AI Disclosures - A Global Perspective

Introduction

Artificial intelligence is transforming advertising at pace. From AI-generated imagery to synthetic voiceovers and chatbot-driven copy, brands are embracing generative AI across every channel. But with that adoption comes a critical compliance question: when must advertisers disclose that content has been created or manipulated by AI?

The **EU AI Act** came into force on 2 August 2026, introducing directly applicable transparency obligations across all EU Member States. Its Article 50 requirements mark the most significant mandatory disclosure regime for AI-generated content to date, and their impact is already being felt well beyond Europe.

This guide, prepared by members of GALA from across the globe, provides a concise, jurisdiction-by-jurisdiction overview of the current state of play on AI disclosure requirements in advertising – looking 'behind the scenes' where there are notable developments. It is intended as a practical reference for in-house counsel, advertisers, and marketers navigating this rapidly evolving area.

European Union

The EU AI Act (Regulation (EU) 2024/1689) is now directly applicable across all EU Member States. Its transparency obligations for AI-generated content, set out in Article 50, are the most detailed mandatory regime globally. Key requirements include:

Providers of AI systems generating synthetic audio, image, video or text must ensure outputs are marked in a machine-readable format and are detectable as artificially generated or manipulated (Article 50(2)).

Deployers of AI systems generating or manipulating image, audio or video content constituting a deep fake must disclose that the content has been artificially generated or manipulated (Article 50(4)).

Timing: Disclosure must be provided in a clear and distinguishable manner at the latest at the time of first interaction or exposure.

Exception: For deep fakes forming part of evidently artistic, creative, satirical or fictional works, the obligation is limited to disclosure that does not hamper the display or enjoyment of the work.

The European Commission has published a Code of Practice on Transparency of AI-Generated Content and a publicly available EU icon for labelling AI-generated content.

Practical takeaway: *Article 50 obligations are now live across all 27 EU Member States. Advertisers using AI to generate or manipulate content must implement clear disclosure at the point of consumer exposure, and should consider adopting the EU's standard AI-content icon.*

Sweden

As an EU Member State, Sweden is subject to the AI Act directly and without the need for implementing legislation. In addition, Sweden's Marketing Practices Act (marknadsföringslagen (2008:486)) prohibits misleading marketing, meaning that general rules on misleading content and hidden commercial purpose apply regardless of whether content was created by a human or an AI.

Practical takeaway: *The AI Act applies in full. Sweden's existing marketing law reinforces the position: any AI-generated content that could mislead consumers must be disclosed regardless.*

Norway

Norway currently has no rule specifically requiring disclosure that advertising content is AI-generated. The general misleading-marketing rules in the Marketing Control Act still apply: commercial purpose cannot be hidden and content cannot mislead consumers, whether made by a human or AI.

Norway has a separate labelling requirement for retouched images (body/skin altered), but the Consumer Authority (Forbrukertilsynet) has concluded this rule does not cover AI-generated advertising and has asked the ministry for a legislative amendment to close that gap.

As an EEA country, Norway is bound to implement the AI Act but is running behind schedule. The government has signalled a further consultation in autumn 2026 and aims to present a bill in spring 2027.

Practical takeaway: *No specific AI disclosure rule exists yet, but the AI Act is expected to apply via the EEA. Advertisers should prepare for compliance ahead of Norwegian implementation. The gap in the retouched-image rules is also one to watch.*

France

The EU AI Act applies directly. France has also been proactive at national level: the CNIL has published guidance on the use of AI systems where personal data is used to train a model and may be stored or retained within that model, and the French Advertising Self-Regulatory Authority (ARPP) has published practical guidance on when AI-generated content must be disclosed in advertising. The CNIL will oversee relevant obligations for emotion recognition and biometric categorisation systems, while the DGCCRF and ARCOM will oversee AI systems that interact directly with humans and systems that generate synthetic content or deepfakes. French criminal law already imposes transparency requirements for certain deepfakes, and France's Consumer Code prohibits misleading commercial practices, which would encompass undisclosed AI-generated advertising.

Practical takeaway: *Advertisers operating in France should comply with Article 50 of the AI Act and be alert to sector-specific guidance and enforcement from the CNIL, DGCCRF, ARCOM and ARPP.*

Germany

The EU AI Act applies directly. Germany's Unfair Competition Act (UWG) and its established advertising self-regulatory system (the Deutscher Werberat) already prohibit misleading commercial practices, providing a clear legal basis for action against undisclosed AI-generated advertising that could deceive consumers. Germany has not enacted a standalone national AI disclosure law, but the Federal Government published an updated AI strategy in 2024 and the market supervision authority for the AI Act is being established.

