AMENDMENTS
27 - 175

Draft opinion
Sabine Verheyen
(PE735.573v01-00)

Transparency and targeting of political advertising

Proposal for a regulation
Amendment 27
Petra Kammerevert

Proposal for a regulation
Recital 2

Text proposed by the Commission
(2) Political advertising can be disseminated or published through various means and media across borders. It can be disseminated or published via traditional offline media such as newspapers, television and radio, and also increasingly via online platforms, websites, mobile applications, computer games and other digital interfaces. The latter are not only particularly prone to be offered cross-border, but also raise novel and difficult regulatory and enforcement challenges. The use of online political advertising is strongly increasing, and certain linear offline forms of political advertising, such as radio and television, are also offered online as on-demand services. Political advertising campaigns tend to be organised to make use of a range of media and forms.

Or. en

Justification
The recital completely ignores the fact that the creation of content radio and television, in addition to editorial responsibility, is regulated by law in the member states, newspapers are subject to voluntary press codes for quality assurance, the EU may only take subsidiary action in these areas in exceptional cases and their content distribution cannot be equated with that on game consoles, other online platforms or interfaces.

Amendment 28
Marcel Kolaja

Proposal for a regulation
Recital 2

Text proposed by the Commission
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disseminated or published through various means and media across borders. It can be disseminated or published via traditional offline media such as newspapers, television and radio, and also increasingly via online platforms, websites, mobile applications, computer games and other digital interfaces. The latter are not only particularly prone to be offered cross-border, but also raise novel and difficult regulatory and enforcement challenges. The use of online political advertising is strongly increasing, and certain linear offline forms of political advertising, such as radio and television, are also offered online as on-demand services. Political advertising campaigns tend to be organised to make use of a range of media and forms.

Amendment 29
Victor Negrescu

Proposal for a regulation
Recital 4

_text proposed by the Commission_

(4) The need to ensure transparency is a legitimate public goal, in conformity with the values shared by the EU and its Member States pursuant to Article 2 of the Treaty on European Union (‘TEU’). It is not always easy for citizens to recognise political advertisements and exercise their democratic rights in an informed manner. A high level of transparency is necessary, among others, to support an open and fair political debate and free and fair elections or referendums and to combat disinformation and unlawful interference including from abroad. Political advertising can be a vector of disinformation in particular where the advertising does not disclose its political nature, and where it is targeted. Transparency of political

_text proposed by the Commission_

(4) The need to ensure transparency is a legitimate public goal as also highlighted in the “Report on the final outcome of the Conference on the Future of Europe” released on 9 May 2022, in conformity with the values shared by the EU and its Member States pursuant to Article 2 of the Treaty on European Union (‘TEU’). It is not always easy for citizens to recognise political advertisements and exercise their democratic rights in an informed manner. A high level of transparency and due diligence is necessary, among others, to support an open and fair political debate and free and fair elections or referendums and to combat disinformation and unlawful interference including from abroad. Political advertising can be a vector of
advertising contributes to enabling voters to better understand when they are being presented with a political advertisement on whose behalf that advertisement is being made, and how they are being targeted by an advertising service provider, so that voters are better placed to make informed choices.

disinformation in particular where the advertising does not disclose its political nature, and where it is targeted. Transparency of political advertising contributes to enabling voters to better understand when they are being presented with a political advertisement on whose behalf that advertisement is being made, and how they are being targeted by an advertising service provider, so that voters are better placed to make informed choices.

Amendment 30
Andrey Slabakov

Proposal for a regulation
Recital 4

(4) The need to ensure transparency is a legitimate public goal, in conformity with the values shared by the EU and its Member States pursuant to Article 2 of the Treaty on European Union (‘TEU’). It is not always easy for citizens to recognise political advertisements and exercise their democratic rights in an informed manner. A high level of transparency is necessary, among others, to support an open and fair political debate and free and fair elections or referendums and to combat disinformation and unlawful interference including from abroad. Political advertising can be a vector of disinformation in particular where the advertising does not disclose its political nature, and where it is targeted. Transparency of political advertising contributes to enabling voters to better understand when they are being presented with a political advertisement on whose behalf that advertisement is being made, and how they are being targeted by an advertising service provider, so that voters are better placed to make informed choices.
choices.

Justification

While targeting be advertising service providers should be subject to transparency, targeting itself should not be misconstrued as a vector for political disinformation.

Amendment 31
Andrey Slabakov

Proposal for a regulation
Recital 5

(5) In the context of political advertising, targeting techniques are frequently used. Targeting or amplification techniques should be understood as techniques that are used either to address a tailored political advertisement only to a specific person or group of persons or to increase the circulation, reach or visibility of a political advertisement. Given the power and the potential for the misuse of personal data of targeting, including through microtargeting and other advanced techniques, such techniques may present particular threats to legitimate public interests, such as fairness, equal opportunities and transparency in the electoral process and the fundamental right to be informed in an objective, transparent and pluralistic way.

Amendment 32
Victor Negrescu

Proposal for a regulation
Recital 5

(5) In the context of political advertising, targeting techniques are frequently used. Targeting or amplification techniques should be understood as techniques that are used either to address a tailored political advertisement only to a specific person or group of persons or to increase the circulation, reach or visibility of a political advertisement. Given the power and the potential for the misuse of personal data of targeting, including through microtargeting and other advanced techniques, the use of such techniques without adhering to a high standard of transparency may present a threat to the electoral process;
Text proposed by the Commission

(5) In the context of political advertising, targeting techniques are frequently used. Targeting or amplification techniques should be understood as techniques that are used either to address a tailored political advertisement only to a specific person or group of persons or to increase the circulation, reach or visibility of a political advertisement. Given the power and the potential for the misuse of personal data of targeting, including through microtargeting and other advanced techniques, such techniques may present particular threats to legitimate public interests, such as fairness, equal opportunities and transparency in the electoral process and the fundamental right to be informed in an objective, transparent and pluralistic way.

Amendment

(5) In the context of political advertising, targeting techniques are frequently used. Targeting or amplification techniques should be understood as techniques that are used either to address a tailored political advertisement only to a specific person or group of persons or to increase the circulation, reach or visibility of a political advertisement. Given the power and the potential for the misuse of personal data of targeting, including through microtargeting and other advanced techniques, such techniques may present particular threats to legitimate public interests, such as fairness, freedom of expression, protection of the EU citizens living outside the European Union, equal opportunities and transparency in the electoral process and the fundamental right to be informed in an objective, transparent and pluralistic way.

Or. en

Amendment 33
Victor Negrescu

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Political advertising is currently regulated heterogeneously in the Member States, which in many cases tends to focus on traditional media forms. Specific restrictions exist including on cross-border provisions of political advertising services. Some Member States prohibit EU service providers established in other Member States from providing services of a political nature or with a political purpose during electoral periods. At the same time, gaps and loopholes in national legislation are likely to exist in some Member States resulting in political advertising sometimes

Amendment

(6) Political advertising is currently regulated heterogeneously in the Member States, which in many cases tends to focus on traditional media forms. Specific restrictions exist including on cross-border provisions of political advertising services by affecting directly the capacity to conduct cross-border and pan-European political campaigns. Some Member States prohibit EU service providers established in other Member States from providing services of a political nature or with a political purpose during electoral periods. At the same time, gaps and loopholes in
national and European legislation are likely to exist in some Member States resulting in political advertising sometimes being disseminated without regard to relevant national rules and thus risking undermining the objective of transparency regulation for political advertising.

Or. en

Amendment 34
Andrey Slabakov

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) This situation leads to the fragmentation of the internal market, decreases legal certainty for providers of political advertising services preparing, placing, publishing or disseminating political advertisements, creates barriers to the free movement of related services, distorts competition in the internal market, including between offline and online service providers, and requires complex compliance efforts and additional costs for relevant service providers.

Amendment

(8) This situation leads to the fragmentation of the internal market, decreases legal certainty for providers of political advertising services preparing, placing, publishing or disseminating political advertisements, creates barriers to the free movement of related services, distorts competition in the internal market, including between offline and online service providers, requires complex compliance efforts and additional costs for relevant service providers and creates uncertainty regarding the protection of the fundamental right to freedom of speech, particularly with regards to political discourse and ideas;

Or. en

Amendment 35
Victor Negrescu

Proposal for a regulation
Recital 8

Text proposed by the Commission

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Amendment

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fragmentation of the internal market, decreases legal certainty for providers of political advertising services preparing, placing, publishing or disseminating political advertisements, creates barriers to the free movement of related services, distorts competition in the internal market, including between offline and online service providers, and requires complex compliance efforts and additional costs for relevant service providers.

Or. en

Amendment 36
Victor Negrescu
Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) In this context, providers of political advertising services are likely to be discouraged from providing their political advertising services in cross-border situations. This is particularly true for microenterprises and SMEs, which often do not have the resources to absorb or pass on the high compliance costs connected to the preparation, placement, publication or dissemination of political advertising in more than one Member State. This limits the availability of services and negatively impacts the possibility for service providers to innovate and offer multi-medium and multi-national campaigns within the internal market.

Amendment

(9) In this context, providers of political advertising services are likely to be discouraged from providing their political advertising services in cross-border situations. This is particularly true for microenterprises and SMEs, which often do not have the resources to absorb or pass on the high compliance costs connected to the preparation, placement, publication or dissemination of political advertising in more than one Member State. This limits the availability of services and negatively impacts the possibility for service providers to innovate and offer multi-medium and multi-national campaigns within the internal market, and represent an obstacle to the creation of a true pan-European public sphere.

