



2026

ADVERTISING LAW

PREDICTIONS



ARGENTINA

Ambush Marketing in football-mad Argentina

We anticipate issues arising from ambush marketing around the 2026 FIFA World Cup and CONARP's related guidance. In addition, changes to data protection regulations are expected.

AUSTRALIA

Challenges to the ban on social media for children

Legal challenges to Australia's social media ban legislation for children under 16 which came into force on 10 December 2025. Currently social media platforms to whom the legislation applies face fines of up to AU\$49.5 million for non-compliance. Legal challenges have already been commenced in Australia's highest court, the High Court of Australia. Also, the second tranche of reforms to Australia's Privacy Act are expected. These are likely to include (among other things) providing individuals with an unqualified right to opt out of their personal information being used for direct marketing purposes.

AUSTRIA

New rules to fight shrinkflation

Austria is facing inflation that is significantly above the Eurozone average. One measure taken by legislators to combat inflation is the enactment of a law against "shrinkflation". This is intended to prevent manufacturers of consumer goods from reducing the quantity in the package while keeping the price the same, which ultimately makes the product more expensive without consumers noticing. In future, retailers and supermarkets will have to clearly indicate on the packaging or on the shelf that the quantity has been reduced. Failure to comply will result in fines of up to €15,000. The law is intended to come into force in 2026.

BOLIVIA

Pivot towards free market economy will drive new laws

Following the recent political shift from a left-leaning to a market-oriented government under newly elected President Rodrigo Paz, Bolivia is expected to move toward regulatory consolidation and greater legal certainty. Currently fragmented advertising, consumer protection, and sector-specific rules may be unified into a more cohesive framework. Increased economic stability is likely to stimulate investment, leading to heightened regulatory scrutiny in digital marketing, influencer advertising, promotions, and ambush marketing practices

BOSNIA & HERZEGOVINA

AI and Data Protection Compliance Pressures

The 2026 market will reflect the need to balance AI-powered efficiency with growing regulatory scrutiny in data protection, prompting advertisers to adopt more robust compliance practices around lawful data use, transparency, and consent.

BRAZIL

Increased challenges for marketing to children and vulnerable consumers

The most critical shift in 2026 is the full implementation of the 'ECA Digital', imposing strict age-verification and data-minimization requirements. For advertisers, this means a total overhaul of targeting strategies for minors. With the ANPD now operating with enhanced oversight, 2026 will be the year of

'Privacy-by-Design' in marketing. Protecting vulnerable audiences and ensuring data transparency is no longer a choice, but a mandatory legal survival prerequisite in the Brazilian market.

BULGARIA

Cracking down on gambling advertising across all media

In 2026, Bulgaria is expected to intensify the enforcement against indirect and disguised gambling advertising. Gambling advertising in Bulgaria is largely prohibited in radio and television, printed media, some websites, and public spaces. Limited exceptions apply. Despite this, operators continue to seek visibility through reality TV sponsorships and product placement. The permissibility of advertising via social networks and influencers remains legally ambiguous. Public scrutiny and media investigations are increasing pressure for stricter enforcement and clearer separation between lawful sponsorship and unlawful promotion.

CANADA

Strict federal enforcement of unsupported sales and drip pricing

In 2026 advertisers should expect strict federal enforcement of unsupported sales and "drip" pricing tactics, given that civil AMPs now start at \$10 million CAD and can go up to 3% of gross global revenue. Public interest litigants can now also enforce federal misleading advertising laws, so watch out for NGOs looking to leverage this new legal strategy. (Harris + co.)

AI-generated content blurring lines between real and fake

AI-generated images and ads have started blurring the lines between "real" and "fake" content. As regulators become increasingly aware of this phenomenon, it is expected that additional scrutiny will be placed on compliance, despite Canada's proposed law on AI being terminated after Parliament changes. Advertisers may need to disclose when ads were AI-produced, particularly when the content appears to be human-generated. Quality controls and other substantiation to verify the accuracy of claims will be crucial. (Miller Thomson LLP)

CHILE

Data protection becomes a core strategic pillar

The most important prediction for advertising and marketing in Chile in 2026 is that personal data protection will become a core strategic pillar. With the new Data Protection Law entering into force in December 2026, advertisers will need to rely on lawful processing, explicit consent, data minimization, and transparency. Marketing models will shift from unrestricted data exploitation to privacy-by-design strategies that strengthen compliance and consumer trust, in line with the new regulations.

