# Mapping the national regulation of digital political campaigning: a European overview

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## 1. Introduction

Elections confer democratic legitimacy only where political competition is organised through procedures that are fair and perceived as fair by participants. Digital technologies have the potential to strengthen this legitimacy by expanding access to political competition at a lower cost. Yet they can also weaken the authority elections carry if the methods used are opaque. Digital political campaigning (DPC) redistributes power among electoral candidates and should therefore be analyzed through its opportunities and risks (Borz & De Francesco, 2024). Borz and De Francesco (2024) understand digital political campaigning as a „contemporary evolving way of conducting electoral politics in the on-line environment with the help of digital technologies". In short, DPC complements traditional campaigning while retaining distinctiveness in scale, frequency, and electoral access.

For the purposes of this analysis, DPC includes paid and unpaid campaign communication through websites, social networks, online news services, and digital advertising infrastructures. It also encompasses the collection and analysis of voter data, audience segmentation, automated or coordinated accounts, paid influencer activity, and the financial budgets that support those actions. We adopt this broader definition since data-driven campaigning consists of many processes rather than a single technical tool (Dommett et al., 2024; Gibson et al., 2024).

Digital campaigning may enable smaller political actors to reach dispersed voters and may increase political participation. At the same time, it can conceal sponsorship and make it easier for foreign or coordinated influence that may distort electoral competition. The relevant question is therefore how to manage positive and negative risks without assuming that every data use is manipulative or that every popular online campaign is unlawful (Kefford et al., 2023; Vliegenthart et al., 2024). In order to achieve this, we need to analyze how DPC is regulated.

Without clear rules and effective enforcement, the misuse of digital campaigning by political actors can seriously undermine electoral integrity and, ultimately, the legitimacy of democratic outcomes. Romania offers a telling example. The Constitutional Court annulled the 2024 presidential electoral process after official intelligence material described a campaign environment affected by concealed financing, coordinated online promotion and platform amplification of political messages. The episode demonstrates that conventional expenditure declarations and a short formal campaign period may fail to reveal who organised, funded or accelerated a candidate's political reach; those are lessons about how democracy functions (Gherghina, 2025; Gross & Schultz, 2025; Meza et al., 2026).

## 2. Legal theory

In legal theory not every legal rule has the same authority. A lower-ranking rule is valid only when it is adopted by the legally competent body, according to the correct procedure, and without contradicting a higher-ranking rule. At the highest level is usually the constitution that protects fundamental rights and sets the limits within which political campaigning may be regulated. Then, acts of parliament must establish the main obligations, prohibitions, institutional powers, offences and sanctions in the particular domain. These rules are put into force by government bodies that use regulations, ministerial orders and decisions of electoral or media authorities; they cannot normally create new restrictions or penalties without authority from an act of parliament. Finally, guidance and codes of conduct may influence behaviour, but they are usually not legally enforceable in the same way as written regulation. On the contrary, platform terms of service are private rules in which platforms exercise a form of private governance over relations between users, advertisers and political actors (Suzor, 2018). In EU Member States, this national hierarchy forms part of a wider EU legal order. EU regulations apply directly and take priority over conflicting national rules in areas governed by EU law, while EU directives must generally be implemented through national legislation. Regulation (EU) 2024/900 therefore establishes common rules on the transparency and targeting of political advertising, but it does not replace national electoral law. Member States continue to regulate matters such as campaign periods, electoral silence, campaign expenditure, political-party financing, the powers of electoral authorities, and other administrative procedures. Digital political campaigning is consequently governed by several legal fields at the same time: a single online advertisement may fall under constitutional law, EU law, electoral law, media law, data-protection law and campaign-finance law and therefore should be analyzed from different perspectives.

## 3. Structure

The report is divided into two principal analytical parts. The first (sections 4-6) develops a comparative analysis of the main regulatory patterns across the EU Member States and the United Kingdom, examining how legal systems address transparency, campaign finance, political-advertising labels, third-party activity, electoral silence, disinformation, artificial intelligence and enforcement. The second part (section 7) provides an integrated national analysis, explaining for each jurisdiction the applicable legal instruments, the actors subject to regulation, the competent authorities, the legal force of the rules and the principal implementation gaps.

The national legal materials analysed in this report were identified through a systematic keyword search of electoral, campaign-finance, media, advertising, and data-protection legislation in each jurisdiction, complemented by regulatory decisions, official guidance, and soft-law instruments. The search terms comprised 'political', 'campaign', 'advertising', 'propaganda', 'disinformation', 'digital', 'online', 'media', 'platform', 'social network', and 'electoral expenses', applied to national legal databases and official sources in each Member State and the United Kingdom.

The six regulatory dimensions used throughout the report were not imposed in advance. They were derived inductively from the material itself: each provision identified through the search was classified according to its regulatory object. This classification revealed that national rules on digital campaigning consistently attach to one of six objects: the money spent (separate reporting of digital campaign expenditure), the message shown to the voter (labelling requirements), the volume of digital spending (online-specific expenditure caps), the audience selected (microtargeting rules), the actor campaigning (restrictions on third-party activity), and the timing of dissemination (online electoral silence). The six dimensions therefore reflect the observed structure of national regulation rather than a predetermined analytical template.

## 4. Comparative analysis

### 4.1 Legislative fragmentation and regulatory preference

Generally, EU countries do not regulate DPC through a single, self-contained body of law. Instead, they adapt pre-existing legal regimes to different parts of the electoral campaign process. Most often, political-finance law governs expenditure, donations and authorised spending; electoral law regulates campaign periods, attribution and the actors entitled to campaign; media and advertising law addresses the identification of paid content and the conditions under which it is disseminated; data-protection law limits the collection and use of voter data; and soft-law instruments organise cooperation with digital platforms. The resulting system is best understood as a regulatory ecosystem rather than as a single instrument (Barclay et al., 2023; Bennett & Lyon, 2019; Borz, 2024). The comparative analysis examines how these distinct legal regimes interact, where they overlap and which aspects of DPC fall outside their combined reach.

Table 1 provides a comparative overview on the principal dimensions of national DPC regulation across all EU Member States and the UK: separate reporting of digital campaign expenditure, labelling requirements, online-specific spending caps, microtargeting rules, restrictions on third-party activity and online electoral silence. For each jurisdiction, the table records whether the relevant indicator is present and calculates an aggregate breadth score out of six, allowing the formal scope of national regulation to be compared across countries.

**Table 1: Comparative overview**

| Country | Digital spending | Labelling | Online spending cap | Micro-targeting | Third party activity | Online electoral silence | Breadth result (max. 6) |
|---|---|---|---|---|---|---|---|
| Austria | YES | – | – | – | – | – | **1** |
| Belgium | YES | – | – | – | – | – | **1** |
| Bulgaria | – | YES | – | – | – | YES | **2** |
| Croatia | YES | – | – | – | YES | YES | **3** |
| Cyprus | – | – | – | – | – | YES | **1** |
| Czechia | – | YES | – | – | – | – | **1** |
| Denmark | – | – | – | – | – | – | **0** |
| Estonia | YES | YES | – | – | – | – | **2** |
| Finland | YES | YES | – | – | – | – | **2** |
| France | YES | YES | – | – | YES | YES | **4** |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Germany | – | YES | – | – | – | – | **1** |
| Greece | – | – | – | – | – | – | **0** |
| Hungary | – | – | – | – | – | – | **0** |
| Ireland | YES | YES | – | YES | YES | – | **4** |
| Italy | – | YES | – | – | YES | YES | **3** |
| Latvia | YES | YES | – | – | YES | YES | **4** |
| Lithuania | – | YES | – | – | YES | YES | **3** |
| Luxembourg | YES | YES | YES | – | YES | – | **4** |
| Malta | – | – | – | – | – | YES | **1** |
| Netherlands | – | YES | – | YES | YES | – | **3** |
| Poland | – | YES | – | – | YES | YES | **3** |
| Portugal | – | YES | – | – | YES | YES | **3** |
| Romania | YES | YES | YES | YES | YES | YES | **6** |
| Slovakia | – | – | – | – | – | – | **0** |
| Slovenia | – | YES | – | – | YES | YES | **3** |
| Spain | – | YES | YES | YES | YES | YES | **5** |
| Sweden | – | – | – | – | – | – | **0** |
| United Kingdom | YES | YES | – | – | – | – | **2** |

**Source:** authors compilation, available at https://digieffect.eu/regulation/

### 4.2 Digital spending

Campaign-finance law is especially important as digital advertising involves a traceable payment and can be classified as regulated expenditure. Austria, Croatia, Estonia and Finland exemplify this approach, while Romania adds a category-specific ceiling. The recurring weakness is timing: returns are commonly filed after polling, whereas unequal reach and concealed coordination may affect voter choice irreversibly during the campaign. Financial transparency must therefore become more timely and more granular if it is to support electoral rather than merely accounting remedies (Bennett & Lyon, 2019; Dommett et al., 2024).

Ten states have separate digital-spend transparency rules: Austria, Croatia, Estonia, Finland, France, Ireland, Latvia, Luxembourg, Romania and the United Kingdom. The legal method is not uniform. Austria, Estonia and Finland use express accounting classifications; Croatia operationalises disclosure through prescribed forms that identify social-network advertising; France and Latvia connect payment information with wider platform or media-transparency duties; Romania combines a distinct online category with a statutory allocation ceiling; and the United Kingdom captures digital services through regulated campaign expenditure. Ireland's position is transitional and Luxembourg's digital layer is election-specific soft law.

### 4.3 Labelling rules

A message may be marked as political if it identifies the candidate or party, names the immediate sponsor, reveals the payer, and then it is linked to a transparency notice. These disclosures serve different audiences and purposes. A visible indication that content is political helps users recognise persuasion. At the same time, naming the immediate promoter, payer or commissioner supports accountability and linking that label to a durable transparency notice or financial return enables regulatory verification.

