



**2021/0381(COD)**

1.12.2022

## **OPINION**

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on the Internal Market and Consumer Protection

on the proposal for a regulation of the European Parliament and of the Council  
on the transparency and targeting of political advertising  
(COM(2021)0731 – C9-0433/2021 – 2021/0381(COD))

Rapporteur for opinion: Anna Júlia Donáth

(\*) Associated committee – Rule 57 of the Rules of Procedure

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## AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to take into account the following amendments:

### **Amendment 1** **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 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. ***It is one of the aims of this Regulation to ensure accountability and the overall organisation of a fair and open political process, to safeguard citizens' rights, including their freedoms of opinion and of information, to make political decisions and exercise their voting rights, as well as to contribute to the proper functioning of the internal market for political advertising, to ensure that unlawful political advertisements can be identified and corrected in due time and that the offline and online space is aligned. Member States whose national laws foresee such possibility are encouraged to consider putting in place silence periods on political advertising, in the weeks prior to elections or referendums. Member States which do not have silence periods on political advertising are encouraged to consider putting in place such silence periods if they consider it needed to fully meet the objectives of this Regulation.***

### **Amendment 2** **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 **sponsored, promoted**, published or disseminated directly or indirectly by or **sponsored, promoted**, 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 3**  
**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) The **sponsoring, promotion**, 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, **including the participation or non-participation in a voting process**, 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 **identity of the sponsor**, **the** objective of the message and the means by which the message is published or disseminated, **the audience targeted and the objective of the message**. 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 4**

Proposal for a regulation

#### **Recital 17 a (new)**

*Text proposed by the Commission*

*Amendment*

***(17a) Bearing in mind that public issue advertisements are an intervention in the public debate that is ultimately targeted at influencing the decisions of legislators, and that legislators have a duty to act always on the basis of evidence and in the public interest, rather than on the basis of narrow political self-interest or lobbying by powerful vested interests, nothing in this Regulation should be taken to imply that public issue advertisements placed by genuine civil society actors are a threat to democracy or to politics, or that such advertisements regularly seek to, or have the power to, meaningfully manipulate legislators, and to thereby discharge them of the requirement to be mindful of the duty to act always on the basis of evidence and in the public interest. Nothing in this Regulation should be taken to imply that public issue advertisements placed by genuine civil society actors are anything other than welcome interventions in the public sphere and in political debate. The obligations that fall on civil society actors under this Regulation should not undermine or impede their work, and an annual review by the Commission should be undertaken, with input from a broad base of civil society, in order to monitor the effects of this Regulation on civil society and to propose remedial action if necessary. In undertaking the annual review, the Commission should be mindful of the need to identify and address without delay any bad faith or***

*abusive use of the provisions of this Regulation to undermine civil society actors.*

**Amendment 5**  
**Proposal for a regulation**  
**Recital 17 b (new)**

*Text proposed by the Commission*

*Amendment*

*(17b) Mere generic service providers used by advertising service providers or political actors should not be considered as political advertising service providers and should instead be considered in practice as the offline equivalents of the on line intermediary service within the meaning of Article 3(g) of Regulation (EU)2022/2065 of the European Parliament and of the Council<sup>1a</sup>. Such generic service providers therefore include 'mere conduit', 'caching' or 'hosting' services, but also their offline equivalents such as postal and distribution services, graphic designers and print shops where they provide a similarly 'neutral' service. To qualify as an offline equivalent counterpart, those services should be subject to the same requirements, i.e. not to initiate the transmission, nor to select the receiver of the transmission, nor to select or modify the information contained in the transmission.*

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<sup>1a</sup> Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act) (OJ L 277, 27.10.2022, p. 1).

**Amendment 6**  
**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 audiovisual, ***medial, 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. ***Where a service provider re-publishes without editorial context content from a political campaign or candidate, such publication should be considered to be political advertising and treated as such even if such service has not been remunerated.***

**Amendment 7**  
**Proposal for a regulation**  
**Recital 21**

*Text proposed by the Commission*

(21) It is necessary to define political advertisement as an instance of political advertising. Advertisements include the means by which the advertising message is communicated, ***including*** in print, by broadcast media or via an online platforms service.

*Amendment*

(21) It is necessary to define political advertisement as an instance of political advertising ***sponsored, prepared, placed, promoted, published or disseminated by any means***. Advertisements include the means by which the advertising message is communicated, ***such as*** in print, by broadcast media or via an online platforms service ***or social network***.

**Amendment 8**  
**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) The concept of political actors should also include unelected officials, elected officials, candidates and members of Government at European, national, regional or local level. Other political organisations should also be included in that definition.

*Amendment*

(23) ***The concept of political actors should also include Union institutions, governments, including those at regional and local levels and their respective authorities and bodies, with or without legal personality insofar as their communication can be assimilated to political advertising.*** The concept of political actors should also include unelected officials, elected officials, candidates and members of Government at European, national, regional or local level. Other political organisations should also be included in that definition. ***Certain persons may exercise control over political actors and advance their personal interests, while deliberately concealing such influence or being hidden from the public. Such persons should also be considered to be political actors within the meaning of this Regulation.***

**Amendment 9**  
**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

*Amendment*

(31) Freedom of expression ***and information*** 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 ***without interference and regardless of borders. Any restriction, condition,*** 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



service providers.

inter alia the case where the political ideas are communicated through advertising service providers. ***Freedom of expression is one of the cornerstones of a lively democratic debate.***

**Amendment 10**  
**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) 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. ***At least 15% of the displayed advertisement, space or timing depending of the format of the advertisement, should be used so that the political advertisement is easily identified as such.*** 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 11**  
**Proposal for a regulation**  
**Recital 42 a (new)**

*Text proposed by the Commission*

*Amendment*

***(42a) The Commission should establish and manage a European library for offline and online political advertisements to host, archive and make publicly available political advertisements and all information contained in the transparency notice. Political advertising publishers should share all information contained in the transparency notice with the European library for political advertisements without undue delay and no later than 24 hours from its first publication. In addition, political advertising publishers which are very large online platforms and very large online search engines within the meaning of Article 33 of Regulation (EU) 2022/2065 should make all information contained in the transparency notice available and updated, in real time, through the repositories of advertisements published pursuant to Article 39 Regulation 2022/2065.***

**Amendment 12**  
**Proposal for a regulation**  
**Recital 46**

*Text proposed by the Commission*

*Amendment*

(46) In order to allow specific entities to play their role in democracies, it is appropriate to lay down rules on the transmission of information published with the political advertisement or contained in the transparency notice to interested **actors** such as vetted researchers, journalists, civil society organisations and accredited election observers, in order to support the performance of their respective roles in the democratic process. Providers of political

(46) In order to allow specific entities to play their role in democracies, it is appropriate to lay down rules on the transmission of information published with the political advertisement or contained in the transparency notice to interested **parties, established in the Union**, such as vetted researchers, journalists, civil society organisations and accredited election observers, in order to support the performance of their respective roles in the

advertising services should not be required to respond to requests which are manifestly unfounded or excessive. Further, the relevant service provider should be allowed to charge a reasonable fee in case of repetitive and costly requests, taking into account the administrative costs of providing the information.

democratic process. Providers of political advertising services should not be required to respond to requests which are manifestly unfounded or excessive. Further, the relevant service provider should be allowed to charge a reasonable fee in case of repetitive and costly requests, taking into account the administrative costs of providing the information.

**Amendment 13**  
**Proposal for a regulation**  
**Recital 47**

*Text proposed by the Commission*

(47) Personal data collected directly from individuals, or indirectly such as inferred data, when grouping individuals according to their assumed interests or derived through their online activity, behavioural profiling and other analysis techniques, is increasingly used to target political messages to groups or individual voters or individuals, and to amplify their impact. On the basis of the processing of personal data, in particular data considered sensitive under Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>11</sup> and Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>12</sup>, different groups of voters or individuals can be segmented and their characteristics or vulnerabilities exploited for instance by disseminating the advertisements at specific moments and in specific places designed to take advantage of the instances where they would be sensitive to a certain kind of information/message. That has specific and detrimental effects on citizens' fundamental rights and freedoms with regard to the processing of their personal data and their freedom to receive objective information, to form their opinion, to make political decisions and exercise their voting rights. This negatively impacts the

*Amendment*

(47) Personal data collected directly from individuals, or indirectly such as **observed or** inferred data, when **grouping individuals** according to their assumed interests or derived through their online activity, behavioural profiling and other analysis techniques, is increasingly used to target political messages to groups or individual voters or individuals, and to amplify their impact. On the basis of the processing of personal data, in particular data considered sensitive under Regulation (EU)2016/679 of the European Parliament and of the Council<sup>11</sup> and Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>12</sup>,different groups of voters or individuals can be segmented and their characteristics or vulnerabilities exploited for instance by disseminating the advertisements at specific moments and in specific places designed to take advantage of the instances where they would be sensitive to a certain kind of information/message. That has specific and detrimental effects on citizens' fundamental rights and freedoms with regard to the processing of their personal data and their freedom to **be treated fairly and equally, not to be manipulated, to** receive objective information, to form their opinion, to make political decisions and

democratic process. *Additional restrictions and conditions compared to Regulation (EU) 2016/679 and Regulation (EU) 2018/1725 should be provided. The conditions set out in this Regulation on the use of targeting and amplification techniques involving the processing of personal data in the context of political advertising should be based on Article 16 TFEU.*

exercise their voting rights. This *furthermore* negatively impacts the democratic process *as it enables a fragmentation of the public debate about important societal issues, predatory voter analysis, selective outreach and, ultimately, the manipulation of the electorate. It also increases the risk of the spreading of disinformation, and has been used for foreign electoral interference especially by non-democratic foreign entities. Misleading or obscure advertising for political purposes is a risk because it influences the core mechanisms that enable the functioning of our democratic society. All this takes place despite already existing conditions for the processing of personal data, including for targeting and ad delivery, provided for in Regulations (EU) 2016/679 and (EU) 2018/1725*

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<sup>11</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

<sup>12</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

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<sup>11</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

