[PT] New law on media coverage of elections

IRIS 2016-5:1/26

Mariana Lameiras & Helena Sousa
United Nations University Operating Unit on Policy-Driven Electronic Governance (UNU-EGOV) & Communication and Society Research Centre, University of Minho

Procedures on the media coverage of elections in Portugal have been changed during the past year and had effect on recent elections, both legislative and presidential (on October 2015 and January 2016, respectively).

Currently, the law on the media coverage of elections (no. 72-A/2015) stipulates as a general principle (Article 4) that, during elections, the media enjoy editorial freedom and freedom of programming.

Amongst changes introduced is the exclusion of the relevance of political proposals for the choice of democratic alternatives as criteria for political representativeness in debates between candidates. This means that two criteria shall be applied (article 7): 1) having obtained representation in the previous elections for the body to which application is directed; and 2) media's editorial freedom to include other applications in debates to be organised.

In terms of sanctioning, financial penalties were excluded. Instead of a regime which provided fines (from EUR 3 to EUR 30,000), in cases of violations of equal opportunity and equal treatment of different political applications, media providers are now subject to warnings from the Entidade Reguladora para a Comunicação Social (State Media Regulatory body, ERC) during electoral campaigning.

These changes were introduced on 19 June 2015 following the final vote in the Portuguese Parliament. Law no. 72-A/2015 revoked Law-Decree no. 85-D/75, and came into force on 24 July 2015, although final provisions indicate that a review shall take place within one year.

Lei n.º 72-A/2015 de 23 de julho sobre a cobertura jornalística em período eleitoral e uso de meios de publicidade comercial - Estabelece o regime jurídico da cobertura jornalística em período eleitoral, regula a propaganda eleitoral através de meios de publicidade comercial e revoga o Decreto-Lei n.º 85-D/75, de 26 de fevereiro. Publicada no Diário da República, 1.ª série - N.º 142 - 23 de julho de 2015

https://dre.pt/application/file/69864065

© European Audiovisual Observatory (Council of Europe) 2026

Act no. 72-A/2015 of 23 July, published in the official news bulletin "Diário da República" no. 142, 1st series

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026