

Republic of the Philippines
House of Representatives
Quezon City



SEVENTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. **4399**

INTRODUCED BY CONGRESSMAN ALFRED VARGAS

EXPLANATORY NOTE

Presidential Decree No. 1986, s. 1985 provided for the creation of the Movie and Television Review and Classification Board (MTRCB) with the intent of encouraging value-based media and entertainment culture and establishing an age-appropriate media that will serve as an indispensable tool for moral recovery and nation-building. Apart from regulating and classifying motion pictures, television programs, and publicity materials, the mandate of the MTRCB also includes:

- Promoting and protecting the family, the youth, the disabled, and other vulnerable sectors of society in the context of media and entertainment
- Empowering the Filipino family

However, this Representation finds the need to bring up to date the mandate of the MTRCB, as it does not have the authority to review the content of a visual medium that has long been popular among the Filipino youth – video games.

Concern has been growing with the proliferation of video games that contain mature and violent story lines which may promote aggression and other negative behavioural problems among the youth. Thus, parents must be given proper warning and information to enable them to monitor their children's use of video games in order to prevent the development of future physical, emotional, and psychological problems of their children.

In line with the MTRCB's thrust in promoting intelligent media viewership, this bill expands the powers and functions of the MTRCB to provide for the regulation of video games.

Support for the immediate approval of this proposed legislation is earnestly sought.



ALFRED VARGAS

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AN ACT

EXPANDING THE POWERS AND FUNCTIONS OF THE MOVIE AND TELEVISION REVIEW AND CLASSIFICATION BOARD TO PROVIDE FOR THE REGULATION OF VIDEO GAMES, AMENDING FOR THE PURPOSE PRESIDENTIAL DECREE NO. 1986

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 “Video Game and Outdoor Media Regulation Act”.

Sec. 2. Paragraphs 1 and 2 of Section 2 regarding Composition, Qualifications, and Benefits are hereby amended to read as follows:

The Board shall be composed of a Chairman, a Vice-Chairman and ~~{thirty (30) members}~~ THIRTY-FIVE (35) MEMBERS, who shall all be appointed by the President of the Philippines. The Chairman, the Vice-Chairman, and the members of the Board, shall hold office for a term of one (1) year, unless sooner removed by the President for any cause; provided, that they shall be eligible for re-appointment after the expiration of their term. If the Chairman, or the Vice-Chairman or any member of the Board fails to complete his term, any person appointed to fill the vacancy shall serve only for the unexpired portion of the term of the Board member whom he succeeds.

No person shall be appointed to the Board, unless he is a natural-born citizen of the Philippines, not less than twenty-one (21) years of age, and of good moral character and standing in the community; Provided, That in the selection of the members of the Board, due consideration shall be given to such qualifications as would produce a multi-sectoral combination of expertise in the various areas of motion picture, VIDEO GAMES, and television; Provided, further, That at least five (5) members of the BOARD shall be members of the Philippine Bar; Provided, ~~{finally}~~ FURTHER, That at

least fifteen (15) members of the Board may come from the movie and television industry to be nominated by legitimate associations representing the various sectors of said industry, PROVIDED, FINALLY, THAT AT LEAST FIVE (5) MEMBERS OF THE BOARD MAY COME FROM THE VIDEO GAME INDUSTRY TO BE NOMINATED BY LEGITIMATE ASSOCIATIONS REPRESENTING THE VARIOUS SECTORS OF SAID INDUSTRY.