<sup>12</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

**Amendment 14**  
**Proposal for a regulation**  
**Recital 47 a (new)**

*Text proposed by the Commission*

*Amendment*

***(47a) The existing avenues under Regulation (EU) 2016/679 for lawfully tailoring and addressing advertising to individuals are subject to systemic abuse, especially with regard to collecting the free and informed consent of individuals, which cannot be solved under the current regulatory framework.***

**Amendment 15  
Proposal for a regulation  
Recital 47 b (new)**

*Text proposed by the Commission*

*Amendment*

***(47b) Dark patterns on online interfaces of online platforms are practices that materially distort or impair, either on purpose or in effect, the ability of users of the service to make autonomous and informed choices or decisions concerning the personal data they provide for the purpose of political advertising. Providers of online platforms should therefore be prohibited from nudging users of the service and from distorting or impairing the autonomy, decision-making, or choice of the users.***

**Amendment 16  
Proposal for a regulation  
Recital 47 c (new)**

*Text proposed by the Commission*

*Amendment*

***(47c) This should also include repeatedly requesting a user of the service to make a choice where such a choice has already been made, making the procedure of cancelling a service significantly more cumbersome than signing up to it, or making certain choices more difficult or***

*time-consuming than others or by default settings that are very difficult to change, and so unreasonably bias the decision making of the user of the service, in a way that distorts and impairs their autonomy, decision-making and choice. However, rules preventing dark patterns should not be understood as preventing providers to interact directly with users of the service and to offer new or additional services to them. The systematic use of dark patterns, unclear consent agreements, misleading information, and insufficient time to read terms and conditions are common practices to make it difficult for users of the service to have clear information and control in the context of the surveillance-based online advertising industry.*

**Amendment 17**  
**Proposal for a regulation**  
**Recital 47 d (new)**

*Text proposed by the Commission*

*Amendment*

*(47d) In order to protect individuals with regards to the way and purposes for which their personal data is processed, and in particular in contexts relevant for influencing their democratic choices and their involvement in the public debate, as well as to protect democracy and the integrity of elections, it is necessary to complement Regulations (EU) 2016/679 and (EU) 2018/1725 by adding further restrictions, which should take the form of strict limitations on the processing of personal data for targeting and ad delivery of online political advertising, based on Article 16 of the TFEU.*

**Amendment 18**  
**Proposal for a regulation**  
**Recital 47 e (new)**

*Text proposed by the Commission*

*Amendment*

***(47e) Targeting and ad delivery techniques based on certain conditions and on strictly limited amount of provided personal data that are not special categories of personal data within the meaning of Article 9 of Regulation (EU) 2016/679 or of Article 10 of Regulation (EU) 2018/1725 can be useful in disseminating political advertising and information and in reaching out and informing citizens.***

**Amendment 19**  
**Proposal for a regulation**  
**Recital 47 f (new)**

*Text proposed by the Commission*

*Amendment*

***(47f) Targeting and ad delivery techniques that involve the processing of personal data should only be allowed based on personal data which are explicitly provided by the data subject to the advertising publisher for the specific and sole purpose of receiving targeted political advertisement. Providers should not request consent where the data subject exercises his or her right to object by automated means using technical specifications, in line with Article 21(5) of Regulation (EU) 2016/679. In the event that the data subjects refuses to consent, or has withdrawn consent, he or she should be given other fair and reasonable options to access information society services. Refusing consent should not be more difficult or time consuming to the data subject than its giving. The processing of observed or inferred personal data, in line with the European Data Protection Board Guidelines 8/2020 on the targeting of social media users, should not be allowed. Without such restriction imposed on targeting and ad delivery techniques, the targeting and ad***

*delivery of political advertising based on personal data would be likely to result in a high risk to the rights and freedoms of natural persons.*

**Amendment 20**  
**Proposal for a regulation**  
**Recital 47 g (new)**

*Text proposed by the Commission*

*Amendment*

*(47g) Provided personal data should only include categories of personal data explicitly and actively provided by the data subject for the specific and sole purpose of being targeted with political advertisement by the data controller to whom it has been provided. Data subjects should not be targeted with political advertisements by data controllers to whom they have not provided their personal data. When providing the data to the publisher, it should be entered into the publisher's interface or settings. The processing of any data concerning the data subjects which would otherwise be processed in the course of the normal use of the service, such as metadata, traffic and location data or the content of communications, whether personal or public, should therefore be excluded.*

**Amendment 21**  
**Proposal for a regulation**  
**Recital 47 h (new)**

*Text proposed by the Commission*

*Amendment*

*(47h) Some well-resourced political candidates or parties might circumvent the restrictions on targeting techniques with in-house services that conduct large-scale political marketing. Therefore, when sponsors process personal data for direct targeted political marketing, such as*



*sending targeted electronic mail or text messages, at a large-scale and on a systematic basis, the restrictions on targeting techniques should apply, regardless of whether a service is involved or not. This does not affect the fact that the restrictions on targeting and ad delivery techniques should not apply to merely direct communication, including personalized electronic mails or text messages that are not targeted direct marketing at a large scale, and organic content published by using online intermediary services without consideration for the placement, publication or dissemination for the specific message.*

**Amendment 22**  
**Proposal for a regulation**  
**Recital 47 i (new)**

*Text proposed by the Commission*

*Amendment*

*(47i) In order to protect elections and referendums and prevent any undue interference, manipulation and disinformation, it is necessary to add further restrictions regarding targeting and ad delivery in the period immediately preceding the election or referendum .In the 60 days preceding any election or referendum, targeting and ad delivery techniques in the context of political advertising that involve provided personal data should be strictly limited to using location and the languages spoken by the data subject. The fact that a person is a first time voter could also be used as it is important to reach out to such persons and provide them with information regarding the election or referendum. The location of the data subject used to deliver targeted political advertisement should be understood being at the level of the constituency which is applicable in the relevant election or referendum. However,*

*in the Member States which have only one national level constituency for European Parliament elections, the location of the data subject could be understood being at regional or equivalent level in accordance with national law, for political advertising related to those elections.*

**Amendment 23**  
**Proposal for a regulation**  
**Recital 47 j (new)**

*Text proposed by the Commission*

*Amendment*

*(47j) The prohibition and restrictions regarding the processing of personal data for political advertising should not prevent sponsors, political advertising publishers or providers of advertising services, including online platforms, from displaying online political advertising based on contextual information, including keywords. This limitation is proportionate in light of the fact that sponsors have access to other avenues for their political advertising, notably through contextual targeting online and through alternative media offline. This limitation complies with the right to impart information and ideas of general interest which the public is entitled to receive because this right may be circumscribed in some circumstances, if the circumscription is carried out reasonably, carefully and in good faith, and if it is proportionate and justified by relevant and sufficient reasons, in particular, for the protection of the rights of others.*

**Amendment 24**  
**Proposal for a regulation**  
**Recital 47 k (new)**

*Text proposed by the Commission*

*Amendment*

***(47k) When selecting targeting parameters, sponsors delineate a potential audience for their political advertising. However, depending on the budget they dedicate to their advertising campaign, their political advertisement will not necessarily reach such entire potential audience. The publisher will have to select whom, from that potential audience, will actually receive the political advertisement. In order to prevent the creation of echo chambers and filter bubbles and to prevent demographic skews along race or gender, resulting in forms of discrimination, online platforms should not be allowed to selectively deliver political advertisement within the targeted potential audiences based on further processing of personal data. The actual recipients of the political advertisement should therefore only be randomly selected by the publisher, without any further processing of personal data.***

**Amendment 25  
Proposal for a regulation  
Recital 47 l (new)**

*Text proposed by the Commission*

*Amendment*

***(47l) The extensive transparency obligations provided for in this Regulation will also be helping to make it impossible to proclaim, unnoticed, opposing and polarizing messages to specific parts of the electorate, because watchdogs, civil society, journalists and other parts of the electorate will be able to perform their scrutiny.***

**Amendment 26**  
**Proposal for a regulation**  
**Recital 48**

*Text proposed by the Commission*

*Amendment*

**(48) Targeting and amplification techniques in the context of political advertising involving the processing of data referred to in Article 9(1) of Regulation (EU) 2016/679 and Article 10(1) of Regulation (EU) 2018/1725 should therefore be prohibited. The use of such techniques should only be allowed when carried out by the controller, or someone acting on its behalf, on the basis of the explicit consent of the data subject or in the course of their legitimate activities with appropriate safeguards by a foundation, association or any other not-for-profit body with a political, philosophical or religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects. This should be accompanied by specific safeguards. Consent should be understood as consent within the meaning of Regulation (EU) 2016/679 and Regulation (EU) 2018/1725. Therefore, it should not be possible to rely on the exceptions as laid down in Article 9(2), points(b), (c), (e), (f), (g), (h), (i) and (j) of Regulation (EU) 2016/679 and Article 10(2), points(b), (c), (e), (f), (g), (h), (i) and (j) of Regulation (EU) 2018/1725 respectively for using techniques targeting and amplification techniques to publish, promote or disseminate political advertising involving the processing of personal data referred to in Article 9(1) of Regulation (EU) 2016/679 and 10(1) of Regulation (EU) 2018/725.**

**deleted**

**Amendment 27**  
**Proposal for a regulation**  
**Recital 49**

*Text proposed by the Commission*

(49) In order to ensure enhanced transparency and accountability, when making use of targeting **and amplification** techniques in the context of political advertising involving the processing of personal data, controllers should implement additional safeguards. They should adopt and implement a policy describing the use of such techniques to target individuals or **amplify their** content and keep record of their relevant activities. When publishing, promoting or disseminating a political advertisement making use of targeting **and amplification** techniques, controllers should provide, together with the political advertisement, meaningful information to allow the concerned individual to understand the logic involved and main parameters of the targeting used, and the use of third-party data and additional analytical techniques, including whether the targeting of the advertisement was further optimised during delivery.

