

Study to support the preparation of an EU instrument 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 – Hungary

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>2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure) https://net.jogtar.hu/jogszabaly?docid=a1300036.tv</p> <p>2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv</p> <p>2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampányköltségeinek átláthatóvá tételéről (Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly) https://net.jogtar.hu/jogszabaly?docid=a1300087.tv</p> <p>69/2013. (XII. 29.) NGM rendelet az országgyűlési képviselők választása kampányköltségeinek támogatásáról (69/2013. (XII. 29.) NGM (Ministry for National Economy) decree on support for the cost of campaigning for the election of members of parliament) https://net.jogtar.hu/jogszabaly?docid=a1300069.ngm</p>	<p>The act on Electoral Procedure applies rules to both online and offline political advertising, however it has references to the act on Media Service and Mass Media that formulates specific rules on advertising in general. The two acts are linked by references in particular provisions. This means that the Electoral Procedure uses the media act as reference, and then it gives specific interpretation to elections.</p> <p>Further regulations are</p> <p>On political advertising: Guidelines of the National Electoral Commission</p> <p>On funding of parties/candidates: the Act on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly or a decree of a ministry.</p>

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	2/2014. NVB iránymutatás politikai hirdetés és politikai reklám közzétételéről (2/2014 NVB guidelines on the publication of political and political advertising) https://www.valasztas.hu/2/2014.-szamu-iranymutatas	
Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media), 203. § 55. https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 146. § a) and b) https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	The definition of political advertising can be found in the Media Act. According to that political advertising is a program intended to promote or support a party, political movement or government, or to promote their names, purposes, activities, slogans, emblems; appearing or published in a manner similar to advertising. The Electoral Procedure act gives further explanation of the term: political advertising is as defined in the Media Act, with the exception that a party, political movement and government mean a nominating organization and an independent candidate as well. Moreover, the act explains that political advertising means media content published in return of payment, intended to promote or support a nominating organization or an independent candidate, or promoting their name, purpose, activity, slogan, logo, press product or cinema audio-visual content. In the Hungarian legislation there is no separate definition for online political advertising.
If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 203. § 27 and 64 https://net.jogtar.hu/jogszabaly?docid=a1000185.tv	Although there is a clear-cut definition for political advertising in Hungary, there are other definitions close to it, as well: - Public interest communication: it is not concluded as political advertising according to the act. Information provided free of charge by an organization or person acting in a public or municipal capacity and by a state-owned or state-run institution which conveys specific information of public interest. - Advertising for social purposes: non-commercial, non-promotional call or message of public interest intended to influence a viewer or listener of a media service.

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Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising	Kúria: A választási és népszavazási eljárásokkal kapcsolatos jogorvoslat tárgyában létrejött joggyakorlat-elemző csoport: Összefoglaló vélemény (Curia: Case Law Analysis Group on Appeals in Electoral and Referendum Procedures: Summary Opinion) https://kuria-birosag.hu/sites/default/files/joggyak/valasztasi_nepszavazasi_joggyak.pdf	Some NGOs have prepared evaluations on the rules according to practices but those have remained unnoticed. The Curia of Hungary formed a case law analysis group in connection of appeals in 2018 related to electoral and referendum procedures. The document aims to create legal unity in judicial practice. This document makes clear distinction between political advertising and advertising for social purposes (although the customer could be e.g. a political party for both, but advert for a social purpose cannot persuade the electorate, because its content does not allow to do so). Or in case of social media (Facebook), if an institution uses the platform for political purposes, it should be regarded as an attempt to persuade the wider public, while the same does not apply to a private person's communication on the social site. There is no discussed draft legislation on the table of the government, however, from time to time amendments have been accepted to the existing act on electoral procedure but those were not in connection with political advertising.
II. Political advertising rules during pre-election campaigns		
Definitions of pre-election campaigns in the Member State (if applicable)	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure) 139. § - 141 § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Hungarian legislation do define pre-election campaigns. The campaign period runs from the 50th day before the day of the vote until the end of the day of the vote. In this period campaign activity can occur, it is allowed to use campaign tools (posters, a direct request by nominating organizations or candidates, political adverts and political advertising, election meetings) to influence or attempt to influence the choice of the electorate.
National rules on paid political advertising during pre-election campaigns	2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampányköltségeinek átláthatóvá tételéről (Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly) 7. § https://net.jogtar.hu/jogszabaly?docid=a1300087.tv	Paid political advertising is allowed in Hungary for both offline and online adverts. The only limitation is the budget maximum for parties/candidates that is achieved through state and private financing. The maximum is generally 5 million HUFs/candidate, but it is increased annually in accordance with the consumer price index established by the Central Statistical Office for the year preceding the reference year.

