



STATUTORY INSTRUMENTS.

S.I. No. 474 of 2025

EUROPEAN UNION (POLITICAL ADVERTISING) REGULATIONS 2025

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I, JAMES BROWNE, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Regulation (EU) 2024/900 of the European Parliament and of the Council of 13 March 2024¹ on the transparency and targeting of political advertising, hereby make the following regulations:

PART 1
GENERAL PROVISIONS

Citation

1. These Regulations may be cited as the European Union (Political Advertising) Regulations 2025.

Commencement

2. These Regulations shall come into operation on 10 October 2025.

Interpretation

3. (1) In these Regulations –

“administrative financial penalty” means the administrative financial penalty imposed, by virtue of the Regulation 19(1)(a) decision, on the relevant sponsor or provider for the relevant infringement and such penalty may include a periodic administrative financial penalty for each day or part of a day that such infringement is continued on or after the relevant day;

“appropriate court”, in relation to an administrative financial penalty, means –

- (a) where the amount of such penalty imposed does not exceed €75,000, or such other sum as stands specified in law as that court’s jurisdiction in tort, the Circuit Court, or
- (b) in any other case, the High Court;

“authorised officer” means a person appointed under Regulation 8(1) to be an authorised officer;

“competent authority” shall be construed in accordance with Regulations 6 and 31;

“compliance notice” shall be construed in accordance with Regulation 16(1);

¹ OJ L, 2024/900, 20.3.2024

“infringement” means, subject to paragraph (4), an infringement by a sponsor or provider of political advertising services of an obligation imposed on it by the Political Advertising Regulation;

“investigating officer” shall be construed in accordance with Regulation 10(1);

“investigation” means an investigation referred to in Regulation 10(1) of the relevant infringement;

“Minister” means the Minister for Housing, Local Government and Heritage;

“periodic administrative financial penalty” means the periodic administrative financial penalty referred to in the definition of “administrative financial penalty”;

“Political Advertising Regulation” means Regulation (EU) 2024/900 of the European Parliament and of the Council of 13 March 2024² on the transparency and targeting of political advertising;

“Regulation 10 final report” shall be construed in accordance with Regulation 10(6) and (8);

“Regulation 11(1) decision” means a Regulation 11(1)(a) decision or Regulation 11(1)(b) decision;

“Regulation 11(1)(a) decision” means a decision under Regulation 11(1)(a);

“Regulation 11(1)(b) decision” means a decision under Regulation 11(1)(b);

“Regulation 12 notice” shall be construed in accordance with Regulation 12(1);

“Regulation 19(1) decision” means a Regulation 19(1)(a) or Regulation 19(1)(b) decision;

“Regulation 19(1)(a) decision” means a decision under Regulation 19(1)(a);

“Regulation 19(1)(b) decision” means a decision under Regulation 19(1)(b);

“Regulation 20 notice” shall be construed in accordance with Regulation 20(1);

“relevant day” –

- (a) in relation to the Regulation 11(1)(a) decision, means the day on which the decision takes effect as specified in Regulation 11(3), and
- (b) in relation to the Regulation 19(1)(a) decision, means the day on which the decision takes effect as specified in Regulation 19(2);

“relevant infringement” shall be construed in accordance with Regulation 10(1);

“relevant provisions” means any of the provisions of the Political Advertising Regulation and these Regulations;

“relevant sponsor or provider” shall be construed in accordance with Regulation 10(5)(a);

“relevant website” means a website maintained by, or on behalf of, the competent authority and which is readily accessible by members of the public.

² OJ L, 2024/900, 20.3.2024

(2) A reference in these Regulations to an Article, unless otherwise indicated, is a reference to an Article of the Political Advertising Regulation.

(3) A word or expression that is used in these Regulations and is also used in the Political Advertising Regulation has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Political Advertising Regulation.

(4) A reference in these Regulations to an infringement includes a reference to an infringement which continues after the day on which the infringement first occurs, and the provisions of these Regulations shall, with all necessary modifications, be construed accordingly.

(5) Where a provision of these Regulations confers a power on the competent authority to require a person (howsoever described in these Regulations) to do an act within a specified period, that provision shall be construed to mean such specified period as is reasonable in all the circumstances of the case.

Application

4. (1) The relevant provisions (other than Regulation 3 and this Regulation) shall not apply to an infringement committed during the grace period.

(2) In this Regulation, “grace period” means the period from and including 10 October 2025 to and including 31 October 2025.

Designation of national contact point

5. An Coimisiún Toghcháin is designated, for the purposes of Article 22(9), as the national contact point for the purposes of all aspects of the Political Advertising Regulation.

PART 2

SURVEILLANCE OF TRANSPARENCY REQUIREMENTS

Chapter 1

Competent authorities

Designation of competent authorities

6. (1) Subject to paragraph (2) and Regulation 31, An Coimisiún Toghcháin is designated as the competent authority for the purposes of Articles 21(4) and 22(3) and (4).

(2) Coimisiún na Meán is designated, for the purposes of Article 22(3) and (4), as the competent authority to supervise the compliance of –

- (a) providers of intermediary services (within the meaning of Article 3(g) of Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022³ on a Single Market For

³ OJ No. L 277, 27.10.2022, p. 1

Digital Services and amending Directive 2000/31/EC (Digital Services Act)),

- (b) providers of audiovisual media services (within the meaning of the Act of 2009),
- (c) providers of a sound broadcasting service (within the meaning of the Act of 2009),
- (d) providers of relevant online services (within the meaning of the Act of 2009) designated under section 139E of the Act of 2009 as a service to which online safety codes may be applied under Chapter 3 of Part 8A of that Act, and
- (e) hosting service providers (within the meaning of Article 2 of Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021⁴ on addressing the dissemination of terrorist content online),

with the obligations laid down in Articles 7 to 17 that apply to those providers or parties, as the case may be.

(3) In this Regulation, “Act of 2009” means the Broadcasting Act 2009.

