

Introduction of descriptors for age ratings

Summary

Law	Sec. 14 (2a) Youth Protection Act				Effective date:		1 May 2021					
Applies to:	Social networks	Search Engines	Game distribution platforms	VoD platforms	App stores	Video games	Movies and shows	Video-sharing platforms	Media compilation apps and services	Smart devices/ connected devices	Messenger services	
			Yes	Yes	Yes	Yes	Yes		Depends			
Content of the regulation — quick overview												
<ul style="list-style-type: none"> Germany introduces descriptors that provide explanations on the reasons for the age classification of films, shows and games. Packaging, digital distribution platforms and VoD platforms need to indicate descriptors in the future. 					<ul style="list-style-type: none"> Descriptors will likely be similar to those known from ESRB and PEGI (e.g., violence) plus several new ones. 					Applies to abroad companies?		Yes
										EU/EEA country of origin principle respected?		N/A

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I. Who is affected by the regulation?

- Companies that apply for an age rating to distribute films or games in the German market.
- Game distribution and VoD platforms due to the **new requirement** that they have to provide age ratings, which have to meet certain requirements.
- Media compilation apps and services are caught if they grant access to individual films or games. If they only grant access to further services or online press, the requirement does not apply.

II. What does the regulation say?

- The relevant classification body (e.g., the FSK for films or the USK for games) will additionally label films and video games with descriptors indicating the essential reasons for the age rating and its potential impairment of personal integrity (Sec. 14 (2a) of the Youth Protection Act). Previously, the German classification bodies only issued the age rating itself (i.e., 0, 6, 12, 16 or 18) without further explanation on the reasons for the rating.
- Descriptors may include symbols or other means. However, no specific descriptors have yet been defined:
 - The German classification bodies are currently working together with the state youth protection authorities to develop descriptors.
 - It can be expected that some of the content descriptors will be similar to those already applied by the PEGI and ESRB in the video game space (e.g., violence or in-game purchases). In addition, there will likely be some unprecedented descriptors for video games that describe the newly regulated **interactional risks** (e.g., in-game chats or loot boxes).

III. Enactment/application to previous classifications

- The amended Youth Protection Act came into force on 1 May 2021.
- Movies and video games that already have an age rating will not be rechecked for content descriptors, unless they are resubmitted (e.g. in case of material changes).

For further questions don't hesitate to contact our specialists:



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