

# Guidelines for the Designation of Domestic Agents for Overseas Game Companies



October 2025



Ministry of Culture, Sports  
and Tourism



GRAC  
Game Rating and  
Administration Committee

## I

## Rationale for Implementing the Domestic Agent Designation System

- ✓ Overseas game companies have taken advantage of regulatory loopholes in the Game Industry Promotion Act (hereinafter referred to as the “Game Act”), prompting calls for stronger measures to ensure business entities comply with their legal obligations.
- ✓ In response, the Game Act was amended to require overseas game businesses to designate a domestic agent responsible for fulfilling reporting requirements and game product labeling obligations.
  - The relevant provisions were enacted and promulgated on October 22, 2024, and will take effect one year later, on October 23, 2025.

## II

## Scope of Application

### 1. Any person engaged in the game distributing business or game providing business without a domicile or place of business in Korea

- ✓ Any person engaged in the game distributing business or game providing business who does not have a domicile or place of business in Korea
  - The term “game distributing business” refers to the business of supplying entities engaged in the game providing business, or similar, with game products by importing such products (including importation of the original edition) or by owning or managing the copyright thereof (Article 2(5) of the Game Act)
  - The term “game providing business” means a business of providing game products so that the public may use such products, including cases where a person who provides game products through the information and communications network has reported or registered his or her business pursuant to the Telecommunications Business Act (Article 2(6) of the Game Act)

### Exceptions to the Game Providing Business (Proviso to Article 2(6) of the Game Act)

- Where a person operates a casino business under the Tourism Promotion Act;
- Where a person uses speculative apparatus to engage in speculative activities, as defined by the Act on Special Cases concerning Regulation and Punishment of Speculative Acts;
- Where a person supplies game products in accordance with the types, methods, or other criteria prescribed by Presidential Decree, and carries out business not covered by Articles 2(4) through 2(6), Articles 2(6-2), 2(7), and 2(8) of the Game Act, allowing customers at the relevant place of business to use game products with the objective of inducing customers, advertising or such;
- Where a person operates the Internet Computer Game Facilities as prescribed in Article 2(7) of the Game Act;
- Where a person supplies a game product that has been denied rating classification under Article 22 (2) of the Game Act due to its classification as a speculative game product;
- Where a person supplies game products under the proviso of Article 2(1)(b) of the Game Act, for which amusement or gaming facilities under the Tourism Promotion Act are provided for their use: provided, however, that amusement or gaming facilities that do not require significant safety management, as determined and announced by the Minister of Culture, Sports and Tourism, are excluded.

- The determination of whether a business entity's purpose is to circulate, distribute, provide game products in Korea will be based on a comprehensive review of various factors, such as ▲whether it provides convenience for domestic users (including Korean language services, payment methods and region lock) and ▲whether it has established a branch or business entity to conduct game-related business in Korea.

### Example

- Illustrative Cases of Scope of Application
  - Where a business entity provides services in Korean, already has a significant number of domestic users, and is engaged in business activities such as advertising related to game products in Korea, the entity falls within the scope of application even if its server is located overseas, and it does not have a Korean subsidiary with a similar name, and has not been reported or registered as a game product-related business entity in Korea.
  - Where an overseas entity is engaged in both the development and distribution of game products, even if its Korean entity does not conduct game product-related business
- Exceptions to Scope of Application
  - Where the company is headquartered in Korea and has overseas branches or subsidiaries

✓ However, this does not apply to businesses that solely operate online marketplace platforms, which are open to sellers for the purpose of facilitating transactions of game content between sellers and buyers.

- These businesses, which do not directly distribute game content and are not required to disclose information about probability-based items, are exempt from the obligation to designate a domestic agent.

## 2. Any entity that meets any of the following criteria:

✓ An entity whose total sales revenue for the previous year (or during the previous fiscal year, in the case of a corporation) is equal to or exceeds KRW 1 trillion

- Sales are not limited to sales generated in Korea or sales in the game sector, but include total sales generated worldwide.
- Total sales are converted into Korean won based on the average exchange rate\* of the previous year.

\* It is available at Seoul Money Brokerage Services ([www.smbs.biz](http://www.smbs.biz)).

