

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 – Croatia

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
I. General information about the national legal framework		
National legal act(s) governing political advertising	<p>Law on Elections of Representatives to the Croatian Parliament¹</p> <p>Law on Financing Political Activities, Election Campaigns and Referendums²</p> <p>Law on the right to access information³(amended in 2015)</p> <p>Rules on electronic media with a national concession in the Republic of Croatia during the election campaign⁴</p> <p>Law on the Voter Register⁵</p>	<p>Please provide an overview of how political advertising is regulated in your Member State:</p> <p><i>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)?</i></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>The conduct of elections is primarily governed by the Law on the Election of Representatives to the Croatian Parliament. In addition, to this general law that contains provisions about the election campaigns, the Law on Financing Political Activities, Election Campaigns and</p>

¹ https://narodne-novine.nn.hr/clanci/sluzbeni/2015_06_66_1259.html

² https://narodne-novine.nn.hr/clanci/sluzbeni/2019_03_29_602.html

³ https://narodne-novine.nn.hr/clanci/sluzbeni/2013_02_25_403.html

⁴ https://narodne-novine.nn.hr/clanci/sluzbeni/2014_10_118_2222.html

⁵ https://narodne-novine.nn.hr/clanci/sluzbeni/2019_10_98_1930.html

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	Electronic Media Act ⁶	<p>Referendums, adopted in 2019, regulates in detail the financing of political within the prelection period (including the paid political campaigning) and the financing of their regular annual activities (outside the election period).</p> <p>There is no specific regulations regarding the online advertising during the pre/election period. The Electronic Media Act provides for general provisions regarding the online publications, however they do not apply to social media.</p>
Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)	Law on Financing Political Activities, Election Campaigns and Referendums	<p><i>Does your national legislation or regulations define political advertising?</i></p> <p><i>Does your national legislation or regulations define online political advertising?</i></p> <p>The Law does not contain a definition of “political advertising”, however, it uses the term ‘media advertising of political campaign’.</p> <p>There is no specific definition when it comes to ‘online political advertising’.</p>
If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	Art. 2 of the Law on Financing Political Activities, Election Campaigns and Referendums	<p><i>Examples: “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i></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>The law contains only the definition of "election campaign" as being a set of actions taken by election campaign participants relating to their own public representation and the public presentation and explanation of their own election programs in order to persuade voters to vote for them.</p>

⁶ https://narodne-novine.nn.hr/clanci/sluzbeni/2013_07_94_2133.html

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Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising		<p><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></p> <p><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></p> <p>OSCE Election Assessment Mission Final Report Parliamentary Elections 5 July 2020⁷</p> <p>The report in particular provides for recommendations to enhance transparency and to minimize the possibility of circumvention of regulations on donations. Furthermore, it is advised to regulate loans taken to finance campaign activities.</p> <p>In addition, the report underlines the importance of the Agency for Electronic Media which should have a more formal role in monitoring election coverage, including online and to assist the State Election Commission in the implementation of media-related legal provisions.</p>
II. Political advertising rules during pre-election campaigns		
Definitions of pre-election campaigns in the Member State (if applicable)	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<p><i>Are pre-election campaigns defined in your Member State? If so, how?</i></p> <p>The Law defines "election campaign" as being a set of actions taken by election campaign participants relating to their own public representation and the public presentation and explanation of their own election programs in order to persuade voters to vote for them.</p>

