

Creating with AI: Client Rules and Disclosures

Generative AI can help Creative Studio develop new images, extend backgrounds, explore visual directions and create elements that may be difficult or expensive to produce traditionally.

However, **not every client allows AI to be used.**

Some clients prohibit it completely. Others allow it only under specific conditions. Certain campaigns may also need to disclose that AI was used.

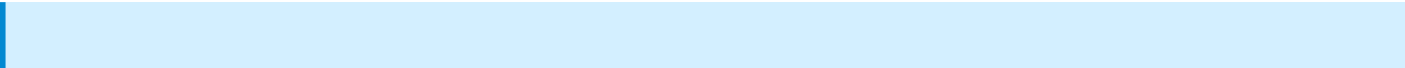
Before Creative Studio begins, we need to understand:

- 1. **Does the client allow us to use AI?**
- 2. **Does the client have rules that control how we use it?**
- 3. **Does the campaign require an AI disclosure?**
- 4. **If a disclosure is required, exactly what must we include?**

AI permission, AI rules and AI disclosures are three different things. We need an answer for each one.

📌 QUICK ANSWER

QUESTION	WHAT WE NEED
Can we use AI?	A clear Yes or No from the client
Does the client have AI rules?	The complete policy, restrictions or written instructions
Is disclosure required?	Confirmation from the client or their legal/compliance team
What must the disclosure say?	The exact approved wording, icons and usage instructions



If AI use has not been confirmed, do not assume that it is allowed.

BEST PRACTICE

Ask these questions before the creative concept is finalised.

AI restrictions may change:

- The concept we recommend
- The assets we need
- The tools we can use
- The production method
- The time required
- The format layout
- The final disclosure treatment

The earlier Creative Studio receives the correct information, the easier it is to develop a compliant and realistic solution.

If AI rules are confirmed before production, we can design around them. If they arrive after production, we may need to rebuild the creative. When in doubt, ask the client. Creative Studio can implement the rules, but the client must define and approve them.

Need more detail? Read the explanations below 

WHAT DO WE MEAN BY “USING AI”?

Using AI can include asking an AI tool to create or change part of a visual.

Examples include:

- Generating a new image
- Creating a background or environment
- Adding objects that were not in the original image
- Removing or replacing objects
- Extending an image beyond its original edges
- Changing a person, face, body or clothing
- Creating AI-generated people
- Creating different product environments
- Generating visual effects
- Using AI-generated video
- Using AI to change an existing photograph

AI may be used for only one small part of a banner, but it still counts as AI use.

“The whole banner was not made with AI” does not mean that AI was not used.

1. DOES THE CLIENT ALLOW AI?

The first question in the Creative Studio brief asks: **Is your client comfortable with Creative Studio using generative AI when creating their banners?**

The answer must reflect the client’s position, not the salesperson’s personal opinion.

SELECT “YES” WHEN

- The client has confirmed that Creative Studio may use AI
- The client’s approved policy allows AI for this type of work
- Any conditions or restrictions have been identified and shared

SELECT “NO” WHEN

- The client does not allow AI-generated content
- The client has prohibited external partners from using AI
- The client’s industry, brand or internal policy prevents its use
- The client has approved only traditional production methods

IF THE CLIENT HAS NOT CONFIRMED

Do not guess or select “Yes” because AI would make the concept easier to produce. Ask the client before submitting the brief. Until permission is confirmed, Creative Studio must treat AI as **not approved**.

No confirmation does not necessarily automatically mean permission.

WHY MIGHT A CLIENT SAY NO?

A client may object to AI for many reasons, including:

- Copyright or ownership concerns
- Brand reputation
- Ethical concerns
- Protection of customer or company information
- Restrictions on uploading assets into AI tools
- Concerns about how AI tools were trained
- Legal or regulatory requirements

- Industry-specific rules
- Contracts with photographers, artists, models or celebrities
- Internal company policy
- A preference for human-created work

Creative Studio does not need to agree or disagree with the client's position - we need to understand it and follow it.

2. DOES THE CLIENT HAVE SPECIFIC AI RULES?

Permission to use AI does not mean that anything is allowed. A client may say: **“Yes, you may use AI, but only under these conditions.”**

The briefing form therefore asks whether the client has an AI policy or any specific restrictions.

CLIENT RULES MAY CONTROL

- Whether AI-generated people may be used
- Whether real people may be altered
- Whether faces, bodies or clothing may be changed
- Whether products may be generated or changed
- Whether logos or brand assets may be uploaded
- Which AI tools may be used
- Whether confidential information may be entered into an AI tool
- Whether the final content needs human review
- Whether AI-created elements must be disclosed
- Whether AI may be used only for backgrounds or surroundings
- Whether AI-generated content may be used in particular countries
- Whether the client must approve AI-generated elements separately

For example: A client may allow Creative Studio to:

- Generate or extend the environment around a person
- Create background elements
- Remove unwanted objects from the surroundings

But prohibit us from:

- Generating a person
- Changing a real person's face or body
- Altering their appearance
- Creating additional poses or expressions

DISCLOSURE EXAMPLES

- [Nescafe](#) wouldn't let us use it on people
- [Kaufland](#) needed a formal AI badge on the creative
- [Lenovo](#) needed formal AI disclosure wording

*[*Read our blog post on AI-Gen Creatives here.](#)*

WHAT MUST SALES PROVIDE?

