



Apple to Enforce Game Approval Rules in China

CHINA REGULATION WATCH¹

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On February 24, 2020, various unofficial sources indicated that commencing on June 30, 2020, Apple will require all games published on its China App Store to comply with the existing legal requirement to have a game approval issued by the State Administration of Press and Publication (国家新闻出版署) (“SAPP”).² According to these articles, Apple’s decision to begin enforcing the existing game approval requirements was first discovered on Apple’s background review page. Based on the screenshot of this page, Apple will require the publisher in China of any pay for download game or game that offers in-app purchases to provide the game approval number issued by SAPP by June 30, 2020.

It is not yet clear what will happen to games that have already been published in China on the Apple App Store and cannot obtain a game approval by June 30, 2020. In December 2019, however, a game was shut down and the operator was fined for publishing in the Apple App Store in China without having obtained a game approval.³ Some industry insiders have indicated that the complaint reporting system has been operating for many years. As a result, if someone reports to the government that a game is infringing the copyright of others and/or operating without a game approval, SAPP might have the game removed from the relevant app stores and fine the publisher. As a result, irrespective of what approach Apple takes with respect to games published prior to June 30, 2020 that do not have a game approval, there will likely be enhanced risk that those games could be the subject of complaints to regulators after June 30, 2020, which might lead to their removal and fines.

Game Approval Requirements on ByteDance (Toutiao) Traffic-Buying Platform

On February 25, 2020, various unofficial sources also indicated that ByteDance, publisher of the popular content site Jinri Toutiao (今日头条) and short video site TikTok

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² See “[Deadline or Delay? Apple Requires Mobile Games to Have Game Approval Before June 30 \(大限将至还是延后?苹果要求手游6月30日前补版号\)](#)” (Chinese), posted by GameLook on February 24, 2020, and “[Big News! Game Approvals are Needed Before June 30 by Apple \(重磅! 苹果出手了, 6月30日前需提交游戏版号\)](#)” (Chinese), posted by Things about Mobile Games (手游那些事) on February 24, 2020.

³ See “[Mobile Game Monkey Legend on App Store Fined 700k RMB Due to Operating Without Game Approval \(苹果商店手游《猴哥传说》“无证”运营,被罚70多万元\)](#)” (Chinese), posted by Sina Technology (新浪科技) on December 10, 2019.



(known in China as Douyin (抖音)) is adopting a similar policy.⁴ According to these sources, ByteDance’s advertisement publishing platform announced that game approvals will be required for user acquisition efforts on the ByteDance platforms effective from March 6, 2020.

The announcement of similar policies at the same time suggest SAPP is increasing enforcement activity. The actions taken by Apple and ByteDance indicate that SAPP is strengthening control and enforcing existing laws in areas where non-compliance was previously tolerated.

Game Approval Statistics in 2020

Since Apple will start enforcing the game approval rule at the end of June, there are only four months to obtain an approval before the deadline. Although time periods to obtain approvals in China are notoriously difficult to predict, public statistics on past game approvals can provide some insights.

On February 25, 2020, SAPP announced a new batch of game approvals in which 53 domestic games were approved. The game approval numbers for domestic games in the first two months of 2020 are summarized below.

Release Date	Number of Game Approvals for Domestic Games
January 10, 2020	52
January 22, 2020	48
February 10, 2020	53
February 25, 2020	53

SAPP continues to release two batches of game approvals for domestic games per month, with around 50 games approved per batch. The latest SAPP update for foreign game approvals, however, was on November 25, 2019, and thus there are no public records showing any foreign games being approved in December, January or February.⁵ In other words, it seems that no foreign games have been approved in the past three months, compared with approximately 300 domestic games being approved in the same period.

With respect to the domestic game approvals batch released on February 10, 2020, it is worth noting that due to the coronavirus outbreak, the last day of China’s Spring Festival vacation was extended from Sunday, February 2nd to Sunday, February 9th. During this extended break most people in China were still on vacation or were under self-quarantine at home, and the governmental departments generally asked only a portion of their employees to return to work. The punctual release of a new batch of domestic game approvals under such circumstances

⁴ See “[Toutiao Asking for Game Approval is Asking for Life, User Acquisition Companies are All Finished? \(头条要版号如索命, 买量游戏厂商要集体扑街了么?\)](#) (Chinese), posted by GameLook on February 25, 2020, and “[If Game Approvals are Needed for User Acquisition, How Great will the Impact be on the Game Industry? \(如果游戏买量也需要版号, 那对行业的影响有多大?\)](#)” (Chinese), posted by Things about Mobile Games (手游那些事) on February 25, 2020.

⁵ See “[Foreign Game Approval in 2019 \(2019年进口网络游戏审批信息\)](#)” (Chinese), posted by SAPP official website in November 2019.



suggests that game approvals will continue on a faster and regular pace in 2020, at least with respect to domestic games.

The recent game approval statistics also suggest that there is an effective quota not only on the total amount of game approvals (50 per batch and 100 per month), but also on game approvals per company. Based on the public records at SAPP's official website, a publishing entity appears to be limited to one game approval per batch. Based on the same public information, this limitation appears to apply to all publishing entities, including large companies like Tencent and NetEase as well as smaller companies.⁶

Based on recent game approval statistical trends, approximately 1,200 domestic games will receive approvals in 2020, which is similar to last year. In 2019, SAPP approved 1,570 games in total, including 1,385 domestic games and 185 foreign games. The game approval numbers are, however, much lower than before. In 2018, 2,064 games were approved even though game approvals were suspended for 9 months after the March 2018 government reorganization. In 2017, 9,368 games were approved for release by the regulators.

⁶ See "[Domestic Game Approval in February 2020 \(2020年2月份国产网络游戏审批信息\)](#)" (Chinese), posted by SAPP official website in February 2020.