✓ An entity that distributes or provides game products that are installed on mobile communications terminals (limited to those sold in Korea), with an average of at least 1,000 installations per day based on the previous year

- The scope of application of such criteria is limited to game products (mobile games) operated on mobile communications terminals.
- This is limited to the number of downloads in Korea, and if the same game product is distributed through multiple app markets, the number of downloads for each market shall be aggregated.
  - The number of downloads in Korea refers to the number of downloads made on mobile communications terminals (mobile phones) actually released or sold in Korea, and the number of downloads is aggregated regardless of the user's nationality.
- It refers to cases where, regardless of the date of release or termination of a game product, the total number of game product app downloads from January 1 to December 31 of the previous year, divided by 365 days, is at least 1,000.

$$\text{※ Average daily number of users in Korea (Mobile game product)} = \frac{\text{Total number of downloads in Korea in the previous year (cases)}}{365 \text{ days}}$$

### Example

- Examples where the designation criteria are met
  - If a company distributes multiple game products and the average daily number of downloads of a single game product is 1,000 or more in the previous year
  - Even if the game product was released in December of the previous year, if the total number of downloads in December exceeds 365,000 due to its popularity and the average daily number of downloads for the year amounts to 1,000 or more
  - Even if the service of a game product was terminated in September of the previous year, if the total number of downloads from January to September exceeds 365,000 due to its popularity, and the average daily number of downloads amounts to 1,000 or more
- Examples where the designation criteria are not met
  - If a game company distributes a large number of game products, and the number of average daily downloads of all game products distributed by the game company is 1,000 or more in the previous year

### **3. An entity that has been requested by the Minister of Culture, Sports and Tourism to submit a report pursuant to Article 31 (2) of the Game Act for causing or being likely to cause an incident or accident that significantly undermines the distribution order of game products**

- This refers to an incident or accident where significant damage is caused to game users due to a violation of the Game Act, and such damage has spread or is likely to spread to become a serious social issue.

## III Roles of Domestic Agents

### ✓ Reporting obligations under Article 31(2) of the Game Act

- This refers to the obligation to report on the matters that game product-related business entities are requested to respond to, as requested by the Minister of Culture, Sports and Tourism or the head of a local government. This aims to ensure
  - ▲ the orderly distribution of game products, ▲ prevent their use in speculative activities, and ▲ prevent the promotion of speculation in game products.

### ✓ Game product labelling obligations under Article 33 of the Game Act

- This refers to the obligation to display the trade name of the entity that produces or distributes game products (or the trade name of the publishing company, in cases of game products annexed to books), the rating, and game content descriptors in the relevant game products.
- It also refers to the obligation to display the type of probabilistic items used in the relevant game products, information on the probability of supply by the type of items, and other matters prescribed by Presidential Decree (Article 19-2 (1) of the Enforcement Decree of the Game Act), in the relevant game products, their websites, and advertising and promotional materials.

#### Other matters prescribed by Presidential Decree (Article 19-2(1) of the Enforcement Decree of the Game Act)

- The total number of probabilistic items or the period for offering them (applicable only to probabilistic items with a limited total number or period for offering);
- Matters deemed by the Minister of Culture, Sports and Tourism as necessary to be indicated and publicly notified for the protection of the rights and interests of the users of game products, which are specified as follows:
  - a. Matters that may have a significant impact on a game product user's decision to purchase or use a probabilistic item;
  - b. Matters that are likely to significantly impair the reasonable judgment of the users of game products.
- Obligation to affix an Operational Information Display Device (OIDD) on game products designated by Presidential Decree (Article 19(1) of the Enforcement Decree of the Game Act), to display information about the operation of the game products.

#### Game products prescribed by Presidential Decree (Article 19(1) of the Enforcement Decree of the Game Act)

- Game products falling under Article 2(1-2)(a) through Article 2(1-2)(f) of the Act, including those intended for game providing business establishments, and game products offering free gifts. This excludes cases where, pursuant to the proviso of Article 28(3) of the Act, GRAC, when assigning a rating to a game product under Article 21 of the Act, confirms that the game product is unlikely to be produced, distributed, or provided for use beyond the scope of its designated rating.

※ The specific role and scope of work of a domestic agent may vary depending on the details of the contract with a game distributor or provider.

## IV Qualifications of Domestic Agents

- ✓ The individual must be a natural or legal person with a domicile or place of business in Korea.
  - A domestic agent must be actively and substantially involved in operations of the company to comply with the Game Act. The agent should not serve as a mere formality, such as lacking employee response or directing users to email or online forms via recorded voice messages.
- ✓ For a natural person, he or she does not need to be a Korean national, but he or she must be able to communicate fluently in Korean.
- ✓ One or more domestic agents may be designated, and a single domestic agent may represent multiple foreign business entities.
- ✓ A game distributor or provider who is required to designate a domestic agent is encouraged to designate either a domestic corporation established by it or a domestic corporation that exercises dominant influence over the appointment of executives and the conduct of business activities as its domestic agent.

