

EEA-hearing - Draft Act on age limit for social media use

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1. Main content of the draft Act

The act introduces an age limit for the use of social media in Norway, so that children do not have access to social media until the year they turn 16.

The purpose of the Act is to protect children from the potential harmful effects of social media, see Section **Feil! Fant ikke referansekilden.** about the risks social media entails, as well as Section 1 of the draft Act.

Social media covered by the Act are information society services that allow users to create a profile and establish contact with other users, and that store and disseminate to the public content uploaded by users without editorial control over the content, see the definition of social media in Section 3.2 and Section 2 of the draft Act.

Several exemptions from the age limit are being considered, including for services that mainly offer computer games, the purchase and sale of goods or services, closed groups related to education and leisure activities etc., and digital messaging services, see Section 3.4 and Section 2(2) of the draft Act. The exemptions will be considered during the EEA consultation process.

Two alternative proposals are being submitted for EEA consultation: One with and one without a harmfulness condition. The ministries are considering whether the age limit should apply only to harmful social media, see Section 3.3 below and Section 2(3) and Section 4 of the draft Act. If the ministries conclude that a harmfulness condition should be included, this may lead to changes being made to the exemptions set out in Section 2(2) of the draft act, as the need for such exemptions may be reduced.

The Act applies to social media services that are directed at the Norwegian market, or that are provided by entities established in Norway, see Section 3.7 and Section 3 of the draft Act for the geographical scope of the Act.

No sanctions are proposed against children or parents for non-compliance with the age limit.

It is assumed that social media providers implement appropriate measures, including a privacy-friendly age verification solution that complies with EEA law, to ensure that the national age limit is complied with. There is a presumption that the age limit can be enforced via the Digital Services Act (DSA) when this regulation has been incorporated into the EEA Agreement and implemented into Norwegian law.

It is proposed that national authorities shall determine which social media according to the definition in the Act shall have an age limit under national law, as well as supervise these, see Section 3.8 and Section 5 of the draft Act.

In the opinion of the Ministry of Children and Families and the Ministry of Digitalisation and Public Administration, the proposal is in accordance with EEA law, see Section 4.

2. Background

About half of Norwegian nine-year-olds, and three out of four children between the ages of 9 and 13, use social media. From the age of 13, almost everyone uses social media. Children in the 9-12 years group report spending an average of two hours per day on social media.

Young people aged 13-15 report spending an average of nearly three hours per day on social media, in addition to other screen use.¹

For many children and young people, social media constitutes a significant part of everyday life. Children use mobile phones and social media to keep in touch with friends, and for entertainment. Four out of ten children say they would feel left out if they were not allowed to be on the same social media as their friends. Almost half share photos on social media every week or more often, and many comment on or "like" content shared on social media.²

In 2023, the Government appointed a committee to provide a better knowledge base on how children and young people's screen use in kindergarten, school and leisure time affects health, quality of life, learning and upbringing. The Screen Use Committee presented its report in 2024. The committee pointed out that social media is used for everything from buying and selling used clothes and equipment, to staying informed about what is happening in the local community, and to discussing hobbies and interests. The Screen Use Committee states that:

If we are to get a complete picture of how the screen functions as a social arena in children and young people's lives, we must take seriously the many positive aspects that social media [...] can have. Adolescents don't spend time on these platforms just because they are manipulated by tech companies or feel social pressure. They also find inspiration, experience belonging, cultivate friendships and acquire information [...].³

Children and young people follow and watch accounts that share videos. Humorous content is the most popular category, followed by videos about gaming, music, sports, exercise and food. They use social media to search for information and to stay up to date on news about what is happening in the world. Many young people between the ages of 13 and 15 follow editorially controlled media on social media.⁴

The use of social media entails risks of harm to children. In order to identify the risks and implement appropriate measures to protect minors, the Organisation for Economic Co-operation and Development (OECD) has developed a set of concepts on online risks to children, called "*the 5C typology of online risks to children*".⁵ These risk categories are related to content, behaviour, contact, consumer relationships, and cross-cutting risk. The latter are considered particularly problematic because they are likely to negatively affect children's lives in several different ways. The potential for harm can vary depending on how vulnerable the child is, the risk it is exposed to and the child's prerequisites for dealing with the challenges.

Content risk is about children being exposed to harmful or illegal content uploaded by other users when they are on social media. This can for example be sexualized content or violent videos, content that promotes suicide and self-harm, eating disorders and unhealthy body ideals, and the sale of drugs. Children may also experience bullying and receive hate messages. Fake news, disinformation and propaganda are widespread on social media.

¹ Bekkengen (2025). *Norsk mediebarometer*, Statistics Norway (Oslo, 2025). [Link](#).

² The Norwegian Media Authority (2024). *Barn og medier 2024 – en undersøkelse om 9–18-åringers medievaner*. [Link](#).

³ NOU 2024: 20. *Det digitale (i) livet - Balansert oppvekst i skjermenes tid*, pp. 103. [Link](#).

⁴ Bekkengen (2025). *Norsk mediebarometer*, Statistics Norway (Oslo, 2025). [Link](#).

⁵ OECD 2021. *Children in the digital environment. Revised typology of risks*. OECD Digital Economy Papers. [Link](#).

