

# 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 – Slovenia

| Research question  | Legal source (Article and full name of the source, including hyperlink)<br><u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>  | Summary of the rules  |
|--|---|---|
| <b>I. General information about the national legal framework</b> |   |   |
| <b>National legal act(s)</b> governing political advertising     | <p><b>1. Election and Referendum Campaign Act</b><br/>(Zakon o volilni in referendumski kampanji (Uradni list RS, št. 41/07, 103/07 – ZPoIS-D, 11/11, 28/11 – odl. US in 98/13))</p> <p><a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4749">http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4749</a></p> <p><b>2. Radiotelevizija Slovenija Act</b><br/>(Zakon o Radioteleviziji Slovenija (Uradni list RS, št. 96/05, 109/05 – ZDavP-1B, 105/06 – odl. US, 26/09 – ZIPRS0809-B in 9/14))</p> <p><a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4461">http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4461</a></p> <p><b>3. Political Parties Act</b><br/>(Zakon o političnih strankah (Uradni list RS, št. 100/05 – uradno prečiščeno besedilo, 103/07, 99/13 in 46/14))</p> <p>((Official Gazette of the Republic of Slovenia Nos 100/05 – official consolidated text, 103/07, 99/13 and 46/14))</p> | <p><b>Please provide an overview of how political advertising is regulated in your Member State:</b></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 <b>online</b> 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 principal piece of legislation governing political advertising is the Election and Referendum Campaign Act. There is a special act governing provisions on public radio and television during the campaign periods (Radiotelevizija Act).</p> <p>As regards financing, the Political Parties Act is also important.</p> <p>There are no special pieces of legislation governing online political advertising.</p> |

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|  | <a href="http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#">http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#</a>  |  |
| Legal and/or statutory <b>definition</b> of the notion of “ <b>political advertising</b> ” and “ <b>online political advertising</b> ” (if applicable) | Article 3 of the Radiotelevizija Act<br><br>Article 25 of the Slovenian Advertising Codex adopted by the Slovenian Advertising Chamber.                      | <i>Does your national legislation or regulations define political advertising?</i><br><i>Does your national legislation or regulations define <b>online</b> political advertising?</i><br><br>The Radiotelevizija Slovenija Act defines political propaganda pursuant as messages (spots) and other forms of political propaganda whose purpose is to influence the stance of voters in casting their votes in elections.<br><br>The "political advertising" is defined by Article 25 of the Slovenian Advertising Codex adopted by the Slovenian Advertising Chamber. Article 25 of the Codex defines "political advertising" as any advertising during elections, referendums or related political activities in accordance with the applicable regulations governing this area. |
| If not applicable, provide <b>other definitions/terms used in the legislation close to the notion of “political advertising”</b>                       | Article 1 of the Election and Referendum Campaign Act  | <i><u>Examples:</u> “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i><br><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><br><br>"Elections campaign" is defined in Article 1(2) as including all the political campaign communications and other forms of political campaign intended to influence the voters' decisions when voting for candidates in elections.  |

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|   |  | <p>"Referendum campaign" is defined in Article 1(3) as including all the political campaign communications and other forms of political campaign intended to influence the voters' decisions when voting for candidates in referendum.</p> <p>In principle, the provisions on the elections campaign shall apply to the referendum campaign.</p> <p>To this end, Article 1(5) provides that the elections campaign shall include above all the following:</p> <ul style="list-style-type: none"> <li>– campaign in mass media, electronic publications and campaign using telecommunication services,</li> <li>– placing of posters and</li> <li>– public meetings relating to the elections or referendum campaign (referred to as pre-elections meetings).</li> </ul> |
| Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising | Not directly   | <p><i><u>Has an evaluation of the rules and practices in place for political advertising and/or online political advertising already been carried out and if so, what are the results?</u></i></p> <p><i><u>Further to that, is there any draft legislation currently discussed in your Member State relevant for political advertising and/or online political advertising? If so, please provide a brief overview.</u></i></p> <p>Not directly related to political advertising. However, in February 2021, the National Assembly adopted new rules regarding electoral districts to reduce the differences in size of districts in terms of the number of residents.</p>   |
| II. Political advertising rules during pre-election campaigns   |  |   |

