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FILMS ACT
(CHAPTER 107)

FILMS
(CLASS LICENCE FOR
VIDEO GAMES DISTRIBUTION)
ORDER 2019

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 10A of the Films Act, the Info-communications Media Development Authority makes the following Order:

Citation and commencement

1. This Order is the Films (Class Licence for Video Games Distribution) Order 2019 and comes into operation on 29 April 2019.

Definitions

2. In this Order, unless the context otherwise requires —

“appropriate video game” means a classified video game that is assigned under the Act a classification rating of “M18” or “ADV16”;

“class licensee” means a person who is subject to a class licence by virtue of this Order;

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- “class licensee’s distribution outlet”, for a class licensee, means a distribution outlet under the control (temporary or otherwise) or management of the class licensee;
- “class licensee’s exhibition point”, for a class licensee, means an exhibition point under the control (temporary or otherwise) or management of the class licensee;
- “classifiable element” has the meaning given by the Films (Classification and Licensing) Regulations 2019 (G.N. No. S 341/2019);
- “distribution outlet” means a place in Singapore at which video games are being distributed on a retail basis;
- “exhibition point” means a place in Singapore at which video games are being publicly exhibited;
- “promotional film”, in relation to a video game, means a trailer for the video game or part of such a trailer, or any footage of the gameplay of the video game;
- “publicly exhibit”, in relation to a video game, does not include the mere displaying of, or inviting to treat involving, a container containing a video game for the purpose of distribution;
- “restricted demonstration area” means any premises that is part of a distribution outlet or exhibition point and is constructed and managed in accordance with the requirements set out in paragraph 6(2), (3) and (4).

Class licence for person distributing video games

3.—(1) Unless exempt by or under section 40(1) of the Act, every person who distributes video games in the course of business is subject to a class licence in connection with —

- (a) the distribution of video games by that person in the course of business; or
- (b) the public exhibition of any promotional film about any of the video games distributed by that person in the course of business.

(2) The conditions of the class licence are in this Order.

Only appropriate video games, etc., may be distributed

4. A class licensee may only distribute or allow to be distributed, or publicly exhibit or allow to be publicly exhibited, at any of the class licensee's distribution outlets or exhibition points (as the case may be) a video game that is either —

- (a) an appropriate video game; or
- (b) an unclassified video game which is unclassified by reason only of the Films (Classification — Exempt Video Games) Notification 2019 (G.N. No. S 339/2019).

Conditions for video games demonstration, etc.

5.—(1) A class licensee must not publicly exhibit or allow to be publicly exhibited, at any of the class licensee's distribution outlets or exhibition points an appropriate video game, or any promotional film relating to an appropriate video game, which contains classifiable elements except in a restricted demonstration area.

(2) A class licensee must not allow a minor below 18 years of age to enter a restricted demonstration area within which any promotional film relating to a video game assigned a classification rating of "M18" is being publicly exhibited.

(3) To avoid doubt, this paragraph does not limit the effect of paragraph 6.

Restricted demonstration area

6.—(1) A class licensee must not demonstrate or allow to be demonstrated, display or allow to be displayed, at any of the class licensee's distribution outlets or exhibition points an appropriate video game except in a restricted demonstration area.

(2) A restricted demonstration area must be so constructed or laid out that when a video game is being demonstrated within the area, no part of the demonstration inside the area is visible to any person outside the area.

(3) In addition, where an appropriate video game is being or may be demonstrated within a restricted demonstration area, that restricted demonstration area must have prominently displayed above, so as to be able to be read from outside that area, a notice with the following words, or words so near resembling those words, printed in clearly legible letters:

- (a) in the case of a video game assigned a classification rating “ADV16”, the following words:

“UNSUITABLE FOR PERSONS UNDER 16.”;

- (b) in the case of a video game assigned a classification rating “M18”, the following words:

“RESTRICTED TO PERSONS
AGED 18 AND ABOVE.”.

(4) A class licensee must not allow a minor below 18 years of age to enter a restricted demonstration area within which a video game assigned a classification rating of “M18” is being demonstrated.

Advance reporting condition

7. A class licensee must, for its operations of distributing video games at each distribution outlet under the control or management of the class licensee, prepare and give the Authority at least 30 days (or such shorter period as the Authority may allow in any particular case) before distributing a video game at the distribution outlet, a statement in English listing the video game to be distributed at that distribution outlet, setting out —

- (a) the title of the video game;
- (b) the year the video game is first distributed or publicly exhibited anywhere, whether in Singapore or elsewhere;
- (c) the name of the publisher;
- (d) the country or territory where the game is intended to be distributed; and

- (e) the platform or electronic system on which the video game may be typically played on, such as PlayStation, Xbox One or Windows.

Made on 25 April 2019.

CHAN YENG KIT
Chairman,
Info-communications Media
Development Authority,
Singapore.

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