Practical takeaway: *AI Act obligations apply in full. Advertisers should also consider the UWG's broad prohibition on misleading practices, which will capture undisclosed AI-generated content.*

Italy

The EU AI Act applies directly. Italy has also adopted national legislation (Law No. 132/2025) establishing provisions on AI, including requirements around transparency and the identification of AI-generated content. The Italian Competition Authority (AGCM) has been active in this space, and the advertising self-regulatory body (Istituto dell'Autodisciplina Pubblicitaria, IAP) applies existing codes to AI-generated advertising. Italy is one of the more proactive EU Member States in developing a national framework alongside the AI Act.

Practical takeaway: *Italy's national AI law supplements the AI Act. Advertisers should monitor guidance from both the AGCM and the IAP, as enforcement activity is expected to increase.*

Spain

The EU AI Act applies directly. Spain was the first EU Member State to establish a national supervisory authority for AI — the Agencia Española de Supervisión de la Inteligencia Artificial (AESIA), operational since 2024. AESIA oversees compliance with the AI Act's transparency and disclosure obligations. Spain's General Advertising Act and Unfair

Competition Act already prohibit misleading advertising, providing an additional enforcement route for undisclosed AI-generated commercial content.

Practical takeaway: *Spain's early establishment of AESIA means enforcement of the AI Act's transparency obligations may come sooner here than in other EU markets.*

China

China has some of the most extensive and detailed rules globally on AI-generated content disclosure. Different requirements apply to AI tool providers, platforms, and users. Both explicit (visible) labels and implicit (metadata) labels are required, depending on the circumstances. These requirements have filtered down into platform terms of service. Rules for offline advertising are more scattered, and enforcement practice is still evolving.

Practical takeaway: *China's regime is mandatory and detailed. Advertisers deploying AI-generated content on Chinese platforms should assume that both visible and metadata labelling are required.*

South Korea

South Korea has enacted the AI Basic Act, which includes transparency obligation provisions. Although there is considerable debate over interpretation, the general view is that there is no specific disclosure obligation if AI is used merely in the course of content production. The position is evolving and further guidance is expected.

Practical takeaway: *No specific disclosure obligation currently applies where AI is used merely as a production tool. However, the position is evolving and advertisers should monitor developments under the AI Basic Act.*

Chile

Chile does not yet have a specific law mandating disclosure that advertising content was generated or manipulated by AI. Obligations relevant to this topic arise mainly from the Consumer Protection Act (Law 19,496) and National Consumer Service (SERNAC) guidance:

• **January 2022 SERNAC Circular on AI and consumers** – requires providers to give clear, timely information when AI systems interact with consumers (rather than a human) or when AI recommendations or decisions materially affect the consumer relationship. It does not, by itself, require labelling of AI-generated advertising creatives, but cross-refers to the general ban on advertising that may mislead consumers.

• **General advertising rules under Law 19,496 and SERNAC guidance on advertising, native advertising and influencers** – require advertising to be identifiable as such and not misleading. Where synthetic content could cause consumers to believe that images, voices, testimonials or other depictions are real, non-disclosure may raise deception risk; these rules do not create a free-standing duty to label all AI-generated ads.

No court decision has specifically addressed AI disclosure in advertising. Legislative activity is ongoing, including a comprehensive AI bill and a separate proposal that would require visible labelling (for example, "GENERADO POR IA") and technical markers for certain AI-generated content.

Practical takeaway: *No hard-law AI-ad label is in force today. The live compliance hooks are disclosure of AI interaction or decision-making in consumer journeys, and general anti-deception rules if synthetic content could mislead. Disclosing AI-generated advertising is often advisable, especially in consumer-facing campaigns.*

Egypt

Egypt has a pair of soft-law instruments issued in March 2026 by the National Council for Artificial Intelligence, prepared by the Egyptian Centre for Responsible AI:

• The National AI Governance Framework places chatbots, deepfakes and generative AI into a “limited risk” tier with a transparency mandate of disclosure and labelling, including watermarking.

• The National Generative AI Guidelines require users and providers to clearly disclose when content is generated or materially altered using generative AI, through visible labels, notices or provenance mechanisms.

Neither instrument is currently binding or carries a penalty. Both are designed to inform the drafting of an Egyptian AI law, which the government has confirmed is in preparation. In the meantime, consumer protection law (Law 181 of 2018) provides the primary enforcement mechanism – undisclosed synthetic content that misleads consumers would be actionable as deception.