Or. en

Amendment 37
Victor Negrescu
Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) A consistent and high level of transparency of political advertising throughout the Union should therefore be ensured when political advertising services are provided, while divergences hampering the free circulation of related services within the internal market should be prevented, by laying down uniform transparency obligations for providers of political advertising services guaranteeing the uniform protection of rights of persons and supervision throughout the internal market based on Article 114 of the TFEU.

Amendment

(10) A consistent and high level of transparency of political advertising throughout the Union should therefore be ensured when political advertising services are provided, while divergences hampering the free circulation of related services within the internal market should be prevented, by laying down uniform transparency and due diligence obligations for providers of political advertising services guaranteeing the uniform protection of rights of persons and supervision throughout the internal market based on Article 114 of the TFEU.

Amendment 38
Victor Negrescu

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) Member States should not maintain or introduce, in their national laws, provisions diverging from those laid down in this Regulation, in particular more or less stringent provisions to ensure a different level of transparency in political advertising. Full harmonisation of the transparency requirements linked to political advertisement increases legal certainty and reduces the fragmentation of the obligations that service providers meet in the context of political advertising.

Amendment

(11) Member States should not maintain or introduce, in their national laws, provisions diverging from those laid down in this Regulation, in particular more or less stringent provisions to ensure a different level of transparency and due diligence in political advertising. Full harmonisation of the transparency requirements linked to political advertisement increases legal certainty and reduces the fragmentation of the obligations that service providers meet in the context of political advertising.
Amendment 39
Andrey Slabakov

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) This Regulation **should** not affect the substantive content of political advertising nor rules regulating the display of political advertising including so-called silence periods preceding elections or referendums.

Amendment

(13) This Regulation **must** not affect the substantive content of political advertising nor rules regulating the display of political advertising including so-called silence periods preceding elections or referendums; *furthermore, it must not affect, or be used to affect in any way the fundamental right to freedom of opinion and freedom of speech;*

Or. en

Amendment 40
Victor Negrescu

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The Regulation should provide for harmonised transparency requirement applicable to economic actors providing political advertising and related services (i.e. activities that are normally provided for remuneration); those services consist in particular of the preparation, placement, promotion, publication and dissemination of political advertising. The rules of this Regulation that provide for a high level of transparency of political advertising services are based on Article 114 of the TFEU. This Regulation should also address the use of targeting and amplification techniques in the context of the publication, dissemination or promotion of political advertising that involve the processing of personal data. The rules of this Regulation that address the use of targeting and amplification are based on

Amendment

(14) The Regulation should provide for harmonised transparency and **due diligence** requirement applicable to economic actors providing political advertising and related services (i.e. activities that are normally provided for remuneration); those services consist in particular of the preparation, placement, promotion, publication and dissemination of political advertising. The rules of this Regulation that provide for a high level of transparency of political advertising services are based on Article 114 of the TFEU. This Regulation should also address the use of targeting and amplification techniques in the context of the publication, dissemination or promotion of political advertising that involve the processing of personal data. The rules of this Regulation that address the use of
Article 16 of the TFEU. Political advertising directed to individuals in a Member State should include advertising entirely prepared, placed or published by service providers established outside the Union but disseminated to individuals in the Union. To determine whether a political advertisement is directed to individuals in a Member State, account should be taken of factors linking it to that Member State, including language, context, objective of the advertisement and its means of dissemination.

Amendment 41
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) There is no existing definition of political advertising or political advertisement at Union level. A common definition is needed to establish the scope of application of the harmonised transparency obligations and rules on targeting and amplification. This definition should cover the many forms that political advertising can take and any means and mode of publication or dissemination within the Union, regardless of whether the source is located within the Union or in a third country.

Amendment

(15) Currently, there is no existing definition of political advertising or political advertisement at Union level. Common definitions are needed to establish the scope of application of the harmonised transparency obligations and rules on targeting. These definitions should cover the many forms that political advertisement can take and any means and mode of placement, publication, promotion or dissemination within the Union, regardless of whether the source is located within the Union or in a third country.

Amendment 42
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) The definition of political advertising should include advertising published or disseminated directly or indirectly by or published or disseminated directly or indirectly for or on behalf of a political actor. Since advertisements by, for or on behalf of a political actor cannot be detached from their activity in their role as political actor, they can be presumed to be liable to influence the political debate, except for messages of purely private or purely commercial nature.

Amendment

(16) The definition of political advertising should cover preparation, placement, publication, promotion or dissemination of a message by, for or on behalf of a political actor, in both direct and indirect way, or a message by other actors which is liable and designed to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Or. en

Amendment 43
Victor Negrescu

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) The definition of political advertising should include advertising published or disseminated directly or indirectly by or published or disseminated directly or indirectly for or on behalf of a political actor. Since advertisements by, for or on behalf of a political actor cannot be detached from their activity in their role as political actor, they can be presumed to be liable to influence the political debate, except for messages of purely private or purely commercial nature.

Amendment

(16) The definition of political advertising should include advertising published, promoted or disseminated directly or indirectly by or published or disseminated directly or indirectly for or on behalf of a political actor. Since advertisements by, for or on behalf of a political actor cannot be detached from their activity in their role as political actor, they can be presumed to be liable to influence the political debate, except for messages of purely private or purely commercial nature.

Or. en

Amendment 44
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Recital 16 a (new)

Text proposed by the Commission

Amendment

(16 a) Since advertisements by, for or on behalf of a political actor cannot be detached from their activity in their role as political actor, they can be presumed to be liable to influence the political debate by default.

Or. en

Amendment 45
Andrey Slabakov
Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment

(17) The publication or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

deleted

Or. en
Amendment 46
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The publication or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Amendment

(17) With regards to the advertisement by other actors of a message that is liable and designed to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour it is necessary to determine this on a case-by-case basis. For this purpose, account should be taken of all relevant factors at the time of preparation, placement, publication, promotion or dissemination of the message, such as the sponsor of the message and the entity or person ultimately controlling the sponsor, content of the message, the language used to convey the message, the context in which the message is conveyed, timing of the message including electoral or referendum periods, the objective and nature of the message and the means by which the message is prepared, placed, published, promoted or disseminated. Messages on public, societal or controversial issues may, as the case may be, be liable and designed to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Or. en

Amendment 47
Marcel Kolaja

Proposal for a regulation
Recital 17

Text proposed by the Commission

Amendment
(17) The publication or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Amendment 48
Victor Negrescu
Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The publication or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Amendment

(17) The publication, promotion or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, legislative or regulatory process or voting behaviour at local, national and European level should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.
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Or. en

Amendment 49
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) The publication or dissemination by other actors of a message that is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable to influence the outcome of an election or referendum, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Amendment

(17) The publication or dissemination by other actors of a message that is liable, planned and intended to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour should also constitute political advertising. In order to determine whether the publication or dissemination of a message is liable, planned and intended to influence the outcome of an election or referendum, account should be taken of all relevant factors such as the content of the message, the language used to convey the message, the context in which the message is conveyed, the objective of the message and the means by which the message is published or disseminated. Messages on societal or controversial issues may, as the case may be, be liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Or. en
Amendment 50
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Recital 18

*Text proposed by the Commission*

(18) Practical information from official sources regarding the organisation and modalities for participation in the elections or referendums should not constitute political advertising.

*Amendment*

(18) Practical information from official sources regarding *exclusively* the organisation and modalities for participation in the elections or referendums should not constitute political advertising.

Or. en

Amendment 51
Sabine Verheyen
Proposal for a regulation
Recital 19

*Text proposed by the Commission*

(19) Political views expressed in the programmes of audiovisual linear broadcasts or published in printed media without direct payment or equivalent remuneration should not be covered by this Regulation.

*Amendment*

(19) *The media contribute to the well-functioning of democratic processes and play an essential role in the freedom of expression and right to information, particularly during election periods. They provide a space for public debate and contribute to public opinion-forming. This Regulation should therefore not affect the media’s editorial freedom.* Political views as well as other editorial content expressed under the editorial responsibility of a service provider in the programmes of *audio and* audiovisual *media including* linear and non-linear broadcasts or published in printed or *online* media without direct payment or equivalent remuneration should not be covered by this Regulation.

Or. en
Amendment 52
Andrey Slabakov

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Political views expressed in the programmes of audiovisual linear broadcasts or published in printed media without direct payment or equivalent remuneration should not be covered by this Regulation.

Amendment

(19) Political views or other editorial content expressed under the editorial responsibility of a service provider in the programmes of audio-visual media, including linear and non-linear broadcasts or published in printed or online magazines, newspapers or other media, unless the service provider has been remunerated by a third party for the political advertisement should not be covered by this Regulation.

Or. en

Amendment 53
Lucia Řuriš Nicholsonová

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Political views expressed in the programmes of audiovisual linear broadcasts or published in printed media without direct payment or equivalent remuneration should not be covered by this Regulation.

Amendment

(19) Political views and opinions expressed for journalistic purposes in both printed and online media or in the programmes of audiovisual linear or non-linear broadcasts and under the editorial responsibility of the service provider if expressed without any payment or equivalent remuneration from a third party, should not be considered political advertisement and should not be covered by this Regulation.

Or. en
Amendment 54
Petra Kammerevert, Predrag Fred Matić

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) Political views expressed in the programmes of audiovisual linear broadcasts or published in printed media without direct payment or equivalent remuneration should not be covered by this Regulation.

Amendment

(19) Political views expressed and disseminated in content under the editorial responsibility of a media service provider pursuant to Article 1 paragraph 1, letter d of Directive 2010/13/EU, in licensed radio or audio offerings or published in printed or online-media without direct payment or any other equivalent remuneration should not be covered by this Regulation.

