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GAME INDUSTRY PROMOTION ACT

[Enforcement Date 19. Nov, 2014.] [Act No.12844, 19. Nov, 2014.,
Amendment by Other Act]

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2016.12.12

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to the development of the national economy and the improvement of the quality of cultural life of people through the promotion of the game industry and the establishment of a healthy game culture of the people by creating a foundation for the game industry and prescribing matters concerning the use of game products.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008>

1. The term "game products" means video products produced so that one can play a game by making use of data processing technology, such as computer programs, or a mechanical device for making good use of leisure time, raising the effect of learning and physical exercise incidental thereto, or apparatus and devices produced for the main purpose of using such video products: Provided, That any of the following shall be excluded:

- (a) Speculative game products;
- (b) Things subject to regulation of tourism under Article 3 of the Tourism Promotion Act;
- (c) Things determined and publicly announced by the Minister of Culture, Sports and Tourism, as things in which game products and those that are not game products are mixed;

1 - 2. The term "speculative game products" means the following game products which bring profits or incur property loss as a result thereof:

- (a) Game products the contents of which are related to betting or allotment;
- (b) Game products the outcome of which is determined by some fortuity;

- (c) Horse racing regulated by the Korean Racing Association Act and game products which have been replicated therefrom;
 - (d) Bicycle racing and motorboat racing regulated by the Bicycle and Motorboat Racing Act and game products which have been replicated therefrom;
 - (e) Casino games regulated by the Tourism Promotion Act and game products which have been replicated therefrom;
 - (f) Other game products prescribed by Presidential Decree;
2. The term "information about the contents of game products" means information on whether the contents of such game products contain violence, lasciviousness or speculation, or information on the degrees thereof and other information on the operation of such game products;
3. The term "game industry" means an industry related to the production, distribution, provision for use of game products or game wares (referring to tangible or intangible goods, services and compounds thereof creating economic value added by making use of game products; hereinafter the same shall apply), and services with respect thereto;
4. The term "game producing business" means a business of producing game products by planning or reproducing the same;
5. The term "game distributing business" means a business of supplying those who conduct game providing business, or similar, with game products by importing game products (including importation of the original edition) or possessing or managing the copyright thereof;
6. The term "game providing business" means a business of providing game products so that the public may use such products: Provided, That any of the following cases shall be excluded:
- (a) Where a person conducts casino business under the Tourism Promotion Act;
 - (b) Where a person provided with speculative apparatus performs speculative acts under the Act on Special Cases concerning Regulation and Punishment of Speculative Acts, Etc.;
 - (c) Where a person provides game products according to the type, method or other prescribed by Presidential Decree, where he/she conducts business other than those provided for in subparagraphs 4 through 8 and allows customers at the place of business concerned to utilize game products with the objective of inducing

customers, advertising or such;

(d) Businesses of providing Internet computer game facilities pursuant to subparagraph 7;

(e) Where a person provides a game product which has been issued a rejection of rating classification pursuant to Article 22 (2), because the product falls under the category of speculative game products;

6 - 2. Businesses providing game products and the necessary facilities at a fixed physical location among the game providing business referred to in subparagraph 6 shall be as follows:

(a) Juvenile game providing business: Business of providing game products among the game products rated pursuant to Article 21 to be available to the public by installing game products permitted for use by all;

(b) General game providing business: Business of providing game products among the game products rated pursuant to Article 21 to be available to the public by installing game products not permitted for use by juveniles and game products permitted for use by all;

7. The term "business of providing Internet computer game facilities" means a business of providing necessary apparatus and materials, such as computers or similar, which makes game products available to the public or make available other information - providing products incidental thereto;

8. The term "combined distribution and game providing business" means a business of conducting game providing business, or a business of providing Internet computer game facilities, in combination with another business under this Act or a business under other Acts at the same location;

9. The term "game products related business entity" means a person who conducts business referred to in subparagraphs 4 through 8: Provided, That a person who conducts business referred to in subparagraph 6 (c) shall be deemed a game products related business entity only under Article 28;

10. The term "juveniles" means persons under 18 years of age (including students attending high schools referred to in Article 2 of the Elementary and Secondary Education Act).

Article 3 (Formulation and Execution of Master Plan for Promotion of Game Industry)

(1) The Minister of Culture, Sports and Tourism shall formulate and execute a master plan (hereinafter referred to as "master plan") for the promotion of the game industry in consultation with the head of a relevant central administrative agency.

[<Amended by Act No. 8852, Feb. 29, 2008>](#)

(2) A master plan shall include the following matters:

1. Basic direction - setting for the master plan;
2. Improvement of the systems and laws related to the game industry;
3. Revitalization of game culture and game - related creative activities;
4. Creation of foundation for and balanced development of the game industry;
5. International cooperation and expansion of the game industry to overseas markets;
6. Guidance and crackdown on game products illegally produced, distributed, or provided for use;
7. Healthy development of the game industry and the protection of users;
8. Other matters necessary for the promotion of the game industry prescribed by Presidential Decree.

(3) Where the head of a local government intends to promote business falling under the provisions of paragraph (2) 3 through 5, he/she shall consult in advance with the Minister of Culture, Sports and Tourism. [<Amended by Act No. 8852, Feb. 29, 2008>](#)

CHAPTER II PROMOTION OF GAME INDUSTRY

Article 4 (Revitalization of Business Start - up Activities, etc.) (1) The Government may provide necessary support to persons establishing a business or developing high quality game wares for the purpose of the vitalization of start - up activities related to the game industry, the development of high quality game wares, and the modernization of game products related facilities.

(2) The Government may support the activities of amateur game manufacturers for non - profit purposes in order to revitalize the game industry. [<Newly Inserted by Act No. 11139, Dec. 31, 2011>](#)

(3) Necessary matters concerning the procedures and methods for providing support under paragraphs (1) and (2) shall be prescribed by Presidential Decree. [<Amended by Act No. 11139, Dec. 31, 2011>](#)

Article 5 (Training of Professionals) (1) The State or local governments shall formulate and execute a plan regarding the following matters for the training of professionals related to the game industry: [<Amended by Act No. 11785, May 22, 2013>](#)

1. Analysis of the supply of and demand for professionals in the game industry and the development of human resources;
2. Strengthening cooperation with academia, industries, and public institutions for the training of professionals in the game industry.

(2) The Government may designate universities, research institutes, and other specialized institutions as professional training institutions and bear all or some of the expenses incurred in the education and training of professionals for the game industry, as prescribed by Presidential Decree.

Article 6 (Promotion of Technical Development)

The Government may promote the following business for technical development and improvement in technical standards related to the game industry:

1. Research on trends and demand in the game industry;
2. Research and development, evaluation and utilization of applied game technology;
3. Transfer of game technology and exchange of information.

Article 7 (Cooperative Development and Research) (1) The Government shall endeavor to build a systematic foundation for the promotion of cooperative development and research through the shared use of human resources, facilities, apparatus and materials, funds and information for the research and development of game products or game wares.

(2) The Government may bear all or some of the expenses incurred in cooperative development and research on behalf of those who promote cooperative development and research pursuant to paragraph (1).

Article 8 (Promotion of Standardization) (1) The Government may recommend that game products related business entities standardize matters prescribed by Presidential Decree, such as standards of game products, except matters prescribed by the Industrial Standardization Act.

(2) Where necessary to promote a standardization project pursuant to paragraph (1), the Government may designate a specialized institution or an organization related to

game products for the performance of the standardization project, and bear all or some of the expenses incurred in the standardization project pursued by the institution or organization concerned.

Article 9 (Establishment of Distribution Order) (1) The Government shall endeavor to establish a healthy distribution order for game products and game wares.

(2) The Government shall formulate and pursue policies for improving the quality of game products and game wares and for preventing the distribution of illegal reproductions and speculative game products. <Amended by Act No. 8247, Jan. 19, 2007>

(3) The head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) may provide education to game products related business entities for the establishment of a healthy distribution order of game products and game wares and the creation of a healthy game culture for up to three hours per annum, as prescribed by Presidential Decree.