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| Definitions of <b>pre-election campaigns in the Member State (if applicable)</b>  | Article 1 of the Election and Referendum Campaign Act<br><br>Article 2 of the Election and Referendum Campaign Act   | <i>Are pre-election campaigns defined in your Member State? If so, how?</i><br><br>"Elections campaign" is defined in Article 1(2) as including all the political campaign communications and other forms of political campaign intended to influence the voters' decisions when voting for candidates in elections.<br><br>An election campaign may begin no earlier than 30 days before the day of voting, and shall end no later than 24 hours before the day of voting.   |
| National rules on <b>paid political advertising</b> during pre-election campaigns | Article 23 of the Election and Referendum Campaign Act   | <i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i><br><i>If prohibited, what is the scope of the ban of paid political advertising?</i><br><i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i><br><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><br><br>Paid political advertising during pre-election campaigns is allowed in Slovenia. While the costs of the election campaign are legally limited as they may not exceed the maximum allowable expenditure, the costs outside the election campaign for spending on advertising is unlimited.<br><br>Article 23(1) provides that the costs of elections campaign for elections into the National Assembly shall not exceed EUR 0.40 per eligible voter in the electoral district or in the electoral unit, where the list of candidates has been deposited or where an individual stands as a candidate. |

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|   |  | <p>Also the costs of the elections campaign for elections to the European Parliament shall not exceed EUR 0.40 per eligible voter in the country (Article 23(2)).</p> <p>The costs of the elections campaign for elections of the President of the Republic shall not exceed EUR 0.25 per eligible voter in the country. In case of repeated voting the expenses of elections campaign for the persons standing as candidates in that voting may be increased by further EUR 0.15 per eligible voter in the country (Article 23(3)).</p> <p>The costs of the elections campaign for elections into the representative body of the local community shall not exceed EUR 0.40 per eligible voter in the local community (Article 23(4)).</p> <p>These rules apply to all political advertising, with no distinction between "offline" and "online" political advertising.</p> |
| <b>National rules on financing of political parties/candidates in relation to political adverts</b> | <p>Article 14 of the Election and Referendum Campaign Act</p> <p>Article 4(1) of the Election and Referendum Campaign Act</p> <p>Article 22 of the Political Parties Act</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>An election campaign organiser may raise funds for the election campaign from natural persons. The total contributions of an individual natural person for each election campaign shall not exceed ten average gross monthly salaries of an employee in the Republic of Slovenia according to the data of the Statistical Office of the Republic of Slovenia for the previous year.</p>  |

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|                   |  | <p>Contributions in cash from an individual natural person for each election campaign shall not exceed a maximum amount of EUR 50, while higher cash contributions shall be paid through banks, savings banks or other legal entities providing payment services in accordance with the regulations governing payment services (hereinafter referred to as: payment service providers).</p> <p>In addition to the cash receipts referred to in the preceding paragraph, the following shall also be considered election campaign contributions: any non-cash contribution, free services provided to an election campaign organiser, the commitment or provision of services to an election campaign organiser or the sale of goods to an election campaign organiser under conditions that provide the election campaign organiser with a more favourable position compared to other service users or buyers of goods from such persons.</p> <p>The following shall not be considered an election campaign contribution: any work carried out for an election campaign organiser by a natural person if such person is not obliged to issue an invoice.</p> <p>An election campaign organiser may only obtain a loan from banks and lending undertakings under the same conditions as other persons. A granted loan shall not be considered the financing of an election campaign.</p> <p>If the total donations from a natural person exceed the amount of the average gross monthly salary in the year for which a Party's annual report is compiled, the Party's annual report shall indicate the data on the personal name and address of the natural person, and the total annual amount donated to the Party by the natural person.</p> |

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|   |  | <p>State authorities, local community bodies, legal persons governed by public and private law, and individual sole traders or individuals who perform independent activities shall not be allowed to finance election campaigns, unless otherwise provided by an Act. Legal persons governed by private law that were not established for the purpose of gaining profit may provide contributions to referendum campaigns.</p> <p>An election campaign shall not be financed by budgetary funds or the funds of companies with a public stake of more than 25% and the majority-owned companies thereof, with the exception of funds obtained from the budget by political parties pursuant to the Act governing political parties.</p> <p>An election campaign organiser shall not raise funds for the election campaign from foreign natural and legal persons.</p> <p>The organiser of an election campaign for elections to the European Parliament may raise funds for the election campaign from contributions provided by citizens of Member States of the European Union under the conditions and in the manner applicable to domestic natural persons pursuant to this Act.</p> |
| National rules on <b>free political advertising (or free airtime)</b> during pre-election campaigns | <p>Article 8 of the Election and Referendum Campaign Act</p> <p>Article 12 of the Radiotelevizija Slovenija Act</p>  | <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 posting of election posters that contain advertising content for an election campaign shall be allowed in sites for posters designated by <u>the local community</u>. The local community shall ensure equal conditions, free of charge and without the payment of municipal tax, for all election campaign organisers to erect a specified number of election posters in the election poster sites designated by the local community.</p>   |

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|   |   | <p>During election campaigns, <u>RTV Slovenia</u> shall provide a portion of programme time for the presentation of candidates, political parties and their manifestoes free of charge.</p> <p>The time devoted to the presentation of candidates and political parties represented in the National Assembly and European Parliament shall be the same for all, and equally the conditions governing their presentation as part of pre-election broadcasts shall also be the same.</p> <p>Political parties and independent candidates that are not represented in the National Assembly or European Parliament must have at their disposal a total of one-third of the total time determined by RTV Slovenia for all political parties and candidates participating in the elections.</p>   |
| National rules on political advertising on <b>broadcast media</b> during pre-election campaigns (incl. public service and private broadcasters) | <p>Article 6(2) of the Election and Referendum Campaign Act</p> <p>Article 10 of the Radiotelevizija Slovenija Act</p> <p>Article 12 of the Radiotelevizija Slovenija Act</p> | <p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during pre-election campaigns.</i></p> <p>Political propaganda shall not be permitted on the channels of RTV Slovenia, except for the period of election campaigns.</p> <p>RTV Slovenia may only transmit political party broadcasts along with the name of the source commissioning the broadcast. The source commissioning the broadcast shall be responsible for the content of such messages.</p> <p>During election campaigns, <u>RTV Slovenia</u> shall provide a portion of programme time for the presentation of candidates, political parties and their manifestoes free of charge.</p> <p>The time devoted to the presentation of candidates and political parties represented in the National Assembly and European Parliament shall</p> |



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|   |  | <p>be the same for all, and equally the conditions governing their presentation as part of pre-election broadcasts shall also be the same.</p> <p>Political parties and independent candidates that are not represented in the National Assembly or European Parliament must have at their disposal a total of one-third of the total time determined by RTV Slovenia for all political parties and candidates participating in the elections.</p>  |
| National rules on political advertising in <b>print media</b> during pre-election campaigns | <p>Article 6 of the Election and Referendum Campaign Act</p> <p>Article 7 of the Election and Referendum Campaign Act</p>                                    | <p><i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i></p> <p>Media publishers shall determine and publish rules (scope, conditions and methods) on the use of airtime or newspaper space for presentations of candidates, political parties and their programmes or for presentations of opinions about the referendum question no later than 45 days prior to the day of voting in an election or 25 days before the day of voting in a referendum.</p> <p>Publishers of print and electronic media that are directly or indirectly in majority public ownership shall ensure equal conditions for the publication of election propaganda messages to all organisers, and shall ensure equal treatment of election campaign organisers in presentations of candidates and their programmes, while specific time or space can be provided for the presentation of political parties already represented in the National Assembly or political parties and candidate lists already represented in representative bodies of local communities, and specific time or space for the presentation of political parties and candidate lists not yet represented in the National Assembly or in representative bodies of local communities.</p> |