CHINA

Increasing attention on AI marketing governance

In China, we are anticipating increasing attention on AI marketing governance. We expect continued pressure for strict content and programming compliance, particularly for live-streaming ads and algorithmic marketing, including false claims and citations, endorsements, dark patterns and data, bundled with anti-

monopoly and anti-unfair competition enforcement especially for platform liability.

COLOMBIA

FIFA World Cup drives advertising scrutiny

Given the upcoming FIFA World Cup 2026 and the huge soccer fever that always surrounds the Colombian Football Team, the Consumer Protection Authority will center its attention in all advertising that is "soccer related", as these kind of events generate all sort of promotions, activities, and games etc. that use the World Cup to boost their sales.

COSTA RICA

GDPR Style Data Rules and Alcohol Advertising Debate

Costa Rica is likely to see stronger enforcement of data protection rules in 2026, driven by ongoing efforts to modernize the Law and align it more closely with GDPR-style standards, increasing compliance pressure on advertising and digital marketing practices. At the same time, public debate over alcohol regulation is intensifying, and discussions may expand to whether sponsorships and advertising at sporting events should be allowed.

CYPRUS

Guidance on AI advertising practices expected

In 2026, it is envisaged that we will start noticing specific guidance regarding advertising practices which utilize AI, with a particular focus on transparency requirements provided by the EU AI Regulation. This states that humans should be aware that they are communicating or interacting with an AI system. We also understood that advertising practices relating to AI and intellectual property, as well as data protection, will be re-evaluated.

CZECH REPUBLIC

New focus on environmental claims in advertising

In the Czech Republic, 2026 will bring a new focus on environmental claims in advertising. Our prediction is that clients will be reviewing their campaigns containing environmental claims. This process will be expedited by a new amendment to the Consumer Protection Act with proposed effect as of September 2026, which prohibits unsubstantiated environmental claims and introduces new sanctions for such claims.

DUTCH CARIBBEAN

World Cup qualification drives creative campaigns

Curaçao's qualification to the World Cup 2026 as the smallest nation to ever qualify for that international football tournament is the defining driver of advertising and marketing in our country. National pride is already leading to creative campaigns and brand opportunism. The lack of specific advertising legislation places greater emphasis on the principles of general consumer protection and fair competition, especially around misleading claims, ambush marketing, and the responsible use of national pride.

ECUADOR

Shift to personalised digital campaigns

Advertising in Ecuador is aligning with global trends, shifting from abstract product-focused messages to personalized campaigns driven by high connectivity and widespread social

media use. Campaigns increasingly prioritize digital platforms over traditional media, especially for products targeting young audiences. These ads focus on experiences, enjoyment, individuality, and shared social moments, often highlighting personal identity and a break from traditional norms.

EGYPT

Heightened regulatory enforcement following Data Protection Law

In 2026, advertising and marketing in Egypt will be increasingly shaped by heightened regulatory enforcement, particularly following the publication of the Executive Regulations of the Personal Data Protection Law. Digital advertising, influencer marketing and data-driven campaigns will face closer scrutiny, with greater emphasis on consent, transparency, and lawful data use. Brands will need stronger compliance structures, clearer disclosures and tighter control over agencies and influencers to manage regulatory and reputational risk.

EL SALVADOR

New law promotes artificial intelligence and technologies

The new Law for the Promotion of Artificial Intelligence and Technologies in El Salvador has been issued to promote new technologies, as well as the development, research and application of AI, including the creation of the National Artificial Intelligence Agency (ANIA) to regulate and promote the 'sector'. Government Campaigns focused on safety awareness in order to promote tourism, such as road safety, accident prevention and various new government projects.

ESTONIA

Growing interest in advertising self-regulation

In 2026, interest in self-regulation in Estonian advertising and marketing remains high, driven mainly by the industry itself and led by the Estonian Marketing Association. In a fast-changing environment, not everything can or should be regulated through legislation, and self-regulation is widely used in many countries. In Estonia, this kind of framework is still largely missing, with the industry hoping to engage public authorities in a cooperative self-regulation framework going forward. It would be good to see some positive developments in this area already this year.