Or. en

Amendment 55
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Recital 19 a (new)

Text proposed by the Commission

(19 a) Objective and independent media and journalists and pluralistic media landscape are a vital part of democratic processes as they provide essential information, scrutiny and space for public debate and contribute to public opinion-forming. However, there is a constant risk of instrumentalisation of the media by malicious actors not only from the outside of the Union, but also from within. In order to combat it, it is essential to strengthen and adapt codes of ethics and journalistic standards established both in Member States' law and by press and media councils in accordance with Union law. Special attention should be paid to the prevention of any form of covert political advertising. At the same time, it is necessary to improve and increase the
professional training of journalists with respect to journalistic ethics, both in the form of dedicated courses in education as well as on-the-job training.

Or. en

Amendment 56
Lucia Ďuriš Nicholsonová, Morten Løkkegaard

Proposal for a regulation
Recital 19 b (new)

Text proposed by the Commission

(19 b) Media literacy is central to political culture and active participation by Union citizens. Together with critical thinking they are necessary not only for understanding information, but also for navigating through offered media content and distinguishing quality journalism from biased journalism or disinformation. It is also an essential skill for the public to benefit from the access to information on political advertisements provided by this Regulation. Therefore, it is important to increase media literacy and critical thinking efforts in Member States and at the Union level, including though dedicated media education and publicly available relevant materials adapted to the needs of different groups.

Or. en

Amendment 57
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Recital 26

Text proposed by the Commission

(26) In order to cover the broad range of relevant service providers connected to

Amendment

(26) In order to cover the broad range of relevant service providers connected to
political advertising services, providers of political advertising services should be understood as comprising providers involved in the preparation, placement, promotion, publication and dissemination of political advertising.

Amendment 58
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Recital 27

\textit{Text proposed by the Commission}

(27) The notion of political advertising services should not include messages that are shared by individuals in their purely personal capacity. Individuals should not be considered as acting in their personal capacity if they are publishing messages the dissemination or publication of which is paid for by another.

\textit{Amendment}

(27) The notion of political advertising services should not include messages that are shared by individuals in their purely personal capacity. Individuals should not be considered as acting in their personal capacity if they are publishing messages the dissemination or publication of which is paid for by another \textit{by any means}.

Amendment 59
Victor Negrescu
Proposal for a regulation
Recital 29

\textit{Text proposed by the Commission}

(29) The rules on transparency laid down in this Regulation should only apply to political advertising services, i.e. political advertising that is normally provided against remuneration, which may include a benefit in kind. The transparency requirements should not apply to content uploaded by a user of an online intermediary service, such as an online platform, and disseminated by the online

\textit{Amendment}

(29) The rules on transparency \textit{and due diligence} laid down in this Regulation should only apply to political advertising services, i.e. political advertising that is normally provided against remuneration, which may include a benefit in kind. The transparency requirements should not apply to content uploaded by a user of an online intermediary service, such as an online platform, and disseminated by the
intermediary service without consideration for the placement, publication or dissemination for the specific message, unless the user has been remunerated by a third party for the political advertisement.

online intermediary service without consideration for the placement, publication or dissemination for the specific message, unless the user has been remunerated by a third party for the political advertisement.

Amendment 60
Andrey Slabakov

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) Freedom of expression as protected by Article 11 of the Charter of Fundamental Rights covers an individual’s right to hold political opinions, receive and impart political information and share political ideas. Every limitation to it has to comply with Article 52 of the Charter of Fundamental Rights and that freedom can be subject to modulations and restrictions where they are justified by the pursuit of a legitimate public interest and comply with the general principles of EU law, such as proportionality and legal certainty. **That** is inter alia the case where the political ideas are communicated through advertising service providers.

Amendment

(31) Freedom of expression as protected by Article 11 of the Charter of Fundamental Rights covers an individual’s right to hold political opinions, receive and impart political information and share political ideas. Every limitation to it has to comply with Article 52 of the Charter of Fundamental Rights and that freedom can be subject to modulations and restrictions where they are justified by the pursuit of a legitimate public interest and comply with the general principles of EU law, such as proportionality and legal certainty. **While it** is inter alia the case where the political ideas are communicated through advertising service providers, **special care should be taken in the implementation of this Regulation with regards to the protection of the fundamental right to freedom of expression, including of political opinions.**

Amendment 61
Andrey Slabakov

Proposal for a regulation
Recital 34
(34) In view of the importance of guaranteeing in particular the effectiveness of the transparency requirements including to ease their oversight, providers of political advertising services should ensure that the relevant information they collect in the provision of their services, including the indication that an advertisement is political, is provided to the political advertising publisher which brings the political advertisement to the public. In order to support the efficient implementation of this requirement, and the timely and accurate provision of this information, providers of political advertising services should consider and support automating the transmission of information among providers of political advertising services.

Or. en

Amendment 62
Victor Negrescu

Proposal for a regulation
Recital 34

Text proposed by the Commission

(34) In view of the importance of guaranteeing in particular the effectiveness of the transparency requirements and due diligence requirements including to ease their oversight, providers of political advertising services should ensure that the relevant information they collect in the provision of their services, including the indication that an advertisement is political, is provided to the political advertising publisher which brings the political advertisement to the public. In order to support the efficient implementation of this requirement, and the timely and accurate provision of this information, providers of political advertising services should consider and support automating the transmission of information among providers of political advertising services.
advertising services should consider and support automating the transmission of information among providers of political advertising services.

Or. en

Amendment 63
Andrey Slabakov

Proposal for a regulation
Recital 35

Text proposed by the Commission

(35) Where an artificial commercial or contractual construction risks circumventing the effectiveness of the transparency obligations laid down in the Regulation, those obligations should apply to the entity or entities that in substance provide the advertising service.

Amendment

(35) In cases where an artificial commercial or contractual construction risks circumventing the effectiveness of the transparency obligations laid down in the Regulation, Member State authorities should judge whether those obligations should apply to the aforementioned entity or entities.

Or. en

Amendment 64
Andrey Slabakov

Proposal for a regulation
Recital 36

Text proposed by the Commission

(36) Steps could also include providing an efficient mechanism for individuals to indicate that a political advertisement is political, and taking effective action in response to such indications.

Amendment

deleted

(36) Steps could also include providing an efficient mechanism for individuals to indicate that a political advertisement is political, and taking effective action in response to such indications.

Or. en

Amendment 65
Lucia Řuriš Nicholsonová
Proposal for a regulation
Recital 38

Text proposed by the Commission

(38) **Transparency** of political advertising should enable citizens to understand that they are confronted with a political advertisement. Political advertising publishers should ensure the publication in connection to each political advertisement of a clear statement to the effect that it is a political advertisement and of the identity of its sponsor. Where appropriate, the name of the sponsor could include a political logo. Political advertising publishers should make use of labelling which is effective, taking into account developments in relevant scientific research and best practice on the provision of transparency through the labelling of advertising. They should also ensure the publication in connection to each political advertisement of information to enable the wider context of the political advertisement and its aims to be understood, which can either be included in the advertisement itself, or be provided by the publisher on its website, accessible through a link or equivalent clear and user-friendly direction included in the advertisement.

Amendment

(38) **Labelling** of political advertising should enable citizens to understand that they are confronted with a political advertisement. Political advertising publishers should ensure the publication in connection to each political advertisement of a clear statement to the effect that it is a political advertisement or a public issue advertisement, depending on which of the two sub-definitions of political advertisement referred to in Article 2, paragraph 1 point 3 applies. The term “public issue advertisement” should be used exclusively for the purpose of labelling in line with this Regulation. In all other cases the term “political advertisement” is used.

Or. en

Amendment 66
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Recital 38 a (new)

Text proposed by the Commission

(38 a) For the purpose of labelling, every political advertisement should also contain the identity of the sponsor and, where applicable, the entity of person
ultimately controlling the sponsor, and a clear indication of where a transparency notice with more detailed information can be found. Where appropriate, the name of the sponsor could include a political logo. Political advertising publishers should make use of labelling which is effective, clear and prominent, taking into account developments in relevant scientific research, innovations and best practice on the provision of transparency through the labelling of advertisements. Once the Commission, after the consultation of relevant stakeholders, establishes a harmonised design of the labels, political advertising publishers should adopt it as the standard design for the labelling of political advertisements. The label should always remain in place, for example even in the case of further dissemination, including in private messaging between individuals.

Amendment 67
Lucia Řuriš Nicholsonová

Proposal for a regulation
Recital 39

Text proposed by the Commission

(39) This information should be provided in a transparency notice which should also include the identity of the sponsor, in order to support accountability in the political process. The place of establishment of the sponsor and whether the sponsor is a natural or legal person should be clearly indicated. Personal data concerning individuals involved in political advertising, unrelated to the sponsor or other involved political actor should not be provided in the transparency notice. The transparency notice should also contain information on the dissemination period, any linked election, the amount spent for

Amendment

(39) The transparency notice should contain information to enable the wider context of the political advertisement and its aims to be understood. This information should include the identity of the sponsor and, where applicable, the entity or person ultimately controlling the sponsor and contact details in order to support accountability in the political process. The place of establishment of the sponsor and whether the sponsor is a natural or legal person should be clearly indicated. The same should apply to the entity or person ultimately controlling the sponsor. Personal data concerning individuals
involved in political advertising, unrelated to the sponsor or other involved political actor should not be provided in the transparency notice. The transparency notice should also contain information on the placement, publication, promotion and dissemination period, the aggregated amount or the value of other benefits received by the publisher and by the service providers before the publisher in part or full exchange for the specific advertisement as well for the entire advertising campaign where relevant, as well as the aggregated amount or the value of other benefits received by all political advertising service providers through all contracts and all means in part or full exchange for the relevant advertisements and for the entire advertising campaign where relevant in order to account for the value of all contracts for political advertising concluded by the sponsor and all means used to deliver the political advertisement to the public thus allowing for better scrutiny of political actors’ spending on political advertising; the source of the funds used, any linked elections of referendums, links to online repositories of political advertisements and other information to ensure the fairness of the dissemination of the political advertisement. Information on the source of the funds used concerns for instance its public or private origin, the fact that it originates from inside or outside the European Union. Information concerning linked elections or referendums should include, when possible, a link to information from official sources regarding the organisation and modalities for participation or for promoting participation in those elections or referendums. The transparency notice should further include information on how to flag political advertisements in accordance with the procedure established in this Regulation. This requirement should be without prejudice to provisions on notification according to Article 14, 15 and 19 of Regulation (EU) 2021/XXX [Digital Services Act].
of Regulation (EU) 2021/XXX [Digital Services Act].