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|   |  | <p>In the media determined as such in accordance with the regulations on media, media publishers shall publish election advertising content indicating the customer's name.</p> <p>Bulletins, catalogues and other information publishing media, posters, pamphlets, banners and video pages without live images, and telecommunications messages containing advertising content for an election campaign shall contain the name of the customer commissioning the publication of such content. Posters shall also bear a serial number.</p> |
| National rules on political advertising on <b>online media applicable to political parties</b> , during pre-election campaigns                            | See the previous answer.   | <p><i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p> <p>See the previous answer.</p>  |
| Particular rules <b>applicable to online platforms and intermediaries</b> , 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>  |
| Specific rules relating to “ <b>false information</b> ”, <b>fake news</b> ” or “ <b>disinformation campaigns</b> ” during pre-election campaigns          |  | <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>   |
| <b>III. Political advertising rules during elections period</b>   |  |  |
| Definitions of <b>elections period in the Member State (if applicable)</b>  | <p>Article 2 of the Election and Referendum Campaign Act</p> <p>Article 5(2) of the Election and Referendum Campaign Act</p>                                 | <p><i>How is the elections period defined in your Member State?</i></p> <p>There is no direct definition, but since an election campaign shall end no later than 24 hours before the day of voting, the election period takes place 24 hours before the day of voting and on the voting day by</p>   |

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|   |  | <p>the polls closing time (since voting days are on Sunday 7am-7pm, in practice this means that the elections period lasts on the entire Saturday and on Sunday by 7pm). During this period, there is an "election silence" for political parties and candidates.</p> <p>Article 5(2): Publication of opinion polls and surveys on candidates, lists of candidates, political parties and referendum questions shall not be permitted 24 hours before the day of voting and until the closure of polling stations on the day of voting.</p>  |
| National rules on <b>paid political advertising</b> during elections period | Article 10 of the Election and Referendum Campaign Act   | <p><i>Is paid political advertising during election period prohibited or allowed in your Member State?</i></p> <p><i>If prohibited, what is the scope of the ban of paid political advertising?</i></p> <p><i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction (e.g. enforcement of 'silence periods' online)</i></p> <p>All propaganda that could change the opinion of voters is forbidden during the "election silence".</p> <p>The posting of new posters during the election silence shall be forbidden.</p> <p>Since the 2016 Supreme Court judgment, the election silence applies only to organisers of election campaigns, political parties and candidates (case IV Ips 31/2016).</p> <p>These rules are also applicable and enforced online.</p> |

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| National rules on financing of political parties/candidates in relation to political adverts  | The political campaign is prohibited during the election silence (see above).  | <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 political campaign is prohibited during the election silence (see above).</p> |
| National rules on <b>free political advertising (or free airtime)</b> during elections period   | The political campaign is prohibited during the election silence (see above).  | <p><i>Are political parties in your Member State allocated free political advertising during elections period?</i></p> <p>The political campaign is prohibited during the election silence (see above).</p>  |
| National rules on political advertising on <b>broadcast media</b> during elections period (incl. public service and private broadcasters) | The political campaign is prohibited during the election silence (see above).  | <p><i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i></p> <p>The political campaign is prohibited during the election silence (see above).</p>   |
| National rules on political advertising in <b>print media</b> during elections period   | The political campaign is prohibited during the election silence (see above).  | <p><i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i></p> <p>The political campaign is prohibited during the election silence (see above).</p>   |
| National rules on political advertising on <b>online media</b>  | The political campaign is prohibited during the election silence (see above).  | <p><i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i></p>  |

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| <b>applicable to political parties</b> , during elections period  |  | The political campaign is prohibited during the election silence (see above).   |
| Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during elections period | The political campaign is prohibited during the election silence (see above).  | <i>Are there any particular rules to online platforms during elections period in your Member State?</i><br><br>The political campaign is prohibited during the election silence (see above).  |
| Specific rules relating to “ <b>false information</b> ,” “ <b>fake news</b> ” or “ <b>disinformation campaigns</b> ” during elections period        | The political campaign is prohibited during the election silence (see above).  | <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><br><br>The political campaign is prohibited during the election silence (see above).   |
| <b>IV. Political advertising rules outside of elections period</b>  |  |   |
| National rules on <b>paid political advertising</b> outside of elections period   | Article 39 of the Constitution of the RS (freedom of expression)   | <i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i><br><br><i>If prohibited, what is the scope of the ban of paid political advertising?</i><br><i>If allowed, are there restrictions on paid political advertising?</i><br><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><br><br>Paid political advertising outside of elections period and pre-election campaign period is allowed in Slovenia. There are no limitations on paid political advertising in this time period, in accordance with Article 39 of the Constitution of the RS (freedom of expression). |