Co-operation between An Coimisiún Toghcháin, Coimisiún na Meán and Data Protection Commission

7. (1) An Coimisiún Toghcháin, Coimisiún na Meán and the Data Protection Commission may enter into an agreement (in this Regulation referred to as a “co-operation agreement”) for the purposes of –

- (a) facilitating co-operation between them in the performance of their respective functions in so far as they relate to the relevant provisions, and
- (b) ensuring, as far as is practicable, consistency between decisions made or other steps taken by them in so far as any part of those decisions or steps relates to the relevant provisions.

(2) A co-operation agreement shall include provisions –

- (a) enabling each party to furnish to the other party information in its possession if the information is required by that other party for the purpose of the performance by it of any of its functions in so far as the functions relate to the relevant provisions,
- (b) enabling each party to forbear to perform any of their respective functions in so far as the functions relate to the relevant provisions in circumstances where it is satisfied that the other party is performing functions in relation to the relevant provisions, and
- (c) that allows each party, at its discretion, to consult with the other party before performing any functions relating to the relevant provisions in circumstances where the respective exercise by each party of the functions concerned involves the determination of

⁴ OJ No. L 172, 15.5.2021, p. 79

issues relating to the relevant provisions that are identical to one another or are within the same category of such an issue, being a category specified in the co-operation agreement.

(3) A co-operation agreement may be varied by An Coimisiún Toghcháin, Coimisiún na Meán and the Data Protection Commission.

(4) Without prejudice to paragraph (5), nothing in any enactment shall be read as preventing the provisions of a co-operation agreement from having effect in accordance with their terms.

(5) Where information is furnished by one party to the other party pursuant to a provision of a co-operation agreement of the kind referred to in paragraph (2)(a), the provisions of any enactment concerning the disclosure of that information by the first-mentioned party shall apply to the second-mentioned party with respect to that information.

(6) A failure by An Coimisiún Toghcháin, Coimisiún na Meán or the Data Protection Commission to comply with a provision of a co-operation agreement shall not invalidate the exercise by An Coimisiún Toghcháin, Coimisiún na Meán or the Data Protection Commission of any power under the relevant provisions.

(7) In this Regulation, “enactment” has the meaning assigned to it by the Interpretation Act 2005.

Chapter 2

Authorised officers

Appointment of authorised officers

8. (1) The competent authority may at any time appoint in writing such and so many persons, including members of the staff of the competent authority or other suitably qualified persons, as it considers appropriate to be authorised officers for the purpose of the performance by the competent authority of any of its functions under the relevant provisions.

(2) An authorised officer shall, on his or her appointment, be furnished by the competent authority with a warrant of his or her appointment, and shall, when exercising any power conferred by the relevant provisions, if requested by any person thereby affected, produce the warrant of appointment to that person for inspection.

(3) The competent authority may revoke in writing any appointment made by it under paragraph (1), whether or not the appointment was for a fixed period.

(4) An appointment of an authorised officer shall cease –

- (a) if it is revoked in writing by the competent authority,
- (b) if it is for a fixed period, on the expiry of that period, or
- (c) in the case of an authorised officer who is a member of the staff of the competent authority, when that person ceases to be such member of staff.

(5) Where the competent authority is satisfied that an authorised officer or member of the staff of the competent authority has discharged his or her duties in pursuance of the functions of the competent authority under the relevant provisions in good faith, the competent authority may, in the manner and to the extent and subject to the terms and conditions that the competent authority may determine from time to time in consultation with the Minister, indemnify the authorised officer or other member of staff against all actions or claims however they arise in respect of the discharge by him or her of such duties.

(6) A person who falsely represents himself or herself to be an authorised officer shall be guilty of an offence.

(7) A person who is guilty of an offence under subsection (6) shall be liable –

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.

(8) In this Regulation, “suitably qualified person” means any person (other than a member of the staff of the competent authority) who, in the opinion of the competent authority, has the qualifications and experience or expertise necessary to exercise the powers conferred on an authorised officer under the relevant provisions.

Powers of authorised officers

9. (1) For the purposes of Article 22(5) and these Regulations and ensuring compliance with their provisions, an authorised officer may –

- (a) subject to paragraph (3), enter (if necessary by the use of reasonable force) or, where the premises is a vehicle, stop and enter (if necessary by the use of reasonable force) at all reasonable times any premises –
 - (i) that he or she has reasonable grounds for believing has been or is being used in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement, and
 - (ii) at which he or she has reasonable grounds for believing that data, documents or any necessary information in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement are kept,

and search and inspect the premises and any data, documents or any necessary information at that premises,

- (b) secure for later inspection any premises or any part of any premises which is being used in connection with the preparation, placement, promotion, publication, delivery or dissemination, by

any means, of a political advertisement, or where such data, documents or any necessary information are kept or there are reasonable grounds for believing that such data, documents or any necessary information are kept, for such period as may reasonably be necessary for the purposes of any of his or her functions under the relevant provisions,

- (c) require any person employed at the premises in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement to produce to the authorised officer such data, documents or any necessary information and where such data, documents or any necessary information are kept in non-legible form to reproduce it in a clear, coherent, consolidated and intelligible format (and, where technically possible, in a standardised and machine-readable format) and to give him or her any information as the officer may reasonably require in relation to such data, documents or any necessary information,
- (d) inspect and take copies of, or extracts from, any such data, documents or any necessary information at the premises in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement, including in the case of information in non-legible form copies of or extracts from such information reproduced in a clear, coherent, consolidated and intelligible format (and, where technically possible, in a standardised and machine-readable format),
- (e) make a record, whether in writing, by photography or otherwise, of any such data, documents or any necessary information at the premises in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement,
- (f) remove and retain such data, documents or any necessary information in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement for such periods as he or she reasonably considers to be necessary for the purposes of any of his or her functions under the relevant provisions,
- (g) require any such person at the premises to give to the authorised officer any such data, documents or any necessary information which the authorised officer may reasonably require in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement,
- (h) require any such person at the premises to give to the authorised officer any other assistance, information or records which the authorised officer may reasonably require in connection with the

preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement,

- (i) summon, at any reasonable time, any other person employed in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement to give the authorised officer any information which the authorised officer may reasonably require and to produce to the authorised officer any records which are in the power, possession or control of that other person,
- (j) require any person at the premises by or on whose behalf data equipment is or has been used or any person having charge of, or otherwise concerned with the operation of, the data equipment or any associated storage medium, to afford the authorised officer all reasonable assistance in relation to it and assist in the retrieval of information connected with the operation of such data equipment or storage medium,
- (k) carry out, or arrange to have carried out, inspections and such checks of the premises, or data equipment or storage medium on the premises, as he or she reasonably considers to be necessary for the purposes of any of his or her functions under the relevant provisions,
- (l) take possession of and remove from the premises for examination and analysis any data equipment or storage medium in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement, and detain them for such period as he or she reasonably considers to be necessary for the purposes of any of his or her functions under the relevant provisions,
- (m) require a person, who makes available facilities such as post office boxes, telecommunications or electronic mail addresses or other like facilities, to give him or her such assistance and information as he or she reasonably considers to be necessary for the purposes of any of his or her functions under the relevant provisions in any case where the officer has reasonable grounds for believing that a political advertisement is being commissioned by mail or other means of delivery,
- (n) at the direction of the competent authority, issue a warning to a provider of political advertising services regarding its non-compliance with the obligations imposed on it under the Political Advertising Regulation, and
- (o) at the direction of the competent authority, serve a compliance notice on the sponsor or provider of political advertising services.

(2) When performing a function under the relevant provisions, an authorised officer may, subject to any warrant under paragraph (4), be accompanied by such number of other authorised officers or members of An Garda Síochána as he or she considers appropriate.

(3) An authorised officer shall not enter a private dwelling, other than –

- (a) with the consent of the occupier, or
- (b) pursuant to a warrant under paragraph (4).

(4) Without prejudice to the powers conferred on an authorised officer under this Regulation, where a judge of the District Court is satisfied on the sworn information of an authorised officer that there are reasonable grounds to suspect that –

- (a) there is information required by an authorised officer for the purposes of any of his or her functions under the relevant provisions on or at any, or any part of any, premises,
- (b) data, documents or any necessary information referred to in paragraph (1)(a) are being stored or kept in any private dwelling, or
- (c) a private dwelling is occupied in whole or in part by an undertaking engaged in association with any trade, business or activity connected with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of a political advertisement,

the judge may issue a warrant authorising an authorised officer (accompanied, where appropriate, by such other authorised officers or members of An Garda Síochána or both as may be necessary) at any time or times within one month of the date of issue of the warrant, on production if so requested of the warrant, to enter the premises or private dwelling, as the case may be, using reasonable force where necessary, and exercise all or any of the powers conferred on an authorised officer under this Regulation.

(5) A person who –

- (a) obstructs or interferes with an authorised officer or a member of An Garda Síochána in the course of exercising a power under this Regulation,
- (b) fails or refuses to comply with a requirement of an authorised officer or a member of An Garda Síochána under this Regulation,
- (c) fails or refuses to comply with a request of an authorised officer under paragraph (1),
- (d) in purported compliance with a request or a requirement of an authorised officer under paragraph (1) gives information that is false or misleading in a material respect, or
- (e) fails to comply with a warning issued by an authorised officer under paragraph (1)(n),

shall be guilty of an offence.

(6) A person who is guilty of an offence under paragraph (5) shall be liable –

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or

- (b) on conviction on indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.

(7) In this Regulation –

“data equipment” means any electronic, photographic, magnetic, optical or other equipment for processing data;

“record” includes, in addition to a record in writing –

- (a) a disc, tape, sound-track or other device in which information, sounds or signals are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced in legible or audible form,
- (b) a film, tape or other device in which visual images are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced in visual form, and
- (c) a photograph,

and any reference to a copy of a record includes –

- (i) in the case of a record to which subparagraph (a) applies, a transcript of the sounds or signals embodied therein,
- (ii) in the case of a record to which subparagraph (b) applies, a still reproduction of the images embodied therein, and
- (iii) in the case of a record to which subparagraphs (a) and (b) apply, such a transcript together with such a still reproduction.

Chapter 3

Investigations

Investigations

10. (1) Subject to Regulations 11(2) and 16(6), where the competent authority has reason to believe, whether on the basis of information obtained by it or provided to it by any person, an infringement may have been committed (in these Regulations referred to as the “relevant infringement”), the competent authority may direct an authorised officer (in these Regulations referred to as the “investigating officer”) to investigate the relevant infringement.

- (2) (a) The investigating officer may, for the purposes of the investigation, require a person, by notice in writing given to the person, to give to the officer, within the period specified in the notice, any information, document or thing in the power, possession or control of that person which the officer may reasonably require for those purposes.
- (b) A person the subject of a requirement under subparagraph (a) shall comply with the requirement.

- (c) A person who fails to comply with subparagraph (b) shall be guilty of an offence.
 - (d) A person who is guilty of an offence under subparagraph (c) shall be liable –
 - (i) on summary conviction, to a class A fine or imprisonment for a term of not exceeding 12 months or both, or
 - (ii) on conviction on indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.
- (3) (a) The investigating officer shall carry out the investigation with all due expedition consistent with fairness and efficiency and may make such inquiries as he or she considers appropriate.
- (b) The investigating officer may, for the purposes of making any inquiries referred to in paragraph (2), use one or more than one of his or her powers under Regulation 9.
- (4) The investigating officer shall, upon completion of the investigation, prepare a draft report of the findings of the investigation (in this Regulation referred to as the “Regulation 10 draft report”) including –
- (a) whether, in his or her opinion, there are reasonable grounds for believing that the relevant infringement has been committed and the reasons for his or her findings and opinion, or
 - (b) whether, in his or her opinion, there are reasonable grounds for believing that the relevant infringement has not been committed and the reasons for his or her findings and opinion.
- (5) The investigating officer shall –
- (a) give the Regulation 10 draft report to the sponsor or provider of political advertising services who, in the opinion of the officer, may have committed the relevant infringement (in these Regulations referred to as the “relevant sponsor or provider”), and
 - (b) in the Regulation 10 draft report –
 - (i) invite the relevant sponsor or provider to make submissions in writing (in this Regulation referred to as the “Regulation 10(5) submissions”), within the period specified in the report for the purpose, on the report, and
 - (ii) advise the relevant sponsor or provider that the competent authority is not bound to accept the opinion of the officer whether or not the sponsor or provider has committed the relevant infringement and, accordingly, the competent authority may be satisfied that the sponsor or provider has, or has not, committed the relevant infringement notwithstanding any such opinion to the contrary.
- (6) The investigating officer shall, having considered the Regulation 10(5) submissions (if any), prepare a further report (in these Regulations referred to as the “Regulation 10 final report”) and –

