

Inhoud

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Introduction

The phenomenon of kidfluencers¹ has been a subject of discussion in society, politics and media for a number of years². The Netherlands Labour Authority published an exploratory study on this issue in 2020. This Signal identifies areas where the efforts to tackle this societal issue can be stepped up, based on an update of that exploratory study.

Recommendations

The amendment proposed by the State Secretary for Social Affairs and Employment (SZW) to include parents under the definition of ‘employer’ is a positive development.

It is recommended that clients also be given responsibility for preventing adverse consequences for children as they grow up.

There is a danger that the vigorous approach taken by the Ministry of SZW will narrow the broad societal issue - ranging from addiction (including screen addiction), privacy and the right to be forgotten, to welfare and the rise of mental health problems among young people - to a single aspect: child labour. This makes the 2020 recommendation to establish standards for the emotional strain on children even more urgent than it was at the time.

2020 Exploratory study

The Inspectorate published its exploratory study in 2020. The aspects it covered included the relationship between children involved in vlogging and the regulatory measures governing child labour.³

The rise of social media and the opportunities it creates for generating income are leading to an increase in child labour and the emergence of new manifestations of it.

Examples include young influencers who share their lives while also advertising commercial products or services, participation in a family vlog or posts by a mom and dad influencer.⁴

The exploratory study showed that these new developments raise much broader issues than the labour aspect alone. A characteristic feature of how digital opportunities, platform business models and their incentives are handled is the lack of clarity about who bears responsibility for preventing the developing child from suffering adverse effects. Standards that are in place for children’s physical strain are largely lacking when it comes to emotional capacity.

The exploratory study made two recommendations:

- 1) Broaden the definition of ‘employer’ in the Working Hours Act (ATW) so that clients bear responsibility for preventing child labour, regardless of the legal forms in which kidfluencers operate,
- and 2) commission scientific research on possible standards for children’s emotional capacity in this kind of social media activity, comparable to children’s physical strain standards.⁵

The 2020 study consisted of the aforementioned recommendations, based on information contained in four annexes. The current situation is set out below. This Signal provides additional background information in Annexes 5 and 6, numbered in keeping with the annexes in the exploratory study.

¹ An influencer sets out to influence the behaviour of others. This is often done through social media by sharing online content, such as tutorials, videos and photos, in which influencers promote products or services.

² For example, the YouTube programme BOOS recently (April 2025) broadcast an episode on family vloggers and the potential risks to the development of children growing up in this environment, which led to Parliamentary questions being raised.

³ The exploratory study focused on individuals under the age of 16 who post content on social media with some regularity, who have many followers and who earn or could earn fees based on the content

⁴ Besides the family account, children sometimes have their own social media accounts and also earn fees from a combination of online and offline activities. In that case, sharing online content as a kidfluencer is combined with work traditionally covered by the scheme for children in the performing arts, such as participation in performances, films and commercials. These activities generate two-way attention for the various promotions and contribute to children operating commercially and visibly so that they remain relevant.

⁵ [Exploratory study into kidfluencers | Publication | Rijksoverheid.nl](#)

Status in 2025

Annex 1 of the 2020 exploration covered the regulatory framework. It has remained unchanged since then, but as mentioned above, the State Secretary for Participation and Integration intends to amend the framework.

The situation since 2020 can be summarised as follows. The Ministry of Social Affairs and Employment has commissioned studies on ways of modernising child labour regulations⁶ and the alternatives for developing a new standards framework for children acting as influencers and for family vlogs.⁷

The Dutch House of Representatives also passed a motion in 2023 on a standards framework for children working as influencers or featuring on social media.⁸ Following both studies and the motion, and in view of the media attention drawn by the BOOS broadcast, the State Secretary announced in May 2025 his intention to amend the child labour legislation. The envisaged adjustment will better tailor these regulations to the target group and thus make them more enforceable.^{9,10} Consideration is also being given to changing the level of the fines. Finally, public information will be provided to alert parents to the risks to children's wellbeing and make them aware of applicable laws and regulations on vlogging.