Fourteen legal systems have regulations that address DPC labelling. Bulgaria and Estonia provide baseline recognisability and advertiser identification; Finland identifies the payer; France requires information about the payer and, where relevant, the person on whose behalf that payer acts; Lithuania and Slovenia emphasise the source of financing or commissioner; and the United Kingdom identifies the promoter and the person on whose behalf material is published. Romania's 2025 framework added the sponsor, targeting or delivery indication, funding statement and financial-agent code. Ireland's dedicated regime was repealed, while Italy, Luxembourg and the Netherlands rely materially on soft-law commitments. The same indicator thus serves both extended financial traceability and platform-facing transparency (Dommett, 2020; Dobber et al., 2024). The visible label should connect to standardised records concerning content dates, spending and targeting. Experimental research cautions that disclosure labels do not necessarily improve credibility judgments or trust, so labelling should complement repositories, audit access and enforceable data-retention duties (Jansen & Krämer, 2023; Leerssen et al., 2019; Mehta & Erickson, 2022).

### 4.4 Online spending cap

Online caps set an internet-specific expenditure limit that applies a ceiling to the use of digital advertising tools. They must be distinguished from general campaign ceilings and from separate digital-spend reporting: a reporting rule makes expenditure visible, whereas a cap limits the amount or proportion that may be allocated to a defined digital category. Only Luxembourg, Romania and Spain have this kind of ruling, making this the least frequent indicator among the countries examined (Bennett & Lyon, 2019; Kefford et al., 2023; Mitrea, 2024).

The three cases are not equivalent in legal form. Romania imposes a binding statutory ceiling under which expenditure for producing and disseminating online electoral-propaganda material may not exceed 30% of the contestant's lawful campaign expenditure. Luxembourg's cap derives from an inter-party agreement limited to a specified electoral cycle and binds through political commitment rather than public-law sanction. Spain's rules reflect an interpretation of the general advertising-expenditure architecture. Therefore, their consequences differ too greatly for the three to be treated as equivalent measures of strictness.

An online cap can also redirect campaign power. If only paid placement falls within the ceiling, resources may migrate to data acquisition, consultancy and coordinated third parties. Effective drafting of regulation must therefore specify whether the cap includes agency fees, platform charges, shared contracts and expenditure incurred before the formal campaign. Otherwise, an online cap may privilege opaque or technically unpriced influence over transparent advertising (Harker, 2020; Bennett & Lyon, 2019).

### 4.5 Microtargeting rules

Microtargeting remains the least developed national domain regulation. Ireland's enacted architecture was repealed, the Dutch model is voluntary, Romania's disclosures on online posts are election-specific and Spain's data provision is constitutionally narrowed. Horizontal data protection does not fully address electoral fairness and thus, campaign-specific records and coordinated remedies remain necessary (Brkan, 2022; Dobber et al., 2019; Zuiderveen Borgesius et al., 2018).

Targeting must be distinguished by outcome. The advertiser can select the criteria, but the platform controls how the content is delivered to users. The actual audience may therefore differ materially from the nominal target the political actor had in mind. National rules should preserve both the targeting input and delivery output, including reach, frequency and content allowed (Dobber et al., 2024; Mehta & Erickson, 2022).

At present, no EU Member State operates a permanent end-to-end legal regime governing data source, lawful basis, audience criteria, exclusions, advertiser choice, and actual delivery. A mature framework would require a documented chain across each of these stages, coupled with regulator access and safeguards for legitimate political communication. Data protection is essential to exclude asymmetric persuasion and the unlawful processing of personal data (Brkan, 2022; Gibson et al., 2024; Zuiderveen Borgesius et al., 2018).

### 4.6 Third party activity

Third-party regulation is especially heterogeneous. Some systems allow only an authorised campaigner to pay; some require the commissioner to be identified; some treat coordinated support as a contribution; and voluntary platform schemes ask to reject unverified purchases. The appropriate legal distinction is between genuinely independent citizen expression and coordinated campaigning undertaken for electoral effect. A rule that fails to distinguish the two risks either circumvention or a disproportionate interference with political speech (Harker, 2020; Kefford et al., 2023).

Among the EU member states, Croatia, Lithuania, Romania and Slovenia rely substantially on organiser-centred finance, authorised payment or commissioner attribution; France, Italy and Latvia reach third-party activity through combinations of attribution, media-transaction and campaign-finance rules; Ireland's enacted model placed verification duties on purchasers and platforms before its repeal; and Luxembourg and the Netherlands use voluntary commitments involving parties and digital intermediaries. Spain reaches relevant conduct through its wider electoral, expenditure and data architecture. This indicator therefore combines restrictions on who may pay, rules for attributing commissioned material, controls on independent expenditure and platform commitments concerning purchaser verification (Gibson et al., 2024; Kefford et al., 2023).

### 4.7 Online electoral silence

Online silence rules expose a temporal mismatch. While traditional law assumes that publication is an event that can be stopped, digital campaign material persists, can be rediscovered through search and may be recirculated by users. A proportionate rule should focus on controllable acts, e.g. coordinated republication and not on the impossible removal of every earlier political statement. Slovakia's internet exemption and Lithuania's short silence window represent different responses to this problem (Harker, 2020; Shattock, 2025).

Nine other countries address online silence as well: Bulgaria, Croatia, France, Italy, Latvia, Lithuania, Romania, Slovenia and Spain. Their rules differ in duration, medium and triggering act. Some prohibit campaigning or electoral propaganda from the day before polling, Lithuania uses a substantially shorter window, and France expressly prohibits electronic dissemination from the start of the statutory silence period. Slovakia is the inverse comparator because its explicit internet reference excludes Internet broadcasting from the relevant restriction.

Online silence must also be kept conceptually distinct from information-integrity regulation. France addresses the massive, artificial and deliberate dissemination of specified misleading factual allegations through expedited judicial relief, whereas Latvia requires artificial-intelligence provenance and regulates specified false or anonymous account behaviour. Those rules concern content, production or coordination; silence rules concern when and how electoral communication is disseminated. Enforcement must instead identify the prohibited act and provide rapid notice, reasons, proportionality review and an independent appeal within the electoral timetable (Couzigou, 2021; Shattock, 2025).

## 5. Strictness of the national regulatory frameworks

Strictness should be assessed initially along two axes: substantive breadth and coercive force. Substantive breadth concerns the number and diversity of digital-campaigning practices covered, whereas coercive force concerns whether the applicable standards create enforceable legal obligations, supported by investigatory powers, sanctions or judicial remedies. On this basis, France, Latvia, Lithuania, Romania and Spain possess comparatively broad binding frameworks. Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Estonia, Finland, Germany, Malta, Poland, Portugal, Slovenia and the United Kingdom regulate narrower segments of digital campaigning through legal rules. Italy, Luxembourg and the Netherlands have comparatively broad digital-policy ambitions, but important components of their digital layer remain voluntary or otherwise non-coercive. Ireland remains transitional, while Denmark, Greece, Hungary and Sweden record no positive entry across the six indicators. Slovakia represents a distinct limiting case: its binding rule is precise, but it exempts the Internet from the relevant electoral-silence requirement.

Breadth and strictness must nevertheless remain analytically distinct. A framework addressing four indicators through voluntary codes is not necessarily stricter than one imposing a single, precisely formulated and sanctionable obligation. Conversely, the existence of a binding provision does not establish that it meaningfully constrains digital campaigning. Comparative assessment must therefore identify, for each rule, its addressee, triggering criteria, temporal and territorial scope, required conduct, competent enforcement authority and legal consequences. This is particularly important because data-driven campaigning comprises several operational stages, from data acquisition, data analysis, voter communication to campaign decision-making and, therefore, regulation at one stage cannot automatically compensate for the absence of safeguards at another (Gibson et al., 2024).

The distinction is illustrated by Poland, Portugal, Italy and the Netherlands. These countries may display similar numerical breadth scores, but the legal significance of their entries differs. A statutory attribution requirement or enforceable silence rule immediately alters the legal position of campaigners. A voluntary platform commitment, by contrast, remains dependent on implementation and continued participation. Soft regulation can influence conduct, establish expectations and prepare the ground for subsequent legislation, but its effectiveness is contingent on compliance by the regulated actors and ordinarily lacks the remedial consequences associated with public law (Borz et al., 2024). For example, Italy, Luxembourg and the Netherlands should be described as normatively extensive but without much coerciveness.

Ireland demonstrates that enacted breadth is not equivalent to strictness where the relevant architecture is repealed before acquiring stable practical effect. Romania presents the converse difficulty: its framework is formally broad and binding, but part of that breadth derives from election-specific or emergency measures. Such measures may be highly restrictive during the election for which they were adopted, yet provide limited predictability for subsequent campaigns. Legal strictness therefore requires not merely enactment, but continuity and reasonable foreseeability. A temporary instrument may produce immediate coercive effects while failing to constitute a stable regulatory framework.

Finally, greater strictness is not necessarily normatively preferable. Digital campaigning implies political expression, electoral fairness, privacy, pluralism and the institutional autonomy of political parties. Over-inclusive content controls may suppress lawful political disagreement, while vague duties can transfer excessive discretion to administrative authorities or private platforms. Borz and De

Francesco (2024, pp. 681) warn that "any regulatory intervention in this sector is characterised by a high-level of political uncertainty related to the dynamism of tech and social media companies." A proportional framework should apply differentiated strictness: rigorous disclosure, explicit duties, carefully calibrated spending and targeting restrictions, yet it should be calibrated on necessity and proportionality requirements for measures affecting political content.

## 6. Implementation of rules

Institutional implementation is evaluated separately from substantive strictness. Generally, electoral commissions possess expertise concerning candidates, campaign periods and expenditure; audit bodies examine financial flows; data-protection authorities supervise profiling and sensitive-data processing; media regulators address communication services; digital-services coordinators oversee platform procedures; courts provide coercive and constitutional remedies. This division of competence can protect institutional specialisation, but it also creates jurisdictional boundaries through which legally significant conduct may pass without effective scrutiny. Barclay et al. (2023, p.10) conclude that "oversight of DDC is fragmented, partially reflecting the separation of powers that exists among relevant regulatory bodies."

