

ASCI Update to Influencer Advertising Guidelines :

Qualification Mandatory for Making Claims related to Technical Aspects of

Health, Nutrition and Finance

05 May 2025

Introduction

On 28 April 2025, The Advertising Standards Council of India (ASCI) has issued a press release ([Press Release](#)) on its website, indicating an update to the ASCI Guidelines for Influencer Advertising in Digital Media (Guidelines) in the domain of health, nutrition, and financial services (Addendum II). The updated Addendum II (dated 7 April 2025) as available on ASCI's website, mandates stricter standards for influencers engaged in promoting or commenting on technical aspects related to a) Banking, Financial Services and Insurance (BFSI); and b) Health and nutrition products and services.

Earlier, all influencers were required to possess relevant certifications / qualifications before issuing any communication / advertisement in relation to the aforesaid sectors. The update seeks to draw a distinction between general product promotions and content that includes technical details, which may be perceived by consumers as 'expert advice'. It is now clarified that requisite qualifications and certifications are required only for commenting on technical aspects of a product or service and such qualifications are required to be disclosed up front in the relevant posts by influencers.

The Press Release and Guidelines, when read together, clarify that influencers who do not have the requisite qualification, can only share generic information about products or services that are not in the nature of technical advice, or issue advertisements which are in the form of a public service message. Examples of such generic content, as provided in the Guidelines, include - a) *An insurance company using an influencer to talk about the need for annual health check-ups;* and b) *health food company tying up with a chef or food blogger to promote a meal service.*

At a Glance: The Update to Addendum II of the Guidelines

NATURE OF CLAIMS	TYPE OF QUALIFICATION REQUIRED	DISCLOSURE REQUIREMENTS
<u>Financial content</u> <i>Claims on investment or any other financial advice based on growth, safety, security, returns etc. in the field of BFSI.</i>	BFSI related to stock or investments- should be registered with SEBI (<i>SEBI registration number should be stated with their name and qualifications</i>).	Qualifications and registration / certification should be disclosed prominently, as follows: • Photo / video content - Superimposed on the visuals prominently and upfront, or mentioned as the opening remark in videos;
	Other financial advice- suitable qualifications such as an IRDAI insurance license, CA, CS etc.	

NATURE OF CLAIMS	TYPE OF QUALIFICATION REQUIRED	DISCLOSURE REQUIREMENTS
<u>Health content</u> Any prevention, treatment, cure, remedy for medical conditions etc. related claims for health and nutrition products or services.	For posts related to health and nutrition, relevant qualifications such as a medical degree, or be a certified nurse, nutritionist, dietician, physiotherapist, psychologist etc. depending on the specific advice being given.	<ul style="list-style-type: none"> • Blogs or any text-based posts- should be stated upfront before the consumer has to read the post; • Podcasts or a pure audio medium- should be called out at the beginning of the advertising content.
<u>Note:</u> The requirement of influencers having to provide proof of such qualifications and certifications upon ASCI's request, has continued.		

Comments

This move goes beyond routine regulation—it recognizes the fact that increasingly consumer choices are driven by reliance placed on influencer content, which they often construe as expert advice. Such reliance thus has a direct impact on the financial, physical, and emotional wellbeing of consumers. These Guidelines highlight, unqualified advice in sensitive sectors like health and finance, can result in “substantial and serious” losses for consumers.

The update is however likely to bring relief to various influencers who frequently collaborate with health and finance-related brands but not for commenting on or promoting technical aspects of the product/service. Whilst general promotions communication would not require formal credentials, content that ventures into the potential domain of “expert advice”, must meet stricter standards of qualification and disclosure. In certain cases, there could be a thin line, and it may be more relevant for the influencers also to use appropriate disclaimers which also indicate to consumers when a promotion is not based on a technical evaluation. That said, the updated guidelines continue to hold influencers accountable for transparency, especially in high-risk categories of finance and health, while offering a slightly liberal approach to casual and lifestyle-oriented collaborations.

- Nishad Nadkarni (Partner), Khushboo Jhunjunwala (Senior Associate) and Rakshita Singh (Associate)



About Khaitan & Co

Khaitan & Co is a top tier and full-service law firm with over 1200 legal professionals, including 300+ leaders and presence in India and Singapore. With more than a century of experience in practicing law, we offer end-to-end legal solutions in diverse practice areas to our clients across the world. We have a team of highly motivated and dynamic professionals delivering outstanding client service and expert legal advice across a wide gamut of sectors and industries.

To know more, visit www.khaitanco.com



This document has been created for informational purposes only. Neither Khaitan & Co nor any of its partners, associates or allied professionals shall be liable for any interpretation or accuracy of the information contained herein, including any errors or incompleteness. This document is intended for non-commercial use and for the general consumption of the reader, and should not be considered as legal advice or legal opinion of any form and may not be relied upon by any person for such purpose. It may not be quoted or referred to in any public document, or shown to, or filed with any government authority, agency or other official body.

www.khaitanco.com | © Khaitan & Co 2025 | All Rights Reserved.

Ahmedabad • Bengaluru • Chennai • Delhi-NCR • Kolkata • Mumbai • Pune • Singapore