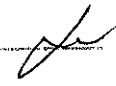


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

7 JUN -4 '17

SENATE
S. B. No. 2622

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Research shows that more and more children are playing video and computer games – especially ultra-violent ones that are top sellers. Boys spend an average of 13 hours a week playing them, and girls five hours.

A recent content analysis by the American research organization Children Now shows that a majority of video games include violence, and about half of the violent incidents would result in serious injuries or death in the real world.

The American Psychological Association points out that violent video games can increase children’s aggression. Further, there is an increased frequency of violent responses from children who play these kinds of video games.


Playing violent games also correlates to children being less caring and helpful toward their peers. Children spend a great deal of time with violent video games at exactly the ages that they should be learning healthy ways to relate to other people and to resolve conflicts peacefully.

According to American psychologist Dr. Phil McGraw, parents can minimize potential harm from violent video games by *limiting the amount of time as well as the types of games their children play*. Active parental involvement in children’s media usage – including discussing the inappropriateness of violent solutions to real life conflicts, reducing time spent on violent media, and generating alternative nonviolent solutions to problems – all can reduce the impact of media violence on children and youth.

Parents should also pay attention to video games’ ratings. The Entertainment Software Ratings Board (ESRB) rates the age appropriateness of video games; and 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.


MIRIAM DEFENSOR SANTIAGO
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THIRTEENTH CONGRESS OF THE REPUBLIC)
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AN ACT
TO PROHIBIT DECEPTIVE CONDUCT IN THE RATING
OF VIDEO AND COMPUTER GAMES

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

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

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

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

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

- (C) “Playable content”, with respect to a video or computer game, means any scene, visual image, sound, or word that a user of such game can access after installing the game on a computer , console, telecommunication device, or similar technology;
- (D) “Rating organization” any independent organization that assigns a content rating to a video or computer game; and
- (E) “Video or computer game” means any product, whether distributed electronically or through a tangible device, consisting of data, programs, routines, instructions, applications, symbolic languages, or similar electronic information that enables a user of such product to interact with a computer -controlled virtual environment for entertainment purposes.

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

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

(B) Withholding Content for Rating –

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

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

(C) Gross Mischaracterization of Content –

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

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

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

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

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

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

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

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

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

(3) Whether an independent content ratings system, developed and administered by persons with no financial interest in the video or computer game industry, would

result in more accurate and effective content ratings for video or computer games than the content rating system used by the Entertainment Software Ratings Board.

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

(B) Report- Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report on the findings of the study conducted pursuant to Paragraph (A). The report shall contain recommendations regarding effective approaches to content ratings that address the unique ratings challenges of online and Internet-based video games.

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

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

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

Approved,