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		There is no maximum for actors outside the jurisdiction (e.g. for NGOs or “nonNGOs”).
National rules on financing of political parties/candidates in relation to political adverts	2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampányköltségeinek átláthatóvá tételéről (Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly) 7. § https://net.jogtar.hu/jogszabaly?docid=a1300087.tv	In Hungary there are no specific rules on financing of political parties/candidates in relation to political adverts. As it was mentioned above, a maximum of financing has been established, and the parties/candidates can decide how do they want to spend those funds.
National rules on free political advertising (or free airtime) during pre-election campaigns	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 144. §; 147. §; 147/A-F §. https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	<p>In the linear media services of the public service media, the service provider (after the final and official registration of all national lists by the National Electoral Commission) broadcasts political advertisements of the nominating organizations compiling the national list within the electoral campaign period specified by the act. 470 minutes are allocated for nominating organisations and 130 minutes for nominating organizations of the nationality lists. The time available for nominating organizations should be divided equally among each party list and each nationality list. The public service media service provider is obliged to ensure the publication of political advertisements three times a day, in the time ranges starting from 6-8, 12-14 and 18-20, without interruption. The order of appearance of political advertisements must be changed daily to ensure equal opportunities. The nominating organization may request the broadcast of a political advertisement in a time band only once a day, for a maximum period of thirty seconds.</p> <p>In pre-election campaigns, the non-public service media provider (a nationally available linear media service) is obliged to notify the National Electoral Commission no later than the fiftieth day before the election, indicating the will to broadcast political advertising. If they do not notify the electoral commission, the provider cannot broadcast political advertising. The National Electoral Office publishes on the official website of the elections those media service providers who made the statement and the periods allowed for broadcasting. The available minutes should not be less than half of the period established for public service media providers.</p>

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		The same rules apply for local and regional linear media service providers. Municipalities can decide to offer free poster spaces. Free or paid campaign posters may be placed without any restrictions (except for e.g., private property, historic buildings, etc.).
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 147/F § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	National broadcast (linear) media provides only free airtime for political advertising explained above.
National rules on political advertising in print media during pre-election campaigns	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 203. § 60 https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 148. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Everything that is labelled under press product in Media Act falls under this category (e.g., dailies, periodicals, and internet newspaper or news portals that provide content as an economic service, and which have the editorial responsibility of a natural or legal person). A political advertisement published in a press product must be immediately recognizable and distinguishable from any other media content. The political advertisement must indicate the name and place of residence or registered office of the advertiser. If a press product wishes to publish a political advertisement, it should send the price list of its advertising services to the State Audit Office within 5 working days after the election is scheduled. The audit office registers and publishes the press products on its website. The press product should publish the same price list on its own website. Other press products, not registered by the audit office are not allowed to publish political adverts, at all.
National rules on political advertising on online media applicable to political parties , during pre-election campaigns	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 203. § 60 https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 148. §	Same rules apply as for print media. Data protection and privacy rules are the same during pre-election campaigns, election period, and outside of election period; the Privacy Act regulations are applicable.

