Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:

26 May 2009 [shall come into force from 3 June 2009];

30 June 2009 [shall come into force from 5 July 2009].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Republic of Latvia

Cabinet

Regulation No. 452

Adopted 6 June 2006

**Regulations for the Distribution of Computer Games**

*Issued pursuant to*

*Section 50, Paragraph nine of the Law on the Protection of the Children’s Rights and Section 7, Paragraph two of the Advertising Law*

**I. General Provisions**

1. The Regulation prescribes the procedures for the distribution of computer games.

2. The execution of this Regulation shall be controlled by the State Police, the municipal police, and the Consumer Rights Protection Centre.

**II. Classification and Labelling of a Computer Game**

3. The manufacturer of a computer game, its authorised representative, seller, or service provider shall indicate information of the following content on a computer game or its packaging if the computer game is available in the form of a compact disk or a cassette tape:

3.1. the name of the computer game;

3.2. the type of the computer game in accordance with Paragraph 4 of this Regulation;

3.3. the name (for a natural person – the given name and surname) and address of the manufacturer of the computer game;

3.4. the year of manufacture;

3.5. a short summary of the content of the computer game in the official language;

3.6. age restrictions for users of the computer game;

3.7. the warning notice “Computer game may cause addiction. If addiction or other health disorders have occurred, please consult a family doctor!”.

4. According to the content of a computer game, the following types of computer games shall be distinguished:

4.1. action computer game (a game which develops the thinking speed, reflexes, and reaction of the computer user);

4.2. educational computer game (a game which is used by the computer user for educational purposes);

4.3. simulation game (a game with the help of which the computer user is simulating driving of any technical means (for example, a car, an aircraft));

4.4. strategy game (a game which develops strategic thinking of the computer user);

4.5. sports game (simulation of any sports game);

4.6. adventure game (a game in which the characters are moving according to the scenario of the game and, using different objects and communicating with other characters, are solving logical tasks);

4.7. board game (simulation of any board game).

5. Depending on age restrictions for the users of a computer game (Annex 1), computer games shall be classified according to the following age groups:

5.1. 3+;

5.2. 7+;

5.3. 12+;

5.4. 16+;

5.5. 18+.

6. If there are sexual scenes, horror scenes, violence, discrimination, scenes instigating the use of alcohol, tobacco products, or narcotic substances, or also rude language is used in the computer game, the manufacturer of the computer game, its authorised representative, seller, or service provider shall, in addition to the information referred to in Paragraph 3 of this Regulation, ensure the labelling of the computer game with any of the warning signs indicated in Annex 2 to this Regulation or, if it is technically not feasible, with a warning notice of corresponding content. The warning sign may not be smaller than five square millimetres, and the warning notice may not occupy less than 10 % of the total area provided for the information on the computer game.

**III. Expert Commission in Computer Game Labelling and Classification Issues**

7. A written submission of a computer game distributor, a computer game user, and a parent or guardian, if the computer game user is a child, (hereinafter – the submitter) regarding conformity of the content of the computer game with the labelling and classification shall, within two weeks after receipt thereof, be examined by an expert commission in computer game labelling and classification issues established by the Minister for Welfare (hereinafter – the expert commission).

[*30 June 2009*]

8. The expert commission shall consist of 12 members of the commission, including two representatives of non-governmental organisations, two specialists in issues of information technologies, one psychologist, one doctor-narcologist, and also one representative from the Ministry of Welfare, the Ministry of Education and Science, the Ministry of Regional Development and Local Government Matters, the Ministry of Culture, the Ministry of the Interior, and the Ministry of Justice each.

[*30 June 2009*]

9. The chairperson of the expert commission shall be elected from amongst the members of the commission by open voting.

10. The members of the expert commission shall not receive remuneration for work in the commission.

11. The material and technical operation of the expert commission shall be ensured by the Ministry of Welfare.

[*30 June 2009*]

12. The meetings of the expert commission shall be open and they shall be convened as necessary by the chairperson of the expert commission. The expert commission shall have the quorum if more than half of the members of the commission participate in its meeting.

13. The expert commission shall take decisions by a majority of the votes cast. If the voting is tied, the deciding vote shall be that of the chairperson of the commission. Decisions shall be entered in the minutes of the meeting. The minutes shall be signed by the chairperson of the commission.

14. The expert commission shall send the decision in which a relevant opinion has been provided to the Consumer Rights Protection Centre not later than on the following working day after the meeting of the commission for taking of a decision on conformity or non-conformity of the computer game with the labelling or classification.

**IV. Trade in and Public Lease of Computer Games**

15. Only licensed computer games which have been classified and labelled in accordance with the requirements of Chapter II of this Regulation shall be transferred for trade and public lease.

16. Public lease of computer games is a contract according to which a merchant transfers a computer game into use for a limited period of time for an unlimited range of persons for a lease fee.