FINLAND

Pricing Clarity and Influencer Marketing Scrutiny

In Finland, focus is expected to remain on the clarity of advertising in all marketing channels and particularly related to pricing. Recently, the Consumer Ombudsman has placed emphasis on the supervision of discount marketing, and increased scrutiny is likely to continue in 2026. Influencer marketing also remains a key issue following last year's update to the influencer marketing guidelines of the Consumer Ombudsman, which reflects the growing impact of social media marketing.

FRANCE

AI becomes a structuring driver of advertising strategies

Artificial intelligence is expected to become a structural driver of advertising and marketing strategies, particularly with regard to campaign automation, targeting and content personalization. At the same time, the regulatory framework is being strengthened through the enforcement of the Digital

Services Act, the entry into force of the EU regulation on transparency in political advertising, the tighter regulation of commercial influence, and the forthcoming Digital Fairness Act initiative aimed at preventing deceptive practices.

GERMANY

Decisive crackdown on greenwashing expected

We expect a decisive crackdown on greenwashing. Even though the European Commission has paused the Green Claims Directive, enforcement will tighten through the existing and new (EmpCo-Directive) EU consumer and unfair trade practices rules and German court practice. Through 2026, be prepared for pre-substantiation, standardized methods, and lifecycle evidence for environmental claims (including “climate neutral” and similar claims). Also look for tighter influencer and generative-AI ad transparency, with aggressive enforcement and competitor actions (warning letters) leading to significant fines and injunctions for unsubstantiated sustainability marketing.

GHANA

Tighter, centralised regulation through Advertising Council Bill

In 2026, Ghana’s advertising industry will be shaped by tighter, more centralized regulation through the anticipated Advertising Council Bill, which is being re-introduced to Parliament to consolidate fragmented rules and strengthen compliance obligations. The government also plans to decentralize the National Media Commission’s complaints system and introduce ADR mechanisms that will improve oversight, accelerate dispute resolution, and modernize standards for digital and emerging media. Together, these reforms will significantly enhance accountability and elevate advertising standards across the industry.

GREECE

Strategic integration of generative AI for personalised experiences

In 2026, the most important trend in the Greek advertising and marketing market will be the strategic integration of generative AI to deliver personalized, data-driven customer experiences. Greek businesses are rapidly adopting AI tools for content creation and customer targeting. Brands need to combine AI-powered content creation, audience targeting and campaign optimization with strong human creative direction. In summary, Greece’s advertising market will continue to shift toward digital platforms with strong emphasis on authentic, creator-led campaigns on TikTok, YouTube and Instagram, etc.

GUATEMALA

Regulatory continuity with no major reforms expected

Our prediction for advertising and marketing in Guatemala in 2026 is one of regulatory continuity. At present, there are no legislative initiatives aimed at reforming the current legal framework or introducing new regulations in this area. Advertising and marketing activities will continue to be governed by existing laws, including consumer protection, telecommunications, commercial regulations, and specific rules on alcohol advertising. Recent legislative attempts to regulate in-store advertising have not advanced, and there are currently no initiatives addressing the use of artificial intelligence or algorithms in commercial advertising.

HONDURAS

Consolidation of digital and AI-driven strategies

The most important prediction for advertising and marketing in Honduras in 2026 is the consolidation of digital and AI driven strategies under increasing regulatory scrutiny. Brands will rely more on data analytics, influencers and short form video platforms to reach consumers. At the same time, authorities will strengthen enforcement of consumer protection, health and labeling rules, making legal compliance a core component of marketing strategy.

HONG KONG

Viral marketing success drives replication attempts

The explosive popularity of Labubu was Hong Kong’s standout marketing story of 2025, becoming an international sensation seemingly overnight. Expect that more companies will try to replicate Labubu’s success through similar tactics: embracing viral marketing; cultivating organic celebrity engagement; crafting products with strong personality and lore; offering novelty, status, and emotional satisfaction; managing limited-supply releases like blind boxes. Equal care should be given to monitoring regulations governing such tactics, ensuring long-term sustainable market appeal.

HUNGARY

Intensified oversight on digital and traditional commercial communication

In 2026, Hungarian advertising and marketing will be shaped by intensified oversight of digital and traditional commercial communication, including consumer protection in the digital space, misleading pricing and quality claims, advertising to children and transparency of paid content. The Hungarian Competition Authority’s strategy emphasizes competition culture, corporate and consumer education, and targeted actions against deceptive practices across media formats.

