

indicates whether they have violent, sexual themes, or graphic language content. However, some features that parents may consider violent or sexual may not be labeled as such by the ESRB. Further, video or computer games may have hidden content, or any playable content that may be disabled or blocked from a user of such game so that it can be accessed only by inputting a code or command or by altering the software of such game with a modification, patch, or similar tool, utility, or method.

This bill seeks to promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth by prohibiting deceptive conduct in the rating of video and computer games.¹


MIRIAM DEFENSOR SANTIAGO
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¹ This bill was originally filed in the Thirteenth Congress, Third Regular Session.

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

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SENATE
S. B. No. 1136

RECEIVED BY: §

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 TO PROHIBIT DECEPTIVE CONDUCT IN THE RATING
3 OF VIDEO AND COMPUTER GAMES

4 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
5 *Congress Assembled:*

6 SECTION 1. *Short Title.* – This Act shall be known as the “Truth in Video Game Rating
7 Act of 2007.”

8 SECTION 2. *Declaration of Policy.* – It is the policy of the State to promote and protect
9 the physical, moral, spiritual, intellectual, and social well-being of the youth. Pursuant to this
10 policy, this Act shall prohibit deceptive conduct in the rating of video and computer games.

11 SECTION 3. *Definition of Terms.* – For purposes of this Act, the term:

12 (A) “Content rating” means any rating of the content of a video or computer game
13 provided to notify an individual of content in such video or computer game that
14 may be offensive to an individual or may not be suitable for an individual of a
15 certain age, including such content as violence, graphic sex, nudity, or strong
16 language;

17 (B) “Hidden content” means any playable content of a video or computer game that
18 may be disabled or blocked from a user of such game so that it can be accessed only
19 by inputting a code or command or by altering the software of such game with a
20 modification, patch, or similar tool, utility, or method;

21 (C) “Playable content”, with respect to a video or computer game, means any scene,
22 visual image, sound, or word that a user of such game can access after installing the
23 game on a computer , console, telecommunication device, or similar technology;

1 (D) "Rating organization" any independent organization that assigns a content rating to
2 a video or computer game; and

3 (E) "Video or computer game" means any product, whether distributed electronically or
4 through a tangible device, consisting of data, programs, routines, instructions,
5 applications, symbolic languages, or similar electronic information that enables a
6 user of such product to interact with a computer -controlled virtual environment for
7 entertainment purposes.

8 SECTION 4. *Prohibition on Deceptive Ratings of Video Games.* –

9 (A) Rating Game Only on Partial Content – Notwithstanding any other provision of law,
10 effective one (1) year after the date of the enactment of this Act, a rating organization may not
11 assign a content rating to any video or computer game that is to bear a label containing such
12 content rating when sold or distributed in commerce unless such rating organization has
13 reviewed the playable content of the video or computer game in its entirety.

14 (B) Withholding Content for Rating –

15 (1) In General– Notwithstanding any other provision of law, effective one (1) year
16 after the date of the enactment of this Act, a person who produces, sells, or otherwise
17 distributes a video or computer game in commerce, may not withhold or hide any
18 playable content of such video or computer game from, or in any other manner fail to
19 disclose any playable content of such video or computer game to, a rating organization.

20 (2) Hidden Content – Notwithstanding any other provision of law, effective one
21 (1) year after the date of the enactment of this Act, a person who, in the course of
22 obtaining a content rating, submits to a rating organization a video or computer game that
23 contains hidden content shall provide such rating organization with the necessary codes
24 or methods of accessing such hidden content.

25 (C) Gross Mischaracterization of Content –

26 (1) In General – Notwithstanding any other provision of law, effective one (1)
27 year after the date of the enactment of this Act, a rating organization may not provide a
28 content rating that grossly mischaracterizes the content of a video or computer game.

1 (2) Grossly Mischaracterize – Not later than one (1) year after the date of the
2 enactment of this Act, the Movie and Television Review and Classification Board shall
3 promulgate regulations that define the term “grossly mischaracterizes,” as such term is
4 used in paragraph (1).

5 SECTION 5. *Penalties.* – Any rating organization found guilty of violating Section 3
6 shall be punishable by an amount not more than One Hundred Thousand Pesos (P100,000.00).

7 In addition, a penalty of imprisonment of *arresto mayor* may be imposed on the rating
8 organization’s responsible officers if any of them are found to have knowingly consented to
9 violating Section 3 hereof.

10 In both cases, the court shall take into consideration all attending circumstances.

11 SECTION 6. *Study by the Movie and Television Review and Classification Board.*

12 (A) Study – Not later than one hundred and eighty (180) days after the date of the
13 enactment of this Act, the Movie and Television Review and Classification Board shall conduct
14 a study to determine the following:

15 (1) The efficacy of the ratings system of the Entertainment Software Ratings
16 Board, a non-profit, self-regulatory body established in the United States of America, in
17 assigning appropriate content ratings to video and computer games, including ratings for
18 online or Internet-based games.

19 (2) Whether content ratings systems, like that used by the Entertainment Software
20 Ratings Board, should be peer-reviewed.

21 (3) Whether an independent content ratings system, developed and administered
22 by persons with no financial interest in the video or computer game industry, would
23 result in more accurate and effective content ratings for video or computer games than the
24 content rating system used by the Entertainment Software Ratings Board.

25 (4) The efficacy of a universal ratings system for visual content, including films,
26 broadcast and cable television and video, and video or computer games.

27 (B) Report- Not later than 180 days after the date of the enactment of this Act, the
28 Comptroller General shall submit to Congress a report on the findings of the study conducted

1 pursuant to Paragraph (A). The report shall contain recommendations regarding effective
2 approaches to content ratings that address the unique ratings challenges of online and Internet-
3 based video games.

4 SECTION 7. *Separability Clause.* – If any provision, or part hereof, is held invalid or
5 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
6 valid and subsisting.

7 SECTION 8. *Repealing Clause.* – Any law, presidential decree or issuance, executive
8 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
9 with the provisions of this Act is hereby repealed, modified, or amended accordingly.

10 SECTION 9. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
11 in at least two (2) newspapers of general circulation.

Approved,

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