

## Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

### Mapping of national legislation – Bulgaria

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
<b>I. General information about the national legal framework</b>		
<b>National legal act(s)</b> governing political advertising	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>)</li> <li><b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>)</li> </ol> <p><b>Self-regulatory Code:</b></p> <ol style="list-style-type: none"> <li><b>National Ethical Standards for Advertising and Commercial Communication in Bulgaria</b> (<a href="https://www.nss-bg.org/en/kodeks">https://www.nss-bg.org/en/kodeks</a>)</li> </ol>	<p><b>Please provide an overview of how political advertising is regulated in your Member State:</b></p> <p>Which legal act(s) is the principal piece of legislation governing political advertising (e.g. national elections act, specific act on political advertising, media act etc.)? How are they interlinked (e.g. via definitions or other common provisions)?</p> <ol style="list-style-type: none"> <li>The Election Code provides for distinction between pre-election agitation and advertising. “Agitation” is defined as a call for support of a certain person, party or coalition in elections they participate in. Art. 140 thereof also distinguishes between pre-election campaign that is broadcast via channels of the Bulgarian National Television and Radio, and commercial advertisements. The law does not allow use in these campaigns of elements from a commercial advertisement. Also, participation in broadcast commercial advertisement of candidates, parties’ representatives, etc. is forbidden, as is including political messages in favor or against participants in the elections.</li> </ol> <p>Please, specify the principal piece of legislation or other regulations, (self-/co-regulatory codes or guidelines) governing <b>online</b> political advertising, if applicable. Please, provide any other relevant legislation and self-</p>

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		<p><i>regulatory/co-regulatory instruments applicable to political advertising, political campaigning and parties/candidates funding.</i></p> <p>2. Apart from the cited above legislation, the National Self-Regulatory Board has published its National Ethical Standards for Advertising and Commercial Communication in Bulgaria, which does NOT apply to political communication, but sets certain professional standards for commercial advertising, including online (that all political advertising should be “legal, decent, honest and truthful”, should respect human dignity, should observe the principle of equity of genders, etc.).</p> <p>The main difference between those instruments is that compliance with the legislation is mandatory, whereas the ethical standards are voluntarily complied with and issued by virtue of coordination between relevant actors.</p>
Legal and/or statutory definition of the notion of “political advertising” and “online political advertising” (if applicable)	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>)</p> <ul style="list-style-type: none"> <li>Art. 140 of the Election Code;</li> </ul> <p><b>Guideline:</b></p> <p>2. <b>Decision of the Central Election Commission No 2064-NS of 16.02.2021, regulating the terms and conditions for conducting the election campaign in the elections for Members of Parliament on April 4, 2021.</b> (<a href="https://www.cik.bg/bg/decisions/2064/2021-02-16">https://www.cik.bg/bg/decisions/2064/2021-02-16</a>)</p>	<p><i>Does your national legislation or regulations define political advertising?</i></p> <p>1. Not directly. From the above-mentioned limitations included in Art. 140 of the Election Code, it can be concluded that advertisement which contains any of the elements listed, may be considered as “political”. Hence, there are many scholarly articles that strive to formulate a comprehensive definition of political advertising as a practical term.</p> <p><i>Does your national legislation or regulations define <b>online</b> political advertising?</i></p> <p>2. No express specific definition is provided. It is included in the broader term “media services”, as defined by the Central Election Commission.</p> <p>3. No difference is observed as to the legal power of the listed sources.</p>

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If not applicable, provide <b>other definitions/terms used in the legislation close to the notion of “political advertising”</b>		<p><i>Examples: “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i></p> <p>1. The terms mainly used in the normative framework are “political marketing”, “campaigning”, “agitation”. Express definition, as mentioned above, is given to “agitation”.</p> <p><i>Please, specify whether the available definitions apply towards specific actors/persons. (e.g. political parties/candidates, media, civil society, online intermediaries or other service providers etc.).</i></p> <p>2. Applied generally in the context of political activities and media content.</p>
Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising	<p><b>Practices:</b></p> <p>1. Pre-election campaign compliance evaluation, conducted by the Council for Electronic Media (<a href="https://www.cem.bg/controlbg/1288">https://www.cem.bg/controlbg/1288</a>)</p>	<p><u>Has an evaluation of the rules and practices in place for political advertising and/or online political advertising already been carried out and if so, what are the results?</u></p> <p>1. No focused evaluation has been carried out particularly on the framework, but several academic works that contain comments on the practices applied in political PR have been published. Notably, the hardcopy edition “Political Advertising – Between Reality and Manipulation” by Georgi Manolov. The Council for Electronic Media (CEM) includes compliance evaluation of the media contents with the applicable legislative framework in its occasional Election Reports.</p> <p><u>Further to that, is there any draft legislation currently discussed in your Member State relevant for political advertising and/or online political advertising? If so, please provide a brief overview.</u></p> <p>2. Not currently identified.</p>
<b>II. Political advertising rules during pre-election campaigns</b>		

