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“You and TikTok are, and will remain at all times, independent contractors”

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Abstract: Social media platforms are significant actors within the creator economy, shaping the visibility vital for content distribution and facilitating a range of monetisation models. Private governance, established through platform documentation, determines rules for influencers and regulates how monetisation takes place. This article brings together work from influencer studies with the field of platform governance to examine the regulation by platforms in the creator economy. Using TikTok as a case study, we systematically examine the classification of influencers and monetisation practices within platform documentation. Drawing on a data set of 85 policy documents, the article demonstrates the complex configuration of documentation influencers must navigate, drawing attention to hyperlinking practices and issues of accessibility. It approaches the documentation qualitatively to examine the discursive construction of influencers as creators’ which collapses boundaries between ordinary and monetising users, softens the hierarchy of eligibility shaped by region and metrics, and downplays professional identity. We also address the specificities of governance across different monetisation practices, which are nested within TikTok’s consistent downplaying of responsibility. Within its documentation, TikTok showcases its power to establish and set rules for monetisation and engender dependence whilst ensuring its obligations towards influencers remain tightly constrained and strategically vague.

Introduction

Influencers are content creators who cultivate a sense of closeness with followers and narrate their personal lives (Abidin, 2016) while engaging with commercial actors through various monetisation models (Goanta & Ranchordás, 2020). One of the most significant commercial actors are social media platforms that mediate and shape how the monetisation of ‘influence’ takes place. Influencers must navigate platforms’ algorithmic systems that distribute and restrict the visibility of their content (Bishop, 2021a; Duffy, 2017; Duffy & Meisner, 2023; Glatt, 2022) including posts that integrate advertising (Abidin, 2016; Duffy, 2017; Wellman et al., 2020; van Driel & Dumitrica, 2020). This monetisation practice known as influencer marketing indicates a successful exchange of the influencer’s self-brand for revenue, which is valued based on platforms’ visibility metrics. Platforms also offer influencers a range of monetisation programmes such as revenue for high-performing content (Goanta & Ranchordás, 2020). Thus, platforms accumulate immense power, as the intermediary (and not mere amplifier) between services that influencers depend on for their livelihood.

TikTok exemplifies the active role platforms play in monetisation, particularly through their expansion of monetisation products. The launch of TikTok Creator Marketplace in 2019—which facilitates brand and influencer collaborations, TikTok Creator Funds in 2020—which ‘rewards’ creators for popular content, and tipping and virtual gifting during TikTok LIVES in late 2021, hint at efforts by the platform to attract and retain influencers on TikTok. Against such developments and the platform’s affordances and norms, Abidin (2020, p. 83) proposes that influencers on TikTok pioneer “a new formulae” for success in the creator economy. We respond to this provocation by critically examining the regulation of monetisation by TikTok, paying attention to how the platform classifies influencers and the monetisation practices they engage in.

This article explores how TikTok holds power and engenders influencer dependency in the creator economy by examining the platform governance of monetisation. We bring together work from influencer studies with platform governance to systematically examine the classification of influencers and monetisation practices within platform documentation, which constitutes the contractual relationship between the platform and users, including terms of service, community guidelines and a range of policies, that set out the obligations and responsibilities of each party. We use ‘influencer’ analytically throughout this article, recognising TikTok refers to ‘creators’. As Bishop (2021b) argues, the adoption of the term ‘creator’ by platforms emphasises their accessibility and creativity, while minimising the finan-

cial and political ‘influence’ that individuals using their platforms hold.

The article opens by discussing how monetisation practices are addressed within influencer studies, drawing attention to their use of methods. We turn to platform governance as a theoretical framework for understanding monetisation on platforms as demonstrated by research on YouTube’s Partner Program (YPP) (Caplan & Gillespie, 2020; Kopf, 2020; 2022). Platform governance is mobilised within our methodological approach through the collection and analysis of 85 documents. We conduct a hyperlink network analysis to map how monetisation is distributed throughout policies and across the TikTok webpage infrastructure. Using discourse analysis, we unpack how TikTok defines and distinguishes influencers as ‘creators’, tracing how eligibility differs across features and programmes. We also examine how different revenue streams are framed and regulated. In doing so, we argue that TikTok moves between specificity and vagueness to assert (for influencers) the rules of monetisation whilst downplaying its responsibilities in monitoring or moderating non-compliance. We, thus, question how discussions and calls for labour rights for creators and organisations (Cunningham & Craig, 2021) may overlook the lack of changes to protections or rights granted to influencers despite the roll-out of new ways to make money.

Situating monetisation within influencer studies

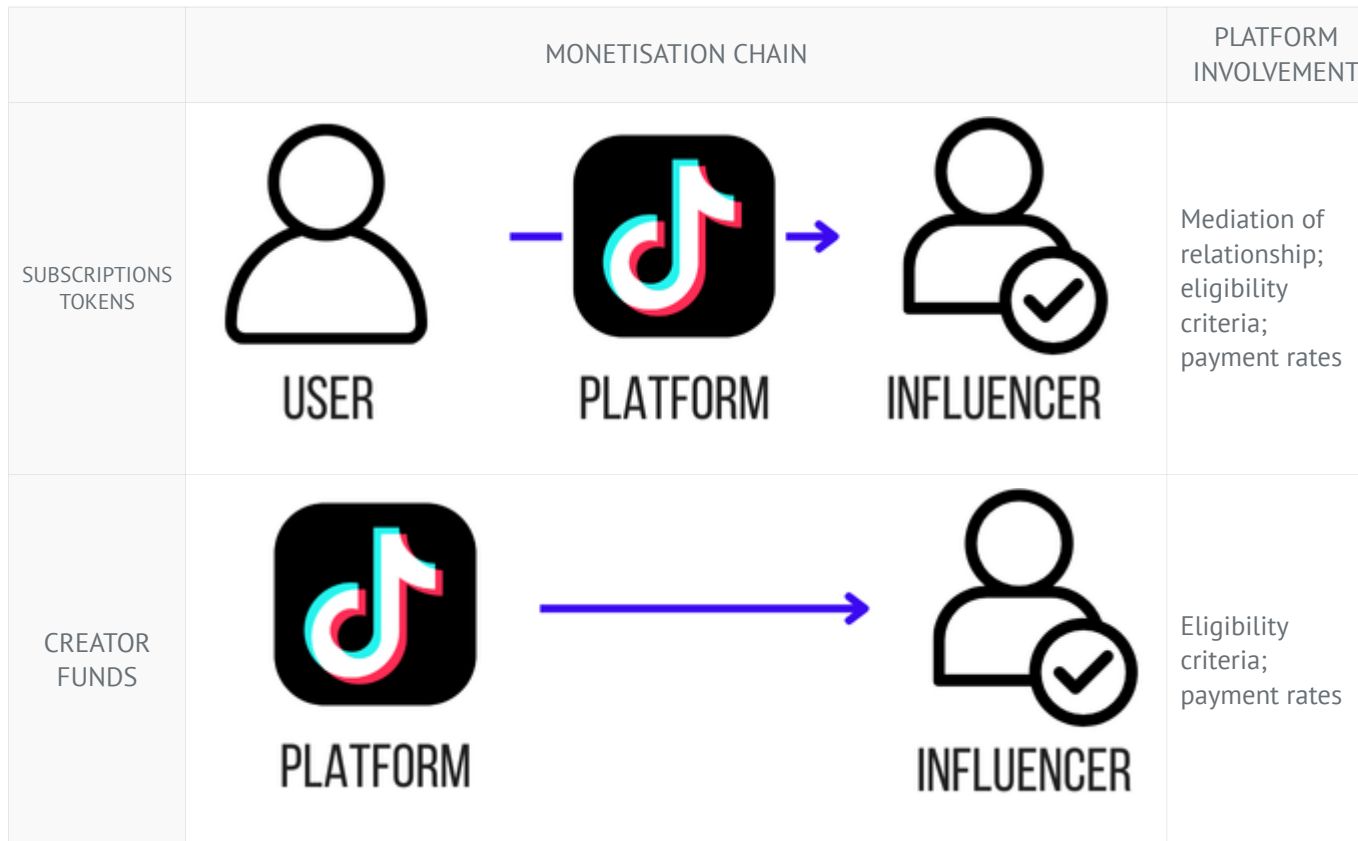
Transforming internet use into revenue can be traced back to the study of camgirls by Senft (2008) who developed the concept of ‘microcelebrity’. The expansion of platform monetisation further idealises microcelebrity as a career path and opportunity for income generation. We propose monetisation, or the generation of revenue through content produced and shared by influencers, is critical to the conceptualisation of influencers as a type of content creator. While scholars of influencer studies have alluded to the significance of this monetisable status, it is not often the central focus of their work.

Ethnographic and empirical work demonstrates how influencers negotiate tensions between authenticity and commerciality (Arriagada & Bishop, 2021; Wellman et al., 2020), integrate advertising and paid partnerships into their content (Abidin, 2016; van Driel & Dumitrica, 2020; Wellman et al., 2020) and seek to manage the unequal distribution of visibilities, which impacts their ‘algorithmically dependent income’ (Glatt, 2022). Across this work, monetisation emerges within a broader focus on influencer practices and identities, demonstrating the complexities of how influencers are compensated for their labour.

In addition, scholars have developed taxonomies of alternative monetisation on YouTube by extracting information from URLs in video descriptions (Hua et al., 2022) and Twitch monetisation strategies through interviews and ethnographic data (Johnson & Woodcock, 2019). Both studies speak to the value of a platform-sensitive approach in understanding the interplay between affordances and practices, demonstrating how influencers respond to platform architectures to diversify their income streams. Informed by Michaelsen et al. (2022) we propose the following forms of influencer monetisation (see Table 1) to distinguish between revenue obtained from (1) brands through integrating advertising, negotiated on and-off platform (influencer marketing) or dispersing advertising in content (ad-share), (2) platforms for high-performing content (creator funds) and (3) users through access to additional content (subscriptions) and donations (tokens).

TABLE 1: Configuration of monetisation chain across different practices

	MONETISATION CHAIN		PLATFORM INVOLVEMENT
INFLUENCER MARKETING			Content moderation; algorithmic recommendation
ON-PLATFORM INFLUENCER MARKETING			Mediation of relationship; content moderation; algorithmic recommendation



Across these different revenue streams, in line with Hund's (2023) observation that what is monetisable is subject to change, we note how the capacity and opportunity for influencers to monetise content and earn a living is entangled with the interests of other actors. We seek to extend the literature in influencer studies that grapple with these dynamics by focusing on the role of the platform in monetisation practices. To contend with the power dynamics between platforms and influencers, we draw on the framework of platform governance to interrogate how the platform, as a mediator, constructs and regulates monetisation for influencers.