**Amendment 28**  
**Proposal for a regulation**  
**Recital 50**

*Text proposed by the Commission*

(50) Political advertising publishers making use of targeting **or amplification** techniques should include in their transparency notice information necessary to allow the concerned individual to understand the logic involved and main parameters of the technique used, and the use of third-party data and additional

*Amendment*

(49) In order to ensure enhanced transparency and accountability, when making use of targeting techniques in the context of political advertising involving the processing of personal data, controllers should implement additional safeguards. They should adopt and implement a policy describing the use of such techniques to target individuals or **deliver the content of their ad, make annual risk assessments of the use of those techniques on the fundamental rights and freedoms of individuals and the society as a whole** and keep record of their relevant activities. When publishing, promoting or disseminating a political advertisement making use of targeting techniques, controllers should provide, together with the political advertisement, meaningful information to allow the concerned individual to understand the logic involved and main parameters of the targeting used, and the use of third-party data and additional analytical techniques, including whether the targeting of the advertisement was further optimised during delivery.

*Amendment*

(50) Political advertising publishers making use of targeting techniques should include in their transparency notice information necessary to allow the concerned individual to understand the logic involved and main parameters of the technique used, and the use of third-party data and additional analytical techniques

analytical techniques used and a link to the relevant policy of the *controller*. In case the *controller* is different from the advertising publisher the *controller* should transmit to political advertising publisher the internal policy or a reference to it. Providers of advertising services should, as necessary, transmit to the political advertising publisher the information necessary to comply with their obligations under this Regulation. The provision of such information could be automated and integrated in the ordinary business processes on the basis of standards.

used and a link to the relevant policy of the *political advertising service*. In case the *political advertising service* is different from the advertising publisher the *service* should transmit to *the* political advertising publisher the internal policy or a reference to it. Providers of advertising services should, as necessary, transmit to the political advertising publisher the information necessary to comply with their obligations under this Regulation. The provision of such information could be automated and integrated in the ordinary business processes on the basis of standards.

**Amendment 29**  
**Proposal for a regulation**  
**Recital 51**

*Text proposed by the Commission*

(51) In order to further empower individuals to exercise their data protection rights, political advertising publishers should provide additional information and effective tools to the concerned data subject to support the exercise of their rights under the EU data protection legal framework including to *object or* withdraw their consent when targeted with a political advertisement. This information should also be easily accessible directly from the transparency notice. The tools made available to the individuals to support the exercise of their rights should be effective to prevent an individual from being targeted with political advertisements, as well as to prevent targeting on the basis of specific criteria and by one or several specific controllers.

*Amendment*

(51) In order to further empower individuals to exercise their data protection rights, political advertising publishers should provide additional information and effective tools to the concerned data subject to support the exercise of their rights under the EU data protection legal framework including to withdraw their consent when targeted with a political advertisement. This information should also be easily accessible directly from the transparency notice. The tools made available to the individuals to support the exercise of their rights should be effective to prevent an individual from being targeted with political advertisements, as well as to prevent targeting on the basis of specific criteria and by one or several specific controllers.

**Amendment 30**  
**Proposal for a regulation**  
**Recital 52**

*Text proposed by the Commission*

(52) The Commission should ***encourage the drawing up of codes of conduct as referred to in Article 40 of Regulation (EU) 2016/679*** to support the exercise of data subjects' rights in this context.

*Amendment*

(52) The Commission should ***draw up guidelines*** to support the exercise of data subjects' rights in this context.

**Amendment 31**  
**Proposal for a regulation**  
**Recital 53**

*Text proposed by the Commission*

(53) Information to be provided in accordance with all requirements applicable to the use of targeting ***and amplification*** techniques under this Regulation should be presented in a format which is easily accessible, clearly visible and user-friendly, including through the use of plain language.

*Amendment*

(53) Information to be provided in accordance with all requirements applicable to the use of targeting techniques under this Regulation should be presented in a format which is easily accessible, clearly visible and user-friendly, including through the use of plain language ***and suitable for persons with hearing difficulties and visual impairments.***

**Amendment 32**  
**Proposal for a regulation**  
**Recital 58 a (new)**

*Text proposed by the Commission*

*Amendment*

***(58a) For the purpose of the exercise of their powers under this Regulation, the competent authorities referred to in Article 15 and the European Data Protection Board should be provided with sufficient resources.***

**Amendment 33**  
**Proposal for a regulation**  
**Recital 70**

*Text proposed by the Commission*

(70) This Regulation is without prejudice to the rules laid down in particular by Directive 2000/31/EC, including the liability rules for intermediary service providers in Articles 12 to 15 of that Directive as modified by Regulation (EU) 2021/xxx [the Digital Services Act], Regulation (EU) 2021/xxx [the Digital Markets Act], **Directive 2002/58/EC and Regulation (EU) XXX [ePrivacy Regulation]**, as well as Directive (EU) 2010/13, **Directive 2000/31/EC, Directive 2002/58/EC**, Directive 2005/29/EC, Directive 2011/83/EU, Directive 2006/114/EC, Directive 2006/123/EC and Regulation (EU) 2019/1150.

*Amendment*

(70) This Regulation is without prejudice to the rules laid down in particular by Directive 2000/31/EC, including the liability rules for intermediary service providers in Articles 12 to 15 of that Directive as modified by Regulation (EU) 2021/xxx [the Digital Services Act], Regulation (EU) 2021/xxx [the Digital Markets Act], as well as Directive (EU) 2010/13, Directive 2005/29/EC, Directive 2011/83/EU, Directive 2006/114/EC, Directive 2006/123/EC and Regulation (EU) 2019/1150. ***This Regulation should complement the Union data protection acquis, in particular Regulations (EU) 2016/679 and (EU) 2018/1725 and Directive 2002/58/EC and provide for specific data protection rules thereto. This Regulation does not provide for a legal ground that satisfies the requirements of Article 6 of Regulation (EU) 2016/679 or Article 5 of Regulation (EU) 2018/1725 for the processing of personal data for the purpose of political advertising.***

**Amendment 34**  
**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 **ad delivery** techniques in the context of the publication, dissemination or promotion of political advertising that involve the **processing** of personal data.



**Amendment 35**  
**Proposal for a regulation**  
**Article 1 – paragraph 2**

*Text proposed by the Commission*

2. This Regulation shall apply to political advertising prepared, placed, promoted, published or disseminated in the Union, or directed to individuals in one or several Member States, irrespective of the place of establishment of the advertising services provider, and irrespective of the means used.

*Amendment*

2. This Regulation shall apply to political advertising **sponsored**, prepared, placed, promoted, published or disseminated in the Union, or directed to individuals in one or several Member States, irrespective of the place of establishment of the **sponsor or the** advertising services provider, and irrespective of the means used.

**Amendment 36**  
**Proposal for a regulation**  
**Article 1 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. Political content expressed under the editorial responsibility of a print or online publisher or an audiovisual media service provider shall not be considered to be political advertising when it is sponsored, prepared, placed, promoted, published or disseminated unless the service provider is remunerated in any form by a third party for it.**

**Amendment 37**  
**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, trusted and transparent** functioning of the internal market for political advertising and related services;

**Amendment 38**  
**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 protect the fundamental rights and freedoms of* natural persons, *specifically with* regard to the *right to privacy and data protection, freedom of expression and information and non-discrimination, as enshrined in the Charter of Fundamental Rights*;

**Amendment 39**  
**Proposal for a regulation**  
**Article 1 – paragraph 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

(ba) *to uphold the values on which the Union is founded provided for in Article 2 of the Treaty on European Union, in particular respect for freedom, democracy and the rule of law and, by guaranteeing that Union citizens can exercise their basic democratic rights, in particular the right to form an opinion and the right to vote in a transparent environment*.

**Amendment 40**  
**Proposal for a regulation**  
**Article 1 – paragraph 4 – point b**

*Text proposed by the Commission*

(b) Directive 2002/58/EC *and Regulation (EU) XXX [ePrivacy Regulation]*;

*Amendment*

(b) Directive 2002/58/EC;

**Amendment 41**  
**Proposal for a regulation**  
**Article 1 – paragraph 4 – point i a (new)**

*Text proposed by the Commission*

*Amendment*

**(ia) Regulation (EU)2022/2065]**

**Amendment 42**  
**Proposal for a regulation**  
**Article 1 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. The data protection rules on processing of personal data provided for in this Regulation shall be considered as specific data protection rules to the general rules laid down in the Regulations (EU)2016/679 and (EU)2018/1725. None of the provisions in this Regulation can be applied or interpreted in such way as to diminish or limit level of protection offered by the right to respect for private life and protection of personal data and by the right of freedom of expression as protected in the Charter of Fundamental Rights and in the Union law on data protection and privacy, in particular by Regulations (EU)2016/679 and (EU) 2018/1725).**

**Amendment 43**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 1**

*Text proposed by the Commission*

*Amendment*

1. ‘service’ means any self-employed economic activity, normally provided for remuneration, as referred to in Article 57 TFEU;

1. ‘service’ means any self-employed economic activity, normally provided for remuneration **or any benefit**, as referred to in Article 57 TFEU;

**Amendment 44**  
**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 **sponsoring**, preparation, placement, promotion, publication or dissemination, by any means, of a message:

**Amendment 45**  
**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*

(b) which is liable to influence the outcome of an election or referendum, or voting behaviour, **or**

**Amendment 46**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 2 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(ba) which is liable to influence a legislative or regulatory process.**

**Amendment 47**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4 – point b b (new)**

*Text proposed by the Commission*

*Amendment*

**(bb) a government at national, regional or local level, bodies of a governments with or without legal personality, and public foundations thereof;**

**Amendment 48**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4 – point b c (new)**

*Text proposed by the Commission*

*Amendment*

**(bc) a Union institution and its bodies with or without legal personality;**

**Amendment 49**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4 – point g**

*Text proposed by the Commission*

*Amendment*

(g) a political campaign organisation with or without legal personality, established to **achieve** a specific outcome in an election or referendum;

(g) a political campaign organisation with or without legal personality, established to **influence** a specific outcome in an election or referendum;

**Amendment 50**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 4 – point h a (new)**

*Text proposed by the Commission*

*Amendment*

**(ha) any natural or legal person which is in a relationship of control with any person or organisation referred to in points (a) to (h) which is related to political advertising.**