- (a) set out in the Regulation 10 final report whether, in his or her opinion, the relevant sponsor or provider –
 - (i) has committed the relevant infringement, or
 - (ii) has not committed the relevant infringement,
- (b) where subparagraph (a)(i) applies, make in the Regulation 10 final report any recommendations as he or she considers appropriate as to what action (if any) the competent authority may take in respect of the relevant infringement,
- (c) include in the Regulation 10 final report a summary of the Regulation 10(5) submissions (if any),
- (d) annex, to the Regulation 10 final report, the Regulation 10 draft report and the Regulation 10(5) submissions, and
- (e) present the Regulation 10 final report to the competent authority.

(7) Nothing in this Regulation shall affect the exercise by an authorised officer of any power which, apart from this Regulation, he or she could exercise by virtue of Regulation 9, in connection with the preparation, placement, promotion, publication, delivery or dissemination, by any means, of political advertisements.

(8) References in these Regulations to the Regulation 10 final report includes any annexes to the report.

Chapter 4

Decision to be taken by competent authority on Regulation 10 final report, etc.

Decision to be taken by competent authority on Regulation 10 final report

11. (1) Subject to paragraph (2), the competent authority shall, as soon as is practicable after the Regulation 10 final report is presented to it pursuant to Regulation 10(6)(e), consider the report, and after such consideration, decide either that –

- (a) it is satisfied that the relevant sponsor or provider has committed the relevant infringement, or
- (b) it is not satisfied that the relevant sponsor or provider has committed the relevant infringement.

(2) Where the competent authority is satisfied, after the consideration referred to in paragraph (1), that in all the circumstances of the case it is warranted for it to do so, it may –

- (a) direct the investigating officer, or another authorised officer, to carry out a fresh or supplementary investigation into the relevant infringement in accordance with such directions as the competent authority gives to the officer (and the provisions of Regulation 10 and the other provisions of this Regulation shall be construed,

with all necessary modifications, to take account of such directions), and

- (b) defer the making of the Regulation 11(1) decision until it has received and considered the Regulation 10 final report arising from such fresh or supplementary investigation.

(3) The Regulation 11(1)(a) decision shall not take effect –

- (a) unless –

- (i) subject to paragraph (4), it is confirmed or varied on appeal under Regulation 13, or

- (ii) it is confirmed on summary application under Regulation 14, and

- (b) until the day immediately following the day on which it is –

- (i) confirmed or varied on appeal under Regulation 13, or

- (ii) confirmed on summary application under Regulation 14.

(4) The Regulation 11(1)(a) decision which is varied on appeal under Regulation 13 shall take effect in accordance with such variation.

(5) The Regulation 11(1)(b) decision shall take effect on the day on which it is made.

(6) Nothing in these Regulations shall operate to prevent the competent authority from exercising any of its powers under Articles 16(1) and 22(5) as it considers appropriate.

Notice of Regulation 11(1) decision

12. (1) The competent authority shall, as soon as is practicable after making the Regulation 11(1) decision, serve notice in writing of the decision and the reasons for it (in these Regulations referred to as the “Regulation 12 notice”) on the relevant sponsor or provider.

(2) In the case of the Regulation 11(1)(a) decision, the Regulation 12 notice shall –

- (a) state that such decision does not take effect unless it is confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14,

- (b) state that, if the relevant sponsor or provider does not appeal under Regulation 13, the competent authority will, as soon as is practicable after the expiration of the period for the making of an appeal referred to in Regulation 13(1), make an application in a summary manner for confirmation of such decision under Regulation 14, and

- (c) state that, if such decision is confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14, the competent authority –

- (i) will consider imposing an administrative financial penalty on the relevant sponsor or provider for the relevant infringement, or
- (ii) will not consider imposing an administrative financial penalty on the relevant sponsor or provider for the relevant infringement.

Appeal against Regulation 11(1)(a) decision

13. (1) Subject to paragraph (2), the relevant sponsor or provider the subject of the Regulation 11(1)(a) decision that it has committed the relevant infringement may, within 28 days from the date on which the Regulation 12 notice is served, appeal to the Circuit Court against the decision.

(2) The Circuit Court may, on the application of the relevant sponsor or provider, extend the period for the making of an appeal under paragraph (1) where the Court is satisfied that –

- (a) there is good and sufficient reason for doing so,
- (b) the circumstances that resulted in the failure to bring an appeal within the period referred to in paragraph (1) were outside the control of the sponsor or provider, or
- (c) a summary application for confirmation of the Regulation 11(1)(a) decision has not yet been determined under Regulation 14.

(3) The Circuit Court may, on the hearing of an appeal under paragraph (1)

–

- (a) confirm the Regulation 11(1)(a) decision,
- (b) vary the Regulation 11(1)(a) decision in such manner as the Court considers it just and appropriate to do so in all the circumstances of the case, or
- (c) allow the appeal and annul the Regulation 11(1)(a) decision.

(4) The jurisdiction conferred on the Circuit Court by this Regulation shall be exercised by –

- (a) subject to subparagraph (b), the Circuit Court for that circuit in which the relevant sponsor or provider ordinarily resides or carries on any profession, business or occupation, or
- (b) where the relevant sponsor or provider neither ordinarily resides in the State nor carries on any profession, business or occupation in the State, the Circuit Court for the Dublin Circuit.

Circuit Court confirmation of Regulation 11(1)(a) decision

14. (1) Where the relevant sponsor or provider the subject of the Regulation 11(1)(a) decision that it has committed the relevant infringement does not appeal against the decision in accordance with Regulation 13(1), the competent

authority shall, as soon as is practicable after the expiration of the period referred to in Regulation 13(1), and on notice to the sponsor or provider, make an application in a summary manner to the Circuit Court for confirmation of the decision.

