

DSA.036 VLOP Online advertising +

Authors: Winfried Veil

Last update: 2023-06-06 06:46:31 | By: Winfried Veil

Created at: 2023-06-04 14:53:38

Article 39 DSA

Additional online advertising transparency

1. Providers of very large online platforms or of very large online search engines that present advertisements on their online interfaces shall compile and make publicly available in a specific section of their online interface, through a searchable and reliable tool that allows multicriteria queries and through application programming interfaces, a repository containing the information referred to in paragraph 2, for the entire period during which they present an advertisement and until one year after the advertisement was presented for the last time on their online interfaces. They shall ensure that the repository does not contain any personal data of the recipients of the service to whom the advertisement was or could have been presented, and shall make reasonable efforts to ensure that the information is accurate and complete.

2. The repository shall include at least all of the following information:

(a) the content of the advertisement, including the name of the product, service or brand and the subject matter of the advertisement;

(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 person referred to in point (b);

(d) the period during which the advertisement was presented;

(e) whether the advertisement was intended to be presented specifically to one or more particular groups of recipients of the service and if so, the main parameters used for that purpose including where applicable the main parameters used to exclude one or more of

such particular groups;

(f) the commercial communications published on the very large online platforms and identified pursuant to Article 26(2);

(g) the total number of recipients of the service reached and, where applicable, aggregate numbers broken down by Member State for the group or groups of recipients that the advertisement specifically targeted.

3. As regards paragraph 2, points (a), (b) and (c), where a provider of very large online platform or of very large online search engine has removed or disabled access to a specific advertisement based on alleged illegality or incompatibility with its terms and conditions, the repository shall not include the information referred to in those points. In such case, the repository shall include, for the specific advertisement concerned, the information referred to in Article 17(3), points (a) to (e), or Article 9(2), point (a)(i), as applicable.

The Commission may, after consultation of the Board, the relevant vetted researchers referred to in Article 40 and the public, issue guidelines on the structure, organisation and functionalities of the repositories referred to in this Article.