

The New Mexico Age Appropriate Design Code: How It Works

In the UK, the Age Appropriate Design Code has been law since Sept 2021 where companies have since enacted hundreds of design changes. The AADC also passed into law in California in 2022. The Code applies to all products and services reasonably likely to be accessed by under 18 year olds (where children and teens are a significant number of users) and applies to for-profit companies that controlled or processed the personal data of not less than 100,000 consumers.¹ Under the AADC:

Companies Must Stop:	Companies Must:
Selling kids personal information.	Set all default settings to the most private.
Profiling kids unless profiling can be shown to be in their best interests.	Design age appropriate experiences for kids' based on set age ranges.
Collecting personal information about kids that they don't need to deliver the service.	Make it easy for kids to report privacy concerns.
Designing features that are detrimental to kids' well-being.	Determine whether kids are reasonably likely to access their online product, service, or feature.
Tracking kids' location unless doing so is essential for the service.	Let kids know when they are being monitored or tracked.
Using kids' data in ways for which they have not obtained explicit permission.	Provide privacy notices in clear language that young users can understand.
Using manipulative design to get kids to sign away their information.	Conduct a risk assessment of how they use kids' data.



¹ or controlled or processed the personal data of not less than 25,000 consumers and derived more than 25% of their gross revenue from the sale of personal data.