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



TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 11203

Introduced by Hon. Kenneth T. Gatchalian

EXPLANATORY NOTE

Social media has become an important part of children's daily lives. While it provides opportunities for communication, learning, and self-expression, children may also be exposed to harmful content, unsafe interactions, exploitation, and excessive or unhealthy use.

Children need stronger protection in the digital environment. The State must ensure that social media platforms adopt safeguards appropriate to a child's age and development, while respecting children's rights to privacy, access to information, and freedom of expression.

This measure establishes clear standards for children's access to social media. It prohibits children below thirteen (13) years of age from creating or maintaining social media accounts and requires parental or guardian consent and supervision for users aged thirteen (13) to below eighteen (18). It likewise requires platforms to implement age verification, privacy and safety measures, parental controls, content safeguards, and accessible reporting mechanisms.

The measure also promotes transparency in the use of algorithms, strengthens protection against harmful and misleading content, and provides for digital literacy and responsible social media use in schools. It further encourages communities to provide meaningful activities that promote healthy interaction beyond the digital environment.

Protecting children online is a shared responsibility. This measure seeks

to ensure that children can participate in the digital world in a manner that is safe, responsible, and appropriate to their age and development.

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



KENNETH T. GATCHALIAN

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AN ACT
ESTABLISHING SAFETY STANDARDS AND REGULATORY MEASURES FOR CHILDREN'S USE OF SOCIAL MEDIA AND PROMOTING RESPONSIBLE DIGITAL ENGAGEMENT

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

SECTION 1. *Short Title.* – – This Act shall be known as the *"Children's Social Media Safety Act."*

SEC. 2. Declaration of Policy. – – The State recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. The State likewise recognizes the growing influence of social media on children's development and the risks arising from their exposure to harmful content, unsafe interactions, and design features that encourage excessive or compulsive use.

Accordingly, it is hereby declared the policy of the State to regulate children's access to and use of social media, ensure that social media platforms provide safe and age appropriate digital environments, and adopt measures that protect children from online harm while protecting their rights to access information, privacy, and freedom of expression.

SEC. 3. *Definition of Terms.* – The following terms as used in this Act shall be defined as follows:

(a) *Age verification measures* – refer to verifiable, privacy preserving, and sound methods used to determine or reasonably estimate the age of a user, including age verification technologies, age estimation systems, and other comparable mechanisms, designed to ensure accuracy and reliability while minimizing the collection and processing of personal data in accordance with Republic Act No. 10173, otherwise known as the *"Data Privacy Act of 2012"*;

(b) *Algorithms* – refer to any computational process, set of rules, or automated process, including machine learning systems, used to process data and determine or influence the selection, ranking, prioritization, recommendation, or display of content, information, or advertisements on a social media platform;

(c) *Artificially generated or altered content* – refers to content that has been created, modified, or manipulated through automated or digital means in a manner that does not accurately reflect real events, persons, or statements, and which may mislead or deceive users as to its authenticity, including content that realistically depicts a person as saying or doing something that the person did not actually say or do;

(d) *Child* – refers to a person who is below eighteen (18) years of age consistent with existing Philippine laws, including but not limited to the Civil Code of the Philippines, Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act), and Republic Act No. 9344 (Juvenile Justice and Welfare Act of 2006);

(e) *Digital system* – refers to any system, tool, or process that operates using data, software, or programmed instructions, including one or more

algorithms, to perform functions such as selecting, recommending, ranking, filtering, or displaying content on a social media platform;

(f) *Content* – refers to any form of information, including text, audio, images, video, or other digital data, that is created, published, transmitted or shared, or otherwise made available on social media platform by users, platform providers, or third parties;

(g) *Guardians* – refer to legal guardians, and other persons exercising parental or substitute parental authority over a child in accordance with existing laws;

(h) *Parents* – refer to biological parents, step-parents, adoptive parents and the common-law spouse or partner of the parent;

(i) *Parental or guardian consent* – refers to any freely given, specific, informed and verifiable agreement by a parent or guardian authorizing the creation, maintenance, or continued use of social media account by a child who is above 13 and below 18 years old, which may be withdrawn at any time;

(j) *Parental or guardian supervision* – refers to the continuous ability and authority of a parent or guardian to monitor, manage and control the social media use of a child who is above 13 and below 18 years old, including access to account settings, activity, content exposure, and interaction controls;

(k) *Personal data* – refers to information, from which the identity of a child is apparent or can be reasonably and directly ascertained by the entity holding the information, or when put together with other information would directly and certainly identify a child, in accordance with Republic Act No. 10173;

(l) *Prohibited content* – refers to content that poses a material risk to the physical, or emotional well-being of a child, including content involving violence, sexual exploitation, self-harm, or harmful or misleading information; and

(m) *Social media platform (SMP)* – refers to any internet-based service, network, application, website, or computer program which enables personal or group interaction and sharing of user generated content, and which is accessible in the Philippines and used, or reasonably likely to be used, by a child;

SEC. 4. *Absolute Prohibition.* – No child below thirteen (13) years of age shall be allowed to create, maintain, or use an account on any social media platform. SMPs shall:

(a) Prohibit the creation, registration and use of accounts by children below thirteen (13) years of age;

(b) Implement effective, reliable, and continuous age verification measures to enforce this prohibition;

(c) Immediately disable, restrict, or suspend any account determined to belong to a child below thirteen (13) years of age upon discovery or notice; and

(d) Implement reasonable and proportionate technical safeguards to prevent the re-creation of accounts by such children, consistent with Republic Act No. 10173.

