

**Directives for Managing the Use of Social Networks, 2023**

WHEREAS, it is expedient to regulate the use of social networks and to promote self-regulation by social network platform operators and users of social networks;

The Government of Nepal has, in exercise of the power conferred by section 79 of the Electronic Transactions Act, 2008, introduced these Directives.

1. **Short Title and Commencement:** (1) These Directives may be cited as “(the) Directives for Managing the Use of Social Networks, 2023.”

(2) These Directives shall come into force at once.

2. **Definition:** Unless the subject or context otherwise requires, in these Directives, -

(a) “Child” means a person who has not attained the age of eighteen years.

(b) “Ministry” means the Ministry of Communication and Information Technology of the Government of Nepal.

(c) “Point of Contact” means the office established, or the person designated, by a social network platform operator pursuant to section 6.

(d) “Relevant Agencies” means the following Agencies or Offices: -

(1) Department of Information and Broadcasting;

(2) Advertisement Board;

(3) Press Council;

(4) Nepal Telecommunication Authority.

(e) “Social network” means a network such as a group, blog and so on which provide facilities for a person, group or organization to communicate interactively with each other



  
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according to the facilities and methods provided by the social network platform through electronic means of communication including computer, internet, and so on and the facility to disseminate content created by the users.

(f) "Use of Social networks" means the act of posting, sharing, commenting, live streaming, reposting, tagging, or mentioning of any letter, image, audio, symbol and visual that identifies a person, group or organization in a publicly used social network platform.

(g) "Social networks platform" means internet or information technology-based operating systems that are available to the public such as Facebook, TikTok, Twitter, Viber, Pinterest, WhatsApp, Messenger, Instagram, YouTube, LinkedIn, WeChat and so on that allow individuals or organizations to exchange ideas or information with each other or to disseminate content created by users.

(h) "Social Networks Management Unit" means the Social Networks Management Unit formed pursuant to section 13.

**3. Enlistment of Social network platform:** (1) The person, company or institution willing to operate social network platform shall enlist the network with the Ministry under these Directives.

(2) The Ministry shall publish a public notice for the purpose of enlistment pursuant to sub-section (1).

(3) The social network platforms which are in operation prior to the commencement of these Directives shall be enlisted with the Ministry within three months from the date of commencement of these Directives.



  
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(4) The person, company or institution operating social network platforms pursuant to sub-sections (1) or (3) shall submit an application to the Ministry for enlistment in the format as referred to in Schedule-1 enclosing therewith the required documents mentioned in the same Schedule.

(5) The person, company or institution operating a social network platform may submit application pursuant to sub-section (4) in person or through their representative. Such application may also be submitted online.

(6) While examining the application received under sub-section (4), if the details of the application are found to be appropriate, the person, company or institution operating the social network platform shall be provided with a memo of enlistment as referred to in the format stated in Schedule-2.


(7) The Ministry may ban from operating within Nepal the social network platform that is not enlisted pursuant this section.

Provided that, this provision shall not apply to social network platform which is in operation with a sole focus on civic education and social empowerment.

(8) The person, company or institution operating the social network platform enlisted pursuant to sub-section (6) shall update the details in every three years.

(9) In order to update the details pursuant to sub-section (8), an application shall be submitted in the format as referred to in Schedule-3.



  
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(10) Upon receipt of an application pursuant to sub-section (9), details shall be updated and record shall be maintained after necessary investigation is completed.

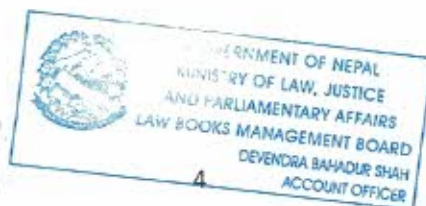
4. **Acts prohibited to be committed by social networks users:** Social networks users shall not commit or cause to be committed any of the following acts while using a social network: -

- (a) Create an anonymous or disguised identity (fake ID, pages, group);
- (b) Produce and share content or share others' content or comment on others' content or make calls anonymously or with disguised identity (fake ID, page, group);
- (c) Target any person, community, caste, sex, religion, age, color, class, profession, sect, marital status, family status, physical or mental condition, origin, sexual orientation, language and other groups or category of people protected by law to spread hatred, or share word, audio, visual, picture that harm social harmony and tolerance and to create, publish and broadcast trolls;
- (d) Encourage child labor, human trafficking, polygamy, child marriage, caste untouchability and other activity prohibited by prevailing laws;
- (e) Create offensive words, audio visuals, images, trolls with an intention to bully others and use hateful expressions, insult, or acts that constitute hate speech;

**Explanation:** For the purposes of this section, "hate speech" means any sound, word, photograph or video, if posted, shared or commented may result in the spread of violence against a person, group or community, or disturbance in social harmony.



