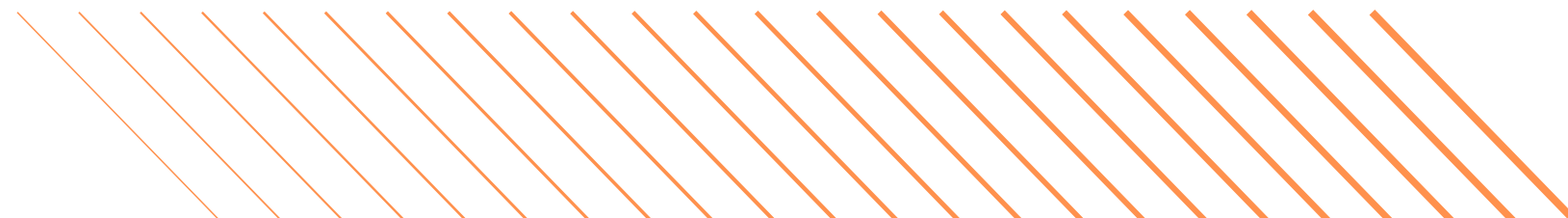
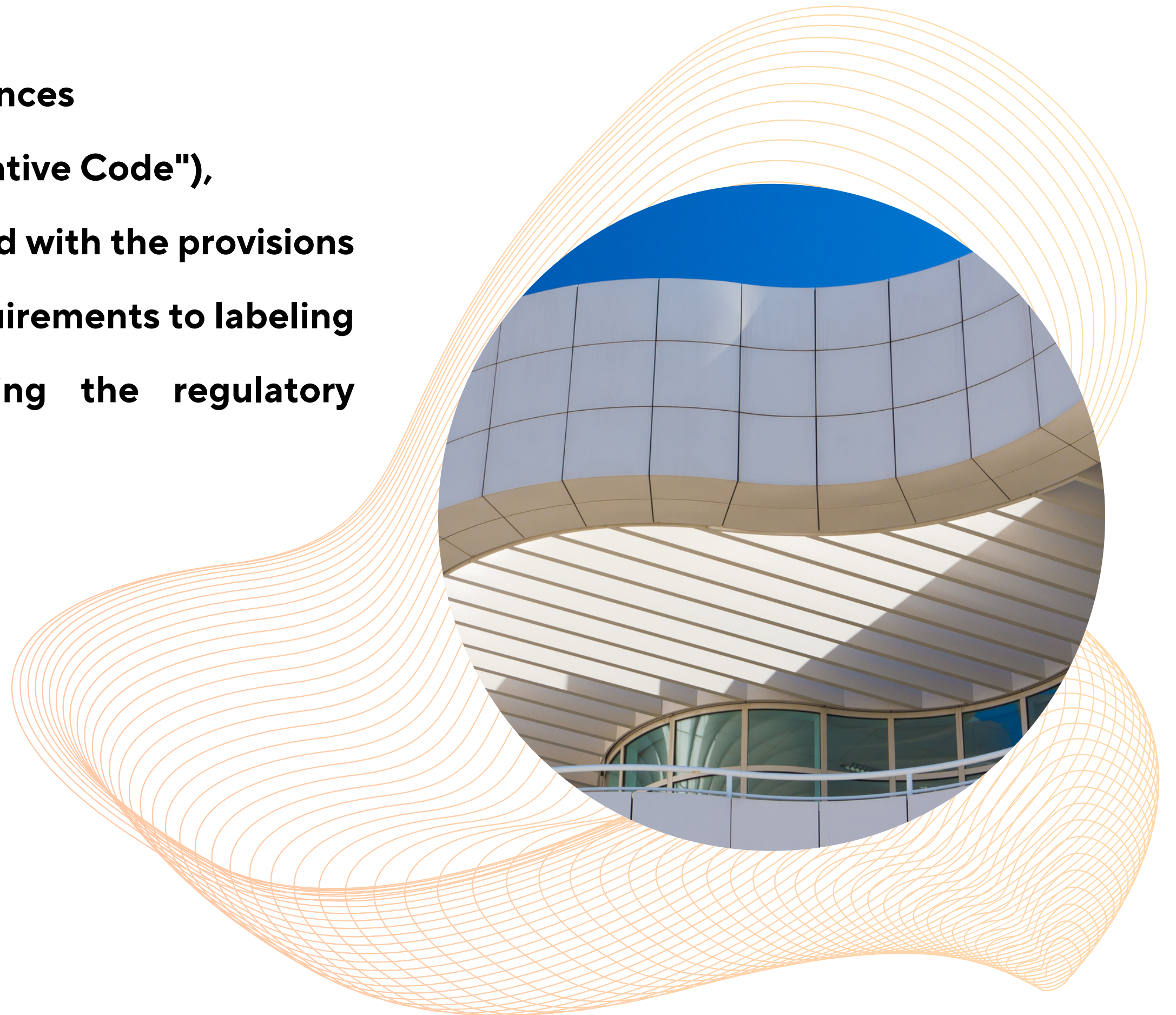


FINES FOR VIOLATING THE REQUIREMENTS FOR LABELING ADVERTISEMENTS DISTRIBUTED ON THE INTERNET IN RUSSIA

2023



Federal Law No. 274-FZ dated 24.06.2023
amended the Code of Administrative Offences
of the Russian Federation (the "Administrative Code"),
in particular, Article 14.3 was supplemented with the provisions
regarding liability for violations of the requirements to labeling
of online advertisements and informing the regulatory
authority of such advertisements.