Amendment 68
Lucia Řuriš Nicholsonová

Proposal for a regulation
Recital 39 a (new)

Text proposed by the Commission

(39 a) Before bringing the advertisement to the public domain, both sponsors and political advertising publishers should jointly ensure that the information in the label and in the transparency notice is complete and accurate. With regards to the information on the aggregated amount or the value of other benefits received by all political advertising service providers through all contracts in part or full exchange for the relevant advertisements and for the entire advertising campaigns where relevant as well as the information on the sources of these funds, the responsibility for the accuracy and completeness of the information should lie with the sponsor since they, as the payers in most cases, are best placed to have such information or be able to collect and verify it. The publisher should, however, also be responsible for the completeness of these pieces of information.

Amendment 69
Lucia Řuriš Nicholsonová

Proposal for a regulation
Recital 39 b (new)
Text proposed by the Commission

(39 b) If, after the publication of the political advertisement, the publisher becomes aware that the information referred to in paragraphs 1 and 2 is incomplete or inaccurate, the publisher should contact the sponsor or the relevant service providers to complete or correct that information. Until such information is corrected, the political advertising publisher should not make the political advertisement available or should discontinue it and inform the relevant service providers and the sponsor accordingly. If, after the publication of the political advertisement, the sponsor or the providers of political advertising services other than publisher become aware that the information provided to or published by the publisher is incomplete or inaccurate, they should contact the publisher concerned without undue delay and provide complete or accurate information to the political advertising publisher.

Amendment 70
Sabine Verheyen
Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The requirement that the information about the transparency notice is to be inter alia clearly visible should entail that it features prominently in or with the advertisement. The requirement that information published in the transparency notice is to

Amendment

(40) The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The presentation of the information can vary depending on the means used, taking into account the character of offline advertising. In order to easily retrieve the information in the transparency notice, use could be made for instance of a
be easily accessible, machine readable where technically possible, and user friendly should entail that it addresses the needs of people with disabilities. Annex I of Directive 2019/882 (European Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

Amendment 71
Andrey Slabakov

Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The requirement that the information about the transparency notice is to be inter alia clearly visible should entail that it features prominently in or with the advertisement. The requirement that information published in the transparency notice is to be easily accessible, machine readable where technically possible, and user friendly should entail that it addresses the needs of people with disabilities. Annex I of Directive 2019/882 (European Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

Amendment

(40) The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The presentation of the information can vary depending on the means used, taking into account the character of offline advertising. In order to easily retrieve the information in the transparency notice, use could be made for instance of a dedicated webpage link, onscreen or via audio means, a Quick Response code (QR code) or equivalent user-friendly technical measures. The advertising publisher should ensure that the
Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The requirement that the information about the transparency notice is to be inter alia clearly visible should entail that it features prominently in or with the advertisement. The requirement that information published in the transparency notice is to be easily accessible, machine readable where technically possible, and user friendly should entail that it addresses the needs of people with disabilities. Annex I of Directive 2019/882 (European Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

Amendment 72
Lucia Žuriš Nicholsonová

Proposal for a regulation
Recital 40

Text proposed by the Commission

(40) The information to be included in the transparency notice should be provided in the advertisement itself or be easily retrievable on the basis of an indication provided in the advertisement. The requirement that the information about the transparency notice is to be inter alia clearly visible should entail that it features prominently in or with the advertisement. The requirement that information published in the transparency notice is to be easily accessible, machine readable where technically possible, and user friendly should entail that it addresses the needs of people with disabilities. Annex I of Directive 2019/882 (European Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

Amendment

(40) The transparency notice containing at least the above mentioned information should be provided by the publisher on its website, accessible through a link or equivalent clear and user-friendly direction included in the advertisement. Interacting with the link or other equivalent direction to access the transparency notice should not be understood as engaging with the political advertisement of which it is part of. The requirement that the information about the transparency notice is to be inter alia clearly visible should entail that it features prominently in or with the advertisement. The requirement that information published in the transparency notice is to be easily accessible, machine readable and user friendly should entail that it addresses the needs of people with disabilities. Annex I of Directive 2019/882 (European Accessibility Act) contains accessibility requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.
requirements for information, including digital information that should be used to render political information accessible for persons with disabilities.

Or. en

Amendment 73  
Lucia Řuriš Nicholsonová

Proposal for a regulation  
Recital 41

Text proposed by the Commission

(41) Transparency notices should be designed to raise user awareness and help the clear identification of the political advertisement as such. They should be designed to remain in place or remain accessible in the event a political advertisement is further disseminated for instance posted on another platform or forwarded between individuals. The information included in the transparency notice should be published when the publication of the political advertisements start and be retained for a period of one year after the last publication. The retained information should also include information about political advertising which was terminated or which was taken down by the publisher.

Amendment

(41) Transparency notices should be designed to raise user awareness and help the clear identification of the political advertisement as such. They should be designed to remain in place or remain accessible in the event a political advertisement is further disseminated for instance posted on another platform or forwarded between individuals. The information included in the transparency notice should be published together with the publication of the political advertisements until its withdrawal. Political advertising publishers should retain the advertisement together with the transparency notice and the history of any modifications for five years after the advertisement is withdrawn from the public domain. The retained information should also include information about political advertising which was terminated or which was taken down by the publisher.

Or. en

Amendment 74  
Lucia Řuriš Nicholsonová

Proposal for a regulation  
Recital 42
Text proposed by the Commission

(42) Since political advertising publishers make political advertisements available to the public, they should publish or disseminate that information to the public together with the publication or dissemination of the political advertisement. Political advertising publishers should not make available to the public those political advertisements not fulfilling the transparency requirements under this Regulation. In addition, political advertising publishers which are very large online platforms within the meaning of Regulation (EU) 2021/XXX [Digital Services Act] should make the information contained in the transparency notice available through the repositories of advertisements published pursuant to Article 30 Regulation [Digital Services Act]. This will facilitate the work of interested actors including researchers in their specific role to support free and fair elections or referendums and fair electoral campaigns including by scrutinising the sponsors of political advertisement and analysing the political advertisement landscape.

Amendment

(42) Since political advertising publishers make political advertisements available to the public, they should place, publish, promote or disseminate that information in the transparency notice to the public together with the placement, publication, promotion or dissemination of the political advertisement. Political advertising publishers should not make available to the public those political advertisements not fulfilling the transparency requirements under this Regulation. In addition, political advertising publishers which are very large online platforms and very large online search engines within the meaning of Regulation (EU) 2021/XXX [Digital Services Act] should make the information contained in the transparency notice available through the repositories of advertisements published pursuant to Article 30 Regulation [Digital Services Act]. Political advertising publishers which are not very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/XXX [Digital Services Act] or very large online search engines within the meaning of Article 33a of Regulation (EU) 2021/XXX [Digital Services Act] should create a repository for political advertisements and make available for each political advertisement in such repository the information contained in the transparency notice. It is necessary that both the publishers that are very large online platforms and publishers that are not ensure real-time access to such information for Member States’ relevant competent authorities and researchers. This will facilitate their scrutiny as well as the work of interested actors including researchers in their specific role to support free and fair elections or referendums and fair electoral campaigns including by scrutinising the sponsors of political advertisement and analysing the political advertisement landscape.
Given the context of political advertisement and its impact on democratic processes, it requires further public accountability and regulatory supervision to enable individuals to make informed political decisions free from interference or manipulation. A European advertisement repository is therefore established to ensure public access to advertisements presented on online interfaces of all political advertisement publishers, which are not very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA], to facilitate supervision and research into emerging risks brought about by the distribution of advertising online, for example in relation to illegal advertisements or manipulative techniques and disinformation with a real and foreseeable negative impact on public security, civil discourse, political participation, equality and free and fair elections or referendums.
(45) Political advertising publishers providing political advertising services should put in place mechanisms to enable individuals to report to them that a particular political advertisement which they have published does not comply with this Regulation. The mechanisms to report such advertisement should be easy to access and use, and should be adapted to the form of advertising distributed by the advertising publisher. As far as possible, these mechanisms should be accessible from the advertisement itself, for instance on the advertising publisher’s website. Political advertising publishers should be able to rely on existing mechanisms where appropriate. Where political advertising publishers are online hosting services providers within the meaning of the Digital Services Act, with regards to the political advertisements hosted at the request of the recipients of their services, the provisions of Article 14 of the Digital Services Act continue to apply for notifications concerning non-compliance of such advertisements with this Regulation.