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Definitions of <b>pre-election campaigns</b> in the Member State (if applicable)	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Article 181 of the Election Code;</li> <li>Article 182 of the Election Code;</li> <li>Article 183 of the Election Code;</li> <li>Paragraph 1, subparagraph 15 from the Additional Provisions of the Election Code;</li> </ul>	<p><i>Are pre-election campaigns defined in your Member State? If so, how?</i></p> <p>1. Pre-election campaigns, also referenced as pre-election periods, are not defined by a singular definition, found in a legal act, but rather, elements of it can be found in multiple articles of the Election Code, including by the definition of the main activity, pre-election agitation, it being as follows:</p> <ul style="list-style-type: none"> <li>A call for support or non-support of a candidate, party, coalition or initiative committee in participating in elections. The name and symbols of a party and coalition placed on objects that do not contain a call for support are not considered agitation within the meaning of the Code.</li> <li>This activity is undertaken in the 30-day period before election day itself, with agitation outside of it being forbidden, including during the 24-hours silence period.</li> </ul>
National rules on <b>paid political advertising</b> during pre-election campaigns	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Article 177 of the Election Code;</li> <li>Article 179 of the Election Code;</li> <li>Article 187 of the Election Code;</li> <li>Article 194 of the Election Code;</li> <li>Article 197 of the Election Code;</li> </ul> <p>2. <b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>):</p> <ul style="list-style-type: none"> <li>Article 4, Paragraph 4 of the Radio and Television Act;</li> </ul>	<p><i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i></p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p><i>In the opposite case, to which extent is paid political advertising allowed? What are the limitations applicable?</i></p> <p><i>Please, specify whether such rules during pre-election campaigns are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</i></p> <p>1. Paid political advertising during pre-election campaigns is allowed, so long as:</p> <ul style="list-style-type: none"> <li>It does not include publishing or broadcasting of anonymous materials;</li> <li>A visual, audio or audio-visual sign that contains a label or audible message that the material contains paid political advertising;</li> <li>Media, including print and online news services, provide the same conditions and prices to all political parties, coalitions and</li> </ul>

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		<p>initiative committees that have registered candidates, which must be announced no later than 40 days before election day and sent immediately to the Bulgarian Court of Auditors and to the Central Election Commission. Payment is made in advance, at prices no higher than those for commercial advertising in the last 6 months before the start of the pre-election campaign. It ought to be pointed out that the respective media's conditions for political advertising are announced no later than 40 days before election period, whereas the actual publication/broadcasting of political advertising commences 30 days prior to election day</p> <ul style="list-style-type: none"> <li>• Paid political advertising is also allowed as part of the Official Public Electronic Media (Bulgarian National Television and the Bulgarian National Radio), and conditions for which are settled between the Director General of the Bulgarian National Television/Radio and authorised representatives of the political formation, with the materials provided by either the above stated entities, or the political formation;</li> <li>• Paid political advertising on the Bulgarian National Television and the Bulgarian National Radio and their regional centres is paid by the political parties, coalitions and initiative committees according to a tariff adopted by the Council of Ministers not later than 40 days before the election day, which shall be sent immediately to the Court of Auditors. The Central Election Commission. Payment is made before the broadcast of the election broadcast.</li> </ul> <p>2. <b>These rules are applicable and enforceable online, as long as the media service provider does not simply distribute programs for which editorial responsibility lies with third parties.</b> Furthermore, no conditions for actors, registered outside the jurisdiction, are set.</p>
National rules on financing of political parties/candidates in relation to political adverts	<p><b>National Legislation:</b></p> <p>1. Election Code (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>• Article 162 of the Election Code;</li> </ul>	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank</i></p>

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	<ul style="list-style-type: none"> <li>Article 165 of the Election Code;</li> <li>Article 166 of the Election Code;</li> <li>Article 168 of the Election Code;</li> <li>Article 178 of the Election Code;</li> </ul>	<p><i>loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <ol style="list-style-type: none"> <li>It must be stated that national rules on financing of political entities in relation to political adverts are built upon the general rules on financing, those being that the pre-election campaign can be financed by: <ul style="list-style-type: none"> <li>The separate funds of the political entity;</li> <li>The funds of the candidate himself;</li> <li>Donations from natural persons and legal entities;</li> </ul> </li> <li>On the other hand, pre-election campaigns can not be financed by the following: <ul style="list-style-type: none"> <li>Anonymous donations;</li> <li>Funds from tax indebted legal entities;</li> <li>Funds from foreign natural persons, who have no elections rights, in addition to foreign states and state-owned legal entities;</li> <li>Funds from religious institutions;</li> </ul> </li> <li>Further to this, the funding must be in accordance with the upper limit under Art. 165 of the Election Code, for each individual election in a calendar year.</li> <li>Having regard to all of the above, the state via funding of media packets provides financing for political parties, coalitions and initiative committees, who are not eligible for subsidies under the Political Parties Act, intended for various paid forms of coverage of the election campaign through the media service providers</li> </ol>
National rules on <b>free political advertising (or free airtime)</b> during pre-election campaigns	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 187 of the Election Code;</li> <li>Art. 193 of the Election Code;</li> <li>Art. 198 of the Election Code;</li> </ul> </li> </ol>	<p><i>Are political parties in your Member State allocated free political advertising during pre-election campaigns? If so, on which media is free political advertising granted?</i></p> <ol style="list-style-type: none"> <li>Political parties are allocated free political advertising, by the following methods: <ul style="list-style-type: none"> <li>The print media and online news services can cover the election campaign of registered parties, coalitions and initiative</li> </ul> </li> </ol>