INDIA

Shift from creativity-led campaigns to compliance-led strategy

The most important prediction for advertising and marketing in India in 2026 is the shift from creativity-led campaigns to compliance-led strategy. With the implementation of the Digital Personal Data Protection Rules, regulators as well as creators using AI, stronger enforcement, and rising cases of deepfakes, considerations of legal, privacy and governance will move to the front end of campaign planning, rather than being addressed after launch.

IRELAND

Increased use of AI and regulatory scrutiny on disclosures

In Ireland there is an increased use of AI in advertising, and we expect to see accompanying regulatory scrutiny regarding disclosures, especially in relation to the portrayal of minors. We also envisage an increased focus on price promotion advertising, especially for online retailers, and whether popular online sales periods (such as Black Friday or January sales) are legitimately showing proper discounts in their advertising.

ISRAEL

Important changes expected in air travel laws

In 2026, we predict there are going to be important changes in air travel laws. Due to current air travel laws and regulations, Israeli consumers have relatively favorable remedies when their flights are canceled or delayed. Two main factors may cause the legislator to amend the current laws in a manner which favors the airlines. First, while Wizz Air is considering using Tel Aviv Airport as a hub and thus increase flights from and to Israel, it has raised concerns over the country's pro consumer laws. Second, the current conflict in the area causes many airlines to cancel flights from and to Israel, resulting in compensation for travelers. Accordingly, airlines are lobbying reform to the current air travel laws.

ITALY

Alignment with EU initiatives and Winter Olympics enforcement

In Italy, key developments in advertising law in 2026 will likely aim to align with recent EU initiatives. Expected areas of focus and heightened enforcement by the competent authorities include the use of AI in advertising, "fin-influencers" promoting financial and investment products and services, and political advertising, mainly with a view to greater transparency towards consumers. Stricter enforcement is also expected regarding anti-ambush marketing regulations, driven by the Milano-Cortina 2026 Winter Olympics

JAPAN

AI integration drives evolution of advertising methods

As the use of AI continues to expand, advertising methods are likely to evolve further. By integrating their own customer data with AI, businesses may be able to uncover customers' latent needs and adopt advertising approaches that are more closely tailored to each individual. In addition, marketing techniques optimized for different advertising media are also expected to continue diversifying.

KENYA

High-stakes compliance in gambling and alcohol advertising

Kenya's advertising landscape in 2026 will be defined by a shift toward high-stakes compliance and digital accountability, particularly within the gambling and alcoholic drinks industries. With respect to gambling, the newly enacted Gambling Control Act provides for increased regulation of gambling related advertisements, including requirements on regulatory approval for adverts, watershed period for gambling adverts and advertising content restrictions. As regards alcoholic drinks, the National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) has made proposals aimed at shifting to aggressive enforcement, strictly banning influencers and celebrities from endorsing gambling or alcohol products while enforcing 'watershed' windows for alcohol adverts.

LATVIA

Compliance with Digital Services Act remains key focus

In 2026, Latvia's advertising and marketing focus will remain on compliance with the Digital Services Act (DSA), particularly its impact on advertising transparency, content moderation, and platform obligations within digital ecosystems. Concurrently, EU

Regulation 2024/900 on the transparency and targeting of political advertising will be highly topical ahead of the parliamentary elections in October 2026, affecting how political advertisements are labelled, targeted, and documented.

LITHUANIA

AI tools expected to dominate advertising

Lithuania expects AI tools to dominate 2026 advertising, reducing human jobs while enabling previously impossible content creation. This raises intellectual property concerns amid legal uncertainty. Customer reviews will gain importance as AI chatbots recommend highly-reviewed products. A ban on betting advertising takes effect January 1, 2028, significantly impacting Lithuania's ad market where betting constitutes substantial revenue. Social media advertising effectiveness will decline as consumer trust erodes due to widespread scams, making audiences increasingly cautious.

LUXEMBOURG

Stronger focus on compliance and AI transparency

Luxembourg's key marketing shift in 2026 will be a stronger focus on compliance. Under the proposed media reform, advertising must be clearly identifiable and product placement must remain transparent and proportionate. In parallel, EU AI Act transparency rules require clear labelling of AI generated marketing content.