More than half of young people have seen frightening or violent images or videos in the past year, while a third report that they have seen content about self-harm in the past year. Since social media is not editor-controlled, no one is responsible for ensuring that the content is true, and the platforms do not have to deal with press ethics considerations. This means that children are also at risk of being exposed to disinformation, extremism and hate speech, among other things. Two out of three children between the ages of 13 and 18 have seen news stories online that they suspected were false or untrue in the past six months.⁶

The Screen Use Committee finds that the characteristics of social media can contribute to poorer mental health. They see a connection between social media use and negative body image and symptoms of eating disorders. Social media can be described as a "high-risk environment" that reinforces both the possibility of comparison, and the impression that certain body ideals are more attractive than others. The characteristics of social media can contribute to spending more time than one would like, reinforce social comparisons and experiences of stress, increase the risk of being exposed to harmful content, and increase the severity and extent of bullying.⁷

A UNICEF report *Children's Exposure to Hate Messages and Violent Images Online* shows that children in many countries are exposed to seriously harmful content that can affect their mental health and sense of security. The report calls for better regulation and measures from both authorities and technology companies.⁸

Behavioural risk is about children doing things that can be harmful to themselves or others. It is about children exposing others to bullying, exclusion, hate speech or harassment, illegal sharing of nude photos or violent videos, selling photos and videos with self-produced sexual content, or shaming.

The police have found that children under the age of 13 share sexual content of themselves and others publicly online, including on platforms such as YouTube and TikTok. Children can also participate in potentially harmful groups, such as groups that deal with self-harm or suicide.⁹

There has been a sharp increase in problematic use of social media among young people, with 11 per cent of young people showing signs of problem use of social media, such as addiction, lack of control and negative consequences in everyday life. Girls reported a higher degree of problem use than boys (13 versus 9 per cent). Problem drug use is associated with lower mental and social well-being, increased use of drugs, less sleep and later bedtime, as well as poorer school performance.¹⁰ Many children think they spend too much time on social

⁶ The Norwegian Media Authority (2024). *Barn og medier 2024 – en undersøkelse om 9–18-åringers medievaner*. [Link](#).

⁷ NOU 2024: 20. *Det digitale (i) livet - Balansert oppvekst i skjermenes tid*. 103. [Link](#)

⁸ Daniel K. Winther; et al., *Children's exposure to hate messages and violent images online*, UNICEF Innocenti – Global Office of Research and Foresight (Florence, 2023), [Link](#).

⁹ National Criminal Investigation Service (2022). *Barn under 13 år som deler seksualiserte videoer*. [Link](#)

¹⁰ Boniel-Nissim, M. et al., *A focus on adolescent social media use and gaming in Europe, Central Asia and Canada - Health Behaviour in School-aged Children international report from the 2021/2022 survey*, WHO Regional Office for Europe (Copenhagen, 2024). [Link](#).

media and that it affects their sleep. For some, it creates conflict in the home. More than one in four children say that they wish they could log off more often.¹¹

Contact risk on social media is about the risk of children coming into contact with people who do not want them well. Social media enables contact between people, among other things, by having profiles that are visible in a network of users. This can entail a risk of children being exposed to various forms of digital abuse such as grooming, sexual abuse, sharing of nude photos or blackmail. Almost a third of children between the ages of 13 and 18 have experienced being sent a nude photo or have been asked to send a nude photo. Most state that they receive nude photos of strangers online.¹²

The National Criminal Investigation Service (Kripos) reports an increase in digital sexual abuse of children online, and that the content is becoming increasingly serious.¹³ In several cases, the abuser has come into contact with the child on social media, and the abusers are good at identifying vulnerabilities in children and exploiting these. Other examples of contact risks that children and young people may encounter on social media are being pressured, manipulated or recruited to carry out or participate in illegal acts, or attempted radicalisation.

Consumer risk is about children being exposed to harmful commercial influence on social media. This may include, for example, commercial profiling, product placement, and the promotion of products and services that are not legal or appropriate for children, such as gambling, alcohol, weight loss products, or cosmetic treatments. A fifth in the age group 9-12 years state that they have received advertising for products for weight loss, while a quarter answer that they have received advertising for products that are supposed to give bigger muscles.¹⁴ When children are exposed to commercial pressure, they are also exposed to a financial risk of spending money without parental consent. Insecure digital services pose a risk of fraud and identity theft.

Social media collects detailed personal data about what and who the user sees, does and interacts with on the service. This information is used to build profiles about users, which can lead to the risk of discrimination and exploitation of vulnerabilities. This challenges children's privacy. The information is sold as marketing categories and is used to target advertising and content. This, in turn, can lead to increased time spent and altered behaviour. It is difficult to have an overview of what information the platforms collect. The collection of personal data can entail several security risks in the event of personal data going astray.

Cross-cutting risk refers to risks that cut across the other four categories, and is linked to the characteristics of social media, among other things. These can have an impact in several areas, including children's physical and mental health, privacy and the risk of discrimination. Social media's business model is to keep users engaged for as long as possible, in order to show more ads. The business models of social media are based on keeping the user's attention. To achieve this, algorithms that highlight attention-grabbing content often have a design with notifications, streaks, autoplay, likes, and reward systems that can be addictive.

¹¹ The Norwegian Media Authority (2024). *Barn og medier 2024 – en undersøkelse om 9–18-åringers medievaner*. [Link](#).

¹² *Ibid*.

¹³ Norwegian Criminal Investigation Service (2024). *Trusselaktørers kontaktetablering med barn på internett*. [Link](#).

¹⁴ The Norwegian Media Authority (2024). *Barn og medier 2024 – en undersøkelse om 9–18-åringers medievaner*. [Link](#).

This can be particularly unfortunate for children and young people, and affect important things such as sleep, physical activity and schoolwork.

Algorithm reinforcement and the recommendation systems affect what kind of content users can see, and this can give a skewed picture of reality. This can have a negative impact on children and young people's opinion-making. Furthermore, there is a risk that extreme content is promoted and that children and young people are exposed to targeting content that may be harmful to them. There are examples of suicide videos going viral, and that self-harm and content that promotes eating disorders are amplified.

The European Commission's guidelines to Article 28 of the DSA refer to the same typology.¹⁵ Reference is made to Section 2 of the consultation paper on the draft Act for a more detailed description of the background and risk landscape faced by children and young people.¹⁶ These risks are present on social media used by children, and form the basis for the proposal to introduce an age limit for the use of social media. At the same time, not all social media services involve the same level of risk. Some services, due to their functions, algorithms, content or typical patterns of use, may present significantly higher risk than others.

