

A Brief Review of Guidelines for the Construction of Mobile Internet Minor Mode

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On 15 November 2024, the Cyberspace Administration of China (CAC) has issued the *Guidelines for the Construction of Mobile Internet Minor Mode* (**Minor Mode Guidelines**). The Minor Mode Guideline, following the principles of the *Minor Protection Law* and the *Minor Network Protection Regulation*, aims to prevent internet addiction, to optimize content construction, and to create a healthier and safer online environment.

1. Overview of Minor Mode Guidelines

A. Legislative Background of History

With the rapid development and popularization of the internet, minors are using the internet more frequently, highlighting the importance and urgency of strengthening online protection for minors. In response to this phenomenon, the *Minor Protection Law* has established a dedicated chapter on "Online Protection," which clearly stipulates the regulation of online information content and requirements for preventing internet addiction. The *Minor Protection Law* and the *Minor Network Protection Regulation* also sets out in principles the requirements for preventing internet addiction and providing online products and services suitable for minors.

On this basis, on August 2, 2023, the CAC released the "Guidelines for the Construction of Mobile Internet Minor Mode (Draft for Comments)", publicly soliciting opinions to further enhance the effectiveness of the mode and to meet the new situation and requirements of online protection for minors. The draft proposed a comprehensive upgrade from the "Youth Mode" to the

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"Minor Mode", expanding the scope of the mode from apps to smart mobile device, mobile applications and application distribution platforms (commonly known as "App stores", achieving a three-way linkage between software and hardware, and making it convenient for users to enter the mode with one click.

Based on the draft for comments and integrating feedback from various sectors of the society, the CAC revised and improved the " Minor Mode Guidelines " to ensure that they better meet the actual needs of online protection for minors and comply with legal and regulatory requirements.

After more than a year of soliciting opinions and revisions, the CAC officially released the Minor Mode Guidelines on November 15, 2024.

B. Nature of Minor Mode Guidelines

The Minor Mode Guidelines are not a legal statute, nor do they constitute an administrative regulation or ministerial decree. Instead, they serve as reference benchmarks that the government anticipates business operators will adhere to.

However, the Minor Mode Guidelines are not documents to be disregarded, as they have the potential to indirectly influence the relevant business sectors significantly.

For one thing, following the release of the Minor Mode Guidelines, the Cyberspace Administration of China (CAC) will persistently guide enterprises in enhancing the development of minor protection modes, referencing the Guidelines and integrating practical experiences to refine construction plans, expand protective measures, and disseminate effective strategies. This collaborative approach aims to accumulate practical insights from all stakeholders and collectively bolster the efficacy of online protection for minors.

Secondly, the standards outlined in the Minor Mode Guidelines may become integral to the regulatory framework when the government assesses apps and when app distribution platforms permit apps to be listed on their platforms. In essence, the Minor Mode Guidelines will be implemented indirectly, shaping the compliance landscape without being a direct legal mandate.

2. Key Content of Minor Mode Guidelines

The Minor Mode Guidelines establish comprehensive protection standards for a variety of products and services, encompassing smart mobile devices, mobile applications, and mobile application distribution platforms. These guidelines mandate that these three domains collaborate to offer integrated functionalities, including time management, content management, and permission management, specifically tailored for the minor mode.

A. Requirements on Smart Mobile Device

The Minor Mode Guidelines have the following four requirements for smart mobile device:

(1) Activation and Deactivation of Minor Mode

The Minor Mode Guidelines stipulate that smart mobile device must provide a simple and intuitive way for users to activate or deactivate the minor mode with a single click. The entry point for this mode should always be conspicuous and cannot be hidden or deleted, ensuring that parents or guardians can easily manage the device usage of minors. At the same time, there should be additional confirmation steps when exiting the minor mode to prevent minors from accidentally or intentionally exiting the protection mode.

(2) Usage Time Management

The Minor Mode Guidelines emphasize that smart mobile device should allow parents to set specific usage time limits, including daily total usage time and usage time limits for specific time periods. The terminal should have automatic monitoring and reminder functions, and once the set usage time is reached, the system will remind the user or automatically restrict further use to prevent minors from becoming overly addicted to device usage and to protect their physical and mental health.

(3) Anti-circumvention Requirements

To ensure the effectiveness of the minor mode, the Minor Mode Guidelines stipulate that smart mobile device must have the ability to prevent minors from circumventing these protective measures. This means that the terminal needs to have strong security mechanisms to ensure that once the minor mode is activated, it cannot be easily changed or disabled, thus ensuring the online safety of minors.

(4) Reducing Harm

The Minor Mode Guidelines require smart mobile device to use technical means to reduce or eliminate potential harms that may occur to minors during the use of smart mobile device. For wearable devices, as a type of smart mobile device, the settings for product and service usage times, durations, content, and functions should be standardized to ensure that information content is safe and controllable, and to prevent minors from becoming addicted to the internet.