Platform governance and monetisation

Platform governance captures the “layers of governance relationships structuring interactions between key parties in today’s platform society” (Gorwa, 2019, p. 855). This encompasses both governance *by* platforms and governance *of* platforms (Gillespie, 2017; Gorwa, 2019). From a legal perspective, the former is a type of private governance in which Terms of Service lay out the contractual relationship between the platform and users and their respective obligations and responsibilities (Suzor, 2019). In exchange for access and use, users must abide by the terms unilaterally established by platform companies that include the use of the platform for business.

The work of Helmond and van der Vlist (2019) provides conceptual clarity to how these ‘rules’ address user-groups. Social media are characterised by multi-sidedness catering to multiple user-groups spanning users, creators, businesses, advertisers and developers (Helmond & van der Vlist, 2019). While Abidin and colleagues (2023) have proposed there is a regulation and governance turn in influencer studies, we suggest that the user-group of ‘creators’ is understudied in platform governance research, which limits our understanding of how monetisation is regulated by platforms for influencers as a user-group that work on and through platforms. This echoes the call from Nieborg et al. (2023, p. 40) for research to address how the business model of platforms impacts cultural producers.

Research on one of the oldest forms of platform monetisation, the YPP, indicates the value of approaching monetisation through the framework of platform governance. Caplan and Gillespie (2020) put forward the concept of tiered governance to account for the differences in the rules that actors are subject to. This creates a hierarchy as creators gain different material benefits and access to YouTube. It resonates with how content is also regulated differently depending on whether it is monetised and through which revenue stream. Kopf (2022) also draws attention to the way in which the vagueness of policies affords YouTube flexibility in determining what is advertiser-friendly content and monetisable and how the platform positions being paid as a privilege rather than a right (Kopf, 2020). As monetisation features become more complex and mature on platforms, this type of research is vital in understanding governance of influencers by platforms.

Furthermore, given that 55% of brands engaging in influencer marketing use TikTok (Geyser, 2023), there is a need to address governance *by* TikTok in the area of the creator economy. The implications for monetisation are mentioned in existing platform governance research on TikTok addressing the logic of visibility moderation (Zeng & Kaye, 2022), data and privacy policies (Su & Tang, 2023; Jia & Liang, 2021) and parallel platformisation between TikTok and Douyin (Kaye et al., 2021) but yet to be addressed as the focal point of inquiry. As part of Griffin’s (2023) work on brand safety tools and policies across Meta, YouTube and TikTok, she demonstrates how moderation and demonetisation of content are shaped by their concept of brand safety, which steers content creators in particular directions. For example, TikTok Branded Missions incentivises creators to produce content tailored to suit specific brands, which goes beyond the imperative to create ‘brand safe’ content. While the interests of brands intersect with platforms due to their reliance on advertising revenue, we do not wish to conflate the governance of monetisation with advertising as governance. As such, we use the case study of TikTok to gener-

ate insights into regulation across multiple revenue streams.

Methodological approach

In seeking to understand the regulation of monetisation by platforms, we examine platform policies through platform documentation using TikTok as a case study. Our focus on the perspective of the platform endeavours to complement existing work on how influencers experience and perceive the creator economy through their labour practices. We also respond to the gap in platform governance studies concerning monetisation and influencer labour compared with copyright, objectionable content, privacy, hate speech, sexual content and content moderation.¹

We go beyond the small number of policies used in prior studies through our conceptualisation of platform documentation. Building on earlier work by Goanta (2023), we define platform documentation as the terms, policies and community guidelines that govern the use of the platform according to the platform. In both platform and legal studies, this represents a paradigm shift from practices and narratives of private governance focused on the ‘constitutional’ nature of Terms of Service, towards the reality of monetisation governance marked by a complexity of platform rules.

Data collection

Table 2 presents an overview of our data set of 85 documents collected from TikTok. We sourced this platform documentation through TikTok webpages and the app. Documentation was identified based on our definition, excluding documents on user-facing resource and promotion pages that addressed monetisation policies such as on the Creator Academy (TikTok, 2024) because of our focus on contractual relationship between users and the platform. We used navigational sidebars on TikTok web pages and hyperlinks within documents and on Help and specific product information pages. In addition, we systematically navigated through the app to identify and access additional policies that were not visible on webpages or that were referenced but not hyperlinked. For example, the Promote Terms of Service are referred to on the support web pages for Promote but were not hyperlinked nor could be found across TikTok web pages. Our process of data collection echoes Kopf’s (2020) finding that YouTube’s hyperlink organisation functions as a gate-keeping mechanism in which there is a lack of stability and consistency in the link

1. see Celeste et al., 2023; DeCook et al., 2022; de Keulenaar et al., 2023; Gerrard & Thornham, 2020; Konikoff, 2021; Pater et al., 2016; Peslak & Conforti, 2019; Quintais et al., 2023; Ruberg, 2020; Siapera & Viejo-Otero, 2021

structure of the YouTube help page. At times, sidebars indicated how the document was in a nested hierarchy of documentation, while others included a limited selection, impeding the usefulness of navigation. All collected documents were archived through a perma.cc link to avoid internet rot.

Because TikTok adds geographical indications, rather than displaying geographically personalised documents based on IP address, our data collection could be done from a European IP address without any implications for the content of the analysis. For documents with different versions based on the region in which ‘you live’, we used the toggle to collect each version. We identify in our dataset what jurisdiction the document (and therefore, rules) applies to. Across documentation, jurisdiction was explicitly and implicitly referenced. In some documents, the region or country ‘you’ (impelled as the TikTok user) reside was included in the heading or subheading and in others, specific regions and countries were referenced within sections of the document. For documents addressing programmes, web pages outlined what constituted ‘eligible countries’. As Table 2 illustrates, location impacts the opportunities for influencers to engage in monetisation practices on TikTok. For example, only eligible creators residing in Brazil, France, Germany, Japan, Korea, United Kingdom and the United States can participate in the TikTok Creativity Program Beta (at the time of data collection).

Our data set of platform documentation is not restricted to documents that address monetisation by influencers. This decision allows us to understand how monetisation by different actors including brands, creators, developers, eligible creators and talent managers is situated within the governance structure of TikTok as a whole. By identifying a range of commercial user-groups, we situate monetisation by influencers, referred to as creators and eligible creators in Table 2, in the multisidedness of TikTok. Across our data set, we propose 49 documents that address monetisation by influencers.

Analytical approach

Our analysis addresses both the organisation and content of platform documentation. Firstly, we address the structure of platform documentation to understand how monetisation is distributed across the governance structure. To do this, we identify different parts of the URL from which the document was retrieved: subdomain; subdirectory; path in which jurisdiction is denoted. For example, the Terms of Service (EEA/UK/CH) URL <https://www.tiktok.com/legal/page/eea/terms-of-service/en> has the subdirectory ‘legal’ and an ‘eea’ path signifies the European Economic Area. We also use hyperlink network analysis to map the shared links

among documents (Park, 2003) based on the understanding of hyperlinks as “the fabric of the web” (Helmond, 2013, p. 3). We only identify hyperlinks between documents in the dataset rather than to other parts of tiktok.com or beyond the TikTok platform. This generated a network data set of 63 nodes (documents) and 250 edges (hyperlinks). We construct a set of connections between policies, using Gephi network visualisation software to visualise the network.

Secondly, our analysis examines the discursive construction of influencers and the regulation of monetisation business models drawing on the documentation in our data set. Our analytical orientation towards the construction of meaning is animated by the questions: how does TikTok define end-users that monetise content and forms of economic value generation? However, we are also cognisant of how the assignment of responsibilities and obligations within platform documentation as part of private governance is subject to layers of public regulation.

Analysis

Organisation of platform documentation

We first address how platform documentation is organised across the tiktok.com site based on our classification of parts of each document’s URL (see Table 3). Documents addressing the monetisation of influencers are in 12 different subdomains as depicted in Figure 1. The fragmentary nature of regulation by the platform at the level of web architecture potentially presents a challenge for grasping, locating and navigating to documentation that governs the use of TikTok by influencers.

While we propose that all documents in our data set are part of the private governance of the platform, we observe that only 49% (n=14) of documents addressing the monetisation of influencers are in the ‘legal’ subdirectory. The remaining are located within subdomains specific to monetisation products (for example, Creator Marketplace, Effect House or TikTok Shop) or advertising, which addresses monetisation by brands and advertisers rather than influencers. The organisation of the former indicates the significance of specific monetisation products that necessitate their own subdomains due to the associated documentation and content. While the latter indicates the platform approaches the governance of different user-groups. We note that the Branded Content Policy is in the ‘legal’ subdirectory unlike the Branded Content Policy Country Specific Requirements, which is in the ‘help’ subdirectory of ads.tiktok.com. It gestures towards an understanding that branded content constitutes a form of advertising, despite the discursive distancing of practices of monetisation by influencers and businesses as we will discuss in

the following section.

The approach to URL structure speaks to the expansion of TikTok and development of monetisation programmes, in which the roll-out of new policies has not been accompanied with consistency in organisational logic. The Guidelines and Terms of Service for TikTok Effects, for example, are located in the Effecthouse subdomain, but both the Rewards Terms for EU and non-EU creators are stored as PDFs elsewhere in sf16-va.tiktokcdn.com (see Table 2 for URL and permalinks). This difference is accompanied by changes in fonts and colours in the text and navigational sidebars, which feed into the user experience, impeding a sense of professionalism and conveying a lack of care in documentation.

