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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on General Affairs
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Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the transparency and targeting of political advertising - Informal suggestions for further consideration by both co-legislators

With a view to the meeting of the General Affairs Group of 25 September, delegations will find attached an informal suggestions for further consideration by both co-legislators on:

1. Transparency notices (art. 7a),
2. Competent authorities and contact points (art. 15).

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the transparency and targeting of political advertising (Text with EEA relevance)

2021/0381(COD)

Article 7a Draft 13-06-2023

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
Article 7a					
163a		<u>Article 7a</u> <u>Transparency notices</u>		<u>Article 7a</u> <u>Transparency notices</u> Text Origin: EP Mandate	
Article 7a(1)					
163b		<u>1. The transparency notice referred to in Article 7(1)(c) shall be made available by the political advertising publishers and shall include the following information:</u>		<u>1. Political advertising publishers shall ensure that the transparency notice referred to in Article 7(1)(c) includes the following information:</u>	1.
Article 7a(1), point (a)					
163c		<u>(a) the identity, the address or the place of establishment and contact details of the sponsor;</u>		<u>(a) the identity of the sponsor and where applicable, of the entity ultimately controlling the sponsor, including their name, e-mail address, and, where made public, address, and when the sponsor is not a natural person, also the address of its establishment;</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
				<u>(aa) the information required under point (a) on the natural or legal person which provides remuneration in exchange for the political advertisement if this person is different from the sponsor or the entity ultimately controlling the sponsor;</u> linked to recital on financing, to be agreed.	
Article 7a(1), point (b)					
163d		<u>(b) where applicable, the identity of the person or entity ultimately financing or otherwise controlling the sponsor, their address, or place of establishment and contact details;</u>			No text. See row 163c.
Article 7a(1), point (c)					
163e		<u>(c) the period during which the political advertisement is intended to be published and disseminated;</u>		<u>(b) the period during which the political advertisement is intended to be published, delivered or disseminated;</u>	
Article 7a(1), point (d)					

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
R	163f	<u>(d) the aggregated amounts spent or other benefits received by the providers of political advertising services including those received by the publisher in part or full exchange for the preparation, placement, promotion, publication, delivery and dissemination of the relevant advertisement, and where relevant of the political advertising campaign, and the origin of the amounts and other benefits;</u>		<u>(c) former letter (d) see column comments.</u> <u>(ca) information on public or private origin of the amounts and other benefits referred to in point (d) as well as whether they originate from inside or outside the Union.</u> <u>(cb) the methodology used for the calculation of the amounts and values referred in (d).</u>	(d) the aggregated amounts spent or other benefits received by the providers of political advertising services including those received by the publisher in part or full exchange for the political advertising services, and where relevant of the political advertising campaign, Presidency comment: The Council could support the latest compromise proposal as part of an overall compromise package.
Article 7a(1), point (e)					
G	163g	<u>(e) where applicable, an indication of the elections, referendums, and legislative or regulatory processes with which the advertisement is linked;</u>		<u>(d) where applicable, an indication of elections or referendums and legislative or regulatory processes with which the advertisement is linked.</u> <u>(da) where the advertisement is linked to specific elections or referendums, links to official information about the modalities for participation in the election or referendum concerned.</u>	Further letter to be checked below: <i>Council, pending outcome on repositories, also moved text here from row 155 as follows:</i> "(x) where applicable, links to online repositories of advertisements [referred to in paragraph 6];" Note for point (da): The accuracy of this official information is a