3. Further information on the content of the Act

3.1. Purpose of the Act

A general-purpose provision is proposed:

"The Act is intended to protect children from the potential harmful effects of social media use."

It covers all forms of harmful effects and reflects the lack of sufficient knowledge regarding how the various risks affect children and young people, including which groups of children are particularly vulnerable to particular risks.

3.2. Definition of social media

The Act applies to *social media*. It is not evident how this term should be understood. In everyday language, the term social media is often used to refer to services such as TikTok, Facebook, Snapchat, Instagram and X. In academic research, these services are referred to as social networking services, defined as online platforms where users can create (partially) public profiles, connect with others and share content. The services are organized as virtual communities characterised by many-to-many communication, where users both produce and consume content. The content is mainly user-generated and available to the public, often through a personalized news feed. Full access to the services usually requires registration, and users are able, to varying degrees, to control the visibility of their information. The Act must apply to the core characteristics of these services, be clearly distinguishable from other types of services, and be predictable for both children, parents and providers. The ministries seek to establish a technology-neutral and objective definition based on the characteristics of

¹⁵ European Commission 2025. *Guidelines on measures to ensure a high level of privacy, safety and security for minors online, pursuant to Article 28(4) of Regulation (EU) 2022/2065*. [Link](#).

¹⁶ The Ministry of Children and Families and the Ministry of Digitalisation and Public Administration 2025. *Høringsnotat om forslag til lov om aldersgrenser for bruk av sosiale medier*. [Link](#).

the service. A key issue is how comprehensive the definition of social media should be, including whether it should only apply to harmful social media services and what exceptions should be included in the Act. The definition of an age limit, and the determination of which services are exempted, have an impact on how intrusive an age limit will be.

We have examined the regulation of similar services in other countries. In France, the draft legislation adopts a combined approach, drawing on the definition of social media services under the Digital Markets Act (DMA) and of online platforms from the DSA, stating that social media services provided by online platforms are prohibited for minors under the age of 15. Furthermore, the French Ministry of Economy is tasked with establishing a list of harmful social media services that will have an age limit, and social media services that are not included on the list may be used by children with parental consent.

As enforcement will take place through the DSA, the ministries consider it necessary for the definition of social media to be anchored in existing EU legislation, including the DSA and DMA. Social media may, for example, be defined as a service that constitutes either an "online social networking service", cf. Article 2(7) of the DMA, or a "video-sharing platform service", cf. Article 2(8) of the DMA, and which at the same time meets the definition of "online platform" in Article 3(i) of the DSA. The reference to the DSA's concept of an online platform is essential to ensure that the scope of obligated entities corresponds to that which follows from the DSA, (supplemented by the DMA). Pursuant to Article 56 of the DSA, enforcement with regard to the largest platforms will be carried out by the Commission, which has exclusive competence over VLOPs and VLOSEs, whereas the Digital Services Coordinator in the Member State of establishment is responsible for enforcement in relation to other platforms. It is therefore appropriate to rely on definitions that the supervisory authorities/the Commission already relate to, rather than introducing an autonomous Norwegian definition.

The ministries propose to define social media as an information society service that allows users to create a public personal profile, allows users to connect in networks, and stores and disseminates content uploaded by users without editorial control. This definition is in line with definitions of social networking services from the research literature and shares key elements with the definition of "online social networking service" set out in Article 2(8) of the Digital Markets Act. An information society service is defined as "*any service, normally provided for remuneration, at a distance by electronic means at the individual request of a recipient of services*", cf. Directive (EU) 2015/1535, Article 1(1)(b) of the European Parliament and of the Council. In the preparatory works for the Act, the ministries will emphasise that the Norwegian definition of social media is to be interpreted in light of what DSA and DMA cover.

An Act that applies to all social media may be too intrusive on children's rights, and to an insufficient extent address the harmful effects of social media. An overly broad definition also risks encompassing social media services that are not harmful. The ministries are therefore considering introducing age limits limited to social media services with harmful functions and characteristics, see Section 3.3, and have proposed exemptions for certain types of services, see Section 3.4.

The ministries propose that a national supervisory authority shall be empowered to determine, by individual decisions, whether a service falls within the definition of social media in the Act. This may prevent circumvention of the legislation. This makes it possible to have a

narrow definition as a starting point, while at the same time minimising the risk that services make minor adjustments in order to evade regulation.

3.3. Harmful social media

The ministries are considering whether the Act should include a condition that the age limit apply only to social media services that are *harmful*, or to services with *harmful functions and characteristics*, see Section 2(3) and Section 4 of the draft Act. The purpose is to ensure that the Act is more accurate, and that the requirement for an age limit will apply only to social media services that are considered harmful. This will ensure that the measure is not more intrusive than necessary. In addition, it may provide service providers with incentives to remove harmful features and may reduce the risk that providers seek to adapt their services in ways designed to fall outside the scope of the definition.

Furthermore, it is considered whether national constitutional obligations require the inclusion of such a condition, in particular the requirement that the Act comply with children's freedom of expression and the prohibition against prior censorship pursuant to Section 100 of the Norwegian Constitution. Such a condition may be based on an assessment of harmful characteristics, including addictive or manipulative design, exploitation of children's vulnerabilities, lack of protection measures, etc. Examples include infinite scrolling, automatic video playback, design elements aimed at eliciting increased disclosure of personal data, social ranking mechanisms, algorithmic reinforcement of harmful content, etc.

The scope of services covered will depend on how the concept of harmfulness is defined. Certain elements of the harmfulness criterion will need to be set out in the Act itself, while more detailed provisions may be laid down in regulations and/or guidelines.