Prompted by the 2020 exploratory study, and in the absence of a regulatory standardisation framework tailored to influencing, the Labour Authority has in recent years been looking into the impact it could have on undesirable practices within existing frameworks. The starting point is that it is rare for a child labour exemption to be requested.

Supervisory experiences confirm, firstly, that the standards under the existing legal framework do not effectively contain the undesirable effects on children; secondly, that the level of the fines for not requesting an exemption are disproportionate to the earnings and, thirdly, that enforcement through fines on the child labour aspect does not adequately respond to the much broader societal issue. Annex 5 discusses this in more detail.

Annex 2 of the 2020 study describes characteristics that distinguish influencing from other activities. These apply in full.

Annex 3 of the previous exploratory study addressed the outcome of an international survey and, in particular, developments in France, where thinking (and proposed legislation) were at the cutting edge at the time.

Much has happened here in recent years. More countries than in 2020 have become actively aware of the risks to children of screen time and their passive and active use of ways to present themselves on social media, commercially or otherwise. The most notable developments are found in Australia and again in France. Annex 6 discusses this in more detail.

In short, that Annex shows that the risks posed by influencing by and with the help of children should be task-focused and broadly addressed. Here, labour is just one aspect of a broader issue on child welfare, raising and educating children, privacy and the right to be forgotten.

⁶ [Modernisation of child labour regulations | Parliamentary paper | Rijksoverheid.nl](#)

⁷ [Kid influencers, family vloggers and mom and dad influencers | Report | Rijksoverheid.nl](#)

⁸ [Parliamentary paper 25 883, no 468.](#)

⁹ [Parliamentary letter, Policy response to the Panteia report and VHP kidfluencers, family vloggers and mom and dad influencers | Kamerstuk | Rijksoverheid.nl](#)

¹⁰ In the Working Hours Act, the definition of 'employer' is broadened so that the parent (in the absence of a 'normal' employer) becomes the applicant for the exemption for influencing by and with children up to 13 years of age.

Annex 5: Supervisory experience of current laws and regulations on child labour

The regular supervisory duties on child labour include reviewing exemption applications. As part of this, we looked specifically at a number of cases where children under 13 (and their parents) generate revenue through audiovisual activities, such as making or performing in vlogs. The aim was to assess whether existing laws and regulations allow for the effective supervision of these commercial activities among young children.

Supervisory experiences show that this is not the case. Important obstacles include the definition of ‘employer’, establishing the commercial nature of an online activity, the absence of exemption applications and the level of fines.

The definition of ‘employer’

Supervisory experiences confirm that it is almost invariably impossible to establish a classic employer-employee relationship in the case of vlogs and videos. Given below is an explanation of a situation where this did prove possible, as well as the much more common situation where no employer relationship can be established.

Children under 13 are not permitted to work in the Netherlands. For children in this age category, an exemption is only possible for cultural work (children working in the performing arts).¹¹ The Labour Authority reviews exemption applications. If the exemption conditions are breached in practice, the Labour Authority can impose a fine.¹²

The Working Hours act stipulates that an exemption may be granted (among other things) for audiovisual recordings, or cooperating with them. The explanatory note to the Policy Rule on the Exemption from the Child Labour Prohibition (BOVK) states that performances by children up to the age of 13 years *online* require an exemption from the Labour Authority. A performance means taking part in performances of a cultural, scientific, educational or artistic nature, fashion shows, audio, visual or audiovisual recordings and similar performances.

The Labour Authority takes these regulations to mean that activities on YouTube, Snapchat, Instagram and similar channels can also be considered audiovisual expressions for which an exemption must be applied for if the activities have a clearly commercial nature.

Under this interpretation, participating in or making vlogs with a clear commercial angle, such as promoting products or participating in scripted videos come under the BOVK. The number of views can also be an indication of commercial gain on an online platform. This may also be a reason to apply for an exemption.

This is based on a maximum of 24 sessions (for children aged 6 to 13). Based on this interpretation, the Labour Authority was able to establish a violation and take enforcement action (see example 1).

