

### Scope

The Digital Statute for Children and Adolescents (Digital ECA) applies to technology providers whose products or services are targeted at or are likely to be accessed by minors in Brazil. These factors are assessed based on attractiveness, ease of access and use, and associated risks. The Digital ECA also establishes general obligations for any providers that offer content or services classified as inappropriate for minors, or that commit serious violations of minors' rights.



### General Obligations

The Digital ECA sets general obligations to manage risk and impacts on children's health and safety, including content review, restricting access to illegal or inappropriate material, preventing compulsive use, and providing information on age ratings.

### Parental Supervision and Child Monitoring

Providers must offer accessible supervision tools that ensure transparency and enable parents to monitor their children, limit screen time, manage accounts, restrict transactions, and provide control options (in Portuguese), among certain other features. Monitoring tools must ensure that collected data remains secure and is used solely in the best interests of minors to support their development.

### Content

Providers must prevent and mitigate risks associated with accessing certain types of content, including sexual exploitation, violence, gambling, predatory advertising, and behaviors harmful to physical or mental health. They must also remove content that violates minors' rights upon being notified of its existence – even if there is no court order. Furthermore, technology providers must proactively take down prohibited extreme content, including that involving exploitation, sexual abuse, kidnapping, and grooming.



### Abusive Use of Reporting Systems

Internet application providers must take steps to prevent reporting systems from being abused by adopting clear rules, procedures, and penalties, and by applying technical criteria to identify abusive behavior.

### Content Reporting

Technology providers must report any content involving child exploitation, sexual abuse, kidnapping, and grooming to the competent Brazilian and international authorities. Additionally, technology providers with products or services targeted at or likely to be accessed by minors must notify the authorities of any content that violates minors' rights upon becoming aware of it.

### Privacy and Data Protection

The Digital ECA raises specific concerns about minors' data, including providing for more protective default privacy settings, prohibiting data processing that violates minors' best interests. It also requires companies that process such data to prepare personal data protection impact, monitoring and assessment reports.

### Inappropriate Content, Products and Services

Technology providers offering pornographic or other content, services or products that minors are prohibited from accessing by law must implement effective age-assurance mechanisms. Mere self-declaration mechanisms are prohibited. Age must be verified each time the user tries to access, and access by minors must be prevented.



### Age Assurance

Internet app stores and operating systems must implement mechanisms for age or age-range assurance, including safe, auditable measures and parental supervision features. Stores and operating systems must also signal age information to apps via an API, while providers must implement their own mechanisms to prevent access to inappropriate content.

### Electronic Games

The Digital ECA extends certain rules from the Legal Framework for Videogames (Law No. 14,852/2024) to any game likely to be accessed by minors. It also prohibits loot boxes in such games.

### Advertising

The Digital ECA prohibits the use of profiling techniques, emotional analysis, or immersive technologies for targeting commercial advertising at minors or for monetizing or promoting content that portrays minors in eroticized or sexualized ways.

### Representation

Companies must have a legal representative based in Brazil with the authority to respond to judicial and administrative proceedings on the company's behalf.

### Accountability

Platforms with more than one million users must publish twice-yearly reports covering complaints, actions taken to identify child accounts on social networks, data protection, and impact assessments. In addition, internet app providers must share data necessary for researching the effects of their products on minors' rights.



### Social Media

Social networks must link accounts of individual users under the age of 16 to their legal guardians' accounts and restrict accounts suspected of being used by minors. Moreover, if providers offer products or services inappropriate for minors on social media, they must restrict any content designed to attract children and bolster their age-assurance mechanisms.

### Penalties

In the event of non-compliance with the Digital ECA, the Brazilian Data Protection Agency (ANPD) may issue a formal warning with a 30-day remediation period. Alternatively, it may also set fines of up to 10% of the economic group's revenue in Brazil, or fines of BRL 10 to BRL 1,000 per user (with both options capped at BRL 50 million per violation). Additionally, Brazil's courts may order non-compliant activities to be suspended or prohibited.

