



Republic of the Philippines
House of Representatives
Quezon City



SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL No. 7909

**Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr., and
REP. CHRISTOPHER S. CO**

AN ACT
PROVIDING FOR VIDEO GAME CONTENT RATING AND CLASSIFICATION
SYSTEM, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill seeks to establish a rating and classification system for all video games introduced to Philippine market, whether through video game arcades, laptop or desktop computers, game consoles or mobile smartphones.

With the ubiquity of desktop video game consoles, computers, laptops, and mobile smartphones comes the skyrocketing popularity of video games played on these devices. As it is now, video games are not confined to teenagers but are very popular among all age groups from six to sixty years old.

Some of these video games have gained such popularity and usage that they have been considered a form of electronic sports (E-Sports). E-Sports has now been recognized by the Games and Amusement Board as professional sports through its Resolution No. 2017-21 providing for guidelines on the conduct of E-Sports in the Philippines

Unfortunately, the extreme popularity of video games has brought unforeseen problems especially in relation to unauthorized distribution and user addiction.

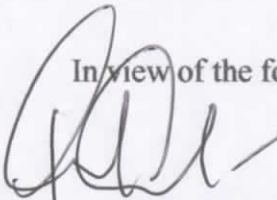
In fact, the World Health Organization has classified gaming addiction as a form of mental health disorder "characterized by impaired control over gaming, increasing priority given to gaming over other activities to the extent that gaming takes precedence over other interests and daily activities, and continuation or escalation of gaming despite the occurrence of negative consequences."¹

There is a need to rate and classify these video games to ensure that they do not result to harmful addiction and to guarantee that contents of these games, which may sometime include violent sequences, are not inappropriately played by children, in the same manner that we classify movies and television shows. This will also help make sure that parents are informed of the risks posed by these video games to very young children.

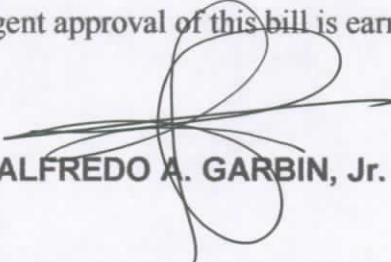
With the enactment of this bill, no video game will be available for sale or distribution without the appropriate rating and classification to determine their suitability very young children.

¹ <http://www.who.int/features/qa/gaming-disorder/en/>

In view of the foregoing, urgent approval of this bill is earnestly sought.



RODEL M. BATOCABE



ALFREDO A. GARBIN, Jr.



CHRISTOPHER S. CO

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

HOUSE BILL No. 7909

Introduced by REP. RODEL M. BATOCABE, REP. ALFREDO A. GARBIN, Jr., and
REP. CHRISTOPHER S. CO

AN ACT
PROVIDING FOR VIDEO GAME CONTENT RATING AND CLASSIFICATION
SYSTEM, AND FOR OTHER PURPOSES

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 Games Act of 2018".

Section 2. Policy. - It is hereby declared to be the policy of the State to ensure the protection and promotion of intellectual property rights.

The unregulated distribution of video games in all forms and medium is inimical to economic growth and public interest, particularly the mental health of children. Towards this end, the State shall institute the means to rate and classify video games for age appropriateness.

Section 3. Definition of Terms. - For the Purpose of this Act, the following terms shall mean:

(a) Video game - a game played by electronically manipulating images produced by a computer program on a television screen, computer screen, mobile phone screen or other display screen;

(b) Entertainment Software Rating Board – the Entertainment Software Rating Board (ESRB) is an American self-regulatory organization that assigns age and content ratings to consumer video games;

~~(c) GAB - the Games and Amusement Board;~~

(d) Game Arcade – a business establishment that holds video game machines for rent to the public operated either by tokens or coins;

(e) Internet café – also called a computer shop, it is a business establishment that rents desktop computers usually with internet services and online computer games, and charges customers on hourly rates;

(f) Video Game Console - an electronic, digital or computer device that outputs a video signal or visual image to display a video game that one or more people can play;

- 1
2 (g) Download portal – a website or mobile phone app where users can download
3 software applications such as video games;
4

5 **Section 4. Coverage.** – The Gaming and Amusement Board (GAB) shall have the
6 authority to establish and maintain, a rating and classification system for all video games
7 introduced to the Philippine market, whether for sale, lease, and/or distribution.
8

9 The authority of the GAB shall cover the entire territory of the Republic of the
10 Philippines including the economic zones as defined in Republic Act No. 7916.
11

12 **Section 5. Powers and Functions of the GAB.** - The GAB shall have the following powers
13 and functions:
14