**Amendment 51**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

5. ‘political advertising service’ means a service consisting of political advertising **with the exception of an online intermediary service within the meaning of Article 2(f) of Regulation (EU)**

5. ‘political advertising service’ means a service consisting of political advertising that is provided without consideration for the placement, publication or dissemination for the

2021/XXX [*Digital Services Act*] that is provided without consideration for the placement, publication or dissemination for the specific message;

specific message, *with the exception of an online intermediary service within the meaning of Article 3, point (g) of Regulation (EU) 2022/2065*;

**Amendment 52**  
**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;

**Amendment 53**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 7 a (new)**

*Text proposed by the Commission*

***7a. ‘personal data’ means information as defined in Article 4(1) of Regulation (EU) 2016/679 and Article 3(1) of Regulation (EU) 2018/1725;***

*Amendment*

**Amendment 54**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 8**

*Text proposed by the Commission*

8. ‘targeting ***or amplification*** techniques’ means 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***;

*Amendment*

8. ‘targeting techniques’ means techniques that are used ***by sponsors, political advertising publishers or providers of advertising services to tailor a*** political advertisement only to a specific person or group of persons or to ***exclude them by processing personal data, in particular through the collection of their data***;

**Amendment 55**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a.** *‘ad delivery techniques’ means automated techniques of processing of personal data that typically rely on algorithms or the automated processing of data and that are employed by political advertising publishers or providers of political advertising services involved in the promotion, publication and dissemination of political advertisements to determine a specific audience within the potential audience defined by the sponsors and providers of advertising services, acting on behalf of sponsors.*

**Amendment 56**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 9**

*Text proposed by the Commission*

*Amendment*

9. ‘electoral period’ means the period preceding or during or immediately after an election or referendum in a Member State and during which the campaign activities are subject to specific rules;

9. ‘electoral period’ means the period preceding or during or immediately after an election or referendum in a Member State and during which the campaign activities are subject to specific rules ***in accordance with national law***;

**Amendment 57**  
**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 11**

*Text proposed by the Commission*

*Amendment*

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***;

11. ‘political advertising publisher’ means a natural or legal person that ***delivers*** political advertising ***to the relevant electorate in any manner***;

**Amendment 58**  
**Proposal for a regulation**  
**Article 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 2a**

***Identification of a political advertisement***

***For the purpose of determining whether a message constitutes political advertisement within the meaning of Article 2(2), points (b) and (c), account shall be taken of all its features, and in particular of the following relevant factors:***

- (a) the content of the message;***
- (b) the sponsor of the message;***
- (c) the language used to convey the message;***
- (d) the means by which the message is promoted, published or disseminated;***
- (e) the context in which the message is conveyed, including the period of dissemination, such as electoral or referendum periods, and its objective;***
- (f) whether the message is liable to influence the relevant electorate.***

**Amendment 59**  
**Proposal for a regulation**  
**Article 3 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States shall not be prohibited nor restricted to maintain or introduce a silence period on political advertising prior to elections or referendums during which the preparation, placement, promotion, publishing or dissemination of new political advertisements may be restricted.***



**Amendment 60**  
**Proposal for a regulation**  
**Article 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 3a**

***Cross-border political advertising***

- 1. Political advertising publishers or providers of political advertising services shall not discriminate against sponsors legally established or registered in the Union, solely on ground of their place of residence or, where applicable, place of establishment, where those actors request, conclude or hold a contract for political advertising within the Union.***
- 2. Notwithstanding paragraph 1, the political advertising publisher or provider of political advertising services may refuse to provide services in a Member State in which that publisher or provider does not conduct business.***

**Amendment 61**  
**Proposal for a regulation**  
**Article 4 – title**

*Text proposed by the Commission*

*Amendment*

Transparency

Transparency ***and due diligence***

**Amendment 62**  
**Proposal for a regulation**  
**Article 4 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Political advertising services shall be provided in a transparent manner in accordance with the obligations laid down in Articles 5 to 11 and 14 of this Regulation.

1. Political advertising services shall be provided in a transparent ***and diligent*** manner in accordance with the obligations laid down in Articles 5 to 11 and 14 of this Regulation.

**Amendment 63**  
**Proposal for a regulation**  
**Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Political advertising services shall be funded by or provided to a sponsor or a service provider acting on behalf of a sponsor who is a Union citizen or Union resident or a legal person either recognised by, or established in accordance with, the legal order of at least one Member State or of a third country which is a member of the Council of Europe, has full rights of representation therein and acknowledges equivalent Union values.***

**Amendment 64**  
**Proposal for a regulation**  
**Article 4 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***1b. Providers of political advertising services shall ensure that sponsors or service providers acting on behalf of a sponsor shall use their services for political advertising only if they have obtained the following information prior to that use:***

***(a) the name, address, telephone number and electronic mail address of the sponsor;***

***(b) a copy of the identification document containing only relevant information of the sponsor or any other electronic identification as defined in Article 3(1) of Regulation (EU) No 910/2014 of the European Parliament and of the Council<sup>1a</sup>, which shall only be used for identification purposes and shall be deleted immediately thereafter;***

(c) *the payment account details of the sponsor;*

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*<sup>1a</sup> Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).*

**Amendment 65**  
**Proposal for a regulation**  
**Article 5 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. The Commission shall prepare guidance to contribute to the proper application of this Article.*

**Amendment 66**  
**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

*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.*

*deleted*

**Amendment 67**  
**Proposal for a regulation**  
**Article 6 – paragraph 1 – point c**

*Text proposed by the Commission*

*Amendment*

(c) the amounts they invoiced for the service or services provided, and the value of other benefits received in part or full

(c) the amounts they invoiced for the service or services provided, and the value of other benefits received *or to be received*

exchange for the service or services provided; **and**

in part or full exchange for the service or services provided, **their sources**;

#### **Amendment 68**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 1 – point d**

*Text proposed by the Commission*

(d) where applicable, the identity of the sponsor **and its** contact details.

*Amendment*

(d) where applicable, the identity of the **political actor, the sponsor of the political advertisement and, where applicable, the entity or person ultimately controlling the sponsor, their verified electronic** contact details **and place of establishment or residence; and**

#### **Amendment 69**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**(da) where applicable an indication of the relevant election or referendum or legislative or regulatory process which the political advertisement is aiming to target.**

#### **Amendment 70**

##### **Proposal for a regulation**

##### **Article 6 – paragraph 2**

*Text proposed by the Commission*

2. The information referred to in paragraph 1 shall be in writing and may be in electronic form. Such information shall be retained for a period of **five** years from the date of the last preparation, placement, publication or dissemination, as the case may be.

*Amendment*

2. The information referred to in paragraph 1 shall be in writing and may be in electronic form. Such information shall be retained for a period of **10** years from the date of the last preparation, placement, **promotion,** publication or dissemination, as the case may be. **Any personal data used to verify or ascertain the validity of that information shall only be retained as long as necessary for this purpose and**

*shall not be used for other purposes.*

**Amendment 71**  
**Proposal for a regulation**  
**Article 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 6a**

**Labelling of political advertisement**

**1. Political advertising publishers shall make sure that each political advertisement contains a clear label stating that it is:**

**(a) a political advertisement, in cases referred to in Article 2(2), points (a) and (b); or**

**(b) a public issue advertisement, in cases referred to in Article 2(2), point (c).**

**Notwithstanding the labelling difference provided for in subparagraph 1, all provisions of this Regulation shall apply uniformly to both points (a) and (b).**

**Amendment 72**  
**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:**

**1. The political advertising publisher shall ensure in real time that each political advertisement contains the following information in a user friendly, machine readable, clear, salient and unambiguous way**

**Amendment 73**  
**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 political actor and** of the sponsor of the political advertisement and **any** entity **or person** ultimately controlling **or funding** the sponsor;

**Amendment 74**  
**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 transparency notice, **as referred to in paragraph 2**, or a clear indication of where it can be retrieved;

**Amendment 75**  
**Proposal for a regulation**  
**Article 7 – paragraph 1 – point c a (new)**

*Text proposed by the Commission*

**(ca) a statement on the targeted nature of the advertisement, the data used for targeting and the type of personal information used if personal data is processed to determine the audience to which the advertisement is presented;**

*Amendment*

**Amendment 76**  
**Proposal for a regulation**  
**Article 7 – paragraph 1 – point c b (new)**

*Text proposed by the Commission*

**(cb) a statement on the cost of that individual advertising.**

*Amendment*

**Amendment 77**  
**Proposal for a regulation**  
**Article 7 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

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*

In this regard, political advertising publishers shall use *at least 15 percent of the displayed advertisement for effective* 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 78**  
**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 *state that the advertisement constitutes a political advertisement, shall be easily retrievable from* each political advertisement, and shall include the following information:

**Amendment 79**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point -a (new)**

*Text proposed by the Commission*

*Amendment*

*(-a) a description of the wider context of the political advertisement and its aims;*

**Amendment 80**  
**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 ***and the place of residence or establishment of the sponsor or where applicable the entity or person ultimately controlling*** the sponsor and ***their verified*** contact details;

**Amendment 81**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) if applicable, a statement on the targeted nature of the advertisement, the targeted audience, the data used for targeting and the type of personal information used if personal data is processed to determine the audience to which the advertisement is presented and their source;***

**Amendment 82**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

(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, ***including, if applicable, the start and end date of the political campaign;***

**Amendment 83**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) based among others on information received in line with Article 6(3),

(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;

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, and their sources;

**Amendment 84**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) information on the aggregated amounts or other benefits received by all political advertising service providers, including publishers, in the whole value chain 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 85**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

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

**Amendment 86**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point c c (new)**

*Text proposed by the Commission*

*Amendment*

**(cc) where applicable, links to aggregated information on non-active and active political advertisements originating**

*from the same sponsor;*

**Amendment 87**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point d**

*Text proposed by the Commission*

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

*Amendment*

(d) where applicable, an indication of ***the specific*** elections or referendums with which the advertisement is linked ***and the relevant electoral period;***

**Amendment 88**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point e**

*Text proposed by the Commission*

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

*Amendment*

(e) where applicable, links to online repositories of ***political*** advertisements ***and their location in the European library for political advertisements;***

**Amendment 89**  
**Proposal for a regulation**  
**Article 7 – paragraph 2 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) information about other possible advertisements delivered as part of the same campaign.***

**Amendment 90**  
**Proposal for a regulation**  
**Article 7 – paragraph 3**

*Text proposed by the Commission*

3. Political advertising publishers shall make reasonable efforts to ensure that

*Amendment*

3. Political advertising publishers shall make reasonable efforts ***before***

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.

