

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS

Second Regular Session

House Bill No. 10760



Introduced by Representative Timothy Joseph Cayton

EXPLANATORY NOTE

Republic Act No. 7610, Republic Act No. 10175, and Republic Act No. 11930 penalize the abuse and exploitation of children online after it has occurred. No existing Philippine statute regulates the conditions that produce the encounter. A platform is under no legal obligation to determine whether its user is a child, to apply protective default settings to that child's account, or to withhold engagement-maximizing recommendation systems from a minor. This bill addresses that specific gap and does not extend beyond it.

This bill imposes safety-by-design obligations on every account a platform knows or ought reasonably to know belongs to a minor, independently of the minimum age requirement. The obligations therefore apply to children who evade the age requirement, and to children who migrate to smaller services with weaker moderation and no Philippine presence. It places the obligation and the penalty on the covered platform. No penalty attaches to a child or to a parent, and parental consent cannot be used to waive the minimum age. This conforms the bill to Republic Act No. 9344, which prohibits the imposition of penalties on minors for status offences, and follows the Australian scheme in force since 10 December 2025.

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


ATTY. TIMOTHY JOSEPH E. CAYTON, PhD.
Representative
Lone District of Nueva Vizcaya

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

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House Bill No. **10760**

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AN ACT
IMPOSING SAFETY-BY-DESIGN AND AGE ASSURANCE DUTIES ON
SOCIAL MEDIA PLATFORM PROVIDERS WITH RESPECT TO CHILD
USERS, ESTABLISHING A MINIMUM AGE FOR SOCIAL MEDIA ACCOUNTS,
PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

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 “**Social Media Safety for Children Act**”.

SEC. 2. *Declaration of Policy.* — It is the policy of the State to promote and protect the physical, moral, spiritual, intellectual and social well-being of the youth, and to defend the right of children to special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

SEC. 3. *Definitions.* — For purposes of this Act:

- (a) “**Child**” or “**minor**” refers to a person below eighteen (18) years of age.
- (b) “**Covered social media platform**” refers to an online service, whether or not established in the Philippines, that satisfies all of the following:
 - (i) a sole or significant purpose of the service is to enable online social interaction among two (2) or more end-users;
 - (ii) the service allows end-users to link to, follow, or otherwise interact with some or all other end-users; and

(iii) the service allows end-users to post, upload or share user-generated content. The term does not include an excluded service under Section 8.

- (c) **“Platform provider”** refers to the natural or juridical person that owns, operates or controls a covered social media platform and determines the purposes and means of processing user data for it.
- (d) **“Age assurance”** refers to any technical or procedural means of establishing, with reasonable confidence, whether a user is above or below a specified age, including age estimation, age inference, account-based signals, parental attestation and other privacy-preserving methods that do not require the submission of an identity document.
- (e) **“Verifiable parental consent”** refers to consent given by a parent or, in the parent’s absence, by the guardian or the person exercising substitute parental authority under the Family Code, obtained through a means reasonably designed to confirm that the person giving consent is in fact such parent, guardian or person, and which may be withdrawn at any time.
- (f) **“Recommender system”** refers to a fully or partially automated system that determines, ranks or prioritizes the content presented to a user, including content the user has not sought or subscribed to.
- (g) **“Reasonable steps”** refers to objectively appropriate, effective and proportionate measures, assessed with regard to the nature and size of the platform, the risks it poses to children, the effectiveness and proportionality of available measures, their privacy impact, and the need to avoid unduly impairing lawful communication, education and participation.

SEC. 4. *Duty of Care; Safety-by-Design.* — With respect to every account that a platform provider knows, or ought reasonably to know, is held by a minor, and irrespective of whether Section 5 is engaged, the provider shall:

- (a) apply the highest available privacy and safety settings by default, including limiting profile visibility and discoverability and restricting geolocation sharing;
- (b) refrain from behavioral or targeted advertising to the minor, and from the sale or disclosure of the minor’s personal data for advertising purposes;
- (c) refrain from deploying recommender systems optimized for engagement duration or session frequency, and disable autoplay, infinite scroll, streak mechanics and comparable retention features by default;