SEC.3. Section 3 regarding Powers and Functions is hereby amended to read as follows:

a)xxx

b) To screen, review and examine all motion pictures, VIDEO GAMES, as herein defined, television programs, including publicity materials such as advertisements, trailers and stills, whether such motion pictures and publicity materials be for theatrical or non-theatrical distribution, for television broadcast or for general viewing, imported or produced in the Philippines, and in the latter case, whether they be for local viewing or for export;

c) To approve or disapprove, delete objectionable portions from and/or prohibit the television broadcast of the motion pictures, VIDEO GAMES, television programs, and publicity materials subject of the preceding paragraph, which, in the judgement of the board applying contemporary Filipino cultural values as standard, are objectionable for being immoral, indecent, contrary to law and/or good customs, injurious to the prestige of the Republic of the Philippines or its people, or with a dangerous tendency to encourage the commission of violence or of wrong or crime, such as but not limited to:

ii) xxx

iv) xxx

v) xxx

vi) xxx

vii) xxx

Provided, however, xxx

To supervise, regulate, and grant, deny, or cancel permits for the importation, exportation, production, copying, distribution, sale, lease, exhibition, and/ or television broadcast of all motion pictures, VIDEO GAMES, television programs, and publicity materials, to the end that no such pictures, programs and materials as are determined by the Board to be objectionable in accordance with paragraph (c)

hereof shall be imported, exported, produced, copied, reproduced, distributed, sold, leased, exhibited, and/ or broadcast by television;

d) To classify motion pictures, VIDEO GAMES, television programs and similar shows into categories such as "G" or "For General Patronage" (all ages admitted), "P" or "Parental Guidance Suggested", "R" or "Restricted" (for adults only), "X" or "Not for Public Viewing," or such other categories as the BOARD may determine for the public interest;

e) To close movie houses and other similar establishments engaged in the public exhibition of motion pictures and television programs, OR THE SALE AND/OR DISTRIBUTION OF VIDEO GAMES, which violate the provisions of this Act and the rules and regulations promulgated by the Board pursuant hereto;

f) xxx

g) To deputize representatives from the government and from the various associations in the movie AND VIDEO GAME {industry} INDUSTRIES, whose main duties shall be to help ensure compliance with all laws relative to the importation, exportation, copying,, distribution, sale, lease, exhibition and/or television broadcast of motion pictures, television programs, advertisements and publicity materials. For this purpose, the Board may constitute such Regulatory Council or Councils composed of representatives from the government and the movie and television industry as may be appropriate to implement the purposes and objectives of this Act. The Board may also call on any law enforcement agency for assistance in the implementation and enforcement of its decisions, orders or awards;

h) To cause the prosecution, on behalf of the People of the Philippines, of violators of this Act, of anti-trust, obscenity, censorship and other laws pertinent to the movie, VIDEO GAME, and television {industry}INDUSTRIES;

i) xxx

j) xxx

SEC. 4. *Section 4 regarding Decision is amended by inserting the following paragraph:*

THE PROCEDURES USED BY THE BOARD TO IMPLEMENT ITS REVIEW FUNCTIONS AND MAKE DECISIONS CONCERNING THE APPROVAL OR DISAPPROVAL OF A MOTION PICTURE OR TELEVISION, INCLUDING APPELLATE PROCEDURES, SHALL ALSO BE USED FOR THE REVIEW OF VIDEO GAMES AS APPLICABLE UNDER THIS ACT.

SEC. 5. Section 6 regarding Examination and Review is amended by inserting the following paragraph:

THE PROCEDURES USED BY THE BOARD TO IMPLEMENT ITS REVIEW FUNCTIONS AND MAKE DECISIONS CONCERNING THE APPROVAL OR DISAPPROVAL OF A MOTION PICTURE OR TELEVISION, INCLUDING APPELLATE PROCEDURES, SHALL ALSO BE USED FOR THE REVIEW OF VIDEO GAMES AS APPLICABLE UNDER THIS ACT.

SEC. 6. Section 7 is amended to read as follows:

Sec. 7. Unauthorized showing, SALE, DISTRIBUTION, or exhibition. -

xxx

IT SHALL ALSO BE UNLAWFUL TO SELL OR DISTRIBUTE TO A MINOR UNDER EIGHTEEN (18) YEARS OF AGE ANY VIDEO GAME THAT HAS BEEN RATED "ADULTS ONLY" BY THE BOARD. LIKEWISE, IT SHALL BE UNLAWFUL FOR A MINOR UNDER EIGHTEEN (18) YEARS OF AGE TO BUY OR RECEIVE ANY VIDEO GAME THUS RATED.

