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#### WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on General Affairs
Subject:	Regulation on the transparency and targeting of political advertising - Follow-up to the GAG meeting on 15 March 2022 - Commission presentation

Delegations will find attached the slides the Commission referred to in their presentation at the abovementioned meeting.

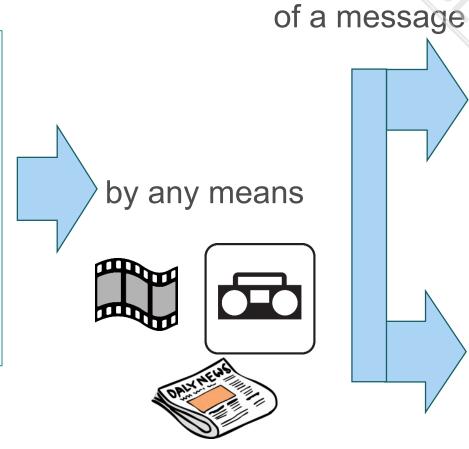


# Diagrams of political ads

GAG meeting on 15.03.2022 – distributed after the meeting

## How does the definition of political ads work?

preparation
placement
promotion
publication
dissemination



#### **EITHER**

by, for or on behalf of a political actor

**unless** it is of a purely private or a purely commercial nature

#### OR

which is liable to influence:

- the outcome of an election or referendum,
- a legislative or regulatory process
- or voting behaviour



# How does the definition of political ads work?

Which 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:

- content of the message,
- language used to convey the message,
- context in which the message is conveyed,
- objective of the message
- means by which the message is published or disseminated
- e.g. societal or controversial issues

By, for or on behalf of a political actor

- Political party
- Political alliance
- EUPP
- Candidate for elected office
- Elected official
- Unelected member of government
- Political campaign organization
- Natural or legal person representing any of the above



### When is a service not a service?



online intermediary service (DSA) provided without consideration for the placement, publication or dissemination of the specific message

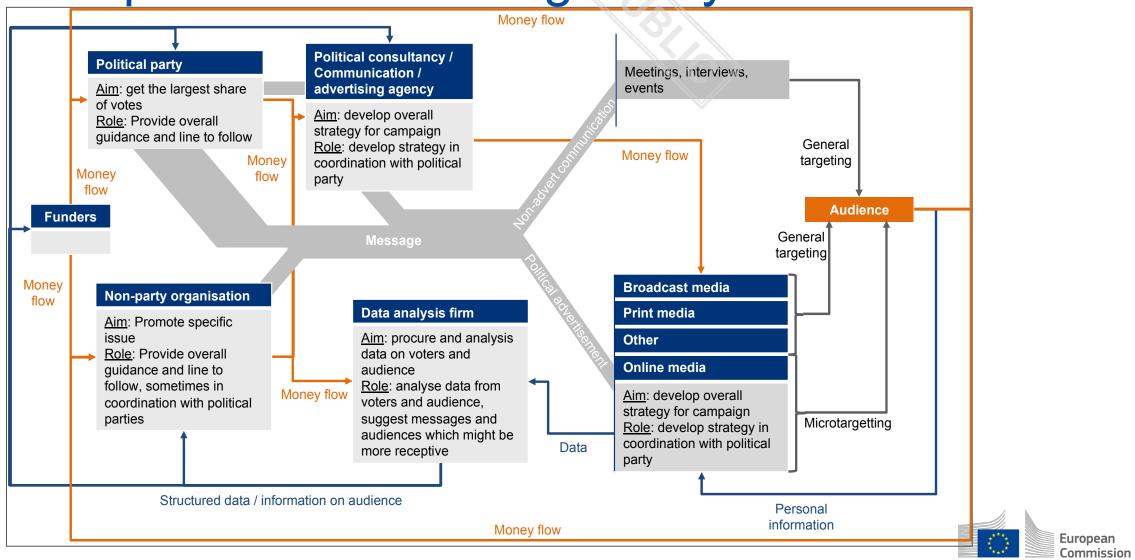
### **Thus**

- social media or blogging etc about politics, without payment for the use of the online service or for the post itself = <u>is not</u> a political ad service
- influencers paid for a political message, or paying to boosting of a political message = is a political ad service

### How do the definitions fit together?

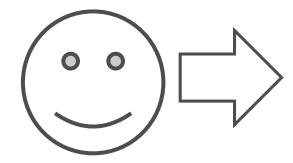
political ad – broad scope + service provider link to 114 TFEU transparency obligations link to 16 TFEU + targeting and amplification data protection rules **GDPR-based** other supervision and enforcement