(4) The head of a Si/Gun/Gu may designate places of game providing business where the business order and business environment are excellent as model places of business, and help them create a healthy game culture, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008>

Article 10 (Support for International Cooperation and Overseas Expansion) (1) The Government may promote the following activities for the overseas expansion of game products and game wares:

1. Hosting international game exhibitions in the Republic of Korea;
2. Overseas marketing and public relations, and inducement of foreign investment;
3. Provision of information on overseas expansion.

(2) The Government may bear all or some of the expenses incurred by persons who promote activities referred to in the subparagraphs of paragraph (1).

Article 11 (Fact - Finding Survey) (1) The Government shall conduct a fact - finding survey of the game industry for the formulation and execution of policies related to the game industry. <Amended by Act No. 8247, Jan. 19, 2007>

(2) Matters necessary for the subject matters, methods, etc. of the fact - finding survey under the provision of paragraph (1) shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 8247, Jan. 19, 2007>

CHAPTER III PROMOTION OF GAME CULTURE

Article 12 (Creation of Foundation for Game Culture) (1) The Government shall promote the following activities for creating a foundation for a healthy game culture:

[<Amended by Act No. 8247, Jan. 19, 2007>](#)

1. Formulation and execution of policies to prevent adverse effects of games, such as excessive immersion in games or the encouragement of speculation, violence, lasciviousness;
2. Establishment and operation of game culture facilities for the public purpose, such as game culture experiential facilities, counseling or educational facilities;
3. Support for organizations that conduct business or activities for creating a healthy game culture.

(2) In order to create a foundation for juvenile game culture, the Minister of Culture, Sports and Tourism may promote policies to support game products related business entities who provide game products other than game products not - permitted for use by juveniles referred to in Article 21 (2) 4. [<Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008>](#)

(3) Matters necessary to promote activities and support, etc., pursuant to paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 12 - 2 (Prevention of Excessive Immersion in Games) (1) In order to prevent excessive immersion in games or speculation, lasciviousness, violence, etc. of game products (hereinafter referred to as "excessive immersion in games, etc."), the Government shall formulate and execute the following policies:

1. Formulation and execution of a master plan for the prevention and medical treatment for excessive immersion, etc. in games;
2. Implementation of fact - finding surveys on excessive immersion, etc. in games, and the development of alternative policies;
3. Execution of counseling, education, and public relations for the prevention of excessive immersion, etc. in games;
4. Support for training of professionals for the prevention of excessive immersion, etc. in games;

5. Support for a specialized institution and an organization for the prevention of excessive immersion, etc. in games;
6. Other matters determined as policies necessary to prevent excessive immersion, etc. in games by Presidential Decree.

(2) In order to perform the matters provided in paragraph (1), the Minister of Culture, Sports and Tourism may establish and support a specialized institution for the prevention of excessive immersion, etc. in games, as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008 >

(3) Where necessary to prevent excessive immersion in games, the Minister of Culture, Sports and Tourism may request cooperation from relevant central administrative agencies, local governments, related corporations and organizations, and game products related business entities, and upon receipt of such request, the agencies, organizations, etc., shall cooperate therewith, except in extenuating circumstances. <Amended by Act No. 8852, Feb. 29, 2008 >

(4) In order to prevent excessive immersion in games, game products related business entities shall cooperate in the formulation and execution of policies provided in paragraph (1).

[This Article Newly Inserted by Act No. 8247, Jan. 19, 2007]

Article 12 - 3 (Preventative Measures on Excessive Immersion in and Addiction to Games, etc.)

(1) In order to prevent excessive immersion in or addiction to games by users of game products, game products related business entities [limited to service providers making game products available to the public through the information and communications network (hereinafter referred to as "information and communications network") defined in Article 2 (1) 1 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc.: hereafter the same shall apply in this Article] shall take measures to prevent an excessive use of game products including the following (hereinafter referred to as "preventative measures"):

1. Verification of real names and ages of users of game products when they join as members, and self - authentication;
2. Securing the consent of legal representatives, such as persons with parental right, when juveniles join as members;

3. Restriction on method of using game products, time for using game products, etc. when juveniles themselves or their legal representatives request;
4. Giving notice to juveniles themselves and their legal representatives concerning the basic matters, such as the characteristics, rating, fee - charging policy of game products provided and usage details for game products, such as time spent in using game products and information on payment;
5. Placement of a warning notice to prevent excessive use of game products;
6. Indication of details on the passage of time on the screen since a user starts using game products;
7. Other matters prescribed by Presidential Decree to prevent excessive use by users of game products.

(2) The Minister of Gender Equality and Family shall consult with the Minister of Culture, Sports and Tourism when he/she evaluates the propriety of the scope of game products subject to the time restriction to provide online games during the midnight hours under Article 26 of the Juvenile Protection Act. <Amended by Act No. 11048, Sep. 15, 2011 >

(3) Scope of game products, methods and procedures for the preventative measures provided in paragraph (1) and the methods and procedures for evaluation provided in paragraph (2) shall be prescribed by Presidential Decree.

(4) The Minister of Culture, Sports and Tourism may request game products related business entities to submit data related to the preventative measures and to report thereon, as prescribed by Presidential Decree. Upon receipt of such request, the entities shall comply therewith, except in extenuating circumstances.

(5) Where the Minister of Culture, Sports and Tourism deems that the preventative measures are not enough after evaluating the data submitted or the details reported by game products related business entities pursuant to paragraph (4), he/she may order relevant game products related business entities to take corrective measures.

(6) When game products related business entities receive a corrective order under paragraph (5), they shall report the results of measures taken to the Minister of Culture, Sports and Tourism within ten days.

(7) Where the Minister of Culture, Sports and Tourism evaluates the preventative measures pursuant to paragraph (5), he/she may listen to the opinions of the head of a relevant central administrative agency, experts, juveniles and organizations related

to school parents and publicly announce the outcomes of evaluation.

[This Article Newly Inserted by Act No. 10879, Jul. 21, 2011]

Article 12 - 4 (Support for Education concerning Use of Game Products, etc.) (1) The Government may provide necessary support for education on the appropriate use of game products.

(2) The Government shall make sure that schools conduct education on the appropriate use of game products.

(3) The Minister of Culture, Sports and Tourism may request the Minister of Education to render cooperation so that the contents of education on the appropriate use of game products may be factored into the curriculum under Article 13 of the Early Childhood Education Act and Article 23 of the Elementary and Secondary Education Act. <Amended by Act No. 11690, Mar. 23, 2013 >

(4) The Minister of Culture, Sports and Tourism may entrust education on the use of game products to an institution or organization related to the relevant business.

[This Article Newly Inserted by Act No. 10879, Jul. 21, 2011]

Article 13 (Protection of Intellectual Property Rights) (1) In order to protect and foster creative activities related to games, the Government shall formulate policies to protect intellectual property rights of game products. <Amended by Act No. 10629, May 19, 2011 >

(2) In order to protect intellectual property rights of game products, the Government may promote the following activities: <Amended by Act No. 10629, May 19, 2011 >

1. Technical protection of game products;
2. Encouraging indicating information on management of rights, such as information necessary for the identification of the game product and the producer of the game product;
3. Education and public relations on intellectual property rights, such as copyright in the game sector.

(3) The Government may designate institutions or organizations specializing in the field of intellectual property rights and have them promote the activities referred to in the subparagraphs of paragraph (2), as prescribed by Presidential Decree. <Amended by Act No. 10629, May 19, 2011 >

Article 14 (Protection of Rights and Interests of Users)

In order to protect the rights and interests of persons who use game products, the Government shall promote the following activities:

1. Education and public relations for the establishment of a healthy game use culture;
2. Prevention of and remedies from damage which users of game products may suffer;
3. Protection of juveniles from harmful game products.

