

## 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 – Slovakia

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
<b>I. General information about the national legal framework</b>		
<b>National legal act(s)</b> governing political advertising	<p>Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></p> <p>Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a></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>The main legislation governing political advertising in Slovakia is Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements. Act no. 308/2000 Coll. on Broadcasting and Retransmission further regulates the specificities of (political) advertising by means of broadcasting (e.g. TV) and retransmission (e.g. radio).</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>

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		The principal piece of legislation does not differentiate between online and offline advertising (save for particular provisions which exclude the applicability of 'internet' advertising) and applies to both forms of advertising.
Legal and/or statutory <b>definition</b> of the notion of “ <b>political advertising</b> ” and “ <b>online political advertising</b> ” (if applicable)	§ 32(10) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	<p><i>Does your national legislation or regulations define political advertising?</i></p> <p><i>Does your national legislation or regulations define <b>online</b> political advertising?</i></p> <p>§ 32(10) of Act no. 308/2000 Coll. defines political advertising for the purposes of that law as a form of “public administration aimed to provide:</p> <p>a) support for a political party, political movement, party member or movement member or candidate, possibly in their favour during an election campaign or a referendum campaign,</p> <p>b) popularization of the name, brand or slogans of a political party, political movement or candidate.”</p> <p>Act no. 181/2014 Coll. provides a cross-reference to the above definition as it uses the notion of political advertising throughout the legal text.</p> <p>Political advertising can be any broadcast communication that meets this definition. However, the definition of political advertising above only applies to political advertising by means of broadcasting and retransmission. There is no definition of online political advertising in the Slovak legislation.</p>
If not applicable, provide <b>other definitions/terms used in the</b>		<i>Examples: “partisan advertising”, “campaign advertising”, “elections advertising and issues based advertising” etc.</i>

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legislation close to the notion of “political advertising”		<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>See above.</p>
Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising	<p>Third Interim Compliance Report on Slovakia of the Council of Europe (2014). Available at: <a href="https://rm.coe.int/16806ca590">https://rm.coe.int/16806ca590</a></p>	<p><u><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></u></p> <p><u><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></u></p> <p>The result of recommendations by the Group of States against Corruption (GRECO) addressed to the Slovak Republic was the adoption of new and amended legislation in the field of political party financing, namely:</p> <ul style="list-style-type: none"> <li>- Act no. 180/2014 Coll. on the conditions for the exercise of the election rights; and</li> <li>- Act no. 181/2014 on the election campaign and the Act on Political Parties (No. 85/205 Coll.).</li> </ul> <p>Other initiatives concerning political advertising in particular are being discussed on the EU level.</p> <p>See also: recommendations from OSCE evaluation reports, e.g. OSCE/ODIHR (2020) Slovak Republic, Parliamentary Elections, 29 February 2020. ODIHR Election Assessment Mission, Final Report. Available at: <a href="https://www.osce.org/files/f/documents/8/3/452377.pdf">https://www.osce.org/files/f/documents/8/3/452377.pdf</a></p>
<b>II. Political advertising rules during pre-election campaigns</b>		

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Definitions of <b>pre-election campaigns in the Member State (if applicable)</b>	§ 2(1) and (2) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Are pre-election campaigns defined in your Member State? If so, how?</i>  The Act on Election Campaign in the provision of § 2 par. 1 defines the term election campaign (to be understood as pre-election campaign) as any activity of a political party, political movement, coalition of political parties and political movements and candidates, aimed at promoting their activities, objectives and program in order to obtain functions elected under a special regulation for which usually a fee applies. This means teamwork for and against these entities.  According to § 2 par. 2 of the Election Campaign Act, the election campaign begins on the day of publication of the decision on the declaration of elections in the Collection of Laws of the Slovak Republic and ends 48 hours before the day of the election.
National rules on <b>paid political advertising</b> during pre-election campaigns	§ 3, 5, 6, 7 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>  § 3(1), (2) and (4) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>  and § 22, § 23 a § 24(1) of Act no. 85/2005 on Political Parties and Movements (effective as of 01.12.2020). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85</a>	<i>Is paid political advertising during pre-election campaigns prohibited or allowed in your Member State?</i>  Paid political advertising during pre-election campaigns is allowed in Slovakia. § 3 of the Election Campaign Act specifically regulates financing of the election campaign of a political party in the elections to the National Council of the Slovak Republic and to the European Parliament; § 5 financing of the election campaign for the election of the President of the Slovak Republic; § 6 financing of the election campaign by candidates in elections to local government bodies; and § 7 financing of the election campaign by a political party in elections to local self-government bodies.  <i>If prohibited, what is the scope of the ban of paid political advertising?</i>  N/A