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	https://net.jogtar.hu/jogszabaly?docid=a1300036.tv 2011. évi CXII. Törvény az információs önrendelkezési jogról és az információszabadságról (Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information) https://net.jogtar.hu/jogszabaly?docid=a1100112.tv	
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during pre-election campaigns		There are no particular rules for online platforms and intermediaries.
Specific rules relating to “ false information ”, fake news ” or “ disinformation campaigns ” during pre-election campaigns	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 142. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	There are no specific provisions in Hungary about dissemination of false or fake information or disinformation campaigns during pre-election campaigns. The general rules and general procedures apply here that are stated in Civil Code or Penal Code and neighbouring acts (e.g., different types of defamation). It should be mentioned, that Electoral Procedure law states that the communication activity of electoral bodies, and personal communication between citizens - as individuals - regardless of its content and form, does not qualify as an election campaign. Therefore, the circle of possible “disinformation campaigners” is rather small.
III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)	2013. évi XXXVI. törvény a választási eljárásról (139. § (1) Act XXXVI of 2013 on Electoral Procedure), 6. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	The general definition is the day of election itself. Electoral Procedure act gives a description: the day of voting in Hungary falls between the seventieth and the ninetieth day after the day of the appointment. The election should take place on Sunday. The day of voting may not fall on a public holiday.
National rules on paid political advertising during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. §, 147. § (4a) https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Political advertising, whether it is traditional or online, is prohibited on the day of the election. However, public interest communication and advertising for social purposes is not prohibited (e.g., government can advertise).

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National rules on financing of political parties/candidates in relation to political adverts	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Political advertising is prohibited during the election period, therefore there are no rules on financing of political parties/candidates in relation to political adverts on election day.
National rules on free political advertising (or free airtime) during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	No free political advertising is possible, political advertising is prohibited during election period.
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Political advertising is prohibited on election day. Public service and private broadcaster (including regional and local level, too) are not allowed to air political adverts on election day.
National rules on political advertising in print media during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Political advertising is prohibited on election day. Print media is not allowed to publish political adverts on election day.
National rules on political advertising on online media applicable to political parties , during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Political advertising is prohibited on election day. Online media is not allowed to publish political adverts on election day.
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 143. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	There are no particular rules applicable to online platforms and intermediaries. (However, an Electoral Code was introduced by the Association of Hungarian Content Providers in 2007 and 2010 but it was not applied after 2010: http://archiv.mte.hu/valasztasikodex.html)

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Specific rules relating to “false information”, “fake news” or “disinformation campaigns” during elections period	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 142. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	There are no specific provisions in Hungary about dissemination of false or fake information or disinformation campaigns during election day. The general rules and general procedures apply here that are stated in Civil Code or Penal Code and neighbouring acts. The Electoral Procedure law states that the communication activity of electoral bodies, and personal communication between citizens – as individuals – regardless of its content and form, does not qualify as an election campaign.
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3); 203. § 27 and 64 https://net.jogtar.hu/jogszabaly?docid=a1000185.tv	Political advertising, whether it is traditional or online, is prohibited outside of elections period. The only exception is an already ordered referendum when political adverts can be published. According to law, public interest communication and advertising for social purposes on a certain, well defined topic are not prohibited, but those are not considered as political adverts.
National rules on financing of political parties in relation to political adverts	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. – 9. § https://net.jogtar.hu/jogszabaly?docid=98900033.tv	Political advertising is prohibited outside of election period, therefore there are no rules on financing. The only exception is an already ordered referendum when political adverts can be published. In this case the regulations regarding the property and management of a party apply (they can pay adverts from party budget).
National rules on free political advertising (or free airtime) outside of elections period	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv	No free political advertising is allowed outside of campaign period.

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	1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. – 9. § https://net.jogtar.hu/jogszabaly?docid=98900033.tv	
National rules on political advertising on broadcast media outside of elections period (incl. public service and private broadcasters)	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. – 9. § https://net.jogtar.hu/jogszabaly?docid=98900033.tv	Political advertising is prohibited except for already ordered referendums.
National rules on political advertising in print media outside of elections period	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. – 9. § https://net.jogtar.hu/jogszabaly?docid=98900033.tv	Political advertising is prohibited except for already ordered referendums.
National rules on political advertising on online media applicable to political parties , outside of elections period	2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról (Act CLXXXV of 2010 on Media Services and Mass Media) 32. § (3) https://net.jogtar.hu/jogszabaly?docid=a1000185.tv 1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. – 9. §	Political advertising is prohibited except for already ordered referendums.