The advantage of introducing a harmfulness condition is that an age limit would be imposed only on services with a potential for harm and avoid including services without risk or with only low risk. As mentioned, there are significant differences in the risk of harmful effects associated with the use of different social media services. A harmfulness condition would therefore establish a closer link between the regulatory objective and the chosen regulatory instrument. Such an approach would be less intrusive on children's freedom of expression, be more proportionate, and may enhance the legitimacy of the age limit among the general public.

A potential disadvantage with introducing such a condition, is that a definition incorporating an assessment of harmfulness may be more difficult for providers to comply with. Such a condition makes the law more unclear, and it becomes more difficult for users of the law to predict their legal position and adapt. It must also be expected that the service providers will try to challenge legally whether the services are harmful.

If the Ministries concludes that it is desirable or necessary to have a condition of harmfulness, this will be defined through a legal definition in the text of the Act that is available to both children, parents and providers. It may be appropriate for certain aspects of the regulation to be laid down in regulations pursuant to the Act. In addition, the supervisory authority may issue more detailed guidelines, which will create more predictability for service providers.

The ministries have not yet taken a position on whether there should be such a condition, or in detail what the wording of this will be. The Ministry nevertheless includes an illustrative proposal for what it might look like, placed in section 2(3) of the draft Act:

"Harmful social media means a service that, through its design, features or content, can be harmful to children's emotional, cognitive or health development or safety. Particular consideration shall be given to whether the service has characteristics that may have an addictive or manipulative effect, or that otherwise exploit children's vulnerability. Emphasis may be placed on whether the service has implemented adequate protective measures."

The ministries assume that the inclusion of such a condition is compatible with EEA law and invites comments in the consultation should there be differing views on this matter.

In the ministries' view, the draft definition of harmful social media is sufficiently broad to cover both harmful functionalities (such as infinite scrolling), harmful content (including pornography), hateful and discriminatory content, contact risk (e.g. grooming), health risk, etc. By empowering the supervisory authority the opportunity to issue guidelines and make individual decisions, the definition becomes sufficiently dynamic to allow the legislation to adapt to the development of new types of services and to emerging research on what is in fact harmful to children.

3.4. The need for exemptions from the age limit

Some services may fall under the definition of social media but pose little risk of harm or may be particularly valuable to children and young people. Furthermore, there may be a need to exempt specific services that are particularly important for the rights of children and young people. The ministries propose to exempt certain categories of services from the age limit, which, together with a possible harmfulness condition, will mean that only those services for which it is necessary to set an age limit will be subject to an age limit. At the same time, the ministries point out that a condition of harmfulness may reduce the need for exemptions. The exemptions will be considered in more detail during the EEA consultation of the Act and be seen in the context of whether a harmfulness condition is introduced. The proposals below are therefore preliminary. The ministries also propose to empower the supervisory authority to exempt specifically identified individual services.

Computer games

Computer games have high artistic and cultural value and are an important arena for leisure and learning for children and young people. Most computer games fall outside the definition of social media in the draft Act, although some online multiplayer games may be included. Age limits for computer games are not regulated by law, but follow labelling schemes such as PEGI, with parental responsibility for compliance. Although risks related to contact and behaviour may occur, these risks are not considered to be higher than those associated with other services. In light of the importance of computer games for children's play, cultural participation, and their social value, it is therefore not proposed to introduce age limits for computer games.

Editor-controlled media

The ministries propose an exemption for services that primarily provide editorially controlled journalistic production and publication of news, current affairs, public debate or other content of public interest. Such media may fall within the definition of social media because individuals are able to create user accounts and post comments and engage in discussions, for example on online newspapers. The wording is based on the scope of application of the Media Liability Act, cf. Section 2. Editor-controlled media fulfil a fundamental democratic function as a source of news, quality-assured information and arenas for public debate. The spread of disinformation and foreign or domestic influence operations has made the editor-controlled media even more important than before, not least as a corrective and counterweight to unedited, unverified and biased information on non-editorial digital platforms. The Government regards a diversity of editor-controlled media as a key tool for strengthening the population's resilience against disinformation. It is therefore important that an age limit does not restrict children's access to editor-controlled media.

The ministries also assume that there is no genuine need for an age limit for such services. Both the editor and other editorial staff have a general duty of care with respect to the moderation of debate forums on the editor-controlled platforms, cf. Sections 6 and 13 of the Media Liability Act. The editor-controlled media's own ethical rules also contain rules on responsibility for what is written in comment fields. According to the "Be careful poster", the editorial staff has a duty to remove comments that violate good press practice "as soon as possible" after publication. This means that the media are obliged to monitor and maintain routines for moderating comment fields.

This rule applies not only to comment fields on the media's own platforms, but also to comments that are published in connection with content posted by the media on social media.

Services that are primarily used for the purchase and sale of goods or services

The ministries propose exemptions for services that are primarily used for the purchase and sale of goods or services. Although some services, such as Tise, have social functions, the risk is considered low. Others, like Finn.no, fall outside the definition of social media. Such services should therefore be exempted, while the purchase and sale of illegal or age-restricted goods is regulated under other regulations.

Services that are primarily used for the dissemination of housing or job advertisements

Some social media services are primarily used for housing and job advertisements, such as Finn.no. Such services have limited relevance for children and pose a low risk of harm. An age limit would do little to strengthen children's rights, but may impose unnecessary obligations on the business community. Although there is a certain risk of circumvention, it is considered to be small, and the ministries therefore propose to exempt such services.

Services that primarily provide reviews, technical guidance or advice on goods or services

The ministries propose exemptions for services that primarily disseminate reviews, technical guidance or advice on goods or services. The reason for the exemption is that there is

considered to be a low risk of harm associated with this type of service, and that it will be useful for children under the age limit to be able to access information and gain insight into the goods and services they use or consume.

Communication in closed groups about education and leisure activities, etc.

The ministries propose exemptions for services for communication in closed groups between children, parents and various institutions, such as schools, kindergartens and organisations, about education and leisure activities, etc. Such services are considered to involve little risk and are important for children's participation in education, leisure and cultural life.

