

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 JUL 24 P6:16

SENATE



RECEIVED BY: _____

S.B. No. 2471

Introduced by Senator Ramon Bong Revilla, Jr.

EXPLANATORY NOTE

Playing violent video games can increase a person's aggressive thoughts, feelings and behavior according to American Psychological Association¹, the largest scientific and professional organization representing psychology in the United States and is the world's largest association of psychologists.

This bill would prevent minors from purchasing or renting video games that exhibited any acts of violence. This is in consonance with the declared policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control.

The passage of this bill is earnestly sought.



RAMON BONG REVILLA, JR.

¹ Journal of Personality and Social Psychology (April 23, 2004 , Washington, DC.)

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**AN ACT
PROHIBITING THE SALE OR RENTAL OF
VIOLENT VIDEO GAMES TO MINORS**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. *Short Title.* - This Act shall be known as the "Video Game Sale and Rental Regulation Act of 2008."

Section 2. *Definitions.* For purposes of this Act, the term

- (a) Consumer - means an individual purchasing or renting the video game.
- (b) Minor - means an individual who is less than 18 years of age.
- (c) Video Game - means an object or device that stores recorded data or instructions, receives data or instructions generated by anyone who uses it, and, by processing the data or instructions, creates an interactive game capable of being played, viewed, or experienced on or through a computer, gaming system, console, or other technology.
- (d) Violent Video Game - means a video game to which all of the following descriptions apply:
 - (1) It depicts human-on-human violence in which the player kills, seriously injures, or otherwise causes serious physical harm to a human or character with substantially human characteristics, including, but not limited to, depictions of death, dismemberment, amputation, decapitation, maiming, disfigurement, mutilation of body parts, or criminal sexual conduct, in a manner that is especially heinous, atrocious, or cruel. A depiction of violence is especially heinous, atrocious, or cruel if it contains all of the following elements:
 - it depicts exceptional pain or suffering on the part of the victim and is accompanied by a graphic depiction of the victim's injuries
 - the violence is accomplished in the commission of an act that would be punishable as a crime if it were committed in reality.

- the circumstances surrounding the violence indicate that it is committed without conscience, pity, or empathy.
- it is accompanied by auditory or other sensory elements that serve to enhance the realism of the visual depiction.

(2) Taken as a whole, it lacks serious literary, artistic, political, and scientific value for minors, and the average person, applying contemporary statewide values, finds it appeals to minors' morbid interest in violence.

Section 3. *Prohibition and Penalties.* - Except as otherwise provided a person shall not sell or rent a violent video game to a minor. A person who violates this Act shall be punished by imprisonment for not more than one (1) year or a fine of not more than Php100, 000.00, or both.

Section 4. *Defense.* - It is an affirmative defense to a charge under Section 3 that the person acted in good faith. Good faith exists if all of the following conditions applied at the time the violation of Section 3 occurred:

- (a) The minor showed the person identification that appeared to be valid and that contained a photograph and a date of birth purporting to show that the minor was 18 years of age or older
- (b) The person did not have independent knowledge that the minor was under 18 years of age.
- (c) That based upon subsections (a) and (b), the person complied with the video game ratings established by the entertainment software rating board.

Section 5. *Separability Clause.* If any provision or part hereof is invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

Section 6. *Repealing Clause.* All acts, decrees, orders, executive orders, instructions, rules and regulations or parts hereof inconsistent with the provisions of this Act is hereby repealed or modified accordingly.

Section 7. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved;