

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 – Luxembourg

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>Electoral law of February 18, 2003¹</p> <p>Law of 8 February 2019 amending Chapter IX relating to the financing of electoral campaigns of the amended electoral law of 18 February 2003²</p> <p>Law of 27 July 1991 on electronic media³</p> <p>Law of 27 August 2013 establishing the public authority "Independent Luxembourg Audiovisual Authority"⁴</p> <p>Law of 6 January 2018 amending the amended law of 27 July 1991 on electronic media⁵</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 political campaign in general is not specifically regulated by the law but mainly relies on the agreement between the political parties and the media under the coordination of the Information and Press</p>

¹ <http://legilux.public.lu/eli/etat/leg/loi/2003/02/18/n2/jo>

² <http://legilux.public.lu/eli/etat/leg/loi/2019/02/08/a62/jo>

³ <http://legilux.public.lu/eli/etat/leg/loi/1991/07/27/n1/jo>

⁴ <http://legilux.public.lu/eli/etat/leg/loi/2013/08/27/n5/jo>

⁵ <http://legilux.public.lu/eli/etat/leg/loi/2018/01/06/a22/jo>

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>Law of 14 December 2015 on political opinion polls⁶</p> <p>Law of 21 December 2007 regulating the financing of political parties⁷</p> <p>Law of 15 December 2020 amending the amended law of 21 December 2007 regulating the financing of political parties; the amended electoral law of February 18, 2003⁸</p>	<p>Service (SIP)⁹, which is the communication body of the Luxembourg government, it is attached to the Ministry of State and is under the direct authority of the Prime Minister. In principle campaigning starts 3 months before the elections. In addition, there are some specific rules when it comes to the disclosure of political opinion polls.</p> <p>There are no specific laws when it comes to the online political advertising.</p> <p>The political funding is regulated Law of 21 December 2007 regulating the financing of electoral campaigns (as amended).</p>
Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)		<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>There is no specific definition of political advertising.</p>
If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	Chapter IX Electoral law of February 18, 2003	<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 uses only the term ‘electoral campaign’ as the advertising is not specifically regulated by the Law.</p>

⁶ <http://legilux.public.lu/eli/etat/leg/loi/2015/12/14/n3/jo>

⁷ <http://legilux.public.lu/eli/etat/leg/loi/2007/12/21/n8/jo>

⁸ <http://legilux.public.lu/eli/etat/leg/loi/2020/12/15/a1000/jo>

⁹ <https://sip.gouvernement.lu/fr/service.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 ODIHR Needs Assessment Mission report on Parliamentary Elections of 14 October 2018 of Grand Duchy of Luxembourg¹⁰</p>
II. Political advertising rules during pre-election campaigns		
Definitions of pre-election campaigns in the Member State (if applicable)	Art. 3 of the Law of 14 December 2015 on political opinion polls	<p><i>Are pre-election campaigns defined in your Member State? If so, how?</i></p> <p>There is no official campaign period set by law and campaigning may take place up to and including on election day except for the public broadcasters which are required to respect a campaign silence period on the day before the elections and the election day itself.</p> <p>In addition, during the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is forbidden to publish, disseminate or comment on any opinion poll.</p> <p>Although not set in the Law, it is usually considered as per the agreement¹¹ between the media and the political parties and coordinated by the Information and Press Service that the official</p>

¹⁰ https://www.osce.org/files/f/documents/0/d/389582_0.pdf

¹¹ An agreement is established prior to each election.

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		campaign (media spots, round tables) begins in general 3 weeks prior election day.
National rules on paid political advertising during pre-election campaigns	Art. 91-93 of the Electoral law of February 18, 2003 (as amended by the Law of 8 February 2019)	<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>There are no limits on campaign spending and donations. However, as per a tacit agreement between the political parties . a limit to the expenses is established. The most recent agreement in view of the Parliamentary elections of 2018 sets ceiling at € 800 000¹².</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 related to online advertising.</p>
National rules on financing of political parties/candidates in relation to political adverts	<p>Art. 91 of the Electoral Law</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties</p> <p>Art 9 of the Law of 21 December 2007 regulating the financing of political parties</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>Art. 91 of the Electoral Law provides that the State grants to each party or political grouping donations intended to cover part of the costs of</p>

¹² [https://www.europarl.europa.eu/RegData/etudes/STUD/2015/519217/IPOL_STU\(2015\)519217_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2015/519217/IPOL_STU(2015)519217_EN.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
	Art. 1 of the Law of 15 December 2020	<p>electoral campaigns. Specific amounts are listed depending on whether they are intended for legislative elections or for European elections.</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties provides that donations coming from a legal entity, associations, groups or bodies that do not have a legal personality are not allowed, as well as anonymous donations. Only donations from natural persons are allowed.</p> <p>Financial and in-kind donations exceeding 250 EUR and the identity of donors must be reported by political parties in the framework of annual financial reports.</p> <p>Currently, 80 per cent of expenses by parliamentary parties are covered by public funding as per the Law of 15 December 2020.</p>
National rules on free political advertising (or free airtime) during pre-election campaigns		<p><i>Are political parties in your Member State allocated free political advertising during pre-election campaigns? If so, on which media is free political advertising granted?</i></p> <p>The free time allocated for each party should be regulated in the agreement between the political parties and the media. The agreement should contain details related to time allocated to each candidate list free of charge, duration of TV and radio spots for these purposes, timetable, number and format of debates with representatives of candidate lists.</p>
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	Art. 3 of the Law of 14 December 2015 on political opinion polls.	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</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>The media coverage of the election campaign is not regulated by the law and is subject of agreement before every election between the media and political parties.</p> <p>However, public broadcasters are required to respect a campaign silence period on the day before the elections and the election day itself.</p> <p>In addition, in the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is prohibited to publish, disseminate or comment on any opinion poll as per Art. 3 of the Law of 14 December 2015 on political opinion polls.</p> <p>The Independent Audiovisual Authority of Luxembourg (ALIA) is in charge of broadcast media oversight.¹³</p>
National rules on political advertising in print media during pre-election campaigns	Art. 3 of the Law of 14 December 2015 on political opinion polls.	<p><i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i></p> <p>The media coverage of the election campaign is not regulated by the law and is subject of agreement before every election between the media and political parties.</p> <p>However, in the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is prohibited to publish, disseminate or comment on any opinion poll as per Art. 3 of the Law of 14 December 2015 on political opinion polls.</p>

¹³ <https://www.alia.lu/fr/>

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National rules on political advertising on online media applicable to political parties , during pre-election campaigns		<p><i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i></p> <p>In general, when it comes to media ALIA (Luxembourg Independent Audiovisual Authority) is the "controller" and ensures compliance with applicable European and Luxembourg legal provisions in terms of data protection.</p> <p>In the pre/election period the National Data Protection Commission (CNPD)¹⁴ is specifying the provisions applicable in terms of political prospecting, in particular the conditions of use of data from electoral lists, in the light of the GDPR. As an example, the electoral law provides that any citizen may request in writing a copy of the updated electoral lists. The data of citizens contained in the lists may not be used for purposes other than electoral. Some political parties have made use of this right and have used the data from these lists for political prospecting purposes during previous election periods.</p> <p>In this context, the CNPD specifies that the establishment of the electoral lists constitutes the processing of personal data within the meaning of Article 4 of the GDPR.</p> <p>However, the law also provides that the electoral lists can only be used for electoral purposes (purpose). Thus, data from electoral lists can also be used for political prospecting purposes during electoral periods by political parties as the purpose is respected, but not for any other purpose, outside the framework of the elections for which these lists are drawn up.</p> <p>Political prospecting by telephone or email (or any other means of electronic communication) can only be done with the consent of the persons contacted.</p>

¹⁴ <https://cnpd.public.lu/fr/actualites/national/2018/08/communication-administres.html>

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Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during pre-election campaigns		<p><i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i></p> <p>There are no specific rules on online platforms.</p>
Specific rules relating to “ false information ”, fake news ” or “ disinformation campaigns ” during pre-election campaigns		<p><i>Are there specific provisions in your Member State about the dissemination of “untrue information”, “false information”, “fake news” or ‘disinformation campaigns’ during pre-election campaigns?</i></p> <p>There are no specific provisions regarding ‘fake news’.</p>
III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)		<p><i>How is the elections period defined in your Member State?</i></p> <p>There is no specific definition of the election period in the Law. However, public broadcasters are required to respect a campaign silence period on the day before the elections and the election day itself.</p>
National rules on paid political advertising during elections period		<p><i>Is paid political advertising during election period prohibited or allowed in your Member State?</i></p> <p>It is allowed except for public broadcasters which are required to respect a campaign silence period on the day before the elections and the election day itself. In addition, during the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is forbidden to publish, disseminate or comment on any opinion poll.</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><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>There are no limits on campaign spending and donations. However, tacit agreement between the political parties should contain a limitation.</p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction (e.g. enforcement of 'silence periods' online)</i></p>
National rules on financing of political parties/candidates in relation to political adverts	<p>Art. 91 of the Electoral Law</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties</p> <p>Art 9 of the Law of 21 December 2007 regulating the financing of political parties</p> <p>Art. 1 of the Law of 15 December 2020</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>Art. 91 of the Electoral Law provides that the State grants to each party or political grouping donations intended to cover part of the costs of electoral campaigns. Specific amounts are listed depending on whether they are intended for legislative elections or for European elections.</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties provides that donations coming from a legal entity, associations, groups or bodies that do not have a legal personality are not allowed, as well as anonymous donations. Only donations from natural persons are allowed.</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>Financial and in-kind donations exceeding 250 EUR and the identity of donors must be reported by political parties in the framework of annual financial reports.</p> <p>Currently, 80 per cent of expenses by parliamentary parties are covered by public funding as per the <u>Law of 15 December 2020</u>.</p>
National rules on free political advertising (or free airtime) during elections period		<p><i>Are political parties in your Member State allocated free political advertising during elections period?</i></p> <p>The free time allocated for each party should be regulated in the agreement between the political parties and the media. This agreement should contain details related to time allocated to each candidate list free of charge, duration of TV and radio spots for these purposes, timetable, number and format of debates with representatives of candidate lists.</p>
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	<p>Art. 3 of the Law of 14 December 2015 on political opinion polls.</p> <p>Art. 4. of the Law of 14 December 2015 on political opinion polls</p>	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i></p> <p>The media coverage of the election campaign is not regulated by the law and is subject of agreement before every election between the media and political parties.</p> <p>However, public broadcasters are required to respect a campaign silence period on the day before the elections and the election day itself.</p> <p>In addition, in the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is prohibited to publish, disseminate or comment on any opinion poll as per Art. 3 of the Law of 14 December 2015 on political opinion polls.</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
		The Independent Audiovisual Authority of Luxembourg (ALIA) is in charge of broadcast media oversight. ¹⁵
National rules on political advertising in print media during elections period	Art. 3 of the Law of 14 December 2015 on political opinion polls.	<p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>The media coverage of the election campaign is not regulated by the law and is subject of agreement before every election between the media and political parties.</p> <p>However, in the five days preceding the day of the European, legislative or municipal elections or the day of the referendum or popular consultation as well as during the conduct of electoral or consultative operations, it is prohibited to publish, disseminate or comment on any opinion poll as per Art. 3 of the Law of 14 December 2015 on political opinion polls.</p>
National rules on political advertising on online media applicable to political parties , during elections period		<p><i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i></p> <p>In general, when it comes to media ALIA (Luxembourg Independent Audiovisual Authority) is the "controller" and ensures compliance with applicable European and Luxembourg legal provisions in terms of data protection.</p> <p>In the pre/election period the National Data Protection Commission (CNPD)¹⁶ is specifying the provisions applicable in terms of political prospecting, in particular the conditions of use of data from electoral lists, in the light of the GDPR. As an example, the electoral law provides</p>

¹⁵ <https://www.alia.lu/fr/>

¹⁶ <https://cnpd.public.lu/fr/actualites/national/2018/08/communication-administres.html>

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		<p>that any citizen may request in writing a copy of the updated electoral lists. The data of citizens contained in the lists may not be used for purposes other than electoral. Some political parties have made use of this right and have used the data from these lists for political prospecting purposes during previous election periods.</p> <p>In this context, the CNPD specifies that the establishment of the electoral lists constitutes the processing of personal data within the meaning of Article 4 of the GDPR.</p> <p>However, the law also provides that the electoral lists can only be used for electoral purposes (purpose). Thus, data from electoral lists can also be used for political prospecting purposes during electoral periods by political parties as the purpose is respected, but not for any other purpose, outside the framework of the elections for which these lists are drawn up.</p> <p>Political prospecting by telephone or email (or any other means of electronic communication) can only be done with the consent of the persons contacted.</p> <p>Political prospecting by sending postal letters based on data not collected directly from the persons concerned, political parties must provide, at the latest at the time of the first communication, information about the controller (the political party or the local or regional section of the political party), the origin of the data processed (electoral lists), the purpose of the data processing (political prospecting in the context of the election), the retention period (deleting of data within a reasonable period of time after the elections), the existence of citizens' rights in terms of data protection (their right to access data, their right to rectify and erase data, their right to oppose the processing of their data for the purposes of electoral prospecting and their right to lodge a complaint with the CNPD), contact means to exercise their rights (postal address, link to a website and email address).</p>
Particular rules applicable to online platforms and		<i>Are there any particular rules to online platforms during elections period in your Member State?</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
intermediaries , such as social media, for political advertising during elections period		There are no specific rules regarding online platforms.
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> <p>There are no specific provisions regarding the dissemination of ‘untrue information’.</p>
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period		<p><i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i></p> <p>Yes</p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p><i>If allowed, are there restrictions on paid political advertising?</i></p> <p>There are no specific rules.</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> <p>There are no specific rules.</p>
National rules on financing of political parties in relation to political adverts	<p>Art. 91 of the Electoral Law</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties</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>