If the client has an AI policy, attach or link the complete policy in the brief.

This may be:

- A formal policy document
- Written instructions from the client
- An email from the client's legal or compliance team
- Brand-specific AI guidelines
- Campaign-specific instructions

Do not shorten a detailed policy to:

- "AI is fine"
- "Do not use people"
- "Use AI carefully"
- "Client has restrictions"

A short summary can accidentally remove an important condition.

Provide the original instructions wherever possible. Creative Studio should not have to interpret a second-hand version of the client's policy.

IF THE POLICY IS UNCLEAR

If the policy uses unclear language, ask the client for clarification before production begins.

For example:

- Does "no AI people" include editing photographs of real people?
- Can AI be used for backgrounds?
- Can product images be uploaded into an AI tool?
- Are AI-generated objects allowed?

- Does the restriction apply to final content only, or also to concept development?
 - Are specific AI tools approved or prohibited?
 - Does the policy apply in every campaign market?
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3. DOES THE CAMPAIGN REQUIRE AI DISCLOSURE?

An **AI disclosure** tells the audience that content was created or changed using AI.

A disclosure may be required because of:

- The client's internal policy
- Local or regional law
- Industry regulations
- Platform or publisher requirements
- The type of AI-generated content being used
- The market in which the campaign will run

Examples may include:

- Written disclosure text
- An AI information label
- An icon or symbol
- A notice displayed on or near the creative
- Information provided when a user clicks an icon
- Machine-readable information added to the file

AI disclosure requirements are not the same in every country, on every platform or for every type of content.

For example: [The EU AI Act](#)

The EU AI Act includes transparency obligations for certain AI-generated or manipulated content.

For example, Article 50 includes disclosure requirements relating to certain “deep fake” image, audio and video content. It also includes separate requirements for providers of AI systems to make certain AI-generated outputs detectable in a machine-readable format.

This does **not** mean that every use of AI in every advertisement automatically needs the same label.

The correct requirement depends on factors such as:

- What was created or changed
- How realistic the content appears

- How the content will be used
- Where the campaign will run
- Who is legally responsible for deploying it
- Whether another law, platform rule or client policy also applies

**Read [Article 50 of the EU AI Act](#) for the official legal text.*

DO NOT ASSUME THAT EU RULES ONLY AFFECT EU CLIENTS

The client's headquarters are not the only consideration. Disclosure requirements may depend on where the campaign will be shown.

For example, a campaign from a non-EU brand may still be subject to EU requirements if it runs in an EU market. The brief must therefore include:

- Every campaign country
- Any regional variations
- The platforms or publishers being used
- Any market-specific disclosure instructions

The campaign market matters, not only the client's location.

4. WHAT DO WE NEED WHEN DISCLOSURE IS REQUIRED?

Because a disclosure may carry legal meaning, Creative Studio cannot invent, rewrite or interpret it.

The client must provide the complete, approved disclosure instructions.

REQUIRED INFORMATION

REQUIREMENT	WHAT THE CLIENT MUST PROVIDE
Exact wording	The final approved disclosure text
Language versions	Approved wording for every campaign language
Icon or symbol	The correct production-ready file

Placement	Where it must appear in the creative
Size	How large the text or icon must be
Colour and contrast	Any rules controlling how it must appear
Visibility	Whether it must always be visible or may appear temporarily
Timing	When and for how long it must appear in animation or video
Interaction	Whether the user must be able to click or open more information
Destination link	The approved URL, if the disclosure links somewhere
Market rules	Which version applies in each country
Approval	Confirmation that the final disclosure has been approved

WHY DOES THE CLIENT NEED TO PROVIDE THE EXACT WORDING?

A small wording change can change the legal meaning of a disclosure.

Creative Studio cannot safely:

- Write legal disclosure copy
- Decide which law applies
- Shorten wording to make it fit
- Translate legal text
- Choose an icon without instructions
- Decide how long a disclosure should appear
- Confirm that the disclosure is legally sufficient
- Approve disclosure placement on the client's behalf

We can implement approved disclosure instructions. We cannot create or legally approve them.

DISCLOSURE ICONS AND GUIDELINES

If an icon is required, do not describe it as:

- “The normal AI icon”
- “Use any sparkle icon”
- “Add an AI symbol”
- “Use the icon from another campaign”

There is no single icon that automatically satisfies every company policy or legal requirement.

The client must provide:

- The correct icon file
- The permitted file format
- Clear space requirements
- Minimum size
- Approved colours
- Placement rules
- Any link or interaction required
- Instructions for different backgrounds or banner sizes

If the icon is part of the client’s policy, request its official usage guidelines.

LANGUAGE VERSIONS

Creative Studio must receive approved disclosure wording for every language used in the campaign.

We should not translate legal or compliance wording ourselves. For example, if a campaign runs in English, French and Lithuanian, the client must provide the approved disclosure in all three languages.

Campaign localisation includes the disclosure.

EXAMPLE BRIEF RESPONSES

Can Creative Studio use AI?

Yes.

Does the client have specific AI rules?

Yes. AI may be used for backgrounds and surrounding objects. It may not be used to generate or alter people, faces, bodies or clothing. The complete client policy is linked in the brief.

Is AI disclosure required?

Yes, for this campaign market.

What must be included?

The client has supplied the approved wording in all campaign languages, the required icon, minimum-size rules, placement instructions and the final destination URL.

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