European Commission requests member states halt work on national social media ban and wait for the EU KIDS Act

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Over the last few years, the world has seen a rise in discussions and legislative efforts to develop stronger rules to protect minors from online harms. Since the entry into force of Australia's Online Safety Amendment (Social Media Minimum Age) Act 2024, banning Australians under the age of 16 from creating accounts on social media platforms, many other countries have aimed to introduce similar types of restrictions.

Many European member states had begun to explore options, going as far as to pass draft legislation, with some planning to roll out the new rules as early as September 2026 or early 2027. Such was the case with France's proposed social media ban for children under the age of 15 which the Constitutional Council (*Conseil constitutionnel*) blocked prior to its entry into force. The Council considered that the measure infringed on the right to freedom of expression afforded to under-15s and that it lacked guarantees with regard to the protection of the users' privacy, in relation to age assurance questions.

In parallel, the European Commission was drafting the EU KIDS Act, unveiling the proposal in July 2026. This simultaneous development of initiatives both at the European and national levels has prompted the Commission to request that member states halt progress on draft legislation touching upon the same themes as the EU Kids Act. The European Commission can suspend the adoption of national draft laws once they have been notified through the Technical Regulation Information System, TRIS. Once a member state submits a draft law through TRIS, the European Commission has three months to respond. If the Commission is preparing legislation on the same topic, it can, however, extend this standstill period to 12 months.

On 29 October 2026, European Commission spokesperson Thomas Regnier announced the 12-month halt to national processes, due to concerns about fragmentation, mentioning that it would affect Austria, Belgium, Italy and Slovenia – countries which had submitted drafts through the TRIS system. The Austrian government was swift to respond, with SPÖ (*Socialdemokratische Partei Österreichs*) Vice Chancellor and Media Minister Andreas Babler expressing his incomprehension at the postponement in a statement on the same day. He

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indicated that Austria would therefore still push the process forward at the national level so that the social media ban can be implemented immediately after the EU deadlines expire.

While several member states are concerned about the extended standstill, one finds itself in a different situation. Owing to the early notification of its draft law, Greece has been able to move forward, as the initial review period for it ended before the EU KIDS Act was presented. This prevented an extension of the standstill and allowed the Greek social media ban for under-15s to be adopted on 23 October 2026.

European Commission – Midday press briefing from 29/10/2026 – EU KIDS ACT – Social Media law in different countries in Europe: Q&A

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