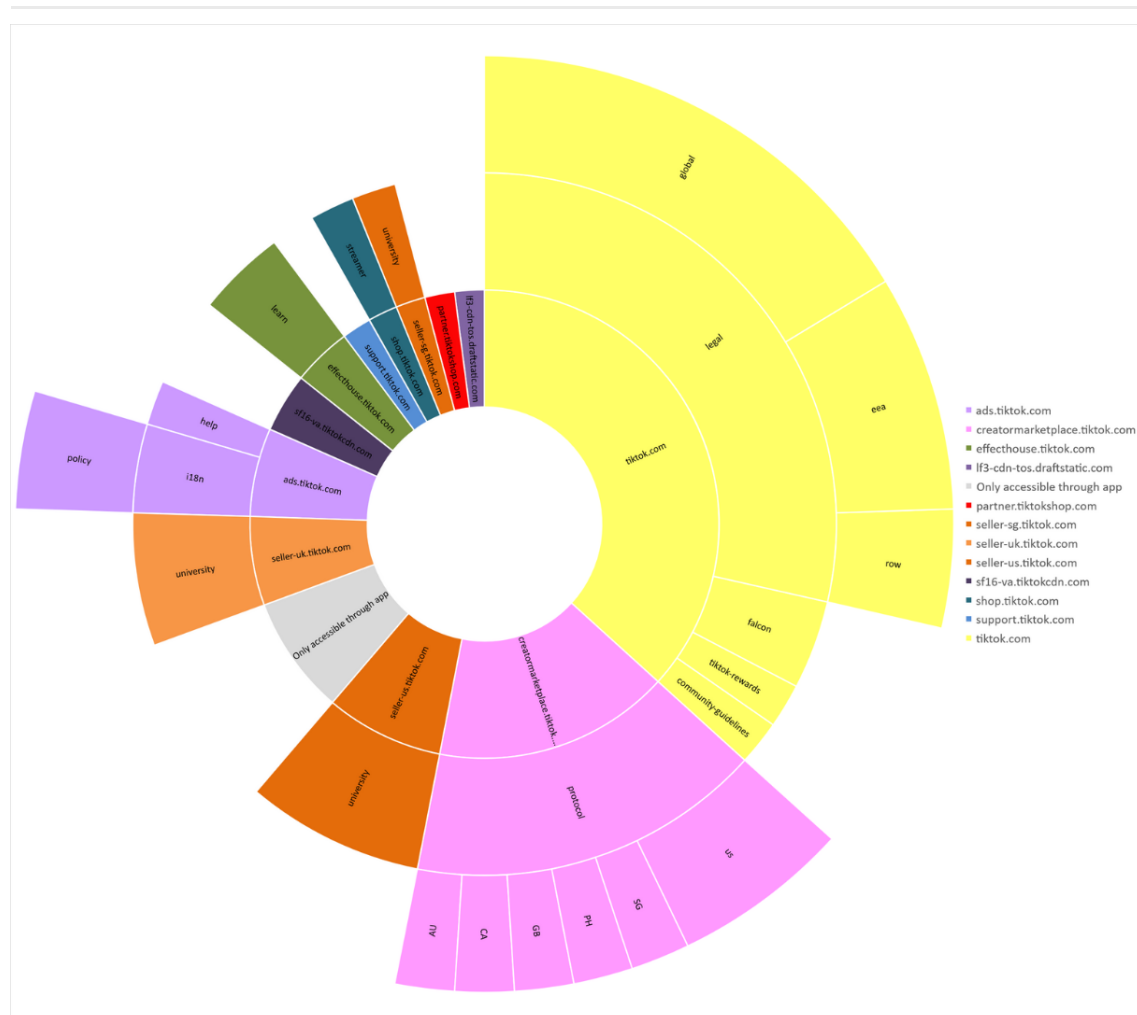
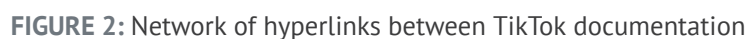


FIGURE 1: Visualisation of the subdomain, subdirectory and paths in the URL of TikTok documentation that addresses monetisation of influencers. Source: authors of this paper

Another way to understand the organisation of platform documentation is through hyperlinking practices. Community Guidelines is the most linked to document (n=42) followed by Terms of Service, which differ according to the bundling of ju-

risdictions (EEA/ UK/ CH n=30; US n=25; Other Regions n=22) and Privacy Policy (EEA/ UK/ CH n=21; Other Regions n=15; US n=14). The geographical division across documentation can be interpreted as an organisational form of legal compliance by TikTok as it seeks to align its different platform standards to jurisdictional particularities.

Figure 2 visualises the network of hyperlinks across TikTok documentation, which mitigates and exacerbates access to platform documentation and as such, the private governance of influencers by TikTok. There is nevertheless an imbalance in interconnections, which has implications for the visibility of documents. While 69 documents contain hyperlinks to at least one other document in our data set, only 58 documents are embedded as hyperlinks and 48 documents are part of bidirectional linking (that is, they contained hyperlinks and were linked to). The Effect Creator Rewards Terms (EU and Non-EU), Creativity Program Beta Terms, Creator Fund Terms and Series Creator Terms never appear as hyperlinks in our data set. While we expect these documents to be cited on other TikTok web pages, the network of hyperlinks reveals a hierarchy in how TikTok steers users to navigate through documentation, which is compounded by the quantity and fragmentation (at the level of URL) of documents.



Whilst we might expect access and use of monetisation products to be contingent upon following Community Guidelines, hyperlinking reinforces how compliance with other rules is part of regulating monetisation. For example, Clause 4e of the TikTok Creator Marketplace Agreement for Services in the UK, Europe and Israel establish that participating influencers must align their content with Community Guidelines and TikTok Advertising Policies. The latter states branded content produced by influencers, circulated through the programme as paid advertising on TikTok, should be compliant with advertising rules. However, this requirement also marks an expansion of what constitutes regulation addressing monetisation practices by influencers subjecting them to additional obligations and implicating them within another set of policies in the platform documentation (see list of advertising policies in Table 2 that regulate monetisation by user-group of brands).

The configuration of platform documentation through TikTok's web page architecture and hyperlinking practices is significant given they set out expectations of parties. Contracts require a so-called 'meeting of the minds', where parties need to align on what they aim to give and receive in the context of their transactional relationship. We suggest the fragmented organisation of platform documentation coupled with the volume of documents and nesting of compliance through hyperlinking makes it challenging to rely on contractual details (e.g. platform documentation) to extract the intention of the parties. For example, 66 documents apply to influencers based in the United Kingdom, depending on what monetisation practices they employ. Influencers, thus, may be unaware of the extent of contractual obligations or requirements they agree to when using the platform.

The discursive construction of influencers as (eligible) creators

Turning to our qualitative analysis of the documents, we focus on how TikTok conceptualises influencers as a user-group. Our first finding is the absence of the term 'influencer' in our data set except for four mentions. Two of these do not address the understanding of users as influencers but the need for brands to comply with the Spanish Code of Conduct on the Use of Influencers (see clause 11b of TikTok Creator Marketplace Terms of Use (EEA/ UK/ CH)), and advertising influencer recruitment opportunities is prohibited (see Clause 1 of Advertising Policies – Industry Entry). However, the term influencer is used in the classification of actors in the 'creators' category (clause 5.1 of the TikTok for Business Advertising Terms, which governs the use of ad services by brands) and the definition of TikTok Creator Marketplace (TTCM) Creator but only in the TikTok Creator Marketplace Agreement for Services document.

Across platform documentation, TikTok adopts the term creator instead of influencer. As Bishop (2021b) argues, platforms use 'creator' to evoke a sense of intrinsic motivation and position creativity as central to identity, downplaying and distancing them from generating income. While TikTok fits within this pattern, it is also complicated by the platform referring to all users, monetising users and users that meet specific eligibility criteria as creators. This is exemplified in the Community Guidelines. One part of the document refers to how the For You Feed "offers an opportunity for viewers to discover new content and for *creators* to reach new audiences" (i.e. all users). Yet, it also outlines the requirements for "*creators* who promote goods or services in return for something of value" to disclose (i.e. monetising users) and the provision of "tools that let *creators* monetize their content" (i.e. eligible creators due to restrictions for participation outlined in specific policies).

The category of ‘creator’ is thus strategically deployed by TikTok to collapse ordinary users and influencers engaged in monetisation practices. This is further reinforced by the requirement for both types of end-users to use a ‘Personal’ rather than ‘Business’ account. We argue this is significant in two ways. Firstly, it undermines the professional identity of influencers. The ‘work’ of influencers is positioned as an amateur endeavour of ‘personal’ not ‘business’ purpose, downplaying their specialised craft or career. Secondly, the potential to engage in monetisation practices is positioned as available to any ‘creator’ due to the lack of differentiation between these groups at the level of terminology and account type. While this suggests an orientation towards commercial and promotional content, it also taps into mythic narratives that anybody can succeed as an influencer. This obfuscates how social and economic inequalities structure the industry (Duffy, 2017; Hund, 2023) and critically for the platform, the barriers to accessing some monetisation programmes.

Across documentation, some revenue streams are gatekept by TikTok through eligibility criteria, leading to the construction of influencer as eligible creator. As Table 4 indicates, some programmes include specific criteria of eligibility such as meeting minimum age requirements and residency in specific jurisdictions to minimum follower and video view metrics, emulating the tiered governance approach in YPP (Caplan & Gillespie, 2020). The use of metrics reproduces industry templates, equating and rewarding audience size with ‘influence’ and power. However, as Table 4 indicates, eligibility is also operationalised in documentation as a concept. The lack of specified criteria engenders fluidity and flexibility for the platform to make without altering policies and terms which may require notification to users.

Jurisdiction emerges as significant in determining monetisation opportunities. Influencer marketing through branded content is the only revenue stream that influencers can access regardless of their location. While TikTok’s bundling of jurisdictions facilitates compliance with legal regimes and testing of new monetisation products, it nevertheless undermines the proposed openness of the discursive construct of ‘creator’. Instead, TikTok mediates uneven compensation of influencer labour through their rollout of monetisation products, which is further compounded by different calculations of payment for metrics of visibility based on geography.

The status of influencers as ‘independent contractors’ is also consistently articulated across platform documentation addressing monetisation (see Table 5). As the Series Creator Terms puts it, “nothing in these Creator Terms will be construed to

create an employment, agency, partnership, joint venture, fiduciary, representative or any other relationship between you and TikTok or any third party”. By positioning influencers as ‘creators’ and unequivocally not as employees, TikTok absolves itself of responsibility and demonstrates how the expansion of monetisation products and programmes has not been accompanied by increased rights or protections of worker-employer relationships such as access to minimum wages, sick pay, maternity leave or other social protections. In this way, TikTok’s approach is consistent with other platforms, which position those engaging in monetisation as independent contractors.

Regulation of monetisation practices

Given that access to revenue streams is mediated by eligibility criteria, we now turn to understanding the regulation of monetisation practices in greater detail. To do this, we adapt the models identified by Michaelsen et al. (2022) to TikTok’s offerings and demonstrate how different types of monetisation are addressed in documentation. As we highlighted earlier in Table 1, TikTok shapes how influencers generate income differently across influencer marketing, on-platform influencer marketing, subscriptions, tokens and creator funds, which we analyse in this section based on documentation.

