

Message 001

Communication from the Commission - TRIS/(2026) 2569

Directive (EU) 2015/1535

Notification: 2026/0500/FR

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20262569.EN

1. MSG 001 IND 2026 0500 FR EN 14-09-2026 FR NOTIF

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4. 2026/0500/FR - SERV60 - Internet services

5. Draft law to protect minors from the risks arising from the use of social networks

6. Information Society Services

7.

8. The subject of this notification is the French draft law to protect minors from the risks arising from the use of social networks. Following on from previous notification No 2026/0185/FR issued in April 2026, this draft amends the instrument by addressing the observations made by the Constitutional Council on 14 August 2026, while taking into account the detailed opinion of the European Commission dated 7 July 2026.

The notified draft aims to enshrine in French law a provision prohibiting access to certain online social network services on the grounds that their functionalities pose risks to the safety or health of minors under the age of 15. The draft law therefore proposes prohibiting minors under the age of 15 from accessing social networks deemed 'high-risk' due to certain of their functionalities. These functionalities posing risks to minors are precisely listed and are inspired in particular by the provisions of the Guidelines adopted pursuant to Article 28 of the Digital Services Act (DSA).

The notified draft sets out a significant list of exemptions for certain services, in view of the benefits they offer to children. The draft text also provides for the possibility of parents and guardians lifting this prohibition for minors between the ages of 13 and 15.

9. This draft law forms part of France's priority action in the area of online child protection, at both national and European levels.

Within the framework set by the Digital Services Act (DSA) and the guidelines on the protection of minors, published in the summer of 2025 by the European Commission, Article 1(e) of the draft law aims to establish a 'digital majority' rule according to which access to online social network services with certain functionalities is prohibited below a certain age.

Based on documented objective assessment of the risks to minors, particularly within the context of the work of the 'Digital exposure' ('Exposition aux écrans') Commission of 2024, the draft text sets this threshold at 15 years. This choice is consistent with the age set in French law for the validity of consent from minors to the processing of their personal data. In France, it also corresponds to the age of entry into higher secondary school, an important stage in adolescence and the journey of young people towards their progressive autonomy.

The prohibition rule is inspired by other national provisions prohibiting the sale of certain products to minors (tobacco, alcohol, etc.) for reasons of public health and safety, by prohibiting minors under the age of 15 from accessing the services concerned. It therefore aims to fall within the margin left to Member States to define their own legal frameworks.

The prohibition applies to services provided by online social network platforms offering certain technical functionalities, in view of the risks that these functionalities are liable to pose to the health and safety of minors under the age of 15. This scope, as it relates to certain functionalities of social network services, makes it possible to limit the range of services covered and helps to ensure that the measures are proportionate.

The notified text sets out a list of functionalities and commercial practices considered to pose a risk, justifying the prohibition on access for minors under the age of 15 on the basis of the risks recognised by the guidelines under Article 28 of the DSA and documented, in particular, by the 2025 ANSES reports, the 'Digital exposure' Commission reports of 2024 and the report by the expert panel commissioned by the European Commission on children's online safety of July 2026.

This list may be extended by decree in order to respond to changes in the risks and functionalities of social networks.

The scope of the instrument is as follows:

- the access prohibition rule shall apply to social network services offering at least one of the functionalities presenting a risk to safety or likely to impair the physical, mental or moral development of minors under the age of 15. The list of functionalities justifying the prohibition is specified by this draft text on the basis of the expert reports and the guidelines on Article 28 of the DSA. It may be supplemented by decree in order to keep pace with developments in both the risks and the functionalities available on social networks.
- the notified draft provides for a significant list of exemptions from the access prohibition rule. The exempted services notably include those with an educational, scientific or collaborative purpose, such as online encyclopaedias or platforms for the development and sharing of open-source software.

Finally, the draft text permits parents and guardians to lift the prohibition on access to the services in question for their children between the ages of 13 and 15. The minor must therefore provide evidence of express authorisation and this authorisation may be revoked at any time. Parents are thus able to play their full role in the upbringing of their child.