- (d) take reasonable steps to prevent the recommendation to the minor of content depicting or promoting suicide, self-harm, disordered eating, sexual exploitation or gratuitous violence;
- (e) suppress non-essential notifications between ten o'clock in the evening and six o'clock in the morning;
- (f) restrict unsolicited contact directed at the minor by adult accounts not connected to the minor, and restrict the discoverability of the minor's account by such accounts;
- (g) refrain from collecting biometric or sensitive personal information from the minor except as permitted by Section 6 and only for the period there allowed;
- (h) provide the minor, and where applicable the parent or guardian, with accessible tools to review account activity, adjust privacy settings, manage contacts, and set time and usage limits, without requiring the disclosure of personal data beyond what is necessary; and
- (i) maintain the reporting and referral mechanisms required by Section 9.

No user shall be penalized, and no service shall be withheld, solely for declining to enable an optional tool made available under paragraph (h).

SEC. 5. *Minimum Age; Parental Consent Pathway.* — No platform provider shall permit a person below sixteen (16) years of age to create, hold or maintain an account on a covered social media platform, except as provided in this Section.

A person who is at least thirteen (13) but below sixteen (16) years of age may create and hold such an account upon verifiable parental consent. The platform provider shall:

- (a) re-confirm the consent at intervals of not more than twelve (12) months;
- (b) provide the consenting parent or guardian with the tools described in Section 4(h); and
- (c) upon withdrawal of consent, deactivate the account within seventy-two (72) hours, preserving the user's content for a reasonable period to permit retrieval.

Nothing in this Section shall be construed to prohibit the viewing of publicly available content where no account registration or log-in is required, nor to restrict access to educational, governmental, emergency, health or child protection services.

Verifiable parental consent shall not be a defence to a failure to comply with Section 4.

SEC. 6. *Age Assurance and Data Minimization.* — Platform providers shall take reasonable steps, through age assurance applied at account creation and periodically thereafter, to prevent persons below the applicable minimum age from creating, holding or maintaining accounts. Age assurance shall employ the least intrusive method reasonably capable of achieving the purpose.

A platform provider shall not:

- (a) retain any identity document, or any image or copy thereof, beyond the completion of verification;
- (b) use data collected for age assurance for any other purpose, including advertising, profiling, product research or the training of models; or
- (c) transfer such data outside the platform except to a third-party age assurance provider bound by equivalent obligations, or pursuant to a lawful order.

A platform provider shall not require government-issued identification, or any government or government-accredited digital identity system, as the sole means of age assurance. Where such identification is offered as an option, at least one reasonable alternative shall be made available. No person shall be denied access to a covered social media platform solely for declining to submit a government-issued identity document where an alternative method is reasonably available.

The National Privacy Commission shall exercise concurrent jurisdiction over violations of this Section.

SEC. 7. *Designation of Covered Platforms.* — Within ninety (90) days from the effectivity of this Act, and at intervals of not more than twelve (12) months thereafter, the Department of Information and Communications Technology (DICT), in consultation with the National Telecommunications Commission (NTC), the National Privacy Commission and the Council for the Welfare of Children, shall publish a list of covered social media platforms and of excluded services, together with the criteria applied and the reasons for each designation.

A platform provider shall assess its own coverage under Section 3(b) and shall not be excused from compliance by reason only of non-inclusion in the published list: *Provided*, That no penalty shall attach for any period prior to publication or prior to actual notice of coverage.

A platform provider may petition the DICT for a determination of coverage, which shall be resolved within sixty (60) days, and may seek review in accordance with the Rules of Court.

SEC. 8. *Excluded Services.* — A service shall be excluded from Section 5 where its primary function is direct, limited-scope utility rather than general-purpose public social networking, and where it does not primarily rely on engagement-optimizing design that materially increases risk to children. Excluded services include:

- (a) private interpersonal communications services, where communications are primarily one-to-one or within closed groups and are not publicly discoverable by default;
- (b) electronic mail;
- (c) enterprise and workplace collaboration services;
- (d) educational and learning management services, including school-authorized platforms;
- (e) health, mental health, counselling, crisis line and safety-support services, including child protection reporting channels;
- (f) government digital services and official citizen service portals;
- (g) interactive gaming services without general-purpose social networking features; and
- (h) such other services as the DICT may classify as excluded under Section 7, upon a documented finding that the service is low-risk and necessary to a child's access to essential communications, education, health, safety or public services.