Article 15 Deleted. <by Act No. 11315, Feb. 17, 2012>

CHAPTER IV RATING CLASSIFICATION

Article 16 (Game Rating and Administration Committee) (1) The Game Rating and Administration Committee (hereinafter referred to as the "Committee") shall be established to ensure the ethics and public nature of game products, to prevent provocation or encouragement of a spirit of speculation, to protect juveniles, and to prevent the distribution of illegal game products. <Amended by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(2) The Committee shall deliberate and decide on the following matters:< Amended by Act No. 8247, Jan. 19, 2007; Act No. 8739, Dec. 21, 2007; Act No. 10554, Apr. 5, 2011; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

1. Matters concerning the rating classification of game products;
2. Matters concerning ascertainment on harmfulness to juveniles;
3. Matters concerning ascertainment on the speculative nature of game products;
4. Matters concerning the post management of the rating, such as ascertainment on production, distribution, or provision for use according to the rating of game products;
5. Matters concerning investigations and research to secure objectivity in the rating of game products;
6. Matters concerning the enactment, amendment, and repeal of the regulations of the Committee;
7. Matters concerning applications for the challenge filed by a member pursuant to Article 17 - 2 (2);

8. Matters as to whether game products, advertising, or propaganda provided through the information and communications network are subject to a recommendation of correction referred to in Article 38 (7).

(3) The Committee shall be comprised of no more than nine members, including one chairperson, and the chairperson shall be a standing member. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

(4) The members of the Committee shall be commissioned by the Minister of Culture, Sports and Tourism upon recommendation by the heads of organizations prescribed by Presidential Decree, taking into consideration matters prescribed by Presidential Decree, such as gender, from among those who engage in fields of cultural art, cultural industry, juvenile, law, education, press, and information and communications or in non-profit and non-governmental organizations under the Assistance for Non-Profit, Non-Governmental Organizations Act, and have expertise and experiences in the game industry, children, or juveniles, and the chairperson of the Committee shall be elected from among the members: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>

(5) The term of office of the chairperson and members shall be three years.

(6) Where necessary to efficiently perform the affairs of the Committee, subcommittees may be established. <Newly Inserted by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(7) Matters necessary to organize and operate the Committee shall be prescribed by the regulations of the Committee. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

Article 16 - 2 (Legal Personality, etc. of the Committee) (1) The Committee shall be a corporation.

(2) The Committee shall be duly formed upon completion of the registration for incorporation thereof at the registry office having jurisdiction over its principal place of business after obtaining the authorization from the Minister of Culture, Sports and Tourism.

(3) A member of the Committee shall be deemed a director.

(4) Except as otherwise provided for in this Act and the Act on the Management of Public Institutions, the provisions of the Civil Act governing incorporated foundations

shall apply mutatis mutandis.

[This Article Newly Inserted by Act No. 11785, May 22, 2013]

Article 17 (Audit) (1) One auditor shall be assigned to the Committee to audit matters concerning the business affairs and accounts of the Committee. <Amended by Act No. 11785, May 22, 2013>

(2) The auditor shall be appointed by the Minister of Culture, Sports and Tourism and shall be a standing member. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>

(3) The term of office of the auditor shall be three years.

Article 17 - 2 (Exclusion, Evasion of and Challenge to Members) (1) A member of the Committee shall be excluded from deliberations or decisions on any of the following matters: <Amended by Act No. 11785, May 22, 2013>

1. Matters for which an application is filed with the Committee under this Act, such as an application, etc. for the rating classification of game products pursuant to the provision of Article 21 (1), by a member or his/her spouse or former spouse (hereafter referred to as "application" in this Article);
2. Matters for which an application is filed by any person who is a member, or his/her spouse or former spouse, or a joint holder of a right or a co-obligor;
3. Matters for which an application is filed by any person who has or had the ties of kinship with a member.

(2) When a person who has filed an application has any good reason to believe that a member is likely to make an unfair decision, he/she may explain such fact in writing and file an application for a challenge to such member.

(3) Where a member has a reason falling under any subparagraph of paragraph (1) or a reason which would enable him/her to apply for a challenge under the provisions of paragraph (2), he/she may voluntarily evade deliberation or decision on such matters.

(4) Matters necessary for exclusion, evasion of, and challenge to a member under paragraphs (1) through (3) shall be prescribed by the regulations of the Committee. <Amended by Act No. 11785, May 22, 2013>

[This Article Newly Inserted by Act No. 8247, Jan. 19, 2007]

Article 17 - 3 (Minutes) (1) The Committee shall prepare the minutes, as prescribed by its regulations. <Amended by Act No. 11785, May 22, 2013>

(2) The minutes referred to in paragraph (1) shall be open to the public, as prescribed by the regulations of the Committee: Provided, That in special circumstances, such as the protection of confidential business information, the minutes need not be open to the public by decision of the Committee.<Amended by Act No. 11785, May 22, 2013>

(3) Necessary matters concerning the extent, methods, and procedure of, opening minutes to the public pursuant to paragraphs (1) and (2) shall be prescribed by the regulations of the Committee.<Amended by Act No. 11785, May 22, 2013>

[This Article Newly Inserted by Act No. 8247, Jan. 19, 2007]

Article 18 (Secretariat) (1) A Secretariat shall be established in the Committee to assist in the affairs of the Committee and inspect matters concerning the post management of rating classification. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(2) The Secretariat shall have one secretary general, who shall be appointed by the chairperson with the consent of the Committee.<Amended by Act No. 11785, May 22, 2013>

(3) Matters necessary for the post management of rating classification by the Secretariat shall be prescribed by Presidential Decree, and matters necessary for the organization and operation thereof shall be prescribed by the regulations of the Committee.<Amended by Act No. 8247, Jan. 19, 2007; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

Article 19 (Enactment, Amendment, etc. of Regulations of the Committee) (1) When the Committee intends to enact or amend its regulations, it shall place advance notice of a proposal for enactment or amendment in the Official Gazette for at least 20 days, and when it has enacted or amended its regulations, it shall publish and promulgate such regulations in the Official Gazette, etc. <Amended by Act No. 11785, May 22, 2013>

(2) Where the Committee intends to determine or modify the standard for rating pursuant to Article 21 (7), it shall collect the opinions of juvenile organizations, non-profit organizations, and academia or industrial circles.<Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

Article 20 (Subsidization) (1) Expenses incurred in operation of the Committee may be subsidized from the National Treasury. <Amended by Act No. 11785, May 22, 2013>

(2) The Committee ' s business plan accompanying the use of the National Treasury budget shall be formulated, following prior consultation with the Minister of Culture, Sports and Tourism.<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>

Article 21 (Rating Classification) (1) A person who intends to produce or distribute a game product for the purpose of circulating the game product or providing for the use thereof shall receive a rating for the contents of the relevant game product from the Committee before producing or distributing such game product: Provided, That this shall not apply to any of the following game products: <Amended by Act No. 8247, Jan. 19, 2007; Amended by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

1. Game products produced or distributed for the purpose of use or exhibition in a game competition or exhibition recommended by the head of a central administrative agency;
2. Game products prescribed by Presidential Decree, as game products produced or distributed for the purpose of education, learning, religion or public relations for public good;
3. Game products in compliance with the subject matters, standards, and procedures prescribed by Presidential Decree as game products for testing to evaluate performance, safety, level of user satisfaction etc., in the process of developing game products;
4. Game products prescribed by Presidential Decree, among game products for which an advanced rating through the Committee is not proper due to the properties, etc. of those who produce game products and their circulation process: Provided, That the same shall not apply to the game products not - permitted for use by juveniles pursuant to the standard under paragraph (9).

(2) The ratings of game products shall be as follows:<Amended by Act No. 8247, Jan. 19, 2007>

1. Permitted for use by all: Game products which can be used by anyone;
2. Permitted for use by 12 year old: Game products which cannot be used by those under 12 years of age;

3. Permitted for use by 15 year old: Game products which cannot be used by those under 15 years of age;

4. Not permitted for use by juveniles: Game products which cannot be used by juveniles.

(3) Notwithstanding paragraph (2), game products provided to a juvenile game providing business or a general game providing business shall be classified as game products permitted for use by all and game products not permitted for juveniles.

[<Newly Inserted by Act No. 8247, Jan. 19, 2007>](#)

(4) The Committee shall ascertain whether a game product for which an application for rating is filed is a speculative game product. [<Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>](#)

(5) Where a person has revised the contents of a game product rated, he/she shall report such to the Committee within 24 hours, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. In such cases, where the contents reported have been revised to the extent that a change of rating is required, the Committee shall notify him/her that the contents are subject to revision of rating within seven days after receipt of the report, and the game product shall be deemed a new game product and he/she shall take the necessary measures to receive a new rating in accordance with the procedures prescribed by the regulations of the Committee.

