

Online Safety (Minimum Age and Child Safety Risk Assessment) Bill Summary:

Purpose: Reduce the risk of harm to children when online by imposing duties on operators of certain internet services

Scope	
Who is in?	Who is out?
The Bill applies to the same platforms in Australia (i.e. platforms with features associated with a risk to children) and Social AI Companions (AI designed to simulate an emotional connection or personal relationship with a user). Age-restricted platforms are defined as internet services that are accessible in NZ, enables users to exchange content with other users and has 1 or more specified features (i.e. endless-scrolling, algorithmic recommendations, feedback features and time-limited features).	The Bill states an internet service is not an age-restricted platform if it is primarily used for: • Messaging, email, voice or video-calling (e.g. WhatsApp,Discord). • Product and services’ reviews, support and/or advice. • Online multiplayer games (e.g. Roblox). • Listening to music or podcasts (e.g. Spotify and Apple Music). • Professional networking or development (e.g. LinkedIn). • Education services. • Health services. AI chatbots used primarily for responding to information queries and/or supporting productivity (e.g. ChatGPT, Gemini and Copilot) are also out of scope.

Platform Requirements	
Minimum age	Child safety risk assessments
Age-restricted platforms would need to: • Take reasonable steps to ensure under 16s could not hold an account. • Provide more than one way for a user to determine their age (preventing them from solely relying on formal ID). • Abide by existing and additional privacy protection requirements for personal information used in age assurance. There are significant penalties for failing to abide by privacy protection requirements. Age-restricted platforms are prohibited from using self-declarations to check someone’s age. Regulator would take a performance-based approach to assessing compliance.	Age-restricted platforms would need to: • Complete child safety risk assessments for all NZ users under 18 against a list of risk factors. • Update these assessments at least annually and provide them to the regulator. • Complete a further risk assessment in advance of making a significant change to their design or terms of use. • Nominate a senior manager responsible for the assessment’s accuracy. <i>List of risks to assess and report mitigations of:</i> • Illegal content and conduct in existing legislation. • Harmful content and conduct (e.g. grooming, cyberbullying, harassment, extortion, sextortion, AI deepfakes, self-harm or suicide, violence, sexually explicit activity, false or misleading information and any other activity that may be a crime in NZ). • Advertising and behavioural profiling. • Service design and function (e.g. use of algorithms). • Others specified by the regulator.

Regulator Functions and Powers	
Education	Monitoring, compliance and enforcement
The regulator would develop and deliver a targeted education campaign to prepare the public for the minimum age requirements ahead of implementation. This includes guidance for children, their caregivers and the public on the new changes, as well as equipping children with strategies to stay connected safely. Education would be strengthened by co-design with children and impacted groups, and by delivering material through trusted networks, including schools.	The Secretary for Internal Affairs will be the regulator responsible for enforcing the Bill’s requirements,providing guidance to platforms, delivering education to children, co-operating with other regulators and advising the Minister. The regulator would have a range of tools to enable it to monitor, investigate and enforce compliance through a graduated response model: • Information gathering and sharing powers. • Auditing age assurance tech used by platforms. • Formal warnings. • Corrective notices. • Enforceable undertakings. • Injunctions. • Financial penalties (based on a percentage of the platform’s global annual revenue). • Service restriction (inability to work with NZ companies and limiting monetisation in NZ). • Access restriction (geo-blocking by ISPs and app stores). • Criminal penalties for providing deliberately false or misleading information or refusing to provide information (includes individual liability for nominated senior manager).

Fact Sheet

What we know in New Zealand.

- **One in three young New Zealanders spend at least five hours a day on social media.** The 2025 Youth Health and Wellbeing Survey of around 9,400 young people aged 13–19 found 33.5 per cent reported five or more hours of social media use a day.
- A separate 2025 New Zealand survey of 540 teenagers aged 13–17 found **90 per cent used social media**, with most starting between the ages of 10 and 13.
- **Half of the teenagers surveyed felt they had been given access to social media too young.**
- **39 per cent said they wished social media had never been invented.**
- **Almost half said social media disrupted daily life**, including homework and schoolwork, family time, chores and sleep.
- **22 per cent met the criteria for problematic social media use**, with more than a third in a risky category.
- Young people themselves are not universally opposed to action. **47 per cent of teenagers supported increasing the minimum age to 16, compared with 25 per cent who opposed it. Among caregivers, support was 77 per cent.**

What does the Online Safety Bill do?

- Requires age-restricted platforms to take reasonable steps to stop children under 16 from holding accounts.
- Holds platforms accountable by requiring platforms to assess the risks their services pose to children and report on how those risks are being managed.
- Establishes a regulator to monitor compliance, provide guidance, and act when platforms do not meet their obligations.
- Reduces children’s exposure to harm on social media and AI companion platforms.

How will it work?

- Platforms will need to check if someone who is signing up for an account or already holds one is older than 16. They will do this through a number of methods including; using existing account information, facial age estimation, digital ID services and formal ID.

What platforms will be captured?

- The Bill is intended to apply to at least the same platforms covered by Australia’s laws including – Instagram, Snapchat, TikTok, YouTube, Facebook and X.
- Children under 16 will still be able to access messaging, gaming, music and podcast platforms, as well as education, healthcare and professional networking services.

Will every New Zealander now have to prove their age and date of birth to use social media if they are over 16?