Figure 3 visualises how the regulation of the same monetisation practice spans multiple documents based on mentions and hyperlinking, and how the same document may address multiple forms. This also reinforces our earlier critique of the fragmentation and volume of documentation that influencers must navigate. Distinguishing between forms of monetisation is also vital given how models are subjected to different layers of public regulation, such as European consumer protection (Michaelsen et al., 2022). In legal studies, there have been explorations and analyses of what this regulation is and how platforms should relate to it (Goanta & Ranchordás, 2020). However, what remains less visible is platform practices as depicted in documentation.

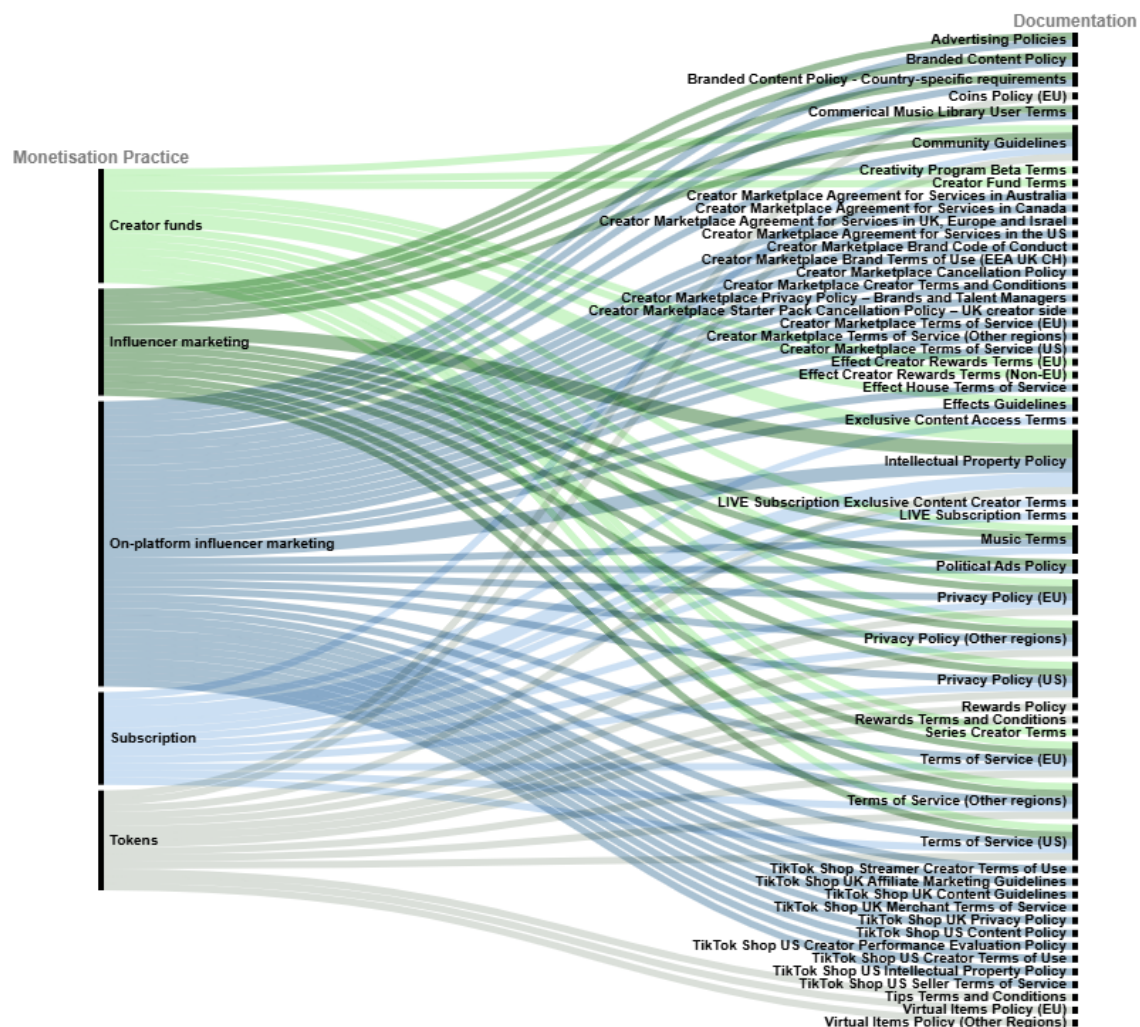


FIGURE 3: How monetisation practices are addressed across platform documentation. Source: authors of this paper

While we limit our analysis to four monetisation practices, influencers also use TikTok to promote their own goods or services. Direct selling by influencers is a blind spot in platform documentation due to their classification of ‘creators’. The dichotomy between influencers and businesses is less clear than TikTok implies through the requirement for influencers to use a personal account. This has implications for how influencers are expected to comply with rules on the platform when advertising and promoting their own products and services, which potentially means the list of documents concerning monetisation by brands in Table 2 is applicable.

Influencer marketing

The first form of monetisation we examine is influencer marketing, which TikTok

refers to as ‘branded content’. It is defined as “content that promotes a third-party brand or its products or services in exchange for payment or any other incentive” (Clause 1 in Branded Content Policy), which includes receiving gifts, payment, commission through affiliate marketing and brand ambassadorships. TikTok regulates influencer marketing primarily through its Branded Content Policy, which is supported by the Branded Content Policy Country-Specific Requirements. The influencer is responsible for ensuring compliance with laws and regulations along with platform policies, enabling commercial content disclosure toggle to ensure promotion is “sufficiently clear”, not making misleading claims nor promoting illegal products or services or those listed in their “prohibited industries”. The ‘rules’ put forward by TikTok go beyond influencers complying with their legal obligations under consumer protection to disclose commercial content and ensure content is not misleading by restricting the types of brands, products and services that can be promoted. For example, influencers are unable to produce political branded content, which is justified by TikTok’s identity as an entertainment platform. As such, platform values shape and in this instance, limit monetisation opportunities because despite being negotiated off-platform, influencer marketing is subject to platform governance in which it is distributed.

Although the source of revenue resides with brands, TikTok intervenes in influencer marketing through the ‘rules’ in the Branded Content Policy, that declaratively assert what influencers “must” and “must not” do. The modal verb shifts when outlining consequences for infringement; the platform “may remove the content or impose other restrictions”. This is echoed in Country-Specific Requirements where TikTok “may” prevent content from being accessed in specific countries if influencers violate restrictions. While a lack of monitoring and enforcement of platform regulation is alluded to, which may benefit influencers, it also generates uncertainty around what to expect from the platform. It speaks to the precarious position that influencers occupy; Platforms portray themselves as neutral intermediaries, and they do not recognise any responsibility for creators, who are not afforded the rights of workers as in other areas of the gig economy such as ride-sharing, that would clarify responsibilities and obligations, and the consequences of legal infringements. Branded content like all content produced by influencers is consumed by TikTok users, thereby generating surplus value for the platform as part of the commodification of attention (Fuchs, 2014).

On-platform influencer marketing

Beyond regulating how branded content is shared on TikTok, the platform also shapes the interaction between brands and influencers through three different

monetisation products. Unlike influencer marketing negotiated off-platform, generating revenue through these programmes is subject to eligibility, which was undefined in documentation (see Table 4). At the time of writing, qualifying as a ‘TTCM Creator’ required at least 10,000 followers, three3 posts and 1,000 views in the past 30 days.

First, TikTok Creator Marketplace is a “membership programme” that mediates “digital marketing and advertising services TTCM Creators may choose to provide to TTCM Brands” (Clause 1 in TikTok Creator Marketplace Terms of Service for EEA, UK or Switzerland). Through the Creator Console, eligible creators can communicate with brands about campaigns, browse open campaigns and receive payment from the brand through their Wallet. Bringing influencer marketing in-house benefits TikTok who are not only privy to all communication and deals negotiated between brands and influencers but also generate income from brands in the case of Branded Missions. While impressions from eligible videos fulfilling the ‘mission’ requirements and selected by the brand are paid out by the brand, this content also is boosted as paid platform ads. Second, Effect House Services, which like Creator Marketplace, can be used by creators to generate Branded Effects, which are again mediated through the platform. Third, TikTok Shop represents a further integration of promotion and selling as an e-commerce platform, which the platform benefits from through commission fees. A creator can “be engaged” by a merchant to create promotional content, which in the UK includes affiliate marketing. While this is currently provided to influencers for free, clause 20 of TikTok Shop Creator Terms of Use includes the provision: “We reserve the right to charge a fee and applicable taxes for making available TikTok Shop at our sole discretion with notice to you”.

Within documentation addressing the Creator Marketplace, Effect House and TikTok Shop, the platform solidifies their role as an intermediary in which they assume no responsibility or liability for the nature of payment between creator and brand (see Table 5). Although negotiations between influencers and brands and rates of compensation are unequally distributed and discriminatory (Christin & Lu, 2023), the platform negates any responsibility for agreements it has. Interestingly, it does intervene through The TikTok Creator Marketplace Cancellation Policy to stipulate ‘refund rights’, which favour the position of the brand. For example, the creator receives 50% of the Commission if the brand terminates the contract after approval of content but before posting on TikTok.

However, TikTok does clearly establish the enforcement of its regulation concerning on-platform influencer marketing. The TikTok Shop US Creator Performance Evaluation Policy provides the clearest articulation in our dataset of how TikTok

moderates monetised content and takes actions in response to violation types. This policy includes a “non-exhaustive list” of 10 actions the platform may take and a content violation severity framework that outlines how 10 types of violation are assessed in terms of severity, which correspond to violation points. This policy, thus, exposes the lack of transparency in the enforcement for other programmes and across the other forms of monetisation we discuss, making visible also reinforces the significant position they play in shaping activity and remuneration on the platform for influencers.

Tokens/ Subscriptions

The intermediary role of the platform is also critical to the generation of revenue through micro-payments from users. This can take the form of receiving virtual gifts from followers on videos or during live streams or in exchange for access to paywalled content or community. Unlike the two forms of influencer marketing, the platform takes a cut in their mediation of the transaction through their configuration of payment rates. Notably absent in documentation is the “Diamond to money conversion rate”, which is accessible through Creators Tool (Virtual Items Policy), equating to 50% of coins value at the time of writing (Influencer Marketing Hub, 2024). In addition, daily minimum and maximum payments further impose restrictions on how influencers can access micro-payments.

Within platform documentation, TikTok reframes payment and revenue through the language of gifting and exchange. For example, the Virtual Items Policy (Other Regions) states that “in relation to a live stream product, you may use Gifts to rate or *show your appreciation* for an item of User Content that is uploaded or streamed by another user” (emphasis added) and Tips Terms and Conditions describes this as a feature “that allows users to directly *show gratitude* to creators for their content” (emphasis added).

