



An Bille um Chosaint Leanaí (Fíorú Aoise ar Líne), 2026
Protection of Children (Online Age Verification) Bill 2026

Mar a tionscnaíodh

As initiated



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ACTS REFERRED TO

Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 (No. 2)

Criminal Law (Sexual Offences) Act 2017 (No. 2)

Digital Services Act 2024 (No. 2)

Petty Sessions (Ireland) Act 1851 (14 & 15 Vict., c. 93)



AN BILLE UM CHOSAINT LEANAÍ (FÍORÚ AOISE AR LÍNE), 2026
PROTECTION OF CHILDREN (ONLINE AGE VERIFICATION) BILL 2026

Bill

entitled

An Act, in the interest of child protection, to require that access to pornographic content on the internet be subject to an age-verification requirement and to provide for related matters. 5

WHEREAS under Article 42A.1 of the Constitution the State recognises and affirms the natural and imprescriptible rights of all children and shall, as far as practicable, by its laws protect and vindicate those rights; 10

AND WHEREAS Article 34 of the United Nations Convention on the Rights of the Child specifically requires states to protect children from sexual exploitation and sexual abuse;

AND WHEREAS there is a proliferation of pornographic content freely accessible on the internet; 15

AND WHEREAS it is recognised that pornography creates a false, self-focused view of human sexuality which is profoundly damaging to children and is destructive to families;

AND WHEREAS it is of grave concern that many children in the State have unfettered access to the internet; 20

AND WHEREAS in fulfilment of its obligations to protect children from the harmful effects of pornography, the State must take steps to limit the ability of children to have unfettered access to pornographic content;

Be it enacted by the Oireachtas as follows:

Interpretation 25

1. In this Act—

“application store service” has the meaning assigned to it in section 77 of the Digital Services Act 2024;

“image” has the meaning assigned to it in section 2 of the Criminal Law (Sexual Offences) Act 2017 and cognate words shall be construed accordingly;

“Minister” means Minister for Arts, Culture, Communications, Media and Sport; 5

“pornographic content” means any combination of images and/or sound that depicts sexual activity or sexual exploitation and is of such a nature that it is reasonable to assume that it was produced solely or principally for the purpose of sexual arousal;

“provider of an application store service” means a person who manages, controls or provides an application store service; 10

“relevant third party” shall be construed in accordance with *section 4(6)*;

“website controller” means any person who is responsible to any extent for determining, controlling, hosting or sharing the content which is made available on a website on the internet;

“website user” means a person who seeks or secures access to an internet website. 15

Obligations of certain online service providers

2. (1) Any website controller that facilitates or permits the publication of pornographic content on the internet shall ensure that such pornographic content is not accessible to any person in the State who has not attained the age of majority.
- (2) Any application store service that facilitates or permits the publication or dissemination of an application on the internet which has as its purpose the provision of pornographic content to any party shall ensure that the application is not accessible to any person in the State who has not attained the age of majority. 20
- (3) Any provider of an online service that facilitates the creation or generation of pornographic content online, including by way of the use of Artificial Intelligence, shall ensure that the service is not accessible to any person in the State who has not attained the age of majority. 25

Age verification requirement

3. (1) Any website controller that facilitates or permits the publication of pornographic content on the internet shall, prior to enabling any person in the State to access that content, require the person to fulfil age verification requirements. 30
- (2) Any application store service that facilitates or permits the publication or dissemination of an application on the internet which has as its purpose the provision of pornographic content to any party shall, prior to enabling any person in the State to access that application, require the person to fulfil age verification requirements. 35
- (3) Any provider of an online service that facilitates the creation or generation of pornographic content online, including by way of the use of Artificial Intelligence, shall, prior to enabling any person in the State to access that service, require the person to fulfil age verification requirements.

- (4) The Minister shall prescribe a class of documents, or a combination of classes of documents, that is adequate to verify the age of each website user and which may be accepted for the purposes of fulfilling the age verification required under this section.
- (5) Where a website controller, service or provider under *subsections (1), (2) or (3)* requires that a credit card owned by and in the name of a citizen or resident of the State who is over 18 must be used in order to view, access or use any online content, this shall in any legal proceedings in the State be held to have satisfied the requirements of this section in relation to that specific content. 5

Outsourcing the conducting of age verification

- 4. (1) A website controller, application store service or an online service which facilitates the creation or generation of pornographic content may rely on a relevant third party to conduct age verification as required under *section 3* only if there is a contract between the parties pursuant to which the relevant third party will provide the age verification service. 10
- (2) Where a relevant third party provides an age verification service under *subsection (1)*, save as is provided for in *subsection (4)* the relevant third party shall not be obliged to share documentation submitted to it by an individual for the purposes of fulfilling the age verification requirement. 15
- (3) (a) Data that is collected and retained for the purpose of compliance with age verification requirements provided for under this Act shall be securely stored for a period of 5 years. 20
- (b) In determining appropriate technical or organisational measures for the purposes of *paragraph (a)*, a controller of such data shall ensure that the measures provide a level of security appropriate to the harm that might result from accidental or unlawful destruction, loss, alteration or unauthorised disclosure of, or access to, the data concerned. 25
- (c) A controller or processor of data that has been collected for the purpose of fulfilling age verification requirements under this Act shall take all reasonable steps to ensure that—
 - (i) persons employed by the controller or the processor, as the case may be, and 30
 - (ii) other persons at the place of work concerned,
 are aware of and comply with the relevant technical or organisational measures referred to in *paragraph (b)*.
- (4) Where a person has duly complied with an age verification requirement provided for under this Act, a party to a contract under *subsection (1)* may only seek access to that data where the processing of that data— 35
 - (a) is necessary for the purposes of providing or obtaining legal advice or for the purposes of, or in connection with, legal claims, prospective legal claims, legal proceedings or prospective legal proceedings, or
 - (b) is otherwise necessary for the purposes of establishing, exercising or defending legal rights or demonstrating compliance with legal requirements. 40

