

[AL] Regulator issues warning about broadcasting of political advertising spots

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On 15 February 2017, the Audiovisual Media Authority (AMA) issued a warning to all broadcasters that were broadcasting an advertising spot that AMA considered political. The advertising spot was an announcement and a call for a protest that the largest opposition party had planned to hold in the capital on 18 February 2017.

The AMA's statement reminded all operators that based on Law 97/2013 "On Audiovisual Media in the Republic of Albania", it is not allowed to broadcast political advertising spots. Such content is only allowed during electoral campaigns, based on the Electoral Code. More specifically, AMA quoted Article 39 of the Electoral Code, which describes the criteria for labelling an advertising spot as a political one. According to Article 39 of the Electoral Code, one of the criteria for considering advertising as political advertising is when the spot "endorses interests of political parties, political groups or political leaders, looking for political purposes." Another criterion is the nature and profile of the person or organisation that has requested the broadcasting of the advertising spot, meaning that if "political parties and institutions and organizations aiming to endorse or organize political activities have commissioned the broadcasting" the spot will be considered a political one.

While establishing that the advertising spot qualified as political advertising according to Article 39 of the Electoral Code, the regulator also highlighted that, based on Article 41 paragraph 2 of the Electoral Code, the media cannot broadcast such advertising unless during an electoral campaign period: "The media service provider shall not broadcast advertising spots for political ends or that are related to a judicial dispute." In sum, the regulator asked all broadcasters to pay attention to these legal obligations and to respect the rules for broadcasting political advertising spots.

Transmetimi i reklamave politike është i ndaluar me ligj

<http://ama.gov.al/transmetimi-i-reklamave-politike-eshte-i-ndaluar-me-ligj-2/>

The notification of the Audiovisual Media Authority