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		<p>committees free of charge, while providing equal coverage and opportunities to them;</p> <ul style="list-style-type: none"> <li>• The pre-election campaign coverage in the programs of the Bulgarian National Television and the Bulgarian National Radio is opened and closed with videos of the parties, coalitions and initiative committees, lasting up to 40 seconds, which are broadcast free of charge;</li> <li>• In elections for president and vice-president, the pre-election campaign in the programs of the Bulgarian National Television and the Bulgarian National Radio are opened and closed with addresses of the candidate couples lasting up to three minutes for each of them, which are broadcast free of charge;</li> <li>• The broadcasting duration of the videos is determined in agreement between the Director General of the Bulgarian National Television, respectively of the Bulgarian National Radio, and an authorised representatives of the political parties, coalitions and initiative committees.</li> <li>• In connection with the pre-election campaign, commercial electronic medias, with the exception of the Bulgarian National Television and the Bulgarian National Radio and their regional centers, may use free forms of coverage of the election campaign of the parties, coalitions and initiative committees that have registered candidates, so long as no political suggestions in favor of or to the detriment of one or another party, coalition, initiative committee or candidate are made.</li> </ul>
National rules on political advertising on <b>broadcast media</b> during pre-election campaigns (incl. public service and private broadcasters)	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>• Art. 187 of the Election Code;</li> <li>• Art. 189 of the Election Code;</li> <li>• Art. 191 of the Election Code;</li> <li>• Art. 194 of the Election Code;</li> </ul>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i></p> <p>1. Broadcast media, while differing as to public service broadcast and private broadcasters, adheres to similar rules, those being that:</p> <ul style="list-style-type: none"> <li>• All broadcast media provide equal conditions to political parties, coalitions and initiative committees, in the designated form and time frame/period, and all political materials should adhere to the</li> </ul>



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	<ul style="list-style-type: none"> <li>Art. 198 of the Election Code;</li> </ul>	<p>same standards, as per the agreement between between the Director General of the Bulgarian National Television, respectively of the Bulgarian National Radio, and an authorised representatives of the political parties, coalitions and initiative committees;</p> <ul style="list-style-type: none"> <li>Commercial advertising, as well as any report should, objectively and fairly, reflect the actions of the candidates registered by the parties, coalitions and initiative committees, while respecting their equality and importance should not contain political suggestions in favor of or to the detriment of one or another party, coalition, initiative committee or candidate;</li> </ul>
National rules on political advertising in <b>print media</b> during pre-election campaigns	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 187 of the Election Code;</li> </ul>	<p><i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i></p> <ol style="list-style-type: none"> <li>Print media should provide the same conditions and prices, including free-of-charge services, to advertising of all parties, coalitions and initiative committees that have registered candidates, which are announced on their website no later than 40 days before election day and sent immediately to the Court of Auditors and of the Central Election Commission. Payment is made in advance.</li> <li>Where advertising is paid, it must not exceed the threshold of prices for commercial advertising in the past 6 months before elections/</li> <li>Commercial advertisements in print media may only present the actions of the candidates registered by the parties, coalitions and initiative committees, while respecting their equality and importance should not contain political suggestions in favor of or to the detriment of one or another party, coalition, initiative committee or candidate;</li> </ol>
National rules on political advertising on <b>online media applicable to political parties</b> , during pre-election campaigns	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 180 of the Election Code;</li> </ul>	<p><i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p>



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	<ul style="list-style-type: none"> <li>• Art. 187 of the Election Code;</li> </ul> <p>2. <b>Personal Data Protection Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135426048">https://www.lex.bg/laws/ldoc/2135426048</a>):</p> <ul style="list-style-type: none"> <li>• Art. 51 of the Personal Data Protection Act;</li> </ul> <p>3. <b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>)</p> <ul style="list-style-type: none"> <li>• Art. 5 of the Radio and Television Act;</li> <li>• Art. 16 of the Radio and Television Act;</li> </ul> <p>4. <b>Electronic Commerce Act</b> (<a href="https://lex.bg/en/laws/ldoc/2135530547">https://lex.bg/en/laws/ldoc/2135530547</a>)</p> <ul style="list-style-type: none"> <li>• Art. 6 of the Electronic Commerce Act;</li> </ul> <p>5. <b>Electronic Communications Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135553187">https://www.lex.bg/laws/ldoc/2135553187</a>)</p> <ul style="list-style-type: none"> <li>• Art. 261 of the Electronic Communications Act;</li> </ul>	<ol style="list-style-type: none"> <li>1. Data protection and privacy rules, as well as rules applicable to political parties for addressing electronic political communication do not exist as separate provisions conferring obligations to political subjects themselves.</li> <li>2. However, under the Personal Data Protection Act, personal data, containing political views and by analogy, data of a political nature, may be processed only when absolutely necessary and when there are appropriate guarantees for the rights and freedoms of the data subject, provided for in the law of the European Union or in the legislation of the Republic of Bulgaria.</li> <li>3. All media service providers have guarantees for their political independence and must, including on the topic of political advertising, respect the right to privacy and respect the legislation on the protection of citizens' personal data, taking into account the balance between the right to privacy and the right to freedom of expression and information.</li> <li>4. It may be concluded that regulation concerning privacy is enforced by the obligation of media service providers to publish information on remunerations and donations received as to: <ul style="list-style-type: none"> <li>• The particular political party, coalition or initiative committee;</li> <li>• The subject of the contract;</li> <li>• The terms of the contract;</li> <li>• The print media and/or online services by which the subject will be distributed;</li> <li>• The total value in BGN, without VAT, to be paid, concerning remuneration;</li> </ul> </li> <li>5. Important to note is the status of "unsolicited commercial communications" within the meaning of the Electronic Commerce Act, respectively of the Electronic Communications Act. For this type of messages the prior consent of the person is required, including in the cases when they are sent for the purpose of pre-election agitation. Political parties must comply with the general rules on direct marketing and unsolicited commercial communications, by providing an easy and effective way to refuse to receive such communications</li> </ol>