B. Requirements on Mobile Applications

The Minor Mode Guidelines impose a number of requirements on mobile applications:

(1) Age-Appropriate Content Recommendations

The Minor Mode Guidelines mandate that mobile applications within the minor mode create a specialized content pool tailored for minors, ensuring they can access a variety of rich, healthy, and beneficial information. Application providers are expected to recommend high-quality, age-appropriate content that aligns with the developmental characteristics and cognitive abilities of minors across different age groups. This includes audio-focused content for those under three, educational and interest-based content for ages three to eight, general knowledge and life skills for ages eight to twelve, and subject-specific education and positive entertainment for ages twelve to sixteen. For those sixteen to eighteen, the content should be suitable and uplifting, matching their cognitive abilities. The guidelines also encourage providers to label content within the minor's exclusive pool for better age-appropriate recommendations.

(2) Content Safety

In the context of the minor mode, the Minor Mode Guidelines require application providers to take the lead in managing information content responsibly, ensuring content safety in line with legal and regulatory requirements. They are encouraged to promote online information that fosters socialist core values, advanced culture, and traditional virtues, aiming to cultivate a sense of national identity and good morals among minors. The guidelines prohibit content that could endanger the physical and mental health of minors or induce them to imitate unsafe behaviors, violate social norms, or develop bad habits. The goal is to create a clear and healthy online environment that supports the well-being and growth of minors.

(3) Functional Restrictions

Under the minor mode, the Minor Mode Guidelines instruct application providers to set up functional sections sensibly, in accordance with legal and regulatory requirements. This involves customizing services for minors based on their age, such as usage time, duration, content, and functionality, as per national standards. The guidelines prohibit offering products and services that might induce addiction and require timely modifications to content, features, and rules that could lead to minor addiction. Online educational services for minors must not include game links, advertisement, or other information irrelevant to education. Online games should enhance anti-addiction measures to shield minors from content or features that might impact their well-being. The guidelines also encourage the development of applications that support the healthy development of minors and help them develop good online literacy, including measures to mitigate risks from external link content and default settings that disable private messaging with strangers, offering easy protection options for minors.

C. Requirements for Application Distribution Platforms

The Minor Mode Guidelines impose a couple of requirements also on application distribution platforms.

(1) Dedicated Minor Section

The Minor Mode Guidelines require mobile application distribution platforms to establish a dedicated section for minors, aimed at facilitating access to products and services that are beneficial to their physical and mental health. In this section, platforms are expected to curate and offer a selection of applications that are of high quality and age-appropriate, tailored to the psychological and cognitive development of minors across different age groups. There is an emphasis on promoting apps that fall into categories such as education, cognitive development, science popularization, reading, music, and sports, which contribute positively to the well-being of minors.

(2) Application Management

Mobile application distribution platforms are mandated by the Minor Mode Guidelines to scrutinize apps that apply for listing or updates within the minor mode, in accordance with legal and regulatory requirements. This involves a scientific assessment to determine the age suitability of each app and clearly marking the recommended age range in a conspicuous location. Platforms must also establish comprehensive management measures, including rigorous review processes for onboarding, day-to-day management, and emergency response. They are tasked with taking appropriate actions against apps that violate regulations or platform agreements, ensuring a safe and compliant environment for minor users.

3. Relation of Minor Mode Guidelines with other Laws

A. The Relationship with Minor Network Protection Regulation

The Minor Mode Guidelines refine and implement the requirements under the Minor Network Regulation, and provide specific implementation guidance for smart mobile device, mobile applications, and mobile application distribution platforms, jointly constructing a protection line for the online protection of minors:

(1) Content Management

The Minor Network Regulation requires online product and service providers to offer healthy content tailored to the age and psychological development characteristics of minors, and mandates the establishment of a minor mode to promptly modify content, functions, or rules that may lead to minor addiction to prevent internet addiction. In line with this requirement, the Minor Mode Guidelines, for the first time, propose age-based recommendation standards to

prioritize the display of age-appropriate content, such as recommending audio, video, and educational content suitable for the cognitive abilities of minors in different age groups. Additionally, the Minor Mode Guidelines promote the optimizations of time, content, and functionality, especially in terms of functional safety, to avoid inducing addictive functional services and provide numerous "personalized customization" features, achieving both convenience and security enhancements.

(2) Personal Information Protection

The Minor Network Regulation requires that guardians educate and guide minors in enhancing their awareness and ability to protect personal information and to instruct minors in exercising their rights. It also sets requirements for online service providers to protect the personal information of minors. The Minor Mode Guidelines refine these requirements for personal information protection and mandate obtaining consent from guardians when processing minors' personal information, as well as providing parental control features to enable parents to manage and supervise minors' online activities.

B. The Relationship with Personal Information Protection Law

The Minor Mode Guidelines refine the requirements under the *Personal Information Protection Law* ("**PIPL**") in the context of minor protection in the following three aspects:

(1) Consent and Control by Guardians

The Minor Mode Guidelines emphasize the importance of obtaining consent from guardians for the collection and processing of minors' personal information. This aligns with the principle of respecting the rights and interests of minors as outlined in PIPL, which states that the protection of minors should adhere to the principle of the best interests of minors, including protecting their privacy and personal information. Minor Mode Guidelines also encourage the use of parental control features to manage and supervise minors' internet usage, ensuring that guardians have the ability to control and direct their children's online activities.