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	<p>5(1) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></p>	<p><i>In the opposite case, to which extend is paid political advertising allowed? What are the limitations applicable?</i></p> <p>A political party and a political movement may spend a maximum of EUR 3,000,000, including VAT, on its election campaign in the elections to the National Council of the Slovak Republic and in the elections to the European Parliament. The limit of the political party's costs shall also include the difference between the price of the gift or other gratuitous performance specified in the contract and the usual price and the political party's promotion costs incurred 180 days before the election day. Political entities are required to keep all funds designated for an election campaign (including an election campaign on the internet and social media) allocated on a special transparent account and are required to deliver report on the funds spent on the election campaign to the Ministry of Interior of the Slovak Republic, which is then made public. All items of an election campaign, including digital ads, must include information about the customer and supplier.</p> <p>According to § 5 par. 1 of the Election Campaign Act, the Presidential Candidate may spend a maximum of EUR 500,000 on their election campaign, including VAT, for both rounds of elections. This amount also includes the costs incurred in promoting the candidate in the period beginning 180 days before the date of the election and the costs which the Presidential President has paid or is required to pay. If a political advertisement, advertisement or program was published or broadcast free of charge or at a reduced price with a broadcaster other than on Slovak Radio and Television, their usual price is included in the stated amount.</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>

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		See above and below under points f) and g) of § 24 par. 1 of the Political Parties and Movements Act and § 5 par. 3 of the Election Campaign Act.
<b>National rules on financing of political parties/candidates in relation to political adverts</b>	<p>§ 24(1)-(2) of Act no. 85/2005 on Political Parties and Movements (effective as of 01.12.2020). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85</a></p> <p>§ 5(3)-(4) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></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>§ 24 par. 1 of the Political Parties and Movements Act prohibits accepting gifts to a political party from the following categories of donors:</p> <ul style="list-style-type: none"> <li>a) the State, the Slovak Land Fund, the municipality or the higher territorial unit;</li> <li>b) legal persons whose founding or founder is the State, the Slovak Land Fund, a municipality or a higher territorial unit;</li> <li>c) legal persons in which the State, the Slovak Land Fund, a municipality or a higher territorial unit holds shares;</li> <li>d) citizens' associations, foundations, non-profit organisations providing services of general interest, non-investment funds, business associations of legal entities, associations of municipalities and organisations with an international element;</li> <li>e) bodies governed by public law and other legal persons established by law;</li> <li>f) a natural person who does not have permanent residence in the Slovak Republic;</li> <li>g) a legal person established abroad;</li> <li>h) a natural or legal person in respect of which he is unable to provide the identification details of the donor or the identification of the Party which provided the other consideration free of charge; and</li> <li>i) a European Party and a European Foundation.</li> </ul>