  
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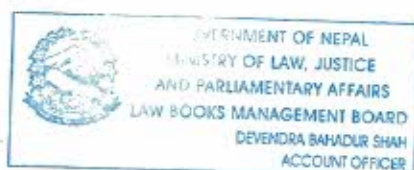
- (f) Perversely modify the photograph of a person by animation, montage and other technology through the use of digital media and publish or broadcast such photograph;
- (g) Edit, publish and broadcast, without permission, photographs and videos of private matters other than those of a public nature;
- (h) Publish, broadcast or comment in support of obscene word, photograph, audio, video animation;
- (i) Encourage content that harms child and promotes prohibited activities such as child sexual exploitation, sexual abuse, prostitution;
- (j) Publish or broadcast false information, misleading information, misinformation, disinformation;
- (k) Commit act that constitutes cyber bullying,

**Explanation:** For the purpose of this section, “cyber bullying” means an act of discouraging, threatening, harassing, insulting, spreading false information, etc. through the use of technology.

- (l) Encourage consumption, buying and selling of narcotic drugs;
- (m) Gambling or encouraging gambling;
- (n) Publish or broadcast contents related to terrorism;
- (o) Breach of personal privacy;
- (p) Hacking other’s identity and information by using social networks;
- (q) Commit acts of fishing, imposter, etc. by using social networks;
- (r) Post or share gruesome photograph, video;
- (s) Advertising and transacting goods that are prohibited by prevailing laws;
- (t) Imitate and share activities that are prohibited by the prevailing laws.



  
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**5. Classification of Social Network Platform and Grievance Handling:**

(1) Classification of social network platform operating in Nepal shall be made on the basis of number of the users as follows: -

- (a) Social network platform with less than one hundred thousand users to be small social network platform;
- (b) Social network platform with more than one lakh users to be big social network platform.

(2) The social network platform referred to in clause (b) of sub-section (1) shall have to manage for a residential grievance handling officer and an officer to monitor self-regulation compliance at the point of contact pursuant to section 6.

(3) In case of change of address of the point of contact or change of grievance handling officer, notice thereof shall be given to the Social Networks Management Unit.


**6. Provision of Point of Contact to be made:** (1) For the purpose of addressing grievances related to the use of social networks, the operator of the social network platform shall arrange a point of contact within Nepal.

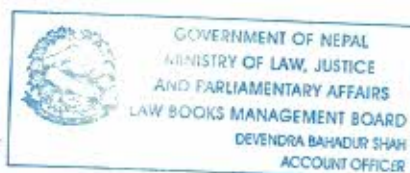
(2) Social network platform that does not have office in Nepal at the time of commencement of these Directives shall establish the office or designate a contact person within three months.

**7. Responsibilities of Point of Contact:** The Point of Contact referred to in section 6 shall have the following responsibilities: -

- (a) To identify contents disseminated in social networks that are contrary to these Directives;



  
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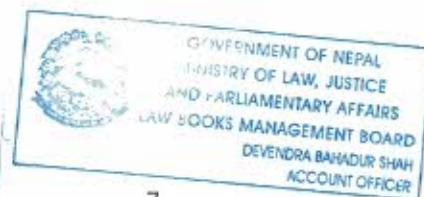
- (b) To make the contents referred to in clause (a) inactive for a certain period of time or completely inactive and inform the point of contact and relevant agencies;
- (c) To disseminate public information from time to time regarding the proper use of social networks associated with it.