Amendment 77
Petra Kammerevert, Predrag Fred Matić

Proposal for a regulation
Recital 62

(62) Member States should designate a contact point at Union level for the purpose of this Regulation. The contact point should, if possible, be a member of the European Cooperation Network on Elections. The contact point should facilitate cooperation among competent authorities between Member States in their supervision and enforcement tasks, in

Amendment

(62) Member States should designate a contact point at Union level for the purpose of this Regulation. The contact point should use already existing structures of the European Cooperation Network on Elections or the European Regulators Group for Audiovisual Media Services (ERGA). The contact point should facilitate cooperation among competent authorities between Member States in their supervision and enforcement tasks, in
particular by intermediating with the contact points in other Member States and with the competent authorities in their own. authorities between Member States in their supervision and enforcement tasks, in particular by intermediating with the contact points in other Member States and with the competent authorities in their own.

Amendment 78
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Recital 63

Text proposed by the Commission

(63) Member States authorities should ensure that infringements of the obligations laid down in this Regulation are sanctioned by administrative fines or financial penalties. When doing so, they should take into account the nature, gravity, recurrence and duration of the infringement in view of the public interest at stake, the scope and kind of activities carried out, as well as the economic capacity of the infringer. In that context, the crucial role played by the obligations laid down in Article 7 for the effective pursuit of the objectives of the present Regulation should be taken into account. Furthermore, they should take into account whether the service provider concerned systematically or recurrently fails to comply with its obligations stemming from this Regulation, including by delaying the provision of information to interested entities, as well as, where relevant, whether the provider of political advertising services is active in several Member States. Financial penalties and administrative fines shall in each individual case be effective, proportionate and dissuasive, with due regard to the provision of sufficient and accessible procedural safeguards, and in particular to ensure that the political debate remains open and accessible.

Amendment

(63) Member States authorities should ensure that infringements of the obligations laid down in this Regulation are sanctioned by administrative fines or financial penalties or rectifications applicable to providers of political advertising services as well as sponsors, where relevant. When doing so, they should take into account the nature, gravity, recurrence and duration of the infringement in view of the public interest at stake, the scope and kind of activities carried out, as well as the economic capacity of the infringer. In that context, the crucial role played by the obligations laid down in Articles 5 and 7 for the effective pursuit of the objectives of the present Regulation should be taken into account and infringements of these Articles should be regarded as particularly serious. Furthermore, they should take into account whether the service provider concerned systematically or recurrently fails to comply with its obligations stemming from this Regulation, including by delaying the provision of information to interested entities, as well as, where relevant, whether the provider of political advertising services is active in several Member States. Financial penalties and administrative fines shall in each individual case be effective, proportionate and dissuasive, with due regard to the
provision of sufficient and accessible procedural safeguards, and in particular to ensure that the political debate remains open and accessible.

Or. en

Amendment 79
Andrey Slabakov

Proposal for a regulation
Recital 66

Text proposed by the Commission

(66) In order to fulfil the objectives of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of Article 7(7) to further specify the form in which the requirements for the provision of information in the transparency notices according to that Article should be provided; and in respect of Article 12(8) to further specify the form in which the requirements of the provision of information about targeting should be provided. It is of particular importance that the Commission carries out appropriate consultations, including of experts designated by each Member State, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Amendment

deleted

Or. en
Amendment 80
Victor Negrescu

Proposal for a regulation
Article 1 – paragraph 1 – point a

Text proposed by the Commission

(a) harmonised transparency obligations for providers of political advertising and related services to retain, disclose and publish information connected to the provision of such services;

Amendment

(a) harmonised transparency and due diligence obligations for sponsored providers of political advertising and related services to retain, disclose and publish information connected to the provision of such services;

Or. en

Amendment 81
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) harmonised rules on the use of targeting and amplification techniques in the context of the publication, dissemination or promotion of political advertising that involve the use of personal data.

Amendment

(b) harmonised rules on the use of targeting and amplification techniques in the context of the publication, dissemination or promotion of political advertising that involve the use of any personal data.

Or. en

Amendment 82
Andrey Slabakov

Proposal for a regulation
Article 1 – paragraph 3 – point a

Text proposed by the Commission

(a) to contribute to the proper functioning of the internal market for political advertising and related services;

Amendment

(a) to contribute to the proper functioning of the internal market for political advertising and related services while fully protecting the fundamental

Or. en
right to free expression;

Amendment 83
Predrag Fred Matić, Vilija Blinkevičiūtė, Petra Kammerevert, Victor Negrescu

Proposal for a regulation
Article 1 – paragraph 3 – point a

Text proposed by the Commission

(a) to contribute to the proper functioning of the internal market for political advertising and related services;

Amendment

(a) to contribute to the proper, safe and transparent functioning of the internal market for political advertising and related services;

Or. en

Amendment 84
Marcel Kolaja

Proposal for a regulation
Article 1 – paragraph 3 – point b

Text proposed by the Commission

(b) to protect natural persons with regard to the processing of personal data.

Amendment

(b) to effectively protect fundamental rights enshrined in the Charter, in particular with regard to the processing of personal data.

Or. en

Amendment 85
Petra Kammerevert

Proposal for a regulation
Article 1 – paragraph 4 a (new)

Text proposed by the Commission

4 a. Where a provider is required by law to provide capacities on its respective
distribution channel, whether on television, radio or online, for election advertising spots directly related to elections, this shall not be subject to this regulation, neither in the sense of a political advertising service nor as a publisher of political advertising, provided that such election advertising is identified as such.

Amendment 86
Predrag Fred Matić, Vilija Blinkevičiūtė, Petra Kammerevert, Victor Negrescu

Proposal for a regulation
Article 2 – paragraph 1 – point 2 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, of a message:</td>
<td>2. ‘political advertising’ means the preparation, <em>purchase</em>, placement, promotion, publication or dissemination, by any means, <em>in return for a direct payment or any other equivalent remuneration</em>, of a message:</td>
</tr>
</tbody>
</table>

Amendment 87
Petra Kammerevert

Proposal for a regulation
Article 2 – paragraph 1 – point 2 – introductory part

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, of a message:</td>
<td>2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, <em>in return for a direct payment or any other equivalent remuneration</em> of a message:</td>
</tr>
</tbody>
</table>
Justification

While "direct payment" refers to benefits in money, "any other equivalent remuneration" refers to any other material compensation of value, such as data, discounts or other economically relevant goods or services.

Amendment 88
Andrey Slabakov
Proposal for a regulation
Article 2 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission
2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, of a message:

Amendment
2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, against direct payment or equivalent remuneration of a message:

Or. en

Amendment 89
Lucia Šturiš Nicholsonová
Proposal for a regulation
Article 2 – paragraph 1 – point 2 – introductory part

Text proposed by the Commission
2. ‘political advertising’ means the preparation, placement, promotion, publication or dissemination, by any means, of a message:

Amendment
2. ‘political advertising’ means the preparation, placement, publication, promotion or dissemination, by any means, of a message as referred to in point 3(a) or 3(b).

Or. en

Amendment 90
Lucia Šturiš Nicholsonová
Proposal for a regulation
Article 2 – paragraph 1 – point 2 – point a
Text proposed by the Commission  

(a) by, for or on behalf of a political actor, unless it is of a purely private or a purely commercial nature; or

Amendment 91
Petra Kammerevert

Proposal for a regulation
Article 2 – paragraph 1 – point 2 – point a

Text proposed by the Commission  

(a) by, for or on behalf of a political actor, unless it is of a purely private or a purely commercial nature; or

Justification

If the conditions in a) and b) were to be met only alternatively instead of cumulatively, this would lead to considerable, unjustifiable restrictions on the freedom of opinion, the freedom of the media and the freedom of the press.

Amendment 92
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – point 2 – point b

Text proposed by the Commission  

(b) which is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Amendment 93
### Proposal for a regulation
**Article 2 – paragraph 1 – point 2 – point b**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) which is liable to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.</td>
<td>(b) which is liable, <strong>planned and intended</strong> to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.</td>
</tr>
</tbody>
</table>

Or. en

### Amendment 94
**Marcel Kolaja**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 2 – point b**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(b) which is <strong>liable</strong> to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.</td>
<td>(b) which is <strong>likely</strong> to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.</td>
</tr>
</tbody>
</table>

Or. en

### Amendment 95
**Andrey Slabakov**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 2 – point b – indent 1 (new)**

<table>
<thead>
<tr>
<th>Text proposed by the Commission</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>- <em>It shall not include political views or other editorial content expressed under the editorial responsibility of a service provider in the programmes of audio-visual media, including linear or non-linear broadcasts, or published in printed or online media, unless the service provider has been remunerated by a third party for the political advertisement.</em></td>
<td></td>
</tr>
</tbody>
</table>

Amendment 96
Marcel Kolaja

Proposal for a regulation
Article 2 – paragraph 1 – point 2 – point b a (new)

Text proposed by the Commission

(b a) which is likely to influence public opinion on broad political issues.

Amendment

Or. en

Amendment 97
Petra Kammerrevert, Predrag Fred Matić

Proposal for a regulation
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

2 a. Content provided under editorial responsibility of a media service provider pursuant to Article 1 paragraph 1, letters c and d of Directive 2010/13/EU and by licensed radio or audio providers shall not be covered by the term political advertising. The term political advertising shall also not apply to political views or other editorial content expressed under the editorial responsibility of a provider of printed or online media, unless the provider has been paid or remunerated by a third party for such content.

Amendment

Justification

The regulation ignores that in editorially responsible content the separation of advertising and self-responsible content is ensured by media-specific regulations of the member states as well as at European level, for example in Articles 9-11 of Directive 2010/13/EU or Annex 1 point 11 Directive 2005/29/EC.