Practical takeaway: *The soft-law frameworks signal a clear direction of travel. While not yet binding, advertisers should adopt voluntary disclosure practices, particularly as a binding AI law is on the way.*

Costa Rica

Costa Rica recently enacted Law No. 10,946 (Law on the Governance of Digital Services and Electronic Commerce), broadly inspired by the EU Digital Services Act framework. While it does not establish an AI-specific labelling/transparency regime, it requires that digital advertising must be clearly identifiable as advertising; the advertiser must be identified; advertising claims must be truthful; and manipulative practices ("dark patterns") are prohibited.

Practical takeaway: *No express AI labelling requirement yet, but the DSA-inspired framework means truthfulness and transparency obligations apply to all digital advertising, including AI-generated content.*

Rwanda

Rwanda does not currently have binding statutory requirements for disclosures or labelling of AI-generated advertising content. The National AI Policy (approved 2023) establishes a soft-law roadmap focused on “Trustworthy AI” and sets up a Responsible AI Office under the Ministry of ICT and Innovation.

A key development to watch is the pending draft Media Policy, which is expected to require digital content creators and distributors to apply visible warnings, standard digital stamps, or watermarks to any AI-generated or AI-modified content.

Practical takeaway: *No binding rules at present, but the pending draft Media Policy, with its proposed watermarking requirements, could introduce mandatory obligations relatively quickly. Early adopters should prepare.*

Kenya

Kenya does not currently have specific legislation on AI disclosure. A draft AI and Emerging Technologies Policy is being developed which will require enabling legislation to include disclosure obligations relating to AI interaction, automated decision-making, synthetic media, provenance, watermarking, and labelling. The Policy itself will not be legally binding once finalised, but it will guide the framework for future legislation.

Practical takeaway: *No legislation is in force, but the forthcoming policy framework will shape future disclosure obligations. Advertisers should engage with the consultation process.*

United Kingdom

The UK does not currently have a standalone AI-ad labelling rule. However, existing advertising, consumer protection, data protection and sector-specific rules can require disclosure where AI-generated or AI-manipulated content would otherwise mislead consumers or obscure commercial intent. The Advertising Standards Authority (ASA) is likely to assess such content under the CAP Code's rules on misleading advertising and recognisability of marketing, which is backed by consumer laws such as the Digital Markets, Competition and Consumers (DMCC) Act 2024. That legislation carries hefty fines of up to 10% of annual global turnover for misleading consumers. There will be particular sensitivity around AI-assisted financial promotions, which must be fair, clear and not misleading – regulated by the Financial Conduct Authority (FCA).

Practical takeaway: *No general UK AI-ad label rule is in force, and no AI Act as such, but disclosure is needed where AI use would mislead consumers or hide commercial intent. Since April 2025, breaches of consumer laws can result in hefty fines, but the ASA will deal with most cases in practice, and the ASA cannot issue financial penalties.*

United States of America

The United States does not currently have a single federal rule requiring all AI-generated advertising to be labelled. The main federal framework is the FTC's prohibition on unfair or deceptive acts or practices: advertisers should disclose AI use where non-disclosure would make a claim misleading. New York recently enacted a law generally requiring advertisers to disclose when they use synthetic performers (who are not identifiable as real people) in advertising. Various state laws create additional obligations, such as when using chatbots or creating political advertising.

Practical takeaway: *No general US AI-ad label is in force, but New York's new law will require disclosures to be added when most types of synthetic performers are used.*

Markets with No Specific AI Disclosure Requirements at Present

The following markets have confirmed that there are currently no specific legal or regulatory rules requiring disclosure of AI-generated advertising content. In each case, general consumer protection laws and advertising standards (including prohibitions on misleading advertising) continue to apply, meaning that deceptive use of AI and failure to label in some circumstances could still attract enforcement action under existing frameworks.

Argentina (but two bills are being discussed in Congress) / **Colombia** / **El Salvador** / **Ghana** / **Guatemala** / **Hong Kong** (but non-binding government guidelines recommend watermarking for high-risk AI-generated content) / **Japan** (but a strong practical expectation exists that AI-generated content should be identified as such) / **Mexico** (but cases are emerging) / **Singapore** (no plans to introduce specific disclosure requirements or labelling standards for AI-generated content) / **South Africa** (but a national AI policy is expected in Parliament in January 2027) / **Venezuela** (but see the government's non-binding Code of Ethics for the Responsible Development and Application of AI, Feb 2026) / **Zimbabwe**.

Looking Ahead

The regulatory landscape for AI-generated content in advertising is evolving rapidly. The EU AI Act sets a new global benchmark, and many jurisdictions are actively developing legislation or policy frameworks that may introduce mandatory disclosure requirements in the near future.

GALA's network of specialist advertising lawyers in over 90 countries is uniquely placed to help brands and agencies navigate these obligations across multiple markets. For tailored advice on any jurisdiction covered in this guide, or for markets not listed here, please contact your local GALA member. Details are available on the website.

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