⁷ <https://www.osce.org/files/f/documents/8/4/471453.pdf>

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		In addition, Art. 28 of the Law on Elections of Representatives to the Croatian Parliament provides that the election campaign begins on the day of the publication of the lists of electoral units and ends 24 hours before the day of the election.
National rules on paid political advertising during pre-election campaigns	<p>Art. 23 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 38 of the Law on Financing Political Activities, Election Campaigns and Referendums</p>	<p><i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i></p> <p>Allowed</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>Art. 38 provides for the limits depending on the type of campaign: <i>Presidential elections: HRK 8,000,000</i> <i>European elections: HRK 4,000,000</i> <i>National elections: HRK 1,500,000 within a single constituency</i> <i>Elections for the Mayor of the City of Zagreb: HRK 800,000.00</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>There are no specific rules regarding online pre-elections campaigns.</p>
National rules on financing of political parties/candidates in relation to political adverts	Art. 29 of the Law on Financing Political Activities, Election Campaigns and Referendums	<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</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>Art. 25(5) of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 25(2) of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 30 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 39 of the Law on Financing Political Activities, Election Campaigns and Referendums</p>	<p><i>campaigns, entities or categories of actors not entitled to purchase or finance political adverts).</i></p> <p>The total value of donations from a natural person to finance election campaign expenses may not exceed the amount of HRK 30,000.00. The total value of donations from a legal person to finance election campaign expenses may not exceed the amount of HRK 200,000.</p> <p>For donations worth more than HRK 5000.00, the donor and the recipient of the donation shall conclude a contract.</p> <p>Donations in cash should be paid on a special account to finance the election campaign.</p> <p>Each political party is obliged to open a special account for financing the costs of the election campaign for each individual election.</p> <p>Political parties and persons authorized to represent independent lists, i.e holders of lists of a group of voters and candidates who have received donations, have to submit to the State Election Commission within seven days before the elections, a report on received donations and a report on the costs (expenses) regarding the election campaign. The law does not define how loans taken by election participants to finance election campaign expenses must be treated.</p> <p>Electoral subjects are obliged to publicly publish the price and the amount of the discounted price for media advertising of electoral advertising.</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
National rules on free political advertising (or free airtime) during pre-election campaigns	Art. 3 of the Rules on electronic media with a national concession in the Republic of Croatia during the election campaign	<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> The public broadcaster is obliged to guarantee at least five minutes of free airtime to all contestants.
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	Art. 2 of the Rules on electronic media with a national concession in the Republic of Croatia during the election campaign Art. 3 of the Rules on electronic media with a national concession in the Republic of Croatia during the election campaign Art. 78 of the Law on Financing Political Activities, Election Campaigns and Referendums	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i> Public and private TV channels are entitled to host one debate each during the campaign. During the campaign, the Croatian national television is obliged to respect principles of fairness, balance, objectivity, honesty and impartiality. Providers of media advertising of election promotion are obliged to submit to the Electoral Commission the price list of the advertising services and publish it on its website, ensuring transparency on whether media outlets provide these services under equal conditions.
National rules on political advertising in print media during pre-election campaigns	Art. 78 of the Law on Financing Political Activities, Election Campaigns and Referendums	<i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i> Providers of media advertising of election promotion are obliged to submit to the State Electoral Commission the price list of the advertising services and publish it on its website, ensuring transparency on whether media outlets provide these services under equal conditions.

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 on online media applicable to political parties , during pre-election campaigns	Law on Elections of Representatives to the Croatian Parliament Art. 25 of the Law on the Voter Register	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i> The Law on Elections of Representatives to the Croatian Parliament grants members of parliament the right to access the voter register during their term. The Law on the Voter Register also gives candidates contesting the elections the right to obtain the names and addresses of voters registered in their constituency. The Agency for the Protection of Personal Data issued a set of recommendations and guidelines ⁸ regarding the processing of personal data by electoral contestants based on the GDPR, including in connection with the distribution of campaign materials.
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during pre-election campaigns		<i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i> There are no such rules regarding online platforms, but in the last statement from the State Electoral Commission ⁹ regarding the Parliamentary Elections of 5 July 2020, it was interpreted that the general legal framework for the media coverage of campaigns as provided by the Law on Elections of Representatives to the Croatian Parliament is also applicable to online media.
Specific rules relating to “false information”, fake news” or		<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>

⁸ <https://azop.hr/obrada-osobnih-podataka-ispitanika-od-strane-politickih-stranaka-i-drugih-sudionika-izborne-promidzbe/>

⁹ https://www.izbori.hr/site/UserDocslImages/2020/Izbori_za_zastupnike_u_HS/Priopcenja/priopcenje_izborna_sutnja.pdf

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
“disinformation campaigns” during pre-election campaigns		There are no specific rules in respect of ‘fake news’ or ‘disinformation campaigns’.
III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<i>How is the elections period defined in your Member State?</i> There is no specific definition However, .Art. 28 of the Law on Elections of Representatives to the Croatian Parliament provides that the election campaign begins on the day of the publication of the lists of electoral units and ends 24 hours before the day of the election which would imply the election period starts 24 hours before the elections.
National rules on paid political advertising during elections period	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<i>Is paid political advertising during election period prohibited or allowed in your Member State?</i> Prohibited <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> Financing of political campaigns apply until the closing of the polls as well as 24 hours before the election day. <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> N/A