[<Newly Inserted by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>](#)

(6) Where a game product has been revised to the extent that a change of rating is required pursuant to paragraph (5) and the party concerned fails to obtain a new rating thereof or provides a game product different from the contents for which a rating was received, the Committee may investigate ex officio or revise the rating at the request of a game product providing business entity or a game product distributing business entity. [<Newly Inserted by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>](#)

(7) Necessary matters concerning the standards for rating referred to in paragraphs (1) and (2) and ascertainment on the speculative nature of game products referred to in paragraph (4) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. [<Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>](#)

(8) The Committee may conduct a technical deliberation on a game product, as prescribed by Presidential Decree, to ascertain whether the game product is a speculative game product. <Newly Inserted by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(9) A person who intends to provide for use or distribute a game product under paragraph (1) 4 shall independently conduct rating and indicate it according to a separate standard consulted with the Committee. In such cases, he/she shall be deemed to have received a rating pursuant to paragraph (1). <Newly Inserted by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(10) A person who intends to provide for use or distribute a game product under paragraph (1) 4 shall report on the rating and contents indicated under paragraph (9) to the Committee within one month after distributing or providing a game product for use. <Newly Inserted by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(11) Where the rating under paragraph (9) is not properly indicated, the Committee may conduct rating classification upon the request of the Minister of Culture, Sports and Tourism or ex officio. <Newly Inserted by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(12) Where any rating decision rendered by an agency that has been entrusted with the rating affairs pursuant to Article 24 - 2 (hereinafter referred to as "rating classification agency") is not proper for the rating standards referred to in paragraph (7), the Committee may conduct rating classification ex officio. <Newly Inserted by Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

Article 22 (Refusal of Rating Classification and Notice, etc.) (1) Where necessary to conduct activities under Article 16 (2) 1 through 4, the Committee may request a person who applies for rating to submit data necessary for the rating examination. <Amended by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(2) The Committee may refuse to assign a rating to any person who applies for a rating of any act or apparatus subject to regulation or punishment under the provisions of other Acts, such as the Act on Special Cases concerning Regulation and Punishment of Speculative Acts, Etc. and the Criminal Act, or under this Act, any person who applies for a rating without justifiable title, or by fraud or other improper

means, or any person who applies for a rating of game products that constitute speculative game products. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(3) Where the Committee has determined to classify ratings, it shall deliver the following documents to an applicant, and where it has decided to refuse rating classification because the game products are speculative game products, it shall deliver to an applicant, without delay, the documents into which the contents of a decision and the reasons therefor are entered: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

1. A certificate of rating classification into which the relevant rating of the game product is entered;
2. Documents into which obligations according to rating classifications are entered;
3. Documents into which information on the contents of the game product is entered.

(4) If the Committee becomes aware of the fact that a game product which has received a rating is subject to a refusal of rating classification pursuant to the provision of paragraph (2), it shall cancel the rating classification decision without delay. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(5) Necessary matters concerning the standards, procedures for, and methods of, a request for presentation of data, rating classification decision, refusal decision on rating classification and procedures for decisions on speculative game products, delivery of a certificate of rating classification and matters, etc. to be included in information about the contents of game products, pursuant to paragraphs (1) through (3), shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008>

Article 23 (Rating Reclassification, etc.) (1) A person who has an objection to a rating classification decision made under Article 21 or a decision to refuse rating classification under Article 22 rendered by the Committee or a rating classification agency may file an objection stating detailed grounds therefor with the Committee or the rating classification agency to obtain a new rating within 30 days after receipt of a notice of such decision. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

(2) When the Committee receives an objection filed under paragraph (1), it shall examine the objection. Where it finds the objection has good cause, it shall reclassify the rating within 15 days after receipt of the application and notify an applicant or his/her agent of the result thereof, and where it finds no good cause, it shall notify the applicant or his/her agent of such. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11785, May 22, 2013>

(3) Necessary matters concerning the procedures for filing applications and notification of decisions pursuant to paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008>

Article 24 (Notification, etc. of Rating Classification)

Where the Committee has made any of the following decisions or cancellations, or has been notified of a rating classification decision or cancellation of a rating classification decision by a rating classification agency pursuant to subparagraph 1 of Article 24 - 3, it shall notify the head of an administrative agency prescribed by Presidential Decree, an association or organization provided for in Article 39 (hereinafter referred to as "association, etc."), and other institutions and organizations deemed necessary, of such decision or cancellation in writing, and it shall publish the details thereof, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013>

1. A rating classification decision made under Article 21 (2) or decision to refuse rating classification of a speculative game product under Article 22 (2);
2. A cancellation of rating classification decision under Article 22 (4);
3. A decision on objection under Article 23 (2).

Article 24 - 2 (Entrustment, etc. of Duties related to Rating Classification) (1)

The Committee may entrust any of the following duties with respect to game products falling under Article 21 (2) 1 through 3 to a rating classification agency designated by the Minister of Culture, Sports and Tourism, which is a corporation equipped with human resources, facilities, etc. prescribed by Presidential Decree, for a fixed period of not more than five years: <Amended by Act No. 11785, May 22, 2013>

1. Deciding on a rating classification pursuant to the main sentence of Article 21 (1);
2. Accepting reports on revised contents, notifying persons subject to rating reclassification, and taking measures pursuant to Article 21 (5);
3. Requesting submission of data pursuant to Article 22 (1) (limited to data necessary to perform the duties provided for in Article 16 (2) 1 and 2);
4. Deciding to refuse a rating classification pursuant to Article 22 (2) (excluding speculative game products);
5. Delivering documents related to rating classification decisions pursuant to Article 22 (3);
6. Cancelling rating classification decisions pursuant to Article 22 (4).

(2) The Minister of Culture, Sports and Tourism shall evaluate whether a rating classification agency has performed its duties in a proper manner at least six months before the expiration of the entrustment period referred to in paragraph (1), as prescribed by Presidential Decree.<Newly Inserted by Act No. 11785, May 22, 2013>

(3) The Committee may re - entrust its duties to a rating classification agency which is determined to be proper in an evaluation conducted under paragraph (2), for a fixed period of not more than five years.<Newly Inserted by Act No. 11785, May 22, 2013>
[This Article Newly Inserted by Act No. 11139, Dec. 31, 2011]

Article 24 - 3 (Matters to be Observed by Rating Classification Agency)

A rating classification agency shall observe each of the following:<Amended by Act No. 11785, May 22, 2013>

1. Where it renders a rating classification decision pursuant to the main sentence of Article 21 (1) or cancels a rating classification decision pursuant to Article 22 (4), it shall notify the Committee thereof within ten days;
2. It shall submit to the Committee by the end of February each year an annual activities report that factors into the current status of applications for rating classification of game products for each rate, the current status of rating classification decisions and decisions to refuse a rating classification, and the time spent classifying ratings of each game product and the reasons for decisions to refuse a rating classification when the decisions to refuse rating classification have been made;

3. The executive officers and employees of a rating classification agency shall receive an education necessary to perform duties related to rating classifications of game products provided by the Committee for up to ten hours each year;
4. Except in extenuating circumstances, it shall comply with the Committee ' s request for submission of data with regard to duties related to rating classifications.

[This Article Newly Inserted by Act No. 11139, Dec. 31, 2011]

Article 24 - 4 (Cancellation of Designation of Rating Classification Agency)

Where a rating classification agency falls under any of the following cases, the Minister of Culture, Sports and Tourism may cancel its designation or order such agency to suspend its business operations for a fixed period not exceeding six months: Provided, That where it falls under subparagraph 1, he/she shall cancel its designation: <Amended by Act No. 11785, May 22, 2013>

1. Where it has been designated by fraud or other improper means;
2. Where it fails to meet the requirements for designation referred to in Article 24 - 2 (1);
3. Where it is determined to be improper in an evaluation referred to in Article 24 - 2 (2);
4. Where it breaches any matter to be observed referred to in Article 24 - 3.

