

[ES] New code of conduct for influencers by Autocontrol

IRIS 2025-9:1/5

Diego de la Vega
European Audiovisual Observatory

Autocontrol, the Spanish organisation that promotes self-regulation in the advertising industry, has made certain amendments to the code of conduct on advertising through influencers, which came into force in October 2025. This update is part of the commitment of Law No.13/2022, of 7 July, on Audiovisual Communication (LGCA), to self-regulation and co-regulation codes, and continues a long tradition of self-regulation in the advertising sector in Spain.

Although the Code of Conduct on advertising through influencers follows the lines of the previous 2021 code, which it replaces, Autocontrol has introduced certain new features to adapt the existing text to the new realities of the advertising market. The code has been updated with contributions from the Monitoring Committee for the Protocol for the Promotion of Self-Regulation in Digital Media Advertising, as well as from other institutions that have worked together with Autocontrol to refine the new text as much as possible.

The new text aims to clarify the rules on commercial communications made by influencers and, in particular, to ensure that the public can identify them clearly and adequately. Furthermore, work has been done to strengthen guarantees for users in relation to content created by influencers. To this end, it should be noted that in Spain, the activity of influencers or 'users of special relevance' is regulated by Article 94.2 of the LGCA, which considers them to be users who use video-sharing services through a platform, whose service involves an economic activity and is aimed at a significant part of the general public - requirements that are defined in a specific royal decree of 2024. In this regard, Spain is one of the members of the European Union that has decided to expressly legislate on the activity of influencers.

Apart from the legal definition, the self-regulation code offers an approximate definition of what can be understood as an influencer: "a natural or legal person acting on their own behalf or through a virtual entity, a content creator with sufficient influence on digital platforms (such as Facebook, Instagram, TikTok, Twitch, YouTube, or X, among others)". The Code also indicates that influencers may appear under different names such as bloggers, vloggers, YouTubers, Instagrammers, TikTokers and/or streamers.

Based on this definition, the code focuses on regulatory compliance in commercial communications through ethical standards, enforcement rules and recommendations on how to warn users of the presence of advertising content on each social network, updating the list of platforms on which commercial communications by influencers take place.

Noteworthy in the update of the code is the reinforcement of the commitment to responsibility of the associated members, as well as the fact that the advertising nature of content may be determined after assessing evidence drawn from the characteristics of the mention or content itself, or from the circumstances in which the advertising content is carried out.

In addition to the code, Autocontrol has also launched the “Basic Training Certificate for Influencers” on advertising regulations, which seeks greater transparency so that advertising content is more easily identifiable. This certificate is part of the European AdEthics Programme developed by the European Advertising Standards Alliance (EASA) and is supported by numerous institutions in the advertising field. In addition, the certificate has a programme of collaborating companies in which various companies and institutions that aim to promote the dissemination of the certificate also participate.

The new code has been in force since 1 October 2025.

Código de Conducta de publicidad a través de influencers

<https://www.autocontrol.es/app/uploads/codigo-de-conducta-de-publicidad-a-traves-de-influencers-2025.pdf>

Code of Conduct for Advertising through Influencers