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		<p>§ 24 par. 2 of the Political Parties and Movements Act states that if the statement of accounts cannot establish who the donor is, the party has to return the gift. As a result, anonymous donations are also banned.</p> <p>The same ban applies in relation to presidential elections according to § 5 par. 4 of the Election Campaign Act.</p> <p>§ 5 par. 3 of the Election Campaign Act only allows for the following donors in the context of presidential elections:</p> <ul style="list-style-type: none"> <li>a) a natural person permanently resident in the territory of the Slovak Republic;</li> <li>b) a political party registered in the Slovak Republic;</li> <li>c) a legal person established in the territory of the Slovak Republic.</li> </ul>
National rules on <b>free political advertising (or free airtime)</b> during pre-election campaigns	<p>§ 37a of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a></p> <p>and § 5(k) of Act no. 532/2010 Coll. on Radio and Television of Slovakia (effective as of 01.01.2019). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20190101.html">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2010/532/20190101.html</a></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>According to § 37a of the Broadcasting and Retransmission Act, political advertising may be broadcast free of charge.</p> <p>Only the public Radio and Television of Slovakia (RTVS) must by law broadcast political advertising. Licensed broadcasters, i.e., private television and radio, may or may not broadcast political advertising.</p>
National rules on political advertising on <b>broadcast media</b> during pre-election campaigns (incl. public service and private broadcasters)	<p>§ 12 and 10(1)-(4) and (7) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></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 advertising is permitted only in the period beginning 21 days before the election day and ending 48 hours before the election day.</p>



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	and § 16(3a-b) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	RTVS is obliged to devote 10 hours to political discussion programmes both on radio and television which it fulfilled by organising eight radio and four TV programmes with equal time provided to the contestants. Political parties are entitled to up to 30 minutes of paid political TV advertising per channel, but the total length is limited to 10 hours altogether. Prices must be equal for all political parties.  According to the provisions of § 10 par. 7 of the Election Campaign Act, RTVS as well as licensed broadcasters are prohibited from broadcasting any programs other than talk shows, news programs, publicist programs and political advertising that could affect voting in favour or against a candidate political party or candidate coalition of political parties during the campaign.  The law obliges broadcasters to be impartial, objective and ensure plurality of views in news and current affairs programmes. The compliance is monitored by the Council for Broadcasting and Retransmission (CBR).
National rules on political advertising in <b>print media</b> during pre-election campaigns	§ 20(1a) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Please, provide a brief description of the national rules on political advertising in print media during pre-election campaigns.</i>  There are no specific rules applicable to print media during pre-election campaigns. General rules of the Election Campaign Act apply. The Act does not stipulate the obligation to remove posters/billboards already placed during the election moratorium (see §§ 2, 14 and 17 of the Act), but no more posters/billboards may be placed during this period.
National rules on political advertising on <b>online media applicable to political parties</b> , during pre-election campaigns	§ 2(2) and § 17 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i>  Broadcasters (exclusively) via the Internet and audio-visual on-demand media service providers may provide political advertising (election ads, paid advertising), publish election posters, or broadcast,



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	§ 16(2c) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	i.e., provide programs with representatives of candidate political parties and candidate coalitions of political parties. At the same time, however, these entities are also obliged to observe an electoral moratorium.
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during pre-election campaigns	§ 17 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>  Information on the conduct of the election campaign by a political party and a political movement in the elections to the National Council of the Slovak Republic in 2020. Available at: <a href="https://www.minv.sk/?nr20_infokampan">https://www.minv.sk/?nr20_infokampan</a>	<i>Are there any particular rules to online platforms during pre-election campaigns in your Member State?</i>  Online pre-election campaign is not regulated apart from the ban on opinion polls in the last 14 days before the election.  There are no particular rules on online platforms in Slovakia. Free statuses on social networks are not considered an election campaign. However, a status published for consideration (sponsored contribution) is an election campaign.
Specific rules relating to <b>“false information”, “fake news” or “disinformation campaigns”</b> during pre-election campaigns	LP/2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations. Available at: <a href="https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507">https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507</a>	<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>  There is no legislation in Slovakia governing specifically fake news and disinformation. However, a non-legislative initiative LP/ 2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations is currently under evaluation by the Slovak Government Office. The main addressees of the coordinated mechanism of resilience to information operations are public administration, especially central state administration bodies, but also all levels of public power, including self-government bodies and

