

Safe Social Media Act Tabled in the House of Commons

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On the heels of the federal government's [announcement of its AI priorities](#), the text of the new [Bill C-34](#), known as the *Safe Social Media Act*, was introduced in the House of Commons on June 10, 2026; it introduced the *Digital Safety Act* ("**DSA**") and the *Digital Safety Commission of Canada Act* ("**DSCCA**").¹ According to the government, the proposed legislation is intended to combat online harms and enhance the safety of social media services, AI chatbots, and other online services. If enacted, violations of the legislation could carry significant penalties. Here, we provide a high-level overview of certain key aspects of the proposed framework.

Digital Safety Commission of Canada Act

The *DSCCA* would establish the Digital Safety Commission of Canada (the "**Commission**") and provides that a Minister may be designated to exercise powers and perform duties and functions conferred on them under the *DSA*.

Digital Safety Act

The stated purposes of the *DSA* include:

- promoting the safety of Canadians;
- protecting children's physical and mental health;
- enabling Canadians to benefit from the use of chatbot services while reducing the risk of harm to users;
- making inaccessible online content which sexually victimizes a child or revictimizes a survivor and intimate content communicated without consent; and
- contributing to the development of online safety standards.²

¹ Bill C-34, *An Act to enact the Digital Safety Act and the Digital Safety Commission of Canada Act and to make consequential amendments to other Acts*, 1st Sess, 45th Parl, 2026.

² *DSA*, s [14](#).

The *DSA* creates new statutory duties for operators of regulated chatbots,³ social media platforms,⁴ and online services⁵ (together, referred to as **operators of regulated services**). The scope of "regulated" services will depend largely on future regulations and, in some cases, designation by the Governor in Council.

Under the *DSA*, operators of regulated services would be subject to the following statutory duties:

1. the Duty to Protect Children;
2. the Duty to be Transparent;
3. the Duty to Act Responsibly; and
4. the Duty to Make Certain Content Inaccessible.

The scope and application of these duties will also depend on the regulations, which have not yet been released.

New Duty Created: the Duty to Protect Children

The Duty to Protect Children requires operators to ensure compliance with the relevant provisions of the *DSA* and regulations respecting the protection of children.⁶ Operators that may provide access to pornographic content must implement age-verification or estimation measures to mitigate the risk to children, subject to the satisfaction of the Commission.⁷

If provided for by regulations, operators of regulated social media services would be required to implement minimum-age restrictions for users under 16 to have an account or otherwise be registered with the service, subject to any exemption granted by the Commission.⁸

³ Section 2 of the *DSA* defines a "chatbot service" as defined as a publicly available AI system that communicates online using a natural language interface to provide conversational human-like responses to users and is capable of being used to simulate a sustained human-like relationship with a user over multiple interactions. A chatbot service is also defined as generating content or responses that are not fully predetermined by the developer of the system or the person that operates the system.

⁴ Section 2 of the *DSA* defines a "social media service" as a website or application, the primary purpose of which is to facilitate online communication among users by enabling them to access and share content.

⁵ Section 2 of the *DSA* defines an "online service" as a website or application that is neither a social media or chatbot service, which allows users to interact with the website or application.

⁶ *DSA*, s [20-21](#).

⁷ *DSA*, s [22](#).

⁸ *DSA*, s [27-29](#).

New Duty Created: the Duty to be Transparent

The Duty to be Transparent would require operators of regulated services to publish and submit a digital safety plan to the Commission outlining their compliance with the requirements under the *DSA*.⁹

New Duty Created: the Duty to act Responsibly

The Duty to Act Responsibly requires operators of regulated services to implement measures to mitigate the risk that users may be exposed to harmful content.¹⁰

For operators of regulated social media services, this includes having available a "blocking" feature (i.e., a tool that enables users to block other users from finding or communicating with them), tools to flag harmful content, and labels for synthetic or AI-generated content.¹¹

For regulated chatbot operators, the duty requires implementing measures to direct users to appropriate crisis intervention services where a user expresses suicidal ideation, self-harm, or intent to harm or kill another person, in order to permit the user to "interact with a human being".¹²

The duty also requires operators of regulated chatbot services to implement measures to mitigate the risk that the service will: (i) pose as a human being, (ii) pose as a medical, legal, or other licensed professional the user might rely on for advice, (iii) engage the user to form an emotional attachment to the chatbot and disengage from reality, or (iv) encourage self-harm, suicide, or violence.¹³

New Duty Created: the Duty to Make Certain Content Inaccessible

The provisions would require regulated social media service operators to assess and, where applicable, make specified harmful content inaccessible in Canada within 24 hours of identification or flagging, with notice obligations and a preliminary screening step for user reports.¹⁴

Penalties

The *DSA* establishes a range of penalties for non-compliance. At the lower end, disclosure-related offences may result in fines of up to \$5,000.¹⁵ At the upper end, operators of regulated services that contravene an order of the Commission may lead to

⁹ *DSA*, ss [42](#), [58](#), [59](#).

¹⁰ *DSA*, ss [31](#), [48](#).

¹¹ *DSA*, s [35](#), [36\(1\)](#), [37\(1\)](#).

¹² *DSA*, s [51](#).

¹³ *DSA*, s [53](#).

¹⁴ *DSA*, s [43](#), [44](#).

¹⁵ *DSA*, ss [66\(2\)](#), [67\(1\)](#).



prosecution by indictment and a fine of up to the greater of \$20 million or 5% of an operator's gross global revenue.¹⁶ Between these extremes, the *DSA* provides for various other penalties of differing types and severity.

The *DSA* provides for a due diligence defence, under which an accused may avoid liability by establishing that they exercised all reasonable measures to prevent the commission of the offence.¹⁷

Conclusion

If enacted, the proposed legislation would mark a significant expansion of Canada's digital safety framework and introduce considerable new compliance obligations for operators of regulated services.

Our [Intellectual Property](#) team at BD&P continue to closely monitor these forthcoming legislative and regulatory developments. If you have any questions or would like assistance, please reach out to any member of our team.

¹⁶ *DSA*, s [107](#).

¹⁷ *DSA*, s [67\(2\)](#), [100](#), [109](#), [115\(2\)](#).