Fragmentation becomes an enforcement gap when no institution assumes ownership of the complete infringement. A microtargeted political advertisement may simultaneously involve campaign expenditure, personal data, misleading content and platform-delivery decisions. Each element may fall within a different authority's mandate, while the electoral harm arises from their combination. The appropriate response is not the creation of a single digital-campaigning super-regulator. It should be the establishment of a legally designated coordinating authority, supported by mandatory procedures, protocols and clearly delimited sharing powers.

On the other hand, effective enforcement depends on control over evidence. Platforms ordinarily hold advertiser-verification records, targeting criteria, and statistics. Regulators require powers to compel the timely preservation and production of these data at a fast pace. Without preservation duties, evidence may be altered or deleted before a complaint is processed. Without common evidentiary standards, material lawfully collected by one authority may be unusable before another. Therefore, institutional design must encompass the entire enforcement chain: identification, preservation, legal qualification, interim intervention, final sanction and independent review.

In enforcing the rules, timing is significant because electoral harm is often irreversible. A financial penalty imposed months after polling may promote future compliance, but it cannot restore equal campaign opportunities or reverse the effects of concealed mass exposure. France responds to this problem through a predetermined urgent judicial mechanism. As Couzigou (2021, p. 98) explains, "a new judge sitting for urgent matters may order the suspension or suppression of limited digital false information." The institutional significance lies not merely in the availability of removal, but in assigning an intrusive remedy to a court and limiting the categories of information to which the procedure applies. Romania demonstrates the converse risk: delayed detection followed by exceptionally consequential intervention. Institutional delay can undermine both the credibility of the remedy and public confidence in the bodies applying it. Gherghina (2025, p. 35) observes that "delays in state responses and the public's inability to contest key claims create confusion, raise doubts about judicial neutrality, and erode institutional trust." The Romanian experience therefore supports permanent monitoring, urgent procedures, and rapid state-actions rather than reliance on extraordinary post-election correction such as the annulment of the presidential election.

## 7. National regulations

National DPC regulation is dispersed because digital campaigning cuts across legal fields built around different objects. Electoral law is organised around candidates, campaign periods and electoral acts; political-finance law around receipts, expenditure and authorised actors; media law around publishers and audiovisual services; advertising law around paid commercial communication; data-protection law around processing; and platform regulation around intermediary systems. A single campaign can cross all of those categories without any authority seeing the complete transaction chain (Bennett & Lyon, 2019; Borz & De Francesco, 2024).

Table 2 maps the national regulatory architectures governing digital political campaigning across the EU-27 and the United Kingdom. For each jurisdiction, it identifies the legal character of the applicable framework, the principal legislative or non-binding instruments through which digital campaigning is regulated, and the authorities responsible for supervision, enforcement and adjudication. The comparison reveals substantial institutional and normative diversity: some countries rely on direct and binding rules specifically addressing online political advertising, attribution, targeting or platform communication, whereas others regulate digital campaigning indirectly through campaign-finance, electoral-silence, media, advertising or data-protection law. The table also distinguishes hard-law systems from soft-law, hybrid and transitional arrangements and records recent legislative developments.

**Table 2. National regulatory provision and competent authorities on DPC**

| Country | Legal character | Principal instruments | Primary authorities |
|---|---|---|---|
| Austria | Hard law; direct but finance-centred | Political Parties Act 2012, especially § 4; party-transparency enforcement provisions | Court of Audit; Independent Parties Transparency Senate |
| Belgium | Hard law; indirect, finance-reporting model | Act of 4 July 1989 on federal electoral expenditure and party financing; prescribed expenditure returns | Parliamentary Control Commission; Court of Audit and electoral bureaux within competence |
| Bulgaria | Hard law; direct, media-transaction model | Election Code, especially arts. 179–183 and 187 | Central Election Commission; National Audit Office; Council for Electronic Media |
| Croatia | Hard law; direct through reporting forms | Act on Financing Political Activities, Election Campaigns and Referenda; reporting rulebook; Parliamentary Elections Act | State Electoral Commission; State Audit Office |
| Cyprus | Hard law; indirect through general publication and silence rules | Election of Members of the House of Representatives legislation; election-period publication prohibitions | Chief Returning Officer; Central Elections Service; returning officers |

| Country | Legal character | Principal instruments | Primary authorities |
|---|---|---|---|
| Czechia | Hard law; dedicated current regime enacted | Act No. 234/2025 on Election Campaigns and Transparency and Targeting of Political Advertising; Act No. 235/2025 | Office for Supervision of Political Parties and Political Movements; Ministry of the Interior; courts |
| Denmark | Hard law; general election and party-finance framework | Folketing (Parliamentary) Elections Act; Political Parties Funding Consolidation Act | Ministry of the Interior and Health; election committees and public authorities within competence |
| Estonia | Hard law; recurring finance and advertising duties | Political Parties Act, §§ $12^1$ and $12^8$; Advertising Act, § 3 | Political Party Funding Supervision Committee; advertising-law authorities |
| Finland | Hard law; candidate-finance model | Act on a Candidate's Election Funding 273/2009, especially §§ 4, 6 and 8–10 | National Audit Office of Finland |
| France | Hard law with regulatory guidance; direct and differentiated | Electoral Code, arts. L.49, L.52-1, L.163-1 and L.163-2; Law No. 2018-1202 | CNCCFP; Arcom; judicial courts |
| Germany | Hard law; indirect, federal–interstate media and finance model | Interstate Media Treaty, arts. 8(9) and 22(1); Political Parties Act; data-protection law | State media authorities; President of the Bundestag; data-protection authorities |
| Greece | Hard law; indirect through party and campaign finance | Law 3023/2002, as amended; election-specific finance and media rules | Hellenic Parliament Committee for Auditing MP and Political Party Finances; competent election and media bodies |
| Hungary | Hard law; some express current Internet provision | Act XXXVI of 2013 on Electoral Procedure, §§ 139–149, especially § 147/F(3) | National Election Commission; National Election Office; State Audit Office; media authority |
| Ireland | Transitional; enacted national regime materially displaced | Electoral Reform Act 2022, former Part 4 and uncommenced Part 5; S.I. No. 474/2025 | An Coimisiún Toghcháin; Data Protection Commission; Coimisiún na Meán |
| Italy | Hybrid: general hard law plus digital-specific soft law | Law No. 515/1993, art. 3; Law No. 28/2000; AGCOM 2018 guidelines and 2019 commitments | AGCOM; participating platforms and political actors |
| Latvia | Hard law; direct and increasingly technology-specific | Pre-election Campaign Law; 2024 AI amendments; Criminal Law deepfake amendments | Corruption Prevention and Combating Bureau (KNAB); media authorities |
| Lithuania | Hard law; direct and actor-conscious | Electoral Code, especially arts. 95, 97 and 103; CEC implementing decisions | Central Electoral Commission |
| Luxembourg | Soft law; direct but election-specific | Agreement among political parties for the 2023 municipal and legislative elections | Signatory parties; reputational and political accountability |

| Country | Legal character | Principal instruments | Primary authorities |
|---|---|---|---|
| Malta | Hard law; indirect through publication, silence and finance rules | General Elections Act (Cap. 354), especially arts. 65 and 114; Financing of Political Parties Act (Cap. 544) | Electoral Commission |
| Netherlands | Soft law; direct and platform-inclusive | Dutch Code of Conduct Transparency Online Political Advertisements (2021) | Signatory parties and platforms; Ministry-facilitated governance |
| Poland | Hard law; indirect, committee-attribution and silence model | Election Code of 5 January 2011, especially arts. 104–109 | National Election Commission; National Electoral Office; courts |
| Portugal | Hard law; indirect, commercial-advertising, silence and finance model | Law 72-A/2015, especially art. 10; Electoral Law for the Assembly; Law 19/2003 on political finance | National Electoral Commission; Entity for Political Accounts and Financing; ERC |
| Romania | Hard law; permanent finance baseline plus temporary 2025 regime | Law No. 334/2006, arts. 36 and 38; GEO No. 1/2025, art. 16; AEP Decision No. 9/2025 | Permanent Electoral Authority; electoral bureaux; ANCOM, CNA and courts within competence |
| Slovakia | Hard law; direct but deregulatory | Act No. 181/2014 on Election Campaigns, § 14 | State Commission for Elections and Control of Funding of Political Parties |
| Slovenia | Hard law; direct through media-neutral drafting | Elections and Referendum Campaign Act (ZVRK), arts. 1 and 7; related finance and silence provisions | Election bodies; Court of Audit; competent inspectorates |
| Spain | Hard law; broad but constitutionally qualified | LOREG, arts. 53, 58 and 58 bis; Organic Law 3/2018; Constitutional Court Judgment 76/2019 | Central Electoral Board; Court of Auditors; Spanish Data Protection Agency |
| Sweden | Hard law; finance-transparency and constitutional-media framework | Elections Act (2005:837); Act (2018:90) on transparency in party financing; constitutional media laws | Swedish Election Authority; Legal, Financial and Administrative Services Agency |
| United Kingdom | Hard law; direct attribution and finance regulation | Elections Act 2022, Part 6; PPERA 2000; statutory digital-imprint guidance | Electoral Commission; police; Information Commissioner |

**Source:** authors compilation, available at https://digieffect.eu/regulation/

## 7.1 Austria

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct but finance-centred | Political Parties Act 2012, especially § 4; party-transparency enforcement provisions | Court of Audit; Independent Parties Transparency Senate |

Austria regulates digital campaigning primarily through the accounting architecture of the Political Parties Act 2012. Section 4 treats expenditure connected with a party's Internet presence as election campaign expenditure and requires campaign expenses to be reported by specified media categories. Within that classification, “Internet advertising” is not absorbed into a general residual category: it must be identified separately alongside print, broadcasting, audiovisual and cinema advertising. The legal consequence enables the audit authority to compare the declared digital total with invoices, contracts and other supporting records and to test whether the overall campaign-spending ceiling has been respected (Political Parties Act 2012, § 4(1)–(3)).