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		<p>founding organisations of public administration bodies, academia and NGO sector and the general public, i.e., the private and civil sector.</p> <p>Through a coordinated mechanism, individual institutions and bodies should strengthen their own means and capacities for resilience to information operations - better detection, coordinated response, online platforms, awareness-raising, empowerment of citizens and the establishment of a specific real-time early warning system between institutions; authorities to facilitate the exchange of data and the evaluation of disinformation campaigns. The effective and successful implementation of these measures depends on the active participation and cooperation of all these actors.</p>
<b>III. Political advertising rules during elections period</b>		
Definitions of <b>elections period in the Member State (if applicable)</b>	<p>§ 14 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></p>	<p><i>How is the elections period defined in your Member State?</i></p> <p>With respect to all forms of elections (i.e. parliamentary, presidential, regional etc.), the campaign silence period (moratorium) is set for 48 hours before the election day, on the election day and until the end of voting.</p>
National rules on <b>paid political advertising</b> during elections period	<p>§ 17 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></p> <p>and § 16(3) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at:  <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a></p>	<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 extent is paid political advertising allowed? What are the limitations applicable?</i></p> <p>Publishing information about the political subjects is prohibited during this period.</p> <p><i>Please, specify whether such rules during elections period are also applicable and enforceable online and whether they apply to actors</i></p>

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		<p><i>registered outside the jurisdiction (e.g. enforcement of 'silence periods' online)</i></p> <p>The ban on opinion polls applies in the last 14 days before the election. Therefore, except for the day of the election and the period of 14 days before the day of the election, broadcasters may publish the results of election surveys. In accordance with § 16 par. 3 letter (a) of the Broadcasting and Retransmission Act, however, broadcasters must ensure that election surveys are reproduced impartially, with all available survey information being published (i.e., survey parameters such as the organisation conducting the survey, the sponsor, the size of a representative sample of the population, etc.) and the results of the preferences of all political entities running in the elections to the National Council of the Slovak Republic, which were recorded in the survey, must be published.</p>
<b>National rules on financing of political parties/candidates in relation to political adverts</b>	<p>§ 24(1)-(2) of Act no. 85/2005 on Political Parties and Movements (effective as of 01.12.2020). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85</a></p> <p>§ 5(3)-(4) and § 17 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></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>Same rules as described above apply to financing of political adverts. However, political advertising is not allowed during the election period.</p>
National rules on <b>free political advertising (or free airtime)</b> during elections period	§ 14 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at:	<p><i>Are political parties in your Member State allocated free political advertising during elections period?</i></p> <p>No. As described above, a moratorium on advertising applies during the election period.</p>

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National rules on political advertising on <b>broadcast media</b> during elections period (incl. public service and private broadcasters)	§ 14 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Please, provide a brief description of the national rules on political advertising on broadcast media during elections period</i>  As described above, a moratorium on advertising applies during the election period.
National rules on political advertising in <b>print media</b> during elections period	§ 14 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Please, provide a brief description of the national rules on political advertising in print media during elections period</i>  As described above, a moratorium on advertising applies during the election period.
National rules on political advertising on <b>online media applicable to political parties</b> , during elections period	§ 17 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i>  As stated above, the ban on opinion polls applies in the last 14 days before the election.
Particular rules <b>applicable to online platforms and intermediaries</b> , such as social media, for political advertising during elections period	Information on the conduct of the election campaign by a political party and a political movement in the elections to the National Council of the Slovak Republic in 2020. Available at: <a href="https://www.minv.sk/?nr20_infokampan">https://www.minv.sk/?nr20_infokampan</a>	<i>Are there any particular rules to online platforms during elections period in your Member State?</i>  As stated above, unpaid posts on social networks are not considered an election campaign. However, a post published for consideration (sponsored contribution) is an election campaign and therefore prohibited during the election period.
Specific rules relating to “ <b>false information</b> ,” “ <b>fake news</b> ” or “ <b>disinformation campaigns</b> ” during elections period	LP/2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations. Available at:	<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>