FINES FOR VIOLATING THE REQUIREMENTS FOR LABELING ADVERTISEMENTS DISTRIBUTED ON THE INTERNET IN RUSSIA

Starting from September 1, 2023, the distribution of an advertisement on the Internet without an advertisement identifier assigned by the advertisement data operator to the corresponding advertisement or violation of the requirements for its placement when distributing advertisement on the Internet, an administrative fine may be imposed:

- on individuals - in the amount of 30 thousand to 100 thousand rubles;
- on company's officials - from 100 thousand to 200 thousand rubles;
- on legal entities - from 200 thousand to 500 thousand rubles.

Failure by an advertiser, an advertisement distributor, an advertisement system operator to fulfill the obligation to provide information or to ensure the provision of information about advertisement distributed on the Internet to Roskomnadzor, or violation of the established deadlines for the performance of such obligations, or providing incomplete, unreliable, irrelevant information to the specified government agency will involve an administrative fine:

- on individuals in the amount of 10 thousand to 30 thousand rubles;
- on company's officials - from 30 thousand to 100 thousand rubles;
- on legal entities - from 200 thousand to 500 thousand rubles.



The relevant requirements for labeling online advertisement and providing information about such advertisement to Roskomnadzor entered into force on September 1, 2022.

The Commission under Roskomnadzor determined a list of advertisement data operators (ADOs) - owners of computer programs designed to establish the fact of advertisement distribution on the Internet, authorized to keep records of such advertisement and provide information to Roskomnadzor; the list is published on the official website of Roskomnadzor.



FINES FOR VIOLATING THE REQUIREMENTS FOR LABELING ADVERTISEMENTS DISTRIBUTED ON THE INTERNET IN RUSSIA



Advertisement on the Internet can be distributed provided that the ADO assigns an advertisement identifier to the corresponding advertisement - a unique digital designation (token) designed to ensure the traceability of advertisement distributed on the Internet and accounting for information about such advertisement.

In addition, the advertisement distributed on the Internet must contain the mark "advertisement" and an indication of the advertiser of such advertisement and (or) the website, the page of the website containing information about the advertiser of such advertisement. An exception to this requirement is advertisement placed in TV programs and TV shows, radio programs and radio programs distributed on the Internet.

Advertisers, advertisement distributors, advertisement system operators who have placed advertisements on the Internet aimed at attracting the attention of advertisement consumers located on the territory of Russia and meeting the criteria defined by the Government of the Russian Federation are required to provide information or ensure the provision of information about such advertisement to Roskomnadzor through the ADO.

The requirement to provide information about online advertisement to Roskomnadzor does not apply to:

- advertisers who have the exclusive right to the objects of advertisement and (or) are manufacturers or sellers of goods;
- operators of social advertisement.

The ADO provides to Roskomnadzor the information about advertisement distributed on the Internet, provided by advertisers, advertisement distributors, advertisement system operators who placed such advertisement, during the month following the calendar month in which such advertisement was distributed on the Internet.

The interaction of Roskomnadzor with the ADO, advertisers, advertisement distributors, operators of advertisement systems is carried out using the information system of the radio frequency service, exclusively in electronic format using the forms of documents automatically generated in the personal account.



FINES FOR VIOLATING THE REQUIREMENTS FOR LABELING ADVERTISEMENTS DISTRIBUTED ON THE INTERNET IN RUSSIA



Responsibility for the completeness, reliability, relevance and timeliness of providing information to Roskomnadzor is borne by both the ADO and advertisers, advertisement distributors, operators of advertisement systems.

Roskomnadzor records, stores and processes information about the advertiser, advertisement distributor, advertisement system operator, who are Russian and (or) foreign legal entities, individuals, individual entrepreneurs, distributing or organizing the distribution of advertisement on the Internet aimed at attracting the attention of advertisement consumers located on the territory of the Russian Federation according to the Decree of the Government of the Russian Federation No. 1362-r dated May 30, 2022.

Roskomnadzor also verifies information about advertisements distributed on the Internet provided by the ORD with information about such advertisements actually posted on the Internet and, if necessary, interacts with the antimonopoly authority regarding the attribution of information distributed on the Internet to advertisement.



FOR ADDITIONAL INFORMATION PLEASE CONTACT:

Yana Dianova

Counsel
Russia, Moscow

T: +7 495 660 1184

E: ydianova@gratanet.com