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| National rules on financing of political parties in relation to political adverts   | /  | <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>Paid political advertising outside of elections period and pre-election campaign period is allowed in Slovenia. There are no limitations on paid political advertising in this time period, in accordance with Article 39 of the Constitution of the RS (freedom of expression).</p> |
| National rules on <b>free political advertising (or free airtime)</b> outside of elections period   | Article 10 of the Radiotelevizija Slovenija Act  | <p><i>Are political parties in your Member State allocated free political advertising outside of elections campaigns?</i></p> <p>Political propaganda shall not be permitted on the channels of RTV Slovenia, except for the period of election campaigns.</p>  |
| National rules on political advertising on <b>broadcast media</b> outside of elections period (incl. public service and private broadcasters) | Article 10 of the Radiotelevizija Slovenija Act  | <p><i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i></p> <p>Political propaganda shall not be permitted on the channels of RTV Slovenia, except for the period of election campaigns.</p>  |
| National rules on political advertising in <b>print media</b> outside of elections period   | /  | <p><i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i></p>   |

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| National rules on political advertising on online media <b>applicable to political parties</b> , outside of elections period | /  | <i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i>   |
| <b>V. Rules and obligations applicable to online platform operators and intermediaries of political advertising</b>          |  |  |
| Particular rules <b>applicable to online platforms and intermediaries</b> such as social media for political advertising     | Article 5 of the Election and Referendum Campaign Act<br><br>Article 25 of the Slovenian Advertising Codex adopted by the Slovenian Advertising Chamber.   | <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><br><i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i><br><i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i><br><br>No, the same rules apply to online platforms as for offline media.  |
| <b>VI. Transparency rules for political parties/candidates funding</b>   |  |  |
| Rules on <b>direct public funding<sup>1</sup> to political parties and/or candidates</b>                                     | <b>Political Parties Act</b><br>(Zakon o političnih strankah (Uradni list RS, št. 100/05 – uradno prečiščeno besedilo, 103/07, 99/13 in 46/14))<br><br>((Official Gazette of the Republic of Slovenia Nos 100/05 – official consolidated text, 103/07, 99/13 and 46/14)<br><br><a href="http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#">http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#</a><br><br>Articles 21(2), 23 | <i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i><br><br>Article 21(2) provides that a Party may acquire up to 50% of funds from the state budget – these are funds which have been earmarked in the financial plan of the National Assembly of the Republic of Slovenia, pursuant to the act governing the deputies of the National Assembly of the Republic of Slovenia, and are intended for additional expert assistance to the work of deputy groups. In order to obtain the earmarked funds, the Party and the National Assembly of the Republic |

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

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|  | <p>Article 25</p> <p>Article 14(5) of the Election and Referendum Campaign Act</p>   | <p>of Slovenia shall sign a contract upon the proposal by the head of the group of the Party's deputies, setting the amount of earmarked funds.</p> <p>Article 23 provides that the Parties that were presented by their own candidates in the last elections for the National Assembly have the right to draw funds from the national budget, provided that they have received at least 1% of the votes in the country.</p> <p>Article 25 provides that state authorities, local community bodies, legal persons governed by public and private law, individual sole traders and individuals who perform independent activities shall not finance a Party, unless otherwise provided by an Act.</p> <p>Article 14(5) of the Election and Referendum Campaign Act reiterates this ban:<br/>State authorities, local community bodies, legal persons governed by public and private law, and individual sole traders or individuals who perform independent activities shall not be allowed to finance election campaigns, unless otherwise provided by an Act. Legal persons governed by private law that were not established for the purpose of gaining profit may provide contributions to referendum campaigns.</p> |
| Rules on indirect public funding <sup>2</sup> to political parties and/or candidates | Article 12 of the Radiotelevizija Slovenija Act  | <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>  |