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
					responsibility of the publisher, reference to this point to be added in row 163o.
	Article 7a(1), point (f)				
G	163h	<u>(f) how to use the mechanisms provided for in Article 9(1);</u>		<u>(e) information on the mechanisms referred to in Article 9(1).</u>	
	Article 7a(1), point (g)				
R	163i	<u>(g) whether the advertisement has been suspended or discontinued due to violation of this Regulation;</u>			<i>Council's comment:</i> Council maintains reservation.
	Article 7a(1), point (h)				
R	163j	<u>(h) where applicable, a statement to the effect that the political advertisement has been targeted based on the use of personal data;</u>		<u>(f) where applicable, a statement to the effect that the political advertisement has been targeted based on the use of personal data, [including information specified in Article 12a(1) point (c) and (ca)];</u> Depends on provisional agreement reached on Article 12. EP amendments on rows 163k and 163l covered by council position on Art 12a (1)(c) and (ca).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
	Article 7a(1), point (i)				
G	163k	<u>(i) where applicable, the specific groups of individuals targeted;</u>			<i>Council's comment:</i> Addressed in row 163j as Council position on Article 12a(1)(c) and (ca) includes this information.
	Article 7a(1), point (j)				
G	163l	<u>(j) where applicable, the categories and sources of personal data used for the targeting;</u>			Addressed in row 163j as Council position on Article 12a(1)(c) and (ca) includes this information.
	Article 7a(1), point (k)				
Y	163m	<u>(k) where applicable, the reach of political message the number of views, and engagements with the advertisement.</u>		<u>(g) where applicable and technically feasible, the reach of political message the number of views, and engagements with the advertisement;</u> <u>ADD Recital to clarify engagement.</u> Text Origin: EP Mandate	<i>Council's comment:</i> Council maintains reservation. Presidency comment: The Council could consider the suggested compromise proposal as part of an overall compromise package and subject to an agreement on the new recital.
	Article 7a(1), second subparagraph				
G	163n				delete

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>(l) The information to be included in the transparency notice shall be provided using the specific data fields set out in Annex I.</u>			
163o		<u>2. Sponsors shall ensure the accuracy of the information, which they are required to provide for the purposes of paragraph 1, points (a) and (b) before and during the period of publication, delivery, or dissemination of the political advertisement.</u> <u>Sponsors or, where applicable, providers of political advertising services acting on behalf of sponsors shall ensure the accuracy of the information, which they are required to provide for the purposes of paragraph 1, points (c), (d) and (e) before and during the period of publication, delivery, or dissemination of the political advertisement.</u>	3. Political advertising publishers shall make reasonable efforts to ensure that the information referred to in paragraph 2 is complete, accurate and up to date.	<u>2.</u> <u>Political advertising publishers shall ensure the accuracy of the information, which they are required to provide for the purposes of paragraph 1, points (g) to (l) before and during the period of publication, delivery, or dissemination of the political advertisement.</u>	EP and CSL (moved from row 158) Cross-references in the second subparagraph are based on EP mandate, to be corrected as appropriate at a later stage. This overlap with article 5