[This Article Newly Inserted by Act No. 11139, Dec. 31, 2011]

CHAPTER V ESTABLISHMENT OF BUSINESS ORDER

SECTION 1 Report, Registration, and Operation of Business

Article 25 (Registration of Game Producing Business, etc.) (1) A person who intends to conduct game producing business or game distributing business shall register with the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism: Provided, That under any of the following cases, such business may be conducted without registration: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008>

1. Where the State or a local government produces game products;

2. Where an educational or training institution established pursuant to statutes produces game products to be used for purposes of in-house education or training;
3. Where a government-invested institution or a government-funded institution established pursuant to Article 2 of the Framework Act on the Management of Government-Invested Institutions produces game products for use in the public relations related to its business;
4. Other cases prescribed by Presidential Decree, such as where a person produces game apparatus that cannot be used to play a game by itself.

(2) Where a person who has been registered pursuant to paragraph (1) intends to modify important matters prescribed by Ordinance of the Ministry of Culture, Sports and Tourism, he/she shall register such modifications. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

(3) Where registration is made pursuant to paragraph (1) or registration of modifications pursuant to paragraph (2), the head of a Si/Gun/Gu shall deliver a certificate of registration to the applicant. <Amended by Act No. 8247, Jan. 19, 2007 >

(4) Matters necessary for procedures for and methods of registration, registration of modifications, and delivery of a certificate of registration under paragraphs (1) through (3) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

Article 26 (Permission to Conduct Game Providing Business) (1) A person who intends to engage in general game providing business may conduct such business with the permission of the head of a Si/Gun/Gu regarding the standards and procedures for such permission, as prescribed by Presidential Decree: Provided, That such business shall constitute a sales facility referred to in Article 2 (2) 7 of the Building Act and shall not be located in a residential area referred to in Article 36 (1) 1 (a) of the National Land Planning and Utilization Act. <Newly Inserted by Act No. 8247, Jan. 19, 2007 >

(2) A person who intends to conduct juvenile game providing business or business of providing Internet computer game facilities shall provide facilities prescribed by Ordinance of the Ministry of Culture, Sports and Tourism and register with the head of a Si/Gun/Gu: Provided, That where a person who provides game products through the information and communications network has obtained permission, reported or registered pursuant to the Telecommunications Business Act, he/she shall be

deemed to have registered under this Act. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

(3) A person who intends to conduct combined distribution and game providing business shall register with the head of a Si/Gun/Gu, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism: Provided, That where a person who has obtained permission to engage in general game providing business pursuant to paragraph (1) or a person who has registered juvenile game providing business or business of providing Internet computer game facilities pursuant to paragraph (2) intends to conduct combined distribution and game providing business, he/she shall report such to the head of a Si/Gun/Gu. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

(4) Where a person who has obtained permission, registered or reported pursuant to paragraphs (1) through (3) intends to modify important matters prescribed by Ordinance of the Ministry of Culture, Sports and Tourism, he/she shall obtain permission for modification, registration of modification or report on modification. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

(5) Where the head of a Si/Gun/Gu grants business permission or permission for modification, receives registration, registration of modification, or receives a report or a report on modification pursuant to paragraphs (1) through (4), he/she shall deliver a certificate of permission, a certificate of registration or a certificate of report to an applicant, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

Article 27 (Restrictions on Business)

Where a person who intends to obtain permission, register, or report pursuant to Article 25 or 26 falls under any of the following cases, he/she shall not obtain permission, register, or report pursuant to Article 25 or 26: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 11048, Sep. 15, 2011 >

1. Where a person (in the case of a corporation, including its representative or an executive officer) in whose case one year has not passed since he/she was ordered to close business or became subject to a disposition of cancellation of permission or registration, or the same period has not expired since he/she became subject to a disposition of suspension of business pursuant to Article 35 (1) and (2) intends

- to conduct the same category of business again;
2. Where a person in whose case one year has not passed since he/she was ordered to close business or became subject to a disposition of cancellation of permission or registration, or the same period has not expired since he/she became subject to a disposition of suspension of business pursuant to Article 35 (1) and (2) intends to conduct business which is in the same category as the said business at the same location;
 3. Where a person who operates a business establishment harmful to juveniles, as defined in subparagraph 5 of Article 2 of the Juvenile Protection Act, intends to engage in the combined distribution and game providing business.

Article 28 (Matters to be Observed by Game Products related Business Entities)

A game products related business entity shall observe the following matters:
<Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 10554, Apr. 5, 2011 >

1. He/she shall receive education concerning distribution order pursuant to Article 9 (3);
2. He/she shall neither have others gamble or do other speculative acts by making use of game products nor leave them to do such things;
- 2 - 2. He/she shall not promote speculation through operation method or apparatus, device, etc. closely related to the realization of the contents of game products by making a unit of currency used in games similar to that issued by the Bank of Korea, etc.;
3. He/she shall not promote speculation by offering free gifts, etc.: Provided, That the foregoing shall not apply to the types of free gifts (toys and stationery, etc.; provided, that cash, gift certificates and securities shall be excluded), criteria for provision, method of offering free gifts, etc., prescribed by Presidential Decree on game products permitted for use by all of juvenile game providing business;
4. A person who conducts juvenile game providing business pursuant to subparagraph 6 - 2 (a) of Article 2 shall not provide game products not permitted for use by juveniles;
5. A person who conducts general game providing business pursuant to subparagraph 6 - 2 (b) of Article 2 shall not admit juveniles to a game room;

6. He/she shall install a program or device for blocking obscene materials and speculative game products, as published by the Minister of Culture, Sports and Tourism in game products and computer facilities, etc.: Provided, That the foregoing shall not apply where obscene materials and speculative game products cannot be connected even if a program or device for blocking obscene materials and speculative game products is not installed;
7. He/she shall observe business hours and hours for admitting juveniles prescribed by Presidential Decree;
8. He/she shall observe matters necessary for maintaining business order, etc. prescribed by Presidential Decree.

Article 29 (Succession to Business) (1) When a business entity who has obtained permission pursuant to Article 25, or any business entity who has registered or reported pursuant to Article 26, transfers his/her business or dies, or such corporation is merged, such transferee, successor or corporation which continues to exist following merger, or a corporation which is established by merger shall succeed to such business entity's position. [<Amended by Act No. 8247, Jan. 19, 2007>](#)

(2) Where a person whose permission, registration or report is cancelled as the results of a business closure report pursuant to Article 30 intends to obtain permission, register or report again within one year in the same category of business at the place where his/her business was closed, the business entity concerned shall succeed to a business entity's position before filing a business closure report. [<Amended by Act No. 8247, Jan. 19, 2007>](#)

(3) A person who takes over the whole of facilities and apparatus (referring to main facilities and apparatus prescribed by Presidential Decree) of a business entity according to auction held under the Civil Execution Act, conversion made under the Debtor Rehabilitation and Bankruptcy Act or sale of seized property conducted under the National Tax Collection Act, the Customs Act or the Framework Act on Local Taxes, and other procedures corresponding thereto shall succeed to such business entity's position. [<Amended by Act No. 10219, Mar. 31, 2010>](#)

(4) A person who succeeds to a business entity's position pursuant to paragraphs (1) through (3) shall report such fact to the head of a competent Si/Gun/Gu. [<Amended by Act No. 8247, Jan. 19, 2007>](#)

Article 30 (Closure of Business and Ex Officio Cancellation) (1) When a person who has obtained permission, registered or reported pursuant to Article 25 or 26 closes his/her business, he/she shall report business closure to the head of a competent Si/Gun/Gu within seven days from the date he/she closes business, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

(2) With regard to a person who fails to report business closure pursuant to paragraph (1), the head of a Si/Gun/Gu may cancel the matters permitted, registered or reported ex officio after ascertaining whether he/she has closed his/her business, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008 >

Article 31 (Post Management) (1) For the fair ratings classification and distribution of game products, and the establishment of sound business practices for providing game products for use, the Minister of Culture, Sports and Tourism shall regularly inspect and supervise matters as to whether the Committee, a rating classification agency, and game products related business entities observe this Act, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11139, Dec. 31, 2011; Act No. 11785, May 22, 2013 >

(2) When deemed necessary for the following purposes, the Minister of Culture, Sports and Tourism, a Mayor/Do Governor or the head of a Si/Gun/Gu may have game products related business entities prepare necessary reports or allow a relevant public official to have access to a place of business of a game providing business or a business of providing Internet computer game facilities, etc. to make necessary investigations or inspect documents: <Amended by Act No. 10554, Apr. 5, 2011 >

1. Establishment of distribution order of game products;
2. Prevention of use of game products in speculative activities;
3. Prevention of encouragement of speculation of game products.