Communication in closed groups between members or volunteers of political and civil organizations

The ministries consider that a general age limit in social media is not proportionate without exceptions for political and civil society-related services. In order to safeguard children's freedom of expression, access to information, freedom of association and assembly, an exemption is therefore proposed for such services.

Digital messaging services

The ministries propose to exempt digital messaging services, which allow users to send messages to a limited and predefined number of people. The content is only shared with recipients the user chooses, as opposed to the mainly public content on social media. Examples are group chats and email. While some services may have public profiles and involve some risk, they differ from social media in that the user has control over who receives the content.

3.5. Persons subject to obligations under the Act

In the original Norwegian proposal, the obligations in the legal text were directed at service providers, and not to the children and parents. In the ministries' further assessments, it would not be compatible with EEA law to designate service providers as obligated parties, cf. Section 4 below. It follows from the E-Commerce Directive that a Member State cannot, as a general rule, restrict the freedom to provide information society services from another Member State, i.e. where the service provider is established in another Member State. The basis for this is the country-of-establishment principle, which is enshrined in Article 3 of the Directive. The principle entails that a provider established in one EEA state shall in principle only be subject to the legal rules of that state for matters that fall within the coordinated field of the Directive.

The legal text has therefore been changed accordingly. In formulating the provision, the ministries have emphasised that the wording should be as consistent as possible with the original purpose. We therefore propose that the age limit be formulated in a neutral manner. Once the DSA has been incorporated into the EEA Agreement and implemented into Norwegian law, the Act, in combination with the DSA, will give providers a responsibility to ensure that they have an effective age verification solution. In section 4 of the bill, this is formulated as follows: "Children shall not have access to (harmful) social media until the year they turn 16."

3.6. Age limit

There are no clear professional recommendations that indicate exactly what age limit should be introduced for using social media. According to the [Norwegian Directorate of Health's screen advice](#), young people between the ages of 13-18 should "limit their use of social media" and instead use age-appropriate content from editor-controlled media. The assessment must take into account the age limit required to shield children from the risks posed by social media based on the children's age and maturity, while at the same time ensuring that the age limit does not result in a disproportionate interference with children's human rights, such as freedom of expression and the right to privacy.

In the proposal that was on a public consultation in Norway, the ministries proposed that the age limit should be 15 years. On the basis of input received during the consultation process, the ministries have concluded that it is appropriate to propose that children should only be granted access to social media in the year they turn 16. The proposal means that children will have access to social media from 1 January of the year they turn 16. This ensures that the children have reached the age of 15 before they are granted access. The ministries believe that this age limit ensures that children are sufficiently mature to use social media in light of the risk involved, see Section 2, and that the intervention is proportionate, see Section 4.4.

The reason why the ministries propose to set the age limit to *the year one turns 16*, and not the *date of birth*, is to make it possible for all children born in the same cohort to gain access to social media at the same time, and thus to prevent children born late in the year from experiencing exclusion, e.g. in school and in other social contexts. This will ensure that most children in the same grade level will gain access at the same time. By that time, the children will also have received the same training in school on digital competence. The proposal also means that there is no need to collect the exact date of birth in connection with age verification, only the year of birth, which is beneficial from a privacy perspective.

The proposed age limit for social media is legally distinct from and does not need to correspond to, the age of consent under Article 8 of the General Data Protection Regulation (GDPR). At the same time, it is largely in accordance with the proposed national age limit of 15 years for consent to the processing of personal data pursuant to Article 8, which has been on an EEA consultation (notification number 2025/9028/NO).

3.7. Geographical scope

A central element of the proposed Act concerns children's access to social media services, under which, pursuant to the DSA, service providers will be responsible for implementing measures that ensure effective enforcement of the age limit. The Act will apply to children who are present in the territory of Norway. The providers of social media may be located in Norway, within the EEA or outside the EEA. The Act is general and will in principle apply in all cases. The Act will apply within Norwegian territory, and to providers in the internal market in the EEA through the obligations laid down in the DSA, see Section 3.8.

The Act may also apply to providers established outside the EEA, if the service is directed at the Norwegian market. According to the territorial principle of international law, Norway can regulate actions that take place on Norwegian territory, or that have effects on persons who are present in Norway. This also applies to digital actions, for example when Norwegian

users communicate with social media that are operated from servers abroad. However, for services offered globally via the internet, it is not sufficient that they are technically available in Norway. In order to establish jurisdiction, the service must have a real and substantial connection to Norway. In the Ministries' opinion, international law practice indicates that a decisive criterion for having jurisdiction is whether the service is targeted at the Norwegian market, as reflected in international case law. Such a connection may exist where the service is marketed to Norwegian users, has significant revenues from Norwegian customers, is offered in the Norwegian language, uses Norwegian payment solutions, is geolocated towards Norway, or is otherwise aimed at a Norwegian audience. In order to clarify the proposed Act's territorial scope of application, the ministries therefore propose that the Act specifies that it also applies to actions directed at the Norwegian market. Whether this condition is met must be decided after a specific overall assessment.

The Act's criterion that it "applies to actions aimed at the Norwegian market" will apply regardless of whether the provider is established in Norway, in another EEA country or in a third country. The text of the Act does not distinguish between providers within or outside the EEA but links the territorial scope of the Act to the structure of the action and market connection.

The fact that the criterion may also apply to providers established in other EEA states is, in the ministries' opinion, compatible with EEA law. The country of establishment principle of the E-Commerce Directive and corresponding rules in the DSA do not prevent the recipient state from regulating services that are targeted at its market, as long as the regulation applies within the framework and exemptions that follow from the regulations.

3.8. Enforcement and age verification

National authorities must determine which social media fall under the definition of the law and must have an age limit according to national law, as well as supervise these. Furthermore, the ministries' presumption is that requirements for effective age verification can be enforced through Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act (DSA)). This presupposes that the DSA regulation have been incorporated into the EEA Agreement and implemented in Norwegian law.