The Rewards Policy offers the highest level of detail for how ‘rewards’ are regulated by TikTok: Diamonds are “awarded” to creators as “Rewards” based on “the popularity of their content”, which “can trigger payment of the monetary value given by TikTok” but is based on a minimum number of diamonds. As such, TikTok bakes popularity, virality and visibility into the token revenue stream, which is assumed to incentivise the creation of “high-quality, engaging content”.

However, this same logic is not evident in the regulation of subscription revenue streams in which the platform does not suggest how influencers should produce content, badges or emotes for followers. While the openness of these policies en-

genders creativity and freedom compared to other revenue streams, we nevertheless observe how this relies on acceptance of risk and individualised responsibility “for any promises you make to viewers of Exclusive Content you create”.

Creator Funds

The generation of revenue from high-performing content marks the monetisation form in which the platform is the sole source. The eligibility criteria for which influencers can monetise through creator funds (see Table 4) is shaped by platform metrics such as views. Payment is also calculated in this manner based on “total legitimate and unique video views for eligible User Content” (clause 2 of TikTok Creativity Program Beta Terms). Like the absence of details in some eligibility criteria, the platform is vague in how Effect Creator Rewards, Creativity Program Beta Terms and Creator Fund Terms determine eligibility and reward visibility of the ‘right’ type of content. The undefined rate of payment affords flexibility to the platform but also contributes to a lack of transparency and precarity. This is particularly concerning given the region where the video is viewed affects payment rate (BBC, 2023), which means location is not only determining for whether the influencer has the possibility of generating revenue through creator funds but where their is audience based also impacts monetary value, representing continuation of the audience commodity logic (Smythe, 1981).

The platform incentivises creators to create longer-form content (at least 1 minute) or effects that will be discoverable by FYP, prioritising quantity and visibility over quality. The Creativity Program Beta Terms note that “any content that may be understood as spreading disinformation or misleading information may be excluded from the payment calculation” but how this is moderated also remains elusive. In keeping with the regulation of other forms of monetisation, documentation makes visible the unequal power dynamics between the platform and creator as TikTok produces the terms to which creators must abide to be compensated for their labour.

Conclusion

Our analysis of how influencers and their monetisation practices are regulated by TikTok seeks to contribute to the governance turn in influencer studies (Abidin et al., 2023). While platform governance has focused on the domains of copyright, objectionable content, privacy, hate speech, sexual content and content moderation, monetisation is another sphere displaying the one-sided, top-down power of platforms to establish rules. Critically, for influencers as one of the user-groups of

TikTok, the private governance established through platform documentation regulates who and how monetisation can take place.

We propose mapping and examining the range of terms, guidelines and policies, which we refer to as ‘platform documentation’, is vital given these documents constitute the contractual relationship between users and platforms, and establish the rules across the different monetisation programmes and products. TikTok’s platform documentation is complex and messy due to practices of hyperlinking, distribution of documents across website architecture and the bundling of jurisdictions in varied ways. Practices of hyperlinking across documentation indicate a nested approach to platform governance in which compliance with central nodes (such as Community Guidelines or Privacy Policies) and additional (seemingly unconnected) documents become a mechanism by which the platforms regulate access to and use of monetisation features. Our examination of URL paths and the hyperlink network analysis of TikTok documentation illustrates the fragmentation and (in)visibility of documentation addressing monetisation by influencers alongside an information overload. This raises concerns about the accessibility of the frameworks that govern monetisation features and programmes on platforms given on TikTok alone 49 documents outline the rules for how influencers can and should monetise on the platform.

Our analysis further indicates how the preference for the term ‘creator’ instead of ‘influencer’ generates ambiguity concerning monetisation. The understanding of all TikTok users as ‘creators’ coexists with the classification of users that monetise content, including those who meet eligibility criteria, as ‘creators’. This repositions Caplan and Gillespie’s (2020) concept of tiered governance because while the hierarchy between ‘creators’ persists, there is also a collapse in divisions between ‘ordinary’ users and monetising users. Paying attention to different forms of monetisation also nuances how the classification of ‘creators’ based on eligibility is constructed differently across different parts of TikTok, affording flexibility and specificity to determine who can monetise through which features and programmes. The ambiguity, we propose, speaks to a reconfiguration of the influencer within TikTok, embedding the potential to monetise and orientation towards commercial and promotional content within the generic end-user. In referring to ‘creators’, (re)framing paying as ‘rewarding’ and declaratively insisting influencers are ‘independent contractors’, TikTok downplays the labour of influencers and absolves the platform of responsibility of being a site of ‘work’. As such, we argue that platform inequality is entrenched through the expansion of monetisation features and programmes, which obfuscates the lack of changes in rights granted to ‘creators’, and

increases the dependency that influencers have on TikTok as they seek to diversify their income across monetisation streams.

Like other platforms, TikTok uses its less clear policies and language to maintain a “comforting sense of technical neutrality and progressive openness” (Gillespie, 2010 p. 360). Platform documentation reveals a strategic continuum of clarity and vagueness. Consistently, the requirement for creators to be 18 years old reveals how the platform categorises influencers as a form of adult labour. Similarly, the regulation of influencer marketing, on-platform influencer marketing, creator funds and tokens in documentation share language that frames for ‘creators’ what they “must” and “must not” do in terms of what content can be monetised, how monetisation should be disclosed and how payment will be administered, although the latter is often hedged through vague references to payment rates. The platform also makes clear their lack of responsibility for ‘creators’ as workers across monetisation practices, ranging from those in which eligibility and payment criteria is at sole purview of the platform to those in which the platform mediates transactions and relationships with other parties. It consistently offloads obligations for compliance with legal frameworks to the ‘creator’. Interestingly, what is less clear is what are the consequences of non-compliance and through which mechanisms (if any) monetisation is monitored and enforced outside of the US version of TikTok Shop. The ease through which non-compliant monetisation can be observed on TikTok, for example, branded content from ‘prohibited industries’, raises questions about the role of this documentation within internal governance processes and whether they become window dressing disconnected from implementation.

TikTok is only one of the platforms that influencers use as they participate in the creator economy and develop their portfolio of revenue streams. Thus, the complex, dense configuration of platform documentation that we outline in this article, and the different forms of regulation governing and controlling monetisation, which vary based on programme and product, must also be navigated and understood by influencers across other social media platforms. Furthermore, the brands and agencies that influencers negotiate with for influencer marketing, alternative subscription and crowdsourcing platforms that influencers turn to as part of their diversification efforts (Glatt, 2022) and burgeoning industry of intermediaries that offer services to professionalise influencers also constitute stakeholders in the private governance ecosystem that regulate influencer monetisation practices. Identifying and examining documentation and the contractual relationships between these different actors - platforms, brands, intermediaries - we propose is a valuable research agenda for influencer studies and platform governance scholars for

advancing our understanding of power dynamics and dependencies in the creator economy. Platform documentation can be further important in determining how social media platforms such as TikTok interpret and put in practice their obligations under existing legislation in different jurisdictions. From this perspective, the current paper aims to inspire further research at the intersection of influencer studies, platform governance and regulation.

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Supplementary material

Tiktok documentation data set overview

TABLE 2: Overview of TikTok documentation data set (collected 19 September–20 November 2023)

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
TikTok Ad Serving Policy	No date	Global	Brands	https://ads.tiktok.com/help/article/ad-serving-policy?lang=en	https://perma.cc/S2ZF-HBLY
TikTok Ads Creative Policy - landing page	No date	Global	Brands	https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page	https://perma.cc/W655-4RU4
TikTok Advertising After Conversion Experience Policies	No date	Global	Brands	https://ads.tiktok.com/help/article/commerce-policies?lang=en	https://perma.cc/NCF2-EGJL
TikTok Advertising Anti- Discrimination Policy	No date	Global	Brands	https://ads.tiktok.com/help/article/tiktok-anti-discrimination-ad-policy?lang=en	https://perma.cc/KQ8D-GVDP
TikTok Advertising Custom Audiences Terms	01-01-2023	Global	Brands	https://ads.tiktok.com/i18n/official/policy/custom-audience-terms	https://perma.cc/JBD8-XQPQ
TikTok	No date	CA, US	Brands	https://ads.tiktok.com/terms	https://perma.cc/4T8D-4R8D

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
Advertising Housing, Employment and Credit Ad Policy				help/article/housing-employment-credit-hec-ad-policy?lang=en	2MMV-Y2N9
TikTok Advertising Lead Generation Terms	No date	Global	Brands	https://ads.tiktok.com/i18n/official/policy/lead-gen-terms	https://perma.cc/F8E8-7549
TikTok Advertising Policies	No date	Global	Brands	https://ads.tiktok.com/help/article/advertising-on-tiktok-first-things-to-note?lang=en	https://perma.cc/G2C5-UA9X
TikTok Advertising Policies - Ad Creatives Ad Format and Functionality	No date	Global	Brands	https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-ad-format-and-functionality?lang=en	https://perma.cc/LAK5-7ZT3
TikTok Advertising Policies - Ad Creatives Prohibited Content	No date	Global	Brands	https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-prohibited-content?lang=en	https://perma.cc/A8UR-9AGW
TikTok Advertising Policies - Ad Creatives Restricted Content	No date	Global with references to EU, IL, EMEA, US, CA, METAP	Brands	https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-restricted-content?lang=en	https://perma.cc/6CWQ-XMMP
TikTok	No date	Global with	Brands	https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-restricted-content?lang=en	https://perma.cc/6CWQ-XMMP

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
Advertising Policies - Industry Entry		references to regional restrictions (North America, Latin America, EU/ UK/IL, Eastern Europe, MTAP, North East Asia, South East Asia, Oceania)		help/article/tiktok-advertising-policies-industry-entry	B4EB-HNL4
TikTok Brand Guidelines	20-09-2023	Global	Not Applicable	https://tiktokbrandbook.com/d/HhXfjVK1Poj9/legal#/legal/overview	https://perma.cc/QF7S-38JY
TikTok Branded Content Policy Country Specific Requirements	No date	References to regional (North America, Latin America, EEA/ CH/ UK, Eastern Europe, MTAP, Northeast Asia, Southeast Asia, Oceania)	Creators	https://ads.tiktok.com/help/article/branded-content-policy-country-specific-requirements?lang=en	https://perma.cc/9KG7-BLEJ
TikTok Branded Content Policy	08-2023	Global	Creators	https://www.tiktok.com/legal/page/global/bc-policy/en	https://perma.cc/CX9D-27NA
TikTok Business Products Data Jurisdiction Specific Terms	01-01-2023	Global with references to US EEA,UK, BR, JP	Brands	https://ads.tiktok.com/i18n/official/policy/jurisdiction-specific-terms	https://perma.cc/RTR5-W2E3
TikTok Business Products Data Terms	23-09-2021	Global	Brands	https://ads.tiktok.com/i18n/official/policy/business-products-terms	https://perma.cc/J9NK-5FKD
TikTok Business	08-2023	EEA, UK, CH	Brands	https://www.tiktok.com/legal/page/	https://perma.cc/3QAN-MUVS