## The political advertising ecosystem

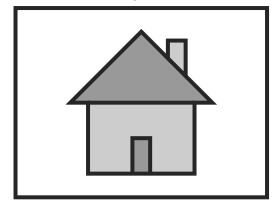


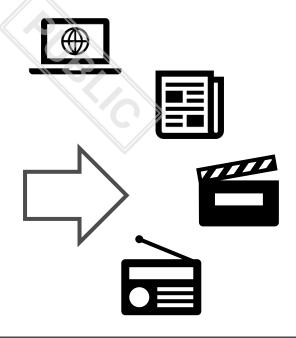
### Ad services

sponsor

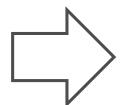


service providers





preparation
placement
promotion
publication
dissemination



**Services:** political consultancies, advertising agencies, public relations firms, media agencies, broadcasters, publishers, distributors, "ad-tech" platforms, data analytics (electorate analytics) and data brokerage operators

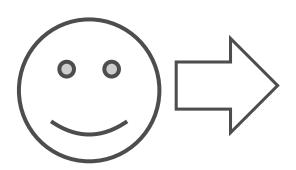
**Media:** newspapers, television, radio, posters, leaflets, billboards, ondemand audio and video, websites, mobile applications, computer games and other digital interfaces, influencers



### ad publishers

### Ad services (obligations)

sponsor



service providers

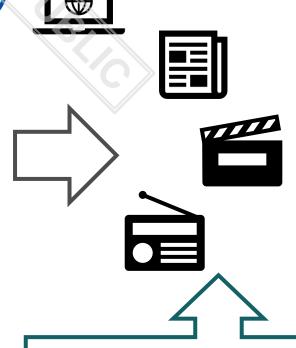




Declaration that ad is political (A5(1))

Retain information they collect in the provision of their services (A6(1))

Communicate to the political advertising publisher (A6(2))

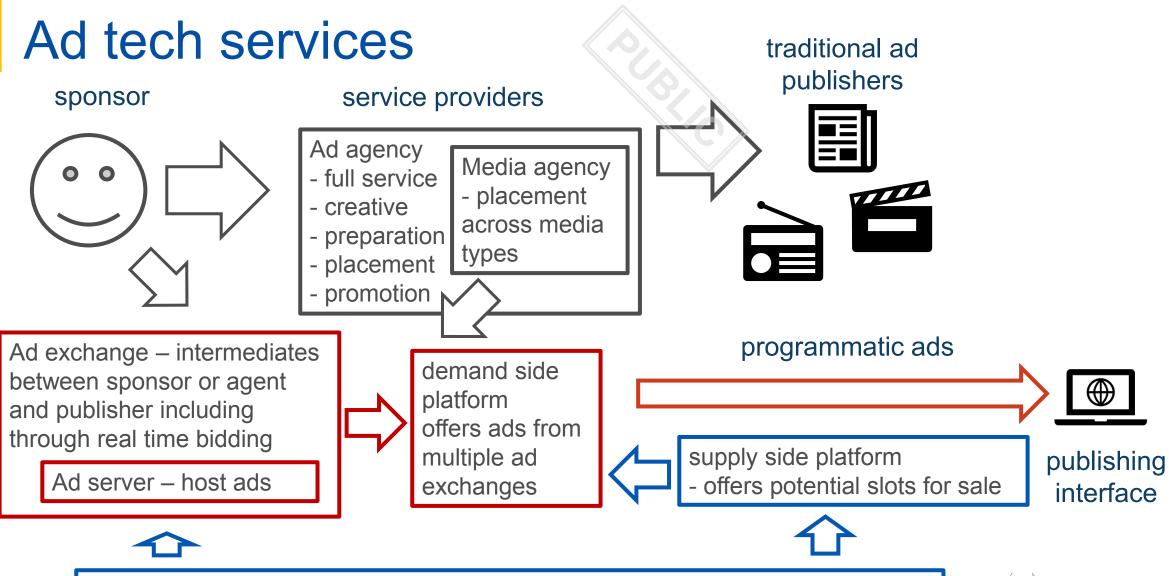


Label the ad (A7(1))

Provide transparency notice (A7(2))

make reasonable efforts to ensure that the information is complete (A7(3))





data management platform

- combines first and third party data to inform bidding and placement process



# Thank you





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