Article 28 of the DSA addresses online protection of minors and requires, among other things, that online platforms shall put in place appropriate and proportionate measures to ensure a high level of privacy, safety and security of minors on their service. The guidelines for Article 28 of the DSA allow Member States to have national age limits for access to certain "products or services offered and/or displayed in any way on an online platform", including specifically "defined categories of online social media services". This means that where a Member State introduces a national minimum age requirement for access to social media, service providers will be required to implement effective age-verification mechanisms in accordance with the guidelines under Article 28 of the Digital Services Act (DSA), in order to comply with national requirement. There is a presumption that the providers' age verification solutions must be effective, so that they protect children as intended, and comply with the requirements of the DSA and other EEA regulations, including data protection. Thus, there is a further presumption that the requirement for effective age verification can be enforced in accordance with the enforcement mechanism in Chapter IV of the DSA on

implementation, cooperation, penalties and enforcement. This means that the enforcement mechanism established by the DSA will be used for supervision, compliance and penalties instead of creating completely new national enforcement mechanisms. The national supervisory authority must ensure compliance with the law for services established in Norway. The national Digital Services Coordinator must report any suspected violations of the law against service providers established in other EU countries to the relevant DSA enforcement authority.

The supervisory and enforcement authority is divided in the DSA and for Article 28 between the European Commission and national supervisory authorities. The Commission has supervisory and enforcement authority over providers of Very Large Online Platforms (VLOPs). For other platforms, it is the national Digital Services Coordinator where the provider has its main establishment located that has such powers. This means that the primary enforcement competence lies with national Digital Services Coordinators in relation to providers established in their country, while the Commission has enforcement competence in relation to global actors that are designated as a VLOP, such as Meta, TikTok and Snapchat. The enforcement measures include penalties such as fines of up to six percent of the platforms' total worldwide annual turnover.

4. Assessment of the DSA and EEA law

4.1. Digital Services Act (DSA)

The DSA (Regulation (EU) 2022/2065) fully harmonises the rules applicable to intermediary services in the internal market with the objective of ensuring a safe, predictable and trusted online environment. This means that individual Member States may not stipulate stricter or more far-reaching requirements nationally than the requirements laid down in the DSA, unless the DSA itself, or possibly other EU legal acts, allow for this. The ministries assume that the DSA harmonises rules on providers' obligation to use age verification to protect minors. Pursuant to Article 28(1) of the DSA, online platforms are obliged to implement measures to protect minors, while the Commission may issue guidelines on this duty pursuant to paragraph 4. In the Commission's guidelines to Article 28 point 6.1.3.1 on *Age verification*, it is stated that:

"the Commission considers the use of access restrictions supported by age verification methods an appropriate and proportionate measure to ensure a high level of privacy, safety, and security of minors [...] Where Union or national law, in compliance with Union law, prescribes a minimum age to access certain products or services offered and/or displayed in any way on an online platform, including specifically defined categories of online social media services."

The guidelines thus seem to assume that the Commission believes that the DSA does not preclude the possibility of setting national age limits for the use of social media. The ministries have found no evidence that the DSA restricts the right to legislate a national age limit that is only aimed at the minors themselves and does not impose direct obligations on service providers. The ministries' assessment is that the DSA does not preclude a law on age limits for the use of social media where no direct obligations are imposed on the service providers.

4.2. Audiovisual Media Services Directive (AMT Directive)

The AMT Directive (Directive 2010/13/EU, as amended by Directive (EU) 2018/1808) coordinates national legislation on audiovisual media services in the EU/EEA and imposes certain requirements on providers of video-sharing platforms. In the Directive, video-sharing platforms are defined, somewhat simplified, as services where a main purpose or essential functionality is to offer image programmes or user-generated videos for which the provider has no editorial responsibility, and includes services such as YouTube, TikTok, Facebook and Instagram. The obligated party under the Directive is the provider of the video-sharing platform. The jurisdiction criteria for such providers in Article 28a are based on the concept of establishment in the E-Commerce Directive, and the scope for making national regulations applicable to providers established in another EEA country thus follows from the E-Commerce Directive.

4.3. The E-Commerce Directive

Directive 2000/31/EC of 8 June 2000 (the E-Commerce Directive) aims to ensure the free movement of information society services in the internal market. An information society service is any service that is usually provided for consideration and that is provided electronically, over a distance and at the individual request of a service recipient. The information society service thus has a very broad framework, and social media, as defined in this Act, is assumed to be covered by the term information society service.

The E-Commerce Directive is based on the country of establishment principle, cf. Article 3(1) and (2). The country of establishment principle states that information society service providers are subject to the legal system of the Member State in which they are established. The principle means that services provided from another EEA State are subject to the jurisdiction of the state of origin, and not of the recipient state. The Directive therefore entails that rules cannot be laid down that impose obligations on social media providers in another EEA state. The Act thus refrains from imposing direct obligations on social media providers.

The E-Commerce Directive sets out more specifically defined exceptions to the country of establishment principle. However, based on the case law of the European Court of Justice, the competence deriving from the exceptions must be interpreted restrictively, and the ministries take the view that the exceptions do not allow for the imposition of direct obligations on social media providers.

4.4. Proportionality

As stated above, the ministries consider that the introduction of a national age limit aimed at children is in accordance with relevant secondary legislation under EEA law. In principle, the ministries are of the opinion that an additional assessment of the measure under the general rules governing restrictions on the right to free movement under the EEA Agreement is not required. Nevertheless, in the drafting of the legislative proposal, an assessment of the proportionality of the rules has been carried out, among other things to ensure that the measure is in accordance with fundamental human rights. The ministries are of the opinion that the legislative proposal would also pass a proportionality test under the general rules of EEA law. Below, we therefore briefly explain our assessments that the measure is suitable, necessary and proportionate.