**8. Responsibilities of Social Network Platform Operator:** (1) The responsibilities of the social network platform operator shall be as follows: -

- (a) To develop algorithm (calculation method) and take other measures in social networks in order to stop the publication or broadcasting of information, advertisements and materials that is contrary to the prevailing laws;
- (b) To identify a content if a grievance is received that the content contrary to section 4 has been published or broadcasted on social networks and remove such content within twenty-four hours;
- (c) To remove the content of social network within twenty-four hours if Social Networks Management Unit or an affiliated body instructs to remove such content in case it is found that someone has posted or is about to post content that should not be posted on social networks;
- (d) To adopt necessary security standards to maintain privacy of personal details of social network user and not to make such details public or use them for other purposes;



  
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- (e) To publish or broadcast necessary awareness and educational content in the interest and protection of social networks users from time to time;
- (f) To make proper arrangement for handling of grievances received during the use of social networks;
- (g) To prohibit the publication or broadcast of content that is against the sovereignty or territorial integrity of Nepal or is against social and religious harmony or that outrages social or religious harmony;
- (h) To verify the facts of content published or broadcasted on social network platform;
- (i) To adhere to the internationally developed *Santa Clara Principles* to regulate the use of social networks;
- (j) To use banking system for payment of transactions emanating from operation of social network platform.

**9. Responsibilities of social networks users:** (1) The responsibilities of a social network user shall be as follows: -

- (a) Not to commit or to cause to be committed such activity or to conspire or abet or attempt to commit such activity that causes adverse impact on sovereignty, territorial integrity, national security, national unity, independence, self-respect of Nepal or that causes adverse impact on national interest of Nepal or causes adverse impact on the good relation between federal units or that incites hatred, malice or contempt on the basis of class, caste, religion, region, community; and not to post on social networks such content that undermines harmony between different castes or communities of Nepal;



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- (b) Not to publish or broadcast any content or commit any such act that abets caste discrimination and untouchability, shows contempt of labor, incites to commit crime, elicits act that disturbs law and order or publish or broadcast such a content that is prohibited by the prevailing laws to be published or broadcasted or publish or broadcast content that causes adverse impact on the public morality and decent behavior or publish or broadcast obscene content;
- (c) Not to commit or cause to be committed acts prohibited pursuant to section 4.


(2) One shall not knowingly share, like, repost, live broadcast, tag, mention, subscribe and comment or cause to be committed such act on any content published or broadcasted by any other person pursuant to subsection (1).

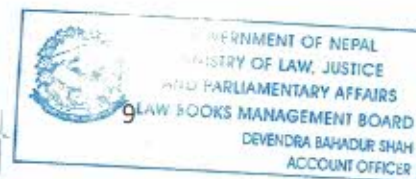
(3) Notwithstanding anything contained elsewhere in this section, publishing or broadcasting and sharing, liking, reposting, live broadcasting, subscribing, commenting, tagging, hash-tagging or so on of informative, fact-based, educational, study-based or research-based or communication-based descriptive words, contents such as image, symbol, audio or video of a nature that may not be contrary to the public morality and decent behavior shall not be deemed to have been prohibited under this section.

**10. Roles and Responsibilities of Ministry:** Role and responsibilities of the Ministry in regulating the use of social networks shall be as follows: -

- (a) To maintain co-ordination between relevant agencies and other stakeholders;



  
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- (b) To organize or cause to be organized programs related to awareness-raising, capacity building and interactive programs related to the use of social networks;
- (c) To provide adequate resources to the Social Networks Management Unit;
- (d) To conduct or cause to be conducted study and research related to the systematic use of social networks;
- (e) To monitor or cause to be monitored relevant agencies in relation to the use of social networks.

**11. Responsibilities of relevant agencies:** Responsibilities of the relevant agencies shall be as follows: -

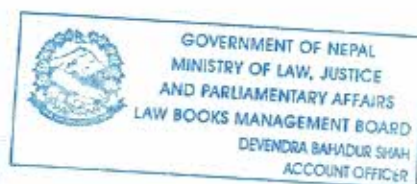
- (a) To build capacity of human resource that is to be engaged in grievance handling;
- (b) To assign the focal person to address the grievances received by those who may be victimized by social networks users;
- (c) To submit to the Ministry the details of the work related to addressing the grievances on a quarterly basis in accordance with these Directives.