For the purposes of this Act, SMPs shall include platforms such as Facebook, Instagram, X (previously known as Twitter), TikTok and YouTube, as well as other similar platforms as may be identified and determined by the Department of Information and Communications Technology (DICT).

SEC. 5. *Conditional Access.* – Children who are at least thirteen (13) years of age but below eighteen (18) years of age may be granted access to SMPs only upon compliance with the following conditions:

(a) Verifiable parental or guardian consent prior to account creation and for continued access;

(b) Active and continuous parental or guardian supervision over the account;

(c) Automatic suspension or restriction of access upon withdrawal or absence of such consent;

(d) Periodic re-verification of age and parental or guardian consent under the implementing rules and regulations;

(e) Provision of accessible tools that enables parents or guardians to monitor, manage, and control the adolescent user's account, including privacy settings, activity monitoring, interactions controls, and time limits; and

(f) Application of the highest level of privacy and safety settings by default.

SEC. 6. *Platform Safeguards for Children's Accounts.* – SMPs identified by DICT as accessible in the Philippines, and which are used or reasonably likely to be used by children, shall ensure that accounts belonging to children at least thirteen (13) years of age but below eighteen (18) years of age are subject to the following safeguards:

(a) Implement age verification measures; *Provided,* That any personal data collected for this purpose shall be limited to what is strictly necessary, securely processed and stored, and used solely in accordance with the provisions of this Act, in full compliance with the Data Privacy Act;

(b) Require verifiable parental or guardian consent prior to account creation and as a continuing requirement for access;

(c) Provide adequate, accessible and efficient notification and control mechanisms to enable parents, or guardians to exercise the following functions, including:

(1) Supervise the child's account and access its privacy settings;

(2) Set daily time restrictions and implement breaks during which the child cannot access the account; and

(3) Withdraw consent for a child's continued access as an account holder;

(d) Establish appropriate limitations and restrictions on the use of, and interactions with the account of a child;

(e) Ensure that platform features relating to the account of a child:

(1) Provide tools that allow parents or guardians to supervise use, manage privacy settings, and set reasonable time restrictions;

(2) Include controls that track and limit the duration and frequency of use;

(3) Restrict the access to, and sharing of the geolocation of the child;

(4) Restrict the purchases and financial transactions by the child, where applicable;

(5) Prevent automatic redirection to external websites that may expose the child to harm; and

(6) Apply the highest level of privacy and safety settings by default for accounts owned by a child;

(f) Ensure that algorithms and digital systems used to select, recommend, or display content:

(1) Do not promote prohibited content;

(2) Do not design processes that mislead children or are detrimental to their development;

(g) Take reasonable steps to detect, limit, and mitigate exposure to prohibited content;

(h) Ensure that artificially generated or altered content that falsely depicts a person or a child or is reasonably likely to mislead or deceive is removed.

(i) Develop and maintain a readily accessible and user-friendly reporting mechanism that allows children, parents, or guardians to report harmful content, unsafe interactions, or violations of this Act, and ensure that appropriate action is taken within a reasonable period.

All measures, systems, and processes implemented under this Act shall be necessary and proportionate to the objective of protecting children from harm.

SEC. 7. *Mandatory Digital Literacy and Ethical Use Program.* – The DICT shall, in collaboration with Department of Education (DepEd), integrate a *"Digital Literacy and Ethical Use of Social Media"* module into the K-12 basic education curriculum. This program shall focus on:

(a) Critical evaluation of online information and awareness of algorithmic influence;

(b) Recognition and reporting of cyberbullying, online exploitation, and harmful content;

(c) Promoting positive digital citizenship and ethical online interaction; and

(d) Strategies for maintaining digital well-being and managing healthy screen time.

The DICT shall also conduct periodic training for teachers and awareness seminars for parents and children below eighteen (18) years of age to ensure a consistent approach to digital safety both in school and at home.

SEC. 8. *Monitoring and Enforcement.* – The DICT shall:

(a) Establish and maintain a monitoring and reporting system to track compliance and reserve complaints to ensure and protect the rights of children in matters relating to information communications technology (ICT) under this Act;

(b) Notify the SMPs and provide details on violations identified in its monitoring efforts or complaints received from third parties, and require the platform to take appropriate action within a reasonable period, which shall not exceed ninety (90) days from receipt of this notice: *Provided,* That the SMPs shall promptly notify the account holder concerned and provide an opportunity to respond or contest the allegation within a reasonable period to be prescribed under the implementing rules and regulations: *Provided, further,* That the SMPs concerned shall evaluate the response and take appropriate action consistent with this Act and

applicable laws: *Provided, finally,* That the SMPs shall submit a report to DICT, within the prescribed period, confirming the actions taken in response to the request for take down or cancellation of account;

(c) Issue a cease and desist order in the event of failure or refusal on the part of the SMP to act upon the request for take down or cancellation of accounts registered by children, subject to notice and opportunity to be heard;

(d) Require the submission of periodic compliance and transparency reports, including reports on the use of algorithms and measures taken to protect children under this Act; and

(e) Coordinate with the National Telecommunications Commission (NTC), National Privacy Commission (NPC), and other relevant agencies to ensure effective enforcement.