(3) A Mayor/Do Governor and the head of a Si/Gun/Gu shall, as prescribed by Presidential Decree, submit status reports on game products related business entities to the Minister of Culture, Sports and Tourism, the Minister of Public Administration and Security, the Commissioner General of the Korean National Police Agency, and the head of a relevant administrative agency prescribed by Presidential

Decree on a regular basis. <Newly Inserted by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014 >

(4) A relevant public official who has such access and performs inspections pursuant to paragraph (2) shall carry an identification indicating his/her authority and show it to interested persons. <Amended by Act No. 8247, Jan. 19, 2007 >

SECTION 2 Distribution and Indication of Game Products

Article 32 (Prohibition of Distribution of Illegal Game Products, etc.) (1) No one shall perform the following acts hindering the good distribution order of game products: Provided, That in cases referred to in subparagraph 4, a person who conducts speculative business shall be excluded pursuant to the Act on Special Cases concerning Regulation and Punishment of Speculative Acts, Etc. <Amended by Act No. 8247, Jan. 19, 2007; Act No. 10554, Apr. 5, 2011 >

1. Providing game products for distribution or use which have not been classified pursuant to Article 21 (1), or displaying or keeping the same for such purposes;
2. Providing game products for the purpose of distribution or use, the contents of which are different from the classification obtained pursuant to Article 21 (1), or displaying or keeping the same for such purposes;
3. Providing rated game products for use, in violation of the ratings classification referred to in the subparagraphs of Article 21 (2);
4. Distributing or providing a game product the rating classification of which has been refused because it constitutes a speculative game product pursuant to Article 22 (2), or displaying or keeping the product for the purpose of providing for distribution or use;
5. Buying and selling, donating or lending a certificate of rating obtained pursuant to Article 22 (3) 1;
6. Distributing or providing game products with no indications of matters, such as rating and information about the contents of the game product, or game products with no device attached indicating information on the operation of the game product for use, in violation of Article 33 (1) or (2);
7. Making a business of converting into money or intermediating such conversion or repurchase of tangible and intangible results (referring to game money prescribed

by Presidential Decree and things similar thereto prescribed by Presidential Decree such as score, premiums and virtual currency used in game) obtained through the use of game products by anyone;

8. Distributing computer programs, apparatus or device not provided or approved by a game products related business entity for the purpose of disturbing normal operation of game products, or producing them for their distribution.

(2) No one shall produce or bring in any of the following game products:

1. Game products that can substantially erode the national identity by describing antinational acts or distorting historical facts;
2. Game products that can undermine good customs by destroying family moral, such as assault on, homicide etc., of an familial ascendant or descendant;
3. Game products that can disturb good social order, such as instigating criminal mentality or imitation mentality, by excessively describing a crime, violence, lewdness, etc.

Article 33 (Duty of Indications) (1) A person who produces or distributes game products for the purpose of providing for the distribution or use thereof shall indicate the trade name (in cases of game products annexed to books, referring to the trade name of the publishing company) of the person who produces or distributes such, the rating, and information about the contents of the game products of the game products concerned.

(2) A person who produces or distributes game products for the purpose of providing for the circulation or use thereof shall attach a device indicating information on the operation of the game products to the game products prescribed by Presidential Decree. <Amended by Act No. 8247, Jan. 19, 2007>

(3) Necessary matters concerning methods of providing indications pursuant to paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 34 (Restrictions on Advertising or Publicity) (1) No one shall perform the following acts: <Amended by Act No. 8247, Jan. 19, 2007>

1. Advertising contents different from those of the game products as classified, or distributing or posting the promotional materials thereof;
2. Distributing or posting advertising and promotional materials in which a rating different from the rating of the game products as classified is indicated;

3. Advertising with different indications from the information about the contents of game products, or distributing or posting the promotional materials thereof;
4. Advertising contents encouraging a speculative spirit, such as providing free gifts in addition to information about the contents of game products, or distributing or posting promotional materials.

(2) A person who conducts game providing business, business of providing Internet computer game facilities or combined distribution and game providing business shall not install or post advertising materials prescribed by Presidential Decree, as advertising materials which may cause misunderstanding as a place for speculative acts or gambling. <Amended by Act No. 8247, Jan. 19, 2007 >

SECTION 3 Administrative Measures, such as Cancellation of Registration

Article 35 (Cancellation, etc. of Permission) (1) When a person who has registered a game producing business or a game distributing business pursuant to Article 25 (1) falls under any of the following subparagraphs, the head of a Si/Gun/Gu may order him/her to suspend or close his/her business for a fixed period not exceeding six months: Provided, That when he/she falls under subparagraph 1 or 2, the head of a Si/Gun/Gu shall order him/her to close his/her business: <Amended by Act No. 8247, Jan. 19, 2007 >

1. When he/she has registered by fraud or other improper means;
2. When he/she continues to conduct business in violation of a business suspension order;
3. When he/she fails to register modification in violation of Article 25 (2);
4. When he/she violates matters to be observed under Article 28;
5. When he/she violates a duty of prohibition of distribution of illegal game products, etc., under Article 32.

(2) When a person who has obtained permission for, registered or reported a game providing business, a business of providing Internet computer game facilities or a combined distribution and game providing business pursuant to Article 26 falls under any of the following subparagraphs, the head of a Si/Gun/Gu may order him/her to suspend or close his/her business, or cancel permission or registration for a fixed period not exceeding six months: Provided, That when he/she falls under

subparagraph 1 or 2, the head of a Si/Gun/Gu shall cancel permission or registration, or order him/her to close his/her business.<Amended by Act No. 8247, Jan. 19, 2007>

1. When he/she has obtained permission, registered or reported by fraud or other improper means;
2. When he/she continues to conduct business in violation of a business suspension order;
3. When he/she fails to meet the standards of permission or registration pursuant to Article 26 (1) through (3);
4. When he/she fails to obtain permission for modification, or fails to register or report modification pursuant to Article 26 (4);
5. When he/she violates matters to be observed under Article 28;
6. When he/she falls under paragraph (1) 4 and 5.

(3) A person who has received a business closure order or is subjected to a disposition of cancellation of permission or registration pursuant to paragraph (1) or (2) shall return a certificate of permission, a certificate of registration, or a certificate of report within seven days from the date he/she receives notice of such disposition.<Amended by Act No. 8247, Jan. 19, 2007>

(4) Detailed standards for administrative disposition referred to paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism in consideration of the types and degrees, etc. of such offenses.<Amended by Act No. 8852, Feb. 29, 2008>

Article 36 (Imposition of Penalty Surcharge) (1) When the head of a Si/Gun/Gu issues a disposition of business suspension because a person who conducts game providing business, business of providing Internet computer game facilities or combined distribution or game providing business falls under any of the following subparagraphs, he/she may impose a penalty surcharge not exceeding 20 million won in lieu of such disposition of business suspension, as prescribed by Presidential Decree: <Amended by Act No. 8247, Jan. 19, 2007>

1. When he/she fails to meet the standard of permission or the standard of registration pursuant to Article 26 (1) and (2) or the main sentence of Article 26 (3);

2. When he/she violates matters to be observed under subparagraphs 4 through 8 of Article 28.

(2) The head of a Si/Gun/Gu shall use an amount equivalent to the amount collected as penalty surcharges pursuant to paragraph (1) for purposes referred to in the following subparagraphs and annually formulate and execute a plan for use of penalty surcharges for the next year: <Amended by Act No. 8247, Jan. 19, 2007 >

1. Production and distribution of healthy game products;
2. Creating a healthy game room environment and improvement of harmful environments;
3. Support for exemplary places of business;
4. Support following guidance on and control of illegal game products and illegal places of business;
5. Securing a storage place for seized illegal game products and discarding such products.

