

[IT] AGCOM issues FAQs on influencer regulation to enhance transparency and user protection

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The Italian Communications Authority (*Autorità per le garanzie nelle comunicazioni* - AGCOM) has published a new set of Frequently Asked Questions (FAQs) aimed at strengthening the effectiveness of the Guidelines and Code of Conduct for influencers adopted by Resolution No. 197/25/CONS. The document focuses in particular on three key areas: transparency of commercial communications, protection of minors, and user protection (see IRIS 2025-8:1/22, 2025-1:1/18 and 2024-2:1/26).

Although not legally binding, the FAQs constitute an important interpretative tool, providing practical guidance consistent with the existing regulatory framework and contributing to greater legal certainty.

One of the main clarifications provided is the definition of “relevant influencers” as individuals who produce content for the public in exchange for remuneration (monetary or in-kind) and who reach specific thresholds in terms of followers or views. These actors are, in practice, assimilated to editorial operators and are therefore subject to responsibilities comparable to those applicable to audiovisual media services, both linear and on-demand.

With regard to commercial communications, the FAQs reiterate that sponsored content must be clearly identifiable. Hidden advertising is prohibited, and labels such as “adv” or “sponsored” must be visible and appropriate to the format used (e.g. posts, videos, stories), in order to ensure a clear distinction between editorial and promotional content.

The document also reinforces the principle of editorial responsibility, clarifying that influencers are fully responsible for the content they disseminate. Consequently, misleading or unfair communications are prohibited, as well as content infringing fundamental rights, human dignity, or the principle of non-discrimination. Content inciting hatred, violence, or illegal behaviour is likewise expressly prohibited.

Particular emphasis is placed on the protection of minors. Content must not impair the physical, mental, or moral development of young audiences. The FAQs also underline a strengthened principle of social responsibility, especially in relation to sensitive content and commercial communications targeting minors.

The FAQs further address the establishment of a public register of relevant influencers. Registration will be mandatory once certain thresholds are exceeded, with the aim of enhancing transparency and traceability within the sector. The Authority plans to publish this register on its institutional website by the end of 2026.

Finally, the document outlines AGCOM's supervisory and enforcement powers. In the event of infringements, the Authority may adopt corrective measures and impose administrative sanctions. The system also relies on reporting mechanisms, allowing both users and market operators to signal non-compliant practices.

Overall, the FAQs contribute to clarifying the regulatory framework applicable to influencer marketing in Italy, as part of a broader process aimed at strengthening transparency in digital commercial communications and enhancing user protection.

Influencer - Linee guida, Codice di condotta e FAQ

<https://www.agcom.it/influencer-linee-guida-codice-di-condotta-e-faq>