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
	<a href="https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507">https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507</a>	As stated above, there is no legislation in Slovakia governing specifically fake news and disinformation at the moment. However, a non-legislative initiative LP/ 2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations is currently under evaluation by the Slovak Government Office.
<b>IV. Political advertising rules outside of elections period</b>		
National rules on <b>paid political advertising</b> outside of elections period	§ 32(9) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	<i>Is paid political advertising during elections period prohibited or allowed in your Member State?</i> <i>If prohibited, what is the scope of the ban of paid political advertising?</i> <i>If allowed, are there restrictions on paid political advertising?</i> <i>Please, specify whether such rules outside of elections period are also applicable and enforceable online and whether they apply to actors registered outside the jurisdiction.</i>  According to § 32 par. 9 of the Broadcasting and Retransmission Act, the broadcasting of political advertising is prohibited, unless a special regulation provides otherwise. (A special regulation in this case is the Election Campaign Act, which in the provision of § 12 par. 1 explicitly stipulates the beginning of the broadcasting of political advertising on the 21st day before the day of the election to the National Council of the Slovak Republic and its end at 48 hours before the day of the election.)
National rules on <b>financing of political parties in relation to political adverts</b>		<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>
National rules on <b>free political advertising (or free airtime)</b> outside of elections period	§ 32(9) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at:	<i>Are political parties in your Member State allocated free political advertising outside of elections 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
	<a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	There is a general prohibition on political advertising outside the (pre)election period in Slovakia.
National rules on political advertising on <b>broadcast media</b> outside of elections period (incl. public service and private broadcasters)	§ 32(11) and § 2b of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	<i>Please, provide a brief description of the national rules on political advertising on broadcast media outside of elections period</i>  § 32 par. 11 of the Broadcasting and Retransmission Act provides for an exception to the general ban on the broadcasting of political advertising for broadcasting via the Internet.  Pursuant to § 2b of the Broadcasting and Retransmission Act, the obligations of a broadcaster via the Internet pursuant to the provisions of this Act apply to a broadcaster via the Internet who broadcasts a program service exclusively via the Internet. Only broadcasting that is carried out exclusively via the Internet (and thus not "online" broadcasting of a program service, which is broadcast in a form other than via the Internet at the same time).
National rules on political advertising in <b>print media</b> outside of elections period	§ 32(9) of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	<i>Please, provide a brief description of the national rules on political advertising in print media outside of elections period</i>  There is a general prohibition on political advertising outside the (pre)election period in Slovakia.
National rules on political advertising on online media <b>applicable to political parties</b> , outside of elections period	§ 32(11) and § 2b of Act no. 308/2000 Coll. on Broadcasting and Retransmission (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	<i>Examples: Data protection and privacy rules, rules applicable to political parties for addressing electronic political communication...</i>  See the rules applicable to broadcast political advertising above.
<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	Information on the conduct of the election campaign by a political party and a political movement in the elections to the National	<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
	<p>Council of the Slovak Republic in 2020. Available at: <a href="https://www.minv.sk/?nr20_infokampan">https://www.minv.sk/?nr20_infokampan</a></p> <p>LP/2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations. Available at: <a href="https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507">https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507</a></p>	<p><i>If so, which are the online platforms operators and other intermediaries concerned by the legislation/guidelines/self-regulatory code?</i></p> <p><i>Are there any particular rules applicable to online platforms to set up means to fight disinformation?</i></p> <p>As stated above, there are no particular rules on online platforms in Slovakia. Free statuses on social networks are not considered an election campaign. However, a status published for consideration (sponsored contribution) is an election campaign.</p> <p>There is no legislation in Slovakia governing specifically fake news and disinformation at the moment. However, a non-legislative initiative LP/2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations is currently under evaluation by the Slovak Government Office.</p>
<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>	<p>§ 24(1)-(2) of Act no. 85/2005 on Political Parties and Movements (effective as of 01.12.2020). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85</a></p> <p>§ 5(4) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a></p>	<p><i>Are there provisions for direct public funding to political parties in your Member State? Please give a brief description.</i></p> <p>As described above, public funding of political parties and/or candidates is prohibited.</p> <p>§ 24 par. 1 of the Political Parties and Movements Act prohibits accepting gifts to a political party from the following categories of donors:</p> <p>a) the State, the Slovak Land Fund, the municipality or the higher territorial unit;</p>

