms for rapid intervention in cases involving serious threats to a child's safety.

4 SEC. 11. *Minimum Age for High-Risk Social Media Services.* — A child below sixteen
5 (16) years of age shall not independently create, maintain, or use an account on a social media
6 service designated by the Commission as a High-Risk Social Media Service.

7 A person who is at least thirteen (13) but below sixteen (16) years of age may access a
8 designated High-Risk Social Media Service only subject to verifiable parental or guardian consent
9 and the enhanced child-safety measures prescribed by the Commission.

10 Nothing in this section shall prevent children from accessing educational, health,
11 emergency, government, or other services that are not designated as High-Risk Social Media
12 Services.

13 SEC. 12. *Designation of High-Risk Social Media Services.* — The Commission shall
14 establish a transparent, evidence-based classification system for determining whether a social
15 media service constitutes a High-Risk Social Media Service.

16 The Commission shall consider:

17 (a) the nature and scale of the service;

18 (b) the number and proportion of child users;

19 (c) the service's algorithmic recommendation systems;

20 (d) livestreaming and real-time interaction capabilities;

21 (e) opportunities for contact between children and unknown persons;

22 (f) direct messaging and anonymous communication features;

23 (g) targeted advertising and profiling;

24 (h) mechanisms that may encourage excessive or compulsive use;

25 (i) the likelihood of exposure to harmful or age-inappropriate content;

26 (j) the platform's history of safety incidents and regulatory violations; and

27 (k) other factors demonstrably relevant to child safety.

1 The classification shall be reviewed periodically and may be appealed in accordance with
2 regulations issued by the Commission.

3 SEC. 13. *Age Assurance*. — Covered digital platform operators shall implement reliable,
4 proportionate, and privacy-preserving age-assurance mechanisms where age is relevant to
5 compliance with this Act.

6 Age assurance shall:

- 7 (a) collect the minimum information reasonably necessary;
- 8 (b) avoid unnecessary retention of identity documents or biometric information;
- 9 (c) prohibit the use of age-assurance information for advertising or unrelated profiling;
- 10 (d) provide reasonable alternatives where technically feasible;
- 11 (e) incorporate appropriate safeguards against discrimination and exclusion; and
- 12 (f) comply with the Data Privacy Act of 2012 and regulations of the National Privacy
13 Commission.

14 The Commission, in consultation with the NPC and relevant technical experts, shall
15 establish standards for age-assurance providers and technologies.

16 SEC. 14. *Prohibition on Circumvention of Age Restrictions*. — A digital platform
17 operator shall take reasonable measures to prevent the creation or continued operation of accounts
18 that it knows, or reasonably ought to know, are being maintained in violation of the minimum age
19 requirements under this Act.

20 A child shall not incur criminal liability merely for attempting to access or use a prohibited
21 service.

22 Parents, guardians, educators, and children shall not be subjected to criminal penalties
23 solely by reason of an unsuccessful attempt to circumvent an age restriction.

24 SEC. 15. *Protection of Children’s Personal Data*. — A covered digital platform operator
25 shall process the personal data of children only when lawful, necessary, proportionate, and
26 consistent with the best interests of the child.

Children's personal data shall not be:

- (a) collected beyond what is reasonably necessary;
- (b) retained longer than necessary;
- (c) sold or disclosed for unauthorized commercial purposes;
- (d) used for manipulative profiling; or
- (e) used to circumvent parental or age-related protections.

Nothing in this Act shall diminish the rights and protections provided under Republic Act No. 10173 and other applicable data-protection laws.

SEC. 16. *Online Sexual Abuse and Exploitation of Children.* — Nothing in this Act shall limit or diminish any obligation or liability under laws relating to online sexual abuse or exploitation of children, child sexual abuse or exploitation materials, trafficking, grooming, sexual exploitation, or other offenses against children.

Covered platforms shall maintain appropriate procedures for the detection, reporting, preservation, and lawful disclosure of information concerning suspected serious offenses against children, consistent with applicable law and due process.

SEC. 17. *Reporting and Complaints.* — Every covered digital platform shall establish a free, accessible, and child-friendly mechanism through which a user, child, parent, guardian, teacher, or authorized representative may report:

- (a) child sexual exploitation;
- (b) grooming;
- (c) serious threats or violence;
- (d) cyberbullying;
- (e) harassment;
- (f) harmful or age-inappropriate content;
- (g) unauthorized disclosure of a child's personal information; and
- (h) other serious violations of this Act.

