

[NO] Ban on Political Advertising on TV Upheld

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On 19 May 2006, the Red-Green Government in Norway informed Parliament that the prohibition on political and religious advertising on TV, as laid down in the Broadcasting Act, will be upheld. The decision reversed the former Government's proposal to repeal the ban.

Last summer, the previous Government in Norway circulated for public review a proposal to allow political and religious advertising on TV except for a period of four weeks before and on Election Day where a total ban should apply. No particular regulation was proposed on such advertising outside this period, even though limitations on volume and expenditure had been discussed. The Government argued that it wanted to gain experience with this form of political communication on TV. In November 2004, the Norwegian Supreme Court upheld a decision by the Norwegian Media Authority to sanction a local TV-station for airing advertisements for a political party in the weeks leading up to the 2003 elections in Norway (see IRIS 2005-7: 16). The Supreme Court held that the general prohibition on political advertising was neither in violation of Section 100 of the Norwegian Constitution, nor of Article 10 of the European Convention on Human Rights with regard to freedom of speech. The Court emphasised that in periods preceding elections there were reasons of significant importance for securing a fair climate of debate.

However, before having an opportunity to send a legal proposal to Parliament on the matter and secure a majority vote for the necessary amendment to the Broadcasting Act, the Government lost office in last fall's elections in Norway. The new Government's decision not to repeal the ban and leave the regulation intact, thereby upholding the status quo, did not come as a surprise. The two largest parties in the new Government indeed expressed their opposition to political advertising on TV when the issue was last debated in Parliament in 2004.

In its report to Parliament, the Government emphasises that allowing political advertising would favour powerful financial groups and that such advertising could have a negative impact on the political debate by simplifying the information available to the voters using commercial language.

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<http://www.odin.dep.no/kkd/norsk/aktuelt/nyheter/043031-070479/dok-bn.html>

Press release of 19 May 2006 and Government's official report to Parliament