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
Terms of Service				global/business-terms-eea/en	
TikTok Children's Privacy Policy	01-01-2023	US	Not Applicable	https://www.tiktok.com/legal/page/global/childrens-privacy-policy/en	https://perma.cc/N3UT-RCXQ
TikTok Coins Policy	06-2022	EEA, UK, CH	Creators	https://www.tiktok.com/legal/page/global/coin-policy-eea/en	https://perma.cc/9AZZ-N3G2
TikTok Commercial Terms of Service	31-08-2023	Global	Brands	https://ads.tiktok.com/i18n/official/policy/commercial-terms-of-service	https://perma.cc/39Y4-PYYG
TikTok Commercial Music Library Terms	No date	Global	Brands; Creators	https://www.tiktok.com/legal/page/global/commercial-music-library-user-terms/en	https://perma.cc/V8DD-SKU9
TikTok Community Guidelines	03-2023	Global	Brands; Creators; Eligible creators	https://www.tiktok.com/community-guidelines/en/	https://perma.cc/G9XL-7U3V
TikTok Controller to Controller Data Terms	02-09-2022	EEA, UK, CH	Brands	https://ads.tiktok.com/i18n/official/policy/controller-to-controller	https://perma.cc/BKR8-56QM
TikTok Creativity Program Beta Terms	10-03-2023	Eligible countries [BR, FR, DE, JP, KR, UK, US ²]	Eligible creators	https://www.tiktok.com/legal/page/global/tiktok-creativity-program-beta-terms-br/en	https://perma.cc/3MZE-RGY7

2. As of 8 September 2023, TikTok listed these countries in newsroom update (<https://newsroom.tiktok.com/en-gb/unlocking-even-more-opportunities-for-creators-with-the-creativity-program-beta-uk>)

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
TikTok Creator Fund Terms	No date	US [IT, FR, ES, DE, UK ³]	Eligible creators	https://www.tiktok.com/legal/page/global/tiktok-creator-fund-terms/en	https://perma.cc/H4DZ-KBYV
TikTok Creator Marketplace Agreement for Services in Australia	No date	AU	[Eligible] creators	https://creatormarketplace.tiktok.com/protocol/transaction/AU	https://perma.cc/6VYS-CFL2
TikTok Creator Marketplace Agreement for Services in Canada	No date	CA	[Eligible] creators	https://creatormarketplace.tiktok.com/protocol/transaction/CA	https://perma.cc/VY8Y-G3L4
TikTok Creator Marketplace Agreement for Services in UK, Europe and Israel	03-2022	EEA, UK, CH, IL	[Eligible] creators	https://creatormarketplace.tiktok.com/protocol/transaction/US	https://perma.cc/6GKP-DPZ7
TikTok Creator Marketplace Agreement for Services in the US	No date	US	[Eligible] creators	https://creatormarketplace.tiktok.com/protocol/transaction/GB	https://perma.cc/39P6-D8BG
TikTok Creator Marketplace Brand Code of Conduct	No date	US	Brands; Eligible creators	https://creatormarketplace.tiktok.com/protocol/terms/PH	https://perma.cc/4MF5-G7F3
TikTok Creator Marketplace Brand Terms of Use (EEA UK CH)	01-2023	EEA, UK, CH	Brands; Eligible creators; Talent managers	https://www.tiktok.com/falcon/tcm/h5/tcm_term/?file=https://lf16-tiktok-creator-market.ibytedtos.com/obj/tiktok-	https://perma.cc/W7F6-J258?type=image

3. While the Terms refer to legal resident in US within eligibility, TikTok announced the program was available in additional countries on 25 March 2021 (<https://newsroom.tiktok.com/en-gb/tiktok-creator-fund-your-questions-answered>)

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
				creator-market-us/ad/star_fe_i18n_h5/pdf_files/transactions/cancel_policy/20220527/UK.pdf	
TikTok Creator Marketplace Cancellation Policy	05-2022	Global	Eligible creators	https://creatormarketplace.tiktok.com/protocol/conduct/US	https://perma.cc/QN6G-NJR7
TikTok Creator Marketplace Creator Terms and Conditions	26-05-2022	EEA, UK, CH, IL	Eligible creators	Only accessible through app	https://perma.cc/X553-G34F
TikTok Creator Marketplace Privacy Policy – Brands and Talent Managers	01-2023	AU, CA, FR, DE, IT, MY, PH, SG, ES, CH, UK, US	Brands; Talent managers	https://creatormarketplace.tiktok.com/protocol/privacy/PH	https://perma.cc/H4LZ-FLJA
TikTok Creator Marketplace Starter Pack Cancellation Policy – UK creator side	No date	UK	Eligible creators	https://www.tiktok.com/falcon/tcm/h5/tcm_term?file=https://sf16-sg.tiktokcdn.com/obj/eden-sg/u81p_lm_yhaz_kl2ljhwZthlaukjlkulzlp/Static/SP/Creator/SP_Cancellation_Creator_GB.pdf	https://perma.cc/NAE-N3S3
TikTok Creator Marketplace Terms of Service (Other Regions)	01-2023	Not EEA, UK, CH, US, CA	Brands; [Eligible] ⁴ Creators; Talent managers	https://creatormarketplace.tiktok.com/protocol/terms/SG	https://perma.cc/BR8X-ZAV3
TikTok	01-2023	CA, US	Brands;	https://creatormarketplace.tiktok.com/	https://perma.cc/BR8X-ZAV3

4. Unlike the EEA terms of use for the TikTok Creator Marketplace these versions do not refer to eligibility of creators

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
Creator Marketplace Terms of Service (US & Canada)			[Eligible] ⁵ Creators: Talent managers	protocol/terms/US	GS5F-RF2A
TikTok Developer Controller to Controller Data Terms	21-06-2023	Global with references to US, EEA/UK/CH	Developers	https://www.tiktok.com/legal/page/global/tiktok-data-sharing-agreement/en	https://perma.cc/3PQ6-6K7W
TikTok Developer Terms of Service	21-06-2023	Global	Developers	https://www.tiktok.com/legal/page/global/tiktok-developer-terms-of-service/en	https://perma.cc/ZV3Z-JUGH
TikTok Effect Creator Rewards Terms (EU)	11-10-2023	EEA, UK, CH	Eligible creators	https://sf16-vz.tiktokcdn.com/obj/eden-v2/nuvzeh7ullssvj/284U-FMJC-effect_creator_rewards/EU_English_Effect_Creator_Rewards_2.0_Terms.pdf	https://perma.cc/284U-FMJC
TikTok Effect Creator Rewards Terms (Non-EU)	11-10-2023	Eligible countries not EEA/ UK/ CH [AU, BR, CA, ID, JP, KR, MY, PH, AE, US, VN] ⁶	Eligible creators	https://sf16-vz.tiktokcdn.com/obj/eden-v2/nuvzeh7ullssvj/284U-FMJC-Non-EU_English_Effect_Creator_Rewards_2.0_Terms.pdf	https://perma.cc/284U-FMJC
TikTok Effects Guidelines	No date	Global	Creators	https://effecthouse.tiktok.com/learn/guides/general/effect-guidelines	https://perma.cc/S9KR-RMHQ
TikTok Effects Terms of Service	No date	Global	Creators	https://effecthouse.tiktok.com/learn/guides/general/terms-of-service	https://perma.cc/JG6W-3XLG
TikTok	06-2023	Eligible	Eligible	https://www.tiktok.com/	https://perma.cc/3PQ6-6K7W

5. Unlike the EEA terms of use for the TikTok Creator Marketplace these versions do not refer to eligibility of creators

6. As of TikTok Effects House Version 3.5.0 FAQ: Creator Rewards, the program is available to these countries <https://effecthouse.tiktok.com/learn/guides/general/faq-effect-creator-rewards>

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
Exclusive Content Access Terms		countries ⁷	creators	legal/page/eea/tiktok-series-sale-terms/en	9WMS-RJEL
TikTok for Business Advertising Terms	31-08-2023	Global	Brands, Creators	https://ads.tiktok.com/i18n/official/policy/advertising-terms	https://perma.cc/LRP8-9DCX
TikTok for Business Payment Terms	21-03-2022	Global	Brands	https://ads.tiktok.com/i18n/official/policy/payment-terms	https://perma.cc/MTH4-MJCW
TikTok for Business Privacy and Cookie Policy	27-12-2022	Global	Brands	https://ads.tiktok.com/i18n/official/policy/privacy	https://perma.cc/MQE2-9ASH
TikTok Intellectual Property Policy	07-06-2021	Global	Brands, Creators	https://www.tiktok.com/legal/page/global/copyright-policy/en	https://perma.cc/NU7Z-B73T
TikTok LIVE Subscription Exclusive Content Creator Terms	08-2023	Eligible countries ⁸	Eligible creators	Only accessible through app	https://perma.cc/3B9P-SVJM
TikTok LIVE Subscription Terms	05-2022	Global	Eligible creators	Only accessible through app	https://perma.cc/GGR3-NCAL
TikTok Music Terms	08-2023	Global	Brands; Creators	https://www.tiktok.com/legal/page/global/music-terms-eea/en	https://perma.cc/RBM3-Q5YM
TikTok Open Source Policy ⁹	No date	Global	Not Applicable	https://www.tiktok.com/legal/page/global/open-source/en	https://perma.cc/3PCA-GEBO