1 Reports involving an imminent threat to life or serious physical or sexual harm shall receive
2 priority treatment.

3 SEC. 18. *Transparency and Accountability.* — Covered digital platform operators shall
4 publish an annual online safety report containing, at a minimum:

- 5 (a) the number and types of child-safety reports received;
- 6 (b) response and resolution times;
- 7 (c) numbers of accounts or content restricted for child-safety reasons;
- 8 (d) age-assurance measures implemented;
- 9 (e) significant safety risks identified;
- 10 (f) measures adopted to mitigate those risks; and
- 11 (g) other information prescribed by the Commission.

12 The Commission may require additional disclosures from platforms presenting elevated
13 risks.

14 SEC. 19. *Rights of Children and Users.* — A child shall have the right to:

- 15 (a) participate in the digital environment in an age-appropriate manner;
- 16 (b) privacy and protection of personal data;
- 17 (c) reasonable protection from foreseeable digital harms;
- 18 (d) accessible mechanisms for reporting abuse;
- 19 (e) information concerning significant decisions affecting the child's account;
- 20 (f) appeal or seek human review of significant enforcement actions, subject to lawful
21 limitations; and
- 22 (g) obtain appropriate assistance and referral when exposed to serious online harm.

23 SEC. 20. *Philippine E-Safety Commission.* — There is hereby created an independent
24 regulatory body to be known as the Philippine E-Safety Commission, hereinafter referred to as the
25 Commission.

26 The Commission shall exercise regulatory, rule-making, monitoring, investigatory, and
27 enforcement functions as provided under this Act.

1 The Commission shall coordinate with existing government agencies and shall not
2 diminish the statutory authority of the NPC, DICT, NTC, DOJ, PNP, NBI, DSWD, DepEd, or other
3 government agencies.

4 SEC. 21. ***Composition of the Commission.*** — The Commission shall be composed of five
5 (5) Commissioners:

- 6 (a) one (1) Chairperson; and
7 (b) four (4) Commissioners.

8 The members shall be appointed by the President of the Philippines, subject to the
9 qualifications and nomination procedures provided by law.

10 At least one (1) Commissioner shall have expertise in child protection; one (1) in
11 information and communications technology or cybersecurity; one (1) in law, privacy, or
12 regulation; and one (1) in education, psychology, social work, or a related field.

13 SEC. 22. ***Powers and Functions.*** — The Commission shall:

- 14 (a) formulate and enforce regulations implementing this Act;
15 (b) designate High-Risk Social Media Services;
16 (c) establish online-safety and child-safety standards;
17 (d) supervise compliance by covered digital platform operators;
18 (e) investigate violations;
19 (f) issue orders and administrative sanctions authorized by this Act;
20 (g) receive and resolve complaints;
21 (h) establish accreditation or certification standards for age-assurance providers;
22 (i) conduct or commission research on online harms;
23 (j) maintain a national online-safety information system, subject to applicable privacy
24 laws;
25 (k) coordinate with domestic and foreign regulatory authorities;
26 (l) provide technical assistance to government agencies, schools, parents, and child-
27 protection organizations; and

(m) perform such other functions as may be necessary to carry out the purposes of this Act.

SEC. 23. *Regulatory Sandboxes and Innovation.* — The Commission may establish regulatory sandboxes to permit responsible testing of technologies, safety systems, age-assurance mechanisms, and child-protection tools.

Participation in a regulatory sandbox shall not exempt an entity from laws relating to child protection, privacy, cybersecurity, criminal offenses, or other mandatory requirements.

SEC. 24. *Education and Digital Literacy.* — The DepEd, CHED, DICT, Commission on Children and other appropriate agencies shall integrate age-appropriate digital literacy and online-safety education into relevant educational programs.

Programs shall cover:

- (a) responsible social media use;
- (b) privacy and personal-data protection;
- (c) cyberbullying prevention;
- (d) online grooming and exploitation awareness;
- (e) misinformation and media literacy;
- (f) digital citizenship;
- (g) healthy technology use;
- (h) online reporting mechanisms; and
- (i) protection against fraud, manipulation, and other digital risks.

SEC. 25. *Parental and Guardian Support.* — The Commission, in coordination with DepEd, DSWD, DICT, local government units, and appropriate civil society organizations, shall establish programs providing parents and guardians with:

- (a) practical online-safety guidance;
- (b) information regarding age-appropriate digital services;
- (c) resources concerning privacy and parental controls;
- (d) guidance on recognizing signs of online abuse or exploitation;
- (e) referral pathways for psychological, social, legal, and protective services; and

(f) materials accessible to persons with disabilities and persons with limited digital literacy.