¹¹ Section 3:3 of the ATW: 1. The supervisor referred to in Section 8:1 (1) may grant an exemption from Section 3:2 (1) for a child performing work consisting of assisting in performances of a cultural, scientific, educational or artistic nature, fashion shows, audio, visual or audiovisual recordings and comparable light non-industrial work. A request for exemption is made by the employer. 2. The employer complies with the regulations attached to the exemption.

¹² At present, in the absence of a statutory exemption, a fine of €1000 up to €2000 is handed down. If a parent/guardian is involved, a factor of 0.25 applies.

Example 1: interpretation of the policy rule on exemption from the child labour ban

The Labour Authority has investigated a video of a vlog family in which the family advertised a product. No exemption had been requested for the children's participation in this video. The Labour Authority received an email from the relevant manufacturer setting out agreements made on the promotion of the product, which could be interpreted as a contract. Interpreting the definition of 'employer' this way made it possible to establish a violation of the regulation for children in performing arts and a penalty report was issued.

The family had hundreds of such videos online at the time of investigation. This shows that risk-targeted monitoring of this kind of children's online activity is a very time-consuming exercise, regardless of whether a private or public regulator is involved, while the result is minimal (1 fine of 750 euros for 1 video).

As shown in example 2, enforcement action cannot be taken in all cases. In the absence of an exemption request, the Labour Authority investigates whether there is any question of there being an employer and a relationship of authority¹³ If this cannot be demonstrated, no enforcement measures are available under the current regulations.

Example 2: demonstrating employer status and authority

An investigation into children's participation in an online rap video revealed that no exemption had been applied for. The alleged producer did not cooperate with the investigation and denied that he had authority over the participating children.

The Labour Authority could not establish who did have the authority at the time of the recordings. Where the videos were filmed and on what date remained unclear.

The Labour Authority can go to the location in the case of a musical, but that is not possible for this type of recording, which makes it impossible or more difficult to demonstrate a relationship of authority.

As a result, it has so far not been possible to impose a fine, despite the audiovisual evidence that children have collaborated in a production aimed at promoting an artist.

Commercial nature of audiovisual expressions

As mentioned above, the exemption applicable to children in performing arts can be extended to the employment of under-13s in audiovisual expressions of a commercial nature on online platforms. The images of vlogs need to be studied to determine whether there is a commercial angle. The distinction between hobby and work currently lacks a clear legal framework. It is desirable to clarify the legislation on this point.

Low number of exemption applications for influencers

Reports and the authority's own practical observations in practice show that an exemption is not usually requested for vlogging activities by young children.

In the absence of an application or notification system, the large amount of online content and the time it would take to study each individual audiovisual expression means that neither is there any precise insight - private or public - into the extent of that underreporting.

That makes it difficult to determine how many children in the Netherlands are working as kidfluencers or playing a prominent role in family vlogs and whether there is a commercial interest involved. Social media platforms are not transparent about user data.¹⁴ Panteia's 2024 research report¹⁵ estimates that between 3,000 and 4,000 children in the Netherlands are regularly appearing in commercial online content, either through their own channels or through family vlogs or parents' accounts. This estimate is based on analyses of YouTube and Instagram accounts with a significant impact.

By way of comparison: Between 1 May 2024 and 1 May 2025, there were 1,313 applications for the exemption for children in performing arts.¹⁶ An exemption was granted for 1,288 of these applications. This is estimated to affect about 8,300 children. 10 applications involved influencing/vlogging.¹⁷ This shows that there are still few exemption applications for this type of child labour.

¹³ Whether there is a relationship of authority depends on the interpretation of leadership/work instructions and supervision including working hours, location, taking holidays, etc. Being able to give instructions is enough to constitute a relationship of authority, even if these instructions are not given in practice.

¹⁴ Whether there is a relationship of authority depends on the interpretation of leadership/work instructions and supervision including working hours, location, taking holidays, etc. Being able to give instructions is enough to constitute a relationship of authority, even if these instructions are not given in practice.

¹⁵ Applications for TV or radio, commercials, photo shoots or fashion shows, film, theatre, concert, musical, influencing/vlogging or work in the 'other' category.

