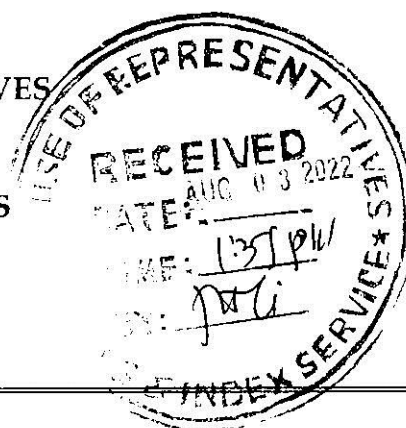


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. **3112**



Introduced by Representative ROSANNA "RIA" V. VERGARA

EXPLANATORY NOTE

Unlike radio and television, the Internet is an interactive medium that requires users to actively seek a particular site or application and directly engage with its content. This personal interactivity is precisely what draws people to this medium of information, interaction, expression, and entertainment.

Of the many features of the internet, online gaming emerged to be one of the most popular applications among the youth. With millions of young people around the world spending several hours a day playing online games, the ever-expanding role and impact of online gaming industry in our society cannot be denied.

Reportedly, with the enormous expansion of the industry, developers churn out games by the thousands, each vying for the attention of online gamers who are mostly minors. As designed, each new one is bigger, louder, more violent, and more addictive than its precursor, with story lines that appeal to the violent and prurient interests of the youth and take advantage of their gullibility and susceptibility to external influence in their formative years.

Although internet games are not without beneficial effects, numerous studies have demonstrated the nefarious effects of excessive exposure to violent online games. Brain research (Bushman & Sestir, 2006) shows that players exposed to violent media manifest reduction in healthy, emphatic responses to real-life violence and that these reduced brain response led to increased aggressive behaviour in later tasks.¹ In addition, online video games have become an alarming platform for unregulated gambling where minors are encouraged to spend money they do not have.

It is for this reason that this bill seeks to create and mandate a Board attached to the Department of Information and Communication Technology (DICT) to: 1)

¹ Bortholow, B., Bushman, B., & Sestir, M. (2006, July). Chronic violent video game exposure and desensitization to violence: Behavioral and event-related brain potential data. *Journal of Experimental Social Psychology*, 42(4), 532-539.

review and classify online video games according to age-suitability and appropriateness and their content description in order to empower parents to properly monitor the gaming activities of their children and to guide the stakeholders (gamers, parents, producers, distributors, internet cafe and computer shop operators, government, and other entities involved in online gaming industry) as to who may access, buy, use or play a particular online video game; and 2) provide penalties for non-compliance with or violation of such review and classification.

The early deliberation and adoption of this measure is thus earnestly requested.

ROSANNA "RIA" V. VERGARA
Representative, 3rd District of Nueva Ecija

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House Bill No. **3112**

Introduced by Representative ROSANNA "RIA" V. VERGARA

AN ACT
MANDATING THE CLASSIFICATION OF INTERNET GAMES
CREATING FOR THE PURPOSE THE INTERNET GAMES REVIEW AND
CLASSIFICATION BOARD AND APPROPRIATING FUNDS THEREFOR

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

Section 1. *Title.* – This act shall be known as the “*INTERNET GAMES REVIEW AND CLASSIFICATION ACT.*”

Section 2. *Declaration of Policy.* – It is hereby declared a policy of the State to:

a. Promote and protect the physical, moral, spiritual, intellectual, and social well-being of the youth in recognition of the vital role they play in nation-building;

b. Support the primary right and duty of parents in rearing the youth for civic efficiency and the development of their moral character through education;

c. Give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development;

d. Support and strengthen communication and information recognizing their vital role in nation-building; and

e. Consequently, to ensure that all stakeholders, especially the youth, greatly benefit from the advances in technology and at the same time are protected from the various dangers and risks arising from its unregulated use, especially in the area of video gaming, by classifying and regulating online video games.

1 **Section 3. Definition of Terms.** – For purposes of this Act, the following are
2 hereby defined as follows:

- 3
- 4 1. *Video Game*- A game played by electronically manipulating images produced
5 by a computer program on a television screen or other electronic display screen.
6
- 7 2. *Internet Game* – Refers to an online video game that is either partially or
8 primarily played through the Internet or a computer network.²
9
- 10 3. *Internet Café*- A place or establishment which provides computer hardware
11 with internet access to the public, usually for a fee.
12
- 13 4. *DICT* – Refers to the Department of Information and Communication
14 Technology created by virtue of Republic Act No. 10844.
15
- 16 5. *IGRCB* – Refers to the Internet Game Review and Classification Board created
17 under Section 4 of this Act.
18

19 **Section 4. Creation and Functions of IGRCB.** - There is hereby created an Internet
20 Game Review and Classification Board (IGRCB) attached to the DICT. The primary
21 mandate of IGRCB is to review and classify internet games and to ensure that such
22 classification shall be followed as to access and use by and availability to the public.
23 For this purpose, the IGRCB shall have the following powers and functions:³
24

- 25 a) To review, examine, and classify internet games into age-appropriate
26 categories and according to certain content categories, with reference to local
27 and international standards, as the IGRCB may determine for the public
28 interest;
29
- 30 b) To restrict access of the public to internet games through review and
31 classification;
32
- 33 c) To cause the closure of internet cafes or computer shops and other similar
34 establishments engaged in activities which violate the provisions of this Act
35 and the rules and regulations promulgated by the IGRCB;
36
- 37 d) To coordinate and call the assistance or deputize and designate
38 representatives from any branch, department, instrumentality or agency of
39 government and from the online gaming industry and the various associations
40 in the information and communication technology sector in order to ensure
41 compliance with the provisions of this Act relative to the access, availability,
42 copying, distribution, sale, or lease of internet games;

² Andrew Rollings; Ernest Adams (2006). *Fundamentals of Game Design*. Prentice Hall.