SEC. 26. *Child-Safety Advisory Council.* — The Commission shall establish a Child-Safety Advisory Council composed of representatives from relevant government agencies, child-rights organizations, educators, parents, technology experts, privacy advocates, and, where appropriate and with suitable safeguards, children and young people.

The Council shall provide recommendations concerning emerging digital risks, regulatory standards, and the implementation of this Act.

SEC. 27. *Local Government Participation.* — Local government units shall establish or designate appropriate mechanisms for receiving and referring complaints concerning serious online harms involving children.

The Commission shall provide technical assistance and standardized referral protocols to local government units.

SEC. 28. *Administrative Sanctions.* — After notice and opportunity to be heard, the Commission may impose administrative sanctions for violations of this Act or its implementing rules, including:

- (a) warning or reprimand;
- (b) compliance order;
- (c) administrative fine;
- (d) suspension of specific services or functionalities;
- (e) suspension or revocation of accreditation or certification issued under this Act; and
- (f) such other sanctions as may be authorized by regulation and consistent with due process.

Administrative fines shall be proportionate to the gravity, duration, frequency, and consequences of the violation and the size and resources of the regulated entity.

1 SEC. 29. ***Aggravating Circumstances.*** — The following shall be considered aggravating
2 circumstances in determining administrative sanctions:

- 3 (a) deliberate or repeated noncompliance;
- 4 (b) concealment of material safety risks;
- 5 (c) failure to respond to credible reports involving serious harm to children;
- 6 (d) unlawful commercialization or exploitation of children's personal data;
- 7 (e) retaliation against a person who makes a good-faith child-safety report; and
- 8 (f) obstruction of a lawful investigation.

9 SEC. 30. ***Protection of Good-Faith Reporters.*** — No person shall be subjected to
10 retaliation, discrimination, or adverse employment action solely for making a good-faith report of
11 a suspected violation of this Act.

12 Nothing herein shall protect a person who knowingly makes a false report for the purpose
13 of causing unlawful harm to another person.

14 SEC. 31. ***Due Process and Judicial Review.*** — All enforcement actions under this Act
15 shall comply with constitutional due process and applicable administrative law.

16 Any final order of the Commission shall be subject to judicial review in accordance with
17 the Rules of Court and applicable law.

18 SEC. 32. ***Inter-Agency Coordination.*** — The Commission shall establish formal
19 coordination mechanisms with the DICT, NPC, NTC, DepEd, DSWD, DOJ, PNP, NBI,
20 Department of Health, local government units, and other relevant agencies.

21 The Commission shall ensure that complaints involving criminal offenses, child abuse,
22 exploitation, trafficking, or imminent danger are promptly referred to the appropriate authorities.

23 SEC. 33. ***International Cooperation.*** — The Commission may cooperate with foreign
24 regulators, international organizations, technology companies, and child-protection organizations,
25 subject to Philippine law, data-protection requirements, and applicable treaties and international
26 agreements.

1 SEC. 34. ***Implementing Rules and Regulations.*** — Within one hundred eighty (180) days
2 from the effectivity of this Act, the Commission, in consultation with the relevant agencies and
3 stakeholders, shall promulgate the implementing rules and regulations necessary for its effective
4 implementation.

5 The IRR shall include specific standards for:

6 (a) designation of High-Risk Social Media Services;

7 (b) age assurance;

8 (c) parental consent;

9 (d) child-safety risk assessments;

10 (e) platform transparency;

11 (f) reporting and complaint handling;

12 (g) administrative penalties;

13 (h) data protection; and

14 (i) accessibility for children with disabilities.

15 SEC. 35. ***Appropriations.*** — The amount necessary for the initial implementation of this
16 Act shall be charged against the current appropriations of the Office of the President and other
17 concerned agencies, subject to existing budgeting, accounting, and auditing laws.

18 Thereafter, such sums as may be necessary for the continued implementation of this Act
19 shall be included in the annual General Appropriations Act.

20 SEC. 36. ***Separability Clause.*** — If any provision of this Act is declared invalid or
21 unconstitutional, the remaining provisions not affected thereby shall remain in full force and effect.

22 SEC. 37. ***Repealing Clause.*** — All laws, decrees, executive orders, rules, regulations,
23 issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed,
24 amended, or modified accordingly.

25 Nothing in this section shall be construed to repeal or diminish laws providing greater
26 protection to children.

1 SEC. 38. *Effectivity.* — This Act shall take effect fifteen (15) days after its complete
2 publication in the Official Gazette or in a newspaper of general circulation.

3 Approved,