**12. Provisions of Education and Awareness to be made:** (1) Social Networks Management Unit and relevant agencies shall make provisions of education and awareness through any or all of the following means for benefit and protection of social networks users: -

- (a) Materials for publication and broadcasting;
- (b) Website;
- (c) Conference, workshop;



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- (d) Social welfare advertisement;
- (e) Dialogue programs.

(2) For educational and awareness program to be organized pursuant to sub-section (1), the Ministry shall provide necessary support, coordination and facilitation to the provinces and local-levels.

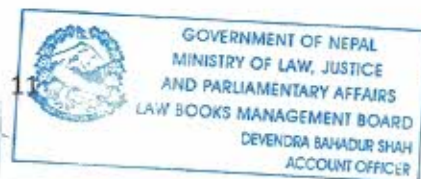
**13. Social Networks Management Unit:** (1) There shall be formed at the Ministry a Social Networks Management Unit to handle grievances received by the social network platform operator or its point of contact regarding the issues pursuant to section 4 that were not addressed by the social network platform or grievances received by the relevant agencies that were not addressed by the relevant agencies in accordance with the prevailing law.

(2) Social Networks Management Unit shall carry out the following functions: -

- (a) To check, while registering a grievance related to the use of social network, whether or not the complainant has submitted the screenshot of the content related to the matter of being cheated or harassed or insulted; and to register such grievance;
- (b) To enhance capacity of human resources engaged in the Social Networks Management Unit,
- (c) To organize coordination meeting related to the systematic use and regulation of social networks with the participation of the relevant agencies and other agencies;
- (d) To disseminate legal provisions and good practices regarding the proper use of social networks and to promote in institutional manner studies, researches and dialogues;



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- (e) To maintain record of works carried out by the Social Networks Management Unit;
- (f) To immediately send a written notice to the point of contact of the respective social network platform to remove any content published or broadcasted is contrary to these Directives;
- (g) To write to the relevant agency in case it is found that a person holding a position of public accountability has acted contrary to these Directives.

(3) The Social Networks Management Unit shall, while handling a grievance according to this section, send a written report to the relevant agency if any act is found to have been committed in violation of the prevailing laws.

**14. Special provision:** While carrying out works related to hearing of grievances pursuant to these Directives, the point of contact, relevant agencies, social network platform and Social Networks Management Unit shall give priority to the grievances related to women, child and sexual minorities.

**15. Instructions may be issued:** The Ministry may issue necessary instructions to operators of social network platform, point of contact and the relevant agencies in relation to the management of social networks.



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**Schedule- 1**

(Related to sub-section (4) of section 3)

Format of Application for Enlistment

Date:.....

The Ministry of Communication and Information Technology,  
Singhadurbar, Kathmandu.

**Subject: Application for Enlistment**

I / ..... company/institution have submitted this application having attached herewith necessary details and documents to operate the following social network platform in accordance with the provisions of the Directives for Managing the Use of Social Networks, 2023. It is requested that I/Company/Institution agree to comply with the prevailing laws regarding the use of social networks.

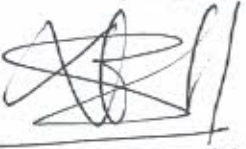
The details and documents attached herewith are true and correct, and if proved false, I/we shall be liable according to prevailing laws.

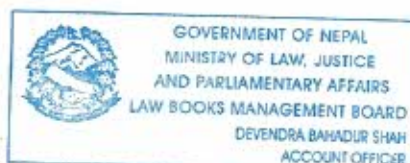
**Company/Institution to be enlisted**

**1. For the company/institution with head office in Nepal**

- (a) Name of company/institution:..... Name of social network platform:.....
- (b) Address of company/institution: Province:.....  
District:..... Rural municipality/Municipality:.....  
Tole:..... Street:..... Ward no. ....
- (c) Registration number and date of registration of company/institution:.....
- (d) PAN/VAT number of company/institution:.....
- (e) Name of Chief Executive Officer:..... Contact number:.....



  
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- (f) Contact number of office:.....
- (g) Email:..... Website:.....
- (h) Name of chief contact person:.....  
Position/role:.....
- (i) Phone number of chief contact person:.....  
Email:.....
- (j) Name of officer hearing complaint:..... Contact  
number:..... Email:.....
- (k) Detail of organizing committee of company/institution:

S.N.	Name of organizer	Sex	Position	Contact phone number	Email	Remarks

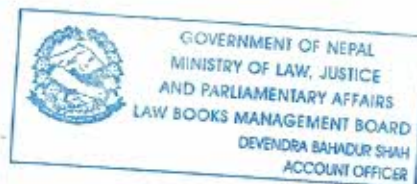
(l) Other details: .....