7. Unclear which ones

8. Unclear which ones

9. Referred to as "policy" in other documentation but webpage is named "Software Notices"

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
TikTok Platform Cookies Policy	05-11-2020	Global	Not Applicable	https://www.tiktok.com/legal/page/global/cookie-policy/en	https://perma.cc/6U55-X54V
TikTok Political Ads Policy ¹⁰	No date	Global	Creators	https://support.tiktok.com/en/using-tiktok/growing-your-audience/government-politician-and-political-party-accounts	https://perma.cc/N277-UYT3
TikTok Privacy Policy (EEA UK CH)	19-11-2023	EEA, UK, CH	Brands; Creators	https://www.tiktok.com/legal/page/eea/privacy-policy/en#privacy-row	https://perma.cc/EA6P-RPN4
TikTok Privacy Policy (Other Regions)	04-08-2023	Not EEA, UK, CH, US with references to AR, AU, BR, CA, EG, IN, ID, IL, JP, MX, PH, RU, ZA, KR, TR, AE, VN	Brands	https://www.tiktok.com/legal/page/row/privacy-policy/en	https://perma.cc/JYV7-JYZA?type=image
TikTok Privacy Policy (US)	22-05-2023	US	Brands	https://www.tiktok.com/legal/page/us/privacy-policy/en	https://perma.cc/WS4N-7YT6?type=image
TikTok Promote Terms	22-12-2022	Global	Creators	Only accessible through app	https://perma.cc/3UT7-2HBG
TikTok Research API Terms of Service	10-08-2023	Global	Not applicable	https://www.tiktok.com/legal/page/global/terms-of-service-research-api/en	https://perma.cc/TF29-G2EK

10. Referred to as "policy" in other documentation but webpage is named "Government, Politician and Political Party Accounts"

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
TikTok Research API Services Terms of Service - Jurisdiction Specific Terms	10-02-2023	Global with references to VN, ID, TH	Not applicable	https://www.tiktok.com/legal/page/global/terms-of-service-research-api-jst/en	https://perma.cc/FRB2-YTM5
TikTok Rewards Policy	06-2022	EEA, UK, CH	Creators, Eligible creators	https://www.tiktok.com/legal/page/global/rewards-policy-eea/en	https://perma.cc/8VUE-BVR5
TikTok Rewards Terms and Conditions	No date	Global with references to EG, JP, ES, PT, BR, ID, KR	Creators	https://www.tiktok.com/tiktok-rewards/terms-conditions	https://perma.cc/G5UD-GE5C
TikTok Series Creator Terms	11-2022	Global with references to BR, KR	Eligible creators	https://www.tiktok.com/legal/page/row/tiktok-series-creator-terms/en	https://perma.cc/5RR9-YAT9
TikTok Shop Center Developer Terms of Use	05-12-2022	Global	Developers	https://partner.tiktokshop.com/docv2/page/6506bc942f024f02be400315	https://perma.cc/U466-KTM7
TikTok Shop Partner Center Privacy Policy	30-12-2022	Global	Developers	https://partner.tiktokshop.com/doc/page/63fd7444715d622a338c5091	https://perma.cc/G2KY-NMIJ
TikTok Shop Partner Center Terms of Service	30-10-2023	Global with references to CN, Southeast Asia, UK, US	Brands; Developers; Eligible creators	https://partner.tiktokshop.com/doc/page/63fd7444715d622a338c508e	https://perma.cc/2HEU-8SVU
TikTok Shop Sandbox Terms of Service	16-08-2023	Global	Developers	https://partner.tiktokshop.com/doc/page/63fd7446715d622a338c50d1	https://perma.cc/RJ2B-PNZN
TikTok Shop Streamer Creator Terms of Use	03-2023	Global with references to UK, Southeast Asia	Eligible creators	https://shop.tiktok.com/streamer/agreement/view?id=b86de487-f2b4-4480-8f16-751ae04a4dad	https://perma.cc/2P8M-6C3U
TikTok Shop	09-08-2023	UK	Brands;	https://seller-	https://perma.cc/

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
UK Affiliate Marketing Guidelines			Eligible creators	sg.tiktok.com/university/essay?knowledge_id=2874121260189441&role=1&	V9QT-UTHJ
TikTok Shop UK Content Guidelines	04-08-2023	UK	[Eligible] creators	https://seller-uk.tiktok.com/university/essay?knowledge_id=8913678280345345&identity=	https://perma.cc/NAP2-L8ES
TikTok Shop UK Merchant Terms of Service	14-09-2023	UK	Brands, Eligible creators	https://seller-uk.tiktok.com/university/article/agreement?knowledge_id=10001431&identity=1	https://perma.cc/KYW9-5EUN
TikTok Shop UK Privacy Policy	18-01-2023	UK	Brands; Eligible creators	https://seller-uk.tiktok.com/university/article/agreement?knowledge_id=10001432&identity=1	https://perma.cc/SQE4-ASU9
TikTok Shop US Content Policy	21-09-2023	US	[Eligible] creators	https://seller-us.tiktok.com/university/essay?knowledge_id=6837891779151617&from=po	https://perma.cc/8WW9-TBLX
TikTok Shop US Creator Performance Evaluation Policy	13-09-2023	US	[Eligible] creators	https://seller-us.tiktok.com/university/essay?knowledge_id=6837869503317761&role=1&	https://perma.cc/6PNT-ARBT
TikTok Shop US Creator Terms of Use	29-12-2022	US	Eligible creators	https://lf3-cdn-tos.draftstatic.com/obj/ies-hotsoon-draft/magellan_ecommerce/2e1bc607-edf1-4d2a-b42c-9dff68e83b61.html	https://perma.cc/8TPJ-ZAUK
TikTok Shop US Intellectual Property Policy	21-08-2023	US	Eligible creators, brands	https://seller-us.tiktok.com/university/essay?knowledge_id=6837901778306818&from=po	https://perma.cc/Z3HF-BDBT
TikTok Shop US Seller Terms of Service	18-07-2023	US	Brands, Eligible creators	https://seller-us.tiktok.com/university/article/agreement?knowledge_id=10013296&identity=1	https://perma.cc/GK2W-2ASV

NAME	LAST UPDATED	JURISDICTION	MONETISATION BY	ORIGINAL URL	PERMA.CC LINK
TikTok Terms of Service (EEA UK CH)	08-2023	EEA, UK, CH	Creators	https://www.tiktok.com/legal/page/eea/terms-of-service/en	https://perma.cc/3ALF-92ZF
TikTok Terms of Service (Other Regions)	02-2021	Not EEA, UK, CH, US with references to BR, IN, ID, AE, MX, TR	Not applicable	https://www.tiktok.com/legal/page/row/terms-of-service/en	https://perma.cc/2RW8-QSG5
TikTok Terms of Service (US)	07-2023	US	Not Applicable	https://www.tiktok.com/legal/page/us/terms-of-service/en	https://perma.cc/W554-K2HT?type=image
TikTok Tips Terms and Conditions	No date	Eligible countries [US, UK, FR, DE, IT, ES ¹¹]	Eligible creators	https://www.tiktok.com/legal/page/global/tip-terms/en	https://perma.cc/W7FF-PJPZ
TikTok Virtual Items Policy (EEA UK CH) ¹²	06-2022	EEA, UK, CH	Creators; Eligible creators	https://www.tiktok.com/legal/page/eea/virtual-items/en	https://perma.cc/7FM6-Z6KP
TikTok Virtual Items Policy (Other Regions)	10-2022	Not EEA, UK, CH	Creators; Eligible creators	https://www.tiktok.com/legal/page/row/virtual-items/en	https://perma.cc/26RB-HNAX
TikTok Web Cookies Policy	16-09-2022	Global	Not applicable	https://www.tiktok.com/legal/page/global/tiktok-website-cookies-policy/en	https://perma.cc/69G2-SYE2

11. The program is available in these countries according to the Creator Portal Tips page <https://www.tiktok.com/creators/creator-portal/en-us/getting-paid-to-create/tips/>

12. Combination of TikTok Rewards + TikTok Coins policies

Policies

TABLE 3: Policies by URL, jurisdiction, and monetisation

URL		NAME OF POLICY	JURISDICTION	MONETISATION
ads.tiktok.com				
help				
		TikTok Ad Serving Policy	Global	
		TikTok Ads Creative Policy - landing page	Global	
		TikTok Advertising After Conversion Experience Policies	Global	
		TikTok Advertising Anti-Discrimination Policy	Global	
		TikTok Advertising Housing, Employment and Credit Ad Policy	CA, US	
		TikTok Advertising Policies	Global	
		TikTok Advertising Policies - Ad Creatives Ad Format and Functionality	Global	
		TikTok Advertising Policies - Ad Creatives Prohibited Content	Global	
		TikTok Advertising Policies - Ad Creatives Restricted Content	Global	
		TikTok Advertising Policies - Industry Entry	Global	

URL	NAME OF POLICY	JURISDICTION	MONETISATION
	TikTok Branded Content Policy Country Specific Requirements	Global	Creators
i18n			
policy			
	TikTok Advertising Custom Audiences Terms	Global	
	TikTok Advertising Lead Generation Terms	Global	
	TikTok Business Products Data Jurisdiction Specific Terms	Global	
	TikTok Business Products Data Terms	Global	
	TikTok Commercial Music Library Terms	Global	Creators
	TikTok Controller to Controller Data Terms	EEA, UK, CH	
	TikTok for Business Advertising Terms	Global	Creators
	TikTok for Business Payment Terms	Global	
	TikTok for Business Privacy and Cookie Policy	Global	
creatormarketplace.tiktok.com			

URL	NAME OF POLICY		JURISDICTION	MONETISATION
	protocol			
	AU			
		TikTok Creator Marketplace Agreement for Services in Australia	AU	Eligible creators
	CA			
		TikTok Creator Marketplace Agreement for Services in Canada	CA	Eligible creators
	GB			
		TikTok Creator Marketplace Agreement for Services in UK, Europe and Israel	EEA, UK, CH, IL	Eligible creators
	PH			
		TikTok Creator Marketplace Brand Code of Conduct	US	Eligible creators
		TikTok Creator Marketplace Privacy Policy – Brands and Talent Managers	Specific countries	
	SG			

URL	NAME OF POLICY	JURISDICTION	MONETISATION
	TikTok Creator Marketplace Terms of Service (Other Regions)	Not EEA, UK, CH, US, CA	Eligible creators
us			
	TikTok Creator Marketplace Agreement for Services in the US	US	Eligible creators
	TikTok Creator Marketplace Cancellation Policy	Global	Eligible creators
	TikTok Creator Marketplace Terms of Service (US & Canada)	CA, US	Eligible creators
effecthouse.tiktok.com			
learn			
	TikTok Effects Guidelines	Global	Creators
	TikTok Effects Terms of Service	Global	Creators
lf3-cdn-tos.draftstatic.com			
	TikTok Shop US Creator Terms of Use	US	Eligible creators

