



Senate
Office of the Secretary

NINETEENTH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

'22 AUG -8 A10 :18

SENATE

RECEIVED BY:

S.B. No. 1063

Introduced by SEN. WIN GATCHALIAN

**AN ACT
EXPANDING THE POWERS AND FUNCTIONS OF THE MOVIE AND
TELEVISION REVIEW AND CLASSIFICATION BOARD FOR THE
REGULATION OF VIDEO AND ONLINE GAMES AND OUTDOOR MEDIA,
AMENDING FOR THIS PURPOSE PRESIDENTIAL DECREE NO. 1986,
OTHERWISE KNOWN AS "CREATING THE MOVIE AND TELEVISION
REVIEW AND CLASSIFICATION BOARD"**

EXPLANATORY NOTE

Established by Presidential Decree No. 1986 in 1985, the Movie and Television Review and Classification Board (MTRCB) serves an important role in safeguarding our children from violent, obscene, and otherwise harmful material that may endanger their safety and well-being. The ratings published by the MTRCB educate parents about the subject matter discussed and portrayed in these media, empowering them to make informed decisions about the kind of media to which they wish to expose their children. This is certainly a worthy undertaking that has been duly accomplished by the MTRCB for almost 30 years now.

However, the mandate of this Board, delineated well before the proliferation of affordable and accessible computer technology, does not cover another potent type of visual media - video games. Since the late 1990's many countries have expanded the functions and powers of their respective movie and television regulatory bodies to

include the review and classification of video games, owing to the increasingly dominant position of video games in visual entertainment worldwide. These regulatory bodies have also focused on ensuring that video games with mature themes do not fall into the hands of those too young to properly process the graphic and violent scenes they are controlling on the screen.

The 2020 gaming statistics reveal that 43 million gamers drove the unprecedented rise in the Philippine gaming industry and across Southeast Asia, with 74% of the Philippine online gaming population playing on their mobile devices, 65% on PC games, and 45% playing on the classic console games.¹ These numbers show that video gaming not only now involves the traditional consoles and PC devices but likewise have expanded to online platforms.

Moreover, the Philippines, whose 43 million gamers spent \$572 million on games in 2019, made it as the world's 25th-biggest market by game revenues, as well as a key driver of Southeast Asia's overall games market.² Given that the Philippine market generates a lot of gaming revenues, it becomes more paramount to ensure the safety and wellbeing of our children through the proper regulation of the video gaming industry. Thus, it is more imperative that we upgrade the bureaucracy in the face of the introduction of newer technologies, and in line with the fast-changing times. Hence, this legislation aims to reorganize the MTRCB into a more versatile body up-to-date with the needs of contemporary and technology-influenced Philippine society.

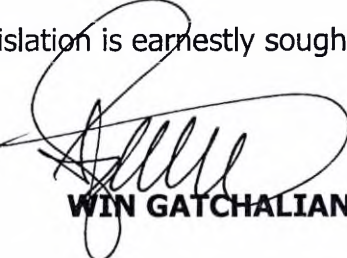
In addition to video and online games, this legislation also gives MTRCB regulatory powers over the content of outdoor media. Realistically, it is virtually impossible to restrict access of minors to outdoor media since by definition they are prominently displayed in public spaces. Thus, in order to further protect the safety and well-being of our children we must take steps to ensure that obscene outdoor

¹ Manila Times, "A game well played," <https://www.manilatimes.net/2022/04/30/entertainment-lifestyle/life-times/a-game-well-played/1841858>

² Newzoo, "The Philippines' Games Market: Data and Insights," <https://newzoo.com/insights/articles/data-and-insights-on-the-philippines-games-market>

media will be prohibited as necessary. Since the functions of MTRCB already include the review of certain publicity materials, it is logical to delegate the review of outdoor media to this body as well.

With all these considerations, approval of this legislation is earnestly sought.



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

1 SECTION 1. *Short Title.* - This Act shall be known as the "Video and
2 Online Games and Outdoor Media Regulation Act".