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National rules on financing of political parties/candidates in relation to political adverts	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<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> <p>Rules on financing of political campaigns apply until the closing of the polls as well as 24 hours before the election day, thus general rules about the financing of political parties outside elections apply.</p>
National rules on free political advertising (or free airtime) during elections period	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<p><i>Are political parties in your Member State allocated free political advertising during elections period?</i></p> <p>On the election day until the closing of the polls as well as 24 hours before the election day, any election campaign, publication of estimates of election results, as well as publication of previous, unofficial election results, publication of photos in the media, statements and interviews of candidate or written works is forbidden.</p>
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i></p> <p>On the election day until the closing of the polls as well as 24 hours before the election day, any election campaign, publication of estimates of election results, as well as publication of previous, unofficial election results, publication of photos in the media, statements and interviews of candidate or written works is forbidden.</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
National rules on political advertising in print media during elections period	Art. 28 of the Law on Elections of Representatives to the Croatian Parliament	<p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>On the election day until the closing of the polls as well as 24 hours before the election day, any election campaign, publication of estimates of election results, as well as publication of previous, unofficial election results, publication of photos in the media, statements and interviews of candidate or written works is forbidden.</p>
National rules on political advertising on online media applicable to political parties , during elections period	Art. 25 of the Law on the Voter Register	<p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i></p> <p>The voter register can be accessed and the names and addresses of voters registered can be accessed by candidates contesting the elections until the closure of the register, i.e. before the election.</p> <p>The Agency for the Protection of Personal Data issued a set of recommendations and guidelines regarding the processing of personal data by electoral contestants based on the GDPR, including in connection with the distribution of campaign materials that has to be done before the start of the elections.</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>There are no specific rules.</p>
Specific rules relating to “ false information ”, “ fake news ” or “ disinformation campaigns ” during elections period		<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>

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
		There are no specific rules in respect of 'fake news' or 'disinformation campaigns'.
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period	Art. 30 of the Electronic media act	<p><i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i></p> <p>Prohibited</p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p>Art. 30 of the Electronic media act provides that advertising is not permitted for political parties, coalitions and independent representatives, except during election campaigns in accordance with a special law.</p> <p><i>If allowed, are there restrictions on paid political advertising?</i></p> <p><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>
National rules on financing of political parties in relation to political adverts	<p>Art. 19 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 18 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 20 of the Law on Financing Political Activities, Election Campaigns and Referendums</p>	<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> <p>The total value of donations from a natural person to finance regular annual policy activities may not exceed the amount of HRK 30,000.00.</p> <p>The total value of donations from a legal person to finance regular annual policy activities may not exceed the amount of HRK 200,000</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
		<p>to a political party, HRK 100,000 to an individual independent representative or HRK 30,000 to an individual independent councillor.</p> <p>For donations worth more than HRK 5000.00, the donor and the recipient of the donation shall conclude a contract.</p> <p>Political parties, independent representatives and independent councillors are obliged to keep records of the receipt of donations to finance regular annual political activity.</p>
National rules on free political advertising (or free airtime) outside of elections period	Art. 30 of the Electronic media act	<p><i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i></p> <p>Art. 30 of the Electronic media act provides that advertising is not permitted for political parties, coalitions and independent representatives, except during election campaigns in accordance with a special law.</p>
National rules on political advertising on broadcast media outside of elections period (incl. public service and private broadcasters)	<p>Art. 30 of the Electronic media act</p> <p>Art. 35 of the Electronic media act</p>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i></p> <p>Art. 30 of the Electronic media act provides that advertising is not permitted for political parties, coalitions and independent representatives, except during election campaigns in accordance with a special law.</p> <p>Political parties and coalitions may not sponsor an audiovisual or radio program except during election campaigns in accordance with a special law.</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
National rules on political advertising in print media outside of elections period		<i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i> There are no specific rules.
National rules on political advertising on online media applicable to political parties , outside of elections period	Art. 25 of the Law on the Voter Register	<i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i> The voter register can be accessed and the names and addresses of voters registered can be accessed by candidates contesting the elections until the closure of the register, i.e. before the election thus forbidding it in the election period. The Agency for the Protection of Personal Data issued a set of recommendations and guidelines regarding the processing of personal data by electoral contestants based on the GDPR, including in connection with the distribution of campaign materials that has to be done before the start of the elections.
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		<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> The Electronic Media Act does not recognize social networks as media.
VI. Transparency rules for political parties/candidates funding		

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
Rules on direct public funding ¹⁰ to political parties and/or candidates	<p>Art. 42 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art. 5 of the Law on Financing Political Activities, Election Campaigns and Referendums</p>	<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <p>Reimbursement of all the election campaign expenses from the state budget of the Republic of Croatia is provided to candidates who receive at least 10% of the valid votes in the elections for the President of the Republic of Croatia; political parties and lists of groups of voters who receive at least 5% of the valid votes in the elections for members of the European Parliament; political parties and independent lists that receive more than 5% of the valid votes of constituency voters in the elections for members of the Croatian Parliament; political parties that have nominated candidates for representatives of national minorities who have become members of the Croatian Parliament and candidates for representatives of members of national minorities who have been nominated by voters and associations of national minorities who have become members of the Croatian Parliament; candidates for representatives of national minorities represented in the population of the Republic of Croatia with less than 1.5% of the population who did not become members of the Croatian Parliament in the elections, and received more than 15% of valid votes of constituency voters, are entitled to compensation of 15% of the amount of the fee due to the agent.</p> <p>When it comes to the regular annual activities of political parties and independent representatives, funds are provided from the state budget of the Republic of Croatia, in the amount of 0.075% of realized tax revenues from the previously published annual report on budget execution.</p>

