[LT] New Requirements for Political Advertising Adopted

IRIS 2010-8:1/35

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On 18 May 2010 Seimas adopted a new wording of the Act on the Funding of Political Parties and Political Campaigns and the Control of the Funding. The new wording of the Act will come into force on 15 September 2010.

The provisions of the adopted Act are particularly important to broadcasters as they allow broadcasting advertising clips of political parties in radio and television programmes again. This was not allowed by the previous law (see IRIS 2008-8: 15/26). According to the amended Act such political video and audio advertisements shall not be shorter than 90 seconds duration.

However, the costs of such a spot shall not exceed 50% of the highest allowed amount of political campaign costs set for a participant in the campaign. The maximum amount of costs allowed for the political campaign is calculated according to the size of the electorate.

Furthermore, the amended Act provides for a new definition of political advertising: as information disseminated publicly on behalf and/or in the interest of a State official, political party, its member or political campaign participant, in any form and through any means for payment or for free. Such information is intended for influencing electors when voting at elections or referenda, or the dissemination of which is intended for propagating a political party, its member or a candidate as well as their ideas, intentions and the programme.

The amended provisions state that political advertising shall be marked in accordance with the procedure laid down by Law by indicating the source of funding and shall visibly be separated from other disseminated information during the period of the political campaign only, whereas the previous act required political advertising to be marked every time it was broadcast, not relating it to the period of the political campaign. The rules for marking political advertising in radio and television programmes are established by the Central Election Commission.

For the first time the amended Act provides for the definition of surreptitious political advertising: It states that unmarked political advertising as well as inadequately marked advertisements are to be considered as surreptitious political advertising and are therefore forbidden. Pursuant to the Code of Administrative Offences a fine ranging from EUR 290 to EUR 2,900 could be

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imposed on the director of the broadcasting company for disseminating surreptitious political advertising.

In comparison to the former act the amended one liberalises the requirements for the dissemination of free-of-charge political advertising. The amended Act allows the dissemination of political advertising free of charge at any time, except during the political campaign period. However, one exception is allowed, according to which political advertising could be disseminated for free in the debate programmes. The former act completely prohibited the dissemination of political advertising for free.

Politinių partijų ir politinių kampanijų finansavimo bei finansavimo kontrolės įstatymas

http://www3.lrs.lt/pls/inter3/dokpaieska.showdoc_l?p_id=373022&p_query=&p_tr2=

Amendment to the Act on the Funding of Political Parties and Political Campaigns and the Control of the Funding

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