## V Procedures for Designating a Domestic Agent

- ✓ A domestic agent must be designated in writing, and (1) the name of the domestic agent (or, in the case of a corporation, its name and the name of its representative) and (2) the domicile (or, in the case of a corporation, the location of the place of business), telephone number, and e-mail address of the domestic agent must be included in the terms and conditions prepared by game product-related business in accordance with Article 3 (1) of the Act on the Regulation of Terms and Conditions.
  - ※ The telephone number refers to a domestic phone number. Although this number does not have to be the domestic agent's personal phone number, such as a mobile phone, a phone number that can be actually reached by consumers in relation to the performance of the role of the domestic agent must be disclosed.
  - ※ Pursuant to Article 3 (1) of the Act on the Regulation of Terms and Conditions, the terms and conditions must be prepared in Korean.
- If multiple domestic agents are designated, relevant information on all designated domestic agents must be disclosed through the terms and conditions.
- The terms and conditions must be amended without delay if the domestic agent is redesignated or related information (address, phone number, email address) changes.
- Also, if a new domestic agent is designated, or if the agent is redesignated or related information (address, phone number, email address) changes, it is recommended to notify the Game Rating and Administration Committee (gracagent@grac.or.kr) without delay.
  - ※ When notifying the Game Rating and Administration Committee, a copy of the terms and conditions, a copy of either the Certificate of Designation of a Domestic Agent or Certificate of Redesignation of a Domestic Agent, whichever is applicable, must be submitted. Refer to attached forms.

### Designation Procedure

#### Where an overseas business entity directly designates or re-designates a domestic agent

Designation or Re-designation of a Domestic Agent  
(including changes in relevant information)



Notice of Designation or Re-Designation of a Domestic Agent (Submission of a certificate of designation or re-designation and a copy of the business's terms and conditions)

Overseas business entity

Overseas business entity →  
Game Rating and Administration Committee

- The entities subject to the designation of a domestic agent shall be reviewed annually as of October 23.



## VI Sanctions Provisions

- ✓ If an entity that is required to designate a domestic agent fails to designate a domestic agent, an administrative fine not exceeding KRW 20 million may be imposed.
  - An administrative fine may be imposed for each violation of the obligation, and the obligation to designate a domestic agent is imposed annually based on sales or the number of users. Therefore, an administrative fine may be imposed each time the obligation to designate a domestic agent is newly imposed if the agent is not designated.
- ✓ If a domestic agent violates the Game Act in relation to each subparagraph of Article 31-2(1) of the Game Act, the relevant game product-related business entity shall be deemed to have committed the violation and shall be held liable for the violation.

## **VII** Laws and Regulations Related to the Domestic Agent Designation System

### Game Industry Promotion Act

#### **Article 31–2 (Designation of Domestic Agent)**

- (1) A person who is engaged in game distributing business or game providing business with no domicile or place of business in the Republic of Korea and who meets the criteria prescribed by the Presidential Decree, based upon considerations such as the number of game users and sales, shall designate, in writing, an agent to act on his or her behalf with respect to the following (hereinafter referred to as “domestic agent”):
  1. Fulfilment of the reporting obligations under Article 31(2);
  2. Fulfilment of the game product labelling obligations under Article 33.
- (2) A domestic agent shall be a person who has a domicile or place of business in the Republic of Korea.
- (3) In designating a domestic agent pursuant to paragraph (1), the following matters shall be included in the terms and conditions prepared by game product-related business entities in accordance with Article 3(1) of the Act on the Regulation of Terms and Conditions:
  1. The domestic agent’s name (if the domestic agent is a corporation, referring to the name of the corporation and the name of its representative);
  2. The domestic agent’s domicile (if the domestic agent is a corporation, referring to the address of its place of business), and his or her telephone number and electronic mail address.
- (4) If a domestic agent violates this Act in relation to each subparagraph of paragraph (1), such violation shall be deemed to have been committed by the relevant game product-related business entity.
- (5) A domestic agent shall secure a valid means of communication with the relevant game product-related business entity under paragraph (1).

#### **Article 31 (Post Management)**

- (2) When deemed necessary for the following purposes, the Minister of Culture, Sports and Tourism, the Special Metropolitan City Mayor, Metropolitan City Mayors, the Special Self-Governing City Mayor, Do Governors, the Special Self-Governing Province Governor (hereinafter referred to as a “Mayor/Do Governor”), or the head of a Si/Gun/Gu may have game product-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 conduct necessary investigations or inspect documents:
  1. Establishment of the distribution order of game products;
  2. Prevention of the use of game products in speculative activities;
  3. Prevention of the encouragement of speculation in game products.