MALAYSIA

Influencer Accountability and Disclosure Requirements

There will be heightened regulatory oversight of influencer and digital promotions, especially in financial and consumer-facing sectors. The Securities Commission Malaysia issued a revised version of the Guidelines on Advertising for Capital Market Products and Related Services in March 2025 that treats social media "influencers," even if not formally engaged, as advertisers responsible for compliance, with strengthened disclosure and social media requirements taking effect on 1 November 2025.

MALTA

Regulatory focus on AI-driven marketing in iGaming and fintech

In Malta, the key advertising prediction for 2026 is a stronger regulatory focus on artificial intelligence driven marketing, particularly in the iGaming and fintech sectors where Malta is a regulatory hub. Increased scrutiny is expected on AI generated content, transparency and influencer disclosures, alongside responsible use of consumer data. Brands will need to ensure automated tools do not mislead consumers and that commercial messaging remains clearly identifiable. Robust compliance frameworks will become essential.

NETHERLANDS

Live shopping will explode

In 2026, live shopping will explode. Influencers will become "sales channels" and legal implications will follow. The faster the sale, the more likely issues will arise around distance contracts, misleading claims, pricing mechanics and undue urgency.

NEW ZEALAND

Digital advertising remains strong with enhanced accountability

In 2026, we expect digital advertising to remain strong with advertisers striving to use new technologies responsibly within existing legal boundaries. From a legal perspective, increased penalties for misleading and deceptive conduct, updates to the Advertising Standards Authority's Therapeutic and Health Advertising Code, and enhanced disclosure requirements under the Privacy Act 2020 are all anticipated to improve accountability and increase consumer protection.

NICARAGUA

Integrating AI while maintaining brand authenticity

In Nicaragua, the key advertising and marketing challenge for 2026 will be integrating artificial intelligence while maintaining brand authenticity within the existing regulatory framework. Despite relatively low digital ad investment, this presents a major opportunity. AI will drive personalization, automation, and search optimization, reshaping competition. At the same time, consumers will favor transparent, purpose-driven brands, social commerce, and credible niche influencers that foster relevant, trust-based relationships.

NIGERIA

ARCON's Expanded Digital and Social Media Oversight

In 2026, Nigeria's advertising law is expected to be shaped by ARCON's expanded powers under the ARCON Act 2022, extending strict oversight to digital, social media, and influencer advertising, with authority to sanction, fine, and prosecute offenders. Enforcement is expected to intensify, following recent penalties imposed on major brands for unvetted content. Heightened scrutiny of AI-generated and data-driven advertising will also raise compliance thresholds, requiring demonstrable consent trails and exposing advertisers to cross-regulatory action where privacy breaches also constitute misleading or unfair advertising.

NORWAY

Increased resources and fines for greenwashing

In Norway, our prediction is that in 2026 the Consumer Authority will increasingly focus on (i) advertising and marketing containing illegal greenwashing, especially in the aviation and retail sectors, and (ii) advertising directed at children, hidden marketing that can contribute to body image pressure and other insecurities, especially in the cosmetic industries.

PERU

Digital marketing driven by AI and brand authenticity

In Peru, the 2026 advertising and marketing landscape will be dominated by digital, AI-enhanced, data-driven campaigns prioritizing authenticity, user engagement and measurable business outcomes. Social commerce and first-party data will drive real connections and relevant experiences. Companies must focus on authentic brand positioning to stand out, whilst Advertising Lawyers must be prepared to provide the necessary regulatory advice in this evolving context.

POLAND

Significant restrictions expected on alcohol advertising

In 2026, due to social pressure and political will, significant restrictions are expected to be introduced on alcohol advertising and promotion. The planned restrictions will likely also apply to the increasingly popular non-alcoholic versions of alcoholic products. Combined with the increasingly strict court rulings on alcohol advertising in social media, the alcohol sector faces many challenges, including the need to adapt its marketing strategy in Poland.

PORTUGAL

Increased regulatory scrutiny from overlapping EU frameworks

From a Portuguese legal perspective, the most significant prediction for advertising and marketing in 2026 is increased regulatory scrutiny driven by overlapping EU and national frameworks. Beyond stricter enforcement of rules on influencer and finfluencer marketing, shaped by consumer law and financial regulation, the National AI Agenda, the AI Act, and the Digital Services Act will significantly affect AI-driven advertising. Forthcoming EU rules on non-consensual sexual deepfakes signal growing accountability for AI-generated content, platforms and advertisers.