(2) On the hearing of an application under paragraph (1), the Circuit Court may –

- (a) confirm the Regulation 11(1)(a) decision, or
- (b) annul the Regulation 11(1)(a) decision.

(3) The relevant sponsor or provider may, as soon as practicable after receiving notice of the application under paragraph (1), inform the competent authority in writing that it does not intend to appear at, or make submissions at, the hearing of the application.

(4) The jurisdiction conferred on the Circuit Court by this Regulation shall be exercised by the Circuit Court for the Dublin Circuit.

Action to be taken by competent authority following confirmation, etc., under Regulation 13 or 14 of Regulation 11(1)(a) decision

15. (1) This Regulation applies to the Regulation 11(1)(a) decision where it is confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14.

(2) Subject to paragraph (3), the competent authority shall, as soon as is practicable after this Regulation applies to the Regulation 11(1)(a) decision, publish a notice on the relevant website containing the following matters:

- (a) the decision, as appropriate –
 - (i) as confirmed on appeal under Regulation 13 or on summary application under Regulation 14, or
 - (ii) as varied on appeal under Regulation 13;
- (b) the name of the relevant sponsor or provider;
- (c) the nature of the relevant infringement;
- (d) such other particulars, reports or material as the competent authority considers appropriate.

(3) The competent authority may, for the purposes of publication under paragraph (2), redact any particulars which appear to it to be commercially sensitive.

Chapter 5

Compliance notices

Compliance notice

16. (1) In the case of the Regulation 11(1)(a) decision, the competent authority may, on or after the relevant day and for the purposes of Article 22(5)

and (6), serve a notice in writing (in these Regulations referred to as a “compliance notice”) on the relevant sponsor or provider.

(2) The compliance notice shall –

- (a) state the reasons for the competent authority being satisfied that the relevant infringement has been committed,
- (b) identify the provisions of the Political Advertising Regulation with respect to which the competent authority is satisfied that the relevant infringement has been committed,
- (c) where appropriate, direct the relevant sponsor or provider to take such action specified in the notice as is necessary to bring the relevant infringement to an end or to otherwise remedy such infringement in any other manner as the competent authority may specify in the notice,
- (d) subject to paragraphs (3) and (4)(c), specify the date by which the relevant sponsor or provider is to comply with the notice,
- (e) specify the date by which the relevant sponsor or provider shall confirm to the competent authority that the notice has been complied with,
- (f) state that the relevant sponsor or provider may appeal the notice to the District Court under Regulation 17, and
- (g) state that, if an appeal is not made in accordance with Regulation 17 within the period specified in that Regulation, then –
 - (i) the notice will be treated as not disputed, and
 - (ii) the relevant sponsor or provider will be deemed to have accepted the notice and agreed to comply with it.

(3) The date specified under paragraph (2)(d) shall not be earlier than the end of the period within which an appeal may be made under Regulation 17.

(4) The competent authority may –

- (a) other than where an appeal has been made to the District Court under Regulation 17, amend the compliance notice,
- (b) withdraw the compliance notice at any time, or
- (c) if no appeal is made or pending under Regulation 17, extend the date specified in the compliance notice under paragraph (2)(d).

(5) Withdrawal by the competent authority of the compliance notice under paragraph (4)(b) shall not prevent the competent authority serving another compliance notice on the relevant sponsor or the provider, whether in respect of the same matter or a different matter, as may be required in all the circumstances of the case.

(6) The competent authority may conduct a fresh investigation into a matter the subject of a previous compliance notice (and the provisions of Regulation 10 shall, with all necessary modifications, apply to any such investigation).

- (7) (a) The relevant sponsor or provider shall be guilty of an offence if it –
- (i) fails to comply with the compliance notice, or
 - (ii) causes or permits another person to fail to comply with the compliance notice.
- (b) The relevant sponsor or provider who is guilty of an offence under subparagraph (a) shall be liable –
- (i) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
 - (ii) on conviction on indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.

(8) Where, in the opinion of the competent authority, the relevant sponsor or provider is failing or has failed to comply with the compliance notice by or on the day specified in the notice or, where an appeal was made under Regulation 17, on the day after the day on which the notice is confirmed or varied on appeal, the competent authority may apply to a judge of the District Court, in the district court district in which the notice was served or the appeal was heard and determined, for an order directing the sponsor or provider to comply with the notice, or the notice as so varied, and the Court may, as it thinks fit, on the hearing of the application, make or refuse to make such an order.

Appeal to District Court against compliance notice

17. (1) The relevant sponsor or provider on whom a compliance notice was served by the competent authority may, within 28 days from the date on which the notice was served, appeal to a judge of the District Court, in the district court district in which the notice was served, against a decision or direction in the notice.

(2) In determining an appeal under paragraph (1) of a compliance notice, the judge of the District Court may –

- (a) confirm the notice,
- (b) vary the notice in such manner as he or she considers it just and appropriate to do so in all the circumstances of the case, or
- (c) allow the appeal and annul the notice.

(3) Where, on appeal under paragraph (1), the compliance notice is not annulled, the notice takes effect on the later of the following:

- (a) the day after the day on which the notice is confirmed or varied on appeal;
- (b) if the appeal is withdrawn by the appellant, the day after the day it is withdrawn;
- (c) the day specified in the notice.

(4) Where there is no appeal under paragraph (1), the compliance notice takes effect on the day specified in the notice.

(5) Where there is no appeal under paragraph (1), or if the compliance notice is confirmed or varied on appeal, the competent authority may publish, on the relevant website, notice of the issuing of the compliance notice or the notice as so varied by the District Court under paragraph (2)(b) to the relevant sponsor or provider including the giving of any advice on the conduct of the sponsor or provider which is giving rise, or has given rise, to the relevant infringement.

Chapter 6

Decision to be taken by competent authority on administrative financial penalty, etc.

Application

18. This Chapter applies where –

- (a) the Regulation 11(1)(a) decision is confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14, and
- (b) the Regulation 12 notice included the statement referred to in Regulation 12(2)(c)(i).