***bringing the advertisement to the public domain*** 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 91**  
**Proposal for a regulation**  
**Article 7 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. Sponsors, service providers and political advertising publishers are responsible for fulfilling the obligations arising in their own spheres of interests under this Article according to the applicable national law.***

**Amendment 92**  
**Proposal for a regulation**  
**Article 7 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

***3b. Where the political advertising publisher has information indicating 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 provider and the sponsor accordingly.***

**Amendment 93**  
**Proposal for a regulation**  
**Article 7 – paragraph 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**3c.** *Where the sponsors or the providers of political advertising services become aware that the information transmitted 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 94**  
**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.***

4. Transparency notices shall be kept up to date and presented in a format which is easily accessible, ***including for persons with disabilities*** and, where technically possible, machine readable, ***well structured***, clearly visible and user friendly, including through the use of plain language ***and shall be made available online. The language of the transparency notice shall be the language of the political advertising.***

**Amendment 95**  
**Proposal for a regulation**  
**Article 7 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

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.***

5. Political advertising publishers shall ***publish and*** retain ***the political advertisement and its*** transparency notices together with ***the history of*** any modifications for a period of ***one year*** after the ***last publication.***

**Amendment 96**  
**Proposal for a regulation**  
**Article 7 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. Political advertising publishers shall ensure that the information contained in the transparency notice is shared with the European library for political advertisements without undue delay. The European library shall contain all versions of the advertisement. Information made available on the interface of political advertising publishers shall be provided in a machine-readable format according to a common data structure and standards and be accessible using a common application programming interface, developed by the Commission in consultation with relevant stakeholders .**

**Amendment 97**  
**Proposal for a regulation**  
**Article 7 – paragraph 6**

*Text proposed by the Commission*

*Amendment*

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.

6. Political advertising publishers which are very large online platforms within the meaning of **Article 33** of **Regulation (EU) 2022/2065** shall ensure that the repositories that they make available pursuant to **Article 39** of that Regulation make available for each political advertisement in the repository the information referred to in paragraph 2, **without undue delay and ensure real-time access to such information for Member States' relevant authorities. The repository shall contain all versions of the advertisement and shall be publicly available.**

**Amendment 98**  
**Proposal for a regulation**  
**Article 7 – paragraph 7**

*Text proposed by the Commission*

7. Member States, **including 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*

7. **The Commission, in cooperation with the Member States, shall draw up guidelines** 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. **Those guidelines shall contain guidance concerning the application of this Article for both online and offline political advertising. In particular, those guidelines shall contain guidance for political advertising publishers on how to address notification in diligent and rapid manner as referred to in Article 9(3).**

**Amendment 99**  
**Proposal for a regulation**  
**Article 7 – paragraph 8**

*Text proposed by the Commission*

8. The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend Annex I by adding, modifying or removing elements from the list of information to be provided pursuant to paragraph 2 where, in the light of technological developments, such an amendment is necessary for the wider context of the political advertisement and its aims to be understood.

*Amendment*

8. The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend Annex I by adding, modifying or removing elements from the list of information to be provided pursuant to paragraph 2 where, in the light of technological developments, **scientific research, developments reached by the competent authorities at Union or national level**, such an amendment is necessary for the wider context of the political advertisement and its aims to be understood, **without decreasing the level of transparency.**

**Amendment 100**  
**Proposal for a regulation**  
**Article 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 7a**

**European library for political advertisements**

***The Commission shall establish and manage a European library for political advertisements to host, archive and make publicly available the information regarding political advertisements referred to in Article 7. The Commission shall retain that information for a period of 11 years after the first publication of the political advertisement. Any personal data shall only be retained for a period of five years.***

**Amendment 101**  
**Proposal for a regulation**  
**Article 8 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Where they provide political advertising services, ***advertising*** publishers shall include information on the amounts or the value of other benefits received in part or full exchange for those services, including on the use of targeting ***and amplification*** techniques, aggregated by campaign, as part of their management report within the meaning of Article 19 of Directive 2013/34/EU in their annual financial statements.

1. Where they provide political advertising services, publishers shall include information on the amounts or the value of other benefits received in part or full exchange for those services, including on the use of targeting techniques, aggregated by campaign, as ***a distinct*** part of their management report within the meaning of Article 19 of Directive 2013/34/EU in their annual financial statements.

**Amendment 102**  
**Proposal for a regulation**  
**Article 9 – paragraph 1**

*Text proposed by the Commission*

1. Where they provide political advertising services, advertising publishers shall put in place mechanisms to enable individuals to notify them, free of charge, that a particular advertisement which they have published does not comply with this Regulation.

**Amendment 103**  
**Proposal for a regulation**  
**Article 9 – paragraph 3**

*Text proposed by the Commission*

3. Political advertising publishers shall allow for the submission of the **information** referred to in paragraph 1 by electronic means. **The political advertising publisher** shall inform individuals of the follow up given to the notification as referred to in paragraph 1.

**Amendment 104**  
**Proposal for a regulation**  
**Article 9 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

1. Where they provide political advertising services, advertising publishers shall put in place **user-friendly** mechanisms to enable individuals to notify them, free of charge, that a particular advertisement which they have published does not comply with this Regulation.

*Amendment*

3. Political advertising publishers shall allow for the submission of the **notification** referred to in paragraph 1 by electronic means. **Notifiers shall not be obliged to provide personal data. The political advertising publishers** shall inform individuals **who choose to provide contact details** of the follow up given to the notification referred to in paragraph 1.

*Amendment*

**3a. The political advertising publishers shall examine and address the notification referred to in paragraph 1 accordingly, in a diligent, objective and non-discriminatory manner and without undue delay, within five days at the latest. When the notification concerns political advertising relating to an election or referendum taking place in less than 30 days, political advertising publishers shall examine and address the notification within 36 hours.**



**Amendment 105**  
**Proposal for a regulation**  
**Article 9 – paragraph 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3b. The political advertising publishers shall inform the interested parties of their observations and decisions related to the notification referred to in paragraph 1. The relevant publishers shall inform the interested parties on the redress mechanism related to the notification.**

**Amendment 106**  
**Proposal for a regulation**  
**Article 9 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Repetitive notifications under paragraph 1 regarding the same advertisement or advertising campaign may be responded to ***collectively, including by reference to an announcement on the website of the political advertising publisher concerned.***

4. Repetitive notifications under paragraph 1 regarding the same advertisement or advertising campaign may be responded to ***in an automated way.***

**Amendment 107**  
**Proposal for a regulation**  
**Article 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 9a**

**Right to lodge a complaint**

**1. Natural and legal persons shall have the right to lodge a complaint against political actors, publishers, sponsors and service providers alleging an infringement of this Regulation**

**2. Member States, European Data Protection Board or the Commission shall lay down rules on the right to lodge a complaint referred to in paragraph 1. Competent authorities shall assess the complaint objectively and shall have the powers set out in Article 15(4). During those proceedings, the interested parties shall have the right to receive appropriate information about the status of the complaint, in accordance with Union and national law.**

**3. Where the complaint falls under the responsibility of another competent authority in its Member State or at Union level, the authority receiving the complaint shall transmit it to that competent authority within seven days. During electoral periods, the complaint shall be transmitted without undue delay. The competent authority receiving the complaint shall assess and, where appropriate, act upon it within 15 days. During electoral periods, the assessment shall be carried out within five days.**

**Amendment 108  
Proposal for a regulation  
Article 9 b (new)**

*Text proposed by the Commission*

*Amendment*

**Article 9b**

**Trusted flaggers of unlawful political advertisements**

**1. Political advertising publishers that allow sponsors to publish political advertisements online shall take the necessary technical and organisational measures to ensure that notices submitted by trusted flaggers of unlawful political advertisements through the mechanism referred to in Article 9 are processed and decided upon with priority and without undue delay.**

**2. The status of trusted flagger of unlawful political advertisements shall be awarded by the national competent authorities to any entity, upon application, where that entity has demonstrated to meet all of the following conditions:**

**(a) it has particular expertise and competence for the purposes of detecting, identifying and notifying political advertisements which do not comply with this Regulation;**

**(b) it represents collective interests and is independent from any political advertising publishers, sponsors or any political actors;**

**(c) it carries out its activities for the purposes of submitting notices in a diligent, accurate and objective manner.**

**3. The national competent authorities shall communicate to the Commission and the European Board for Digital Services the names, addresses and electronic mail addresses of the entities to which the status of the trusted flagger has been awarded or to which they have revoked the status in accordance with paragraph 6.**

**4. The Commission shall publish the information referred to in paragraph 3 in a publicly available database in an easily accessible and machine readable format and keep the database updated.**

**5. Where a political advertising publisher has information indicating that a trusted flagger of unlawful political advertisements submitted a significant number of insufficiently precise, inaccurate or inadequately substantiated notices through the mechanisms referred to in Article 9, such publisher shall communicate that information to the national competent authorities and provide them with the necessary explanations and supporting documents. Upon receiving the information from the political advertising publisher and if the**

*Digital Services Coordinator considers that there are legitimate reasons to open an investigation, the status of trusted flagger shall be suspended during the period of the investigation, which shall be carried out without undue delay.*

*6. The national competent authority that awarded the status of the trusted flagger to an entity shall revoke that status where it determines, following an investigation either on its own initiative or on the basis of information received from third parties, including information provided by a political advertising publisher pursuant to paragraph 5, that the entity no longer meets the conditions set out in paragraph 2. Before revoking that status, the Digital Services Coordinator or the national competent authority shall allow the entity to react to the findings of the investigation and the intention to revoke the entity's status as trusted flagger.*

*7. The Commission, after consulting the European Board for Digital Services, shall, where necessary, issue guidance to assist political advertising publishers and the national competent authorities in the application of paragraphs 5 and 6.*

## **Amendment 109**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Competent national authorities shall have the power to request that a provider of political advertising services transmits the information referred to in Articles 6, 7 and 8. The transmitted information must be complete, accurate and trustworthy, and provided in a clear, coherent, consolidated and intelligible format. *Where technically possible*, the information shall be transmitted in a machine readable format.