The reporting obligation is imposed on the political party, but the statute extends the information chain beyond the central party organisation. Party branches, affiliated organisations, supporting committees and individual candidates must provide complete and accurate information needed for the party’s campaign expense report. This mechanism is important because online campaigns are often procured through local structures or candidate teams; nevertheless, the statutory reach remains derivative. Agencies, creators and platforms do not become autonomous electoral law addressees merely because their records are necessary for the party’s return (Political Parties Act 2012, § 4(4)).

The Court of Audit receives and examines the party’s accountability documentation and publishes the legally required material. Where the audit process indicates a breach, the matter may proceed to the Independent Parties Transparency Senate, which is empowered to impose administrative sanctions under the Act. The institutional sequence is consequently strongest after expenditure has been incurred and the statutory report has been filed. It does not create a standing election period power to require an online platform to disclose the advertiser, suspend a non-compliant campaign or preserve targeting data in real time (Political Parties Act 2012, §§ 5–12). Austria provides therefore a narrow but legally enforceable model. Its principal achievement is auditability: digital spending becomes a distinct object of financial supervision. Its principal omissions are voter-facing attribution, beneficial-payer disclosure, targeting transparency and platform-delivery evidence. The regime is also dependent on attribution to a reporting party. Covert in-kind services, coordinated but formally independent supporter activity and consultancy arrangements that bundle content production, data analysis and media buying may remain difficult to allocate to the statutory Internet category (Political Parties Act 2012, § 4).

### 7.2 Belgium

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect, finance-reporting model | Act of 4 July 1989 on federal electoral expenditure and party financing; prescribed expenditure returns | Parliamentary Control Commission; Court of Audit and electoral bureaux within competence |

Belgium applies a binding federal campaign finance model. Articles 2 and 4–6 of the Act of 4 July 1989 establish spending ceilings, define regulated electoral-propaganda expenditure and require contestants to declare expenditure and the origin of funds. Digital communication is not constructed as a distinct statutory object. The separate visibility of websites and social network costs arises principally through prescribed federal return forms and administrative reporting practice under that Act.

The federal Parliamentary Control Commission controls party accounts and federal election expenditure, assisted in defined respects by the Court of Audit; electoral bureaux receive candidate or list declarations under the statutory procedure. General limits and source rules apply regardless of whether a service is purchased online.

### 7.3 Bulgaria

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct, media-transaction model | Election Code, especially arts. 179–183 and 187 | Central Election Commission; National Audit Office; Council for Electronic Media |

Bulgaria extends traditional campaign-media safeguards to online news services through the Election Code. The Code requires "paid campaign coverage" to be recognisable as such by a visual, audio or audiovisual indication, and campaign material must identify the person or electoral participant on whose behalf it is issued. The Code thereby regulates the interface between editorial or informational content and paid electoral communication. The user should be able to distinguish a purchased political intervention from ordinary journalistic material (Election Code, arts. 179–181).

The Code also regulates the commercial transaction. Media service providers are required to publish information on agreements concluded with parties, coalitions, nomination committees or their intermediaries, including the subject matter, duration, medium and value of the service. Print media and online news services must announce their campaign conditions and prices in advance and apply equal conditions. These duties seek to make preferential treatment and undeclared media expenditure more visible, but they are tailored to identifiable publishers and contracted placements rather than the wider platform-advertising supply chain (Election Code, arts. 180–183).

A general prohibition on campaigning during the 24 hours before election day and on election day operates as the national silence rule. Because the Code is drafted in medium-spanning terms and expressly covers online news services in the campaign chapter, the rule can apply to new online publication and paid dissemination. Its practical boundary is less clear for content uploaded earlier, user recirculation, search retrieval and algorithmic recommendation, all of which may produce renewed exposure without a fresh editorial act by the original campaigner (Election Code, art. 182 and related campaign-silence provisions).

Implementation is divided among the Central Election Commission, the National Audit Office and, for regulated audiovisual services, the Council for Electronic Media. Bulgaria is comparatively specific where a campaigner purchases coverage from an identifiable media provider: there is a price, contract, publisher and disclosure trail. The framework is materially thinner for platform-native advertising, paid influencers, issue advertising and audience selection. Its legal technique regulates a media transaction rather than the data and optimisation architecture through which digital reach is produced (Election Code, arts. 179–187).

### 7.4 Croatia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct through reporting forms | Act on Financing Political Activities, Election Campaigns and Referenda; reporting rulebook; Parliamentary Elections Act | State Electoral Commission; State Audit Office |

Croatia's most explicit digital rule is embedded in campaign-finance reporting. The Act on Financing Political Activities, Election Campaigns and Referenda requires electoral participants to maintain campaign accounts and disclose campaign income and expenditure through the prescribed information system. The implementing rulebook makes "social-network advertising" a reportable object: the prescribed form identifies the network and records the relevant advertising period.

Croatian law does not convert every unaffiliated political statement into prohibited campaigning; rather, paid or coordinated electoral expenditure attributable to a campaign must pass through the legally designated finance and reporting system. The central legal issue is whether ostensibly independent activity is genuinely autonomous or constitutes an undeclared contribution or expenditure for the benefit of a contestant (Act on Financing Political Activities, Election Campaigns and Referenda, campaign-account and contribution provisions).

The Parliamentary Elections Act supplies the temporal restriction. Electoral promotion ends 24 hours before election day and remains prohibited until polling stations close. The rule is readily applicable to a new paid placement or a new publication by a campaigner, but its application to digital persistence is more difficult. A previously published post may remain accessible, and users may repost or comment without direction from the campaign. The statutory prohibition therefore requires a distinction between passive continued availability and a new act of organised dissemination.

Supervision is divided principally between the State Electoral Commission and the State Audit Office. The Croatian framework is administrable where a paid social-media placement generates an invoice and is booked through a campaign account, becoming less effective where benefits are arranged through an influencer relationship, a consultancy or represented as volunteer-created content.

### 7.5 Cyprus

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect through general publication and silence rules | Election of Members of the House of Representatives legislation; election-period publication prohibitions | Chief Returning Officer; Central Elections Service; returning officers |

Cyprus has binding election, candidate-finance and traditional-media campaign rules, but no verified national rule specifically governing campaigning on social networks or online media. The 2026 ODIHR needs-assessment report records a three-month campaign period ending before polling, candidate expenditure limits and media rules, while stating expressly that online campaigning is not regulated. On that evidence, a traditional-media silence or paid-advertising rule cannot be extended automatically to online conduct.

On the enforcement side, the Chief Returning Officer, Central Elections Service and returning officers administer the parliamentary-election framework. The Radio Television Authority and the national Digital Services Coordinator exercise separate media and platform functions, but those competences do not themselves create national DPC campaign rules.

### 7.6 Czechia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; dedicated current regime enacted | Act No. 234/2025 on Election Campaigns and Transparency and Targeting of Political Advertising; Act No. 235/2025 | Office for Supervision of Political Parties and Political Movements; Ministry of the Interior; courts |

Recently, Czechia has adopted a dedicated and binding statute. Act No. 234/2025 on Election Campaigns and Transparency and Targeting of Political Advertising, effective 1 January 2026, defines campaign activity. Section 3 requires a non-contestant campaigner to obtain written consent or register as a third party, subject to a CZK 3,000 de minimis threshold. Section 4 requires campaign media not already labelled under Regulation (EU) 2024/900 to identify the commissioning party and processor; a registered third party must also state its registration number. Sections 7–10 govern campaign accounts, expenditure and reporting. Sections 11–13 regulate registered third parties, and § 13(5) distinguishes promotion on social networks from other Internet promotion in expense categories. Section 15 assigns national supervision to the Office for Supervision of Political Parties and Political Movements. Consequently, even if section 6 prohibits publication of opinion-poll results during the final three days and agitation at polling places, it does not create a general online campaign-silence period.

### 7.7 Denmark

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; general election and party-finance framework | Folketing (Parliamentary) Elections Act; Political Parties Funding Consolidation Act | Ministry of the Interior and Health; election committees and public authorities within competence |

Denmark has binding election-administration, accounting and public-funding rules but no national DPC-specific label, repository, targeting rule, online cap or digital spending category was verified. Sections 2a–5 of the Annual Accounts of Political Parties Consolidation Act regulate anonymous donations, require qualifying national parties to prepare audited annual accounts of income and expenses and require submission to the Folketing for public inspection. Sections 1–2 of the Political Parties Funding Consolidation Act define political activity and govern eligibility for public support. Neither Act requires a separate digital-campaign expenditure category. The Folketing Elections Act governs election administration and conduct.

Regarding the enforcement bodies, the Ministry of the Interior and Health and the election administration perform statutory electoral functions; the Folketing publishes the qualifying annual accounts submitted under § 5. Data-protection, marketing, criminal and EU rules may apply to particular online activity through their own triggers.

### 7.8 Estonia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; recurring finance and advertising duties | Political Parties Act, §§ $12^1$ and $12^8$; Advertising Act, § 3 | Political Party Funding Supervision Committee; advertising-law authorities |

Estonia combines political-finance supervision with a general advertising-law rule. Under the Political Parties Act, political parties must ensure the lawfulness and transparency of their revenue and expenditure and must report campaign and political-activity expenses by category. Advertising expenditure is disaggregated by type, with online advertising forming an express category. Digital spending is therefore subject to recurring party-finance supervision rather than a one-off rule enacted for a specific election (Political Parties Act, §§ $12^1$ and $12^8$). The Advertising Act requires advertising to be distinguishable from other information and to identify the person who places it. Applied to political advertising, this provides a baseline recognisability and ads-identification duty. The legal fit is nevertheless conceptually important: not every political message is necessarily “advertising” within the Act, particularly where it is unpaid, published on a party-owned account or framed as issue advocacy. The rule is strongest for conventional paid communication and less certain at the boundary between campaigning, editorial material and supporter speech (Advertising Act, §§ 2–3).