- 15 (a) To promulgate such rules and regulations as are necessary or proper for the
16 implementation of this Act, and the accomplishment of its purposes and objectives,
17 including guidelines and standards for advertising and titles. Such rules and
18 regulations shall take effect after fifteen (15) days following their publication in
19 newspapers of general circulation in the Philippines;
20
- 21 (b) To review and examine all video games as herein defined, including publicity
22 materials such as advertisements, trailers and stills, whether such video games and
23 publicity materials be for sale, lease or distribution, imported or locally created;
24
- 25 (c) To approve or disapprove, and/or prohibit the importation, exportation,
26 distribution, sale, lease, exhibition and/or broadcast of video games and publicity
27 materials subject of the preceding paragraph, which, in the judgment of the board
28 applying contemporary Filipino cultural values as standard, are objectionable for
29 being immoral, indecent, contrary to law and/or good customs, or with a
30 dangerous tendency to encourage the commission of violence or of a wrong or
31 crime;
32
- 33 (d) To classify video games into categories similar to international rating system, such
34 as the ESRB, as "E" or "For Everyone" (allowed for all ages), "E 10+" or "Everyone
35 10 years old or older", "T" or "Teen", "M" or "Mature", "AO" or "Adults Only," "X"
36 or "Not Fit for Distribution", or such other similar categories as the GAB may
37 determine for public interest and age suitability;
38
- 39 (e) To close internet cafés, video game arcades and other similar establishments
40 engaged in the public exhibition, lease, or distribution of video games which violate
41 the provisions of this Act and the rules and regulations promulgated by the GAB
42 pursuant hereto;
43
- 44 (f) To levy, assess and collect, and periodically adjust and revise the rates of fees and
45 charges for the work of review and examination in the exercise of its powers and
46 functions and in the performance of its duties and responsibilities;
47
- 48 (g) To deputize representatives from the government and from the various
49 associations in the video game industry, whose main duties shall be to help ensure
50 compliance with all laws relative to the importation, exportation, copying,
51 distribution, sale, lease and/or exhibition of video games, advertisements and

1 publicity materials. For this purpose, the GAB may constitute such Regulatory
2 Council or Councils composed of representatives from the government and the
3 videogame industry as may be appropriate to implement the purposes and
4 objectives of this Act. The GAB may also call on any law enforcement agency for
5 assistance in the implementation and enforcement of its decisions or orders;

6
7 (h) To cause the prosecution, on behalf of the People of the Philippines, of violators of
8 this Act, of anti-trust, obscenity, censorship and other pertinent laws;

9
10 (i) To prescribe the internal and operational procedures for the exercise of its powers
11 and functions as well as the performance of its duties and responsibilities,
12 including the creation and vesting of authority upon sub-committees of the GAB
13 for the work of review and other related matters; and

14
15 (j) To exercise such powers and functions as may be necessary or incidental to the
16 attainment of the purposes and objectives of this Act, and to perform such other
17 related duties and responsibilities as may be directed by the President of the
18 Philippines.

19
20 **Section 6. Unauthorized sale, lease, distribution.** - It shall be unlawful for any person to
21 sell, lease, or distribute in any internet café or video game arcade or any similar
22 establishment within the Philippines, any video game or publicity material, including
23 trailers, and stills in connection with such video game, without being rated and classified
24 by the GAB; or to show on the video game case, sleeve or any other container, or on
25 download sites, of any video game to be sold, leased, and/or distributed in the Philippines,
26 a label or notice showing the same to have been officially rated and classified by the GAB
27 when the same has not been previously reviewed and classified, except video games or
28 publicity material created by the Philippine Government and/or its departments and
29 agencies.

30
31 **Section 7. Admission to Internet Cafés and Video Game Arcades.** - It shall be unlawful
32 for any person below eighteen years of age, to misrepresent or make use of any false
33 evidence about his or her age in order to use or play, a video game in any internet café or
34 video game arcade which is rated "AO" or "Adults Only" or such other similar
35 classification by the GAB. It shall be also unlawful for any employee of a video game
36 arcade or internet café to sell, lease, or distribute to another person known to the former
37 to be below eighteen years of age any video game classified as "AO" or "Adults Only" or
38 other similar classification. In case of doubt as to the age of the person seeking admission,
39 the latter shall be required to exhibit his or her residence certificate or other proof of age.

40
41 **Section 8. Banning of Video Games.** - In the event that a video game, after examination
42 and review by the GAB, is declared unfit for sale, lease, or distribution in the Philippines,
43 based on the standards established in Section 5 (d), the said video game shall be returned
44 by the importer or distributor thereof to the country of origin or to any other place outside
45 of the Philippines, or its download link shall be removed from download portals, within a
46 period of thirty days, which shall be counted from the date of receipt by the importer or
47 distributor of the decision of the GAB banning the video game for sale or distribution in
48 the Philippines.

49
50 **Section 9. Inspection.** - In addition to its powers vested by law, and for the effective
51 enforcement of the provisions of this act, the GAB or its duly authorized representatives

1 shall have the power to inspect all internet cafés, video game arcades, or similar
2 establishments, upon discovery of unrated or unclassified video games being sold, leased
3 or distributed, and to immediately seize or delete the unauthorized articles and to cause
4 the prosecution of the person(s) responsible for the violation of this Act, and/or other
5 pertinent laws.

6
7 Upon conviction of the violator(s), the materials seized as well as the other
8 proceeds or instruments of the crime shall be disposed of in accordance with the Revised
9 Penal Code, as amended.

10
11 **Section 10. Period of Implementation** - The GAB and the DBM shall prepare the
12 necessary work programs to cover the staggered implementation of this Act for a period
13 not exceeding three (3) years.

14
15 **Section 11. Appropriations.** - The appropriations for the GAB under the current General
16 Appropriations Act shall be used to carry out the initial implementation of this Act.
17 Thereafter, such sums as may be necessary for its implementation shall be included in the
18 General Appropriations Act.

19
20 **Section 12. Separability Clause.** - If, for any reason, any provision of this Act is declared
21 invalid or unconstitutional, the other sections or provisions not so declared shall remain
22 in full force and effect.

23
24 **Section 13. Repealing Clause.** - All other laws, rules, regulations, decrees, executive
25 orders, and other issuance or parts thereof which are inconsistent with the provisions of
26 this Act are hereby repealed or modified accordingly.

27
28 **Section 14. Effectivity** - This Act shall take effect fifteen (15) days after its publication in
29 the Official Gazette or in at least two (2) newspapers of general circulation.

30
31
32 Approved,