ROMANIA

Shift from creativity-led campaigns to compliance-by-design marketing

In Romania, the most important advertising and marketing prediction for 2026 is the shift from creativity-led campaigns to compliance-by-design marketing. Increased enforcement under consumer protection, digital services and AI-related rules will push brands to integrate legal, data and transparency checks early in campaign development. After tighter rules in 2025, gambling marketing will face even greater scrutiny in 2026, pushing operators toward legally inventive strategies, especially where influencers are involved.

RWANDA

Harnessing AI for personalised marketing at scale

Rwanda's advertising and marketing evolution in 2026 will be hinged on harnessing AI to personalize marketing intelligently, ethically, and at unprecedented scale. As mobile penetration nears saturation and digital payments become ubiquitous, the competitive edge shifts from reach to relevance. Brands that blend tech-smart advertising with cultural awareness and real authenticity while respecting privacy will succeed. The real test is whether marketers can harness AI without sacrificing the human connection that drives customer conversion.

SINGAPORE

New Digital Advertising Conduct Standards for Financial Institutions

There will be heightened regulatory scrutiny of digital and influencer advertising, with a focus on transparency, accountability and consumer protection. New Guidelines on Standards of Conduct for Digital Advertising Activities issued by the Monetary Authority of Singapore in 2025 which take effect in March 2026 impose stricter conduct standards on online advertisements and influencer-related content for financial institutions, mandating clear disclosures and oversight.

SLOVAKIA

Smarter use of AI balanced with transparency expectations

In 2026, advertising and marketing in Slovakia will be defined by smarter use of AI and data, balanced with growing expectations for transparency and credibility. Personalization, automation, and social video will be standard, not differentiators. What will matter most is how responsibly brands use technology - respecting consumer trust, communicating clearly, and aligning innovation with authentic brand values - while staying agile in a more regulated and competitive digital environment.

SOUTH AFRICA

Regulatory crackdown on non-compliant gambling advertising

A regulatory crackdown on non-compliant gambling advertising across various media, instigated by the National Gambling Board and provincial licensing authorities, is expected in 2026. With an increased focus on consumer protection and youth exposure, a new Code on Gambling Advertising has been drafted by the Advertising Regulatory Board and, after public consultation, should be published this year.

SOUTH KOREA

Regulatory focus on AI transparency and digital advertising formats

In South Korea, advertising and marketing in 2026 will be shaped by the growth of Fast/AVOD agreements and strengthened advertising regulations for pharmaceuticals, medical devices and food. Following the implementation of the new AI Act, AI businesses will need to fulfil transparency obligations, increasing compliance requirements for AI-driven marketing. Additionally, the Supreme Court ruling that algorithm adjustments for favouring private brand (PB) products on open markets are not unlawful is expected to drive active marketing of PB products, reshaping competitive dynamics in the digital retail space.

SPAIN

Turbulent year for alcohol advertising

2026 is expected to be a turbulent year for alcohol advertising in Spain. During this year, new regulations are expected to be approved that will ban alcohol advertising and logos in bars and terraces located near areas frequented by minors. The sponsorship of alcoholic beverages and companies in sports will be prohibited. These changes will mean a significant transformation in the advertising of these products compared to how it is currently done in Spain.

SWEDEN

Continued scrutiny on influencer marketing and price promotions

Influencer marketing will face continued scrutiny to ensure clear ad labelling; price-promotion claims will be reviewed to ensure that "previous price" references and strike-throughs comply with the 30-day rule; and AI-generated advertising will continue to gain traction, attracting closer regulatory attention as adoption grows.

SWITZERLAND

Transparency and separation of editorial from advertising

The requirement to clearly separate editorial content from advertising, as well as transparency obligations in the online context (including with respect to AI), will remain a key issue

for marketers in Switzerland in 2026. The draft Swiss Federal Communications Platforms Act, which is currently in the consultation process, is set to introduce new obligations on providers of communication platforms and search engines, including regarding transparency and accountability for their advertising practices.

TURKEY

Regulatory developments affecting social media and influencer marketing

In Turkey, advertising and marketing in 2026 are expected to be shaped by regulatory developments affecting social media and influencer marketing. Based on publicly available sources, amendments anticipated for 2026 are expected to clarify obligations relating to influencer activities, particularly regarding disclosure, transparency, and accountability. Coupled with the Advertisement Board's strict enforcement approach, these developments are likely to elevate compliance standards for brands and social media influencers.