**2. For company/institution with head office/registration in other country:**

- (a) Name of company:..... Name of social network  
platform:.....
- (b) Full address of company:.....
- (c) Contact phone number of office:.....
- (d) Email:..... Website:.....
- (e) Name of chief executive officer:..... Contact  
number/email:.....



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- (f) PAN/VAT number of company (if registered in Nepal):.....
- (g) Registration number and date of registration of company/institution (if registered in Nepal):.....
- (h) Address of point of contact of company/institution in Nepal:  
Province:..... District:..... Rural Municipality/Municipality:..... Tol:.....  
Street:..... Ward no.:..... Block no.:..... Post box no.:..... Telephone number:.....
- (i) Name of chief contact person in Nepal:.....  
Position/role:.....
- (j) Telephone number of chief contact person:.....
- (k) Email of chief contact person:.....
- (l) Name of complaint hearing officer:.....
- (m) Contact number of complaint hearing officer:.....  
Email:.....
- (n) Other details:.....

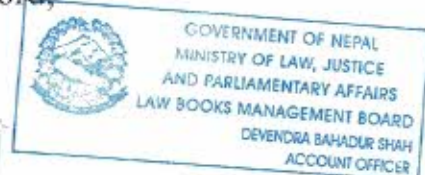
**Documents Attached:**

**1. For the company/institution with head office in Nepal**

- (a) Memorandum of Association and Articles of Association of company/institution,
- (b) Registration certificate of company/institution,
- (c) PAN/VAT certificate of company/institution,
- (d) Letter of renewal of company,
- (e) Certificate of latest tax clearance,
- (f) Company minutes related to decision of enlistment,
- (g) Details of shareholders record,



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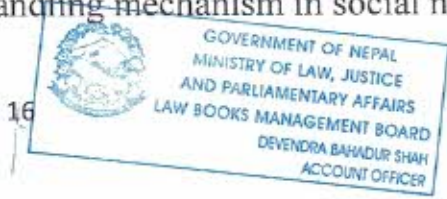
- (h) Details of foreign investors investing in shares, if any,
- (i) Detail of Board of Directors of company/institution,
- (j) Citizenship certificate for Nepali citizen and copy of passport for foreigner,
- (k) Privacy policy, data usage policy, information security policy,
- (l) Documents related to technical ability and professional competence,
- (m) Video KYC of authorized representative in case of online application,
- (n) Standards prescribed by social networks in relation to its users,
- (o) Process of grievance handling mechanism in social networks,
- (p) Other necessary details.

**2. For company/institution with head office/registration in other country:**

- (a) Memorandum of Association and Articles of Association of company/institution,
- (b) Registration certificate of company/institution,
- (c) PAN/VAT certificate of company/institution,
- (d) Certificate of latest tax clearance,
- (e) Details of Board of Directors of company/institution,
- (f) Copy of passport of authorized representative,
- (g) Video KYC of authorized representative in case of online application,
- (h) Privacy policy, data usage policy, information security policy,
- (i) Documents related to technical ability and professional competence,
- (j) Standards prescribed by social networks in relation to its users,
- (k) Process of grievance handling mechanism in social networks,



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(l) Other necessary details.

**Applicant:**

Name:

Company/institution role/position:

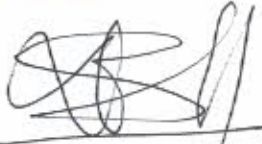
Address:

Date:

Signature:

Company/institution stamp:



  
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**Schedule-2**

(Related to section 3 sub-section (6))

Format of Memo of Enlistment

Certificate no.:

Date:.....

.....

.....

You have been provided with this Memo of Enlistment to operate the social network platform pursuant to sub-section (6) of section 3 of the Directives for Managing the Use of Social Networks, 2023 with a condition to fulfill responsibility pursuant to section 8 of the same Directives.

