EU KIDS Act

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The European Commission presents its proposal for the protection of minors in the digital environment

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On 17 September 2026, the European Commission adopted the proposal for a Regulation known as the EU KIDS Act (EU Keeping Internet Digital Spaces Accountable and Trustworthy). The initiative forms part of the implementation of the Union's digital acquis and complements Regulation (EU) 2022/2065 (Digital Services Act, "DSA") and Regulation (EU) 2024/1689 (the "AI Act"), with two aims: (i) ensuring a high and consistent level of protection for minors online; and (ii) avoiding fragmentation of the single market resulting from national initiatives already notified or under way. In addition, it puts into "hard law" the specifications the Commission had already incorporated into the DSA Guidelines.

I. Purpose

The proposal sets out a harmonised framework at Union level, structured around four pillars: (a) delayed access to social media; (b) safety by design; (c) age assurance and parental responsibility; and (d) strong enforcement. Its legal basis is Article 114 TFEU, matching that of the DSA and the AI Act.

II. Subjective scope

Providers of the following are subject to this Regulation, irrespective of their place of establishment, when they provide their services to recipients located in the Union: (i) online social networking services; (ii) video-sharing platform services; (iii) software application stores; (iv) online games; (v) operating systems; (vi) AI companions; and (vii) general conversational chatbots. Excluded from scope are, among others, not-for-profit online encyclopaedias and scientific repositories, services and systems designed for primarily educational purposes and operated by educational establishments or organisations (or on their behalf), open-source software-developing and-sharing platforms, services and systems developed exclusively for scientific research, and services and systems operated by public authorities.

III. The four pillars

(i) Delayed access to social media. Providers of social networking services and video-sharing platforms may not permit autonomous account creation by minors under 15 where the service presents risk features (live streaming; contact with recipients outside pre-existing connections; recommender systems based on profiling; features geared towards continuous consumption or automated reengagement notifications). Holders of parental responsibility may enable limited-functionality accounts ("mini accounts") for minors aged between 13 and 15, with a maximum of one hour of daily use and prior approval of contacts. Access for minors under 13 is restricted, on an exceptional basis, to video services specifically designed for that age bracket and via the guardian's account.

(ii) Safety by design. Addictive patterns are prohibited in relation to minors (infinite scroll, incentivising notifications sent during rest periods, variable reward systems) as is the possibility of live streaming; privacy and safety settings activated by default, restrictions on incoming contacts, adaptation of recommender systems (control options, mitigation of the "rabbit hole" effect) and accessible parental tools are imposed. Specific rules are provided for AI companions and general conversational chatbots, for online games and for software application stores, which are required to implement an age rating system and prevent minors from accessing unsuitable applications.

(iii) Age assurance and parental responsibility. Self-declaration will not be sufficient. Providers must verify users' age at the point of account creation and, after the Regulation's date of application, also review pre-existing accounts on a proportionate basis. Verification will be carried out through the EU Age Verification Solution, based on the zero-knowledge proof principle, or equivalent solutions that guarantee accuracy, reliability, robustness, non-discrimination, non-intrusiveness and data protection. The system is completed by tools for guardians, allowing them to approve contacts, limit time spent using the service and supervise the activity of the minors in their care.

(iv) Strong enforcement. The Regulation reverses the burden of proof on online safety: providers of very large online platforms ("VLOPs", with 45 million or more monthly active recipients in the EU under Article 33 DSA) must demonstrate ex ante, through a compliance plan subject to independent audit, that their services, functionalities or new features conform with the Regulation. Handling of complaints concerning minors is prioritised, and the Commission's activity is funded through a specific supervisory fee. An expedited procedure is provided for, aiming to conclude investigations within 90 working days.

IV. Relationship with the Digital Services Act

The EU KIDS Act is adopted *without prejudice* to the DSA and in clear continuity with it. Its main points of connection are:

- It specifies Article 28 DSA (protection of minors on online platforms). Compliance with the EU KIDS Act is deemed to constitute compliance with Article 28 DSA as regards the matters it regulates, without affecting proceedings already opened under that provision.
- It relies on the DSA's supervisory architecture: the authorities designated under Article 49 DSA (Digital Services Coordinators) are competent, and, in relation to AI, the authorities under the AI Act. The Commission retains exclusive competence over VLOPs.
- As regards penalties, Chapter IV DSA applies to the services covered by it; for AI companions and general conversational chatbots, it refers to Article 99 of the AI Act (fines of up to 6% of total worldwide annual turnover). The annual supervisory fee follows the principles of Article 43 DSA, capped at 0.03% of the provider's worldwide annual net income.

V. Timeline

The proposed Regulation would enter into force on the 20th day following its publication in the Official Journal of the European Union, applying generally six months later. Article 5 (compliance plan and audit) is set to apply early, from the date of entry into force; Articles 33 and 35 will apply 12 months after entry into force.

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