



## Greek influencers caught on regulator's radar

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The Greek Ministry of Development and Investments, which is the government authority monitoring the advertising activities and enforcing the consumer protection laws, participated in the pan-European initiative for screening on influencers carrying out advertising activity in social media platforms ("EU sweep on influencers"). The goals of the sweep have been on the one hand to identify influencers whose posts may mislead consumers (including an omission to disclose the advertising nature of the post) and on the other hand to check if the influencers who are traders (i.e. sell products or services through their own websites) comply with the legal obligations related to e-commerce. The controls concerned a total of 576 influencers from all over Europe, out of which 20 were Greek.

From the control of the Greek influencers, it was found that only 25% of them -and not always in a clear way- inform the consumers that the content of the posts is actually an advertisement for which the influencer has received a revenue or other type of benefits. What is more, while all influencers carry out a commercial activity, 50% of them do not provide clear information to the consumers regarding their commercial identity and 50% of those who sell products through their own websites omit to state if they are registered as traders in the General Commercial Registry (GEMH).

In the near future, these influencers will receive a letter from the Ministry of Development and Investments with which they will be informed for their legal obligations and will be asked to immediately take the necessary corrective actions so that their activities are compliant with European and Greek consumer protection laws, since these laws also apply to commercial communications via social media. To be specific, the letter shall recommend the use of appropriate indications in social media posts so that it is immediately clear to the consumers that the post has advertising purposes. In this context, influencers will be requested to use the hashtags #advertisement or #advertising (either in Greek or in English), as well as the special labels available from the platforms themselves such as: "paid collaboration", "paid partnership" etc., to ensure that the consumers are aware of the advertising nature of the post.

Apart from the monitoring performed by the abovementioned government authority, the use of social media for advertising purposes in Greece is also controlled by the Advertising Self-Regulation Council (SEE) which enforces the Hellenic Code of Advertising and Communication Practice (HCACP). SEE has recently published an Annex to the HCACP on Influencer Marketing (based on EASA's Best Practice Recommendation on Influencer Marketing). The Annex clarifies that marketing communications via social media are governed by all rules applicable to advertising in general; i.e., the general principles of legal, decent, honest, truthful and socially responsible advertising. SEE also notes that transparency is of utmost importance in this kind of marketing communications, the main rule being that they should be clearly identifiable as such, regardless of the form they take and the medium that is used. The Annex further aims to assist the advertising market (advertisers, advertising agencies, influencers etc.) in complying with these rules by listing the cases when specific online content should be classified as influencer marketing and by suggesting ways to disclose that such content is advertising (e.g. by using particular indications and hashtags).

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