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. 9 of the Law of 21 December 2007 regulating the financing of political parties</p> <p>Art. 1 of the Law of 15 December 2020</p>	<p>Art. 91 of the Electoral Law provides that the State grants to each party or political grouping donations intended to cover part of the costs of electoral campaigns. Specific amounts are listed depending on whether they are intended for legislative elections or for European elections.</p> <p>Art 8 of the Law of 21 December 2007 regulating the financing of political parties provides that donations coming from a legal entity, associations, groups or bodies that do not have a legal personality are not allowed, as well as anonymous donations. Only donations from natural persons are allowed. There are no limits on campaign spending and donations.</p> <p>Financial and in-kind donations exceeding 250 EUR and the identity of donors must be reported by political parties in the framework of annual financial reports.</p> <p>Currently, 80 per cent of expenses by parliamentary parties are covered by public funding as per the Law of 15 December 2020.</p>
National rules on free political advertising (or free airtime) outside of elections period		<p><i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i></p> <p>The free time allocated for each party is only regulated in the agreement between the political parties and the media and this within pre/election periods.</p>
National rules on political advertising on broadcast media outside of elections period (incl. public service and private broadcasters)	Art. 35 of the Law of 27 August 2013 establishing the public authority "Independent Luxembourg Audiovisual Authority",	<p><i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i></p> <p>The media coverage outside election campaign is not regulated.</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
	Art. 28 of the Law of 27 July 1991 on electronic media	In general, television news and political information "programs" cannot be sponsored. The Independent Audiovisual Authority of Luxembourg (ALIA) is in charge of broadcast media oversight.
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> Media coverage of the election campaign is not regulated by the law and is subject of agreement between the media and political parties in the pre/election period.
National rules on political advertising on online media applicable to political parties , outside of elections period		<i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication.</i> In general, when it comes to media ALIA (Luxembourg Independent Audiovisual Authority) is the "controller" and ensures compliance with applicable European and Luxembourg legal provisions in terms of data protection. The use of the electoral lists can on only be done for electoral purposes and supervised by the CNPD. Thus, data from electoral lists can also be used for political prospecting purposes <u>during electoral periods</u> by political parties, but not for any other purpose.
V. Rules and obligations applicable to online platform operators and intermediaries of political advertising		
Particular rules applicable to online platforms and		<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>

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
intermediaries such as social media for political advertising		There are no specific rules. <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>
VI. Transparency rules for political parties/candidates funding		
Rules on direct public funding ¹⁷ to political parties and/or candidates	Art. 1 of the Law of 15 December 2020	<i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i> Currently, 80 per cent of expenses by parliamentary parties are covered by public funding as per the Law of 15 December 2020.
Rules on indirect public funding ¹⁸ to political parties and/or candidates	Art. 92 of the Electoral law of February 18, 2003	<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> The postal costs of a single communication sent in printed form to the voters of their electoral district before each election (European Parliament and the Chamber of Deputies) are reimbursed by the State to each political party or group of candidates on presentation of

¹⁷ 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>

¹⁸ 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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		supporting documents, provided that it has received at least five percent of the valid votes.
Rules on free or subsidised access to media for political parties and/or candidates		<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> There are no specific provisions.
Rules on foreign contributions to political parties and political campaigns	Art. 8 of the Electoral law of February 18, 2003	<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> There is no ban for contribution from foreign interests as long as they are provided by individuals.
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	Art. 4 of the Law of 14 December 2015 on political opinion polls	<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> As per Art. 4 of the Law of 14 December 2015 on political opinion polls any person may submit a written complaint to the Audiovisual Authority if the rules regarding publication of the polls have not been respected including the prohibition to publish them 5 days before the elections.
Particular measures for supervising online political advertising within and outside elections periods		<i>How are national rules on political advertising, including online, ensured in your Member State, if these exist? What are the enforcement powers of the relevant authority/body, as well as procedural safeguards?</i>

