[FR] National Assembly adopts Digital Safety and Regulation Bill

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Amélie Blocman
Légipresse

On 17 October, the French National Assembly adopted, on first reading, the *Projet de loi visant à sécuriser et réguler l'espace numérique* (Digital Safety and Regulation Bill), which had previously been adopted on first reading by the Senate on 7 July. Under the accelerated procedure launched by the government, a joint committee is now expected to meet, probably in December.

This extensive piece of legislation aims to strengthen the "protection of minors online" and of "citizens in the digital world", "confidence and competition in the data economy", "the governance of digital regulation" and to "adapt the national law", in particular by transposing the European Digital Services Act (DSA) and Digital Markets Act (DMA).

To this end, the bill gives the *Autorité de régulation de la communication audiovisuelle et numérique* (French audiovisual regulator – ARCOM) new powers to monitor the accessibility of online pornography to minors and to draw up technical requirements that must be met by age verification systems restricting access to such content. During their deliberations, the members of the National Assembly extended the age verification requirements to include online gambling services. The adopted text includes the formal notice and sanction procedure for companies that breach the ARCOM requirements, and sets the maximum fines for repeated infringements by Internet access providers, search engines or directories (EUR 150,000 or 2% of global turnover), and publishers (EUR 500,000 or 6% of global turnover). After Article 3, which sanctions hosting providers that fail to comply with a request to remove child pornography, an additional article was created, extending the obligation for hosting providers to remove such content to include sexual content involving adults that is disseminated without their consent. While child pornography must be removed within 24 hours of receipt of an injunction from the administrative authority, content involving adults must be taken down within seven days.

In an effort to raise awareness of the fight against disinformation, a new Article 4a makes it an offence to publish deepfakes, i.e. audio or video content created by an algorithm that reproduces a person's image or voice and is published without their consent, if it is not obvious or expressly stated that it was generated by an algorithm. Under Article 5, an additional ban of between six months and one year

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is introduced for those convicted of certain criminal offences (child pornography, pimping, Holocaust denial, glorification of terrorism, sexual harassment of a spouse or schoolchild, direct public incitement to commit certain serious offences, etc.), requiring online platforms to block accounts used to commit such offences. Criminals convicted of these offences may also be prohibited from creating new accounts.

It should also be noted that Article 29 of the bill revokes three provisions of the Law of 22 December 2018 on combating the manipulation of information (chapter III concerning online platform operators' duty to cooperate in the fight against the dissemination of false information).

Finally, amendments aimed at limiting anonymity on the Internet were not adopted, while the proposal to introduce fixed fines for racist or sexist public insults or defamation committed online was also dropped.

Projet de loi n°175, modifié, par l'Assemblée nationale, visant à sécuriser et réguler l'espace numérique

https://www.assemblee-nationale.fr/dyn/16/textes/l16t0175_texte-adopte-seance

Digital Safety and Regulation Bill no. 175, amended by the National Assembly

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