[IT] New provisions to increase the safety of minors in the digital sector

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New measures to protect minors in the digital sphere have been introduced by Italian legislative decree No. 123 of 15 September 2023, entitled "Urgent measures to combat youth hardship, educational poverty and juvenile crime, as well as for the safety of minors in the digital sphere".

In particular, in order to guarantee a safer digital environment for minors, Article 13 provides for new measures aimed at the manufacturers of electronic communication devices (smartphones, computers, tablets and, where compatible, video game consoles, and other possible connected objects such as televisions, watches, voice assistants, home automation and the Internet of Things).

The measures at hand, to be fully implemented within one year from the entry into force of the decree, impose on all operating systems of the devices concerned the obligation to make available parental control applications (i.e. elements external to electronic communication devices, networks, applications or software for electronic communication devices, easily understandable and accessible to users, and allowing parental controls).

Furthermore, it is envisaged that suppliers of electronic communication services must ensure, free of charge, the availability of parental control applications within the scope of supply contracts in electronic communications services governed by the electronic communications code.

Likewise, device manufacturers, also through distributors operating in Italy, have the obligation to inform users about the possibility and importance of installing parental control applications. The supervisory power over these obligations is attributed to the Communications Authority, AGCOM, which must prepare, by 31 January each year, a report on the impact of the implementation of the measures described above with particular reference to the use of the parental control applications.

The other crucial innovation is the new provisions relating to digital and media literacy for the protection of minors and information campaigns. In this context, four actions are envisaged:

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- The first action provides that the Department for Family Policies at the Presidency of the Council of Ministers must promote studies and develop guidelines for users of electronic communication devices and parental control applications, with particular attention to educators, families and the minors themselves.

- Furthermore, it is established that Family Centres have the obligation to offer advice and services regarding the media and digital literacy of minors, by paying specific attention to their protection from exposure to pornographic and violent content.

- The third action concerns the launch of annual training campaigns on the conscious use of the Internet and the associated risks, in particular on the means of preventing access to potentially harmful content for the harmonious development of minors by the Presidency of the Council of Ministers and the Ministry for Business and Made in Italy (MIMIT).

- The last action concerns the obligation on the part of the political authority with responsibility for family policies to report to the parliament by 31 May of each year on the status of the implementation of this law.

DECRETO-LEGGE 15 settembre 2023, n. 123 "Misure urgenti di contrasto al disagio giovanile, alla poverta' educativa e alla criminalita' minorile, nonche' per la sicurezza dei minori in ambito digitale."

https://www.gazzettaufficiale.it/eli/id/2023/09/15/23G00135/sg

DECREE-LAW No. 123 of 15 September 2023 "Urgent measures to combat youth hardship, educational poverty and juvenile crime, as well as for the safety of minors in the digital environment"

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