(2) Security Measures

The Minor Mode Guidelines mandate that mobile application distribution platforms and service providers take necessary technical measures to protect the personal information of minors. This includes the implementation of encryption for data storage and strict access control management to ensure that only authorized personnel can access minors' personal information. When it comes to third-party processing of minors' personal information, the guidelines require a thorough security assessment and the establishment of clear agreements to define responsibilities and

processing details, which is in line with the "Personal Information Protection Law" that emphasizes the lawful, justified, and necessary handling of personal data .

(3) Personal Rights Protection

The Minor Mode Guidelines ensure the protection of minors' personal rights by providing mechanisms for the correction and deletion of personal information. Minors or their guardians have the right to request the correction of inaccurate personal information and to demand the deletion of personal information that has been collected or processed. Additionally, the guidelines establish the necessity for convenient, reasonable, and effective complaint and reporting channels for minors, which supports their right to have their concerns addressed in a timely manner. This is reinforced by Article 78 of the "Law of the People's Republic of China on Protection of Minors," which requires service providers to establish such channels for timely acceptance and handling of complaints and reports involving minors

C. The Relationship with Game Anti-addiction Mechanism

The Minor Mode Guidelines expand on the principles of the anti-addiction mechanisms for online games as outlined in the *Notice on Further Strict Management to Effectively Prevent Minors from Becoming Addicted to Online Games* (the "**Anti-addiction Notice**") effective in 2021 in the following three aspects. By addressing these three key areas, the Minor Mode Guidelines provide a more comprehensive framework for the implementation of anti-addiction measures for minors in the context of online gaming, building upon the principles established in the Notice and extending their reach and effectiveness across the mobile internet landscape.

(1) Time Management

The Anti-addiction Notice sets restrictions on the amount of time that online gaming companies can provide services to minors. The Minor Mode Guidelines extend this principle by offering specific measures for time management. They allow for the setting of daily usage limits and recommend total daily usage times for different age groups, providing features such as automatic shutdown after exceeding the set time and rest reminders. This goes beyond the Anti-addiction Notice by integrating these time management features into the minor mode of mobile applications and platforms, ensuring that minors have a more structured and controlled gaming experience.

(2) Content Management

While the Anti-addiction Notice emphasizes the need for content management to prevent minor addiction to online games, the Minor Mode Guidelines take this a step further by introducing age-based recommendation standards that prioritize age-appropriate content. This means that not

only games but all content within the minor mode, including educational and entertainment materials, are curated to be suitable for the cognitive abilities and developmental stages of minors. This expansion ensures that the content minors are exposed to is aligned with their age and developmental needs, thus enhancing the effectiveness of the anti-addiction measures.

(3) Real-Name Registration Requirements

The Anti-addiction Notice mandates real-name registration and login for online gaming accounts to prevent minors from circumventing anti-addiction measures. The Minor Mode Guidelines reinforce this principle by requiring all online games to connect to the national real-name verification system for online games, ensuring that all users register and log in with valid identity information. This expansion ensures that the real-name registration system is not only limited to games but is also integrated into the broader ecosystem of mobile applications and platforms, making it more difficult for minors to bypass restrictions and providing a more comprehensive approach to preventing game addiction among minors.

4. Compliance by Design: A Suggestion to Operators

The Minor Mode Guidelines have set forth a series of compliance requirements for the design of online products and services. In other words, compliance is not just a requirement in legal documents such as privacy policies or user guides, but a fundamental requirement embedded in the design of products and services. The key compliance by design requirements reflected in the Guidelines are as follows:

(1) Construction of Minor Mode

The Minor Mode Guidelines propose an overall plan for the construction of a minor mode, encouraging mobile intelligent terminals, applications, and application distribution platforms to participate in the construction together. This means that when designing online products and services, it is necessary to consider how to integrate a minor mode, including one-click activation, time management, content filtering, and functional restrictions, to ensure that the products and services can meet the requirements of the Minor Mode Guidelines.

(2) Time Management

The Minor Mode Guidelines promote the optimization of time management, allowing users to set a total limit on daily internet usage to help prevent minors from becoming addicted to the internet. Therefore, online products and services must consider how to effectively implement time tracking and restriction functions in their design.

(3) Content Management

For the first time, the Minor Mode Guidelines propose age-based recommendation standards, requiring the prioritization of age-appropriate content. This requires online products and services to consider the needs and appropriateness for minors of different age groups when building content recommendation algorithms and content libraries.

(4) Functional Safety

In terms of functional safety, the Minor Mode Guidelines require that while ensuring the needs of use are met, functional services that induce addiction should be avoided, and "personalized customization" features should be provided to achieve a dual enhancement of convenience and security. This means that product design must consider how to balance user experience and protective measures to avoid designing features that may induce minors to become addicted.

(5) Personal Information Protection

The Minor Mode Guidelines, in accordance with the Minor Protection Law and the Minor Network Regulation, make it clear that the ports applicable to the minor mode should strictly set access permissions for minors' personal information and conduct compliance audits for personal information. Therefore, online products and services must consider the requirements for personal information protection in their design to ensure compliance with relevant laws and regulations.

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