*Amendment*

1. Competent national authorities shall have the power to request that a provider of political advertising services transmits the information referred to in Articles 6, 7 and 8. The transmitted information must be complete, accurate and trustworthy, and provided in a clear, coherent, consolidated and intelligible format. The information shall be transmitted in a machine readable format.

**Amendment 110**  
**Proposal for a regulation**  
**Article 10 – paragraph 2**

*Text proposed by the Commission*

2. Upon receipt of a request pursuant to paragraph 1, providers of political advertising services shall, within two working days, acknowledge receipt of that request and inform the authority of the steps taken to comply with it. The relevant service provider shall provide the requested information within *ten* working days.

*Amendment*

2. Upon receipt of a request pursuant to paragraph 1, providers of political advertising services shall, within two working days, acknowledge receipt of that request and inform the authority of the steps taken to comply with it. The relevant service provider shall provide the requested information within **additional five** working days.

**Amendment 111**  
**Proposal for a regulation**  
**Article 11 – paragraph 1 – introductory part**

*Text proposed by the Commission*

1. Providers of political advertising services shall take the appropriate measures to transmit the information referred to in Article 6 to interested entities upon request and without costs.

*Amendment*

1. Providers of political advertising services shall take the appropriate measures to transmit the information referred to in Article 6, to interested entities upon request ***in a user friendly format, as soon as possible but two months after making such a request at the latest,*** and without costs.

**Amendment 112**  
**Proposal for a regulation**  
**Article 11 – paragraph 1 – subparagraph**

*Text proposed by the Commission*

***Where the provider of political advertising services is a political advertising publisher, it shall also take the appropriate measures to transmit the information referred to in Article 7 to interested entities upon request and***

*Amendment*

***deleted***

*without costs.*

**Amendment 113**  
**Proposal for a regulation**  
**Article 11 – paragraph 2 – introductory part**

*Text proposed by the Commission*

2. Interested entities requesting the transmission of information pursuant to paragraph 1 shall be independent from commercial interests and shall fall in one or more of the following categories:

*Amendment*

2. Interested entities ***established in the Union and*** requesting the transmission of information pursuant to paragraph 1 shall be independent from commercial interests and shall fall in one or more of the following categories:

**Amendment 114**  
**Proposal for a regulation**  
**Article 11 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) members of a civil society organisation whose statutory objectives are to protect and promote the public interest, ***authorised under national or Union law;***

*Amendment*

(b) members of a civil society organisation whose statutory objectives are to protect and promote the public interest,

**Amendment 115**  
**Proposal for a regulation**  
**Article 11 – paragraph 2 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(da) journalists.***

**Amendment 116**  
**Proposal for a regulation**  
**Article 11 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***Such interested entities shall also include journalists accredited in a Member State***

***deleted***

*by national, European or international bodies.*

**Amendment 117**  
**Proposal for a regulation**  
**Article 11 – paragraph 3**

*Text proposed by the Commission*

3. Following a request from an interested entity, the service provider shall ***make best efforts to*** provide the requested information or its reasoned response under paragraph 5, within ***one month***.

*Amendment*

3. Following a request from an interested entity, the service provider shall provide the requested information or its reasoned response under paragraph 5, within ***two weeks***.

**Amendment 118**  
**Proposal for a regulation**  
**Article 11 – paragraph 5**

*Text proposed by the Commission*

5. Where requests pursuant to paragraph 1 are manifestly unfounded, unclear ***or excessive***, in particular because of their lack of clarity, the service provider may refuse ***to respond***. In this case, the relevant service provider shall send a reasoned response to the interested entity making the request.

*Amendment*

5. Where requests pursuant to paragraph 1 are manifestly unfounded, unclear in particular because of their lack of clarity, the service provider may refuse ***the request***. In this case, the relevant service provider shall send a reasoned response ***and information on the redress*** to the interested entity making the request.

**Amendment 119**  
**Proposal for a regulation**  
**Article 11 – paragraph 7**

*Text proposed by the Commission*

7. Service providers shall bear the burden of demonstrating that a request is manifestly unfounded, unclear ***or excessive***, or that requests are repetitive and involve significant costs to process.

*Amendment*

7. Service providers shall bear the burden of demonstrating that a request is manifestly unfounded, unclear, or that requests are repetitive and involve significant costs to process.

**Amendment 120**  
**Proposal for a regulation**  
**Chapter III – title**

*Text proposed by the Commission*

**TARGETING AND AMPLIFICATION**  
**OF POLITICAL ADVERTISING**

*Amendment*

**TARGETING AND AD DELIVERY OF**  
**POLITICAL ADVERTISING SERVICES**

**Amendment 121**  
**Proposal for a regulation**  
**Article -12 (new)**

*Text proposed by the Commission*

*Amendment*

**Article -12**

***Prohibition of targeting and ad delivery techniques involving the processing of special categories of personal data***

***Targeting and ad delivery techniques that involve the processing of special categories of personal data as referred to in Article 9 of Regulation (EU) 2016/679 and in Article 10 of Regulation (EU) 2018/1725 in the context of political advertising services shall be prohibited.***

**Amendment 122**  
**Proposal for a regulation**  
**Article 12 – title**

*Text proposed by the Commission*

Specific requirements related to targeting and ***amplification***

*Amendment*

Specific requirements related to ***the processing of personal data for online targeting and ad delivery techniques***

**Amendment 123**  
**Proposal for a regulation**  
**Article 12 – paragraph 1**

*Text proposed by the Commission*

1. Targeting ***or amplification***

*Amendment*

1. Targeting ***and ad delivery***



techniques that involve the processing of personal data *referred to in* Article 9(1) of Regulation (EU) 2016/679 *and* Article 10(1) of Regulation (EU) 2018/1725 in the context of political advertising *are prohibited*.

techniques that involve the processing of personal data *that is not special categories of personal data within the meaning of* Article 9 of Regulation (EU) 2016/679 *or of* Article 10 of Regulation (EU) 2018/1725 in the context of political advertising *services shall be strictly limited to the situations provided for in this Article*.

**Amendment 124**  
**Proposal for a regulation**  
**Article 12 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**1a.** *Ad delivery techniques referred to in this Article shall determine the audience within the targeted audience without further processing of personal data, by random selection only.*

**Amendment 125**  
**Proposal for a regulation**  
**Article 12 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

**1b.** *Targeting and ad delivery techniques that involve the processing of personal data of persons of whom the data controller is aware with reasonable certainty that they are at least one year under the voting age established by national law shall be prohibited. Compliance with the obligations set out in this Article shall not oblige providers of online platforms to process additional personal data in order to assess whether the user of the service is a minor.*

**Amendment 126**  
**Proposal for a regulation**  
**Article 12 – paragraph 1 c (new)**

***1c. Targeting and ad delivery techniques that involve the processing of personal data shall be restricted to personal data explicitly provided by the data subject with his or her consent as defined in Article 4(11) of Regulation (EU)2016/679 given solely for the purpose of online political advertising.***

***The personal data provided by the data subject by virtue of using a service or device, including provided content, shall not be considered as provided personal data and therefore shall not be used by the provider for the purpose of targeting and delivering political advertising.***

***The data controller shall inform when requesting consent from the data subject that his or her provided personal data may be processed solely for the purpose of presenting political advertising to the data subject. Refusing to give consent shall not be more difficult or time-consuming to the data subject than giving consent.***

***Providers shall not request consent where the data subject exercises his or her right to object by automated means using technical specifications, in line with Article 21(5) of Regulation (EU) 2016/679. In the event the data subject refuses to give his or her consent, or has withdrawn his or her consent, he or she shall be given other fair and reasonable options to access information society services.***

***Targeting and ad delivery techniques referred to in this paragraph shall not combine more than four categories of personal data, including the location of the data subject.***

***If the political advertisement is linked to an election or a referendum, the location of the data subject shall be understood being at the level of the constituency applicable for that election or referendum***

*as referred to in paragraph 1d, point (b).*

*If the political advertisement is not linked to an election or a referendum, the location used for targeting and ad delivery techniques shall not be below the municipality level.*

*If the political advertisement is not linked to an election or a referendum and in case of combination of two or more categories of data, the targeted group shall comprise at least 0,4% of the population of the Member State but at minimum 50 000 citizens.*

**Amendment 127**  
**Proposal for a regulation**  
**Article 12 – paragraph 1 d (new)**

*Text proposed by the Commission*

*Amendment*

*1d. Notwithstanding paragraph 1c, 60 days immediately preceding an election or a referendum, targeting and ad delivery techniques that involve the processing of provided personal data shall be restricted to the following personal data explicitly provided by the data subject to the advertising publisher with his or her consent as defined in Article 4(11) of Regulation (EU)2016/679 given solely for the purpose of online political advertising:*

*(a) the languages spoken by the data subject;*

*(b) the location of the data subject at the level of the constituency which is applicable in the relevant election or referendum;*

*(c) the information that the data subject is a first voter.*

*Subparagraphs 2 and 3 of paragraph 1c shall apply mutatis mutandis.*

**Amendment 128**  
**Proposal for a regulation**  
**Article 12 – paragraph 1 e (new)**

*Text proposed by the Commission*

*Amendment*

***1e. This Article shall not apply to internal communications of any political party, foundation, association or any other non-profit body, to their members and former members and to communications, such as newsletters, linked to their political activities, as long as those communications are solely based on subscription data and therefore strictly limited to their members, former members or subscribers and are based on personal data provided by them and do not involve further processing of personal data to target or otherwise further select the recipients and the messages they receive. Such forms of direct marketing fall under the scope of Regulation (EU) 2016/679 and Directive 2002/58/EC.***