Or. en
Amendment 98
Sabine Verheyen

Proposal for a regulation
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

2 a. It shall not include political views or other editorial content expressed under the editorial responsibility of a service provider, in the programmes of audio and audiovisual media, including linear or non-linear broadcasts, or published in printed or online media.

Or. en

Amendment 99
Lucia Ďuriš Nicholsonová, Morten Løkkegaard

Proposal for a regulation
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

3. ‘political advertisement’ means an instance of political advertising;

Amendment

3. ‘political advertisement’ means:

a) a message by, for or on behalf of a political actor, or

b) a message which is liable and designed to influence the outcome of an election or referendum, a legislative or regulatory process or voting behaviour.

Or. en

Amendment 100
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment
3a. "voting behaviour" means participation or non-participation in the voting process or vote for or against certain political actor or public issue;

Amendment 101
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 2 – paragraph 1 – point 4 – point h

Text proposed by the Commission

(h) any natural or legal person representing or acting on behalf of any of the persons or organisations in points (a) to (g), promoting the political objectives of any of those.

Amendment

(h) any natural or legal person representing or acting on behalf of any of the persons or organisations in points (a) to (g), or others, promoting the political objectives of any of those.

Amendment 102
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

5a. 'provider of political advertising services' means a natural or legal person engaged in the provision of political advertising services;

Amendment

Or. en

Amendment 103
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – point 7
Text proposed by the Commission

7. ‘sponsor’ means the natural or legal person on whose behalf a political advertisement is prepared, placed, published or disseminated;

Amendment

7. ‘sponsor’ means the natural or legal person on whose behalf a political advertisement is prepared, placed, published, promoted or disseminated;

Or. en

Amendment 104
Marcel Kolaja

Proposal for a regulation
Article 2 – paragraph 1 – point 11

Text proposed by the Commission

11. ‘political advertising publisher’ means a natural or legal person that broadcasts, makes available through an interface or otherwise brings to the public domain political advertising through any medium;

Amendment

11. ‘political advertising publisher’ means a natural or legal person that broadcasts, makes available through an interface or otherwise disseminates, places, promotes, publishes or delivers political advertising through any medium;

Or. en

Amendment 105
Lucia Řuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – point 11

Text proposed by the Commission

11. ‘political advertising publisher’ means a natural or legal person that broadcasts, makes available through an interface or otherwise brings to the public domain political advertising through any medium;

Amendment

11. ‘political advertising publisher’ means a type of provider of political advertising services that brings political advertisement to the public domain in any manner;

Or. en

Amendment 106
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Political views and opinions expressed for journalistic purposes in both printed and online media or in the programmes of audio-visual linear or non-linear media broadcasts and under the editorial responsibility of the service provider if expressed without any payment or equivalent remuneration from a third party should not be considered political advertisement and should not be covered by this Regulation.

Or. en

Amendment 107

Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 2 a (new)

Text proposed by the Commission

Amendment

Article 2 a

Identification of a political advertisement

For the purpose of determining whether a message constitutes political advertisement within the meaning of Article 2 paragraph 1 point 3, account shall be taken of all its features and at least of the following relevant factors:

a) the sponsor of the message and the entity or person ultimately controlling the sponsor;

b) content of the message,

c) the language used to convey the message;

d) the context in which the message is conveyed and timing of the message including electoral or referendum
periods;
e) the objective and nature of the message;
f) the means by which the message is prepared, placed, published, promoted or disseminated;
g) targeted audience.

Amendment 108
Victor Negrescu

Proposal for a regulation
Chapter II – title

Text proposed by the Commission

Amendment

II TRANSPARENCY
OBLIGATIONS FOR POLITICAL ADVERTISING SERVICES

II TRANSPARENCY AND DUE DILIGENCE OBLIGATIONS FOR POLITICAL ADVERTISING SERVICES

Or. en

Amendment 109
Victor Negrescu

Proposal for a regulation
Article 4 – title

Text proposed by the Commission

Amendment

Transparency

Transparency and due diligence

Or. en

Amendment 110
Victor Negrescu

Proposal for a regulation
Article 5 – paragraph 2
2. Providers of political advertising services shall ensure that the contractual arrangements concluded for the provision of a political advertising service specify how the relevant provisions of this Regulation are complied with.

Amendment 111
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

Transparency requirements for each political advertisement

Labelling requirements for each political advertisement

Amendment 112
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. In the context of the provision of political advertising services, each political advertisement shall be made available with the following information in a clear, salient and unambiguous way:

Amendment 113
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Article 7 – paragraph 1 – introductory part

1. In the context of the provision of political advertising services, each political advertisement shall be made available with the following information in a clear, salient and unambiguous way:

Amendment
1. Political advertising publishers shall make sure that each political advertisement brought to the public domain contains the following information in a clear, salient and unambiguous way:

Amendment 114
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 1 – point a

1. (a) a statement to the effect that it is a political advertisement;

Amendment
1. (a) a clear label stating that it is:

Or. en

Amendment 115
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 1 – point a – point i (new)

1. i) a political advertisement, if Article 2, paragraph 1 point 3(a) of this Regulation applies;

Or. en

Amendment 116
Lucia Ďuriš Nicholsonová
Proposal for a regulation
Article 7 – paragraph 1 – point a – point ii (new)

Text proposed by the Commission

ii) a public issue advertisement, if Article 2, paragraph 1 point 3(b) of this Regulation applies;

Or. en

Justification

The differentiation in the labelling is necessary in order to avoid possible negative impacts on NGOs whose advertisements might be labelled as political and, consequently, NGOs themselves might be regarded as political and face possible negative effects stemming from this views (for instance, losing financing). To underline that the term "public issue advertisement" is meant to be used for the purpose of labelling. In all other cases the term "political advertisement" is used as a general term covering genuine political advertisements as well as public issue advertisements.

Amendment 117
Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

(b) the identity of the sponsor of the political advertisement and the entity ultimately controlling the sponsor;

(b) the identity of the sponsor of the political advertisement including, where appropriate, in the case of European or national parties, the logo of the corresponding European political entity and the entity ultimately controlling the sponsor;

Or. en

Amendment 118
Lucia Žuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission

53/78
(b) the identity of the sponsor of the political advertisement and the entity ultimately controlling the sponsor;

(b) the identity of the sponsor of the political advertisement and, where applicable, the entity or person ultimately controlling the sponsor;

Amendment 119
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 1 – point b

Text proposed by the Commission
(b) the identity of the sponsor of the political advertisement and the entity ultimately controlling the sponsor;

Amendment
(b) the identity of the sponsor of the political advertisement and the entity ultimately controlling or financing the sponsor;

Amendment 120
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 1 – point c

Text proposed by the Commission
(c) a transparency notice to enable the wider context of the political advertisement and its aims to be understood, or a clear indication of where it can be easily retrieved.

Amendment
(c) a clear indication of where a transparency notice can be easily retrieved.

Amendment 121
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 1 – point c
(c) a transparency notice to enable the wider context of the political advertisement and its aims to be understood, or a clear indication of where it can be easily retrieved.

Amendment

In this regard, political advertising publishers shall use efficient and prominent marking and labelling techniques that allow the political advertisement to be easily identified as such and shall ensure that the marking or labelling remains in place in the event a political advertisement is further disseminated.

Amendment 122
Lucia Šuriš Nicholsonová
Proposal for a regulation
Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

In this regard, the Commission shall adopt, within 3 months after the entry into force of this Regulation and in consultation with relevant experts and civil society organisations, a delegated act establishing harmonised design of labels referred to in paragraph 1 point (a). The labels shall use efficient and prominent marking and labelling techniques that allow the political advertisement to be easily identified as such and shall ensure that the marking or labelling remains in place in the event a political advertisement is further disseminated. The delegated act shall take account of the latest technological developments.

Amendment

1 a. Article 7a)
Transparency notices and online repositories of political advertisements

Amendment 124
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 2 – introductory part

Text proposed by the Commission

2. The transparency notice shall be included in each political advertisement or be easily retrievable from it, and shall include the following information:

Amendment

2. The transparency notice shall be included in each political advertisement or be easily retrievable from it, and shall include the following information in a clear and non-discriminatory format:

Amendment 125
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – introductory part

Text proposed by the Commission

2. The transparency notice shall be included in each political advertisement or be easily retrievable from it, and shall include the following information:

Amendment

2. The transparency notice referred to in Article 7 paragraph 1 point (c) shall be easily retrievable from each political advertisement and shall include the following information:

Amendment 126
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point a
Text proposed by the Commission

(a) the identity of the sponsor and contact details;

Amendment

(a) the identity of the sponsor of the political advertisement and the entity or person ultimately controlling the sponsor and contact details;

Or. en

Amendment 127
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 2 – point a

Text proposed by the Commission

(a) the identity of the sponsor and contact details;

Amendment

(a) the identity of the sponsor and the entity ultimately controlling or financing the sponsor, and their relevant contact details;

Or. en

Amendment 128
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 2 – point a

Text proposed by the Commission

(a) the identity of the sponsor and contact details;

Amendment

(a) the identity of the sponsor or of the entity ultimately controlling the sponsor and contact details;

Or. en

Amendment 129
Lucia Šuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point b
(b) the period during which the political advertisement is intended to be published and disseminated;

(b) the period during which the political advertisement is intended to be placed, published, promoted and disseminated;

Amendment 130
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point c

(c) based among others on information received in line with Article 6(3), information on the aggregated amounts spent or other benefits received in part or full exchange for the preparation, placement, promotion, publication and dissemination of the relevant advertisement, and of the political advertising campaign where relevant, and their sources;

