

THEMATIC	LEGAL MEASURES ON ONLINE GAMES WITH LOOT BOXES IN ACCORDANCE WITH THE FILM AND VIDEO ACT, B.E. 2551
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ABSTRACT

This research aims to explore proper legal measures to control the loot box feature in online games because the feature introduces players to seek for the boxes that the items inside are unknown to them. Players are set to seek for the boxes by using of their playing skills to win the boxes, or even by spending both real money and simulating money to receive it. This feature resembles gambling closely. This significantly affects players, especially youths. Youths play games the most, but have less discretion toward stimulants when compared to people in other age ranges. This work compares the legal measures of foreign countries to analyze and explore the most proper measures to deal with the issue.

The finding shows that the Thai law associated with this matter is the Film and Video Act, B.E. 2551. The Act however does not inclusively cover the problems of loot boxes. The first point is that the term “video” includes only “games” in the form of “recording materials”. Therefore, the controlling measures are enforceable to only the type thereof. The term does not include other forms of games and online games that usually contain loot box system. The second point is involving with the absence of sanction on online games containing loot box system because the Act applies its sanction to only the games distributed by sale, rent, exchange, and exhibiting. The distribution, as mentioned, in Thailand must be examined and approved by the National Film and Video Committee. Any games containing improper contents shall not be approved for distribution.

Loot box feature in online games generally is not regarded as an improper content as such. Therefore, the feature is not still prohibited.

Hence, the researcher proposes that the terms “Game” and “Loot box” should be defined. Thai law should additionally impose a sanction by categorizing games and controlling the advertisements aiming to be exhibited to children. Also, notification should be made for any games allowing real money transaction. Finally, game operators are supposed to declare the possibilities of drawing each particular item from loot boxes. These proposal shall effectively control online games with loot box feature.