- (5) Any website controller, provider of an application store service or online service which facilitates the creation or generation of pornographic content that relies on a relevant third party to conduct age verification as required under this Act remains liable for any failure to apply the measure.
- (6) The Minister may prescribe a corporate entity as being a “relevant third party” for the purpose of this section only if the Minister is satisfied that—
 - (a) the applicant firm has been incorporated for a period in excess of 12 months,
 - (b) the business activities engaged in by the applicant entity are consistent with the requirements of *subsection (7)*,
 - (c) the applicant firm is compliant with all applicable statutory requirements,
 - (d) the applicant firm and each of its directors are, in the opinion of the Minister, of good standing and repute.
- (7) The business activities of a relevant third party referred to in *subsection (6)* shall include (but not be limited to) the provision of one or more of the following services;
 - (a) the conduct of customer due diligence;
 - (b) the confirmation of the identity of persons;
 - (c) the verification of the authenticity of official documents;
 - (d) the provision of compliance services in the context of compliance with the requirements of the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010.

Offences

- 5. (1) It shall be an offence for a person to contravene a requirement of *section 2(1), (2) or (3), section 3(1), (2) or (3), or section 4(3) or (4)*.
- (2) Liability for an offence under *sections 2 or 3* shall attach to any person being a website controller or provider of an application store service or provider of an online service which facilitates the creation or generation of pornographic content.
- (3) It shall be a defence to any proceedings for an offence under *sections 2 or 3* for the defendant to prove that—
 - (a) access to the website or application was subject to an age verification requirement that was fit for purpose, and
 - (b) access to the pornographic content, the application or service by a person who had not attained the age of majority had been facilitated or permitted by another person for the purpose of circumventing the age verification process.
- (4) It shall be a defence to proceedings for an offence under *sections 2 or 3* for the defendant to prove that the defendant was unaware, and had no means of being aware, that access to the pornographic content, the application or service was being sought by a person within the State.
- (5) A person who is guilty of an offence under this section is liable—
 - (a) on summary conviction to a class A fine or imprisonment for a term not

exceeding twelve months, or

- (b) on conviction on indictment to a fine of up to €500,000 or imprisonment for a term not exceeding ten years, or both.

Summary proceedings: time limit of two years

6. Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings for an offence under this Act may be instituted at any time within two years from the date on which the offence was committed. 5

Liability of directors and officers of corporate bodies

7. (1) Where an offence under this Act is committed by a body corporate and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any wilful neglect of, a person who, when the offence was committed, was a director, manager, secretary or other officer of the body corporate or of a person purporting to act in such a capacity, that person, as well as the body corporate, is guilty of an offence and is liable to be proceeded against and punished as if guilty of the first-mentioned offence. 10 15
- (2) Where the affairs of a body corporate are managed by its members, *subsection (1)* applies in relation to the acts or defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate.

Regulations 20

8. (1) The Minister may, after consulting with the Minister for Justice, Home Affairs and Migration, by regulations provide for any matter referred to in this Act as prescribed or to be prescribed.
- (2) Regulations under this Act may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations. 25
- (3) Every regulation made under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next 21 days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done under the regulation. 30

Review of operation of Act

9. The Minister shall, not later than 3 years after the commencement of this Act, carry out a review of the operation of this Act. 35

Short title, citation and commencement

10. (1) This Act may be cited as the Protection of Children (Online Age Verification) Act 2026.
- (2) This Act comes into operation on a date that is 6 months after the date of its passing.

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht, ar mhaithe le cosaint leanaí, dá cheangal go mbeidh rochtain ar ábhar pornagrafach ar an idirlíon faoi réir ceanglas fíoraithe aoise agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Seanadóirí Rónán Ó Maoláin, Sharon Nic Eochagáin, Aubrey Mac Cárthaigh, Micheál Mac Dubhghaill, Gearóid Ó Creachmhaoil, Seosamh Ó Conmhuí, Aodhán Mac Daibhéid, Diarmuid Mac Liam agus Sarah O'Reilly a thug isteach,

2 Iúil, 2026

BILL

(as initiated)

entitled

An Act, in the interest of child protection, to require that access to pornographic content on the internet be subject to an age-verification requirement and to provide for related matters.

Introduced by Senators Rónán Mullen, Sharon Keogan, Aubrey McCarthy, Michael McDowell, Gerard Craughwell, Joe Conway, Aidan Davitt, Diarmuid Wilson and Sarah O'Reilly,

2nd July, 2026

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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