(c) information on the aggregated amounts spent or other benefits received by the political advertising publisher in part or full exchange for the preparation, placement, publication, promotion and dissemination of the relevant advertisement, and of the political advertising campaign where relevant, as well as the aggregated amount or other benefits received by service providers before the publisher for the same advertisement, and campaign, where relevant;

Amendment 131
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation
Article 7 – paragraph 2 – point c

(c) based among others on information received in line with Article 6(3), information on the aggregated amounts spent or other benefits received in part or full exchange for the preparation,
Amendment 132
Lucia Šuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point c a (new)

Text proposed by the Commission

(c a) information on the aggregated amounts or other benefits received by all political advertising service providers, including publishers, through all contracts, in part or full exchange for the preparation, placement, publication, promotion and dissemination of the relevant advertisement, and of the political advertising campaign where relevant;

Amendment

Or. en

Amendment 133
Lucia Šuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point c b (new)

Text proposed by the Commission

(c b) the sources of the funds used in relation to points (c) and (ca);

Amendment

Or. en

Amendment 134
Lucia Šuriš Nicholsonová
Proposal for a regulation
Article 7 – paragraph 2 – point c c (new)

Text proposed by the Commission

Amendment

(c c) the list of criteria used for targeting of the advertisement;

Or. en

Amendment 135
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) where applicable, an indication of elections, referendums, or the legislative or regulatory process with which the advertisement is linked;

Or. en

Amendment 136
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 2 – point e

Text proposed by the Commission

Amendment

(e) where applicable, links to online repositories of political advertisements;

Or. en

Amendment 137
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 3
3. **Political advertising publishers** shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

3. Sponsors and political advertising publishers shall make reasonable efforts before bringing the advertisement to the public domain to ensure that the information referred to in paragraph 1 and 2, with the exception of points (ca) and (cb), is complete and accurate. With regard to points (ca) and (cb), the publisher shall be responsible to make sure that this information is complete, while the sponsor shall be responsible to make sure this information is both complete and accurate.

Or. en

**Amendment 138**
Sabine Verheyen

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

Amendment

3. Sponsors and political advertising publishers shall make reasonable efforts before bringing the advertisement to the public domain to ensure that the information referred to in paragraph 1 and 2 is complete and correct, and where they find this is not the case, they shall withdraw or not make available the political advertisement. The specificities of the medium of publication should be taken into account in particular to adapt the modalities to audiovisual media services, radio and press for the application of paragraph 1 and 2.

Or. en

**Amendment 139**
Andrey Slabakov

Proposal for a regulation

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Article 7 – paragraph 3  

Text proposed by the Commission  

3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

Amendment  

3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

The specificities of the medium of publication should be taken into account in particular to adapt the modalities to audio-visual media services, radio and press for the application of paragraph 1 and 2.

Or. en

Amendment 140  
Marcel Kolaja

Proposal for a regulation  
Article 7 – paragraph 3  

Text proposed by the Commission  

3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

Amendment

3. Political advertising publishers shall make best efforts to ensure that the information referred to in paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.

Or. en

Amendment 141  
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

Proposal for a regulation  
Article 7 – paragraph 3  

Text proposed by the Commission  

3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 1 and 2 is complete and
paragraph 1 and 2 is complete, and where they find this is not the case, they shall not make available the political advertisement.  

accurate, and where they find this is not the case, they shall not make available the political advertisement.  

Or. en  

Amendment 142  
Lucia Ďuriš Nicholsonová  
Proposal for a regulation  
Article 7 – paragraph 3 a (new)  

Amendment

3 a. Where the publisher becomes aware that the information referred to in paragraphs 1 and 2 is incomplete or inaccurate, the publisher shall make reasonable efforts including by contacting the sponsor or the relevant service providers, to complete or correct that information. Until such information is corrected, the political advertising publisher shall not make the political advertisement available or shall discontinue it, and shall inform the relevant service providers and the sponsor accordingly.  

Or. en  

Amendment 143  
Lucia Ďuriš Nicholsonová  
Proposal for a regulation  
Article 7 – paragraph 3 b (new)  

Amendment

3 b. Where the sponsor or the providers of political advertising services other than publisher become aware that the information provided to or published by the political advertising publisher is incomplete or inaccurate, they shall contact the publisher concerned without
undue delay and, as relevant, transmit complete or accurate information to the political advertising publisher.

Amendment 144
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. Transparency notices shall be kept up to date and presented in a format which is easily accessible and, where technically possible, machine readable, clearly visible and user friendly, including through the use of plain language. The information shall be published by the political advertising publisher with the political advertisement from its first publication until one year after its last publication.

Amendment

4. The information shall be published by the political advertising publisher with the political advertisement from its first publication until its withdrawal. Transparency notices shall be kept up to date during the whole period until the withdrawal of the advertisement and presented in a format which is clearly visible, well-structured, easily accessible, including for persons with disabilities, and user friendly, including through the use of plain language. Transparency notices shall be made available online, in a machine readable format and be accessible through a link or equivalent clear and user-friendly direction included in the advertisement. Interacting with the link or other equivalent direction to access the transparency notice shall not be understood as engaging with the political advertisement which it is part of.

Amendment 145
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

Amendment
4. Transparency notices shall be kept up to date and presented in a format which is easily accessible and, where technically possible, machine readable, clearly visible and user friendly, including through the use of plain language. The information shall be published by the political advertising publisher with the political advertisement from its first publication until one year after its last publication.

**Amendment 146**

Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu

**Proposal for a regulation**

**Article 7 – paragraph 4**

*Text proposed by the Commission*

4. Transparency notices shall be kept up to date and presented in a format which is easily accessible and, where technically possible, machine readable, *clearly visible* and user friendly, including through the use of plain language. The information shall be published by the political advertising publisher with the political advertisement from its first publication until one year after its last publication.

*Amendment*

4. Transparency notices shall be kept up to date and presented in a format which is easily accessible, *non-discriminatory and clearly visible* and, where technically possible, machine readable and user friendly, including through the use of plain language. The information shall be published by the political advertising publisher with the political advertisement from its first publication until one year after its last publication.

**Amendment 147**

Lucia Ďuriš Nicholsonová

**Proposal for a regulation**

**Article 7 – paragraph 5**

*Text proposed by the Commission*

5. Political advertising publishers shall retain *their* transparency *notices*

*Amendment*

5. Political advertising publishers shall retain *the political advertisement and*
together with any modifications for a period of five years after the end of the period referred to in paragraph 4. its transparency notice together with the history of any modifications for a period of five years after the withdrawal of the advertisement.

Amendment 148
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 6

Text proposed by the Commission

6. Political advertising publishers which are very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA] shall ensure that the repositories that they make available pursuant to Article 30 of that regulation [Digital Services Act] make available for each political advertisement in the repository the information referred to in paragraph 2.

Amendment

6. Political advertising publishers which are very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA] or very large online search engines within the meaning of Article 33a of Regulation (EU) 2021/xxx [the DSA] shall ensure that the repositories that they make available pursuant to Article 30 of that regulation [Digital Services Act] make available for each political advertisement in the repository the information referred to in paragraph 2 and ensure real-time access to such information for Member States’ relevant competent authorities as well as vetted researchers within the meaning of Article 31 of Regulation (EU) 2021/xxx [the DSA]. The repository shall contain all versions of the advertisement.

Amendment 149
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 6 a (new)

Text proposed by the Commission

6 a. Political advertising publishers

Amendment

6 a. Political advertising publishers
which are not very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA] or very large online search engines within the meaning of Article 33a of Regulation (EU) 2021/xxx [the DSA] shall, for the purpose of this Regulation, create a repository for political advertisements in line with Article 30 of that Regulation and make available for each political advertisement in such a repository the information referred to in paragraph 2 and ensure real-time access to such information for Member States’ relevant competent authorities as well as vetted researchers within the meaning of Article 31 of Regulation (EU) 2021/xxx [the DSA]. The repository shall contain all versions of the advertisement.

Amendment 150
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 6 a (new)

Text proposed by the Commission

6 a. Political advertising publishers, which are not very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA] shall ensure that they make available for each political advertisement the information as referred in Article 7(2) in the repository set out in Article 7(6b)

Amendment

6 a. Political advertising publishers, which are not very large online platforms within the meaning of Article 25 of Regulation (EU) 2021/xxx [the DSA] shall ensure that they make available for each political advertisement the information as referred in Article 7(2) in the repository set out in Article 7(6b)

Amendment 151
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 6 b (new)
Text proposed by the Commission

6 b. The Commission shall establish and maintain a European political advertisement repository to compile and make publicly available, through a searchable, machine-readable and reliable tool that allows multicriteria queries, and through application programming interfaces, political advertisements published or disseminated online until seven years after the advertisement was presented for the last time on an online interface of a publisher of political advertisement.

Or. en

Amendment 152
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 7 – paragraph 6 b (new)

Text proposed by the Commission

6 b. The Commission shall, after the consultation of relevant stakeholders, issue guidelines on the structure, organisation and functionalities of the repositories referred to in paragraph 6 and 6(a).

Or. en

Amendment 153
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 6 c (new)

Text proposed by the Commission

6 c. Political advertising publishers shall transmit a copy of the political
advertisement including the information contained in the transparency notice referred to in Article 7(2) and in Annex II to the European political advertisement repository in a real time. They shall transmit all versions of the advertisement.

Amendment 154
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 6 d (new)

Text proposed by the Commission

Amendment

6 d. The Commission shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been presented.

