

# The Advertising Self-Regulatory Institute updated its Digital Chart Regulation: New rules for influencer marketing

July 5, 2023

Donata Cordone

Thanks to Denise Moretti and Livia Petrucci for collaborating on this article

Influencer marketing

On June 1, 2023, the Advertising Self-Regulatory Institute (“**IAP**”) updated its Digital Chart Regulation to add new rules for influencer marketing. The IAP is a self-regulatory entity that promotes the Self-Regulatory Code on Commercial Communication and that over the years has issued several regulations for advertising in different sectors to create a responsible and appropriate advertising market.

The Digital Chart Regulation is largely designed to make marketing communication on the Internet recognizable as such and to foster transparency in marketing campaigns on online platforms, including social media platforms.

In response to recent trends in social media and changes to commercial communications on the Internet, the IAP updated its Digital Chart Regulation. Below is a summary of the major changes.

- Content that has already been posted shall be disclosed as promotional also when it is shared or reposted on other online platforms and interfaces, including social media platforms. This is intended to ensure that advertising content is identified throughout its entire life cycle, even on platforms other than the one where the content is originally posted. When *ad hoc* tools for disclosing that content is advertising (such as tags) are used, the responsible party should ensure that those tools are active when the content is reposted or shared on additional platforms.
- Transparency obligations currently applicable to human influencers also apply to virtual influencers.
- In the case of a “call to action”—when a brand or influencer invites users to make content for promotional purposes—the advertiser/influencer must direct users to indicate the promotional nature of their content in relation to a brand/product/service.
- If an influencer is dealing in discount codes or affiliate marketing practices and the advertiser rewards the influencer with a commission or other economic benefit for achieving specific results, the influencer must insert a warning in the content where the discount code or affiliate link is located indicating its promotional nature, unless otherwise clarified in context.