UAE

Closer scrutiny of content creators and influencers

Following the rollout of mandatory content-creator permitting requirements (with compliance required by 31 January 2026), the UAE Media Council is likely to subject content creators and influencers (both residents and visitors), to closer scrutiny where promotional content is published without proper disclosure or in breach of existing advertising standards. Separately, the growing use of AI-generated and AI-assisted advertising is expected to attract regulatory attention, building on public statements by UAE authorities and senior leadership highlighting the risks associated with AI-generated and synthetic content. As paid and sponsored advertising becomes more embedded within social media, video-on-demand, and e-commerce platforms, regulators are likely to actively enforce existing standards and regulations to digital and automated advertising formats.

UNITED KINGDOM

ASA intensifies AI-powered enforcement efforts

The Advertising Standards Authority (ASA) is expected to intensify its AI-powered enforcement efforts throughout 2026, leveraging its Active Ad Monitoring system, which is on track to scan 40 million advertisements annually. This will be used to proactively detect breaches of the less healthy food (LHF) and drink advertising restrictions that came into force in January 2026. Environmental claims will face continued scrutiny as the ASA progresses its Climate Change and Environment Project, with anticipated rulings targeting greenwashing in sectors including travel, fast fashion, and transport.

UNITED STATES OF AMERICA

Class actions targeting influencers expected to rise

Class actions targeting influencers without proper disclosures are expected to rise, with plaintiffs arguing that misleading endorsements deceive consumers. Both brands and influencers may be held liable for such posts. The National Advertising Division (NAD) will also continue pursuing deceptive influencer campaigns. More states will enact child-influencer laws to protect minors appearing in monetized online content. These trends make legal compliance and active monitoring essential

for brands, even as the FTC focuses on other priorities. (Davis+Gilbert LLP)

Artificial intelligence in advertising remains key focus

The use of artificial intelligence in connection with advertising should continue to be a key area of focus in 2026. Key questions remain about whether generative AI companies committed copyright infringement when training their large language models. The rules on when advertisers need to disclose that they have used generative AI in their advertising are changing. And regulators and others will continue to focus on the AI-related claims that companies make about their products. (Frankfurt Kurnit)

Stricter Prize Promotions and Sweepstakes Casino Rules

Expect U.S. prize promotions law to tighten around disclosures, operational, and "gaming-adjacent" mechanics. Beyond the familiar state law patchwork, new laws targeting "sweepstakes casinos" will affect the broader promotions landscape, especially in states where those laws statutes are drafted broadly. Recent trends focusing on clear AMOE disclosures, rigorous official rules, and careful acceptance flows will continue. Also, the IRS raised the 1099-MISC reporting threshold for prizes to \$2,000. Finally, sponsors should be mindful of the likelihood of scrutiny and enforcement under the FTC's Consumer Reviews and Testimonials Rule for promotions soliciting reviews and testimonials or relying on influencers. (Venable)

URUGUAY

Dark Patterns Crackdown and World Cup Marketing Scrutiny

The Uruguayan Consumer Agency is currently focusing on digital marketing. For example, in January 2026, the Agency published its first report on dark patterns, including a thorough review of the main platforms operating in Uruguay. It is likely that further initiatives of this kind will follow during the course of this year. In addition, as this is a FIFA World Cup year, companies will likely intensify their marketing efforts in

connection with the event. Consequently, the authorities are also expected to increase their scrutiny of advertising and promotional activities related to the event.

VENEZUELA

Rise of Sovereign Compliance Marketing

Taking into account the political shift after January 3rd and the 2026 Legislative Agenda, the most important prediction is the rise of Sovereign Compliance Marketing. Brands must navigate a landscape dominated by new laws on Artificial Intelligence, Digital Rights, Social Media Protection and Consumer Protection. Success will require pivoting from unregulated data usage to transparent, ethically-aligned engagement, ensuring strategies remain compliant with a new national framework while adapting to economic openings in key areas, like energy and telecommunications.

ZIMBABWE

Growing regulatory power by local councils over outdoor media

Advertising in Zimbabwe in 2026 will be shaped by growing regulatory power by local councils over outdoor media. Agencies and advertisers will need to navigate tighter content rules, joint liability with service providers, and US\$-pegged penalties. Success will depend on proactive compliance, early engagement with local authorities, and innovative approaches that balance creative freedom with legal certainty in public spaces.

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