<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>



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>b) legal persons whose founding or founder is the State, the Slovak Land Fund, a municipality or a higher territorial unit;</p> <p>c) legal persons in which the State, the Slovak Land Fund, a municipality or a higher territorial unit holds shares;</p> <p>d) citizens' associations, foundations, non-profit organisations providing services of general interest, non-investment funds, business associations of legal entities, associations of municipalities and organisations with an international element;</p> <p>e) bodies governed by public law and other legal persons established by law;</p> <p>f) a natural person who does not have permanent residence in the Slovak Republic;</p> <p>g) a legal person established abroad;</p> <p>h) a natural or legal person in respect of which he is unable to provide the identification details of the donor or the identification of the Party which provided the other consideration free of charge; and</p> <p>i) a European Party and a European Foundation.</p> <p>§ 24 par. 2 of the Political Parties and Movements Act states that if the statement of accounts cannot establish who the donor is, the party has to return the gift. As a result, anonymous donations are also banned.</p> <p>The same ban applies in relation to presidential elections according to § 5 par. 4 of the Election Campaign Act.</p>
Rules on <b>indirect public funding<sup>2</sup> to political parties and/or candidates</b>		<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

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
		N/A
Rules on free or subsidised <b>access to media for political parties and/or candidates</b>	§ 15 of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<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>  Everyone who conducts an election campaign is obliged to ensure that broadcast political advertising, published paid advertising, published election posters and all other methods of conducting an election campaign contain information about the client and supplier (inc. name, surname and municipality of residence in case of a natural person, and the name, registered office and identification number of the organisation in case of a legal person. The same applies to the presentation of pre-election and public opinion polls. If the broadcasting of political advertising on radio last less than 30 seconds, providing the name of the client (e.g. political party) is sufficient.
Rules on <b>foreign contributions to political parties and political campaigns</b>	§ 5(3) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a> and § 24(1f-g) of Act no. 85/2005 on Political Parties and Movements (effective as of 01.12.2020). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85</a>	<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>  Yes, as stipulated above, the below limitations on contributions from foreign interests apply:  § 24 par. 1, letters f-g of the Act 85/2005 prohibits the gifts from the following categories of donors: <ul style="list-style-type: none"> <li>- a natural person who does not have permanent residence in the Slovak Republic;</li> <li>- a legal person established abroad.</li> </ul>

of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
		<p>§ 5 par. 3 only allows for the following donors in the context of presidential elections:</p> <ul style="list-style-type: none"> <li>- a natural person permanently resident in the territory of the Slovak Republic;</li> <li>- a political party registered in the Slovak Republic</li> <li>- legal person established in the territory of the Slovak Republic.</li> </ul>
<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	<p>§ 16 of Act no.180/2014 Coll. on the conditions for exercising the right to vote (effective as of 01.01.2021 until 31.07.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/</a></p>	<p><i>Who is responsible for monitoring national rules on political advertising, (e.g. political communications and advertisement messages, the balanced presence and equity of all political candidates)?</i></p> <p>The State Commission for Elections and the Control of Political Party Funding of the Ministry of Interior is responsible for all matters relating to election campaign in Slovakia (see Act on the conditions of exercising the right to vote applicable to the organisation of elections to the National Council of the Slovak Republic, elections to the European Parliament, elections of the President of the Slovak Republic, referendums on dismissal of the President of the Slovak Republic, elections to local self-government bodies, and conditions of referendums).</p>
Particular measures for <b>supervising online political advertising</b> within and outside elections periods	<p>§ 16(1e-g), (3) and (4) of Act no.180/2014 Coll. on the conditions for exercising the right to vote (effective as of 01.01.2021 until 31.07.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/</a></p>	<p><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></p> <p>The State Commission for Elections and the Control of Political Party Funding has the following competencies with respect to online and offline political campaigns:</p> <ul style="list-style-type: none"> <li>- controls the financing and conduct of the election campaign;</li> </ul>