Decision to be taken by competent authority on administrative financial penalty

19. (1) The competent authority shall, after having regard to the Regulation 11(1)(a) decision as confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14, decide either that –

- (a) subject to paragraph (6), it will impose an administrative financial penalty on the relevant sponsor or provider for the relevant infringement, or
- (b) it will not impose an administrative financial penalty on the relevant sponsor or provider for the relevant infringement.

(2) The Regulation 19(1)(a) decision shall not take effect –

- (a) unless –
 - (i) subject to paragraph (3), it is confirmed or varied on appeal under Regulation 24, or
 - (ii) it is confirmed on summary application under Regulation 25, and
- (b) until the day immediately following the day on which it is –
 - (i) confirmed or varied on appeal under Regulation 24, or
 - (ii) confirmed on summary application under Regulation 25.

(3) The Regulation 19(1)(a) decision which is varied on appeal under Regulation 24 shall take effect in accordance with such variation.

(4) The Regulation 19(1)(b) decision shall take effect on the day on which it is made.

(5) The competent authority shall have regard to Article 25(4) and (5) in making the Regulation 19(1)(a) decision.

(6) The notice referred to in Regulation 22(3) given to the relevant sponsor or provider shall, for the purposes of an appeal under Regulation 24 or a summary application under Regulation 25, be deemed to be part of the Regulation 19(1)(a) decision.

Notice of Regulation 19(1) decision

20. (1) The competent authority shall, as soon as is practicable after making the Regulation 19(1) decision, serve notice in writing of the decision and the reasons for it (in these Regulations referred to as the “Regulation 20 notice”) on the relevant sponsor or provider.

(2) In the case of the Regulation 19(1)(a) decision, the Regulation 20 notice shall –

- (a) state that such decision does not take effect unless it is confirmed or varied on appeal under Regulation 24 or confirmed on summary application under Regulation 25, and
- (b) state that, if the relevant sponsor or provider does not appeal under Regulation 24, the competent authority will, as soon as is practicable after the expiration of the period for the making of an appeal referred to in Regulation 24(1), make an application in a summary manner for confirmation of such decision under Regulation 25.

(3) In the case of the Regulation 19(1)(a) decision, the Regulation 20 notice shall –

- (a) state that the relevant sponsor or provider may make submissions in relation to the application of Regulation 23 to the determination of the amount of the administrative financial penalty,
- (b) state either that –
 - (i) those submissions may be made at an oral hearing, under Regulation 21(2)(a), on a date specified in the notice, or
 - (ii) those submissions may be made in writing, under Regulation 21(2)(b), within a period specified in the notice in accordance with that Regulation, and
- (c) state that the competent authority may request further information under Regulation 21(3).

Submissions and requests for information on administrative financial penalty

21. (1) Paragraphs (2) and (3) apply to the Regulation 19(1)(a) decision.

(2) The relevant sponsor or provider may make submissions to the competent authority in relation to the application of Regulation 23 to the determination of the amount of the administrative financial penalty –

- (a) at an oral hearing, where the competent authority considers it necessary, or
- (b) otherwise, in writing, within the period of 10 working days from the date the sponsor or provider is served the Regulation 20 notice, or such longer period as the competent authority may specify in the notice.

(3) Where the relevant sponsor or provider makes submissions to the competent authority under paragraph (2)(b), the competent authority may by notice in writing request the sponsor or provider to provide, within the period specified in the notice for the purpose, such further information as the competent authority considers appropriate for the purposes of determining the amount of the administrative financial penalty.

Determination of amount of administrative financial penalty

22. (1) In the case of the Regulation 19(1)(a) decision, the competent authority shall determine the amount of the administrative financial penalty in accordance with Regulation 23.

(2) The competent authority shall make the determination referred to in paragraph (1) as soon as practicable after –

- (a) where Regulation 21(2)(a) applies, the date of the oral hearing referred to in that Regulation, or
- (b) where Regulation 21(2)(b) applies, the expiry of the period or further period referred to in that paragraph or, if applicable, the period specified in any notice under Regulation 21(3),

whether or not any submissions have been made or information provided.

(3) As soon as is practicable after making the determination referred to in paragraph (1), the competent authority shall give the relevant sponsor or provider notice in writing of the determination and the reasons for it.

Limitations on amount of administrative financial penalty

23. (1)(a) The amount of an administrative financial penalty (but excluding a periodic administrative financial penalty) shall not exceed the maximum amounts specified in Article 25(2).

(b) The amount of a periodic administrative financial penalty shall not exceed a maximum of €1,000 for each day or part of a day on which the relevant infringement is continued.

(2) Without prejudice to the provisions of Article 25(4) and (5), the competent authority shall have regard to the following matters in determining the amount of the administrative financial penalty:

- (a) the extent of any failure by the relevant sponsor or provider to co-operate with the investigation, provided that acknowledgement of the relevant infringement shall not of itself constitute grounds for the reduction of such penalty;
 - (b) any explanation accepted by the competent authority for the relevant infringement or the failure to co-operate with the investigation;
 - (c) whether –
 - (i) a previous Regulation 11(1)(a) decision in respect of which the relevant sponsor or provider was the subject has been confirmed or varied on appeal under Regulation 13 or confirmed on summary application under Regulation 14, or
 - (ii) a previous Regulation 19(1)(a) decision in respect of which the relevant sponsor or provider was the subject has been confirmed or varied under Regulation 24 or confirmed on summary application under Regulation 25;
 - (d) the absence or ineffectiveness of internal mechanisms or procedures intended to prevent infringements of the kind that is the relevant infringement;
 - (e) the extent to which the relevant infringement was contributed to by the act or omission of a third party, and the extent to which the relevant sponsor or provider took steps to identify, and mitigate the effect of, the act or omission;
 - (f) the extent to which the relevant infringement was contributed to by circumstances beyond the control of the relevant sponsor or provider, and the extent to which the sponsor or provider took steps to identify, and mitigate the effect of, those circumstances;
 - (g) the extent to which the management of the relevant sponsor or provider knew, or ought to have known, of the commission of the relevant infringement;
 - (h) the income or turnover of the relevant sponsor or provider in the financial years during which the relevant infringement was committed and the ability of the sponsor or provider to pay such penalty;
 - (i) any submissions made by the relevant sponsor or provider under Regulation 21(2) in relation to the determination of the amount of such penalty;
 - (j) any further information given to the competent authority by the relevant sponsor or provider in response to a request under Regulation 21(3);
 - (k) previous determinations under this Regulation which have been confirmed or varied on appeal under Regulation 24 or confirmed on summary application under Regulation 25.
- (3) The amount of an administrative financial penalty shall –