The Political Party Funding Supervision Committee is a specialist body with an ongoing mandate to supervise the legality of party, election-coalition and independent-candidate finance. It may request information, issue precepts and use statutory coercive measures. The institutional advantage is its continuity, i.e. the authority can compare patterns across electoral cycles and develop expertise concerning campaign vendors and accounting practices. The limit, however, is jurisdictional: advertising-law supervision and personal-data questions remain outside a single unified DPC procedure (Political Parties Act, political-finance supervision provisions). Estonia consequently offers robust recurring classification but limited systems transparency. A declared online-advertising total and an advertiser label identify the immediate transaction, not the beneficial funder, the data used to form the audience, the intermediary that designed the campaign or the algorithm that determined delivery. The framework also lacks a DPC-specific spending ceiling, public ad repository and microtargeting regime. Its strictness is therefore concentrated on finance legality and recognisability (Political Parties Act, §§ $12^1$, $12^8$; Advertising Act, § 3).

### 7.9 Finland

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; candidate-finance model | Act on a Candidate’s Election Funding 273/2009, especially §§ 4, 6 and 8–10 | National Audit Office of Finland |

Finland regulates digital campaigning through candidate-election-funding disclosure. The Act on a Candidate's Election Funding defines election funding broadly and requires the disclosure to itemise campaign expenditure by communication medium. Promotional expenditure is separated across newspapers, radio, television, "data networks" and other communications media. The reference to data networks gives online dissemination an express reporting category while preserving a technology-neutral residual for emerging channels (Act on a Candidate's Election Funding 273/2009, §§ 2 and 6).

The Act links spending disclosure to payer identification. Election advertisements must state the party that paid for them, while the disclosure regime identifies funding sources subject to limited protection for small private contributors. The two mechanisms serve different audiences: the label supports immediate recognition by the voter, whereas the election-funding return enables later verification of the candidate's revenue and expenditure. Neither mechanism necessarily reveals an agency or beneficial controller where the immediate payer is a campaign structure (Act on a Candidate's Election Funding 273/2009, §§ 4 and 6). The National Audit Office receives disclosures, monitors compliance and submits an election-specific report to Parliament. It may request additional information and ensure that the disclosure obligation is fulfilled. This creates a stable audit institution and a clear statutory responsibility, but the enforcement cycle is primarily retrospective. A deficient return can be corrected and sanctioned; the mechanism is not designed to stop an opaque placement while it is accumulating impressions during the final days of the campaign (Act on a Candidate's Election Funding 273/2009, §§ 8–10).

Finland illustrates the difference between transparency and end-to-end traceability. Data-network costs and a payer indication reveal that online promotion occurred and who immediately financed it. They do not disclose audience criteria, data provenance, or coordinated third-party services. Consequently, the regime is precise and enforceable within its candidate-finance domain, even if it does not amount to a dedicated digital-campaign systems law (Act on a Candidate's Election Funding 273/2009, §§ 4, 6 and 8–10).

### 7.10 France

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law with regulatory guidance; direct and differentiated | Electoral Code, arts. L.49, L.52-1, L.163-1 and L.163-2; Law No. 2018-1202 | CNCCFP; Arcom; judicial courts |

France combines ordinary electoral-propaganda rules with platform-facing transparency and a specialised judicial remedy. Article L.49 of the Electoral Code prohibits the dissemination of electoral-propaganda messages to the public by electronic means from the day before the poll, while Article L.52-1 restricts commercial advertising for electoral propaganda during the statutory pre-election period. These provisions extend temporal and commercial controls beyond print and broadcasting, although their application still depends on identifying a new act of dissemination rather than the passive availability of earlier content (Electoral Code, arts. L.49 and L.52-1). Article L.163-1 imposes a distinct transparency layer during the three months preceding specified general elections and until the decisive round. Qualifying online-platform operators must make information available in the electronic advertising register, including the identity and legal details of the person paying for promoted information connected with a "debate of general interest" and, where relevant, the person on whose behalf that payer acts. The provision also requires information on the use of personal data and on remuneration above the prescribed threshold. Its current form is aligned with the platform register architecture and targets the economic and data relationship behind the promoted content (Electoral Code, art. L.163-1; Law No. 2018-1202, art. 1, as amended).

At the same time, article L.163-2 establishes expedited judicial relief. During the same electoral window, an interim-relief judge may order proportionate and necessary measures where inaccurate or misleading allegations of fact are likely to affect the fairness of the poll and are deliberately, artificially or automatically disseminated online on a massive scale. These conditions are cumulative. The court must decide within 48 hours, and the appellate court is subject to the same timetable. The high threshold and the requirement of judicial control are safeguards against transforming the procedure into a general administrative power to determine political truth (Electoral Code, art. L.163-2; Constitutional Council Decision No. 2018-773 DC, paras. 20–23).

With regards to enforcement bodies, the National Commission for Campaign Accounts and Political Financing audits campaign accounts while Arcom supervises relevant platform and media obligations; and the courts determine urgent relief and criminal or civil consequences.

### 7.11 Germany

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect, federal–interstate media and finance model | Interstate Media Treaty, arts. 8(9) and 22(1); Political Parties Act; data-protection law | State media authorities; President of the Bundestag; data-protection authorities |

Germany's framework is binding but fragmented across federal party law, state election law and the interstate media system (Borucki & Kettemann, 2024). Section 8(9) of the Interstate Media Treaty prohibits political, ideological and religious advertising in broadcasting. Section 22(1) requires advertising in telemedia to be recognisable and separate and requires political, ideological or religious advertising to identify the advertiser or commissioning party. Section 115 supplies offence provisions for specified breaches.

The regulations provide that the state media authorities enforce the Interstate Media Treaty. The President of the Bundestag administers federal Political Parties Act accounting and sanction functions, while federal and state data-protection authorities supervise processing within their respective competence. Election-specific state rules may add requirements for Land or local contests.

### 7.12 Greece

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect through party and campaign finance | Law 3023/2002, as amended; election-specific finance and media rules | Hellenic Parliament Committee for Auditing MP and Political Party Finances; competent election and media bodies |

Greece does not have a specific legal code for digital political campaigning. Online campaigning is regulated indirectly through the binding rules on political-party financing, candidate expenditure, campaign reporting and electoral publicity contained mainly in Law 3023/2002, consolidated by Presidential Decree 15/2022. Articles 3, 5 and 7 regulate political accounts, private donations and permitted sources of financing. Articles 9 and 10 impose expenditure ceilings on political parties and candidates. Payments for online advertising, social-media promotion, campaign websites or digital consultancy may therefore count as electoral expenditure and must be included in the relevant financial records. However, the law does not require digital expenditure to be reported separately from other campaign costs.

Articles 12–16 regulate financial reporting, publication duties and certain forms of pre-election publicity. These provisions may apply to digital activity through general legal concepts, but they do not establish specific rules on platform advertising, microtargeting or social-media transparency.

Oversight is exercised by the Audit Committee provided for in Article 21 of Law 3023/2002, which examines the financial reports of political parties, candidates and elected representatives and verifies compliance with financing and expenditure rules. Electoral, media and data-protection authorities may intervene within their respective competences.

### 7.13 Hungary

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; some express current Internet provision | Act XXXVI of 2013 on Electoral Procedure, §§ 139–149, especially § 147/F(3) | National Election Commission; National Election Office; State Audit Office; media authority |

Hungary regulates digital political campaigning indirectly through Act XXXVI of 2013 on Electoral Procedure. Sections 139–141 define the campaign period, campaign instruments and campaign activity, while § 142 excludes personal communications between citizens, irrespective of their content or form.

The Act contains several rules relevant to online communication. Under § 144(2), electoral posters must state the publisher's name and registered office and the person responsible for publication. Sections 146–147 regulate political advertising in linear media, while § 147/F(3) specifically permits providers of linear media services available exclusively through the Internet to carry political advertisements subject to the statutory media rules. This provision concerns online television- or radio-like services and should not be understood as a general regime for advertising on social networks or digital platforms. Section 148 regulates paid political advertisements in "press products", a category that includes qualifying internet newspapers and news portals. Such advertisements must be immediately recognisable and distinguishable from other content and must identify the person or organisation that ordered them. Publishers must also submit their advertising price lists to the State Audit Office and report the political advertisements published after the election.

Direct electronic campaigning is also regulated. Under § 149, a voter's telephone number or email address may be used for direct campaign communication only with the voter's explicit consent. Complaints concerning unlawful internet media content may be submitted to the competent election commission under § 151, generally within three days of publication.

### 7.14 Ireland

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Transitional; enacted national regime materially displaced | Electoral Reform Act 2022, former Part 4 and uncommenced Part 5; S.I. No. 474/2025 | An Coimisiún Toghcháin; Data Protection Commission; Coimisiún na Meán |

The Electoral Reform Act 2022 originally contained the most self-contained national online-political-advertising regime within the EU. Part 4 defined the "online political advertisement", buyer, seller and online platform and addressed microtargeting and look-alike targeting. It required public information to accompany advertisements, imposed platform duties, required buyer identification and verification, regulated purchases from outside the State, preserved records and empowered the Electoral Commission to monitor and investigate during electoral periods (Electoral Reform Act 2022, ss. 119–143, especially ss. 121–125 and 127–140). The allocation of duties in Part 4 was important. Platforms were required to collect and verify prescribed information before accepting a purchase, and a platform unable to complete the statutory verification could not place, display, promote or disseminate the advertisement until the defect was remedied. Buyers were required to provide accurate information and supporting declarations. This regime sought to regulate market access to political-advertising infrastructure by imposing *ex ante* verification on both sides of the transaction (Electoral Reform Act 2022, ss. 122–124). At the same time, Part 5 created a broader electoral-integrity architecture for online electoral information, disinformation, misinformation and manipulative or inauthentic behaviour. It provided for monitoring, notices and court-backed orders while building procedural safeguards into escalation and appeal. The legal ambition was wider than advertising because it addressed organised behaviour and information integrity.