17. It is prohibited for a seller or lessor of a computer game to sell or lease a computer game to a person who has not attained the age indicated on the computer game or its packaging.

18. In order to ascertain the age of a buyer (lessee), the seller (lessor) has the obligation to request that the buyer (lessee) presents a personal identification document or any other document certifying his or her age. Upon request of the seller (lessor) or the control authority, the buyer (lessee) has the obligation to present a personal identification document or any other document certifying his or her age.

19. Upon request of the buyer (lessee), the seller (lessor) shall make the buyer (lessee) acquainted with the text of this Regulation.

20. The seller (lessor) shall place the text of Annexes 1 and 2 to this Regulation at the site of trade in or public lease of the computer game so that it would be visible and legible for the buyer (lessee).

21. In addition to the requirements referred to in Paragraphs 18, 19, and 20 of this Regulation, the owner of an Internet hall, computer salon, internet café, and another similar institution where services of computer games are provided for a fee (hereinafter – the computer salon) shall ensure that:

21.1. a warning notice is placed at the entrance in the computer salon regarding a prohibition for a child who has not attained 16 years of age from being located in the computer salon during the night hours specified in the binding regulations of the relevant local government and also during school hours without written permission of the administration of the educational institution;

21.2. the warning notice referred to in Sub-paragraph 3.7 of this Regulation is placed in the premises of the computer salon in a visible place;

21.3. the user of the computer game is playing such computer games in the premises of the computer salon which are appropriate for his or her age;

21.4. in the premises of the computer salon the users of the computer game are ensured with the possibility of becoming acquainted with the list of computer games in the official language installed in the computer systems in such salon in accordance with the requirements referred to in Chapter II of this Regulation.

**V. Advertising and Public Demonstration of a Computer Game**

22. Public demonstration of a computer game is a demonstration of a computer game for advertising, informative, or educational purposes in a public area for an unlimited range of persons, using a corresponding technical device (on cinema, video, and television screens, also transmission and retransmission on broadcast television and in cable television programmes, or using the satellite and on the Internet).

23. The following information in the official language shall be indicated in the advertisement or public demonstration of a computer game:

23.1. the name of the computer game;

23.2. the type of the computer game in accordance with Paragraph 4 of this Regulation;

23.3. the age restriction for users of the computer game;

23.4. a warning notice “Computer game may cause addiction. If addiction or other health disorders have occurred, please consult a family doctor!”;

23.5. other information which the advertiser (distributor) or the demonstrator of the computer game considers necessary and the provision of which is not prohibited by the laws and regulations in the field of advertising, copyright, or mass media.

**VI. Availability of a Computer Game on the Internet**

24. A computer game shall be considered as available on the Internet if:

24.1. the computer game or the hyperlink to it is located on the Internet;

24.2. the computer game or the hyperlink to it has been sent, using the Internet;

24.3. the hyperlink to the computer game can be found, using a search engine.

25. It is prohibited to distribute a computer game, using electronic means of communication (electronic mail, short message service, multimedia message service, or other technologies) if:

25.1. a consent of the recipient has not been received;

25.2. the range of recipients cannot be determined;

25.3. the recipient is not provided with an opportunity to refuse from further consignments;

25.4. the recipient has not been warned beforehand regarding the content of the computer game and the age limits for the users of the computer game.

**VII. Closing Provisions**

26. Computer games shall be classified and labelled in accordance with the requirements of this Regulation, starting from 1 January 2007.

27. There shall exist the right to distribute such computer games in Latvia without additional labelling which have been lawfully manufactured or released for consumption in any of the European Union Member States or Turkey or which have been lawfully manufactured in any of the states of the European Free Trade Association which are the contracting party to the Agreement on the European Economic Area.

