

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 – Greece

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-regulatory codes or guidelines</u>	Summary of the rules
I. General information about the national legal framework		
National legal act(s) governing political advertising	<p>Law 3023/2002 on Public Funding of political parties, Government Gazette A/146/25.6.2002 https://www.kodiko.gr/nomothesia/document/179650</p> <p>Presidential Decree 26/2012 on National Elections Procedure for the Parliamentary Body https://www.e-nomothesia.gr/kat-bouli-bouleutes/pd-26-2012.html</p> <p>Law 4648/2019 on National Elections Procedure https://www.kodiko.gr/nomothesia/document/583667</p>	<p>Please provide an overview of how political advertising is regulated in your Member State: 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.)?</p> <p>There is no specific piece of law governing political advertising. The Law applicable is 3023/2002 on public funding of political parties as modified by Law 4635/2019. For the political advertising during elections Decree 26/2012 and Law 4648/2019 are applicable.</p> <p><i>Please, specify the principal piece of legislation or other regulations, (self-/co-regulatory codes or guidelines) governing online political advertising, if applicable. Please, provide any other relevant legislation and self-regulatory/co-regulatory instruments applicable to political advertising, political campaigning and parties/candidates funding.</i></p> <p>There is no such piece of legislation adopted or currently prepared in Greece. Self-regulatory framework in Greece does not exist at all.</p>
Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)	Not applicable.	<p><i>Does your national legislation or regulations define political advertising?</i> No. There is no such explicit definition.</p> <p><i>Is “online political advertising” defined by law or other regulations, self-regulatory codes or guidelines?</i> No. There is no such explicit definition.</p>

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If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	Article 9(1) and 10 (1) Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<i>Examples: “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i> There is no legislative definition of political advertising. Instead of this, term “ display of messages of political parties ” (in Greek: προβολή πολιτικών μηνυμάτων) is introduced by Law 3023/2002 on Public Funding of political parties, more specifically by Article 9 para 1 or ‘pre-election messages’ (in Greek: προεκλογικά μηνύματα) by Article 10 para 1. There is no quote that defines them in these provisions only a mere reference.
Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising	Not applicable.	<i>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?</i> No. <i>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.</i> No.
II. Political advertising rules during pre-election campaigns		
Definitions of pre-election campaigns in the Member State (if applicable)	Article 1 Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<i>How are the pre-election campaigns defined in your Member State?</i> Notwithstanding the absence of a clear definition of ‘pre-election campaign’ one can infer from the definition of ‘pre-election expenses’ in Article 1 that they refer (a) to the period of six (6) months before the announcement of the regular general parliamentary elections or the elections of the Greek representatives in the European Parliament, and (b) the period from the announcement of the candidates and ,up to two (2) months after the holding of the regular general parliamentary elections or the elections of the Greek representatives in the European Parliament.
National rules on paid political advertising during pre-election campaigns	Article 13, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650 Article 7 para 3, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i> <i>If prohibited, what is the scope of the ban of paid political advertising?</i> <i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i> Yes it is allowed, but the maximum amount a party can spend in General or European elections including the value of amenities and facilities may not exceed the amount of 20% of the last recurrent funding of all political parties. Any private funding to a political party in excess of the amount of five hundred (500) euros is carried out only compulsorily through the bank account of the political party including the ID of the depositor.
National rules on financing of political parties/candidates in relation to political adverts	There are no rules specific 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 loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i>

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		There are no rules specific to political adverts.
National rules on free political advertising (or free airtime) during pre-election campaigns	Article 10 para 1, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<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> Yes. It is compulsory for the public and private TV and radio to transmit the messages of the political parties and coalitions during election campaigns. The transmission is free and free of tax.
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	Article 10 and 11, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i> It is compulsory for the public and private TV and radio to transmit the messages of the political parties and coalitions during election campaigns. The transmission is free and free of tax. The transmission by public and private radio and television stations of free reception, as well as by providers of subscription radio and television services, of advertising messages which promote political parties or coalitions of political parties, with the exception of the transmission of such advertising messages as defined in article 10, is prohibited. There is an obligation for balanced advertising regulated through a joint ministerial decision, which determines the time available in the news bulletins of the state and private radio and television stations for the presentation of the pre-election activity of the parties and the coalitions of the parties.
National rules on political advertising in print media during pre-election campaigns	Article 11 para 1, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i> The hanging or affixing of banners, posters and any other type of projection material, outside the areas designated by the municipalities (article 9(3)) is prohibited.
National rules on political advertising on online media applicable to political parties , during pre-election campaigns	Not applicable.	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i> None.
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during pre-election campaigns	Not applicable.	<i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i> No.
Specific rules relating to “false information”, fake news” or “disinformation campaigns” during pre-election campaigns	Not available.	<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> No.