¹⁰ 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>

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
Rules on indirect public funding¹¹ to 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>Nothing has been foreseen regarding the indirect public funding, but it is not prohibited either.</p>
Rules on free or subsidised access to media for political parties and/or candidates		<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>Except for the obligation to provide free airtime by the public broadcaster to all contestants, nothing has been foreseen.</p>
Rules on foreign contributions to political parties and political campaigns	Article 46 of the Law on Political Activity, Election Campaign and Referendum	<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>Yes, as per Article 46 of the Law on Political Activity, Election Campaign and Referendum, foreign state, foreign political parties, foreign legal persons, foreign natural persons other than nationals of other EU Member States with permanent or temporary residence in the Republic of Croatia under the Foreigners Act.</p>

¹¹ 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
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><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>The Agency/Council for Electronic Media¹² is an independent and autonomous legal entity with public authority to monitor electronic media. The Agency includes the Council for Electronic Media, the work of which is prescribed by the Law on Electronic Media and the Law on Croatian Radio and Television. It is in charge among other things of issuing warnings in case of non-compliance with the provisions of the Law and bylaws and / or filing indictments, ensuring supervision of media service providers programs, and of reviewing citizens' complaints.</p> <p>The Croatian Network Regulatory Agency (HAKOM) is a national agency for performing regulatory and other activities within the scope and competencies prescribed by the Electronic Communications Act. HAKOM receives reports related to violations of Article 107 of the Electronic Communications Act (unwanted electronic communications)</p> <p>The State Election Commission is responsible for the adjudication of media-related complaints during elections. However, it does not conduct its own media monitoring and does not receive monitoring data from the Agency for Electronic Media, nor does it have the authority to impose sanctions.</p>
Particular measures for supervising online political		<i>How are national rules on political advertising, including online, ensured in your Member State, if these exist? What are the</i>

¹² <https://www.aem.hr/>

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advertising within and outside elections periods		<p><i>enforcement powers of the relevant authority/body, as well as procedural safeguards?</i></p> <p>There are no rules regarding the supervising of online political advertising. However, it should be noted that in the last statement from the State Electoral Commission regarding the Parliamentary Elections of 5 July 2020, it was interpreted that the general legal framework for the media coverage of campaigns as provided by the Law on Elections of Representatives to the Croatian Parliament is also applicable to online media.</p>
Sanctions, penalties and remedy measures applicable in violation of the law	<p>Art. 63 of the Law on Financing Political Activities, Election Campaigns and Referendums</p> <p>Art 82 of the Electronic Media Act</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>A political party that fails to submit to the competent body data on donations and election campaign expenses and financial reports on election campaign financing, shall be imposed a complete loss of compensation for election campaign expenses, partial loss of compensation for election campaign expenses or its suspension.</p> <p>A fine in the amount of HRK 100,000.00 to 1,000,000.00 shall be imposed on a legal entity that does not respect the prohibition of advertising outside election campaigns. The same fine applies in case of sponsorship of an audiovisual or radio program outside election campaigns.</p>

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
Zakon o izborima zastupnika u Hrvatski sabor	https://narodne-novine.nn.hr/clanci/sluzbeni/2015_06_66_1259.html	Law on Elections of Representatives to the Croatian Parliament
Zakon o financiranju političkih aktivnosti, izborne promidžbe i referendumima	https://narodne-novine.nn.hr/clanci/sluzbeni/2019_03_29_602.html	Law on Financing Political Activities, Election Campaigns and Referendums
Zakon o pravu na pristup informacijama	https://narodne-novine.nn.hr/clanci/sluzbeni/2013_02_25_403.html	Law on the right to access information
Pravila o postupanju elektroničkih medija s nacionalnom koncesijom u Republici Hrvatskoj tijekom izborne promidžbe	https://narodne-novine.nn.hr/clanci/sluzbeni/2014_10_118_2222.html	Rules on electronic media with a national concession in the Republic of Croatia during the election campaign
Zakon o registru birača	https://narodne-novine.nn.hr/clanci/sluzbeni/2019_10_98_1930.html	Law on the Voter Register
Zakon o elektroničkim medijima	https://narodne-novine.nn.hr/clanci/sluzbeni/2013_07_94_2133.html	Electronic Media Act