



**Broadcasting Authority Directive
on Programmes and Advertisements broadcast
during the period
Monday, 11th April to Saturday, 28th May 2011**

IN exercise of the powers conferred by article 15 of the Broadcasting Act, the Broadcasting Authority is issuing the following directive:

1. (1) The title of this Directive is the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 11th April to 28th May 2011. Citation and entry into force.

(2) This Directive shall come into force on 11th April 2011.

2. (1) For the purposes of this Directive: Interpretation.

“the Act” means the Broadcasting Act;

“Authority” means the Broadcasting Authority established by article 118 of the Constitution;

“Directive” means the Broadcasting Authority Directive on Programmes and Advertisements broadcast during the period 11th April to 28th May 2011;

“programme” includes all programmes, including news updates and bulletins and any information slots and advertisements.

(2) Words and phrases used in this Directive shall have the same meaning as is assigned to them in the Act.

3. (1) Not later than noon of Thursday, 7th April, 2011, each broadcasting station shall provide the Authority with a detailed schedule of programmes and advertisements for the Authority’s approval. The said schedule shall cover the period 11th April to 28th May 2011. Where the broadcasting station intends to produce current affairs programmes, discussion programmes, investigative journalism programmes and programmes of a similar nature during the aforesaid period, it shall forward the subject of that programme and details of the participants in that Provision of Programme Schedules to the Authority.



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programme together with details of the presenter and producer to the Authority for its approval.

(2) Following the Authority's approval of the said programme schedule, no changes may be made by a broadcasting station to the said schedule except with the prior approval of the Authority and following a written detailed request by a broadcasting station to that effect.

(3) Until such approval as mentioned in paragraphs (1) and (2) of this article is obtained, no programme or advertisement which has as a theme divorce, marriage or family matters may be broadcast by a broadcasting station. Nor may any such programme or advertisement encourage people to vote in a particular way in the referendum. Care should be taken to ensure that all programmes and all advertisements are free of material, which could be interpreted as favouring or giving undue exposure to any interest group, or which might be reasonably considered as being directed towards a political end.

(4) Although every station is duty bound to respect impartiality regulations when dealing with any aspect of a political, industrial controversy or current public policy, the Authority underlines the absolute requisite that any programmes dealing with divorce, marriage, the family and related topics should be rigorously balanced in the views/opinions that they present.

(5) No programme and advertising whatsoever dealing with the topics highlighted in **3**, may be broadcast unless it is within the schedule or scheme approved by the Authority.

4. The following modifications shall apply with effect from 11th April 2011 to the Code for the Investigation and Determination of Complaints:

Application of the Code for the Investigation and Determination of Complaints.

(a) complaints shall be addressed directly to the Authority and not to broadcasting stations;

(b) in so far as the Authority may deem necessary, the Authority may require an explanation from the broadcasting station mentioned in the said complaint;

(c) any information or explanation required by the Authority as aforesaid shall be provided to the Authority by the broadcasting station not later than noon of the following day or earlier as the



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Authority may direct.

5. (1) During the day preceding the referendum and on the actual day of polling during the referendum (hereinafter referred to as “the campaign silence period”), all forms of broadcasting which might influence voters shall be prohibited.

(2) Without prejudice to sub-article (1) of this article, during the campaign silence period the following rules shall apply:

(a) broadcasting stations shall avoid a situation where they actively support or otherwise any issue related to divorce or a related subject;

(b) stations shall not broadcast information, statements, press and media releases issued by the government, the opposition, politicians, political parties, campaign movements, other organizations involved in the referendum, and other forms of broadcasting which, openly or in a covert manner, may influence the decisions of the voters;

(c) the following shall be prohibited:

(i) agitation,
(ii) information related to a referendum campaign, and
(iii) advertisements designed for presentation of programmes, logos, mottos and symbols, a campaign movement or and other organizations involved in the referendum.

(d) all forms of media presentations concerning referendum campaign (such as free presentations, political propaganda, debate programmes, interviews, etc.) shall be prohibited;

(e) it shall be allowed in the reporting on the voting and the other referendum activities for broadcasting stations to report on the possible violations of the voting procedures and on eventual incidents inside or out of the polling stations, and official statements on the voting process issued from time to time by the Electoral Commission.

(3) Statements and releases on the eventual incidents mentioned in paragraph (f) of sub-article (2) of this article which are issued during the campaign silence period may only be broadcast after all the polling stations are closed.

(4) For the purposes of this article:-

Regulations to be observed by broadcasting stations during the day preceding the referendum and on the actual day of polling.



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"agitation", for and against, means all forms of media presentation related in any way to the referendum campaign. Agitation also includes all other on-air presentations of symbols, signs and other propaganda material of campaign movements and other organizations involved in the referendum.

"information related to a referendum campaign" means news reports and other programmes which present:

(a) information on any form of campaign activities that took place before the deadline for the start of the campaign silence period;

(b) statements and releases of political parties, campaign movements and other organizations involved in relation to the referendum;

"advertisements designed for presentation of programmes, logos, mottos and symbols of a political party, a campaign movement or and other organizations involved in the referendum means all forms of political propaganda (announcements, releases, political advertisements, recordings or segments of recordings of rallies and other public appearances of the participants in the referendum campaign).

6. Public Opinion Polls

The Authority refers to the Requirements as to Standards and Practice Applicable to Various Types of Polls Broadcast on Radio and Television Services which contain provisions relating to elections. A copy of these Requirements is attached to this Directive.