III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)	Article 1 para 4 Law 4648/2019 https://www.kodiko.gr/nomothesia/document/583667	<i>How is the elections period defined in your Member State?</i> The duration of the election period is determined by a presidential decree, issued at least 25 days before the date set for the voting. The voting is completed in 1 day and its conduct is set between the 4th and the previous day of the voting within the Greek Territory.
National rules on paid political advertising during elections period	Not available	<i>Is paid political advertising during election period prohibited or allowed in your Member State?</i> <i>If prohibited, what is the scope of the ban of paid political advertising?</i> <i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i> Political advertising of any kinds during the election period is not allowed in Greece so as not to affect the public opinion. Freedom of expression is one of the conditions necessary to ensure the free expression of the opinion of the people in the choice of the legislature. For this reason, it is particularly important in the period during an election that opinions and information of all kinds not to be allowed.
National rules on financing of political parties/candidates in relation to political adverts	No specific rules 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 loans obtention for sponsoring advertising campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i> No adverts-specific rules.
National rules on free political advertising (or free airtime) during elections period	Article 10 para 3 Law 3023/2012 https://www.kodiko.gr/nomothesia/document/179650	<i>Are political parties in your Member State allocated free political advertising during elections period?</i> Political advertising of campaign messages is for free and is exempt from any fee or tax fee. However, no political advertising or any political message is allowed to be transmitted, within the silence period (2 days). The silence period begins on the day preceding the vote and lasts until polling stations are closed (19.00). During this period, the broadcasting of advertisements and campaign events is prohibited, as well as the publication of electoral projections.
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	Article 45 Presidential Decree 26/2012 https://www.e-nomothesia.gr/kat-bouli-bouleutes/pd-26-2012.html Article 10 para 3 Law 3023/2012	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i> No political advertising or any political message is allowed to be transmitted in the broadcast media, within the silence period (2 days). Free broadcasting time on public

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	https://www.kodiko.gr/nomothesia/document/179650	and private radio and TV channels is allocated to political parties in order for them to broadcast their positions and programmes. This free air time is allocated to the parties on a proportional basis, according to a joint ministerial declaration published in the official Gazette and is free of tax. The parties that are running in elections but are not represented in Parliament are allocated a minimum broadcasting time.
National rules on political advertising in print media during elections period	Article 48 Presidential Decree 26/2012 https://www.e-nomothesia.gr/kat-bouli-bouleutes/pd-26-2012.html	<i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i> Political advertising such as posting and distribution of posters and leaflets of pre-election programs and messages during the election period is prohibited.
National rules on political advertising on online media applicable to political parties , during elections period	Not available	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i> None.
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during elections period	Article 48 Presidential Decree 26/2012 https://www.e-nomothesia.gr/kat-bouli-bouleutes/pd-26-2012.html	<i>Are there any particular rules to online platforms during elections period in your Member State?</i> Political advertising such as uploading of posters and online materials, and pre-election advertisements and messages during the election period are prohibited.
Specific rules relating to “false information”, “fake news” or “disinformation campaigns” during elections period	Not available	<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> None.
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period	Not available	<i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i> <i>If prohibited, what is the scope of the ban of paid political advertising?</i> <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> No. <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</i>

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	Art. 13 Law 3023/2012 https://www.kodiko.gr/nomothesia/document/179650	<i>contributions for advertising or specific campaigns, entities, or categories of actors not entitled to purchase or finance political adverts).</i> The maximum election expenses allowed for advertisements in the press for each candidate is determined to 20% of the maximum allowable amount of electoral expenditure.
National rules on financing of political parties in relation to political adverts	No adverts-specific rules.	<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> No adverts-specific rules.
National rules on free political advertising (or free airtime) outside of elections period	Not available	<i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i> None.
National rules on political advertising on broadcast media outside of elections period (incl. public service and private broadcasters)	Not available	<i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i> None.
National rules on political advertising in print media outside of elections period	Not available	<i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i> None.
National rules on political advertising on online media applicable to political parties , outside of elections period	Not available	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i> None.
V. Rules and obligations applicable to online platform operators and intermediaries of political advertising		
Particular rules applicable to online platforms and intermediaries such as social media for political advertising	Not available	<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> <i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i> <i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i> None.