**Amendment 129**  
**Proposal for a regulation**  
**Article 12 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

***2. The prohibition laid down in the first sentence shall not apply to the situations referred to in Article 9(2)(a) and (d) of Regulation (EU) 2016/679 and Article 10(2)(a) and (d) of Regulation (EU) 2018/1725.***

***deleted***

**Amendment 130**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

***3. When using targeting **or amplification** techniques in the context of***

***3. When using targeting techniques in the context of political advertising **services*****

political advertising involving the processing of personal data, controllers shall, in addition to the requirements laid down in Regulation (EU) 2016/679 and Regulation (EU) 2018/1725, as applicable, comply with the following requirements:

involving the processing of personal data, controllers shall, in addition to the requirements laid down in Regulation (EU) 2016/679 and Regulation (EU)2018/1725, as applicable, comply with the following requirements:

**Amendment 131**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 – point a**

*Text proposed by the Commission*

(a) adopt and implement an internal policy describing clearly and in plain language, in particular, the use of such techniques to target individuals or ***amplify*** the content, and retain such policy for a period of ***five*** years;

*Amendment*

(a) adopt and implement an internal policy describing clearly and in plain language, in particular, the use of such techniques to target individuals or ***deliver*** the content, and retain such policy for a period of ***ten*** years; ***this internal policy shall be made publicly available;***

**Amendment 132**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 – point b**

*Text proposed by the Commission*

(b) keep records on the use of targeting or ***amplification, the relevant mechanisms***, techniques and parameters used, and the source(s) of personal data used.

*Amendment*

(b) keep records on the use of targeting or ***ad delivery*** techniques and parameters used, and the source(s) of personal data used;

**Amendment 133**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 – point c**

*Text proposed by the Commission*

(c) provide, together with the political advertisement, additional information necessary to allow the individual concerned to understand the logic involved and the main parameters of the technique used, and ***the use of third-party data and***

*Amendment*

(c) provide, together with the political advertisement, additional information necessary to allow the individual concerned to understand the logic involved and the main parameters of the technique used, and additional analytical techniques.

additional analytical techniques. This information shall comprise the elements set out in Annex II.

This information shall comprise the elements set out in Annex II;

**Amendment 134**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) make an internal annual risk assessment of the use of those techniques on the fundamental rights and freedoms of individuals and the society as a whole; the results of these risk assessments shall be made publicly available.***

**Amendment 135**  
**Proposal for a regulation**  
**Article 12 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. The publisher shall not process, for the purpose of providing political advertising services, personal data of end users using services of third parties that make use of core platform services of the publisher.***

**Amendment 136**  
**Proposal for a regulation**  
**Article 12 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

***4. Political advertising publishers making use of targeting or amplification techniques shall include in the transparency notice required under Article 7 the information specified in paragraph 3(c) and a link to the policy referred to in paragraph 3(a). In case the controller is different from the advertising publisher, the controller shall transmit the***

***deleted***

*internal policy or a reference to it to the political advertising publisher.*

**Amendment 137**  
**Proposal for a regulation**  
**Article 12 – paragraph 5**

*Text proposed by the Commission*

5. Political advertising publishers making use of targeting **or amplification** techniques referred to in paragraph 3 shall include in or together with the advertisement and in the transparency notice required under Article 7 a reference to effective means to support individuals exercise their rights under Regulation (EU) 2016/679.

*Amendment*

5. Political advertising publishers making use of targeting techniques referred to in paragraph 3 shall include in or together with the advertisement and in the transparency notice required under Article 7 a reference to effective means to support individuals exercise their rights under Regulation (EU) 2016/679. ***The transparency notice shall visibly link to an easily accessible interface in which users can withdraw their consent or modify the personal data they provided for the sole purpose of online political advertising as referred to in paragraphs 1c and 1d.***

**Amendment 138**  
**Proposal for a regulation**  
**Article 12 – paragraph 8**

*Text proposed by the Commission*

8. ***The Commission is empowered to adopt delegated acts in accordance with Article 19 to amend Annex II by modifying or removing elements of the list of information to be provided pursuant to paragraph 3(c) of this Article in light of technological developments in relevant scientific research, and developments in supervision by competent authorities and relevant guidance issued by competent bodies.***

*Amendment*

***deleted***

**Amendment 139**  
**Proposal for a regulation**  
**Article 13 – title**

*Text proposed by the Commission*

Transmission of information concerning targeting or ***amplification*** to other interested entities

*Amendment*

Transmission of information concerning ***online*** targeting or ***ad delivery*** to other interested entities

**Amendment 140**  
**Proposal for a regulation**  
**Article 14 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. Member States shall keep publicly available registers of legal representatives registered at national level under this Regulation. The Commission shall keep a publicly available register of legal representatives registered at Union level under this Regulation.***

**Amendment 141**  
**Proposal for a regulation**  
**Article 15 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***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.***

**Amendment 142**  
**Proposal for a regulation**  
**Article 15 – paragraph 1 b (new)**



*Text proposed by the Commission*

*Amendment*

***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 applicable, of its powers regarding the infringement at stake to supervise and enforce the obligations under this Regulation.***

**Amendment 143**  
**Proposal for a regulation**  
**Article 15 – paragraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

***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.***

**Amendment 144**  
**Proposal for a regulation**  
**Article 15 – paragraph 1 d (new)**

*Text proposed by the Commission*

*Amendment*

***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 data protection authority of establishment.***

**Amendment 145**  
**Proposal for a regulation**  
**Article 15 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. The Commission shall have exclusive competence to monitor the compliance of very large online platforms and very large search engines within the meaning of Article 33 of Regulation (EU) 2022/2065 with the obligations laid down in this Regulation, except of Articles -12 and 12 thereof.**

**Amendment 146**  
**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

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 **diligent, objective, consistent and uniform** 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 **the government of each Member State**, 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.

**Amendment 147**  
**Proposal for a regulation**  
**Article 15 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. Competent authorities referred to in paragraph 3, where exercising their

**4. The European Data Protection Board, the Commission and the national**

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.

competent authorities referred to in paragraph 3, where exercising their supervisory tasks in relation to this Regulation, shall have the ***following powers*** for the performance of their supervisory tasks:

**Amendment 148**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point a (new)**

*Text proposed by the Commission*

*Amendment*

***(a) the power to conduct investigations concerning the application of this Regulation, including on the basis of information received from another supervisory authority or other public authority;***

**Amendment 149**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point b (new)**

*Text proposed by the Commission*

*Amendment*

***(b) the power to request data, information without undue delay from political actors, political advertising service providers, sponsors and publishers, as well as any other persons in relation with their profession if those persons may be reasonably aware of a suspected infringement of this Regulation;***

**Amendment 150**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point c (new)**

*Text proposed by the Commission*

*Amendment*

***(c) the power to ask any relevant member of staff or representative of political advertising service providers,***

*sponsors or publishers or the persons referred to in point (b) to give a statement or provide an explanation in respect of any information relating to a suspected infringement;*

**Amendment 151**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point d (new)**

*Text proposed by the Commission*

*Amendment*

*(d) the power to request any person in political advertising to provide their expertise relating to a suspected infringement;*

**Amendment 152**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point e (new)**

*Text proposed by the Commission*

*Amendment*

*(e) the power to handle complaints lodged by a data subject, or by a body, organisation or association and investigate, to the extent appropriate, the subject matter of the complaint;*

**Amendment 153**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 – point f (new)**

*Text proposed by the Commission*

*Amendment*

*(f) the power to impose an administrative fine pursuant to Article 16*

**Amendment 154**  
**Proposal for a regulation**  
**Article 15 – paragraph 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4a. The decisions of the European Data Protection Board, the Commission and the national competent authorities referred to in paragraph 3 shall be subject to judicial review in accordance with Union and national law.**

**Amendment 155**

**Proposal for a regulation**

**Article 15 – paragraph 5 – introductory part**

*Text proposed by the Commission*

*Amendment*

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 where exercising their enforcement powers in relation to this Regulation, shall have the power to:

**Amendment 156**

**Proposal for a regulation**

**Article 15 – paragraph 5 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) issue guidance on compliance in response to requests raised by political advertising publishers under Article 9;***

**Amendment 157**

**Proposal for a regulation**

**Article 15 – paragraph 5 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(ca) impose periodic administrative fines and financial penalties.***

**Amendment 158**

**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 159**  
**Proposal for a regulation**  
**Article 15 – paragraph 9 a (new)**

*Text proposed by the Commission*

**Amendment 160**  
**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

*Amendment*

6. Member States shall ensure cooperation among competent **authorities and supervisory** 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*

**9a. The competent authorities of the Member States shall draw up, at the end of each election or referendum, reports on the compliance of Union providers of political advertising services with existing law, including this Regulation, as well as with the protection of personal data, when using techniques to target a specific audience or to amplify the impact of political advertising material. Those reports shall be forwarded to the Commission and, in the case of elections to the European Parliament, to the European Parliament.**

*Amendment*

1. In relation to Articles **3a, 4,** 5 to 11, 13 and 14 Member States **and the**

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.

**Commission** shall lay down rules on sanctions including administrative fines and financial penalties **and procedures of rectification** 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 161**  
**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 electoral period and directed to citizens in the Member State in which the relevant election is being organised.

*Amendment*

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

**Amendment 162**  
**Proposal for a regulation**  
**Article 16 – paragraph 6**

*Text proposed by the Commission*

6. For infringements of the obligations laid down in Article 12, the supervisory authorities referred to in Article 51 of the Regulation (EU) 2016/679 **may** within their scope of competence impose administrative fines in line with Article 83 of Regulation (EU) 2016/679 and up to the amount referred to in Article 83(5) of that Regulation.

*Amendment*

6. For infringements of the obligations laid down in **Articles -12 and** 12, the supervisory authorities referred to in Article 51 of the Regulation (EU)2016/679 **and the European Data Protection Board may use the investigative and corrective powers laid down in that Regulation and** within their scope of competence impose administrative fines in line with Article 83 of Regulation(EU) 2016/679 and up to the amount referred to in Article 83(5) of that Regulation.