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		<u>Political advertising publishers shall ensure the accuracy of the information, which they are required to provide for the purposes of paragraph 1, points (g) to (l) before and during the period of publication, delivery, or dissemination of the political advertisement.</u> <u>Political advertising publishers shall ensure that the information referred to in paragraph 1 is complete.</u> <u>Where the sponsor or the provider of political advertising services becomes aware that any information transmitted to or published by the political advertising publisher is incomplete or inaccurate, it shall contact, without undue delay, the political advertising publisher concerned and shall transmit complete or accurate information to that political advertising publisher.</u> <u>Where the political advertising publisher</u>	When the sponsor or the provider of political advertising services becomes aware that the information transmitted to or published by the political advertising publisher is incomplete or inaccurate, it shall contact, without undue delay, the political advertising publisher concerned and, as relevant, shall transmit completed or corrected information to the political advertising publisher. If the political advertising publisher becomes aware by any means that	<u>Political advertising publishers shall ensure that the information referred to in paragraph 1 is complete.</u> <u>Where the sponsor or the provider of political advertising services becomes aware that any information transmitted to or published by the political advertising publisher is incomplete or inaccurate, it shall contact, without undue delay, the political advertising publisher concerned and shall transmit completed or corrected information to that political advertising publisher.</u> <u>Where the political advertising publisher becomes aware by any means that the information referred to in Article 7(1) and paragraph 1 of this Article is incomplete or inaccurate, it shall make best efforts, including by contacting the sponsor or the providers of political advertising services, to complete or correct the</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
		<u>becomes aware that the information referred to in Article 7(1) and paragraph 1 of this Article is incomplete or inaccurate, it shall make best efforts, including by contacting the sponsor or the providers of political advertising services to complete or correct the information without undue delay.</u> <u>Where the information cannot be completed or corrected, the political advertising publisher shall not make available the political advertisement, or shall without undue delay discontinue the placement, promotion, publication, delivery or dissemination of the political advertisement.</u> <u>The political advertising publisher shall inform without undue delay the sponsors or the providers of political advertising services concerned about any decisions taken in connection with the seventh subparagraph of this paragraph.</u>	information referred to in paragraph 2 is incomplete or inaccurate, it shall make reasonable efforts including, as relevant, by contacting the sponsor or the service providers concerned, to complete or correct the information. Where the information cannot be completed or corrected without undue delay, the publisher1 and 2 is complete, and where they find this is not the case, they shall not make available or shall discontinue the publication or dissemination of the political advertisement. The publisher shall inform the sponsor or the service provider acting on behalf of the sponsor if the political advertisement it sponsors is not made available or is discontinued.	<u>information without undue delay.</u> <u>Where the information cannot be completed or corrected without undue delay, the political advertising publisher shall not make available the political advertisement, or shall without undue delay discontinue the placement, promotion, publication, delivery or dissemination of the political advertisement.</u> <u>The political advertising publisher shall inform without undue delay the sponsors or the providers of political advertising services concerned about any decisions taken in connection with the sixth subparagraph of this paragraph.</u>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
163p		<u>3. Transparency notices shall be easily retrievable at all times during the period from their first publication until their withdrawal.</u> <u>Transparency notices shall be kept up to date, presented in a format which is easily accessible and available in a machine readable format. They shall be written in the language of the political advertisement. Political advertising publishers who offer services in the Union shall ensure that transparency notices comply with the accessibility requirements set out in Directive (EU) 2019/882.</u> <u>Transparency notices shall be user friendly, including through the use of plain language.</u>	2a. The transparency notice shall be included in each political advertisement or be easily retrievable from its first publication and until the end of its publication. Transparency notices shall be presented in a format which is easily accessible and, where technically possible, machine readable, clearly visible and user friendly, including by using plain language. Transparency notices which are machine readable shall be made accessible by means of a common publicly available application programming interface. Moved from row 157a	<u>3. Transparency notices shall be included in each political advertisement or be easily retrievable at all times during the period of publication of the political advertisement, their withdrawal.</u> <u>Transparency notices shall be kept up to date as long as they are published together with the pol ad, presented in a format which is easily accessible and, where technically feasible, available in a machine readable format. They shall be written in the language of the political advertisement. Political advertising publishers who offer services in the Union shall ensure that transparency notices comply with the accessibility requirements set out in Directive (EU) 2019/882.</u> <u>Transparency notices shall be clearly visible, user friendly, including through the use of plain language.</u>	EP+CSL (Row 157a) We consider this reference (to Directive 2019/882) better suited in a recital as this is recalling obligations under another legislation.

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement	Comments
R 163q		<u>4. Political advertising publishers shall keep their transparency notices along with any modifications thereto for a period of ten years after the last publication.</u>	5. Political advertising publishers shall retain their transparency notices together with any modifications for a period of five years after the end of the period referred to in paragraph 4 last publication. Moved from row 160	<u>4. Political advertising publishers shall keep retain their transparency notices along together with any modifications thereto for a period of (ten) years after the last publication.</u>	EP+CSL (row 160) Pending agreement on data retention We can provisionally agree but we should keep both 5 and 10 years in brackets

Where necessary for clarity, yellow is used to indicate differences between the texts and green to indicate similarity.

	Commission Proposal	EP Mandate	Council Mandate	Draft agreement / Comments
213	Article 15 Competent authorities and contact points	Article 15 Competent authorities and contact points	Article 15 Competent authorities and contact points	
214	1. The supervisory authorities referred to in Article 51 of Regulation (EU) 2016/679 or Article 52 of Regulation (EU) 2018/1725 shall be competent to monitor the application of Article 12 of this Regulation in their respective field of competence. Article 58 of Regulation (EU) 2016/679 and Article 58 of Regulation (EU) 2018/1725 shall apply <i>mutatis mutandis</i> . Chapter VII of Regulation (EU) 2016/679 shall apply for activities covered by Article 12 of this Regulation.	1. The supervisory authorities referred to in Article 51 of Regulation (EU) 2016/679 or Article 52 of Regulation (EU) 2018/1725 shall be competent to monitor the application of Article 12 of this Regulation in their respective field of competence. Article 58 of Regulation (EU) 2016/679 and Article 58 of Regulation (EU) 2018/1725 shall apply <i>mutatis mutandis</i> . Chapter VII of Regulation (EU) 2016/679 shall apply for	1. The supervisory authorities referred to in Article 51 of Regulation (EU) 2016/679 or Article 52 of Regulation (EU) 2018/1725 shall be competent to monitor the application of Article 12 Articles 12 and 12a of this Regulation in their respective field of competence. Article 58 of Regulation (EU) 2016/679 and Article 58 of Regulation (EU) 2018/1725 shall apply <i>mutatis mutandis</i> . Chapter VII of Regulation (EU) 2016/679 shall apply for activities covered by Article 12 Articles 12 and 12a of this Regulation.	[Pending decision on the proposal to split into 12 and 12a.]