- No. If the platform already has accurate information indicating a user is over 16, that user should not be required to provide additional information.
- For example, if someone has had an account since Facebook started in New Zealand in 2006, Meta could reasonably assume they are older than 16 so no further check is needed.

Will social media platforms be able to store users’ information?

- No. The Bill includes strict privacy protections that limit how this information can be used and require it to be deleted when it is no longer needed.
- Platforms that fail to meet these privacy requirements can face enforcement action and significant penalties.

Won’t children just get around the rules?

- Platforms will not be able to rely solely on users entering a date of birth and claiming they are old enough.
- Platforms will be expected to use effective age-checking systems and keep them up to date so they can detect and respond to attempts to get around the rules.
- But ultimately, no system is perfect, and some children will try to get around the rules. But that is not a reason to do nothing. This is about changing expectations and social norms around children’s access to social media.

Will this Bill regulate VPNs? Won’t children just use them to get around the rules?

- No, the Bill does not regulate VPNs at all.
- We recognise the risk that some users may attempt to use tools such as VPNs to get around restrictions, and this has been considered in the design of the regime.
- Platforms can already use tools to help identify when users may be attempting to bypass restrictions by using a VPN and are expected to respond appropriately.
- Recent evidence from Australia shows that VPN usage by children to get around age restrictions is very low, only 3 per cent.

What will the regulator do?

- Monitor whether platforms are meeting their legal responsibilities and act when they do not.
- Educate children, parents, caregivers and the wider public about the new requirements.
- Request information from platforms about how they meet their obligations.
- Assess whether platforms have appropriate systems and processes in place to stop children under 16 from holding accounts and to identify, assess and manage risks to children.
- Publish information about how platforms meet their obligations.
- Apply penalties to companies who do not comply with the law.

What has happened in Australia since their legislation was introduced?

- Around **3 in 10 children no longer have accounts.**
- Between December 2025 and February 2026, **4.7 million accounts have been deactivated, removed or restricted.**
- At the start of March 2026, **over 310,000 additional under 16 accounts in Australia were prevented from accessing platforms.**
- For New Zealand, a 30 per cent reduction could mean that approximately 280,000 children are no longer accessing platforms associated with online harms.

Proving You're 16+ | How age checks could work in practice

Maia, 12 years old

Dunedin

Maia is a Year 8 student who wants to create her first social media account to keep up with friends from school.

She is under the minimum age and has not previously had an account.

- **Maia selects face scan**
Age is estimated as <16
Platform is told the user is likely <16
- **Maia cannot create an account**

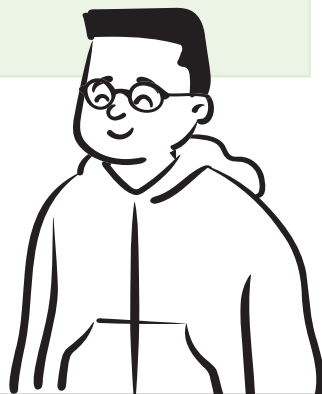


Sam, 16 years old

Invercargill

Sam has recently celebrated his 16th birthday. His social media account was deactivated when the minimum age requirement came into force, and he now wants to regain access.

- **Sam selects face scan**
Age is estimated as 16+
Platform is told the user is likely 16+
- **Sam can now create an account**



Kim, 45 years old

Auckland

Kim uses social media to stay in touch with friends and family and is accessing an account they have used almost daily for 15 years.

- **Kim logs onto their account**
Platform estimates Kim is 16+ by using her existing account and device data
- **Without taking any extra steps, Kim can continue using their account**



Proving You're 16+ | How age checks could work in practice

Jonah, 14 years old

Queenstown

Jonah is a secondary school student who is often mistaken for being older than he is.

Despite being below the minimum age, he attempts to create an account.

- **Jonah selects face scan**
Age is estimated as 16+
Platform is told the user is likely 16+
- **Jonah creates an account**
Platform identifies signs that Jonah may be <16 from his account and device activity
- **Jonah must choose another age check method:**

Mobile

Email

ID
- **Jonah enters his phone number**
Phone number is checked against mobile provider records and age is estimated as <16
Platform is told the user is likely <16
- **Jonah's account is deactivated**



Amber, 17 years old

Whakatāne

Amber is a Year 13 student who wants to sign up to a social media platform.

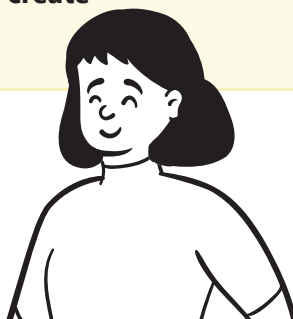
She is often mistaken for being younger than she is.

- **Amber selects face scan**
Age is estimated as <16
Platform is told the user is likely <16
- **Amber seeks a review, choosing another method:**

Mobile

Email

ID
- **Amber chooses to upload a secure photo of her passport**
Age is verified as 16+
Passport image is deleted
Platform is told the user is likely 16+
- **Amber can now create an account**



Leon, 33 years old

Nelson

Leon wants to sign-up to a social media platform.

He does not feel comfortable sharing his ID or doing a face scan.

- **Leon is asked to select an age check method:**

Mobile

Email

ID

Face scan

Credit card
- **Leon enters his credit card details**
Details are verified via a secure method
No money is charged
Age is verified as 16+
Platform is told the user is 16+
- **Leon can now create an account**