URL	NAME OF POLICY		JURISDICTION	MONETISATION
partner.tiktokshop.com				
		TikTok Shop Center Developer Terms of Use	Global	
		TikTok Shop Partner Center Privacy Policy	Global	
		TikTok Shop Partner Center Terms of Service	Global	Eligible creators
		TikTok Shop Sandbox Terms of Service	Global	
seller-sg.tiktok.com				
	university			
		TikTok Shop UK Affiliate Marketing Guidelines	UK	Eligible creators
seller-uk.tiktok.com				
	university			
		TikTok Shop UK Content Guidelines	UK	Eligible creators
		TikTok Shop UK Merchant Terms of Service	UK	Eligible creators

URL	NAME OF POLICY	JURISDICTION	MONETISATION
	TikTok Shop UK Privacy Policy	UK	Eligible creators
seller-us.tiktok.com			
university			
	TikTok Shop US Content Policy	US	Eligible creators
	TikTok Shop US Creator Performance Evaluation Policy	US	Eligible creators
	TikTok Shop US Intellectual Property Policy	US	Eligible creators
	TikTok Shop US Seller Terms of Service	US	Eligible creators
sf16-v.tiktokcdn.com			
	TikTok Effect Creator Rewards Terms (EU)	EEA, UK, CH	Eligible creators
	TikTok Effect Creator Rewards Terms (Non-EU)	Eligible countries	Eligible creators
shop.tiktok.com			

URL	NAME OF POLICY		JURISDICTION	MONETISATION
streamer				
		TikTok Shop Streamer Creator Terms of Use	Global	Eligible creators
support.tiktok.com				
		TikTok Political Ads Policy	Global	Creators
tiktokbrandbook.com				
		TikTok Brand Guidelines	Global	
tiktok.com				
community-guidelines				
		TikTok Community Guidelines	Global	Creators
legal				
eea				
		TikTok Exclusive Content Access Terms	Eligible countries	Eligible creators

URL		NAME OF POLICY	JURISDICTION	MONETISATION
		TikTok Privacy Policy (EEA UK CH)	EEA, UK, CH	Creators
		TikTok Terms of Service (EEA UK CH)	EEA, UK, CH	Creators
		TikTok Virtual Items Policy (EEA UK CH)	EEA, UK, CH	Eligible creators
global				
		TikTok Branded Content Policy	Global	Creators
		TikTok Business Terms of Service	EEA, UK, CH	
		TikTok Children's Privacy Policy	US	
		TikTok Coins Policy	EEA, UK, CH	Creators
		TikTok Commercial Terms of Service	Global	
		TikTok Creativity Program Beta Terms	Eligible countries	Eligible creators
		TikTok Creator Fund Terms	US [IT, FR, ES, DE, UK]	Eligible creators
		TikTok Developer Controller to Controller Data Terms	Global	

URL		NAME OF POLICY	JURISDICTION	MONETISATION
		TikTok Developer Terms of Service	Global	
		TikTok Intellectual Property Policy	Global	Creators
		TikTok Music Terms	Global	Creators
		TikTok Open Source Policy	Global	
		TikTok Platform Cookies Policy	Global	
		TikTok Research API Services Terms of Service - Jurisdiction Specific Terms	Global	
		TikTok Research API Terms of Service	Global	
		TikTok Rewards Policy	EEA, UK, CH	Eligible creators
		TikTok Tips Terms and Conditions	Eligible countries	Eligible creators
		TikTok Web Cookies Policy	Global	
	row			
		TikTok Privacy Policy (Other Regions)	Not EEA, UK, CH, US	

URL		NAME OF POLICY	JURISDICTION	MONETISATION
		TikTok Series Creator Terms	Global	Eligible creators
		TikTok Terms of Service (Other Regions)	Not EEA, UK, CH, US	
		TikTok Virtual Items Policy (Other Regions)	Not EEA, UK, CH	Eligible creators
us				
		TikTok Privacy Policy (US)	US	
		TikTok Terms of Service (US)	US	
tiktok-rewards				
		TikTok Rewards Terms and Conditions	Global	Creators
falcon				
		TikTok Creator Marketplace Brand Terms of Use (EEA UK CH)	EEA, UK, CH	Eligible creators
		TikTok Creator Marketplace Starter Pack Cancellation Policy – UK creator side	UK	Eligible creators
Only accessible through app				

URL		NAME OF POLICY	JURISDICTION	MONETISATION
		TikTok Creator Marketplace Creator Terms and Conditions	EEA, UK, CH, IL	Eligible creators
		TikTok LIVE Subscription Exclusive Content Creator Terms	Eligible countries	Eligible creators
		TikTok LIVE Subscription Terms	Global	Eligible creators
		TikTok Promote Terms	Global	Creators

Monetisation eligibility requirements

TABLE 4: Eligibility requirements for monetisation by ‘creators’

NAME	MONETISATION STREAM	DOCUMENTATION	ELIGIBILITY CRITERIA					
			JURISDICTION	AGE	GOOD STANDING WITH PLATFORM POLICIES	MINIMUM NUMBER OF FOLLOWERS	MINIMUM VIEWS	ADDITIONAL REQUIREMENTS
Branded effects	On-platform influencer marketing	Effect House Terms of Service		Age of majority				
Virtual gifts	Tokens	Virtual Items Policy (Other Regions)		18 or age of majority				
Referral programme	Tokens	Rewards Terms and Conditions	Participating country	18 or age of majority				Eligibility criteria for referrer (existing user of the

NAME	MONETISATION STREAM	DOCUMENTATION	ELIGIBILITY CRITERIA					
			JURISDICTION	AGE	GOOD STANDING WITH PLATFORM POLICIES	MINIMUM NUMBER OF FOLLOWERS	MINIMUM VIEWS	ADDITIONAL REQUIREMENTS
								platform) and new user (never used platform)
Branded content	On-platform influencer marketing	TikTok Creator Marketplace Creator Terms and Conditions	EEA, UK, CH, IL	18	Account is good standing			Invitation from TikTok; Additional eligibility criteria not outlined
Branded content	On-platform influencer marketing	Creator Marketplace Terms of Service; Privacy Policy	Requirements not outlined in documentation					
Branded content	On-platform influencer marketing	TikTok Shop Creator Terms of Use		18 or age of majority				Additional jurisdiction-specific terms in the Terms and on the application page
Series	Creator funds	Series Creator Terms	Participating country	Age of majority	Account is in good standing; compliant with policies and all applicable laws	Specific programmes will have requirements but not outlined in policy		
Creator funds	Creator funds	Creativity Program Beta	Legal resident in	18 or age of majority	Account is in good	10,000 authentic followers	100,000 authentic video	Valid linked digital payment

NAME	MONETISATION STREAM	DOCUMENTATION	ELIGIBILITY CRITERIA					
			JURISDICTION	AGE	GOOD STANDING WITH PLATFORM POLICIES	MINIMUM NUMBER OF FOLLOWERS	MINIMUM VIEWS	ADDITIONAL REQUIREMENTS
		Terms	participating country [BR, FR, DE, JP, KR, UK, US ¹³⁾		standing; compliant with policies		views	account; Not a government, politician or political party account
Creator funds	Creator funds	Creator Fund Terms	Legal resident in US (although fund was made accessible in other countries ¹⁴⁾	18 or age of majority	Account is in good standing; compliant with policies	10,000 authentic followers	100,000 authentic video views in 30 days prior	Valid linked digital payment account
Effects creator funds	Creator funds	Effect Creator Rewards Terms (EU); Effect Creator Rewards Terms (Non-EU)			Account is in good standing; compliant with policies			Not an employee, officer or contractor of TikTok; Gold, Platinum or Diamond Badge creator; Valid payment method and tax information; Not a business account or government, politician or political party account
Virtual gifts	Tokens	Rewards Policy	Eligible countries	18	Account is compliant with			Additional eligibility criteria not

13. See fn. 2

14. See fn. 3

NAME	MONETISATION STREAM	DOCUMENTATION	ELIGIBILITY CRITERIA					
			JURISDICTION	AGE	GOOD STANDING WITH PLATFORM POLICIES	MINIMUM NUMBER OF FOLLOWERS	MINIMUM VIEWS	ADDITIONAL REQUIREMENTS
					policies			outlined
Donations	Tokens	Tips Terms and Conditions	Eligible countries	15		100,000 followers		Personal account Member of Creator Next
Subscription	Subscription	TikTok LIVE Subscription Exclusive Content Creator Terms	Resident in eligible country	18	Account is compliant with policies and laws			Valid payment method; Additional eligibility criteria not outlined

'Independent' collocations

TABLE 5: Collocations of 'independent' in data set related to characterisation of relationship between commercial actors

TikTok and you are	independent	and these Terms do not create any agency, partnership or joint venture	Promote Terms
For the avoidance of doubt, TikTok is an	independent contractor	and will not be deemed an agent of either Creators or you, nor will	TikTok for Business Advertising Terms
You acknowledge and agree that a Creator is an	independent contractor	providing Creator Services to You pursuant to an agreement between	Shop Seller Terms of Service
You acknowledge and agree that a Creator is an	independent contractor	providing Creator Services to You pursuant to an agreement between	Shop UK Merchant Terms of Service
you make for a brand or a third party (the "Brand"), you are an	independent contractor	providing services directly to the Brand pursuant to your separate	Effects Terms of Service

15. See fn. 11

You are an	independent contractor	providing the Creator Services directly to Merchants pursuant to	Series Creator Terms
The parties acknowledge that their relationship is that of	independent contractors	and nothing contained in these Program Terms will be deemed to create	Creativity Program Beta Terms
The parties acknowledge that their relationship is that of	independent contractors	and nothing contained in these Terms will be deemed to create or be	Creator Fund Terms
The parties acknowledge that their relationship is that of	independent contractors	and nothing contained in these Terms will be deemed to create or be	Effect Creator Rewards Terms (Non-EU)
You and TikTok are, and will remain at all times,	independent contractors,	and nothing in these Creator Terms and the applicable Program Policies	Series Creator Terms
(i) the TTCM Creators are providing their Services to you as	independent contractors;	(ii) TikTok is not a party to your agreement with the TTCM Creators;	Creator Marketplace Terms of Use (EEA UK CH)
Brands and Creators are	independent individuals	or organizations and not employees, agents, or contractors of TikTok.	Creator Marketplace Terms of Service (Other Regions)
Brands and Creators are	independent individuals	or organizations and not employees, agents, or contractors of TikTok.	Creator Marketplace Terms of Service (US & Canada)
TTCM Creator's relationship with the Brand shall be as an	independent contractor	contracting at arm's length and nothing in this Agreement shall be	Creator Marketplace Agreement for Services in Australia

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