(3) When a person who is required to pay a penalty surcharge under paragraph (1) fails to pay it by the deadline for such payment, the head of a Si/Gun/Gu shall collect it pursuant to the Act on the Collection, etc. of Local Non - Tax Revenue. <Amended by Act No. 11998, Aug. 6, 2013 >

(4) Necessary matters concerning the amount of penalty surcharges and procedures for the imposition thereof according to the types and degrees of offenses on which penalty surcharges are imposed pursuant to paragraph (1) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008 >

Article 37 (Succession to Effect of Disposition of Administrative Sanctions) (1) Where a person succeeds to the position of a business entity pursuant to Article 29 (1), the effect of a disposition of administrative sanctions imposed on the previous business entity for a violation of the subparagraphs of Article 35 (1) or (2) shall devolve on any person who succeeds to the position of the business entity within one year from the date of such administrative disposition, and when the formalities for disposition of administrative sanctions are proceeding, the formalities for the disposition of administrative sanctions may proceed with any person who succeeds to the position of the business entity: Provided, That the foregoing shall not apply where a

transferee, a successor or a corporation which continues to exist after a merger does not know of such disposition or offense.

(2) Where a person succeeds to the position of a business entity pursuant to Article 29 (2), the effect of a disposition of administrative sanctions imposed for a violation of the subparagraphs of Article 35 (1) or (2) before reporting a closure of business shall devolve on any person who succeeds to the position of the business entity within one year from the date of such administrative disposition, and when the formalities for the disposition of administrative sanctions are proceeding, the formalities for the disposition of administrative sanctions may proceed with any person who succeeds to the position of the business entity.

Article 38 (Closure and Collection) (1) The head of a Si/Gun/Gu may have a relevant public official take the following measures against any person who conducts business without obtaining permission, making registration or reporting pursuant to Article 25 or 26 and any person who continues to conduct business in spite of having received a business closure order, or a disposition for cancellation of permission or registration pursuant to Article 35 (1) or (2) in order to close such places of business: [<Amended by Act No. 8247, Jan. 19, 2007>](#)

1. Removal or elimination of a signboard of the business concerned or the place of business concerned and other indications of business;
2. Attaching a notice informing that the business concerned or the place of business concerned is illegal;
3. Prohibiting by seal the use of apparatus or facilities necessary for business.

(2) When taking the measures referred to in paragraph (1), the head of a Si/Gun/Gu shall advise in advance the business entity concerned or his/her agent of such measures in writing: Provided, That the foregoing shall not apply in case of urgencies prescribed by Presidential Decree.

(3) When game products provided for distribution or use, or advertising or publicizing matters, etc. fall under any of the following subparagraphs, the Minister of Culture, Sports and Tourism, a Mayor/Do Governor or the head of a Si/Gun/Gu shall remove, destroy, or delete such: Provided, That in cases referred to in subparagraph 2, cases of conducting speculation business pursuant to the Act on Special Cases concerning Regulation and Punishment of Speculative Acts, Etc. shall be excluded:

<Amended by Act No. 8247, Jan. 19, 2007; Act No. 8852, Feb. 29, 2008>

1. Unrated game products or the contents of which are different from the rating obtained;
 - 1 - 2. Game products which violate targets, standards, and procedures prescribed by Presidential Decree referred to in Article 21 (1) 3 as game products for testing;
 2. Game products the rating of which is denied because they constitute speculative game products;
 - 2 - 2. Game products provided in violation of the types and methods prescribed by Presidential Decree referred to in subparagraph 6 (c) of Article 2;
 3. Game products produced or distributed for profit - making purposes by a person who has not registered pursuant to Article 25;
 4. Advertising and promotional materials distributed or posted in violation of Article 34;
 5. Apparatus, devices, and programs produced for the purpose of incapacitating the technical protection measures applicable to game products.
- (4) When the relevant public official removes the game products concerned pursuant to paragraph (3), he/she shall deliver a certificate of removal to its owner or occupant: Provided, That this shall not apply where the latter refuses to receive the certificate of removal.
- (5) When necessary to crack down on game products, etc., referred to in the subparagraphs of paragraph (3), the Minister of Culture, Sports and Tourism, the Mayor/Do Governor or the head of a Si/Gun/Gu may request an association, etc., to provide cooperation, and upon receipt of such request, the association, etc. shall comply with such request.<Amended by Act No. 8852, Feb. 29, 2008>
- (6) The relevant public official who conducts a disposition, such as attaching, sealing, removing, destroying, etc., a notice, under paragraphs (1) through (3) or an executive officer or an employee of the association, etc., shall carry an identification indicating his/her authority and present it to interested persons.
- (7) Where a game product, advertising or promotional materials, etc., provided through the information and communications network, falls under any of the subparagraphs of paragraph (3), the Minister of Culture, Sports and Tourism may order an information and communications service provider referred to in Article 2 (1) 3 of the Act on Promotion of Information and Communications Network

Utilization and Information Protection, Etc. or a person who supervises and manages a bulletin board referred to in subparagraph 9 of the same paragraph to refuse, suspend, or restrict the handling thereof. In such cases, the Minister of Culture, Sports and Tourism shall undergo the due formalities of deliberation and recommendation of correction by the Committee in advance.<Newly Inserted by Act No. 8739, Dec. 21, 2007; Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(8) The Minister of Culture, Sports and Tourism may order a person who encourages speculation through operation method or apparatus, device, etc. closely related to the realization of the contents of game products in violation of subparagraph 2 - 2 of Article 28 to improve such operation method or to improve or remove such apparatus, device, etc. The Minister of Culture, Sports and Tourism may, before giving such corrective order, determine the correction method and recommend that he/she comply with such method.<Newly Inserted by Act No. 10554, Apr. 5, 2011>

(9) A person who has received a recommendation of correction or a corrective order under paragraph (7) or (8) shall take measures within seven days and notify the chairperson of the Game Product Administration Committee or the Minister of Culture, Sports and Tourism of such result. <Newly Inserted by Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

(10) The chairperson of the Game Product Administration Committee or the Minister of Culture, Sports and Tourism shall give a person subject to a recommendation of correction or a corrective order pursuant to paragraph (7) or (8) an opportunity to present his/her opinion on the matter in advance: Provided, That this shall not apply where he/she falls under any of the following subparagraphs:<Newly Inserted by Act No. 8739, Dec. 21, 2007; Act No. 10554, Apr. 5, 2011; Act No. 11785, May 22, 2013>

1. Where it is urgently needed for the safety and welfare of the public;
2. Where it is substantially difficult or obviously unnecessary to hear an opinion;
3. Where he/she clearly express his/her intentions not to submit his/her opinion or delays advancing his/her opinion without good cause.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 39 (Establishment of Association, etc.) (1) Game products related business entities may establish an association, etc., to promote the healthy development of business related to game products and the common interests of game products related business entities.

(2) The association, etc., established pursuant to paragraph (1) shall be a juristic person.

(3) The association, etc., established pursuant to paragraph (1) shall endeavor to maintain the healthy production and good distribution order of game products.

Article 39 - 2 (Reward) (1) The Government may provide a reward to a person who files a report or accusation of or arrests any of the following persons to the relevant administrative agency or investigation agency within budgetary limits:

1. A person who causes others to gamble, perform other speculative acts, or leaves others unattended so that they perform such acts, in violation of subparagraph 2 of Article 28;

2. A person who encourages speculation in violation of subparagraph 3 of Article 28;

3. A person who violates a duty of prohibition of distribution of illegal game products, etc., pursuant to Article 32;

4. A person who performs an act falling under any of the subparagraphs of Article 34 (1).

(2) Necessary matters concerning the standards, methods, and procedures for providing a reward pursuant to paragraph (1) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8247, Jan. 19, 2007]

Article 40 (Hearings)

Where the head of a Si/Gun/Gu intends to order business closure pursuant to Article 35 (1), or cancel permission or registration pursuant to Article 35 (2), he/she shall hold a hearing. <Amended by Act No. 8247, Jan. 19, 2007>

Article 41 (Fees) (1) Any of the following persons shall pay fees, as prescribed by ordinances of a Si/Gun/Gu (referring to an autonomous Gu): <Amended by Act No. 8247, Jan. 19, 2007>

1. A person who registers a game producing business or game distributing business or registers modification thereof pursuant to Article 25;
2. A person who intends to obtain permission or permission for modification, or register the modification, or report the modification of a game providing business, business of providing Internet computer game facilities or a combined distribution and game providing business pursuant to Article 26.