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		or to withdraw the consent of the person by sending an e-mail or short message, via use of a "link" to a website or other appropriate means.
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during pre-election campaigns	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Paragraph 1, subparagraph 15, point 2.2 from the Additional Provisions of the Election Code;</li> <li>Paragraph 1, subparagraph 16 from the Additional Provisions of the Election Code;</li> </ul>	<p><i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i></p> <p>1. According to the Election Code, information, visible on Facebook, Twitter and other online social platforms, as well as personal blogs, with the exception of information as part of the profile of a media service provider, is not considered a media service, as per the express exclusion provided in the cited provision of the Election Code ( Paragraph 1, subparagraph 16 from the Additional Provisions of the Election Code: "Social networks are not considered a media service – Facebook, Twitter and the like, along with personal blogs...") Stemming from this, all of the above described provisions and standards do not apply to such information, which is, from the standpoint of pre-election political advertising, free from any regulation.</p> <p>2. The contained exception, as to media service provider profiles, must be published by a media service provider, inter alia, a sole trader or a legal entity that bears editorial responsibility for the choice of the content of the media service and determines the manner in which it is organized. Editorial responsibility is the exercise of effective control over the content, program schemes and catalog of services provided, and does not simply distribute programs for which editorial responsibility lies with third parties.</p>
Specific rules relating to <b>"false information", fake news" or "disinformation campaigns"</b> during pre-election campaigns	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 130 of the Election Code;</li> <li>Art. 131 of the Election Code;</li> <li>Art. 176 of the Election Code;</li> <li>Art. 183 of the Election Code;</li> </ul>	<p><i>Are there specific provisions in your Member State about the dissemination of "untrue information", "false information", "fake news" or 'disinformation campaigns' during pre-election campaigns?</i></p> <p>1. Specific provisions, whose objective is to battle dissemination of the above stated information of a false nature exist, grounded in the principle of political pluralism, concerning political points of view in the context of pre-election campaigns and otherwise;</p>

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	<ul style="list-style-type: none"> <li>Art. 188 of the Election Code;</li> <li>Art. 190 of the Election Code;</li> <li>Art. 199 of the Election Code;</li> </ul> <p>3. <b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>)</p> <ul style="list-style-type: none"> <li>Art. 6 of the Radio and Television Act;</li> <li>Art. 18 of the Radio and Television Act;</li> </ul>	<p>2. All political parties, coalitions and initiative committees have equal access to all sources of information, needed for the pre-election campaigns.</p> <ul style="list-style-type: none"> <li>The use of agitation materials that endanger the life and health of citizens, private, municipal and state property and traffic safety, as well as materials that harm the good manners, honor and reputation of candidates is prohibited. The use of the coat of arms or the flag of the Republic of Bulgaria or of a foreign country, as well as religious signs or images is also prohibited in the agitation materials;</li> </ul> <p>3. Further to this, print media and online news services that publish material, which infringe on the rights and reputation of a candidate or a person representing a political party, coalition or initiative committee are obliged to publish any received answer from this person immediately after receiving a response, in the same place, with the same size, type and font format and without any added comments.</p> <p>4. In a similar manner, public service broadcasts, which include information, infringing on the rights and reputation of a candidate or a person representing the party, coalition or initiative committee, must, within 24 hours of receiving an answer, publish it, in the same place, with the same size, type and font format and without any added comments.</p>
<b>III. Political advertising rules during elections period</b>		
Definitions of <b>elections period in the Member State (if applicable)</b>	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 182 of the Election Code;</li> <li>Art. 220 of the Election Code;</li> </ul>	<p><i>How is the elections period defined in your Member State?</i></p> <p>1. There is no statutory definition of “election period”. Taking into account the ban of pre-election agitation and political media advertising 24 hours before the election day, according to art. 182, para. 4 of the Election Code, it can be concluded that <b>the election period starts 24 hours before the election day and ends at conclusion of voting.</b></p> <p>2. Art. 220 of the Election Code thereof also defines that voters vote in the time range between 07:00 AM and 22:00 PM of the election day</p>

