

CLIENT ALERT

February 2023

EXECUTIVE SUMMARY

The Ministry of Electronics and Information Technology has proposed amendments to the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 to ensure that online games are offered in conformity with Indian laws and that the users of such games be safeguarded against potential harm.

The draft amendments envisage that an online gaming intermediary shall observe the additional due diligence required under the amended rules while discharging its duties, including reasonable efforts to cause its users not to host, display, upload, publish, transmit or share an online game not in conformity with Indian law.

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Proposed Amendments to the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021

The Ministry of Electronics and Information Technology (the “**Ministry**”) has proposed the following key amendments to the IT (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 (the “**Rules**”):

1. The formation of a “self-regulatory body” formed by online gaming intermediaries and registered with the Ministry for ensuring compliance with legal provisions.
2. Each such “self-regulatory body” shall officially register all online games complying with certain criteria and the online gaming intermediary shall display a visible mark of registration on all online games registered by the self-regulatory body.
3. Insertion of the criteria for registration of self-regulatory bodies, registration of online games and registration of online gaming intermediaries with the self-regulatory bodies.

For a detailed analysis of this topic, you may email us at delhi@jurislegal.org or call us on +91 11 4359 3370.