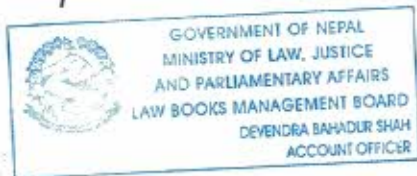
Stamp of office

Authority \_\_\_\_\_ granting

enlistment:



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Name:

Signature:

Position:

Date:

### Schedule- 3

(Related to section 3 sub-section (9))

Format of application to be submitted for update of details

Date:.....

The Ministry of Communication and Information Technology,  
Singhadurbar, Kathmandu.

#### **Subject: Application for update of details**

This application has been submitted along with necessary details, documents, and so on to update the details of the company for the operation of social network platform named ..... of the person/company/institution enlisted in the Ministry pursuant to Directives for Managing the Use of Social Networks, 2023. It is requested that this person/company/institution is in compliance with the prevailing laws regarding the operation of the social network platform.

#### **Enlisted company/institution**

1. If head office is in Nepal:

(a) Enlistment number: .....

(b) Date of enlistment: .....

(c) Name of company/institution: ..... Name of social network platform: .....

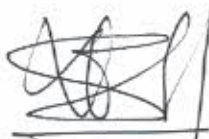
(d) Update detail of company/institution (to be filled only if the details are different than previous),

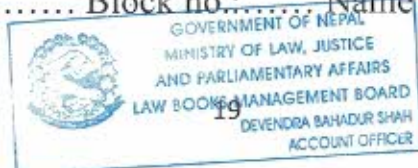
(Province:..... District:..... Rural

municipality/Municipality:..... Tole:..... Street:.....

Ward no.:..... Block no.:..... Name and contact number of



  
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chief executive officer:..... Telephone number of office:..... Email:..... Website:..... Name of chief contact person:..... Position/role of chief contact person:..... Contact number of chief contact person:..... Name of complaint hearing officer:..... Contact number of complaint hearing officer:..... Name of chief executive officer:..... Detail of organizing committee of company/institution:....., etc.)

- (e) Video KYC of authorized representative in case of online application,
- (f) Latest number of grievances registered by users:.....
- (g) Out of the grievances registered by users, number of grievances resolved within the stipulated time:.....
- (h) Reasons for inability to resolve grievances within the stipulated time:.....
- (i) Number of unresolved grievances:.....
- (j) Reasons for inability to resolve grievances:.....
- (k) Latest tax clearance certificate
- (l) Anything else that needs to be mentioned:.....

2. If head office/registration is in other country:

- (a) Enlistment number:.....
- (b) Date of enlistment:.....
- (c) Name of company/institution:..... Name of social network platform:.....
- (d) Update detail of company/institution (shall be filled only if the detail is different than previous), Address of company in foreign country:..... Email:..... Website:.....



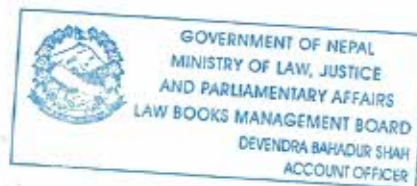
  
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- (e) PAN/VAT number of company/institution: (if registered in Nepal)
- (f) Registration number and registration date of company/institution (if registered in Nepal)
- (g) Address of company/institution in Nepal: Province:.....  
 District:..... Rural municipality/Municipality:.....  
 Tole:..... Street:..... Ward no.:..... Block no.:.....  
 Post box number:..... Telephone contact number:.....
- (h) Name of chief contact person in Nepal:.....
- (i) Position/role chief contact person in Nepal:.....
- (j) Telephone number of chief contact person:.....
- (k) Email of chief contact person:.....
- (l) Name of complaint hearing officer:.....
- (m) Contact number of complaint hearing officer:.....
- (n) Latest number of grievances received:.....
- (o) Out of the grievances received, number of grievances resolved within the stipulated time:.....
- (p) Reasons for inability to resolve grievances within the stipulated time:.....
- (q) Number of unresolved grievances:.....
- (r) Reasons for inability to resolve grievances:.....
- (s) Latest tax clearance certificate
- (t) Video KYC of authorized representative in case of online application,
- (u) Other details:.....



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**Applicant:**

Name:

Responsibility/Designation at the Company/Institution:

Address:

Date:

Signature:

Company/institution seal:



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