[IT] AGCOM opens public consultation on new code of conduct for influencers

IRIS 2025-1:1/18

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On 26 November, AGCOM (Italy's Communications Authority) launched a 45-day public consultation through Resolution No. 472/24/CONS. The initiative aims to redefine the term "influencer" and introduce a new code of conduct tailored to the evolving influencer landscape. These measures are the result of collaborative efforts by a technical working group established under the same resolution.

The consultation proposes the introduction of the notion of "relevant influencers", defined as those who meet at least one of the following criteria: at least 500 000 subscribers on a single social media or video-sharing platform or an average of 1 million monthly views on a single platform.

Influencers reaching either threshold on one platform are required to comply with the guidelines and code of conduct across all the platforms they use, irrespective of their audience size on other platforms.

For those who do not meet these thresholds and operate less frequently or in a less structured manner, the imposition of the same obligations is considered unnecessary.

The proposed code of conduct was developed with input from over 120 stakeholders, including influencer associations, platform representatives, marketing agencies, and intermediaries between influencers and brands. Its goal is to establish clear, enforceable standards, particularly for "relevant influencers", while offering guidance applicable to all.

The code of conduct introduces several important measures to regulate influencer activity, including the establishment of a centralised registry updated every six months to ensure the identification of influencers, which will include personal data such as name, nickname, brand, and tax code, as well as links to platforms, audience metrics, and official contact information. Influencers are required to uphold objectivity, fairness, and impartiality in their content, avoiding the spread of disinformation or material that infringes on intellectual property rights. Content must not harm minors or exploit their inexperience and there is an emphasis on transparency in the use of filters and editing tools. Clear labelling of commercial content is mandated to prevent hidden advertising, aligning with the "Digital Chart" guidelines of the Italian Advertising Standards Institute. Finally, influencers

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are expected to refrain from publishing content that promotes violence, hate, or discrimination, in accordance with Article 21 of the EU Charter of Fundamental Rights.

AGCOM will monitor compliance, both proactively and through reports of violations, and initiate sanctioning procedures when necessary.

To support these changes, AGCOM plans training programmes for influencers and educational campaigns for the public, in collaboration with the technical working group.

Delibera 472/24/CONS Avvio della consultazione pubblica sulle proposte di modifica alle linee-guida e sul codice di condotta rivolti agli influencer di cui alla delibera n. 7/24/CONS

https://www.agcom.it/provvedimenti/delibera-472-24-cons

Resolution 472/24/CONS Launch of the public consultation on the proposed amendments to the guidelines and code of conduct addressed to influencers referred to in Resolution No. 7/24/CONS

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