Suitable

The Norwegian Directorate of Health has made national [screen advice for children](#). It follows from this screen advice that children under 18 years should follow age limits and limit the use of social media. Considering the risks associated with the use of social media as set out in Section 2, the ministries believe that it is not sufficient with screen advice and other educational measures. Today, many platforms operate with 13-years age limit. However, as they have little control over the user's real age, this is not sufficient to protect children. The ministries believe that the introduction of a national age limit for using social media is an appropriate measure to protect children from the risk's social media entails. It will apply to all children under the age limit and be a more accurate and effective measure to protect children. Once the DSA has been implemented in Norwegian law, the platforms will have to ensure the age limit through the regulations in the DSA. The ministries believe that this will provide appropriate protection for children, even though technical tools may be used to circumvent the age limit.

The ministries emphasise that an age limit itself is not sufficient to protect all children's rights on social media or the internet. Reference is made to Report No. 32 to the Storting (2024-2025) for a discussion of the Government's overall policy in this area.¹⁷

Necessary

The measure is necessary as other, less intrusive measures have proven to be insufficient. The platform companies have their own age limits today, but not sufficiently effective age controls. Information for parents, guidance in schools and demands on the platforms for better settings for children have not prevented many children under the recommended age from using social media anyway, see Section 2. Practice has shown that it is difficult for children and parents to resist the pressure to use social media when many peers use it. Screen use is extensive, and Norwegian children and young people ranks among the highest in the world when it comes to the use of screens, social media and digital technology.

The current situation entails an unacceptably high risk for children and young people, from which the state has positive obligations to protect them. Reference is made to Section 2 about the risk's social media entails. The ministries therefore believe it is important to implement measures to ensure that all children have a safe upbringing in a digital world. Knowledge of how digital technology affects children is evolving rapidly yet still lags behind the technology that characterizes children's everyday lives. The ministries therefore believe it appropriate to adopt a precautionary approach, ensuring that children growing up are not exposed to technology that can be harmful to them and their development.

The introduction of an age limit provides a clear framework for the use of social media. It will also support parents in restricting their children's use of social media, as the Act establishes clear limits that apply to everyone. The ministries therefore consider it necessary to introduce a statutory age limit to reduce the risk of the use of social media for children and young people.

Proportional

For the measure to be proportionate, the benefits of protecting children must be weighed against the disadvantages for both children, parents, platforms and others. The introduction

¹⁷ Meld. St. 32 (2024-2025). *Trygg oppvekst i et digitalt samfunn*. Ministry of Children and Families. [Link](#).

of an age limit interferes with several of children's human rights, including the right to express themselves and the right to privacy. The ministries have therefore emphasised that the Act should not go beyond what is necessary to protect children.

Firstly, this has an aspect to what age limit should be set: The age limit must not be set higher than what is necessary to protect children. The age limit should be high enough to ensure that children have a sufficient degree of maturity to protect themselves from the risks posed by social media. There is little objective evidence to find the right level of maturity and development.

We have considered various ways of determining the age limit, including whether parental consent should be permitted. This entails a risk that the age limit is circumvented, and that there will be pressure on parents to give children who are not sufficiently mature access to social media because friends have gained access. We have therefore come to the conclusion that the most effective way to protect children is to have an absolute age limit.

We propose that the age limit be set to the year the child turns 16. This means that social media is postponed until the year in which one starts upper secondary school in Norway. By that time, children are generally more mature and better equipped to use social media. Setting the age limit by reference to the year in which one turns 16, rather than the exact date of birth, may help reduce exclusion among children within the same cohort.

To further ensure that the Act is proportionate, we are considering including a condition that only harmful social media are covered by the age limit, See Section 3.3. This may help to ensure that the measure does not include social media with little or very little risk, such as social media where young people recommend films and books. Furthermore, several exemptions from the age limit are proposed to ensure that the measure does not go further than necessary, see Section 3.4.

The introduction of an age limit may potentially lead to unintended consequences, such as increased use of unregulated platforms or circumvention of age controls. However, the ministries consider it both appropriate and important to introduce an age limit, and that it may have a normative effect. Any disadvantages of introducing an age limit must also be assessed against the risk inherent in the current situation, and in the ministries' view take the view the risk young people are exposed to today is unsustainable.

The ministries assume that the platforms carry out age verification in a manner that safeguards privacy and otherwise complies with EEA law, and that this will not be unreasonably burdensome for the platforms to carry out.

The ministries believe that the introduction of an age limit for using social media until the year the child turns 16 is an appropriate, necessary and proportionate measure.

5. Economic and social consequences

5.1. Consequences for service providers

Once the DSA has been implemented in Norwegian law, the proposal will lead to economic consequences for *the providers* covered by the Act. The providers will have to implement an appropriate age verification solution and may experience reduced revenues because of fewer users. In cases of non-compliance, the providers may be subject to financial sanctions. The ministries assume that social media providers implement appropriate measures,

including a privacy-friendly age verification solution that complies with EEA law, to ensure that the national age limit is complied with. For the service providers, this will entail costs related to age verification and reduced revenues.

The ministries assume that, overall, the proposal will have little impact on the competitive conditions in the market. This is because the Act is technologically neutral and linked to the functions and characteristics of the service, and because the majority of providers will be affected in the same manner and simultaneously. At the same time, the ministries acknowledge that the regulation may affect different providers differently, and therefore still have some impact on competitive conditions. Requirements for age verification cannot be enforced against providers not established within the EEA. The ministries assume that only a small number of providers operating in the Norwegian market are established outside the EEA, and that enforcement limitations against such providers therefore have little impact on competitive conditions. Furthermore, the ministries assume that larger providers will be better positioned to understand and comply with the age limit than smaller providers, partly because of better access to expertise. In the DSA, there is an exemption for micro and small businesses for a number of the provisions, including Article 28 on online protection of minors. The exemption for micro and small providers in Article 28 of the DSA, as well as the guidelines, contribute to reducing potential competitive advantages for larger providers.