3

4 SEC. 2. Section 2 of Presidential Decree (PD) No. 1986, or "Creating the
5 Movie and Television Review and Classification Board", is hereby amended to
6 read as follows:

7 Section 2. Composition; qualifications; benefits. - The
8 Board shall be composed of a Chairman, a Vice-Chairman
9 6 and [~~thirty (30) members~~] **THIRTY-FIVE (35)**
10 **MEMBERS**, who shall all be appointed by the President of
11 the Philippines. The Chairman, the Vice-Chairman, and the
12 members of the Board, shall hold office for a term of one
13 (1) year, unless sooner removed by the President for any

1 cause; Provided, That they shall be eligible for re-
2 appointment after the expiration of their term. If the
3 Chairman, or the Vice-Chairman or any member of the
4 Board fails to complete his term, any person appointed to
5 fill the vacancy shall serve only for the unexpired portion of
6 the term of the Board member whom he succeeds. No
7 person shall be appointed to the Board, unless he is a
8 natural-born citizen of the Philippines, not less than twenty-
9 one (21) years of age, and of good moral character and
10 standing in the community; Provided, That in the selection
11 of the members of the Board due consideration shall be
12 given to such qualifications as would produce a multi-
13 sectoral combination of expertise in the various areas of
14 motion picture, **VIDEO AND ONLINE GAMES,**
15 **OUTDOOR MEDIA,** and television; Provided, further, That
16 at least five (5) members of the Board shall be members of
17 the Philippine Bar; Provided, [finally] **FURTHER,** That at
18 least fifteen (15) members of the Board may come from the
19 movie and television industry to be nominated by legitimate
20 associations representing the various sectors of said
21 industry, **PROVIDED, FINALLY, THAT AT LEAST FIVE**
22 **(5) MEMBERS OF THE BOARD MAY COME FROM**
23 **VIDEO AND ONLINE GAMES, AND OUTDOOR MEDIA**
24 **INDUSTRIES TO BE NOMINATED BY LEGITIMATE**
25 **ASSOCIATIONS REPRESENTING THE VARIOUS**
26 **SECTORS OF SAID INDUSTRIES.**

27
28 SEC. 3. Section 3 of PD No. 1986 is hereby amended to read as follows:

- 29 a) xxx
30 b) To screen, review and examine all motion pictures,
31 **VIDEC AND ONLINE GAMES, AND OUTDOOR MEDIA**
32 as herein defined, television programs, including publicity

1 materials such as advertisements, trailers and stills,
2 whether such motion pictures and publicity materials be for
3 theatrical or non-theatrical distribution, for television
4 broadcast or for general viewing, imported or produced in
5 the Philippines, and in the latter case, whether they be for
6 local viewing or for export;

7 c) To approve or disapprove, delete objectionable portions
8 from and/or prohibit the importation, exportation,
9 production, copying, distribution, sale, lease, exhibition
10 and/ or television broadcast of the motion pictures, **VIDEO**
11 **AND ONLINE GAMES**, television programs, **OUTDOOR**
12 **MEDIA**, and publicity materials subject of the preceding
13 paragraph, which, in the judgment of the board applying
14 contemporary Filipino cultural values as standard, are
15 objectionable for being immoral, indecent, contrary to law
16 and/or good customs, injurious to the prestige of the
17 Republic of the Philippines or its people, or with a
18 dangerous tendency to encourage the commission of
19 violence or of wrong or crime, such as but not limited to:

20 i) xxx

21 Provided, however, xxx

22 To supervise, regulate, and grant, deny or cancel, permits
23 for the importation, exportation, production, copying,
24 distribution, sale, lease, exhibition, and/or television
25 broadcast of all motion pictures, **VIDEO AND ONLINE**
26 **GAMES**, television programs, **OUTDOOR MEDIA** and
27 publicity materials, to the end that no such pictures,
28 programs and materials as are determined by the Board to
29 be objectionable in accordance with paragraph (c) hereof
30 shall be imported, exported, produced, copied, reproduced,
31 distributed, sold, leased, exhibited and/or broadcast by
32 television;

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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 AND ONLINE GAMES**, television programs, **OUTDOOR MEDIA** and publicity 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 AND ONLINE 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 AND ONLINE 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, **VIDEO AND ONLINE GAMES, AND OUTDOOR MEDIA** [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

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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 AND ONLINE GAMES, OUTDOOR MEDIA** and television [industry] **INDUSTRIES**;

i) xxx

SEC. 4. Section 4 of PD No. 1986 is hereby amended to read as follows:

Section 4. Decision. - The decision of the Board either approving or disapproving for exhibition in the Philippines a motion picture, television program, still and other pictorial advertisement submitted to it for examination and review must be rendered within a period of ten (10) days which shall be counted from the date of receipt by the Board of an application for the purpose, together with motion picture, television program, still or other pictorial advertisement to be reviewed.

xxx

The decision of the President of the Philippines on any appealed matter shall be final.