¹⁶ An exemption was granted for these applications

Level of fines

A finable offence arises if it is established that an audio-visual expression with a commercial angle is involved and no exemption application has been made. However, this still makes it necessary to establish whether there is an employment contract or relationship of authority. Given the laws and regulations, this is not something that can be derived from an existing registration, but should be evident from the merits of the case. It is therefore a matter for investigation. This fact may be important from both a tax and labour law perspective.

The employer is subject to a fine if the Labour Authority succeeds in establishing the existence of a relationship of authority and a violation of the regulation for children in the performing arts. Currently, this mostly concerns producers. At present, in the absence of a statutory exemption, a fine of €1000 up to €2000 can be handed down.

If it is not possible to designate an employer and the number of working days exceeds 24 a year, parents can be fined if no exemption has been granted. In that case, a factor of 0.25 applies. The fines are thus significantly lower for parents than employers.¹⁷ Given the amounts that can be earned, these fines will be comparatively low for influencing.

In fact, families and children who regularly vlog with a commercial angle can quickly earn an amount approaching an average income, with upward outliers. The amount that can be earned depends on many factors, such as the vlogger's niche¹⁸, the numbers of videos and views¹⁹, type of ads²⁰ and the vlogger's activities²¹.

Given the money that can be earned from influencing, a €750 fine is unlikely to lead to behavioural change and compliance. Nor is it expected that parents who do not adequately protect their children from the risks of influencing will be prompted to do so by bigger fines.

This expectation is partly fuelled by practical insights suggesting that it is precisely the parents who set out to circumvent the standards embedded in the limitation of the number of 'sessions' for their own offspring. For example, the Labour inspectorate noticed parents enquiring about the number of sessions already registered for their child. Contact on exemption applications is usually with other parties, such as producers. This gives the impression that parents want to find out about the Labour Authority's information position: the extent to which the Labour Authority is aware of the total number of activities of the children concerned.

Videos also regularly appear online in which the vlog families are abroad. Either by chance or design, this places them outside of the Dutch laws and regulations and allows children to work as much as possible. That is why the Labour Authority takes the view that providing better protection for children's health, safety and welfare cannot be achieved with stricter enforcement and bigger fines alone. It seems that the standards will have to be internalised more firmly by other means.

¹⁷ The fines are relatively high if, for example, no exemption has been applied for when an entire school class performs. That is because fines are then handed out for all the children involved.

¹⁸ Some niches are more lucrative than others because they give the vlogger opportunities for sponsorship or ad placement.

¹⁹ The more views, the more money a vlogger can make.

²⁰ Ads that viewers can skip generate less revenue.

²¹ For example, if an influencer also sells merchandise or posts links to products on their channel, this also generates more revenue.

Annex 6: Insights into the impact on socio-emotional development and a national and international approach

Research by Panteia suggests that influencing can have positive effects, such as fun, creativity and strengthening self-esteem. But it can also have adverse effects, especially when a hobby becomes work and children make or appear in vlogs to earn money or receive free products.

Examples include implications for the child's mental health, time management at the expense of schoolwork and time for leisure, privacy and safety, and financial issues.²²

The Labour Authority recognises this from its own practice. Labour inspectors receive signals about the downside of social media use through authorities they maintain contact with. Schools, community police officers, municipalities and producers are the eyes and ears that are closer to families whose children create or participate in online content. They express concerns about situations in which children take on dangerous challenges, about children being trolled about their online content, schools' lack of familiarity with the rules on whether or not to keep children home from school to work. And then there is the pressure to perform caused by taking part in regular productions whilst also staying on top of statements on social media to remain in the picture.

Furthermore, anyone can see that vlog families sometimes have hundreds of vlogs online, which must have taken the children a lot of time. We can only guess at the long-term consequences of this for children's wellbeing and development. In an increasingly online world, it is rational and necessary to pay more attention to the risks involved.

Statements of other authorities also indicate problems that are in all likelihood related to this. This has a detrimental effect on the ability to master basic skills: a point made by schools as well as the Education Inspectorate.

