

**Social media / National Law**

# The New Royal Decree 444/2024 Regulating Influencers in Spain



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The recent [Royal Decree 444/2024](#) (RD) issued in Spain outlines the requirements for classifying users as “Users of Special Relevance” (UERs) under certain specific conditions that we will analyze in this article. Therefore, this new RD 444/2024 focuses on the commonly known influencers, YouTubers, vloggers,

content creators as well as athletes promoting third-party products, that are recognized for the first time as audiovisual communication service providers and that will be subject to the new rules and certain obligations under the [Law 13/2022 of 7 July on Audiovisual Communication](#). Said UERs must register in the

State Register and follow strict transparency, advertising and child protection laws. Failure to comply with the new obligations under RD 444/2024 can lead to severe penalties, ensuring greater control of prominent digital content creators.

## Legal Framework

The expansion of the use of social networks and digital platforms has fostered new market players and new communication channels in the audiovisual sector. This phenomenon, fostered by the COVID era, has led to the rise of new professions such as vloggers, streamers or YouTubers, all of which can be included in the concept known as influencer, a figure that has often been mentioned but which, until now, has not been clearly defined or regulated under Spanish Law.

The [Law 13/2022 of 7 July on General Audiovisual Communication](#) (LGCA, standing for its acronym in Spanish *Ley General de Comunicación Audiovisual*), already provided in its Article 94 the criteria to be considered as a “User of Special Relevance”, requiring them to comply with certain obligations to engage in video exchange services through a platform.<sup>1</sup>

However, the requirements of “significant revenues” and “significant audience” (Art. 94.2 a)

and b) LGCA) were not detailed or developed and its application was suspended pending the approval of a specific regulation (see Ninth Supplementary provision of the LGCA). After a first draft that was made public in December 2023, on 1 May 2024, [Royal Decree 444/2024 of 30 April came into force, regulating the requirements to be considered a UER of video exchange services through a platform, developing Article 94 LGCA](#).

<sup>1</sup> The term “video-sharing platform service” is defined in the LGCA as a service whose main purpose, either in its entirety or in one of its dissociable parts, or whose essential functionality, is to provide, to the general public through electronic communication networks, programs, user-generated videos or both. The platform provider is not editorially responsible for these contents.