Amendment 155
Marcel Kolaja

Proposal for a regulation
Article 7 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States, including deleted

competent authorities, and the Commission shall encourage the drawing up of codes of conduct intended to contribute to the proper application of this Article, taking into account the specific characteristics of the relevant service providers involved and the specific needs of micro, small and medium-sized enterprises, within the meaning of Article 3 of Directive 2013/34/EU.
Amendment 156
Andrey Slabakov

Proposal for a regulation
Article 9 – paragraph 2

Text proposed by the Commission

2. Information on how to notify political advertisements as referred to in paragraph 1 shall be user friendly and easy to access, including from the transparency notice.

Amendment

2. Information on how to notify political advertisements as referred to in paragraph 1 shall be user friendly and easy to access.

Or. en

Amendment 157
Andrey Slabakov

Proposal for a regulation
Article 9 – paragraph 4 a (new)

Text proposed by the Commission

4 a. Repetitive notifications under paragraph 1 that are done with malicious or disruptive intent shall be reported to the competent national authorities and investigated in accordance with the law;

Amendment

4 a. Repetitive notifications under paragraph 1 that are done with malicious or disruptive intent shall be reported to the competent national authorities and investigated in accordance with the law;

Or. en

Amendment 158
Petra Kammerevert, Predrag Fred Matić

Proposal for a regulation
Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Such interested entities shall also include journalists accredited in a Member State by national, European or international bodies.

Amendment

Such interested entities shall also include journalists.
Amendment 159
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 12 – paragraph 1 a (new)

Text proposed by the Commission

1 a. Every political advertisement that has been subject to targeting as outlined in Article 12 shall be labelled in line with Article 7 and shall fulfil all the requirements laid down in Chapter II.

Justification

A possible gap is when a publisher who is at the same time also the sponsor of a political advertisement and thus might not need to provide remuneration for the preparation, placement, publication, promotion, dissemination of the advertisement, would not be covered by Chapter II. Therefore, to close this gap we link the transparency obligations (Chapter II) to "data protection" of Chapter III (use of targeting). This ensures that a publisher who is at the same time the sponsor of a political advertisement (and no remuneration employing targeting will need to abide by Chapters III and II.

Amendment 160
Petra Kammerevert, Predrag Fred Matić

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. Each Member State shall designate one or more competent authorities to be responsible for the application and enforcement of the aspects of this Regulation not referred to in paragraphs 1 and 2. Each competent authority designated under this paragraph shall structurally enjoy full independence both from the sector and from any external intervention or political pressure. It shall in full independence effectively monitor and

Amendment

3. The national regulatory authorities or bodies referred to in Article 30 of Directive 2010/13/EU shall be responsible for the application and enforcement of the aspects of this Regulation not referred to in paragraphs 1 and 2. Each competent authority designated under this paragraph shall structurally enjoy full independence both from the sector and from any external intervention or political pressure. It shall in full independence effectively monitor and
take the measures necessary and proportionate to ensure compliance with this Regulation. Articles 30 a and 30 b of Directive 2010/13/EU shall apply mutatis mutandis.

Amendment 161
Predrag Fred Matić, Vilija Blinkevičiūtė, Victor Negrescu, Petra Kammerevert

Proposal for a regulation
Article 15 – paragraph 6

Text proposed by the Commission

6. Member States shall ensure cooperation among competent authorities in particular in the framework of national elections networks, to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation, including by jointly identifying infringements, sharing findings and expertise, and liaising on the application and enforcement of relevant rules.

Amendment

6. Member States shall ensure cooperation among competent authorities in particular in the framework of national elections networks and in the European Regulators Group for Audiovisual Media Services, to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation, including by jointly identifying infringements, sharing findings and expertise, and liaising on the application and enforcement of relevant rules.

Amendment 162
Petra Kammerevert, Predrag Fred Matić

Proposal for a regulation
Article 15 – paragraph 9

Text proposed by the Commission

9. Contact points shall meet periodically at Union level in the framework of the European Cooperation Network on Elections to facilitate the swift and secured exchange of information on

Amendment

9. Contact points shall meet periodically at Union level in the framework of the European Cooperation Network on Elections or of the European Regulators Group for Audiovisual Media Services.
issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation.

**Services (ERGA)** to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks pursuant to this Regulation.

**Or. en**

**Amendment 163**
Lucia Ďuriš Nicholsonová

Proposal for a regulation
**Article 16 – paragraph 1**

**Text proposed by the Commission**

1. In relation to Articles 5 to 11, 13 and 14 Member States shall lay down rules on sanctions including administrative fines and financial penalties applicable to providers of political advertising services under their jurisdiction for infringements of the present Regulation, which shall in each individual case be effective, proportionate and dissuasive.

**Amendment**

1. In relation to Articles 5 to 11, 13 and 14 Member States shall lay down rules on sanctions including administrative fines and financial penalties and rectifications applicable to providers of political advertising services under their jurisdiction for infringements of the present Regulation, which shall in each individual case be effective, proportionate and dissuasive. **Member States shall also lay down rules on sanctions including administrative fines, financial penalties and rectifications applicable to sponsors for infringements in relation to Articles 5 and 7 of the present Regulation.**

**Or. en**

**Amendment 164**
Lucia Ďuriš Nicholsonová

Proposal for a regulation
**Article 16 – paragraph 4**

**Text proposed by the Commission**

4. Infringements of **Article 7** shall be considered to be particularly serious where they concern political advertising published or disseminated during an

**Amendment**

4. Infringements of **Articles 5 and 7** shall be considered to be particularly serious where they concern political advertising published or disseminated
electoral period and directed to citizens in the Member State in which the relevant election is being organised. during an electoral period or during the period between the announcement of a referendum and the day of the referendum, and directed to citizens in the Member State in which the relevant election or referendum is being organised.

Amendment 165
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Article 16 – paragraph 5

Text proposed by the Commission

5. If a service provider intentionally or negligently infringes the provisions of this regulation, for the same or linked political advertising, the total amount of the administrative fine shall be sufficiently adjustable in order to take into account all the relevant factors; the fact that the Regulation has been violated in multiple respects shall be reflected in the amount of the total fine, in compliance with the principle of proportionality.

Amendment

5. If a service provider intentionally or negligently infringes the provisions of this regulation in multiple respects for the same or linked political advertising, the total amount of the administrative fine shall be sufficiently adjustable in order to take into account all the relevant factors; the fact that the Regulation has been violated in multiple respects shall be reflected in the amount of the total fine, in compliance with the principle of proportionality.

Amendment 166
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point a

Text proposed by the Commission

(a) where the notice is not within the advertisement itself, an example/representation of the political advertisement or a link to it.

Amendment

(a) an example/representation of the political advertisement or a link to it.
Amendment 167
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point b

Text proposed by the Commission

(b) the identity and place of establishment of the sponsor on behalf of whom the advertisement is disseminated including their name, address, telephone number and electronic mail address, and whether they are a natural or legal entity.

Amendment

(b) the identity and place of establishment of the sponsor on behalf of whom the advertisement is prepared, placed, published, promoted and disseminated including their name, address, telephone number and electronic mail address, and whether they are a natural or legal entity.

Or. en

Amendment 168
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point d

Text proposed by the Commission

(d) any election with which the advertising is linked, if applicable.

Amendment

(d) any election or referendum with which the advertising is linked, if applicable.

Or. en

Amendment 169
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point e

Text proposed by the Commission

(e) the provisional aggregated amount spent on, and the value of other benefits received in part or full exchange for the specific advertisement, and on the specific advertising publisher.

Amendment

(e) the aggregated amount or other benefits received by the political advertising publisher in part or full exchange for the preparation placement.
advertising campaign where relevant, including on the preparation, placement, promotion, publication and dissemination of the political advertisements, as well as the aggregated actual amount spent and the value of other benefits received once known.

publication, promotion and dissemination of the specific advertisement, and of the specific advertising campaign where relevant, as well as the aggregated amounts or other benefits received by service providers before the publisher for the same advertisement, and campaign where relevant;

Amendment 170
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point e a (new)

Text proposed by the Commission
Amendment
(e a) the aggregated amounts or other benefits received by all political advertising service providers, including publishers, through all contracts in part or full exchange for the preparation, placement, publication, promotion and dissemination of the relevant advertisement, and of the political advertising campaign where relevant;

Or. en

Amendment 171
Lucia Ďuriš Nicholsonová

Proposal for a regulation
Annex I – point e b (new)

Text proposed by the Commission
Amendment
(e b) the sources of the funds used in relation to points (e) and (ea);

Or. en
Amendment 172
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Annex I – point e c (new)

Text proposed by the Commission Amendment

(e c) the list of criteria used for targeting of the advertisement;

Or. en

Amendment 173
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Annex I – point f

Text proposed by the Commission Amendment

(f) the sources of the funds being used for the specific advertising campaign including for the preparation, placement, promotion, publication and dissemination of the political advertisements.

deleted

Or. en

Amendment 174
Lucia Ŏuriš Nicholsonová

Proposal for a regulation
Annex I – point g

Text proposed by the Commission Amendment

(g) meaningful information about the methodology used for the calculation of the amounts and values referred in (e).

(g) meaningful information about the methodology used for the calculation of the amounts and values referred in (e) and (ea).

Or. en
Amendment 175  
Lucia Ďuriš Nicholsonová

Proposal for a regulation  
Annex I – point h

*Text proposed by the Commission*

(h) *where the publisher is a very large online platform*, a link to the advertisement’s location in the publisher’s advertising repository.

*Amendment*

(h) a link to the advertisement’s location in the publisher’s advertising repository of political advertisements.

Or. en