

## **SUBSIDIARY LEGISLATION 350.18**

### **REQUIREMENTS AS TO STANDARDS AND PRACTICE APPLICABLE TO THE FAMILY VIEWING AND LISTENING**

22nd March, 2007

*GOVERNMENT NOTICE 261 of 2007.*

The title of these requirements is the Requirements as to Standards and Practice applicable to the Family Viewing and Listening. Citation.

**1.1** These Requirements as to Standards and Practice have been made by the Broadcasting Authority in virtue of article 20(3) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

**1.2** It is the Authority's aim to ensure, so far as possible, that stations do not broadcast material unsuitable for children at times when large numbers of children are viewing or listening. Constraints on this policy arise from two factors: first there is no time of the evening when there are no children viewing or listening, perhaps even in quite substantial numbers; and secondly, any attempt to provide a wide range of programmes appropriate for adults and including serious subject matter will entail the broadcasting of some material that might be considered unsuitable for children. The Authority does not accept that, because some children are always likely to be present in the audience, there should be no adult material included in the programme output of a broadcasting station. The necessary compromise between these constraints and the Authority's general aim is embodied in the Authority's Family Viewing and Listening Policy for evening viewing and listening.

**1.3** The policy assumes a progressive decline throughout the evening in the proportion of children present in the audience. It expects a similar progression in the successive programmes scheduled from early evening until closedown: the earlier in the evening, the more suitable; the later in the evening, the less suitable. Within the progression, 9.00p.m. is fixed as the point up to which the broadcasters will normally regard themselves as responsible for ensuring that nothing is shown that is unsuitable for children. After nine o'clock, progressively less suitable (i.e. more adult) material may be shown, and it may be that a programme will be acceptable, for example, at 10.30p.m. that would not be suitable at 9.00p.m. But it is assumed that from 9.00p.m. onwards, parents may reasonably be expected to share responsibility for what their children are permitted to see and listen to. Violence is not the only reason why a programme may be unsuitable for family viewing or listening. Other factors include bad language, innuendo, blasphemy, explicit scenes or descriptions of sexual behaviour, and scenes or portrayal of extreme distress.

**2.** Trailers

2.1 Programme trailers must themselves comply with these Requirements. If it is decided to promote an 'adult' programme before 9.00p.m., the trailer must be suitable for family viewing or listening. Excerpts selected for trailing a programme containing violent material should be chosen with care, and should not give emphasis to violent incidents uncharacteristic of the programme as a whole.

### 3. Requirements to be followed by Broadcasters

3.1 Bearing the above in mind, the Authority has thus drawn up these requirements to be followed by broadcasters vis-à-vis adult programming:

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| S.L. 350.01 | i. in the case of a television programme, each television broadcaster is to ensure compliance with the Television Programmes (Classification Certificates) Regulations;   |
| S.L. 350.01 | ii. in the case of a television programme, television broadcasters are to ensure that a responsible person is appointed in terms of the Television Programmes (Classification Certificates) Regulations, and that broadcasters should inform the Authority of any changes made;   |
|             | iii. prior to the broadcasting of an adult related programme, the viewer or listener is to be informed that the said programme is suitable only for a mature audience;  |
|             | iv. in so far as discussion programmes are concerned which are directed to an adult audience, children should not be invited on the panel or amongst the audience;  |
|             | v. adult related programmes are to be broadcast only after 9.00p.m. Within the progression of successive programmes scheduled from early evening until closedown: <ul style="list-style-type: none"> <li>i. 9.00p.m. is fixed as the point up to which the broadcasters will normally regard themselves as responsible for ensuring that nothing is broadcast that is unsuitable for children;</li> <li>ii. after 9.00p.m., progressively less suitable (i.e. more adult) material may be broadcast, and it may be that a programme that would not be suitable at 9.00p.m. will be acceptable, for example, at 10.30p.m;</li> </ul> |
|             | vi. in the case of a television programme, the programme certificate has to be visible during the first 30 seconds of the programme and should the programme be interrupted, during the first 30 seconds following commencement of broadcasts of the said programme after each break. In the case of a radio programme, the broadcaster has to air a notice before the beginning of the programme that the latter is addressed to a mature  |

audience and should the programme be interrupted, before the following commencement of broadcasts of the said programme after each break;

vii. no pornographic material may be broadcast in breach of the Criminal Code; Cap. 9.

viii. in so far as television programmes are concerned, television broadcasting stations should adopt the following signage:

U for universal programmes.

The letter "U" should be encircled in a green colour.

PG for programmes which require parental guidance.

The letters "PG" should be encircled in a yellow colour.

12 suitable only for persons of twelve years and over.

The number "12" should be encircled in an orange colour.

16 suitable only for persons of sixteen years and over.

The number "16" should be encircled in a brown colour.

AO for adults only programmes.

The letters "AO" should be encircled in a red colour.

4. For the purposes of these Requirements, the expression "children" means persons who are under eighteen years of age.

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