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		regardless the time zone in which they are situated which concentrate the election day in this time period.
National rules on <b>paid political advertising</b> during elections period	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>• Art. 1 of the Election Code;</li> <li>• Art. 480 of the Election Code;</li> <li>• Paragraph 1, subparagraph 17 of the Election Code;</li> </ul>	<p><i>Is paid political advertising during election period prohibited or allowed in your Member State?</i></p> <p>1. As already mentioned above, political advertising, whether paid or unpaid, is prohibited during the silence period. Furthermore, the legislator provides in art. 480, para. 2 of the Election Code sanctions for violation of this legal prohibition in the form of fine of BGN 2 000 to BGN 5 000.</p> <p><i>If prohibited, what is the scope of the ban of paid political advertising? In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p> <p>2. The ban is formulated in general as a ban of political agitation. According to art. 1, para. 17 of the additional provisions of Election Code “agitation” is defined as a call for support of a certain person, party or coalition in elections they participate in. We can conclude accordingly that the ban includes all types of political advertising including radio, television, print or online.</p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction (e.g. enforcement of ‘silence periods’ online)</i></p> <p>3. There is no legal regulations of online advertisement but according the general ban of political agitation during the election period such is applicable for online advertising, as well.</p>
National rules on financing of political parties/candidates in relation to political adverts		<i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank</i>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p><i>loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>1. Not separately defined rules for financing used for adverts during elections period, as they are banned altogether during this time.</p>
National rules on <b>free political advertising (or free airtime)</b> during elections period		<p><i>Are political parties in your Member State allocated free political advertising during elections period?</i></p> <p>1. There is no such possibility simply because advertising is prohibited during the election period.</p>
National rules on political advertising on <b>broadcast media</b> during elections period (incl. public service and private broadcasters)		<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i></p> <p>1. Banned during the election period (which encompasses election day and the 24-hour period prior to it, as defined above). Publishing and broadcasting of anonymous political materials is prohibited. A media service provider, except electronic media, who has published material that is offensive or violates the rights of a participant in the elections, is obliged to publish a response, in case such has been received, immediately and without additional commentary. The remaining rules are applicable during pre-election campaigns.</p>
National rules on political advertising in <b>print media</b> during elections period		<p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>1. Banned during the election period.</p> <p>With regard specifically to print media, it ought to be noted that the latter, not being specified as to its types, falls under the scope of “agitation material”. There is no specific definition of what constitutes “agitation material”.</p>
National rules on political advertising on <b>online media</b>	<b>National Legislation:</b>	<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication</i></p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
applicable to political parties, during elections period	<p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Paragraph 1, subparagraph 15, point 2.2 from the Additional Provisions of the Election Code;</li> <li></li> </ul> <p><b>Guideline:</b></p> <p>2. <b>Decision of the Central Election Commission No 2064-NS of 16.02.2021, regulating the terms and conditions for conducting the election campaign in the elections for Members of Parliament on April 4, 2021.</b> (<a href="https://www.cik.bg/bg/decisions/2064/2021-02-16">https://www.cik.bg/bg/decisions/2064/2021-02-16</a>)</p>	<p>1. GDPR is applicable, also the Central Election Commission states in its cited Decision that “media services” include online media, but exclude social media and personal blogs. Hence, the ban on political advertising in the media during elections period is applicable to online media as well.</p>
Particular rules applicable to online platforms and intermediaries, such as social media, for political advertising during elections period		<p><i>Are there any particular rules to online platforms during elections period in your Member State?</i></p> <p>1. Social media and personal online blogs are expressly excluded from the scope of “media services” by virtue of the cited above decision.</p>
Specific rules relating to “false information”, “fake news” or “disinformation campaigns” during elections period	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 130 of the Election Code;</li> <li>Art. 131 of the Election Code;</li> </ul>	<p><i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or “disinformation campaigns” during elections period?</i></p> <p>2. A media service provider, except electronic media, who has published material that is offensive or violates the rights of a participant in the elections (which practically covers false information, fake news and disinformation campaigns), is obliged to publish a response, in case such has been received, immediately and without additional commentary. The remaining rules are</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		applicable during pre-election campaigns. It bears mentioning that the relevant legislation still does not provide a system of norms regulating the prevention and sanction of political disinformation and fake news.
<b>IV. Political advertising rules outside of elections period</b>		
National rules on <b>paid political advertising</b> outside of elections period	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>• Art. 133 of the Election Code;</li> <li>• Art. 135 of the Election Code;</li> <li>•</li> </ul> <p><b>Guideline:</b></p> <p>2. <b>Decision of the Central Election Commission No 2064-NS of 16.02.2021, regulating the terms and conditions for conducting the election campaign in the elections for Members of Parliament on April 4, 2021.</b> (<a href="https://www.cik.bg/bg/decisions/2064/2021-02-16">https://www.cik.bg/bg/decisions/2064/2021-02-16</a>)</p>	<p><i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i></p> <p>1. Prohibited political agitation as per Art. 133, paragraph 6 of the Election Code.</p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p>2. Several texts are applicable, as they regulate different aspects. Art. 135 of the Election Code prohibits political agitation materials to be placed within the Republican Road Network and the municipal roads outside of the pre-election campaign period. Full ban on agitation starting 24 hours before the election day (so-called “Reflection day”) and continuing through the election day itself.</p> <p><i>If allowed, are there restrictions on paid political advertising?</i> <i>Please, specify whether such rules outside of elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</i></p> <p>3. Political advertising may not be carried out outside the scope of a political campaign, running for certain set of elections. This is so due to the fact that no commercial advertisement is allowed to spread messages that would make political influence or contain certain politically affiliated elements. This is reinforced by the stipulation that regional governors and municipality mayors may look into complaints as to advertising outside of the pre-election</p>



Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		period, as defined in the Decision of the Central Election Commission.
<b>National rules on financing of political parties in relation to political adverts</b>	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Political Parties Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135501352">https://www.lex.bg/laws/ldoc/2135501352</a>) <ul style="list-style-type: none"> <li>Art. 29 of the Political Parties Act;</li> </ul> </li> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 150 – 161 of the Election Code</li> </ul> </li> </ol>	<p><i>Please, provide a brief description of the national rules on financing of political parties/candidates in relation to political adverts (e.g. earmarking donations and contributions for advertising or specific campaigns, bank loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts)</i></p> <ol style="list-style-type: none"> <li>The specific regulatory provisions in respect to general political parties financing are contained in both the Election Code and the Political Parties Act. Since advertising is allowed only during the course of a pre-election campaign, the financing conditions applicable to such campaigns shall be considered as applicable to advertising funding as well. Art. 29, PPA prescribes the general fund disposal obligations. Relevant thereof are the requirement to create and maintain public register that lists, inter alia, the names of sociology and advertisement and PR agencies, which the party works with, as well as the annual financial reports and the reports for pre-election campaigns. The Election Code further provides a whole Section dedicated to financing of a pre-election campaign, which stipulates the fixed limits, that each category of participants/elections may spend on the latter.</li> </ol>
National rules on <b>free political advertising (or free airtime)</b> outside of elections period		<p><i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i></p> <ol style="list-style-type: none"> <li>Not outside of elections campaigns.</li> </ol>
National rules on political advertising on <b>broadcast media</b> outside of elections period (incl. public service and private broadcasters)	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 148 of the Election Code;</li> </ul> </li> </ol>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i></p> <ol style="list-style-type: none"> <li>Political advertising is not allowed outside pre-election campaigns.</li> </ol>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
National rules on political advertising in <b>print media</b> outside of elections period	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Political Parties Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135501352">https://www.lex.bg/laws/ldoc/2135501352</a>) <ul style="list-style-type: none"> <li>Art. 23 of the Political Parties Act;</li> </ul> </li> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 134 of the Election Code</li> </ul> </li> </ol>	<p><i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i></p> <ol style="list-style-type: none"> <li>As per art. 23 PPA, the parties have right to publish and sell their own print and audio-visual editions. However, political advertising is not allowed outside pre-election campaigns. Art. 134 of the Election Code obliges the Parties to remove all agitation/advertising materials placed during a campaign within three days after the end of the election day.</li> </ol>
National rules on political advertising on online media <b>applicable to political parties</b> , outside of elections period	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 138 of the Election Code;</li> </ul> </li> </ol>	<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication <b>NB: “elections period” is deemed to mean 24 hours before the election day and the election day, from 07:00 until 22:00.</b></i></p> <ol style="list-style-type: none"> <li>The Parties' websites have to comply with all applicable GDPR requirements. They must make public on their websites reports on funds spent. According to the Election Code, Art. 138a, all media services providers are obliged to publish on their websites the full contents of contracts, concluded with all registered election participants within 3 days from concluding each respective contract. Since most political parties also have official accounts in global social media platforms, their moderators have to comply with the applicable thereto internal rules in respect to content limitations.</li> </ol>
<b>V. Rules and obligations applicable to online platform operators and intermediaries of political advertising</b>		

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
Particular rules <b>applicable to online platforms and intermediaries</b> such as social media for political advertising	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>• Paragraph 1, subparagraph 15, point 2.2 from the Additional Provisions of the Election Code;</li> <li>• Paragraph 1, subparagraph 16 from the Additional Provisions of the Election Code;</li> </ul>	<p><i>Are there any particular rules applicable to online platforms in your Member State (e.g. disclosure requirements to users, record-keeping requirements, reporting requirements)?</i></p> <p><i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i></p> <p><i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i></p> <ol style="list-style-type: none"> <li>1. As per the above stated in Point 2, according to the Election Code, information, visible on Facebook, Twitter and other online social platforms, as well as per personal blogs, with the exception of information as part of the profile of a media service provider, is not considered a media service. Stemming from this, all of the above described provisions and standards do not apply to such information, which is, from the standpoint of pre-election political advertising, free from any regulation.</li> <li>2. So long as information is disseminated as part of a media service provider profile, materials, which infringe on the rights and reputation of a candidate or a person representing a political party, coalition or initiative committee are obliged to publish any received answer from this person immediately after receiving a response, in the same place, with the same size, type and font format and without any added comments.</li> </ol>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
<b>VI. Transparency rules for political parties/candidates funding</b>		
Rules on <b>direct public funding<sup>1</sup> to political parties and/or candidates</b>	<b>National Legislation:</b> <ol style="list-style-type: none"> <li><b>Political Parties Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135501352">https://www.lex.bg/laws/ldoc/2135501352</a>) <ul style="list-style-type: none"> <li>Art. 21 of the Political Parties Act;</li> <li>Art. 23 of the Political Parties Act;</li> <li>Art. 25 of the Political Parties Act;</li> <li>Art. 27 of the Political Parties Act;</li> </ul> </li> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 150 Election Code</li> </ul> </li> </ol>	<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <ol style="list-style-type: none"> <li>Direct public funding is mainly in the form of monetary state subsidies. State subsidies are provided to certain parties and coalitions, the criterion being the percentage of votes received from the total amount of actual votes. Rules differ for parties and coalitions, former have to pass the 1 percentile barrier, and the latter – 4 percent barrier. Subsidy amount per actual vote is updated each year via the State Budget Act.</li> <li>Pursuant to Art. 23 – 24 of the Political Parties Act (amended in 2019), donations can be made by natural/legal persons.</li> </ol>
Rules on <b>indirect public funding<sup>2</sup> to political parties and/or candidates</b>	<b>National Legislation:</b> <ol style="list-style-type: none"> <li><b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>Art. 138 of the Election Code;</li> <li>Art. 139, Paragraph 1 and 3 of the Election Code;</li> <li>Art. 143 of the Election Code;</li> <li>Art. 147, Paragraph 1 of the Election Code;</li> <li>Art. 168, Paragraph 3 of the Election Code;</li> </ul> </li> </ol>	<p><i>Are there provisions for indirect public funding for electoral campaigns in your Member State? Please give a brief description and specify transparency provisions.</i></p> <ol style="list-style-type: none"> <li>The Bulgarian National Television and Radio programmes cover the [pre-election campaigns via clips, chronicles, disputes and other forms, within the strictly prescribed for these purposes air time. The specific forms, dispute topics and teams are defined in accordance with an agreement between the general directors of the National television and radio and authorized representatives of the parties. Conditions and applicable prices are immediately</li> </ol>