Our digital society is often addictive to young people, sometimes unintentionally but often deliberately. Everything is geared towards attracting and retaining their attention for clothing, games, videos, gambling or contact with others. The mental health of many young people is suffering. A growing percentage of young people are turning to mental health services.²³ French experts, in a report to the President, explicitly link social media use and mental health issues.²⁴

The digital society also gives rise to far-reaching issues about intellectual property, privacy and the right to be forgotten: the right to ask for outdated or harmful information about you to be taken offline. This also raises the question internationally of how we can continue to protect young people from these issues.

Australia has passed legislation that aims to ban social media for under 16s next year, and not without good cause.

There are also countries that have already taken steps in a broader approach. France, for example, was the first country to introduce legislation in 2021. Government permission is required for children under 16 years of age to become active as influencers.

Parents and commercial parties are obliged to transfer the salary or income above a threshold amount almost in full to the deposit fund so that the young person can gain access to it when they reach adulthood. Otherwise, parents, whose role is first and foremost to protect their children, could put financial interests above school and other interests of the child because of what they are earning.²⁵

In line with this pioneering role, the report by French experts referred to above is also noteworthy.^{26, 27} The experts note that a French household has an average of 10 screens, that there

²² Kid influencers, family vloggers and mom and dad influencers | Report | Rijksoverheid.nl

²³ Youth Monitor: alarming figures on mental problems among young people - , Growing youth care use, Problems in youth mental health are on the rise: increase in crisis cases ggz.nl.

²⁴ 'Enfants et écrans, à la recherche du temps perdu', April 2024. See: [Remise du rapport de la commission d'experts sur l'impact de l'exposition des jeunes aux écrans. | Élysée.](#)

²⁵ Annex 3 of the 2020 exploratory study describes this in more detail.

²⁶ 'Enfants et écrans, à la recherche du temps perdu', April 2024. See: [Remise du rapport de la commission d'experts sur l'impact de l'exposition des jeunes aux écrans. | Élysée.](#) 'Children and screens, in search of lost time'. Expert report presented to the president. The title refers to a literary work about childhood.

²⁷ «Un an après la remise du rapport sur les enfants et les écrans, avon-nous perdu notre temps ?» : le message d'alerte des experts

is scientific consensus on, as the report states, the disastrous effects of screen time on children's health. More specifically, dose-effect relationships have a direct and indirect effect on sleep deprivation, lack of exercise, obesity and the resulting chronic illnesses as well as eye problems. There are also a number of as yet unproven areas of concern such as the effects of electromagnetic radiation and hazardous substances. The report highlights deliberately addictive elements in games and media use and states unequivocally that they should be banned. The report contains a total of 29 recommendations, all of which are needed to shape a systemic approach. They include placing curbs on screen time from infancy to adolescence. Another aspect involves prohibiting mobile phones until children finish primary school. This makes those standards stricter than, for example, those of the Youth Institute (*Jeugdinstituut*) in the Netherlands.²⁸

The plans to provide information and adjust the level of fines in cases involving commercial influencing do not sufficiently protect young children from the potentially adverse effects of influencing.

They include protecting children from harmful content and exploitation, focusing on reliable advertising and knowledge development about the health effects of games, social media and other digital resources.²⁹ This centres on raising awareness of the risks posed by the online world. However, this does not prevent the risks that influencing poses to the wellbeing and development of the child. In effect, this maintains the status quo.

It should also be noted that the public information measures are based on the assumption that parents will fulfil their responsibilities and have their children's best interests at heart. That is, of course, usually the case. But parents can lose sight of this protective role because of the sometimes considerable amounts their children are earning. This may place financial interests above interests such as welfare and development.

Besides risk prevention, there is also the need for a standards framework for children's emotional capacity, just as there is for subjects such as physical strain. Such a framework would facilitate the review of exemption applications for kidfluencers. This also helps parents and educators to place working and making money on social media in the right perspective.

²⁸ [What is a good screen time for my child? | Nederlands Jeugdinstituut.](#)

²⁹ [Kid influencers, family vloggers and mom and dad influencers | Report | Rijksoverheid.nl](#)

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