The current position changed on 10 October 2025. The European Union (Political Advertising) Regulations 2025 designated the Irish authorities responsible for the EU political-advertising regime, established authorised-officer, investigation, compliance-notice and administrative-fine procedures, and assigned the Data Protection Commission functions concerning targeting and ad-amplification rules. Regulation 36(2) repealed Part 4 of the 2022 Act. Thus, for the moment, the former national advertising code is no longer in force, but national institutions now operate largely through the EU substantive framework (S.I. No. 474/2025, regs. 5–10, 16–32 and 36(2)).

### 7.15 Italy

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hybrid: general hard law plus digital-specific soft law | Law No. 515/1993, art. 3; Law No. 28/2000; AGCOM 2018 guidelines and 2019 commitments | AGCOM; participating platforms and political actors |

Italy's binding baseline derives from the attribution and equal-access traditions of electoral and political communication law. Article 3 of Law No. 515/1993 requires electoral-propaganda material to identify the responsible client and channels orders for propaganda services through authorised representatives of the party or candidate. Law No. 28/2000 establishes the broader par condicio framework for political communication and equal treatment in broadcasting. These rules identify responsibility and seek competitive balance, but they were not drafted around platform auctions, behavioural targeting or algorithmic distribution (Law No. 515/1993, art. 3; Law No. 28/2000).

Because the automatic extension of broadcasting-style par condicio obligations to online platforms was legally and technically contested, AGCOM developed a digital-specific soft-law layer. Its 2018 guidelines for equal access to online platforms during the general-election campaign were produced through a multi-stakeholder process and invited participating platforms to provide transparency tools, information campaigns, complaint channels and cooperation on silence and disinformation. The instrument translated electoral principles into platform practice without claiming to create a new statutory offence (AGCOM, Guidelines for Equal Access to Online Platforms during the 2018 Election Campaign, 2018). The platform commitments were renewed and adapted for the 2019 European Parliament election and were followed by AGCOM's broader inquiry into digital platforms. The commitments cover recognisability, equal access, electoral silence, disinformation-related measures and cooperation with public authorities. Their flexibility permits rapid adjustment to platform features, but legal force depends on voluntary adherence. A non-signatory, a new service or an actor outside the coordination process is not bound in the same way as a statutory addressee (AGCOM platform commitments for the 2019 European Parliament election; AGCOM Resolution No. 79/20/CONS).

Italy is therefore substantively broader than its coercive digital layer suggests. General law can identify the authorised client and sanction conventional propaganda violations, while platform-specific operational practices are negotiated. The model is capable of rapid coordination but provides uneven remedies and limited independent verification of compliance (Law No. 515/1993, art. 3; Law No. 28/2000; AGCOM 2018 Guidelines).

### 7.16 Latvia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct and increasingly technology-specific | Pre-election Campaign Law; 2024 AI amendments; Criminal Law deepfake amendments | Corruption Prevention and Combating Bureau (KNAB); media authorities |

Latvia regulates "Internet" campaigning within the Pre-election Campaign Law. The Law requires campaigners and media providers to preserve and disclose information relevant to contracts, prices and expenditure; online media must publish advertising prices and discount policies; and campaign expenditure is reportable within the campaign-finance system. The regime therefore links the political actor, the media transaction and KNAB's audit function (Pre-election Campaign Law, Chapter V and campaign-finance reporting provisions). The Law also applies a short silence period to paid pre-election campaigning on public electronic communications networks, including the Internet, on election day and the preceding day, subject to statutory exceptions.

Amendments adopted on 24 October 2024 introduced a technology-specific provenance obligation. Where paid pre-election material uses artificial intelligence to depict a person or an unreal event, the public must be informed clearly and unambiguously. The amendments also restrict the use of fake or anonymous social-media accounts through automated systems for campaigning and expand KNAB's powers in relation to online violations. These rules move beyond sponsor transparency towards the authenticity of the production technique and the account infrastructure.

Separate Criminal Law amendments address specified intentional deepfake conduct aimed at influencing elections. The combined architecture gives Latvia a comparatively coherent enforcement centre in KNAB while preserving criminal adjudication for the most serious conduct. The law is nevertheless one of the few national systems to regulate both the funding of online campaigning and the technological provenance of campaign material.

### 7.17 Lithuania

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct and actor-conscious | Electoral Code, especially arts. 95, 97 and 103; CEC implementing decisions | Central Electoral Commission |

Lithuania’s Electoral Code adopts a broad concept of political advertising. It encompasses positive or negative information disseminated by or in the interest of a political actor, whether paid or unpaid, during and between campaign periods, where the communication is intended to influence electoral results or voter motivation. This functional definition reduces the possibility that a communication escapes regulation merely because it is distributed without a conventional media purchase or outside the formal campaign window (Electoral Code, art. 95). Paid political advertising must be clearly distinguished from other content and identify its “source of financing”. Payment is restricted to the authorised political-campaign participant, and hidden political advertising is prohibited.

The Code also regulates social-media accounts. Before publishing paid political advertising, a political-campaign participant must declare to the Central Electoral Commission the social-network accounts that will be used and identify the persons authorised to administer the accounts and pay for dissemination. Public-information producers and disseminators submit declarations containing price, rate, time or space, beneficiary, commissioner and payer information. These duties connect the political actor, account, administrator, transaction and publisher in a traceable chain (Electoral Code, art. 97; Central Electoral Commission rules).

A silence period begins seven hours before polling opens and ends when voting closes. The limited duration reduces the conflict with continuing online accessibility, but enforcement still requires a distinction between an existing post and a new act of paid or organised dissemination.

### 7.18 Luxembourg

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Soft law; direct but election-specific | Based on the agreement among political parties | Signatory parties; reputational and political accountability |

Luxembourg’s direct digital-campaign instrument is an inter-party agreement concluded for the 2023 municipal and legislative elections. Participating parties accepted common rules on campaign conduct, including digital-spending transparency, labelling and limits concerning third-party activity. The agreement also established a voluntary ceiling of EUR 100,000 per party. Because the obligation arose from political commitment, its scope was defined by signature and the specified electoral cycle. The voluntary ceiling may reduce competitive escalation among signatories, but its legal operation differs from a statutory expenditure cap. It does not automatically bind non-signatories, platforms or organised third parties and it lacks an administrative offence with a prescribed sanction. Compliance depends on disclosure, reciprocal monitoring and reputational consequences.

Nevertheless, the agreement's substantive breadth is important. A consensual instrument can establish common terminology and expectations faster than legislation, particularly in a small political system. It can also reach ethical practices that are difficult to specify as offences.

### 7.19 Malta

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect through publication, silence and finance rules | General Elections Act (Cap. 354), especially arts. 65 and 114; Financing of Political Parties Act (Cap. 544) | Electoral Commission |

DPC activity in Malta is regulated indirectly through binding electoral-silence and political-finance rules. Articles 65 and 114 of the General Elections Act (Chapter 354) establish a silence period covering the day immediately preceding voting and polling day. Article 65 prohibits public meetings and public demonstrations during that period. Article 114(1) is broader: it prohibits public meetings, broadcasts, publications, statements and other communications to the public containing material intended or likely to influence voters.

Even if article 114 does not expressly mention websites, social media or platform advertising, its reference to "other means of communication to the public" is sufficiently broad to be capable of covering a new online post or advertisement published during the silence period. This is an interpretation of the regulation and does not constitute a DPC specific rule.

On the other hand, political financing is governed by the Financing of Political Parties Act (Chapter 544). Article 24 requires parties to prepare annual statements covering income, expenditure, financial position and cash flows, while Article 28 requires audited accounts submitted to the Electoral Commission to include accounts relating to election campaigns. Digital advertising or communication services may therefore appear within general campaign expenditure.

The Electoral Commission administers general elections and supervises political-party registration and financial reporting. Breaches of Article 114 are criminally enforceable and ultimately determined by the courts. Malta therefore has an indirect framework: online campaigning may fall within general silence and finance rules, but there is no dedicated system for digital political campaigning.

## 7.20 Netherlands

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Soft law; direct and platform-inclusive | Dutch Code of Conduct Transparency Online Political Advertisements (2021) | Signatory parties and platforms; Ministry-facilitated governance |

The Dutch Code of Conduct Transparency Online Political Advertisements was developed by International IDEA in consultation with parliamentary parties and major platforms at the request of the Ministry of the Interior. It is expressly voluntary and does not displace statutory electoral, finance or data-protection law. Its regulatory significance lies in the shared commitments of campaigners and platforms rather than in a new administrative offence (Dutch Code of Conduct Transparency Online Political Advertisements, 2021, preamble and scope). The Code requires online political advertisements to be recognisable and seeks transparency concerning sponsor, payer and targeting. Political parties commit to provide accurate information and to avoid opaque or discriminatory targeting practices, while platforms commit to advertiser verification, accessible information and integrity measures. The instrument also addresses foreign interference, bots, disinformation, deepfakes and profiling.

Its actor coverage is unusually broad for a national instrument because it addresses both the purchaser and the infrastructure that sells and delivers the advertisement. This makes it capable of regulating practices that cannot be controlled through a party's post-election return alone. However, each platform may operationalise the commitments through its own definitions and technical systems, producing non-uniform disclosure. No public authority may impose a penalty solely because a signatory has breached the Code.

## 7.21 Poland

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect, committee-attribution and silence model | Election Code of 5 January 2011, especially arts. 104–109 | National Election Commission; National Electoral Office; courts |

Poland regulates digital campaigning indirectly through the Election Code of 5 January 2011. Article 104 provides that the campaign begins when the act calling the election is published and ends 24 hours before polling day. Article 105 defines electoral campaigning as publicly encouraging voters to vote in a particular manner or for a candidate of a specified election committee. Article 107 prohibits such campaigning, including the dissemination of electoral materials, during the 24 hours preceding polling day and on polling day itself. These rules can therefore cover new campaign posts and advertisements published online during the prohibited period.