#### **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 for each relevant game product.

- (2) A person who produces, distributes, or provides game products for the purpose of providing for the distribution or use thereof shall indicate the type of probabilistic items used in the relevant game products, information on the probability of supply by the type of items, and other matters prescribed by Presidential Decree, for each of the relevant game products, their websites, and advertising and promotional materials.
- (3) A person who produces or distributes game products for the purpose of circulating or making them available for use shall attach a device to the game products prescribed by Presidential Decree, indicating the information on the operation of the game products.
- (4) Necessary matters concerning the scope of game products subject to the duty of indications, methods of indication, and others under paragraphs (1) through (3) shall be prescribed by Presidential Decree.

#### Article 48 (Administrative Fines)

- (1) Any person who fails to designate a domestic agent in violation of Article 31-2(1) shall be subject to an administrative fine not exceeding KRW 20 million.

### Enforcement Decree of the Game Industry Promotion Act

#### Article 18-3 (Scope of Persons Subject to Designation of Domestic Agents)

- (1) In Article 31-2 (1) of the Act, “a person who meets the criteria prescribed by the Presidential Decree” means a person who falls under any of the following subparagraphs:
  1. A person with total sales of KRW 1 trillion or more in the previous year (in the case of a corporation, the previous business year);
  2. A person who distributes or provides game products that are installed on mobile communications terminals under the Telecommunications Business Act (limited to those sold in Korea), with an average of at least 1,000 installations per day based on the previous year; or
  3. A person who has caused, or is likely to cause, an incident or accident that significantly undermines the distribution order of game products and who has been requested by the Minister of Culture, Sports, and Tourism to submit a report pursuant to Article 31 (2) of the Act.
- (2) The total sales pursuant to Paragraph (1), Subparagraph 1 shall be based on the amount converted into Korean won by applying the average exchange rate of the previous year.

#### Article 23 (Entrustment of Authority, etc.)

- (1) The Minister of Culture, Sports and Tourism shall entrust the following tasks to the Committee in accordance with Article 42 (2) of the Act.
  6. Checking whether the obligation to designate a domestic agent pursuant to Article 31-2 of the Act has been violated

[Attached Table 4] Criteria for Imposition of Administrative Fines

| Violation                                                                                           | Legal Provisions          | Amount of Fine |
|-----------------------------------------------------------------------------------------------------|---------------------------|----------------|
| 15. Where a person fails to designate a domestic agent, in violation of Article 31-2 (1) of the Act | Article 48 (1) of the Act | KRW 20 million |

## VIII FAQ: Domestic Agent Designation System



If a foreign game company satisfies any of the requirements for designating a domestic agent (sales or number of domestic users), must the agent's information be included in the terms and conditions of all domestic games distributed or provided by that company?



In this case, the foreign game company must disclose the domestic agent's information (name, address, telephone number, and email address) in the terms and conditions of all game products distributed or provided in Korea.



If a domestic corporation (subsidiary) operated by a foreign game company is exclusively responsible for distributing or providing game products in Korea, is the foreign game company still required to designate a domestic agent?



In this case, the foreign game company is considered to have a domicile or place of business in Korea and is therefore not required to designate a domestic agent.



If a foreign game company is divided into a parent company (headquarters) and subsidiaries according to its corporate governance structure, is it required to designate a domestic agent?



- If both the parent company and the subsidiaries directly distribute or provide game products in Korea, each must designate a domestic agent. They may designate the same domestic agent if desired.
- If a subsidiary is primarily responsible for distributing or providing game products in Korea, it must designate a domestic agent.
- If a foreign subsidiary of a third party, under contract, distributes or provides game products produced by the parent company or its subsidiaries in Korea, the foreign subsidiary of the third party must designate a domestic agent.



Can a foreign game company that distributes or provides game products in Korea designate a domestic agent, even if it does not meet the requirements for the agent designation (sales or number of domestic users)?



- If By law, entities engaged in game distributing business or game providing business without a domicile or place of business in Korea, and whose sales or number of users meet certain criteria, are required to designate a domestic agent.
- However, a foreign game company that is not subject to the obligation to designate a domestic agent may voluntarily designate a domestic agent.