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



| Research question  | Legal source (Article and full name of the source, including hyperlink)<br><u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u> | Summary of the rules   |
|--|--|--|
|  | <p>Article 8 of the Election and Referendum Campaign Act</p> <p>Article 14(2) of the Election and Referendum Campaign Act</p>                                | <p>In addition to the cash receipts, the following shall also be considered election campaign contributions: any non-cash contribution, free services provided to an election campaign organiser, the commitment or provision of services to an election campaign organiser or the sale of goods to an election campaign organiser under conditions that provide the election campaign organiser with a more favourable position compared to other service users or buyers of goods from such persons. The following shall not be considered an election campaign contribution: any work carried out for an election campaign organiser by a natural person if such person is not obliged to issue an invoice.</p> <p>During election campaigns, <u>RTV Slovenia</u> shall provide a portion of programme time for the presentation of candidates, political parties and their manifestoes free of charge.</p> <p>The posting of election posters that contain advertising content for an election campaign shall be allowed in sites for posters designated by the <u>local community</u>. The local community shall ensure equal conditions, free of charge and without the payment of municipal tax, for all election campaign organisers to erect a specified number of election posters in the election poster sites designated by the local community.</p> |
| <p>Rules on free or subsidised access to media for political parties and/or candidates</p> | <p>Article 10 of the Radiotelevizija Slovenija Act</p>   | <p><i>Are there provisions for free or subsidized access to media for political parties in your Member State? Please give a brief description and specify transparency provisions.</i></p> <p>Political propaganda shall not be permitted on the channels of RTV Slovenia, except during the period of election campaigns (see above for detailed rules).</p>  |

| Research question  | Legal source (Article and full name of the source, including hyperlink)<br><u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>  | Summary of the rules  |
|--|---|---|
| Rules on <b>foreign contributions to political parties and political campaigns</b>   | <p>Zakon o političnih strankah (Uradni list RS, št. 100/05 – uradno prečiščeno besedilo, 103/07, 99/13 in 46/14)</p> <p>Political Parties Act ((Official Gazette of the Republic of Slovenia Nos 100/05 – official consolidated text, 103/07, 99/13 and 46/14)</p> <p><a href="http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#">http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#</a></p> <p>Article 21(7)-(8)</p> <p>Article 14(6) of the Election and Referendum Campaign Act</p> | <p><i>Is there a ban on contributions from foreign interests (i.e. foreign countries and governments, foreign companies, foreign organisations, foreign private persons) to political parties and/or to candidates during political campaigns in your Member State?</i></p> <p>It is prohibited for a Party to acquire funds from contributions of foreign private citizens, legal entities and natural persons, or from Party's property incomings from abroad, from bequests and gifts from abroad, or to acquire any funds or perform any services for a Party from abroad. This prohibition does not apply for membership fees or contributions that the Party acquires from its members.</p> <p>An election campaign organiser shall not raise funds for the election campaign from foreign natural and legal persons. The organiser of an election campaign for elections to the European Parliament may raise funds for the election campaign from contributions provided by citizens of Member States of the European Union under the conditions and in the manner applicable to domestic natural persons pursuant to the Election and Referendum Campaign Act.</p> |
| <b>VII. Monitoring and enforcement of national rules on political advertising by national authorities</b>                              |   |   |
| National (or regional/local if applicable) <b>authority or body responsible</b> for monitoring national rules on political advertising | Article 40 of the Election and Referendum Campaign Act  | <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> <ul style="list-style-type: none"> <li>- Culture and Media Inspectorate of the Republic of Slovenia (for election and referendum campaign);</li> <li>- Internal Affairs Inspectorate of the Republic of Slovenia (for the election silence period);</li> <li>- Court of Audit of the Republic of Slovenia (supervision of the financing of the campaign);</li> </ul>   |