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.
Sanctions, penalties and remedy measures applicable in violation of the law	Art. 97 of the Electoral law of February 18, 2003 Art. 2 of the of the Law of 21 December 2007 regulating the financing of political parties	<i>How are national rules on political advertising enforced in your Member State and what sanctions and remedy measures are applicable?</i> If the broadcasting rules are not respected ALIA can issue sanctions, such as warnings, fines or, ultimately, to withdraw local radio licences, as well as to suggest to the government whether to suspend or withdraw TV and radio licences. In addition, as per Art. 97 of the Electoral Law, if anyone publishes the month preceding the day of the elections as well as during these elections, the opinion poll directly or indirectly related to these elections, will be punished with imprisonment of eight days to one month and with a fine of 500 to 12,500 euros. When it comes to public funding, as per Art. 2 of the Law on regulating the financing of political parties, if a political party no longer fulfills the conditions provided in the law, it loses the benefit of public funding as from the subsequent fiscal year.

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
Loi électorale du 18 février 2003 et portant modification - de la loi du 31 octobre 1977 portant fusion des communes de Asselborn, Boevange/Clervaux, Hachiville et Oberwampach - de la loi du 27 juillet 1978 portant fusion des communes de Arsdorf, Bigonville, Folschette et Perlé - de la loi du 23 décembre 1978 portant fusion des communes de Harlange et Mecher - de la loi du 23 décembre 1978 portant fusion des communes de Junglinster et de Rodenbourg	http://legilux.public.lu/eli/etat/leg/loi/2003/02/18/n2/jo	Electoral law of February 18, 2003
Loi du 21 décembre 2007 portant réglementation du financement des partis politiques.	http://legilux.public.lu/eli/etat/leg/loi/2007/12/21/n8/jo	Law of 21 December 2007 regulating the financing of political parties
Loi du 8 février 2019 portant modification du chapitre IX relatif au financement des campagnes électorales de la loi électorale modifiée du 18 février 2003.	http://legilux.public.lu/eli/etat/leg/loi/2019/02/08/a62/jo	Law of 8 February 2019 amending Chapter IX relating to the financing of electoral campaigns of the amended electoral law of 18 February 2003
Loi du 14 décembre 2015 relative aux sondages d'opinion politique et portant modification 1. de la loi électorale modifiée du 18 février 2003; 2. de la loi modifiée du 27 juillet 1991 sur les	http://legilux.public.lu/eli/etat/leg/loi/2015/12/14/n3/jo	Law of 14 December 2015 on political opinion polls

Mapping of national legislation – Luxembourg

médias électroniques; 3. de la loi modifiée du 4 février 2005 relative au référendum au niveau national		
Loi du 15 décembre 2020 portant modification de : 1° la loi modifiée du 21 décembre 2007 portant réglementation du financement des partis politiques; 2° la loi électorale modifiée du 18 février 2003	http://legilux.public.lu/eli/etat/leg/loi/2020/12/15/a1000/jo	Law of 15 December 2020 amending the amended law of 21 December 2007 regulating the financing of political parties; the amended electoral law of February 18, 2003
Loi du 27 août 2013 portant création de l'établissement public «Autorité luxembourgeoise indépendante de l'audiovisuel», et modifiant 1. la loi modifiée du 27 juillet 1991 sur les médias électroniques, 2. la loi modifiée du 22 juin 1963 fixant le régime des traitements des fonctionnaires de l'Etat et 3. la loi du 20 avril 2009 relative à l'accès aux représentations cinématographiques publiques.	http://legilux.public.lu/eli/etat/leg/loi/2013/08/27/n5/jo	Law of 27 August 2013 establishing the public authority "Independent Luxembourg Audiovisual Authority
Loi du 27 juillet 1991 sur les médias électroniques	http://legilux.public.lu/eli/etat/leg/loi/1991/07/27/n1/jo	Law of 27 July 1991 on electronic media
Loi du 6 janvier 2018 portant modification de la loi modifiée du 27 juillet 1991 sur les médias électroniques	http://legilux.public.lu/eli/etat/leg/loi/2018/01/06/a22/jo	Law of 6 January 2018 amending the amended law of 27 July 1991 on electronic media