VI. Transparency rules for political parties/candidates funding		
Rules on direct public funding¹ to political parties and/or candidates	Article 1(b), 7 and 8 , Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650	<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <p>Yes. Public funding is defined as the statutory financial assistance to beneficiaries of public funding and is divided into a) regular state funding; b) electoral; c) for research and training activities of the political parties.</p> <p>Private funding of a political party or coalition, by the same person, during the same year, may not exceed a total amount of twenty thousand (20,000) euros. The private funding of a candidate and / or elected representative of the Hellenic Parliament and the European Parliament by the same person, during the same year, may not exceed the total amount of five thousand (5,000) euros. Any private financing in a political party that exceeds the amount of five hundred (500) euros is obligatorily carried out only through the bank accounts with obligatory indication of the identity of the financier. Any funding from natural persons without Greek nationality is prohibited. Funding from legal entities under public or private law; local governmental organizations of all ranks; natural persons, who are owners or publishers of newsletter or are owners of radio or television stations are also prohibited.</p>
Rules on indirect public funding² to political parties and/or candidates	No, except from free access to media for political parties and/or candidates.	<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> <p>No.</p>
Rules on free or subsidised access to media for political parties and/or candidates	<p>(parties) Article 10 para 1, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650</p> <p>(candidates) Article 12, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650</p>	<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>Parties: It's compulsory for the public and private TV and radio to transmit the messages of the political parties and coalitions during election campaigns. The transmission is free and free of tax.</p> <p>Candidates: Candidates are banned to display promotional messages via public and private radio and TV or pay-TV service providers. Paragraph 2 indicates that the appearance of candidates in public or private TV is permitted under the following conditions: at any national radio or TV station only one candidate is allowed to appear during the election period. In local and regional radio or TV stations, the candidate may appear two times during the election period.</p>

¹ **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>

² **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>

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Rules on foreign contributions to political parties and political campaigns	<p>Article 7B para 4, Law 3023/2002 (funding to political parties) https://www.kodiko.gr/nomothesia/document/179650</p> <p>Article 7 para 6, Law 3023/2002 (funding to candidates) https://www.kodiko.gr/nomothesia/document/179650</p>	<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>Parties: The law bans donations and services from natural persons/not Greek nationals, public legal entities or private entities, local authorities at every level, natural persons/owners (their spouses and descendants) of journals, radio and TV channels. Foreign sources are not specifically mentioned.</p> <p>Candidates: The law bans donations and services from natural persons/not Greek nationals, public legal entities or private entities, local authorities at every level, natural persons/owners (their spouses and descendants) of journals, radio and TV channels. Foreign sources are not specifically mentioned.</p>
VII. Monitoring and enforcement of national rules on political advertising by national authorities		
National (or regional/local if applicable) authority or body responsible for monitoring national rules on political advertising	<p>Article 21, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650</p>	<p><i>Who is responsible for monitoring national rules on political advertising, (e.g. political communications and advertising messages, the balanced presence and equity of all political candidates)?</i></p> <p>Audit Committee of article 21 for any violation of Law 3023/2002</p>
Particular measures for supervising online political advertising within and outside elections periods	None.	<p><i>How are national rules on political advertising online ensured in your Member State, if these exist?</i></p> <p>None.</p>
Sanctions, penalties and remedy measures applicable in violation of the law	<p>Article 24, Law 3023/2002 https://www.kodiko.gr/nomothesia/document/179650</p>	<p><i>How are national rules on political advertising enforced in your Member State and what sanctions and remedy measures are applicable?</i></p> <p>Parties that refuse to undergo the scrutiny of the Audit Committee/violate the regulations can be sanctioned with fines, prison, loss of public funding, forfeiture, loss of elected office.</p> <p>The fines vary depending on the violation and fluctuate from 5 to 40% of the sum of public funding paid per year to the party. If the party does not receive public funding, the fine can be up to 150.000 EUR. The maximum imprisonment sentence is two years.</p>

Annex – List of relevant legislation

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

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- A simple reference to the source is sufficient and you do not need to provide the details of the specific provisions. Please include the link to the sources as well as a translation of their name in the last column of the table.

Name of the sources	Link to the sources	Sources translated into EN
Νόμος 3023/2012 όπως τροποποιήθηκε από τον Ν. 4635/2019	https://www.kodiko.gr/nomothesia/document/179650	Public Funding of Political Parties - Law 3023/2012 as amended by Law 4635/2019
Προεδρικό Διάταγμα 26/2012 (ΦΕΚ Α/57/15.03.2012)	https://www.hellenicparliament.gr/UserFiles/f3c70a23-7696-49db-9148-f24dce6a27c8/PD%2026-2012.pdf	National Elections Procedure for the Parliamentary Body - Presidential Decree 26/2012
Νόμος 4648/2019 για εκλογική διαδικασία.	https://www.kodiko.gr/nomothesia/document/583667	Elections Procedure – Law 4648/2019