THIS PROCEDURE FOR THE APPROVAL OR DISAPPROVAL FOR EXHIBITION SHALL ALSO BE APPLICABLE FOR THE REVIEW OF VIDEO AND ONLINE GAMES, AND OUTDOOR MEDIA.

1 SEC. 5. Section 6 of PD No. 1986 is hereby amended to insert a second
2 paragraph, to read as follows:

3 Section 6. Examination and Review. – xxx
4 **THE EXAMINATION AND REVIEW PROCEDURE**
5 **SHALL ALSO BE APPLICABLE FOR THE REVIEW OF**
6 **VIDEO AND ONLINE GAMES, AND OUTDOOR MEDIA.**

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8 SEC. 6. Section 7 of PD 1986 is hereby amended to insert a second
9 paragraph, to read as follows:

10 Sec. 7. Unauthorized showing, **SALE, DISTRIBUTION,** or
11 exhibition. – xxx
12 **IT SHALL ALSO BE UNLAWFUL TO SELL OR**
13 **DISTRIBUTE TO A MINOR UNDER EIGHTEEN (18)**
14 **YEARS OF AGE ANY VIDEO GAME THAT HAS BEEN**
15 **RATED "ADULTS ONLY" BY THE BOARD.**
16 **LIKewise, IT SHALL BE UNLAWFUL FOR A MINOR**
17 **UNDER EIGHTEEN (18) YEARS OF AGE TO:**
18 **(A) BUY OR RECEIVE ANY VIDEO GAME THUS**
19 **RATED; AND**
20 **(B) USE OF ANY FALSE EVIDENCE ABOUT HIS OR**
21 **HER AGE TO OBTAIN A COPY OF THE VIDEO**
22 **GAME.**

23 **THE MINORS COMMITTING SUCH PROHIBITED**
24 **ACTS SHALL BE PUNISHED PURSUANT TO**
25 **REPUBLIC ACT NO. 9334, OTHERWISE KNOWN AS**
26 **THE "JUVENILE JUSTICE AND WELFARE ACT OF**
27 **2006", AS AMENDED.**

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29 SEC. 7. Section 8 of PD 1986 is hereby amended, to insert a second
30 paragraph, to read as follows:

31 Section 8. Posting or Display of Certificate or Label. – xxx

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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 of PD 1986 is hereby amended to read as follows:

Section 10. Definition of Terms. - For purposes of this Act, the following terms shall mean:

- 1. xxx
- 7. xxx

8. VIDEO AND ONLINE GAME - A GAME PLAYED BY ELECTRONICALLY OR DIGITALLY MANIPULATING IMAGES PRODUCED BY A COMPUTER PROGRAM ON A TELEVISION SCREEN, OR OTHER ELECTRONIC DISPLAY SCREEN, INCLUDING ONLINE PLATFORMS.

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

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

12. OUTDOOR MEDIA - REFERS TO ALL EXISTING AND PROPOSED ADVERTISING SIGNS, BILLBOARDS, DISPLAY SIGNS, ELECTRICAL SIGNS, LIGHT EMITTING DIODE (LED) SIGNS AND BILLBOARDS, GROUND SIGNS, ROOF SIGNS, AND SIGN STRUCTURES ALONG MAJOR THOROUGHFARES, PUBLIC ROADS, SECONDARY ROADS, AVENUES, STREETS, ROADS, PARKS AND OPEN SPACES WITHIN METRO MANILA AND OTHER CITIES AND MUNICIPALITIES.

SEC. 9. Section 12 of PD 1986 is hereby amended, to insert a second paragraph, to read as follows:

Sec. 12. Banning of Motion Pictures, **VIDEO AND ONLINE GAMES, OUTDOOR MEDIA**, and Television Programs. -

xxx

THIS PROCEDURE SHALL ALSO APPLY TO VIDEO AND ONLINE GAMES AND OUTDOOR MEDIA AS DEEMED BY THE BOARD 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.

1 SEC. 11. *Separability Clause.* - If any provision of this Act is declared
2 invalid or unconstitutional, the provisions not affected thereby shall remain in
3 full force and effect.

4

5 SEC. 12. *Repealing Clause.* - All laws, presidential decrees, executive
6 orders, presidential proclamations, rules and regulations or parts thereof
7 contrary to or inconsistent with this Act are hereby repealed or modified
8 accordingly.

9

10 SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in the *Official Gazette* or in a newspaper of general circulation in the
12 Philippines.

Approved,