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
	https://net.jogtar.hu/jogszabaly?docid=98900033.tv	
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	2011. évi CXII. Törvény az információs önrendelkezési jogról és az információszabadságról (Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information) https://net.jogtar.hu/jogszabaly?docid=a1100112.tv	In Hungary there are no particular rules for online platforms and intermediaries to be applied regarding political advertising, the general rules have to be followed (for instance, the Privacy Act).
VI. Transparency rules for political parties/candidates funding		
Rules on direct public funding¹ to political parties and/or candidates	2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampányköltségeinek átláthatóvá tételéről (Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly) 1. § - 6. §; 8. § - 8/C. § https://net.jogtar.hu/jogszabaly?docid=a1300087.tv	Rules for nominating organisations: The amount of direct public funding is 5 million HUFs/candidate to a party (max. 995 million HUFs), but it is increased annually in accordance with the consumer price index established by the Central Statistical Office for the year preceding the reference year. Rules for natural persons (candidates): The amount for (independent) candidates is 1 million HUF. The candidates can also allocate the fund to the party. The fund is transferred to a “treasury card”, no cash or other forms of money are allowed. If the candidate steps back before the election or does not reach 2% of votes, the candidate funding and the party funding on party candidate must be repaid increased by double the base rate of the central bank valid at the time of disbursement. The same applies to parties if they step back from the election or their list do not achieve 1% of votes.

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>

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Rules on indirect public funding ² to political parties and/or candidates	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 147. § 147/A-F §. https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Indirect funding applies for free airtime during pre-election campaign. In the same period, municipalities may offer free poster spaces.
Rules on free or subsidised access to media for political parties and/or candidates	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 147. § -147/A-F §.; 151. § - 152. §; 222. §; 229. §; 233. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	<p>In the linear media services of the public service media, the service provider (after the final and official registration of all national lists by the National Electoral Commission) is obliged to broadcast political advertisements of the nominating organizations compiling the national list within the electoral campaign period specified by the act. 470 minutes are allocated for nominating organisations and 130 minutes for nominating organizations of the nationality lists. The time available to nominating organizations should be divided equally between each party list and each nationality list. The public service media service provider is obliged to ensure the publication of political advertisements three times a day, in the time ranges starting from 6-8, 12-14 and 18-20, without interruption. The order of appearing of political advertisements must be changed daily to ensure equal opportunities. The nominating organization may request the broadcast of a political advertisement in a time band only once a day, for a maximum period of thirty seconds.</p> <p>In pre-election campaigns, the non-public service media provider (a nationally available linear media service) is obliged to notify the National Electoral Commission no later than the fiftieth day before the election, indicating the will to broadcast political advertising. If they do not notify the electoral commission, the provider cannot broadcast political advertising, at all. The National Electoral Office publishes on the official website of the elections those media service provider who</p>

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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		made the statement and the names of the media services and the period allowed for broadcasting. The available minutes should not be less than half of the period established for public service media providers. The same rules apply for local and regional media service providers. Any objections are decided by the responsible electoral commission. If a natural or legal person, or organization without legal personality involved in the case is not satisfied with the decision, it can appeal against the decision in court. The validity of the appeal will be decided by the Curia. If the involved party does not agree with the decision of the court, a constitutional complaint may be submitted to the Constitutional Court within three days from the notification of the impugned decision.
Rules on foreign contributions to political parties and political campaigns	1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról (Act XXXIII of 1989 on the Operation and Financial Management of Political Parties) 4. (3) § https://net.jogtar.hu/jogszabaly?docid=98900033.tv	A party may not accept financial or any other kind of contribution from another state, a foreign organization – regardless of its legal status – and from a natural person who is not a Hungarian citizen.
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	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 14. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Electoral commissions are responsible for monitoring national rules on political advertising. The commissions are independent bodies of voters, exclusively subordinate to law whose primary task is to determine the outcome of elections, to ensure the purity and legitimacy of elections, to enforce impartiality and, if necessary, to restore the legitimate order of elections. Election committees are: a) National Electoral Commission, b) territorial election committee, c) election committee to a constituency, d) local election committee, (e) ballot counting committee.