Article 109 defines electoral material as any public and recorded communication relating to the election that originates from an election committee. Such material must clearly identify the committee from which it originates. Accordingly, a website, social-media post or digital advertisement produced by an election committee can fall within this rule, although the provision does not require disclosure of targeting criteria, platform-delivery information or the amount paid for the advertisement.

Regarding the competent authorities, the framework is centred on authorised election committees. Under Article 106, an individual voter may campaign for candidates after obtaining the written consent of the committee's election agent. However, the Code does not establish a comprehensive transparency regime for independent third-party online campaigning.

Consequently, the National Election Commission supervises compliance with electoral law, while the National Electoral Office provides the organisational, administrative and technical support required to conduct elections. Courts determine electoral disputes and offences within their statutory jurisdiction.

### 7.22 Portugal

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; indirect, commercial-advertising, silence and finance model | Law 72-A/2015, especially art. 10; Electoral Law for the Assembly; Law 19/2003 on political finance | National Electoral Commission; Entity for Political Accounts and Financing; ERC |

Portugal has binding rules that expressly address Internet and social-media campaigning. Law 72-A/2015 applies its election-related media rules regardless of the medium or platform used. More importantly, Article 10 prohibits political propaganda through commercial advertising from the publication of the decree calling the election. The prohibition covers commercial advertising on social networks and other Internet services. A narrow exception permits advertisements announcing a specific campaign event. These advertisements must be identifiable as advertising and may contain only the party or candidacy's name, symbol and acronym, together with information about the event. This exception also applies to social networks and other Internet media. It is therefore not a general sponsor-labelling system for online political advertisements.

Article 11 distinguishes between ordinary citizens and campaign actors. Citizens who are neither candidates nor campaign representatives remain free to use social networks and other Internet services. Candidates, parties, coalitions and campaign representatives may also use them, but they may not disseminate campaign content during the day preceding the election or on election day and may not use prohibited commercial advertising. Article 141(1) of the Electoral Law for the Assembly of the Republic reinforces this rule by criminalising electoral propaganda conducted "by any means" on those two days.

Practically, the National Electoral Commission treats new campaign publications and sharing of campaign content on social networks during the reflection period as potentially prohibited electoral propaganda. Media-related complaints under Law 72-A/2015 involve both the National Electoral Commission and the Regulatory Authority for the Media.

On the other hand, campaign finance is governed by Law 19/2003. Article 15 requires campaign income and expenditure to be recorded in separate campaign accounts and processed through dedicated bank accounts. Article 19 defines campaign expenditure as expenditure incurred by candidacies for an electoral purpose or benefit during the six months preceding the election and requires it to be categorised and documented. Article 20 establishes expenditure ceilings. Purchased digital advertising and online campaign services may therefore constitute campaign expenditure, but the law does not create a separate digital-spending category.

For implementation, the independent Entity for Political Accounts and Financing, operating alongside the Constitutional Court, examines campaign accounts, conducts audits and may impose fines, subject to appeal to the Constitutional Court.

### 7.23 Romania

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; permanent finance baseline plus temporary 2025 regime | Law No. 334/2006, arts. 36 and 38; GEO No. 1/2025, art. 16; AEP Decision No. 9/2025 | Permanent Electoral Authority; electoral bureaux; ANCOM, CNA and courts within competence |

Romania's permanent baseline is Law No. 334/2006 on the financing of political parties and electoral campaigns. Article 36(2)(d) expressly recognises online "electoral-propaganda material" as a permitted category. Article 36(7) defines electoral-propaganda material cumulatively: it must refer directly to an identifiable candidate or party, be used during the legally defined campaign, pursue an electoral objective, address the general public and exceed the limits of journalistic public information. The definition is therefore both actor- and time-dependent, leaving pre-campaign persuasion and issue-based communication outside the core category unless another rule applies (Law No. 334/2006, art. 36(2)(d) and (7)).

Article 36 also creates a post-campaign disclosure obligation specific to online material. Within 30 days after the campaign, competitors must submit to the Permanent Electoral Authority a declaration describing the online electoral-propaganda material, its production, the period of dissemination and the dissemination space. This is more specific than a simple expenditure total, but it remains retrospective and does not require the campaign to disclose audience-selection criteria, content variants, impressions, intermediary agencies or the identity of a platform account at the moment when the material is circulating (Law No. 334/2006, art. 36($3^2$)).

Article 38(2)(b) provides that expenditure for producing and disseminating online electoral-propaganda material may represent no more than 30% of the total expenditure that may lawfully be incurred in the campaign. The ceiling is a category allocation within the competitor's overall lawful campaign budget. Article 38(1) further requires campaign expenditure to pass through the designated campaign accounts, linking the cap to the financial-mandate and banking-control system (Law No. 334/2006, art. 38(1) and (2)(b)).

The permanent regime is strict in two structural respects. First, Article 36(4) states that the cost of electoral-propaganda material is borne exclusively by its beneficiaries, while production and dissemination outside the statutory conditions are prohibited. This is designed to prevent undisclosed third-party financing, but it requires proof that a service or placement was provided for the benefit of the competitor. Secondly, the legal definition is tied to the formal campaign period. Coordinated promotion initiated before that period, nominally independent influencer content and in-kind digital services may therefore be difficult to classify and value under the permanent text (Law No. 334/2006, art. 36(4)–(7)).

For the repeat presidential election in 2025, Government Emergency Ordinance No. 1/2025 added a much denser, election-specific regime. Article 16 imported the definitions in Regulation (EU) 2024/900 and required each political-advertising material to indicate that it was political, identify the sponsor and contact details, state whether targeting or ad-delivery techniques had been used, confirm that the expenditure derived exclusively from sources permitted by Law No. 334/2006 and indicate paid promotion where applicable. The requirements applied to promotion, distribution, posting and editing by political actors during the 2025 campaign (GEO No. 1/2025, art. 16(1)–(3)). AEP Decision No. 9/2025 operationalised those duties. Article 1 defined political-advertising material by cumulative criteria and excluded journalistic information and personal opinions expressed by persons other than political actors. Article 2 required the label, beneficiary identity and contact details, targeting or delivery indication, lawful-funding statement, paid-promotion indication and the financial agent's unique identification code. The Decision thus transformed general statutory concepts into a concrete user-facing identity rule, while maintaining an express exclusion for genuinely personal political expression (AEP Decision No. 9/2025, arts. 1–2 and Annex). Article 8 of AEP Decision No. 9/2025 referred to complaints involving false accounts, automated or coordinated networks, simulated interactions, coordinated creation or promotion of inauthentic content and deceptive assumption of identity to electoral-bureau decisions under the emergency framework. This was a significant move from material-based regulation towards behaviour and coordination. It also generated legality and due-process questions because election bureaux were required to classify complex digital conduct under compressed time limits and with evidence held predominantly by private platforms (AEP Decision No. 9/2025, art. 8; GEO No. 1/2025, art. 16).

The Constitutional Court's annulment of the 2024 presidential process exposed the gap between the permanent financial model and platform-mediated influence. The Court found the electoral process flawed in its entirety and relied on declassified official information concerning non-transparent financing, unequal treatment and coordinated online promotion. The ruling demonstrated that post-campaign declarations and a formal zero-expenditure claim from the first candidate after the first round of voting cannot by themselves exclude the absence of organised financial support from undisclosed third parties or governments. Romania, therefore, is broad in regards to written regulation, yet the enforcement of the rules was exceeded by the real political developments (Constitutional Court Ruling No. 32/2024; Law No. 334/2006, arts. 36 and 38; GEO No. 1/2025).

### 7.24 Slovakia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct but deregulatory | Act No. 181/2014 on Election Campaigns, § 14 | State Commission for Elections and Control of Funding of Political Parties |

Slovakia is a direct-reference jurisdiction because its campaign statute expressly mentions Internet broadcasting, but the reference creates an exclusion. Section 14 of Act No. 181/2014 prohibits specified candidate and party information in radio, television, on-demand audiovisual services and periodical publications during the 48 hours before election day and on election day. The same provision states that the restriction does not apply to "broadcasting through the Internet" (Act No. 181/2014 on Election Campaigns, § 14).

Materially similar political communication may be prohibited in a regulated broadcast or publication while remaining lawful when distributed online. The distinction may have reflected enforceability and freedom-of-expression concerns at the time of enactment, but convergence between broadcast websites, streaming services, platform video and social-media accounts makes the channel boundary increasingly unstable (Act No. 181/2014, § 14).

With regards to implementation, the State Commission for Elections and Control of Funding of Political Parties remains responsible for election administration and political-finance supervision. General rules on campaign expenditure, donations, media conduct and personal data can still affect digital activity. The direct DPC provision itself, however, does not impose a positive label, repository, targeting disclosure or online silence obligation (Act No. 181/2014, campaign-finance and § 14 provisions).

Consequently in Slovakia, the rule is binding and precise, but it preserves the Internet as a less restricted campaign channel. This creates an incentive to migrate last-minute communication online and complicates fairness between media.

### 7.25 Slovenia

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct through media-neutral drafting | Elections and Referendum Campaign Act (ZVRK), arts. 1 and 7; related finance and silence provisions | Election bodies; Court of Audit; competent inspectorates |

Slovenia's Elections and Referendum Campaign Act defines electoral and referendum campaigning through the activities used to influence voters. Article 1 expressly includes propaganda in the media and "electronic publications" and propaganda through telecommunications services. The formulation is broad: it follows the mode of communication rather than listing particular platforms. It can therefore capture websites, digital publications and telecommunications-based messages without requiring a new amendment for each service (ZVRK, art. 1). Article 7 requires campaign communications in electronic publications and through "telecommunications services" to contain commissioner information in addition to the statutory imprint. The immediate legal objective is attribution: the recipient should be able to identify the person or organisation that commissioned the campaign message. This is more specific than a generic publisher notice, although it does not necessarily identify the ultimate payer or controlling entity where an intermediary commissions the material (ZVRK, art. 7). The silence rule applies to campaigning across the statutory media categories, but digital persistence again requires a distinction between existing availability and a new act of publication or organised amplification.