		activities covered by Article 12 of this Regulation.		
214 a		<u><i>1a. In case the political advertising publisher is a very large online platform within the meaning or a very large online search engine within the meaning of Article 33 of Regulation 2022/2065, the European Data Protection Board may initiate an investigation, at the request of national authorities, the Commission, or on its own initiative after consulting the relevant national authorities if it suspects the infringement of Article - 12 or Article 12 of this Regulation.</i></u>		Presidency comments: We can support the informal proposal by the Commission for a recital on COM's oversight on VLOPs circulated on 19 July.
214 b		<u><i>1b. The initiation of investigation pursuant to paragraph 1a of this Article by the European Data Protection Board shall relieve the national data protection authority or authorities, or any competent authority where</i></u>		EP: EDPB has exclusive competence in 1a situations.

		<u>applicable, of its powers regarding the infringement at stake to supervise and enforce the obligations under this Regulation.</u>		
214 c		<u>1c. The national data protection authorities shall, within 15 days after being informed of initiation of the investigation, or within seven days if within 60 days immediately preceding elections or referendums as referred to in Article 12(1d), transmit to the European Data Protection Board any information they hold about the infringement at stake.</u>		
214 d		<u>1d. In the exercise of its powers of investigation under this Regulation the European Data Protection Board shall request the individual or joint support of any national data protection authority or authorities concerned by the suspected infringement, including the</u>		

		<u>data protection authority of establishment.</u>		
215	2. Member States shall designate competent authorities to monitor the compliance of providers of intermediary services within the meaning of Regulation (EU) 2021/xxx [DSA] with the obligations laid down in Articles 5 to 11 and 14 of this Regulation, where applicable. The competent authorities designated under Regulation (EU) 2021/xxx [Digital Services Act] may also be one of the competent authorities designated to monitor the compliance of online intermediaries with the obligations laid down in Articles 5 to 11 and 14 of this Regulation. The Digital Services Coordinator referred to in Article 38 of Regulation (EU) 2021/xxx in each Member State shall be responsible for ensuring coordination at national level in respect of providers of intermediary services as defined by Regulation (EU) 2021/xxx [Digital Services Act]. Article 45(1) to (4) and Article 46(1) of Regulation (EU)	2. Member States shall designate competent authorities <u>that are to supervise and</u> to monitor the compliance of providers of intermediary services within the meaning of Regulation (EU) 2021/xxx <u>2022/2065 (Digital Services Act)</u> with the obligations laid down in Articles 5 to 11 and 14 of this Regulation, where applicable. The competent authorities designated under Regulation (EU) 2021/xxx <u>2022/2065</u> (Digital Services Act) may also be one of the competent authorities designated to monitor the compliance of online intermediaries with the obligations laid down in Articles 5 to 11 and 14 of this Regulation. The Digital Services Coordinator referred to in Article 38<u>49</u> of Regulation (EU) 2021/xxx <u>2022/2065</u> in each	2. Member States shall designate competent authorities to monitor the compliance of providers of intermediary services within the meaning of Regulation (EU) 2021/xxx [DSA] with the obligations laid down in Articles 5 to 11 and 14 of this Regulation, where applicable. The competent authorities designated under Regulation (EU) 2021/xxx [Digital Services Act] may also be one of the competent authorities designated to monitor the compliance of online intermediaries with the obligations laid down in Articles 5 to 11 and 14 of this Regulation. The Digital Services Coordinator referred to in Article 38 of Regulation (EU) 2021/xxx in each Member State shall be responsible for ensuring coordination at national level in respect of providers of intermediary services as defined by Regulation (EU) 2021/xxx [Digital Services Act]. Article 45(1) to (4) and Article 46(1) of Regulation (EU) 2021/xxx [Digital Services Act] shall be applicable for matters related to the application of this Regulation as regards providers of intermediary services.	2. Member States shall designate competent authorities to supervise the compliance of providers of intermediary services within the meaning of Regulation (EU) 2022/2065 (Digital Services Act) with the obligations laid down in Articles 5 to 11 and 14 of this Regulation, where applicable. The competent authorities designated under Regulation (EU) 2022/2065 (Digital Services Act) may also be one of the competent authorities designated to supervise the compliance of online intermediaries with the obligations laid down in Articles 5 to 11 and 14 of this Regulation. The Digital Services Coordinator referred to in Article 49 of Regulation (EU) 2022/2065 (Digital Services Act) in each Member State shall be responsible for ensuring coordination at national level in respect of providers of intermediary services as defined by Regulation (EU) 2022/2065 (Digital Services Act). Articles 49, 58(1) to (4) and Article 60(1) of Regulation (EU) 2022/2065 (Digital Services Act) shall be applicable for matters