Prime Minister A. Kalvītis

Minister for Children and Family Affairs A. Baštiks

**Annex 1**

Cabinet Regulation No. 452

6 June 2006

**Classification of Computer Games**

|  |  |  |
| --- | --- | --- |
| No. | Explanations | Age group |
| 3+ | 7+ | 12+ | 16+ | 18+ |
| 1. | General explanations | Computer game to be distributed to a person who has attained at least 3 years of age | Computer game to be distributed to a person who has attained at least 7 years of age | Computer game to be distributed to a person who has attained at least 12 years of age | Computer game to be distributed to a person who has attained at least 16 years of age | It is prohibited to distribute the computer game to a minor |
| 2. | Content | Restrictions in distribution of computer games in which cruel behaviour, violence, erotica, and pornography are propagated | Restrictions in distribution of computer games in which cruel behaviour, violence, erotica, and pornography are propagated | Restrictions in distribution of computer games in which cruel behaviour, violence, erotica, and pornography are propagated | Restrictions in distribution of computer games in which cruel behaviour, violence, erotica, and pornography are propagated | No restrictions |
| 3. | Language | The use of rude language is not admissible | The use of rude language is not admissible | The use of rude language must be rare and justified by context without indications towards sexual, psychological, physical violence and violence of another kind | The use of rude language is permissible without indications towards sexual, psychological, physical violence and violence of another kind | No restrictions |
| 4. | Nudity | Nudity is permitted, however, in sexual context such scenes must be depicted without emphasis on details | Nudity is permitted, however, in sexual context such scenes must be depicted without emphasis on details | Nudity is permitted, however, in sexual context such scenes must be depicted without emphasis on details | Nudity is permitted, however, in sexual context such scenes must be depicted without emphasis on details | No restrictions |
| 5. | Sex | Isolated indirect indications towards sexual behaviour (for example, a kiss or a hug between fictional characters) are admissible | Isolated indirect indications towards sexual behaviour (for example, a kiss or a hug between fictional characters) are admissible | Depiction of sexual behaviour justified by the content without emphasis on details (for example, a kiss or a hug between fictional characters) is admissible | Depiction of sexual behaviour justified by the content without emphasis on details is admissible. Sexual liaisons must be depicted in a way to create an adequate understanding of the potential consequences (for example, becoming pregnant) | No restrictions |
| 6. | Violence or cruel behaviour | Isolated, indirect indications towards violence or cruel behaviour justified by the content (for example, fictional themes in a computer game) are admissible. Depiction of details (blood, injuries, pain, torture, suicide) is not admissible. Outcomes of the scenes must be positive (the good always conquers the bad) | Indications towards violence or cruel behaviour justified by the content (for example, historical battles, sports games, fantasy) are admissible. Depiction of details (blood, injuries, pain, torture, suicide) is not admissible. Outcomes of the scenes must be positive (the good always conquers the bad) | Violence or cruel behaviour justified by the content (for example, historical battles, sports games, fantasy) is admissible. Depiction of details (blood, injuries, pain, torture, suicide) is not admissible | Violence or cruel behaviour justified by the content (for example, historical battles, sports games, fantasy) is admissible. Depiction of details (blood, injuries, pain, torture, suicide) is not admissible | No restrictions |
| 7. | Imitation of weapons | Indications towards the use of weapons justified only by the content (for example, fictional themes in a computer game) are admissible | Indications towards the use of weapons justified only by the content (for example, historical battles, sports games, fantasy) are admissible | Indications towards the use of weapons justified only by the content (for example, historical battles, sports games, fantasy, duels) are admissible | Indications towards the use of weapons justified only by the content (for example, historical battles, sports games, fantasy, duels) are admissible | No restrictions |
| 8. | Horror | Horror effects are not admissible | Depiction of details (blood, injuries, pain, torture, suicide) is not admissible. Outcomes of the scenes must be positive (the good always conquers the bad) | Short horror scenes are permitted if they are justified by the content (for example, fantasy). Depiction of details (blood, injuries, pain, torture, suicide) is not admissible | Horror scenes are permitted if they are justified by the content (for example, fantasy). Depiction of details (blood, injuries, pain, torture, suicide) is not admissible | No restrictions |
| 9. | Indications towards the use of narcotic substances, tobacco products, or alcohol | Isolated short indications towards the use of narcotic substances, tobacco products, or alcohol are permitted, however, they must be justified by the content (for example, fictional themes). Elements of instructions for use are not admissible | Isolated short indications towards the use of narcotic substances, tobacco products, or alcohol are permitted, however, they must be justified by the content (for example, fictional themes). Elements of instructions for use are not admissible | Isolated short indications towards the use of narcotic substances, tobacco products, or alcohol are permitted, however, they must be justified by the content (for example, educational purpose) and they must point towards the danger caused by such action. Elements of instructions for use are not admissible | The use of narcotic substances, tobacco products, or alcohol may be depicted, however, it must be justified by the content (for example, educational purpose). Open details of instructions for use are not admissible. A computer game at large may not advertise or promote the use of narcotic substances, tobacco products, or alcohol | No restrictions |
| 10. | Imitation of gambling | Depiction of gambling is not admissible | Depiction of gambling is not admissible | Depiction of gambling is not admissible | Depiction of gambling is not admissible | No restrictions |

Minister for Children and Family Affairs A. Baštiks

**Annex 2**

Cabinet Regulation No. 452

6 June 2006

**Warning Signs to be Included on the Labelling of Computer Games**

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| --- | --- | --- |
| 1. Computer game contains violence. |  | 4. Computer game contains sexual scenes. |
|  |  |  |
| 2. Computer game contains rude language. |  | 5. Computer game contains indications towards the use of alcohol, tobacco products, or narcotic substances. |
|  |  |  |
| 3. Computer game contains horror scenes. |  | 6. Computer game contains scenes that could potentially instigate discrimination. |
|  |  |  |

Minister for Children and Family Affairs A. Baštiks