## IX Attached Forms

### Certificate of Designation of a Domestic Agent

※ Sections shaded in dark color shall not be completed by the reporting person.

| Receipt No.                                                                                                                                                                                                                                                              |                                                                                                                                                                                                     | Date and Time of Receipt                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Subject Entity                                                                                                                                                                                                                                                           | Company Name                                                                                                                                                                                        | Name of Representative                                                   |
|                                                                                                                                                                                                                                                                          | Address (Location of Head Office)                                                                                                                                                                   | Telephone No.                                                            |
|                                                                                                                                                                                                                                                                          | Business Registration Number or Unique Number                                                                                                                                                       | Email of the Person in Charge                                            |
| Domestic Agent                                                                                                                                                                                                                                                           | Company Name                                                                                                                                                                                        | Name of Agent (for corporations, provide the name of the representative) |
|                                                                                                                                                                                                                                                                          | Address                                                                                                                                                                                             | Telephone No.                                                            |
|                                                                                                                                                                                                                                                                          | Business Registration Number or Unique Number                                                                                                                                                       | Email                                                                    |
| Confirmation of Terms and Conditions Regarding Designation                                                                                                                                                                                                               | <b>Status of Disclosure of Domestic Agent in Terms and Conditions (Submission of Copies of Relevant Terms and Conditions)</b>                                                                       |                                                                          |
|                                                                                                                                                                                                                                                                          | • Method of disclosure of terms and conditions (e.g., webpage, in-game, etc.)                                                                                                                       |                                                                          |
|                                                                                                                                                                                                                                                                          | • Webpage address (URL) where the terms and conditions are disclosed                                                                                                                                |                                                                          |
| Pursuant to Article 31-2 of the Game Industry Promotion Act, we hereby designate a domestic agent as above. <div style="text-align: right;">[Date]</div> <div style="text-align: center;">Subject Entity</div> <div style="text-align: right;">(Signature or Seal)</div> |                                                                                                                                                                                                     |                                                                          |
| <b>Respectfully submitted to the Chairman of the Game Rating and Administration Committee</b>                                                                                                                                                                            |                                                                                                                                                                                                     |                                                                          |
| Documents to be Submitted by the Subject Entity                                                                                                                                                                                                                          | 1. One copy of the terms and conditions pursuant to Article 3 (1) of Act on the Regulation of Terms and Conditions<br>2. One copy of other materials evidencing the designation of a domestic agent | No Fee                                                                   |

#### Notes

- If a domestic agent is not designated even though the criteria under Article 31-2 of the Act and Article 18-3 of the Enforcement Decree of the same Act are met, an administrative fine shall be imposed.
- If you intend to change the domestic agent, you shall amend the terms and conditions for the change of designation and file a report on the change of designation.
- If multiple domestic agents are designated, a separate certificate of designation shall be submitted for each agent.

## Certificate of Re-Designation of a Domestic Agent

※ Sections shaded in dark color shall not be completed by the reporting person.

| Receipt No.                                                   |                                                                                                                               | Date and Time of Receipt                                                        |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Subject Entity                                                | Company Name                                                                                                                  | Name of Representative                                                          |
|                                                               | Address (Location of Head Office)                                                                                             | Telephone No.                                                                   |
|                                                               | Business Registration Number or Unique Number                                                                                 | Email of the Person in Charge                                                   |
| Domestic Agent                                                | Company Name                                                                                                                  | Name of Agent (for corporations, please provide the name of the representative) |
|                                                               | Address                                                                                                                       | Telephone No.                                                                   |
|                                                               | Business Registration Number or Unique Number                                                                                 | Email                                                                           |
| Reason for Re-designation                                     |                                                                                                                               |                                                                                 |
| Confirmation of Terms and Conditions Regarding Re-Designation | <b>Status of Disclosure of Domestic Agent in Terms and Conditions (Submission of Copies of Relevant Terms and Conditions)</b> |                                                                                 |
|                                                               | • Method of disclosure of terms and conditions (e.g., webpage, in-game, etc.)                                                 |                                                                                 |
|                                                               | • Webpage address (URL) where the terms and conditions are disclosed                                                          |                                                                                 |

Pursuant to Article 31-2 of the Game Industry Promotion Act, we hereby re-designate a domestic agent as above.

[Date]

Subject Entity

(Signature or Seal)

**Respectfully submitted to the Chairman of the Game Rating and Administration Committee**

|                                                 |    |                                                                                                                 |        |
|-------------------------------------------------|----|-----------------------------------------------------------------------------------------------------------------|--------|
| Documents to be Submitted by the Subject Entity | 1. | One copy of the terms and conditions pursuant to Article 3 (1) of Act on the Regulation of Terms and Conditions | No Fee |
|                                                 | 2. | One copy of other materials evidencing the re-designation of a domestic agent                                   |        |

### Notes

1. If a domestic agent is not designated even though the criteria under Article 31-2 of the Act and Article 18-3 of the Enforcement Decree of the same Act are met, an administrative fine shall be imposed.
2. If you intend to change the domestic agent, you shall amend the terms and conditions for the change of designation and file a report on the change of designation.
3. If multiple domestic agents are designated, a separate certificate of designation shall be submitted for each agent.