	2021/xxx [Digital Services Act] shall be applicable for matters related to the application of this Regulation as regards providers of intermediary services.	Member State shall be responsible for ensuring coordination at national level in respect of providers of intermediary services as defined by Regulation (EU) 2021/xxx <u>2022/2065</u> (Digital Services Act7). Article 45(1) <u>58(1)</u> to (4) and Article 46(1) <u>60(1)</u> of Regulation (EU) 2021/xxx <u>2022/2065</u> (Digital Services Act7) shall be applicable for matters related to the application of this Regulation as regards providers of intermediary services.		related to the application of this Regulation as regards providers of intermediary services. Article 51 of Regulation (EU) 2022/2065 shall apply <i>mutatis mutandis</i> as regards the powers of authorities designated under this paragraph.
215 a		<u>2a. To the extent that the Commission has exclusive competence to monitor the compliance of very large online platforms and of very large search engines within the meaning of Regulation (EU) 2022/2065 (Digital Services Act) with the obligations laid down in that Regulation, it shall be competent to monitor their compliance with Article</u>		

		<u>5(2d) and Article 7b(2) of this Regulation.</u>		
216	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 take the measures necessary and proportionate to ensure compliance with this Regulation.	3. Each Member State shall designate one or more competent authorities to be responsible for the <u>consistent</u> application and enforcement of the aspects of this Regulation not referred to in paragraphs 1 and 2. <u>The national competent authorities may be the same as those referred in Article 30 of Directive 2010/13/EU.</u> 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, <u>acting</u> in full independence, effectively monitor and take the measures necessary and proportionate to ensure <u>consistent supervision,</u> compliance with <u>and enforcement of</u> this Regulation.	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. These competent authorities may be different from those 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.	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. These competent authorities may be different from those referred to in paragraphs 1 and 2 and may be those referred in Article 30 of Directive 2010/13/EU. 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, <u>acting</u> in full independence, effectively monitor and take the measures necessary and proportionate to ensure <u>supervision,</u> compliance <u>and enforcement of</u> this Regulation. For recital 58 “<i>To support the upholding of fundamental rights and freedoms, the rule of law, democratic principles and public confidence in the oversight of political advertising it is necessary that such authorities are structurally independent from external intervention or political</i>

				<i>pressure and are appropriately empowered effectively monitor and take the measures necessary to ensure consistent compliance with this Regulation, in particular the obligations laid down in Article 7. Member States may designate, in particular, the national regulatory authorities or bodies under Article 30 of Directive 2010/13/EU of the European Parliament and of the Council 13.”</i>
217	4. Competent authorities referred to in paragraph 3, where exercising their supervisory tasks in relation to this Regulation, shall have the power to request to access data, documents or any necessary information from providers of political advertising services for the performance of their supervisory tasks.	4. Competent authorities referred to in paragraph 3, where exercising their supervisory tasks in relation to this Regulation, shall have <u>at least</u> the power to request to access <u>to</u> data, documents or any necessary information from providers of political advertising services, for the performance of their supervisory tasks. <u>Competent authorities shall use that data only for the purpose of monitoring and assessing compliance with this Regulation, in accordance with relevant legislation on the protection of personal data and the protection of</u>	<i>deleted</i>	Delete.