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
		<ul style="list-style-type: none"> <li>- is an appellate body against decisions of the Ministry of the Interior issued pursuant to special regulations in matters of financing political parties and in matters of election campaign;</li> <li>- discusses the allocation of broadcasting times in television and radio broadcasts during the election campaign on the basis of the broadcaster's proposal;</li> <li>- provides methodological assistance and advice to political parties and candidates on the rules of financing political parties and on the rules of financing the election campaign; and</li> <li>- shall provide the political party, at its request, with an opinion on the rules for financing political parties and the rules for financing the election campaign.</li> </ul>
<b>Sanctions, penalties and remedy measures</b> applicable in violation of the law	§ 19(1), (3), (5), (8) and (9) of Act no. 181/2014 Coll. on Election Campaign and amendments to Act no. 85/2005 on Political Parties and Movements (effective as of 01.01.2021). Available at: <a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	<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>For violations of the election period under § 2 para. 2 or the moratorium under § 17 of the Election Campaign, the State Commission for Elections and the Control of Political Party Funding shall impose the following fines:</p> <ul style="list-style-type: none"> <li>- from EUR 30,000 to EUR 300,000 to a political party;</li> <li>- from 5,000 euros to 50,000 euros to a presidential candidate;</li> <li>- from EUR 1 000 to EUR 10 000 to a candidate in elections to local self-government bodies.</li> </ul> <p>Furthermore, the Ministry of Culture of the Slovak Republic shall impose a fine of between EUR 1,000 and EUR 10,000 on the publisher of a periodical or non-periodical publication or a press agency if they violate the prohibition pursuant to § 14 para. 1 or § 17.</p> <p>Lastly, the Ministry of the Interior shall impose a fine of between EUR 3,000 and EUR 100,000 on a natural person - entrepreneur or legal entity who conducts an election campaign after the time specified in §</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
		2 para. 2 or violates the prohibition according to § 2 par. 3, and a fine of EUR 100,000 if they violate the prohibition under § 17.

## 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
Zákon z 29. mája 2014 o volebnej kampani a o zmene a doplnení zákona č. 85/2005 Z. z. o politických stranách a politických hnutiach v znení neskorších predpisov	<a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/181/</a>	Act of 29 May 2014 on the election campaign and on the amendment of Act no. 85/2005 Coll. on political parties and political movements, as amended
Zákon zo 14. septembra 2000 o vysielaní a retransmisii a o zmene zákona č. 195/2000 Z. z. o telekomunikáciách	<a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2000/308/20210101</a>	Act of 14 September 2000 on broadcasting and retransmission and amending Act no. 195/2000 Coll. on telecommunications
Zákon zo 4. februára 2005 o politických stranách a politických hnutiach	<a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2005/85/</a>	Act of 4 February 2005 on political parties and political movements
Zákon z 29. mája 2014 o podmienkach výkonu volebného práva a o zmene a doplnení niektorých zákonov	<a href="https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/">https://www.slov-lex.sk/pravne-predpisy/SK/ZZ/2014/180/</a>	Act of 29 May 2014 on the conditions for the exercise of the right to vote and on amendments to certain acts
Informácie k vedeniu volebnej kampane politickou stranou a politickým hnutím vo voľbách do Národnej rady Slovenskej republiky v roku 2020	<a href="https://www.minv.sk/?nr20_infokampan">https://www.minv.sk/?nr20_infokampan</a>	Information on the conduct of the election campaign by a political party and a political movement in the elections to the National Council of the Slovak Republic in 2020

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 – Slovakia

LP/2020/507 Koordinovaný mechanizmus odolnosti Slovenskej republiky voči informačným operáciám	<a href="https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507">https://www.slov-lex.sk/legislativne-procesy/SK/LP/2020/507</a>	LP/2020/507 Coordinated mechanism of resilience of the Slovak Republic to information operations
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