- (a) be proportionate to the nature of the relevant infringement, and
 - (b) be set with a view to deterring the relevant sponsor or provider, and other sponsors or providers of political advertising services, from committing an infringement.
- (4) The amount of an administrative financial penalty shall not –
- (a) where the relevant sponsor or provider is a natural person, be such as would be likely to cause that sponsor or provider to be adjudicated bankrupt, or
 - (b) where the relevant sponsor or provider is not a natural person, be such as would be likely to cause that sponsor or provider to cease trading.

Appeal against Regulation 19(1)(a) decision

24. (1) Subject to paragraph (2), the relevant sponsor or provider the subject of the Regulation 19(1)(a) decision to impose an administrative financial penalty on it for the relevant infringement may, within 28 days from the date on which the notice concerned referred to in Regulation 22(3) is given, appeal to the appropriate court against the decision.

(2) The appropriate court may, on the application of the relevant sponsor or provider, extend the period for the making of an appeal under paragraph (1) where the court is satisfied that –

- (a) there is good and sufficient reason for doing so,
- (b) the circumstances that resulted in the failure to bring an appeal within the period referred to in paragraph (1) were outside the control of the sponsor or provider, or
- (c) a summary application for confirmation of the Regulation 19(1)(a) decision has not yet been determined under Regulation 25.

(3) Subject to paragraph (4), the appropriate court may, on the hearing of an appeal under paragraph (1) –

- (a) confirm the Regulation 19(1)(a) decision,
- (b) vary the Regulation 19(1)(a) decision in such manner as the court considers it just and appropriate to do so in all the circumstances of the case, or
- (c) allow the appeal and annul the Regulation 19(1)(a) decision.

(4) For the purposes of paragraph (3), Regulations 19(5) and 23 shall apply to the appropriate court and references to the competent authority in those Regulations shall be construed as references to the appropriate court.

(5) The jurisdiction conferred on the Circuit Court by this Regulation shall be exercised by –

- (a) subject to subparagraph (b), the Circuit Court for that circuit in which the relevant sponsor or provider ordinarily resides or carries on any profession, business or occupation, or
- (b) where the relevant sponsor or provider neither ordinarily resides in the State nor carries on any profession, business or occupation in the State, the Circuit Court for the Dublin Circuit.

Appropriate court confirmation of Regulation 19(1)(a) decision

25. (1) Where the relevant sponsor or provider the subject of the Regulation 19(1)(a) decision to impose an administrative financial penalty on it for the relevant infringement does not appeal against the decision in accordance with Regulation 24(1), the competent authority shall, as soon as is practicable after the expiration of the period referred to in Regulation 24(1), and on notice to the sponsor or provider, make an application in a summary manner to the appropriate court for confirmation of the decision.

(2) On the hearing of an application under paragraph (1), the appropriate court may –

- (a) confirm the Regulation 19(1)(a) decision, or
- (b) annul the Regulation 19(1)(a) decision.

(3) The relevant sponsor or provider may, as soon as practicable after receiving notice of the application under paragraph (1), inform the competent authority in writing that it does not intend to appear at, or make submissions at, the hearing of the application.

(4) The jurisdiction conferred on the Circuit Court by this Regulation shall be exercised by the Circuit Court for the Dublin Circuit.

Action to be taken by competent authority following confirmation, etc., under Regulation 24 or 25 of Regulation 19(1)(a) decision

26. (1) This Regulation applies to the Regulation 19(1)(a) decision where it is confirmed or varied on appeal under Regulation 24 or confirmed on summary application under Regulation 25.

(2) Subject to paragraph (3), the competent authority shall, as soon as is practicable after this Regulation applies to the Regulation 19(1)(a) decision, publish a notice on the relevant website containing the following matters:

- (a) the decision, as appropriate –
 - (i) as confirmed on appeal under Regulation 24 or on summary application under Regulation 25, or
 - (ii) as varied on appeal under Regulation 24;
- (b) the name of the relevant sponsor or provider;
- (c) the nature of the relevant infringement;
- (d) such other particulars, reports or material as the competent authority considers appropriate.

(3) The competent authority may, for the purposes of publication under paragraph (2), redact any particulars which appear to it to be commercially sensitive.

Chapter 7

Miscellaneous

Treatment of amounts paid in respect of administrative financial penalties

27. (1) A payment received by the competent authority of any administrative financial penalty due to it pursuant to a Regulation 19(1)(a) decision confirmed or varied on appeal under Regulation 24 or confirmed on summary application under Regulation 25 shall be paid into, or disposed of for the benefit of, the Exchequer in such manner as the Minister for Finance may direct.

(2) The competent authority may recover any administrative financial penalty due to it referred to in paragraph (1) as a simple contract debt in any court of competent jurisdiction from the relevant sponsor or provider or any successor thereto.

Monitoring application of Political Advertising Regulation

28. (1) The competent authority may, for the purpose of performing any of its functions under the relevant provisions, monitor, or make arrangements with other suitable persons for the carrying out of monitoring on its behalf of, the preparation, placement, promotion, publication, delivery or dissemination, by any means, of political advertisements and of compliance by the sponsors or providers of political advertising services with the obligations respectively imposed on them under the relevant provisions.

(2) For the purposes of paragraph (1), the competent authority may engage any person to assist it in the performance of its functions referred to in that paragraph and, for that purpose, it may do any or all of the following:

- (a) enter into a contract with any person on such terms and conditions and for such period as the competent authority considers appropriate;
- (b) pay out of the funds at its disposal, to any person referred to in subparagraph (a), such fees (if any) or allowances for expenses (if any) incurred by the person as the competent authority may determine.

