

DSA.035 VLOP Online advertising

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Last update: 2023-06-06 11:41:58 | By: Winfried Veil

Created at: 2023-06-06 06:17:22

Article 26 DSA

Advertising on online platforms

1. Providers of online platforms that present advertisements on their online interfaces shall ensure that, for each specific advertisement presented to each individual recipient, the recipients of the service are able to identify, in a clear, concise and unambiguous manner and in real time, the following:

(a) that the information is an advertisement, including through prominent markings, which might follow standards pursuant to Article 44;

(b) the natural or legal person on whose behalf the advertisement is presented;

(c) the natural or legal person who paid for the advertisement if that person is different from the natural or legal person referred to in point (b);

(d) meaningful information directly and easily accessible from the advertisement about the main parameters used to determine the recipient to whom the advertisement is presented and, where applicable, about how to change those parameters.

2. Providers of online platforms shall provide recipients of the service with a functionality to declare whether the content they provide is or contains commercial communications.

When the recipient of the service submits a declaration pursuant to this paragraph, the provider of online platforms shall ensure that other recipients of the service can identify in a clear and unambiguous manner and in real time, including through prominent markings, which might follow standards pursuant to Article 44, that the content provided by the recipient of the service is or contains commercial communications, as described in that declaration.

3. Providers of online platforms shall not present advertisements to recipients of the service based on profiling as defined in Article 4, point (4), of Regulation (EU) 2016/679 using special categories of personal data referred to in Article 9(1) of Regulation (EU) 2016/679.