Exclusion from Section 5 shall not exempt a service from Section 4 with respect to accounts held by minors.

SEC. 9. *Reporting, Referral and Crisis Pathways.* — Every platform provider shall maintain an accessible, child-comprehensible in-platform mechanism by which a child, parent, guardian, teacher or third party may report grooming, sexual exploitation, bullying, harassment, and content depicting or promoting suicide or self-harm, and shall acknowledge and act upon such reports within a reasonable period prescribed in the implementing rules.

Reports involving child sexual abuse or exploitation material shall be transmitted in accordance with Republic Act No. 11930.

Platform providers shall make available to child users, in plain language and in Filipino and English, referral information for child protection and mental health services, including the school-based services established under Republic Act No. 12080 and the crisis lines maintained by the Department of Health.

SEC. 10. *Non-Liability of Children, Parents and Guardians.* — No criminal, civil or administrative liability, and no penalty, fine or disability of any kind, shall attach to a child, parent, guardian or person exercising substitute parental authority for any act or omission arising from this Act.

Nothing in this Act shall be construed to authorize the imposition of any penalty upon a minor.

SEC. 11. *Transparency and Risk Assessment.* — Every platform provider shall, at intervals prescribed by the DICT and in a form that does not disclose personal data:

- (a) publish a plain-language description of how content is selected, ranked and recommended to accounts held by minors, and of the default settings applied under Section 4;
- (b) conduct and submit a risk assessment identifying foreseeable risks to child users arising from the design and operation of the platform, and the measures adopted to mitigate them; and

SEC. 12. *Erroneous Age Classification.* — Every platform provider shall maintain an accessible mechanism by which an account holder, or a parent or guardian, may seek the restoration of an account restricted or deactivated on the ground of erroneous age classification, and shall resolve such a request within ten (10) days.

Denial shall be reviewable by the DICT, which shall resolve the matter within thirty (30) days. Nothing in this Section shall require the submission of a government-issued identity document.

SEC. 13. *Enforcement and Penalties.* — The DICT shall enforce this Act.

Upon determination of a violation after notice and hearing, the DICT shall issue a corrective order specifying the required remedial action and a reasonable period for compliance.

A platform provider that fails to comply with a corrective order shall be liable to an administrative fine of not less than One million pesos (PhP 1,000,000.00) nor more than Fifty million pesos (PhP 50,000,000.00) for each violation, or two percent (2%) of its gross revenues derived from Philippine users for the preceding taxable year, whichever is higher, and a daily fine of One hundred thousand pesos (PhP 100,000.00) for each day of continuing violation.

In determining the fine, the DICT shall consider the nature, gravity, duration and frequency of the violation, the number of affected child users, and the steps taken by the provider to remedy it.

For repeated or willful violations, and only after the remedies in this Section have been exhausted, the DICT may recommend to the appropriate authority the restriction or suspension of the platform's operations in the Philippines. Any measure directed to internet service providers shall be targeted to the specific service or account concerned, shall be time-bound, shall employ the least restrictive technical means, and shall minimize collateral blocking of lawful content.

Any order of the DICT under this Section shall be subject to review in accordance with the Rules of Court.

SEC. 14. *Digital Citizenship and Media Literacy.* — The Department of Education, in coordination with the DICT and the Council for the Welfare of Children, shall integrate age-appropriate instruction in digital citizenship and media and information literacy into the basic education curriculum, covering critical evaluation of online information, awareness of algorithmic influence, recognition and reporting of grooming, exploitation and bullying, and healthy patterns of use.

The Commission on Higher Education and the Technical Education and Skills Development Authority shall promote comparable programs within their respective mandates.

SEC. 15. *Implementing Rules and Regulations.* — Within ninety (90) days from the effectivity of this Act, the DICT, in consultation with the National Privacy Commission, the NTC, the Council for the Welfare of Children, the Department of Social Welfare and Development, the Department of Education, the Department of Health, the Commission on Human Rights, and duly recognized child rights and youth organizations, shall promulgate the implementing rules and regulations.

SEC. 16. *Separability Clause.* — If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue in full force and effect.

SEC. 17. *Repealing Clause.* — All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 18. *Effectivity.* — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,