SEC. 9. *Restricting or Blocking Access to Prohibited Accounts.* – When a registered account or page on any social media platform is found to be in violation of the provisions of this Act, the DICT may, after prior notice and opportunity to be heard, issue an order to restrict or block access to such account or page: *Provided,* That the National Telecommunications Commission shall be notified to monitor compliance with such order.

SEC. 10. *Duty of Social Media Platforms.* – SMPs shall comply with the cease-and-desist orders within forty-eight (48) hours of the issuance of the cease-and-desist order and must disable the pages bearing said accounts of children prohibited under this Act by implementing an effective technical measure to disable or prevent access which may include:

(a) Prioritizing the disabling of accounts of children below thirteen (13) years of age;

(b) Preventing repeated fraudulent account creation intended to circumvent this Act;

(c) Blocking domain names that provide access to the prohibited pages or accounts, including through domain name system blocking (DNS blocking);

(d) Blocking uniform resource locators (URLs) that provide access to the prohibited pages or accounts;

(e) Blocking internet protocol (IP) addresses that provide access to the pages or accounts; and

(f) Implementing other similar or equivalent technical measures necessary to effectively restrict access thereto.

SEC. 11. *Transparency and Use of Algorithms.* – SMPs shall ensure transparency in the use of algorithms and digital systems, particularly in relation to children, and shall:

(a) Provide clear, accessible, and understandable information to users, including children and their parents or guardians, on how content is selected, recommended, or displayed on the platform;

(b) Disclose when digital systems or algorithms, are used to influence or determine the content shown to a user;

(c) Ensure that the operation of algorithms and digital systems is subject to meaningful human oversight, including timely review and intervention by natural persons, particularly where content, recommendations, or actions may affect the safety or well-being of children; and

(d) Submit periodic transparency reports to the DICT at intervals prescribed by the DICT, detailing the use of algorithms and digital systems, the measures adopted to ensure age appropriate content and protect children from harm, and the actions taken to detect, label, restrict, or remove artificially generated or altered content.

SEC. 12. *Prevention of Circumvention.* – SMPs shall implement robust technical measures to prevent, detect or mitigate the use of tools, including virtual

private networks (VPNs) or proxy services, that are used to circumvent age-verification systems. In the implementation of these measures, the platform shall:

(a) Regularly update its detection algorithms to identify patterns of traffic associated with circumvention services;

(b) Notify users who are flagged for using circumvention tools that must verify their age or provide evidence of their age through authorized, privacy-preserving verification methods to continue accessing the service; and

(c) Ensure that such detection mechanisms do not infringe upon the user's right to data privacy and are consistent with the Data Privacy Act.

SEC. 13. *Penalties.* – SMPs that fail or refuse to act upon requests to take down prohibited accounts of children shall be liable as follows:

(a) For the first violation, a fine of Five million pesos (P5,000,000.00);

(b) For the second violation, a fine of Seven million five hundred thousand pesos (P7,500,000.00); and

(c) For the third and subsequent violations, a fine of Ten million pesos (P10,000,000.00).

SMPs that fail to comply with the obligations under Section 4 and Section 8 of this Act shall be liable to a fine of not less than Twenty million pesos (P20,000,000.00) but not more than Fifty million pesos (P50,000,000.00) for each violation, depending on the nature, gravity, duration, frequency, and impact of the violation, including the number of affected child users.

In addition to the foregoing fines, SMPs found non-compliant with Section 4 of this Act, despite prior notice and opportunity to comply, may, upon recommendation by the DICT and after due process, be subject to temporary restriction of access within the Philippines until full compliance is achieved, or, in cases of repeated and serious violations, be prohibited from operating in the Philippines.

SEC. 14. *Promotion of Community-Based Recreational Activities.* – To reduce excessive reliance on social media and internet consumption as a primary source of recreation, all local government units (LGUs) are hereby mandated to develop and implement age-appropriate, community-based programs for children below thirteen (13) years old. The LGUs, through their Local Council for the Protection of Children (LCPC), shall:

(a) Designate and maintain *"device-free"* community spaces, such as public parks, libraries, and youth centers;

(b) Organize regular extracurricular activities, including sports, arts, and civic engagement programs, designed to encourage physical activity and social interaction; and

(c) Allocate a portion of their annual budget, as may be determined by existing laws, for the development and sustainability of these programs.

SEC. 15. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Secretary of Information and Communications Technology shall, in coordination with the Secretaries of the Department of Justice, Department of Education, Department of the Interior and Local Government (DILG), heads of other appropriate government agencies, and other stakeholders, issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 16. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected remain in full force and effect.

SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are amended or repealed 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,