		<u>confidential information, and with the objective to maintain the security of the services.</u>		
218	5. Competent authorities referred to in paragraph 3, where exercising their enforcement powers in relation to this Regulation, shall have the power to:	5. Competent authorities referred to in paragraph 3, where exercising their enforcement powers in relation to this Regulation, shall have the power to:	5. Competent authorities referred to in paragraph 3, where exercising their supervisory and enforcement tasks and powers in relation to this Regulation, shall have the power to:	5. Competent authorities referred to in paragraph 3, where performing their tasks in relation to this Regulation, shall have the power to:
218 a		(219a) <u>(aa) request access to data, documents, or any necessary information from the providers of political advertising services;</u>	(-a) request access to data, documents or any necessary information, in particular from the sponsor or the providers of political advertising services concerned;	(-a) request access to data, documents or any necessary information, in particular from the sponsor or the providers of political advertising services concerned; <i>Competent authorities shall use that data only for the purpose of monitoring and assessing compliance with this Regulation, in accordance with relevant legislation on the protection of personal data and the protection of confidential information.</i>
219	(a) issue warnings addressed to the providers of political	(a) issue warnings addressed to the providers of political	(a) issue warnings addressed to the providers of political advertising	(a) issue warnings addressed to the providers of political advertising

	advertising services regarding their non-compliance with the obligations under this Regulation;	advertising services regarding their non-compliance with the obligations under this Regulation;	services regarding their non-compliance with the obligations under this Regulation;	services regarding their non-compliance with the obligations under this Regulation
219 b		(219c) <u>(ab) order an end to infringements and, where appropriate, impose remedies that are proportionate to the infringement and necessary to bring it effectively to an end;</u> (221) (c) impose administrative fines and financial penalties, <u>including periodic penalty payments;</u>	(aa) order the cessation of infringements and require sponsors or providers of political advertising services to take the steps necessary to comply with this Regulation, while respecting the fundamental right of freedom of expression and information; (221) (c) impose administrative fines and financial penalties- <u>and, as appropriate other remedies, to effectively bring the infringement to an end, or request a judicial authority in their Member State to do so;</u>	(aa) order the cessation of infringements and require sponsors or providers of political advertising services to take the steps necessary to comply with this Regulation. (ab) impose <u>or request the imposition by a judicial authority of fines or financial penalties or other financial measures as appropriate;</u> <u>(ac) where appropriate impose a periodic penalty payment, or request a judicial authority in their Member State to do so;</u> <u>(ad) where appropriate, impose remedies that are proportionate to the infringement and necessary to bring it effectively to an end or request a judicial authority in their Member State to do so ;</u> (
220				

	(b) publish a statement which identifies the legal and natural person(s) responsible for the infringement of an obligation laid down in this Regulations and the nature of that infringement;	(b) publish a statement which identifies the legal and natural person(s) responsible for the infringement of an obligation laid down in this Regulations and the nature of that infringement;	(b) publish a statement which identifies the legal and natural person(s) responsible for the infringement of an obligation laid down in this Regulations and the nature of that infringement;	(b) publish a statement which identifies the legal and natural person(s) responsible for the infringement of an obligation laid down in this Regulations and the nature of that infringement;
dd221	(c) impose administrative fines and financial penalties.	(c) impose administrative fines and financial penalties- <u>including periodic penalty payments;</u>	(c) impose administrative fines and financial penalties- and, as appropriate other remedies, to effectively bring the infringement to an end, or request a judicial authority in their Member State to do so;	Delete covered in row 219 b
221 a		<u>(ca) carry out, or, where necessary in accordance with national law, request a judicial authority in their Member State to order inspections of any premises that providers of political advertising services use for purposes related to their trade, business, craft or profession, or to request other public authorities to do so, in order to examine, seize, take or obtain copies of information relating to a suspected infringement in</u>		(ca) carry out, or request a judicial authority to order or authorise , inspections of any premises that providers of political advertising services use for purposes related to their trade, business, craft or profession, or request other public authorities to do so, in order to examine, seize, take or obtain copies or extracts of information in any form, irrespective of the storage medium; To recital 61 It follows from the settled case-law of the Court of Justice that the protection of persons, both natural and legal,