Transmission of information

29. (1) For the purposes of Article 16(1), the competent authority may at any time, by notice in writing served on a provider of political advertising services, require the provider to transmit to it, within the period concerned specified in Article 16(3) or (4), any necessary information which the competent

authority shall specify in the notice as it requires in order to enable it to carry out any of its functions under the relevant provisions.

(2) A provider of political advertising services who fails to comply with a notice under paragraph (1) or who, in purported compliance with the notice, gives information to the competent authority that is false or misleading in a material respect shall be guilty of an offence.

(3) A provider of political advertising services who is guilty of an offence under paragraph (2) shall be liable –

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction or indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.

Service of documents

30. A notice or other document that is required to be served on or given to a person under these Regulations shall be addressed to the person concerned by name, and may be so served on or given to the person in one of the following ways:

- (a) by sending it to the person by electronic means to an email address, fax number or other electronic contact point used by the person for receiving emails, faxes or other electronic messages and a record that the email, fax or other electronic message has been sent to the person is made for the sender by the email system, fax machine or other electronic system used;
- (b) by delivering it to the person;
- (c) by leaving it at the address at which the person ordinarily resides or carries on business or, in a case in which an address for service has been furnished, at that address;
- (d) by sending it by post in a prepaid registered letter or by any other form of recorded delivery service to the address referred to in paragraph (c).

PART 3

SURVEILLANCE OF TARGETING AND AD AMPLIFICATION TECHNIQUES

Competent authority for Articles 18 and 19

31. The Data Protection Commission is, for the purposes of Article 22(1), the competent authority in respect of Articles 18 and 19, other than insofar as such Articles apply to Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018⁵ on the protection of natural persons with

⁵ OJ No. L 295, 21.11.2018, p. 39

regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

Application of Part 6 of Data Protection Act 2018

32. Without prejudice to Article 22(1), the provisions of Part 6 of the Data Protection Act 2018 shall apply to the Data Protection Commission for the purpose of monitoring the application of Articles 18 and 19.

PART 4

MISCELLANEOUS

Periodic reporting on political advertising services

33. (1) A political advertising publisher required to prepare a management report (within the meaning of Article 19 of Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013⁶ on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC) shall make the information included in that report by virtue of Article 14(1) of the Political Advertising Regulation available to An Coimisiún Toghcháin within the 28 days immediately following the inclusion of such information in the report.

(2) A political advertising publisher who contravenes paragraph (1) shall be guilty of an offence and shall be liable –

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months or both, or
- (b) on conviction on indictment, to a fine not exceeding €50,000 or imprisonment for a term not exceeding three years or both.

Offences by bodies corporate

34. (1) Where an offence under these Regulations is committed by a body corporate and it is proved that the offence was committed with the consent or connivance, or was attributable to any wilful neglect, of a person who was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in that capacity, that person, as well as the body corporate, shall be guilty of an offence and may be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) applies to the acts and defaults of a member in connection with his

⁶ OJ No. L 182, 26.6.2013, p. 19

or her functions of management as if he or she were a director or manager of the body corporate.

Summary proceedings

35. (1) Subject to paragraph (2), summary proceedings for an offence under these Regulations may be brought and prosecuted by the competent authority concerned.

(2) Proceedings for an offence under these Regulations shall not be instituted except by or with the consent of the Director of Public Prosecutions.

Repeals

36. (1) Section 140 of the Electoral Act 1992 is repealed.

(2) Part 4 of the Electoral Reform Act 2022 is repealed.



GIVEN under my Official Seal,
9 October, 2025.

JAMES BROWNE,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give full effect to Regulation (EU) 2024/900 of the European Parliament and of the Council of 13 March 2024 on the transparency and targeting of political advertising.

The principal objective of Regulation (EU) 2024/900 is to introduce harmonised rules on the transparency of political advertising and on the use of targeting and ad-delivery techniques involving the process of personal data in the context of political advertising. Regulation (EU) 2024/900 aims to make it easier for people to recognise political advertisements, understand who is behind them and know whether they have received a targeted advertisement, so that they are better placed to make informed choices during elections and referendums.

Regulation (EU) 2024/900 covers political advertising that is normally provided for remuneration, but also includes political advertising through in-house activities, such as the preparation of political advertisements within political parties, and as part of a political advertising campaign. Political advertising within the scope of Regulation (EU) 2024/900 must be clearly labelled and must be accompanied by a transparency notice incorporating specified information in relation to the advertisement.

Strict limits on the use of targeting and ad delivery techniques apply under Regulation (EU) 2024/900. The use of personal data for targeting political advertising online is permitted only if the data was collected from the data subject, with the explicit and separate consent of the data subject for its use for political advertising. Furthermore, there is a blanket ban on profiling using special categories of personal data within the meaning of Article 9(1) of the General Data Protection Regulation.

For the purpose of overseeing compliance with the obligations laid down in Regulation (EU) 2024/900, these Regulations designate –

- An Coimisiún Toghcháin as the competent authority for the purposes of Articles 21(4) and 22(3) and 22(4) of Regulation (EU) 2024/900 (subject to the provisions of Regulations 6(2) and 31) and as the national contact point under Article 22(9) of the aforesaid Regulation, and
- for the purposes of Article 22(3) and (4), Coimisiún na Meán as the competent authority to supervise the compliance of –
 - (a) providers of intermediary services,
 - (b) providers of audiovisual media services,
 - (c) providers of a sound broadcasting service,
 - (d) providers of relevant online services designated under section 139E of the Broadcasting Act 2009 as a service to which online safety codes may be applied under Chapter 3 of Part 8A of that Act, and

- (e) hosting service providers,
with the obligations laid down in Articles 7 to 17 of Regulation (EU) 2024/900 that apply to those providers or parties, as the case may be.

Part 2 of the Regulations provides for, among others matters, the sanctions which may be applied by a competent authority in the event that an infringement of Regulation (EU) 2024/900 takes place.

The Data Protection Commission is the competent authority to oversee the implementation of Articles 18 and 19 of Regulation (EU) 2024/900.

These Regulations commence on 10 October 2025.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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