NOTWITHSTANDING THE PROVISIONS OF OTHER APPLICABLE LAWS, A MINOR THAT MAKES USE OF ANY FALSE EVIDENCE ABOUT HIS OR HER AGE TO OBTAIN A COPY OF THE VIDEO GAME SHALL BE PUNISHED PURSUANT TO THE PROVISIONS ON PENALTIES STIPULATED BY SELECTION 11 OF THIS ACT.

SEC. 7. Section 8 regarding Posting or Display of Certificate or Label is amended by inserting the following paragraph:

THE PACKAGING OF ANY VIDEO GAME AND ANY PRINTED OR DIGITAL PUBLICITY MATERIAL, WHETHER LOCALLY-PRODUCED OR IMPORTED, THAT IS SOLD AND/OR DISTRIBUTED IN THE PHILIPPINES MUST DISPLAY ITS RATING AS ASSIGNED BY THE BOARD IN AN EASILY-VIEWABLE, LEGIBLE MANNER ON THE FRONT SIDE IN THE STYLE AND MANNER PRESCRIBED BY THE BOARD. DIGITAL COPIES OF GAMES MUST DISPLAY THE RATING LABEL ON THE MENU SCREEN.

SEC. 8. Section 10 regarding Definition of Terms is amended by inserting the following numbers:

1. xxx

2. xxx

3. xxx

4. xxx

5. xxx

6. xxx

7. xxx

8. VIDEO GAME – A GAME PLAYED BY ELECTRONICALLY MANIPULATING IMAGES PRODUCED BY A COMPUTER PROGRAM ON A TELEVISION SCREEN OR OTHER ELECTRONIC DISPLAY SCREEN.

9. RATING LABEL – A MARKER THAT USES WORDS, COLORS, AND/OR OTHER VISUAL STYLE ELEMENTS TO CLEARLY COMMUNICATE THE RATING OF THE GAME AS CLASISIFIED BY THE BOARD.

10. DIGITAL COPY OF GAME – A VERSION OF THE GAME THAT USES TECHNOLOGY, SUCH AS ONLINE DOWNLOADING, THAT DOES NOT REQUIRE A DISC OR ANY OTHER HARD DEVICE FOR SALE AND/OR DISTRIBUTION.

11. VIDEO GAME DISTRIBUTION – ANY COMMERCIAL ACTIVITY THAT MAKES A VIDEO A VIDEO GAME AVAILABLE TO THE GENERAL PUBLIC, INCLUDING MAKING A VIDEO GAME AVAILABLE FOR FREE DOWNLOAD ONLINE.

SEC. 9. *Section 12 is amended to read as follows:*

Sec. 12. Banning of Motion Pictures, VIDEO GAMES, and Television Programs.

xxx

THE PROCEDURE FOLLOWED CONCERNING THE BANNING OF MOTION PICTURES AND TELEVISION PROGRAMS SHALL ALSO APPLY TO CASES IN WHICH VIDEO GAMES ARE DEEMED BY THE BOARD, AFTER EXAMINATION AND REVIEW, TO BE UNFIT FOR CONSUMPTION IN THE PHILIPPINES.

SEC. 10. *Implementing Rules and Regulations.* – Within (60) days from the effectivity of this Act, the Board shall promulgate the implementing rules and regulations as may be necessary to ensure the efficient and effective implementation of this Act.

SEC. 11. *Separability Clause.* – Should any part of this Act be declared unconstitutional, the rest of the provisions of this Act shall continue to be in effect and subsisting.

SEC. 12. *Amendatory Clause.* – The pertinent provisions of P.D. No. 1986, in so far as they are inconsistent herewith, are hereby expressly amended or modified accordingly.

SEC. 13. *Repealing Clause.* - The provisions of other laws, decrees, executive orders rules and regulations inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 14. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* and/or in at least two (2) national newspapers in general circulation.

Approved,