Implementation is shared among election bodies, the Court of Audit and competent inspectorates. Slovenia's advantage is having a clear commissioner label, yet the law does not require the label to reveal targeting logic, the data source, the intermediary agency or distributed supporter networks (ZVRK, arts. 1 and 7).

### 7.26 Spain

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; broad but constitutionally qualified | LOREG, arts. 53, 58 and 58 bis; Organic Law 3/2018; Constitutional Court Judgment 76/2019 | Central Electoral Board; Court of Auditors; Spanish Data Protection Agency |

Spain's Organic Law on the General Electoral Regime (LOREG) expressly applies campaign-timing rules to digital media. Article 53 prohibits electoral advertising through commercial media or insertions in the press, radio or other digital media before the legal campaign begins. The general prohibition after the campaign and the electoral-silence architecture are medium-spanning. The rule controls when electoral publicity may be purchased or disseminated, but it does not itself reveal who was targeted or how a platform delivered the material (LOREG, art. 53). Article 58 bis governs the use of technological means and personal data in electoral activities. Its surviving provisions state that electronic electoral communications are not commercial communications, require the communication to identify its "electoral nature" prominently and provide recipients with a simple and free method of objection. This creates a sector-specific messaging rule and prevents campaigners from relying solely on commercial-marketing classifications to avoid electoral attribution (LOREG, art. 58 bis(2)–(5)).

The original Article 58 bis(1) purported to authorise political parties to collect personal data concerning political opinions in the public interest where appropriate safeguards were provided. Constitutional Court Judgment 76/2019 annulled that paragraph because the legislature had not defined the circumstances, conditions, limits and safeguards with sufficient certainty. The judgment is central to the current legal position: public availability of political opinions does not create a general licence for political profiling, and ordinary data-protection principles continue to apply (Constitutional Court Judgment 76/2019; Organic Law 3/2018, final provision amending LOREG).

The Spanish Data Protection Agency's Circular 1/2019 interpreted Article 58 bis and specified safeguards for electronic messaging and political-opinion data, subject to the Constitutional Court's annulment. The Central Electoral Board supervises electoral conduct, the Court of Auditors examines campaign accounts and the AEPD enforces data protection. The division permits specialisation but requires coordination where the same campaign combines spending, mass messaging and profiling (AEPD Circular 1/2019; LOREG, arts. 58 and 58 bis).

A more specific regulation in Spain is a 20% online-advertising cap spending. The traditional advertising-expenditure limitation has been applied to relevant digital placements. The classification is treated as an interpretation of the general campaign-finance architecture, even if it lacks statute. Spain's breadth is high and strongest on timing, electoral identification, objection rights and data legality rather than platform delivery (LOREG, arts. 53, 58 and 58 bis; applicable campaign-expenditure provisions). Research on the 2019 Spanish general-election campaigns further demonstrates why formal attribution and expenditure controls do not, without more, resolve misleading or opaque platform advertising (Cano-Orón et al., 2021).

### 7.27 Sweden

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; finance-transparency and constitutional-media framework | Elections Act (2005:837); Act (2018:90) on transparency in party financing; constitutional media laws | Swedish Election Authority; Legal, Financial and Administrative Services Agency |

Sweden does not have a dedicated national regime for digital political campaigning. The Elections Act (2005:837) governs electoral administration, voting, counting and the allocation of seats, but does not establish an official campaign period or specific transparency requirements for online political advertising. Political-finance transparency is regulated by the Act (2018:90) on Transparency in Party Financing. Parties, affiliated organisations and certain elected representatives must submit annual reports showing their sources of income, including public support, membership fees, fundraising and donations. Donations exceeding specified thresholds must be reported separately and, in certain cases, accompanied by information identifying the donor. Anonymous donations are currently prohibited only to the extent that they exceed 0.05 of the applicable price base amount.

The current Act does not impose a general ceiling on campaign spending, require parties to disclose their expenditure or create a separate category for digital advertising. Amendments adopted through SFS 2026:1461 will introduce reporting of costs and the amount spent on election campaigns, but these rules enter into force only on 1 July 2027 and will first apply to reporting for 2028. They still do not establish a specific digital-expenditure category.

At the enforcement level, the Swedish Election Authority plans and coordinates elections, while regional and municipal election authorities perform the functions assigned to them by the Elections Act. Kammarkollegiet – the Legal, Financial and Administrative Services Agency – receives and publishes political-finance reports, supervises compliance and may issue enforceable orders and financial penalties.

### 7.28 United Kingdom

| LEGAL CHARACTER | PRINCIPAL INSTRUMENTS | PRIMARY AUTHORITIES |
|---|---|---|
| Hard law; direct attribution and finance regulation | Elections Act 2022, Part 6; PPERA 2000; statutory digital-imprint guidance | Electoral Commission; police; Information Commissioner |

Part 6 of the Elections Act 2022 created a United Kingdom-wide digital-imprint regime. Specified digital campaign material must include an imprint identifying the “promoter” and the person on whose behalf the material is published. The statutory definitions distinguish paid material from specified categories of unpaid or “organic” material and determine which political purposes bring a communication within scope. The regime became operational in November 2023 (Elections Act 2022, Part 6, ss. 34–51; Elections Act 2022 (Commencement No. 9) Regulations 2023).

The imprint should appear as part of the material. Where that is not reasonably practicable, the Act permits it to be located in a directly accessible place, subject to the statutory conditions and guidance. This flexibility accommodates character limits and audiovisual formats (Elections Act 2022, Part 6; Electoral Commission, Statutory Guidance on Digital Imprints).

The Political Parties, Elections and Referendums Act 2000 continues to regulate campaign spending, donations and non-party campaigners. Digital advertising and campaign services are reportable where they fall within regulated campaign expenditure, and non-party campaigners may become subject to registration and spending controls. This finance layer complements the imprint: the imprint identifies the promoter to the audience, while PPERA provides the accounting and permissibility framework for the underlying spending.

With regards to enforcement, the Electoral Commission and police exercise functions under the imprint and finance rules and must have regard to the statutory guidance; the Information Commissioner enforces UK data-protection and electronic-communications rules relevant to voter data and direct marketing. The system provides a clear and enforceable attribution device but no general campaign-silence period, microtargeting ban or online-specific spending cap. Empirical evaluation of the 2024 general election shows that formal imprint coverage and practically intelligible attribution should not be conflated (Dommett et al., 2026).

## 8. Conclusions

This report has examined the national regulation of digital political campaigning across the EU Member States and the United Kingdom through six dimensions: digital campaign expenditure, political-advertising labelling, online-specific spending limits, microtargeting, third-party activity and online electoral silence. The analysis reveals substantial variation in the legal force, permanence and institutional enforceability of the applicable rules. Digital political campaigning is not governed by a common national regulatory model. Instead, it is regulated through partially connected electoral, campaign-finance, media, advertising, data-protection and platform-governance frameworks.

The countries examined can be divided into several broad regulatory groups. France, Latvia, Lithuania, Romania and Spain possess comparatively broad and binding frameworks. Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Estonia, Finland, Germany, Malta, Poland, Portugal, Slovenia and the United Kingdom regulate narrower components of digital campaigning through enforceable legal rules. Italy combines general binding legislation with platform-specific soft law, while Luxembourg and the Netherlands rely substantially on voluntary arrangements. Ireland is a transitional case following the repeal of its national online-political-advertising regime, while Slovakia expressly refers to the Internet in order to exclude it from the relevant electoral-silence restriction. Denmark, Greece, Hungary and Sweden record no positive entry under the six indicators, although they retain general electoral, political-finance and constitutional rules.

These findings demonstrate that regulatory breadth and legal strictness are distinct. A voluntary code addressing several digital practices is not necessarily stricter than a narrowly formulated statutory obligation supported by investigatory powers and sanctions. Conversely, the enactment of a binding rule does not establish that it effectively constrains digital campaigning. The significance of each measure depends on many variables.

At the national level, the predominant approach is to extend existing electoral concepts to digital communication rather than to adopt comprehensive DPC legislation. Online advertising may be counted as campaign expenditure, attribution duties may be applied to websites and social-media posts, and general reflection-period prohibitions may cover new online publications. This method preserves technological neutrality, but it does not necessarily capture the architecture of platform-mediated campaigning. A financial declaration may show that advertising was purchased without revealing the beneficial funder, data source, audience targeting criteria or actual delivery of the advertisement.

Several recurring regulatory gaps follow. National rules are frequently limited to the formal campaign period even though audience building, data acquisition, influencer cooperation and coordinated promotion may begin earlier (Borz, 2024). Financial reporting is effective where a digital transaction produces an identifiable invoice, but less effective where support is provided in kind, procured through intermediaries or presented as independent citizen activity. Attribution rules commonly identify the immediate promoter or payer without revealing the complete financing and distribution chain. Electoral-silence rules remain difficult to apply because online material persists, is algorithmically redistributed and may be shared without a new act by the original campaigner.

The regulation of microtargeting is particularly underdeveloped. General data-protection law constrains the processing of personal data, but it does not fully regulate electoral fairness, campaign accountability or platform delivery. None of the examined national systems establishes a permanent end-to-end regime from the origin of campaign data to the reach of the audience. Effective regulation should distinguish between the voters a campaigner targets and the audience ultimately produced by the platform's algorithmic system.

In parallel, labelling is insufficiently developed. A visible notice can identify political content and its immediate sponsor, but it becomes effective only when it extends beyond labelling individual advertisements towards traceability of the complete transaction. Such traceability would connect the political beneficiary, the beneficial funder, any third-party intermediary, the platform account, the expenditure, the targeting criteria and the delivery data.

Ultimately, the relevant question is whether the regulatory framework makes digital electoral influence sufficiently visible, attributable and reviewable before its effects become irreversible. Effective DPC regulation requires clear legal duties, institutional coordination, access to platform evidence, timely remedies and safeguards for political expression. Regulatory breadth is relevant, but the legitimacy of the framework depends on its capacity to protect electoral fairness without converting digital-campaign oversight into disproportionate control over political communication.

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