



Video and Computer Game Update

June 1, 2005

New regulations under *The Amusements Act* will come into force on June 1, 2005. The regulations will allow for video and computer games classified by the voluntary industry operated Entertainment Software Rating Board (ESRB) to be adopted and enforced in Manitoba.

As of June 1, 2005 the Manitoba Film Classification Board will enforce the age restrictions of the M (Mature) 17+ and AO (Adult Only) 18+ ratings of the ESRB classifications. As a result it will be an offence to sell or rent video and computer games classified as M (Mature) 17+ to persons under the age of 17 years or AO (Adults Only) 18+ to persons under the age of 18 years. The following ESRB icons must be displayed on any video game rated M (Mature) 17+ and AO (Adult Only) 18+ for sale or rent in Manitoba and retailers must enforce the age restrictions as indicated.



MATURE

Titles rated **M (Mature)** have content that may be suitable for persons ages 17 and older. Titles in this category may contain intense violence, blood and gore, sexual content, and/or strong language.



ADULTS ONLY

Titles rated **AO (Adults Only)** have content that should only be played by persons 18 years and older. Titles in this category may include prolonged scenes of intense violence and/or graphic sexual content and nudity.

For more information on the ESRB rating system, see <http://www.esrb.org>.

Retailers have an obligation to check personal identification if they are unsure whether a person meets the age requirement and must also ensure that "Mature" and "Adults Only" video and computer games are not exhibited, e.g. on in-store game systems, when persons under the age of 17 years (for Mature video games) and 18 years (for Adult Only video games) are present.

In addition, a license is required for retailers and distributors who sell, rent or distribute computer and video games. Retailers and distributors who sell, rent or distribute other types of films, such as videos and DVDs in addition to video and computer games already have a license and will not require a further license.

These changes support the ESRB's successful, voluntary, industry based system and assist in creating a safe and informed marketplace for video and computer game consumers. It creates a framework that is consistent with the standards currently in place for other types of film, including home-use videos and DVDs.

[The Amusements Act and Regulations Questions and Answers](#)

Q. What do the new regulations under the amendment to The Amusements Act mean for video and computer game retailers?

Under the regulations, retailers may not sell or rent video or computer games rated M (Mature) to anyone under the age of 17, or AO (Adults Only) to anyone under the age of 18. AO (Adults Only) video and computer games may not be exhibited to anyone under 18 years of age and must be segregated in the retail store unless the store is an "Adult Only" store restricted to those 18 years and over.

The age restrictions for the ESRB "M" (Mature) 17+ and AO (Adult Only) 18+ are no longer voluntary – retailers must comply with the new law.

Q. Should retailers ask customers for identification?

Yes. Retailers have an obligation to check personal identification if they are unsure whether a person meets the age requirement for games rated M (Mature), age 17 and over, or AO (Adults Only), age 18 and over, by the Entertainment Software Rating Board (ESRB).

Q. How will the new law be enforced?

As part of the Manitoba Film Classification Board's ongoing commitment to consumer protection, the board investigator will take enforcement action against any retailer found violating the law.

Q. What is the role of the Manitoba Film Classification Board as a result of the amendments to the Amusements Act?

The new law permits the Manitoba Film Classification Board (MFCB) to adopt the ESRB video and computer game rating system. This means that compliance with the ESRB classifications/ratings adopted by the MFCB, M (Mature) age 17 and over, and AO (Adults Only), age 18 and over, is no longer voluntary but enforceable under the law.

Q. Are any measures in place for Manitoba to reclassify a video game?

Yes. The MFCB may discuss classification issues with the ESRB and may reclassify a video or computer game using Manitoba's film classification system if it believes that the game contains extreme content and is not appropriately classified.

Q. Do video games retailers and distributors now require licensing under the Amusements Act?

Yes. Distributors who distribute video and computer games will require a license. Retailers who sell or rent video and computer games will require a license. Distributors who distribute other types of films, such as videos and DVDs in addition to video and computer games already have a license and will not require a further license. Retailers who sell or rent other types of films, such as videos and DVDs in addition to video and computer games already have a license and will not require a further license.

Q. What are the possible penalties?

Enforcement action may include a warning, seizure

of video and computer games or prosecution. If convicted, individuals may face up to \$5,000 in fines.

Q. Hasn't this been in place since last October 2004?

In October 2004, the Retail Council of Canada (RCC) and the Entertainment Software Association of Canada announced a voluntary compliance program for retailers that sell or rent video or computer games to the public. RCC members agreed to voluntarily comply with the ESRB classifications and promote consumer awareness of the ESRB rating system.

Under the new regulations compliance with the ESRB "Mature" (age 17 or over) and "Adults Only" (age 18 and over) ratings is now a legal requirement for all video and computer game retailers in the province of Manitoba.

The new video and computer game requirements are part of the government's commitment to provide parents with useful information, which they can use to select age appropriate games for their children. The requirements complement the RCC's voluntary awareness program.

FURTHER INFORMATION:

For more information about the classification of video and computer games or other films, retailers and consumers can contact the **Manitoba Film Classification Board at: 204-945-8962 toll-free at 1-866-612-2399 email: mfcg@gov.mb.ca** or visit the Manitoba Film Classification Board website at: **www.gov.mb.ca/filmclassification**

or
MFCB Manager Ken Rodeck at 204- 945-0888.

For information on the ESRB classifications, visit their website at **www.esrb.org**.