		<u>any form, irrespective of the storage medium;</u>		against arbitrary or disproportionate intervention by the public authorities in the sphere of those persons' private activities constitutes a general principle of EU law. That protection may be relied on by a person as a right guaranteed by the EU law, for the purposes of the first paragraph of Article 47 of the Charter, in order to challenge before a court an act adversely affecting that person, such as an order to provide information or a penalty imposed on the ground of non-compliance with that order. EUR-Lex - 62019CJ0437 - EN - EUR-Lex (europa.eu)
221 b		<u>5a. Paragraphs 4 and 5 shall apply mutatis mutandis to the European Data Protection Board.</u>		Maintain Council position
221 c		<u>5b. Member States shall ensure that national competent authorities have all necessary means to carry out their tasks, including sufficient technical, financial and human resources to adequately supervise sponsors and</u>		<u>5b. Member States shall ensure that national competent authorities have all necessary means to carry out their tasks under this regulation, including sufficient technical, financial and human resources to adequately supervise compliance of sponsors and providers of political advertising services under their competence with this regulation.</u>

		<u>providers of political advertising services under their competence.</u>		
222	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.	6. Member States shall ensure <u>that there is effective and structured</u> cooperation among <u>all relevant</u> competent authorities <u>and supervisory authorities referred to in paragraphs 1 and 2</u> in particular in the framework of national elections networks, <u>so as</u> 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.	6. Member States shall ensure effective and structured cooperation among competent authorities in particular in the framework of national elections networks at national level among all relevant competent authorities designated under paragraphs 1 to 3, to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks and powers pursuant to this Regulation, including by jointly identifying infringements, sharing findings and expertise to help identify infringements,⁵ and liaising on the application and enforcement of relevant rules.	<u>6. Member States shall ensure that there is effective and structured cooperation and coordination at national level among all relevant authorities referred to in paragraphs 1 to 3, so as to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcements tasks and powers pursuant to this Regulation, including by notifying detected infringements which are relevant for other authorities, sharing findings and expertise, and liaising on the application and enforcement of relevant rules.</u>
222 a			6a. Experts designated by Member States shall meet periodically at Union level in particular in the	7a. The national contact points designated by Member States pursuant to paragraph 7 shall meet periodically at Union level in the

			framework of the European Cooperation Network on Elections working in close cooperation with the European Regulators Group for Audiovisual Media Services, and other relevant networks, to facilitate the swift and secured exchange of information on issues connected to the exercise of their supervisory and enforcement tasks pursuant to this Regulation.	network of national contact points. The network of national contact points shall serve as a platform for regular exchange of information and structured cooperation between national contact points and the Commission on all aspects of this Regulation. The network of national contact points shall meet at least twice a year and, where necessary, at the duly justified request of the Commission or a Member State. It shall work in close cooperation with the European Cooperation Network on Elections, European Regulators Group for Audiovisual Media and other relevant networks, to facilitate the swift and secured exchange of information on issues connected to the supervision and enforcement of this Regulation. <u>The Commission shall take part in the meetings of the Network of National Contact Points and provide administrative support.</u>
223	7. Each Member State shall designate one competent authority as a contact point at Union level	7. <u>Where a Member State designates one or more competent authorities, it shall ensure that the</u>	7. Each Member State shall designate one competent authority as a contact point at Union level for the purposes of this Regulation.	7. <u>Where a Member State designates one or more competent authorities, it shall ensure that the respective tasks of those authorities are clearly</u>



	for the purposes of this Regulation.	<u>respective tasks of those authorities are clearly defined and that they cooperate closely and effectively when performing their tasks.</u> Each Member State shall designate one competent authority as a <u>national</u> contact point at Union level for the purposes of <u>all aspects of</u> this Regulation. <u>National contact points shall ensure effective cooperation between national competent authorities and with other national contact points and Union level authorities.</u> <u>Member States shall make publicly available the contact details of their national contact points.</u> <u>Member States concerned shall communicate the name of the other competent authorities and their respective tasks to the Network of National Contact Points.</u>	<u>defined and that they cooperate closely and effectively when performing their tasks.</u> Each Member State shall designate one competent authority as a <u>national</u> contact point at Union level for the purposes of <u>all aspects of</u> this Regulation. <u>National contact points shall support and facilitate effective cooperation between national competent authorities and with the national contact points of other Member States.. Member States shall make publicly available the contact details of their national contact points.</u> <u>Member States concerned shall where relevant communicate the name of the other competent authorities and their respective tasks to the Network provided by paragraph x (row 228) of National Contact Points. .</u>
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