9a. There are essentially two categories of risks to which minors are exposed when using social networks: risks to their safety and risks to their physical and mental health. In particular, the risks identified include exposure to illegal or harmful content (pornography, violence, extremist content, fake news, suicidal thoughts, etc.), approaches from malicious contacts (recruitment for criminal activities and approaches from child sex offenders), cyberbullying, sedentary behaviour and the deterioration of sleep and eyesight, body image and self-esteem issues, the development of problematic and addictive usage, overexposure to screens, isolation and weakened concentration abilities, etc. Numerous scientific studies now support these findings: the 'Digital exposure' Commission report of 2024 and the Arcom study of September 2025 'Minors online: what are the risks? What are the protections?' ('Mineurs en ligne : quels risques ? quelles protections ?'), the ANSES report of December 2025 on social networks and adolescent health, the study of December 2025 by the Center of expertise for digital platform regulation (PEReN) 'Exploring the engaging functionalities of digital platforms' ('Une exploration des fonctionnalités engageantes des plateformes

numériques'), the report of July 2026 by the expert panel commissioned by the European Commission on child online safety and the report of June 2026 by the German Ethics Council on social media. By prohibiting minors under the age of 15 from accessing social networks that pose such risks – in particular due to the harmful nature of certain functionalities for their safety or health – the measure consistently and effectively achieves the objective of protecting the youngest members of society.

9b. The notified draft applies to social network service providers established in France, in another Member State of the Union or outside the Union. It is strictly in line with the governance framework of Regulation 2022/2065 on digital services ('DSA'), in accordance with point 37(d) of the guidelines adopted pursuant to Article 28 of that Regulation. The DSA, by virtue of its scope of maximum harmonisation, does not create any obstacles to the internal market.

The existing rules, notably those relating to consumer protection, do not provide a satisfactory level of protection for minors against these new threats, insofar as, on the one hand, these rules operate on the basis of 'ex-post' sanctions, which are incompatible with the precautionary principle as regards the protection of minors, and, on the other hand, the current body of consumer law does not cover the interests whose protection is the subject of the notified draft. In order to fill these gaps, the European Commission itself recently announced the launch of a new legislative package on the safety of children online.

The instrument is based on an access prohibition rule combined with significant exceptions that limit its restrictive effects (see next answer). In the view of the French authorities, there is no less restrictive alternative measure capable of achieving the high level of protection for minors online established by the objective.

The notion of a regulation based on the principle of 'Safety by Design' is already one that inspires many aspects of the DSA. For the French authorities, these two approaches (minimum age requirement + 'Safety by Design' rules) are not mutually exclusive but complementary in practice: strengthening the 'Safety by Design' framework and the progress made by social networks in this regard will require a long and sustained effort; however, in the short term and given the urgency and the identified risks, this 'Safety by Design' approach must necessarily be preceded by a strict rule on a minimum age for access.

9c. The instrument is based on an access prohibition rule combined with significant exceptions that limit its restrictive effects. To ensure that the measure is proportionate, the notified draft contains two sets of provisions: a clearly defined scope of the social networks covered, and broad exclusions from that scope. The notified draft adopts a proportionate approach to the entities it targets by focusing solely on social networks that, due to certain functionalities or commercial practices, are likely to pose risks to the safety or health of minors. Consequently, not all social networks are targeted; only those that exhibit certain risk characteristics. The text sets out in detail the functionalities considered to be high-risk, drawing in particular on the provisions set out in the guidelines in Article 28 of the DSA.

The proportionality of the instrument is also ensured by two other provisions.

The notified draft defines a substantial list of services excluded from its scope, including online encyclopaedias, educational or scientific directories, platforms for the development and sharing of open-source software, collaborative services for sharing leisure content and mutual support information, and online social network services created exclusively in connection with educational activities.

Finally, the access prohibition rule does not apply where parental authorisation is obtained for minors between the ages of 13 and 15.

Together, these provisions ensure that, in light of the need to protect the best interests of the child, guaranteed by the Charter of Fundamental Rights, the restrictive effect on the sector concerned is proportionate.

10. References to the basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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