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 measures for supervising online political advertising within and outside elections periods	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 209. §; 212. §; 214. §; 221. § - 222. §; 229. §; 233. § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Any objections are decided by the responsible electoral commission. A natural or legal person, or organization without legal personality involved in the case should submit the objection to an election committee with the competence to consider the objection no later than on the third day after the alleged violation of the law. Objections may be submitted in writing (in person, by letter, fax or e-mail). The objection shall contain the indication of the infringement, evidence of the infringement, the name, address (registered office or the postal notification address). The electoral commission with competence makes a decision within three days after the submission of the objection. If the party is not satisfied with the decision, it can appeal against the decision in court. The validity of the appeal will be decided by the Curia. If the involved party does not agree with the decision of the court, a constitutional complaint may be submitted to the Constitutional Court within three days from the notification of the impugned decision.
Sanctions, penalties and remedy measures applicable in violation of the law	2013. évi XXXVI. törvény a választási eljárásról (Act XXXVI of 2013 on Electoral Procedure), 218. d) § https://net.jogtar.hu/jogszabaly?docid=a1300036.tv 2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampányköltségeinek átláthatóvá tételéről (Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly) 8/A. §; 9. § https://net.jogtar.hu/jogszabaly?docid=a1300087.tv	If an election committee upholds the objection it will note the fact of the infringement, prohibits the infringer from further infringement, and in extreme issues it can annul and repeat the election procedure or the part of it affected by the appeal. In some cases (not connected to political advertising, but to recommendation sheets or illegal use of data requested from the electoral register) it may also impose fine. However, no direct fine or any other sanction could be implemented in connection of political advertising. After the election, the State Audit Office may investigate the spending of a party or a candidate (including campaign spending on political advertising) and if it finds irregularities it may implement fines, forfeiture, withdrawal of public funding. An appeal may also be brought against a Commission decision finding an infringement. The process of the remedy is similar to the plea of infringement.

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 – Hungary

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
2013. évi XXXVI. törvény a választási eljárásról	https://net.jogtar.hu/jogszabaly?docid=a1300036.tv	Act XXXVI of 2013 on Electoral Procedure
2010. évi CLXXXV. Törvény a médiaszolgáltatásokról és a tömegkommunikációról	https://net.jogtar.hu/jogszabaly?docid=a1000185.tv	Act CLXXXV of 2010 on Media Services and Mass Media
2013. évi LXXXVII. Törvény az országgyűlési képviselők választása kampánycöltségeinek átláthatóvá tételéről	https://net.jogtar.hu/jogszabaly?docid=a1300087.tv	Act LXXXVII of 2013 on the Transparency of Campaign Costs related to the Election of the Members of the National Assembly
69/2013. (XII. 29.) NGM rendelet az országgyűlési képviselők választása kampánycöltségeinek támogatásáról	https://net.jogtar.hu/jogszabaly?docid=a1300069.ngm	69/2013. (XII. 29.) NGM (Ministry for National Economy) decree on support for the cost of campaigning for the election of members of parliament
Kúria: A választási és népszavazási eljárásokkal kapcsolatos jogorvoslat tárgyában létrejött joggyakorlat-elemző csoport: Összefoglaló vélemény	https://kuria-birosag.hu/sites/default/files/joggyak/valasztasi_nepszavazasi_joggyak.pdf	Curia: Case Law Analysis Group on Appeals in Electoral and Referendum Procedures: Summary Opinion
1989. évi XXXIII. Törvény a pártok működéséről és gazdálkodásáról	https://net.jogtar.hu/jogszabaly?docid=98900033.tv	Act XXXIII of 1989 on the Operation and Financial Management of Political Parties
2011. évi CXII. Törvény az információk önrendelkezési jogról és az információszabadságról	https://net.jogtar.hu/jogszabaly?docid=a1100112.tv	Act CXII of 2011 on the Right of Informational Self-Determination and on Freedom of Information

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Mapping of national legislation – Hungary

2/2014. NVB iránymutatás politikai hirdetés és politikai reklám közzétételéről	https://www.valasztas.hu/2/2014.-szamu-iranymutatas	2/2014 NVB guidelines on the publication of political and political advertising
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