(2) Any of the following persons shall pay fees determined by the Committee with the approval of the Minister of Culture, Sports and Tourism:<Amended by Act No. 8247, Jan. 19, 2007; Act No. 8739, Dec. 21, 2007; Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>

1. A person who applies for rating classification under Article 21 (1);
2. A person who files an objection under Article 23;
3. A person who is required to undergo technical deliberation under Article 21;
4. A person who applies for confirmation of game products for testing under Article 21 (1) 3;
5. A person who is subject to a reclassification of rating because he/she reports a change on the contents of a game product under Article 21 (5).

(3) A person who intends to file an application for rating classification under Article 21 (1) with the rating classification agency shall pay a fee determined by the rating classification agency after obtaining approval from the Minister of Culture, Sports and Tourism.<Newly Inserted by Act No. 11139, Dec. 31, 2011 >

Article 42 (Delegation or Entrustment of Authority) (1) The Minister of Culture, Sports and Tourism or a Mayor/Do Governor may delegate part of his/her authority granted pursuant to the provisions of this Act to Mayor/Do Governor or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008 >

(2) The authority of the Minister of Culture, Sports and Tourism, a Mayor/Do Governor, or the head of a Si/Gun/Gu granted pursuant to the provisions of this Act may be entrusted to the Committee or an association, etc., as prescribed by Presidential Decree.<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11785, May 22, 2013>

Article 43 (Legal Fiction as Public Official in Application of Penalty Provisions)

The executive officers and employees of the Committee and the Secretariat under Articles 16 through 18 and the executive officers and employees of a rating classification agency and an association, etc., who are engaged in the entrusted affairs pursuant to Articles 24 - 2 and 42 (2), shall be deemed public officials in application of the penalty provisions of Articles 129 through 132 of the Criminal Act.

<Amended by Act No. 11785, May 22, 2013>

[This Article Wholly Amended by Act No. 11139, Dec. 21, 2011]

CHAPTER VII PENALTY PROVISIONS

Article 44 (Penalty Provisions) (1) Any of the following persons shall be punished by imprisonment with labor for not more than five years or by a fine not exceeding 50 million won: <Amended by Act No. 8247, Jan. 19, 2007>

1. A person who causes others to gamble or perform other speculative acts, or leaves others unattended so that they perform such things, in violation of subparagraph 2 of Article 28;

1 - 2. A person who encourages speculation in violation of subparagraph 3 of Article 28;

2. A person who performs an act falling under subparagraphs 1, 4, or 7 of Article 32 (1);

3. A person who continues to conduct business in spite of measures referred to in the subparagraphs of Article 38 (1) taken against him/her.

(2) Game products owned or occupied by a person falling under paragraph (1), gains obtained by such criminal acts (hereafter in this paragraph referred to as "criminal gains") and property resulting from criminal gains shall be forfeited, and when they cannot be forfeited, the amount equivalent thereto shall be additionally collected.

(3) Articles 8 through 10 of the Act on Regulation and Punishment of Criminal Proceeds Concealment shall apply mutatis mutandis to matters related to forfeiture or collection of criminal gains and property resulting from criminal gains referred to in paragraph (2).

Article 45 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than two years or by a fine not exceeding 20 million won: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 10879, Jul. 21, 2011 >

1. A person who fails to comply with the corrective order issued by the Minister of Culture, Sports and Tourism under Article 12 - 3 (5);
- 1 - 2. A person who has no right title or receives a rating for game products by fraud or other improper means pursuant to Article 22 (4);
2. A person who conducts business without obtaining permission or making registration in violation of Article 25 or 26 (1), (2) and the main sentence of Article 26 (3);
3. Deleted; <by Act No. 8247, Jan. 19, 2007 >
- 3 - 2. A person who provides game products not permitted for use by juveniles in violation of subparagraph 4 of Article 28;
4. A person who distributes, provides for use, displays or keeps game products the contents of which are different from those of game products for which a rating has been obtained in violation of Article 32 (1) 2;
5. A person who buys and sells, donates or lends a certificate of rating in violation of Article 32 (1) 5;
6. A person who produces or brings in game products in violation of the subparagraphs of Article 32 (2);
7. A person who distributes game products for which a duty of indications has not been performed or provides such for use in violation of Article 32 (1) 6 and Article 33;
8. A person who obtains permission, registers or reports by fraud or improper means pursuant to Article 35 (1) 1 and (2) 1;
9. A person who conducts business in violation of a business suspension order issued pursuant to Article 35 (2) 2;
10. A person who produces, distributes, or watches game products and game wares, etc., referred to in Article 38 (3) 3 or 4, or provides such for use, or displays or stores for such purposes.

Article 46 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year, or by a fine not exceeding ten million won: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 8739, Dec. 21, 2007; Act No. 10554, Apr. 5, 2011; Act No. 11690, Mar. 23, 2013>

1. A person who conducts business without filing a report in violation of the proviso to Article 26 (3);
2. A person who admits juveniles in violation of the hours for admitting juveniles pursuant to subparagraph 7 of Article 28;
3. A person who provides game products in violation of the rating classification pursuant to Article 32 (1) 3;
- 3 - 2. A person who distributes computer programs, apparatus or device not provided or approved by a game products related business entity or produces them for their distribution in violation of Article 32 (1) 8;
4. Deleted; <by Act No. 8247, Jan. 19, 2007 >
5. A person who conducts business in violation of a business suspension order issued pursuant to Article 35 (1) 2;
6. A person who fails to comply with an order issued by the Minister of Culture, Sports and Tourism referred to in Article 38 (7) and (8).

Article 47 (Joint Penalty Provisions)

Where the representative of a corporation, or an agent, or employee of, or other person employed, by the corporation or an individual commits an offense under Articles 44 through 46 in connection with the business affairs of the corporation or individual, not only shall such offender be punished, but also the corporation or individual shall be punished by a fine under the relevant provisions: Provided, That this shall not apply to cases where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offence. <Amended by Act No. 10554, Apr. 5, 2011 >

Article 48 (Administrative Fines) (1) Any of the following persons shall be punished by an administrative fine not exceeding ten million won: <Amended by Act No. 8247, Jan. 19, 2007; Act No. 10879, Jul. 21, 2011 >

1. A person who fails to comply with the request for submission of data or report by the Minister of Culture, Sports and Tourism under Article 12 - 3 (4);

- 1 - 2. A person who fails to file a report under Article 12 - 3 (6);
- 1 - 3. A person who fails to register modifications in violation of Article 25 (2);
2. A person who fails to obtain permission for modifications, register or report modifications in violation of Article 26 (4);
- 2 - 2. A person who fails to report modifications in violation of Article 21 (5);
3. A person who fails to receive education in violation of subparagraph 1 of Article 28;
4. A person who admits juveniles to a general game room in violation of subparagraph 5 of Article 28;
5. A person who fails to install a program or a device blocking obscene materials and speculative game products in violation of subparagraph 6 of Article 28;
6. A person who fails to file a report in violation of Article 29 (4);
7. A person who fails to file a report, or refuses, interferes with or evades a relevant public official's access to, investigation or inspection of documents pursuant to Article 31 (2);
8. A person who violates Article 34.
 - (2) The Minister of Culture, Sports and Tourism, Mayor/Do Governor, the head of a Si/Gun/Gu (hereinafter referred to as the "imposing authority") shall impose and collect administrative fines pursuant to paragraph (1), as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008>
 - (3) A person who is dissatisfied with a disposition of an administrative fine pursuant to paragraph (2) may raise an objection to the imposing authority within 30 days from the date he/she receives notice of such disposition.
 - (4) Where a person raises an objection to a disposition of an administrative fine pursuant to paragraph (3), the imposing authority shall, without delay, notify such to the competent court, which in turn shall proceed to a trial on an administrative fine pursuant to the Non - Contentious Case Procedure Act.
 - (5) Where a person fails to raise an objection and pay an administrative fine within the period pursuant to paragraph (3), the aforementioned administrative fine shall be collected in the same manner as delinquent national or local taxes are collected.