**Amendment 163**  
**Proposal for a regulation**  
**Article 16 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6a. In case of particularly serious and systemic infringements of the obligations laid down in Articles -12 and 12 by the sponsor, where the political advertising publisher is a very large online platform or a very large online search engine within the meaning of Article 33 of Regulation (EU) 2022/2065, the European Data Protection Board may order, for a strictly limited period of time, which does not exceed 15 days, the very large online platform or search engine not to provide targeting and ad delivery services for that particular sponsor, pursuant to Article 15(1a). Such suspension may be imposed in addition to or instead of an administrative fine.**

**Amendment 164**  
**Proposal for a regulation**  
**Article 16 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

7. For infringements of the obligations laid down in Article 12, the supervisory authority referred to in Article 52 of Regulation (EU) **2018/1725 may** impose within its scope of competence administrative fines in line with Article 66 of Regulation (EU) 2018/1725 up to the amount referred to in Article 66 (3) of that Regulation.

7. For infringements of the obligations laid down in **Articles -12 and 12**, the supervisory authority referred to in Article 52 of Regulation (EU) 2018/1725 may **use the investigative and corrective powers laid down in that Regulation and** impose within its scope of competence administrative fines in line with Article 66 of Regulation (EU) 2018/1725 up to the amount referred to in Article 66 (3) of that Regulation.

**Amendment 165**  
**Proposal for a regulation**  
**Article 16 – paragraph 7 a (new)**



*Text proposed by the Commission*

*Amendment*

**7a. Member States shall report annually to the Commission on the sanctions imposed to enforce the provisions of this Regulation, in particular on the type of sanctions applied and the amount of the administrative fines and financial penalties. The Commission shall summarise and evaluate those reports annually and use them for the review process under Article 18.**

**Amendment 166**  
**Proposal for a regulation**  
**Article 16 – paragraph 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7b. The Commission is empowered to adopt delegated acts in accordance with Article 19 to introduce minimum sanctions across the Union for infringements of the obligations laid down in Articles 12 and 13 after having consulted competent authorities and other relevant stakeholders.**

**Amendment 167**  
**Proposal for a regulation**  
**Article 18 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

Within two years after each election to the European Parliament and for the first time by 31 December 2026 at the latest, the Commission shall submit a report on the evaluation and review of this Regulation. This report shall assess the need for amendment to this Regulation. The report shall be made public.

Within two years after each election to the European Parliament and for the first time by 31 December 2026 at the latest, the Commission shall submit a report on the evaluation and review of this Regulation. This report shall assess the need for amendment to this Regulation. The report shall be made public **and presented to the European Parliament.**

**Amendment 168**  
**Proposal for a regulation**  
**Article 18 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall submit by...[three years after the entry into force of this Regulation] and every three years thereafter a report on the impacts of this Regulation on stakeholders, in particular on civil society, which is to be based on a broad consultation with relevant stakeholders.***

**Amendment 169**  
**Proposal for a regulation**  
**Article 19 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The power to adopt delegated acts referred to in Article 7(8) and Article 12(8) shall be conferred on the Commission for a period of [until the application of this regulation is evaluated, two years after the next European Parliamentary elections].

2. The power to adopt delegated acts referred to in Article 7(8) and Article 12(8) **and 16 (7b)** shall be conferred on the Commission for a period of [until the application of this regulation is evaluated, two years after the next European Parliamentary elections].

**Amendment 170**  
**Proposal for a regulation**  
**Article 19 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. The delegation of power referred to in Article 7(8) and Article 12(8) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in

3. The delegation of power referred to in Article 7(8) and Article 12(8) **and 16 (7b)** may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts

force.

already in force.

**Amendment 171**  
**Proposal for a regulation**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

5. A delegated act adopted pursuant to Article 7(8) or Article 12(8) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Amendment*

5. A delegated act adopted pursuant to Article 7(8) or Article 12(8) **or Article 16 (7b)** shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

**Amendment 172**  
**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 173**  
**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

*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,

whether they are a natural or legal entity.

address, **verified** telephone number **or** electronic mail address, and whether they are a natural or legal entity;

**Amendment 174**  
**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;

**Amendment 175**  
**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 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.

*Amendment*

(e) the amount spent on, and the value of other benefits received in part or full exchange for the specific advertisement, and on the specific 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;

**Amendment 176**  
**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 **European library for political advertisements**.

**Amendment 177**  
**Proposal for a regulation**  
**Annex II – subheading 1**

*Text proposed by the Commission*

*Amendment*

***Information to be provided under Article 12(3)*** ***deleted***

**Amendment 178**  
**Proposal for a regulation**  
**Annex II – point a**

*Text proposed by the Commission*

*Amendment*

***(a) the specific groups of recipients targeted, including the parameters used to determine the recipients to whom the advertising is disseminated, with the same level of detail as used for the targeting, the categories of personal data used for the targeting and amplification, the targeting and amplification goals, mechanisms and logic including the inclusion and exclusion parameters and the reasons for choosing these parameters.*** ***deleted***

**Amendment 179**  
**Proposal for a regulation**  
**Annex II – point b**

*Text proposed by the Commission*

*Amendment*

***(b) the period of dissemination, the number of individuals to whom the advertisement is disseminated and indications of the size of the targeted audience within the relevant electorate.*** ***deleted***

**Amendment 180**  
**Proposal for a regulation**  
**Annex II – point c**

*Text proposed by the Commission*

*Amendment*

**(c) *the source of the personal data referred to in point (a), including, where applicable, information that the personal data was derived, inferred, or obtained from a third party and its identity as well as a link to the data protection notice of that third party for the processing at stake.*** ***deleted***

**Amendment 181**  
**Proposal for a regulation**  
**Annex II – point d**

*Text proposed by the Commission*

*Amendment*

**(d) *a link to effective means to support individuals' exercise of their rights under Regulation (EU) 2016/679 or Regulation (EU) 2018/1725, as applicable, in the context of targeting and amplification of political advertising on the basis of their personal data.*** ***deleted***

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Transparency and targeting of political advertising
<b>References</b>	COM(2021)0731 – C9-0433/2021 – 2021/0381(COD)
<b>Committee responsible</b> Date announced in plenary	IMCO 13.12.2021
<b>Opinion by</b> Date announced in plenary	LIBE 13.12.2021
<b>Associated committees - date announced in plenary</b>	5.5.2022
<b>Rapporteur for the opinion</b> Date appointed	Anna Júlia Donáth 13.7.2022
<b>Discussed in committee</b>	13.7.2022                      5.9.2022
<b>Date adopted</b>	1.12.2022
<b>Result of final vote</b>	+:                      43 –:                      9 0:                      8
<b>Members present for the final vote</b>	Abir Al-Sahlani, Konstantinos Arvanitis, Malik Azmani, Katarina Barley, Pietro Bartolo, Vladimír Bilčík, Karolin Braunsberger-Reinhold, Patrick Breyer, Saskia Bricmont, Joachim Stanisław Brudziński, Patricia Chagnon, Caterina Chinnici, Clare Daly, Lucia Ďuriš Nicholsonová, Cornelia Ernst, Laura Ferrara, Nicolaus Fest, Sylvie Guillaume, Andrzej Halicki, Evin Incir, Sophia in 't Veld, Patryk Jaki, Marina Kaljurand, Alice Kuhnke, Jeroen Lenaers, Juan Fernando López Aguilar, Erik Marquardt, Nadine Morano, Javier Moreno Sánchez, Theresa Muigg, Maite Pagazaurtundúa, Paulo Rangel, Isabel Santos, Birgit Sippel, Vincenzo Sofo, Ramona Strugariu, Yana Toom, Milan Uhrík, Tom Vandendriessche, Jadwiga Wiśniewska, Javier Zarzalejos
<b>Substitutes present for the final vote</b>	Daniel Freund, Alessandra Mussolini, Róza Thun und Hohenstein, Romana Tomc, Dragoş Tudorache, Tom Vandenkendelaere, Loránt Vincze
<b>Substitutes under Rule 209(7) present for the final vote</b>	Pablo Arias Echeverría, Jarosław Duda, Emmanouil Fragkos, Krzysztof Hetman, Eva Kaili, Ska Keller, Alessandra Moretti, Ljudmila Novak, Andrey Novakov, Christine Schneider, Annie Schreijer-Pierik, Marc Tarabella

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

43	+
PPE	Pablo Arias Echeverría, Vladimír Bilčík, Karolin Braunsberger-Reinhold, Jarosław Duda, Andrzej Halicki, Krzysztof Hetman, Jeroen Lenaers, Nadine Morano, Alessandra Mussolini, Ljudmila Novak, Andrey Novakov, Paulo Rangel, Christine Schneider, Annie Schreijer-Pierik, Romana Tomc, Tom Vandenkendelaere, Loránt Vincze, Javier Zarzalejos
RENEW	Abir Al-Sahlani, Malik Azmani, Lucia Ďuriš Nicholsonová, Sophia in 't Veld, Maite Pagazaurtundúa, Ramona Strugariu, Róza Thun und Hohenstein, Yana Toom, Dragoș Tudorache
S&D	Katarina Barley, Pietro Bartolo, Caterina Chinnici, Sylvie Guillaume, Evin Incir, Eva Kaili, Marina Kaljurand, Juan Fernando López Aguilar, Javier Moreno Sánchez, Alessandra Moretti, Theresa Muigg, Isabel Santos, Birgit Sippel, Marc Tarabella
THE LEFT	Konstantinos Arvanitis, Cornelia Ernst

9	-
ECR	Joachim Stanisław Brudziński, Emmanouil Fragkos, Patryk Jaki, Vincenzo Sofo, Jadwiga Wiśniewska
ID	Patricia Chagnon, Nicolaus Fest, Tom Vandendriessche
NI	Milan Uhrík

8	0
NI	Laura Ferrara
THE LEFT	Clare Daly
VERTS/ALE	Patrick Breyer, Saskia Briemont, Daniel Freund, Ska Keller, Alice Kuhnke, Erik Marquardt

Key to symbols:

+ : in favour

- : against

0 : abstention