<sup>1</sup> **Public funding** refers to **funds or resources** provided by the State/Government to political parties and/or candidates . Depending on the form in which public resources are made available, public funding is divided into direct public funding or indirect public funding. Direct public funding corresponds to the allocation of direct public funds to political parties and/or candidates in the form of money, usually as bank transfers but at times in cash or cheque. See more information at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/default>

<sup>2</sup> **Indirect** public funding is when resources with a monetary value are provided by the Government to political parties and/or candidates. Such resources may be, for instance, granting of media access (free advertising slots in publicly owned media), interest-free loans for paying registration fees or mounting a basic election campaign, free printing and distribution of ballot papers, use of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
	<ul style="list-style-type: none"> <li>Art. 172, Paragraph 1 of the Election Code;</li> </ul> <p>2. <b>Political Parties Act</b> (<a href="https://www.lex.bg/laws/ldoc/2135501352">https://www.lex.bg/laws/ldoc/2135501352</a>)</p> <ul style="list-style-type: none"> <li>Art. 23 of the Political Parties Act;</li> <li>Art. 27 of the Political Parties Act;</li> <li>Art. 34 of the Political Parties Act;</li> <li>Art. 35a of the Political Parties Act;</li> </ul>	<p>sent to the Court of Auditors. Pre-election broadcasting on the National television and radio and their regional centres is paid by the participants in accordance to a tariff, issued by the Council of Ministers not later than 40 days before the election day. Transparency is ensured due to the obligation for this information to be sent immediately to the Court of Auditors and the Central Election Commission.</p> <p>2. Transparency is ensured by the Parties' obligation to submit full financial statements for the previous year to the Court of Auditors, by 31 March of next year. These statements are later published on the Court's website. Further to this, within 30 days after an election, a statement of revenue, expenditure and payment commitments, concerning the election campaign, as well as a bank account statement, must be presented to the Court of Auditors. Outside of this, no other transparency provisions exist as to the financial aspects.</p> <p>3. Outside of the above, use of "Public administrative resource", in the meaning of budget funds, premises, cars, planes and other means of transport, equipment and other movable and immovable property - state or municipal property, provided to the administration, state and local authorities, and state and municipal enterprises, as well as the work of employees in the administration, is forbidden</p>
Rules on free or subsidised access to media for political parties and/or candidates	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 142, Paragraph 3 of the Election Code;</li> <li>Art. 145, Paragraph 5 of the Election Code;</li> </ul>	<p><i>Are there provisions for free or subsidized access to media for political parties in your Member State? Please give a brief description and specify transparency provisions.</i></p> <p>1. Appearances on National television and Radio for the purposes of Art. 142(3) and 145(5) are not paid by candidates (relevant to Presidential elections).</p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
	<ul style="list-style-type: none"> <li>Art. 147, Paragraph 2 of the Election Code;</li> </ul>	
Rules on <b>foreign contributions to political parties and political campaigns</b>	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 152 of the Election Code</li> </ul>	<p><i>Is there a ban on contributions from foreign interests (i.e. foreign countries and governments, foreign companies, foreign organisations, foreign private persons) to political parties and/or to candidates during political campaigns in your Member State?</i></p> <p>1. Yes, contributions for pre-election campaigns is banned from foreign private persons, apart from those who are citizens of another EU state having voting rights as per the Election Code; and from foreign governments or foreign state companies, foreign commercial companies or foreign NGOs.</p>
<b>VII. Monitoring and enforcement of national rules on political advertising by national authorities</b>		
National (or regional/local if applicable) <b>authority or body responsible</b> for monitoring national rules on political advertising	<p><b>National Legislation:</b></p> <p>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>):</p> <ul style="list-style-type: none"> <li>Art. 57 of the Election Code;</li> <li>Art. 72 of the Election Code;</li> <li>Art. 87 of the Election Code;</li> </ul> <p>2. <b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>):</p> <ul style="list-style-type: none"> <li>Art. 20 of the Radio and Television Act;</li> <li>Art. 32 of the Radio and Television Act;</li> </ul>	<p><i>Who is responsible for monitoring national rules on political advertising, (e.g. political communications and advertisement messages, the balanced presence and equity of all political candidates)?</i></p> <p>1. According to the Election Code, the competent authority for the control over political advertising differs as to the territorial competence of the advertising itself, in its nature it being considered a media service. On this basis, competent is either the Central Election Commission, the Regional Election Commission and the Municipal Election Commission, who are a part of the same hierarchical structure.</p> <p>2. In addition, the Council for Electronic Media has competence to notify the Election Commissions of any irregularities noticed, concerning violations of the Election Code.</p>
Particular measures for <b>supervising online political advertising</b> within and outside elections periods	<p><b>National Legislation:</b></p> <p>1. <b>Radio and Television Act</b> (<a href="https://www.lex.bg/laws/ldoc/2134447616">https://www.lex.bg/laws/ldoc/2134447616</a>):</p> <ul style="list-style-type: none"> <li>Art. 32 of the Radio and Television Act;</li> </ul>	<p><i>How are national rules on political advertising, including online, ensured in your Member State, if these exist? What are the enforcement powers of the relevant authority/body, as well as procedural safeguards?</i></p>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<ol style="list-style-type: none"> <li>1. The enforcement of the national rules is ensured by the existing provisions as to the authority of each body. While in general they are not precise and detailed enough, concerning the Electronic Media Council, there do exist more detailed regulation, stating it is competent to: <ul style="list-style-type: none"> <li>• Develop specialised monitoring of the activity of the media service providers during the pre-election campaign, which it submits to the Central Election Commission; the scope and parameters of the specialised monitoring are determined by an agreement between the Electronic Media Council and the Central Election Commission, concluded before the opening of the pre-election campaign, regardless of the territorial scope of the programs;</li> </ul> </li> </ol>
<b>Sanctions, penalties and remedy measures</b> applicable in violation of the law	<p><b>National Legislation:</b></p> <ol style="list-style-type: none"> <li>1. <b>Election Code</b> (<a href="https://www.lex.bg/laws/ldoc/2136112596">https://www.lex.bg/laws/ldoc/2136112596</a>): <ul style="list-style-type: none"> <li>• Art. 472 of the Election Code;</li> <li>• Art. 473 of the Election Code;</li> <li>• Art. 474 of the Election Code;</li> <li>• Art. 476 of the Election Code;</li> <li>• Art. 477a of the Election Code;</li> <li>• Art. 480 of the Election Code;</li> <li>• Art. 485 of the Election Code;</li> </ul> </li> </ol>	<p><i>How are national rules on political advertising enforced in your Member State and what sanctions and remedy measures are applicable?</i></p> <ol style="list-style-type: none"> <li>1. The establishment of the violations of the Election code, the drawing of the acts establishing violations, the issuance and the appeal of the penal decrees is carried out according to the procedural rules of the Administrative violations and punishments act, with the exception of the specification of competent authorities.</li> <li>2. At present, the relevant election commission establishes the violations, with the administrative sanctions decrees being issued by the Regional Governor.</li> <li>3. Sanctions in the form of a fine are provided for violations of the Election Code, with no further remedy, including imprisonment, being specified. Such fines are issued fairly often, especially during pre-election campaigns or during the time closely preceding such, usually on notices, sent to the Central Election</li> </ol>



Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>Commission by the Electronic Media Council. Exemplary violations are those, concerning:</p> <ul style="list-style-type: none"> <li>• Non-compliance with order for removal of agitation materials;</li> <li>• Violation of prohibition of agitation materials outside of pre-election campaigns;</li> <li>• Non-compliance with the obligation to state paid political advertising;</li> <li>• Violation of obligation to state financing and declaration of funding for elections;</li> <li>• Conducting agitation in forbidden places and non-inclusion of mandatory content;</li> <li>• Not publishing answer of a candidate or person representing a political party, coalition or initiative committee, whose rights are infringed;</li> </ul>

## Annex – List of relevant legislation

- In this Annex, please list all the sources provided in the second column of the table

Name of the sources	Link to the sources	Sources translated into EN
Изборен кодекс;	<a href="https://www.lex.bg/laws/ldoc/2136112596;">https://www.lex.bg/laws/ldoc/2136112596;</a>	Election Code;
Закон за радиото и телевизията;	<a href="https://www.lex.bg/laws/ldoc/2134447616;">https://www.lex.bg/laws/ldoc/2134447616;</a>	Radio and Television Act;
Закон за политическите партии;	<a href="https://www.lex.bg/laws/ldoc/2135501352;">https://www.lex.bg/laws/ldoc/2135501352;</a>	Political Parties Act;
Закон за електронната търговия;	<a href="https://lex.bg/en/laws/ldoc/2135530547;">https://lex.bg/en/laws/ldoc/2135530547;</a>	Electronic Commerce Act;

<b>Закон за електронните съобщения;</b>	<a href="https://www.lex.bg/laws/ldoc/2135553187">https://www.lex.bg/laws/ldoc/2135553187</a> ;	<b>Electronic Communications Act;</b>
<b>Решение на Централната изборителна комисия № 2064-NS от 16.02.2021 г., регламентиращо условията и реда за провеждане на предизборната кампания при изборите за народни представители на 4 април 2021 г.</b>	<a href="https://www.cik.bg/bg/decisions/2064/2021-02-16">https://www.cik.bg/bg/decisions/2064/2021-02-16</a> ;	<b>Decision of the Central Election Commission No 2064-NS of 16.02.2021, regulating the terms and conditions for conducting the election campaign in the elections for Members of Parliament on April 4, 2021;</b>
<b>Доклад от наблюдението на предизборната кампания, изготвен от Съвета за електронни медии;</b>	<a href="https://www.cem.bg/controlbg/1288">https://www.cem.bg/controlbg/1288</a> ;	<b>Pre-election campaign compliance evaluation, conducted by the Council for Electronic Media;</b>
<b>Национални етични стандарти за реклама и търговска комуникация в България;</b>	<a href="https://www.nss-bg.org/en/kodeks">https://www.nss-bg.org/en/kodeks</a> ;	<b>National Ethical Standards for Advertising and Commercial Communication in Bulgaria;</b>