| Research question  | Legal source (Article and full name of the source, including hyperlink)<br><u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>  | Summary of the rules   |
|--|---|--|
|  |   | <ul style="list-style-type: none"> <li>- inspectorates of the local communities or local community police (for the supervision of election poster);</li> <li>- AJPES - Agency of the Republic of Slovenia for Public Legal Records and Related Services (violations of the Political Parties Act)</li> </ul>   |
| Particular measures for <b>supervising online political advertising</b> 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>  |
| <b>Sanctions, penalties and remedy measures</b> applicable in violation of the law                           | <p>Articles 31-40 of the Election and Referendum Campaign Act</p> <p>Article 29 of the Political Parties Act</p> <p>Article 151 of the Criminal Code<br/>(Kazenski zakonik (Uradni list RS, št. 50/12 – uradno prečiščeno besedilo, 6/16 – popr., 54/15, 38/16, 27/17, 23/20 in 91/20))</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>Sanctions:</p> <ul style="list-style-type: none"> <li>- fines - For violations of the Political Parties Act, the maximum fine is 30.000 EUR. For violations of the Election and Referendum Campaign Act, the maximum fine is 20.000 EUR (e.g. 20.000 EUR for the offence of failing to submit the report on financing the election campaign in the determined period of time according to Articles 18 and 19 hereof, or deliberately submitting a false report on financing the election campaign, or opening a special bank account too late or failing to open one, or failing to collect all funds for the election campaign in this account, or failing to pay all expenses for the election campaign from this account, or failing to transfer the surplus of collected funds for humanitarian purposes; max. fine 20.000 EUR shall be imposed on an election campaign organiser – a legal person, sole trader or self-employed person – who in financing the election campaign for the election of deputies of the National Assembly, members of the European Parliament or the President of the Republic exceeds the limits; max. fine 15.000 EUR for the same violation in the local community elections; max. fine 15,000 EUR shall be imposed on a payment service provider who in the payment of contributions to an</li> </ul> |

| Research question | Legal source (Article and full name of the source, including hyperlink)<br><u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u> | Summary of the rules  |
|-------------------|--|---|
|                   |  | <p>election campaign organiser does not communicate the amount of the contribution or data enabling the identification of the payer, and other information to be communicated together with the payment transaction...);</p> <ul style="list-style-type: none"> <li>- reduction or loss of the right to the reimbursement of the expenses of organising and financing an election campaign and the temporary reduction or temporary loss of a political party's right to the funds from the state budget or local community budget;</li> <li>- prison sentence for "obstruction of freedom of choice" ( Whoever, at an election or ballot, compels another person to vote, or not to vote, or to cast a void vote, or to vote in favour of or against a particular proposal by means of force, serious threat, bribery, deception or in any other unlawful manner shall be punished by a fine or sentenced to imprisonment for not more than one year. If the offence is committed by an official through the abuse of his function relating to the election or ballot, such an official shall be sentenced to imprisonment for not more than two years.)</li> </ul> <p>Monitoring: by the competent authorities, i.e.:</p> <ul style="list-style-type: none"> <li>- Culture and Media Inspectorate of the Republic of Slovenia (for election and referendum campaign);</li> <li>- Internal Affairs Inspectorate of the Republic of Slovenia (for the election silence period and violations of the Political Parties Act);</li> <li>- Court of Audit of the Republic of Slovenia (supervision of the financing of the campaign);</li> <li>- inspectorates of the local communities or local community police (for the supervision of election postering);</li> <li>- AJPES - Agency of the Republic of Slovenia for Public Legal Records and Related Services (violations of the Political Parties Act)</li> </ul> |

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 – Slovenia

## 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 volilni in referendumski kampanji (Uradni list RS, št. 41/07, 103/07 – ZPolS-D, 11/11, 28/11 – odl. US in 98/13)         | <a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4749">http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4749</a> | Election and Referendum Campaign Act |
| Zakon o Radioteleviziji Slovenija (Uradni list RS, št. 96/05, 109/05 – ZDavP-1B, 105/06 – odl. US, 26/09 – ZIPRS0809-B in 9/14)) | <a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4461">http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO4461</a> | Radiotelevizija Slovenija Act        |
| Zakon o političnih strankah (Uradni list RS, št. 100/05 – uradno prečiščeno besedilo, 103/07, 99/13 in 46/14)                    | <a href="http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#">http://pisrs.si/Pis.web/pregledPredpisa?id=ZAKO359#</a>         | Political Parties Act                |
| Slovenski oglaševalski kodes   | <a href="https://www.soz.si/sites/default/files/soz_sok_slo.pdf">https://www.soz.si/sites/default/files/soz_sok_slo.pdf</a>   | the Slovenian Advertising Codex      |
| -Kazenski zakonik (Uradni list RS, št. 50/12 – uradno prečiščeno besedilo, 6/16 – popr., 54/15, 38/16, 27/17, 23/20 in 91/20)    | <a href="http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5050">http://www.pisrs.si/Pis.web/pregledPredpisa?id=ZAKO5050</a> | Criminal Code                        |