



## **ENTERTAINMENT SOFTWARE RATING BOARD**

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### **ESRB Website Council “Code of Conduct”**

#### **Summary**

The ESRB Website Council (EWC) is a partnership of the Entertainment Software Rating Board (ESRB) and websites based in the United States and Canada committed to the responsible display of audio-visual content<sup>1</sup> from or promoting video and computer games carrying ESRB ratings, particularly those that are rated as not suitable for children.

The EWC was established to facilitate broader compliance with industry-adopted guidelines and enhance communication among its members about matters of common interest to the ESRB and those websites that serve the game enthusiast market. Chief among these interests is to ensure that EWC website members consistently support the following Code of Conduct (“Code”).

#### **Purpose**

The purpose of the Code is to:

- 1.1 Visibly demonstrate EWC members’ commitment to responsible business practices in the promotion, marketing and sale of video and computer games;
- 1.2 Provide a uniform and consistent framework for a minimum set of voluntary self-regulatory measures in support of the ESRB ratings and marketing guidelines;
- 1.3 Ensure effective implementation of ESRB rating display and marketing guidelines, with particular attention to inhibiting access to audio-visual content from or promoting Mature-rated or Adults Only-rated video or computer games (or those that are anticipated to receive either rating) to visitors under the age of 17 or 18 respectively;
- 1.4 Reduce frequency of non-compliant display of audio-visual content on the Internet.
- 1.5 Promote dialogue among EWC members and the ESRB.

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1. “Audio-visual content” includes trailers, gameplay footage, and other promotional videos.

## **Scope**

The Code applies to websites in the United States and Canada which have been authorized by ESRB as members of the EWC. EWC members volunteering to adopt the Code must use best efforts to comply with the policies outlined below.

### **Each EWC member agrees to:**

- 2.1 Prominently display complete (rating category and content descriptors, if any), accurate and current ESRB rating information on product pages that are specific to an ESRB-rated game.
- 2.2 If the audio-visual content contains material from a Mature-rated or Adults Only-rated game (or one that is anticipated to receive either rating), display an ESRB-compliant age-gate prior to access or purchase.
- 2.3 Utilize an age-neutral approach (e.g., "Please enter your date of birth."), when requesting the manual entry of a birth date from a visitor trying to access age-gated audio-visual content;
- 2.4 Employ reasonable measures (e.g., dropping a session cookie; returning visitor to the home page) to prevent visitors under the age of 17 (or 18) from re-entering a different birth date once they have initially been denied access to age-gated audio-visual content and utilize an age-neutral approach in the error message (e.g., "Sorry, you may not access this content.");
- 2.5 Train all appropriate site managers, producers and/or other employees so that they are aware of the general policies and procedures adopted in this Code;
- 2.6 Assess existing internal policies, practices and procedures on ratings display and age-gate policy enforcement and make improvements where necessary to maintain compliance with the Code; and
- 2.7 Appoint a management representative responsible for compliance with the Code, and who will be the liaison with ESRB.

### **Although not required, we strongly recommend that EWC members also:**

- 2.8 Provide an ESRB ratings guide for visitors' reference;
- 2.9 Display an EWC seal on its home page, which links to this Code or the ESRB web page about the EWC;

## **Code Administration**

ESRB will:

- 3.1 Monitor all EWC member sites on a regular basis and promptly advise members of any instances of non-compliance;
- 3.2 Discuss proposed amendments to the Code with EWC members in advance of implementation;
- 3.3 Display the Code and an updated list of EWC member sites on its website; and
- 3.4 Promote the ESRB Website Council and its membership to regulators, legislators and the public at large.

## **Enforcement of Code**

- 4.1 In the event an EWC member, contrary to this Code, does not display accurate or complete rating information or a compliant age-gate when warranted, upon notice by the ESRB, the member agrees to:
  1. Promptly correct the noncompliance; and
  2. Provide appropriate training to managers, producers, and/or other employees, so that they are aware of the member's policies and procedures relating to compliance with the Code.
- 4.2 Should ESRB receive any complaints from consumers with regard to an EWC member's failure to comply with provisions of this Code, it shall forward such complaints to the member's management representative, although ESRB reserves the right to respond, as is its policy, directly to all consumer communications it receives.

## **Termination of Membership**

- 5.1 The ESRB may, if it deems that a member has failed to fulfill the letter and/or spirit of the Code, provide notice to the member summarizing the deficiency and provide a period of 30 days to improve, by which time, if the ESRB determines that the member has not made sufficient improvement, the ESRB may terminate a member's participation in the EWC; and
- 5.2 Any EWC member shall be entitled at any time, in its sole discretion, to withdraw from participation in the EWC by providing written notice to the ESRB and removing the EWC seal (if displayed) from all locations on its website(s), following which such member shall cease to be registered as an EWC member.