³ These functions are patterned after the functions of Movie and Television Review and Classification Board (MTRCB) as provided for in P.D.1986.

1
2 The IGRCB may also call on any law enforcement agency or the local
3 government unit concerned for assistance in the implementation and
4 enforcement of its decisions, orders or awards pursuant to the provisions of
5 this Act;

6
7 e) To file cases against violators of the provision/s of this Act, and other laws
8 or regulations pertinent to online video game classification and regulation;

9
10 f) To prescribe the necessary and appropriate rules of procedure for the
11 exercise of its powers and functions as well as the performance of its duties and
12 responsibilities to accord and ensure due process of law; and

13
14 g) To exercise such powers and functions as may be necessary or incidental
15 to the attainment of the purposes and objectives of this Act, and to perform
16 such other related duties and responsibilities as may be directed by the DICT
17 Secretary.

18
19 Any decision, judgment or order of the IGRCB pursuant to the provisions of
20 this Act shall be final and executory. An aggrieved party may question such
21 decision, judgment or order of the IGRCB pursuant to the applicable provisions
22 of the Rules of Court.

23
24 The IGRCB shall be composed of a chairperson and two (2) members who shall
25 be an information technology expert or a persons who has been engaged in the
26 business or practice of information technology for at least five (5) years, a child
27 psychologist and a member of the Philippine Bar in good standing. The
28 chairperson and members of the IGRCB shall be appointed by the President for
29 a term of six (6) years.

30
31 The IGRCB shall likewise have its own Secretariat which shall be headed by an
32 Executive Director to be appointed by the Board on a co-terminus basis.

33
34 **Section 5.** *Duties of an Internet Service Provider (ISP).* - All ISPs shall inform
35 and submit to the IGRCB all internet games not yet reviewed and classified by the
36 IGRCB. No internet game shall be made available to the public without such prior
37 review and classification.

38
39 **Section 6.** *Duties of Internet Cafe Operators.* - No internet cafe operators shall
40 make available for access or play any internet games which have not yet been
41 reviewed and classified by the IGRCB pursuant to the provisions of this Act or its
42 Implementing Rules and Regulations; and, no internet games which have been
43 reviewed and classified by the IGRCB for a certain age group shall be made available
44 for access or play to persons not belonging to the said age group.

1 **Section 7. *Mandatory Registration with IGRCB.*** - All internet cafés in the
2 country shall be required to register with the IGRCB. Said registration shall be a
3 requirement for the issuance and renewal of business permits of internet cafes by the
4 local government units.

5
6 **Section 8. *Authority to Monitor Internet Café.*** - The IGRCB, concurrently with
7 local government units, is likewise vested with the authority to monitor internet cafes,
8 shops or other similar establishments for purposes of compliance with its review and
9 classification powers pursuant to this Act.

10
11 **Section 9. *Implementing Rules and Regulations.*** - The IGRCB, in coordination
12 with the DICT, the Department of Justice (DOJ), the Department of Education
13 (DepEd), the Commission on Higher Education (CHED) the Department of Social
14 Welfare and Development (DSWD), the Department of the Interior and Local
15 Government (DILG), the National Youth Commission (NYC) and the Philippine
16 Amusement and Gaming Corporation (PAGCOR), shall promulgate the rules and
17 regulations necessary for the proper implementation and the accomplishment of the
18 purposes and objectives of this Act.

19
20 **Section 10. *Penalty.*** - Any person who shall provide access to internet games
21 in violation of IGRCB's classification and violates Sections 5 and 6 of this Act shall,
22 upon conviction, be punished by imprisonment of three (3) months and one day to
23 one (1) year imprisonment or a fine of not less than Fifty Thousand Pesos (P 50,000.00)
24 but not more than Three Hundred Thousand Pesos (P 300,000.00) or both at the
25 discretion of the court.

26
27 If the offender is an alien, he shall be deported immediately after serving
28 sentence.

29
30 The license to operate the internet cafe or computer shop, or to engage in any
31 business involving internet games shall also be revoked permanently.

32
33 Should the offense be committed by a juridical person, the chairperson, the
34 president, secretary, treasurer, or the officer or shareholder responsible therefor, shall
35 be the persons penalized.

36
37 **Section 11. *Appropriations.*** - To carry out the provisions of this Act, the amount
38 necessary is hereby appropriated out of the certified available funds in the DICT
39 annual budget or any other agency of government, determined by the Department of
40 Budget and Management, not otherwise used or allocated. Thereafter, such amount
41 as may be necessary for the continued implementation of this Act shall be included in
42 the annual General Appropriations Act.

43
44 **Section 12. *Separability Clause.*** - If any provision of this Act is held invalid, the
45 other provisions not affected thereby shall remain in full force and effect.

1 **Section 13. *Repealing Clause.*** – All laws, decrees or rules inconsistent with the
2 provisions of this Act are hereby amended, repealed or modified accordingly.
3

4 **Section 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after
5 completion of its publication in the Official Gazette or in at least two (2) newspapers
6 of general circulation.
7

8 Approved,