5.2. Consequences for others

All persons residing in or present in Norway shall be required to verify their age when using social media services.

Children and young people will be affected by being excluded from social media platforms, primarily due to reduced opportunities to express themselves and to access information through social media. At the same time, they benefit from increased protection against harmful content and use. The costs and benefits of protection are not the same for all children, and the extent of these effects cannot be determined.

For the Norwegian authorities, there will be a need for resources for clarifications and guidance. If a condition of harmfulness is introduced, the authorities will also need resources for assessments of which social media services that are considered harmful. Once the DSA has been implemented in Norwegian law, the proposal will lead to costs for the authorities related to supervision and the reporting of suspected breaches of Norwegian law. Adequate supervision may require substantial resources. The extent to which the increased need for resource can be accommodated within the existing budget will depend on the design of the scheme.

6. Draft Act

6.1. Draft Act in English

Draft Act on age limit for social media use

§ 1. Purpose

The Act is intended to protect children from the potential harmful effects of social media use.

§ 2. Definitions

Social media means information society services

- a. that allow users to create a profile and connect with other users, and
- b. that store and disseminate content uploaded by users to the public without editorial control over the content;

Services are not considered social media pursuant to the first paragraph if they primarily offer:

- a. computer games
- b. regular journalistic production and publication of news, current affairs, public debate or other content of general interest
- c. the buying and selling of goods or services
- d. the dissemination of housing or job advertisements
- e. the provision of reviews, technical guidance or advice on goods or services
- f. communication in closed groups about education and leisure activities, etc., or
- g. communication in closed groups between members or volunteers of political and civil society organizations
- h. digital messaging services

[Harmful social media means a service that, through its design, features or content, may be harmful to children's emotional, cognitive or health development or safety. Particular consideration shall be given to whether the service has characteristics that may have an addictive or manipulative effect, or otherwise exploit children's vulnerability. Emphasis may be placed on whether the service has implemented effective protective measures.]

The Ministry may, by regulations, grant exemptions from the first and second paragraphs for certain services or categories of services [, as well as lay down supplementary provisions concerning what constitutes harmful social media pursuant to the third paragraph].

§ 3. Geographical scope

The Act applies to social media services directed at the Norwegian market, or provided by entities established in Norway.

The King may issue regulations on the application of the Act to Svalbard, Jan Mayen and the dependencies, and may lay down special provisions necessary in light of local conditions.

§ 4. Age limit requirement

Children should not have access to [harmful] social media until the year in which they turn 16.

§ 5. Supervision and enforcement

The supervisory authority may [draw up guidelines on what constitutes harmful social media and may] by individual decision, determine whether an information society service is considered a [harmful] social media pursuant to section 2.

§ 6. Entry into force

The Act enters into force at the time determined by the King. The King may bring individual provisions into force at different times.

6.2. Draft Act in Norwegian

Utkast til lov om aldersgrense for bruk av sosiale medier

§ 1. Formål

Loven skal beskytte barn mot mulige skadevirkninger ved bruk av sosiale medier.

§ 2. Definisjoner

Med sosiale medier menes informasjonssamfunnstjenester

- c. som lar brukerne opprette en profil og knytte kontakt med andre brukere, og
- d. som lagrer og formidler til allmennheten innhold lastet opp av brukerne uten redaksjonell kontroll på innholdet

Tjenester anses ikke som sosiale medier etter første ledd dersom de i hovedsak tilbyr:

- i. dataspill
- j. regelmessig journalistisk produksjon og publisering av nyheter, aktualitetsstoff, samfunnsdebatt eller annet innhold av allmenn interesse
- k. kjøp og salg av varer eller tjenester
- l. formidling av bolig- eller stillingsannonser
- m. formidling av anmeldelser, teknisk veiledning eller råd om varer eller tjenester
- n. kommunikasjon i lukkede grupper om utdanning og fritidsaktiviteter mv., eller
- o. kommunikasjon i lukkede grupper mellom medlemmer eller frivillige i politiske og sivile organisasjoner
- p. digitale meldingstjenester

[Med skadelig sosialt medium menes en tjeneste som gjennom utforming, egenskaper eller innhold kan være skadelig for barns følelsesmessige, kognitive eller helsemessige utvikling eller sikkerhet. Det skal tas særlig hensyn til om tjenesten har egenskaper som kan virke avhengighetsskapende eller manipulerende, eller som på annen måte utnytter barns sårbarhet. Det kan legges vekt på om tjenesten har iverksatt effektive beskyttelsestiltak.]

Departementet kan i forskrift gi unntak fra første og annet ledd for enkelte tjenester eller kategorier av tjenester[, samt fastsette utfyllende bestemmelser om hva som er skadelige sosiale medier etter tredje ledd].

§ 3. Geografisk virkeområde

Loven gjelder for sosiale medie-tjenester som er rettet mot det norske markedet, eller som tilbys av aktører som er etablert i Norge.

Kongen kan gi forskrift om lovens anvendelse for Svalbard, Jan Mayen og bilandene og fastsette særlige regler som er nødvendige av hensyn til de stedlige forholdene.

§ 4. Krav om aldersgrense

Barn skal ikke ha tilgang til [skadelige] sosiale medier før året de fyller 16 år.

§ 5. Tilsyn og håndheving

Tilsynsmyndigheten kan [utarbeide retningslinjer om hva som er skadelige sosiale medier og kan] ved enkeltvedtak avgjøre om en informasjonssamfunnstjeneste anses som et [skadelig] sosialt medium etter § 2.

§ 6. Ikrafttredelse

Loven gjelder fra den tid Kongen bestemmer. Kongen kan sette i kraft de enkelte bestemmelsene til forskjellig tid.