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NOTIFIKAZZJONIJIET TAL-GVERN

Nru. 255

ĦATRA TA' AĠENT AVUKAT ĠENERALI

BIS-SAĦĦA tas-setgħat mogħtija bl-Artikolu 91 (1) u bl-Artikolu 124 (5) (a) tal-Kostituzzjoni ta' Malta, il-President ta' Malta, fuq il-parir tal-Prim Ministru, approva l-ħatra ta' Dott. Peter Grech, Deputat Avukat Ġenerali, bħala Aġent Avukat Ġenerali mit-18 sat-23 ta' Marzu 2007, iż-żewġ dati nklużi.

It-22 ta' Marzu, 2007

GOVERNMENT NOTICES

No. 255

APPOINTMENT OF ACTING ATTORNEY GENERAL

IN exercise of the powers conferred by section 91 (1) and by Article 124 (5) (a) of the Constitution of Malta, the President of Malta, acting on the advice of the Prime Minister, has approved the appointment of Dr Peter Grech, Deputy Attorney General, to act as Attorney General from the 18th to the 23rd March 2007, both days inclusive.

22nd March, 2007

Nru. 256

ĦATRA TA' AĠENT DIRETTUR (MANIFATTURA U SERVIZZI)

IL-PRIM Ministru approva l-ħatra temporanja li ġejja:–

No. 256

APPOINTMENT OF ACTING DIRECTOR (MANUFACTURING AND SERVICES)

THE Prime Minister has approved the following acting appointment:–

ISEM *NAME*	POST *POST*	DIPARTIMENT *DEPARTMENT*	DATA *DATE*
Mr Philip Schembri	Direttur *Director*	Manifattura u Servizzi *Manufacturing and Services*	From 14.3.2007

It-22 ta' Marzu, 2007

22nd March, 2007

Nru. 257

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 li japplikaw għal Bulettini ta' l-Aħbarijiet u l-Programmi ta' Ġrajjiet Kurrenti

L-EWWEL TAQSIMA
INTRODUZZJONI

1. Daħla

1.1 L-Artikolu 119 tal-Kostituzzjoni ta' Malta kif ukoll l-Att ta' l-1991 dwar ix-Xandir, kif emendat, illum Kapitlu 350 tal-Liġi ta' Malta, jagħmel l-Awtorità tax-Xandir l-għassies legali ta' l-imparzjalità u r-reqqa fl-aħbarijiet u fi programmi ta' ġrajjiet kurrenti.

1.2 Ix-xandara tar-radju u tat-televiżjoni, iridu jħejju u joħorġu bir-reqqa kollha meħtieġa, rapporti ta' aħbarijiet u programmi ta' ġrajjiet kurrenti.

1.3 L-Awtorità trid tara wkoll li xandar jibqa' jżomm imparzjalità sħiħa fejn jidħlu ħwejjeġ ta' kontroversja politika jew industrijali jew tax-xejra pubblika magħrufa taż-żmien.

1.4 Għandu jitħares u jkun stmat il-jedd tal-ħajja privata u familjari kif ukoll id-dritt tal-kelma u tat-tagħrifa ħielsa.

1.5 L-Awtorità tax-Xandir għandha tiżgura li kulma hu maħsub f'dan id-dokument jkun jaqbel mal-prinċipji mniżżla fil-Kostituzzjoni u ma' l-istrumenti legali li jwettquhom.

1.6 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

2. Tifsir u Tfehim

2.1 *L-Aħbar*

2.1.1 L-uniku kriterju biex tiddaħħal xi ħaġa f'rapport ta' l-aħbarijiet irid ikun is-siwi tagħha bħala aħbar. L-aħbar nistgħu nfissruha bħala notizzja, tagħrifa ta' ġrajja ġdida jew li għadha kif seħħet. Il-valuri li l-aktar jissemmew ta' l-aħbar huma dawk ta': kemm tkun f'waqtha jew fil-qrib, kemm tispikka jew hi kbira, l-impatt li jkollha, it-taħwid li taqla' u wkoll l-istramberija tagħha.

2.1.2 Xandar jista' jressaq siltiet għall-aħbarijiet dwar kull xorta ta' suġġett li jagħżel. Din l-għażla ħielsa marbuta mal-qadi tad-dmir li jiżgura s-sens tal-ħaqq u l-ħarsien tas-sewwa.

No. 257

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to News Bulletins and Current Affairs Programmes, 2007

PART 1
INTRODUCTION

1. Preamble

1.1 The Broadcasting Authority is the legal guardian over the impartiality and accuracy of news and current affairs programmes in terms of Section 119 of the Constitution of Malta as well as the Broadcasting Act of 1991, as amended, now Chapter 350 of the Laws of Malta.

1.2 Radio and television broadcasters are required to provide news and current affairs programmes that should be presented with due accuracy.

1.3 The Authority has to ensure that a broadcaster preserves due impartiality in respect of matters of political or industrial controversy or current public policy.

1.4 The right for private and family life and the right of freedom of expression and information should be preserved and respected.

1.5 The Broadcasting Authority must seek to ensure that the provisions of this document are consistent with the principles of the Constitution and applicable legal instruments.

1.6 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.

2. Definitions and Interpretations

2.1 *News*

2.1.1 The sole criterion for the inclusion of any item in a news bulletin is its news value. News can be defined as tidings, new information or fresh information. News values usually cited include: timeliness, proximity, prominence, magnitude, impact, conflict and oddity.

2.1.2 A broadcaster may produce news items about any subject or issue he/she chooses. This freedom of choice is subject to the fulfilment of the obligations to ensure fairness and respect for truth.

2.1.3 Minkejja dan, jistgħu biss isiru kummenti sakemm:

i. ikollhom x'jaqsmu direttament ma' l-iżvilupp ta' l-istorja;
ii. ikunu preċiżi, fattwali u etikament korretti;
iii. ikunu bilanċjati; u
iv. jinstemgħu l-ideat ta' min jifhem skond xi jkun is-suġġett ta' l-aħbar.

2.1.4 Il-Kap ta' l-Aħbarijiet fid-dmir jiddeċiedi dwar dak li għandu siwi ta' aħbar.

2.2 *L-Interess Pubbliku*

2.2.1 L-interess pubbliku ma għandux jingħalaq f'tifsir limitat u ristrett. Meta xi ħaġa, tant tolqot il-biċċa l-kbira tan-nies li tqajmilhom tabilħaqq interess jew ħassib dwar dak li jkun qed jiġri, jew x'jista' jseħħ lilhom jew lill-oħrajn, hemm imbagħad tkun iva xi ħaġa ta' interess pubbliku li kulħadd ikollu l-jedd jgħaddi kumment għaqli dwarha.

2.2.2 Kull għemil li jitlob ħarsien ta' l-interess pubbliku jrid jintqies ma' kemm jaqdi l-interess għal dak il-waqt. Xi eżempji dwar kif il-medja tista' taqdi l-interess pubbliku huma:

i. l-istħarriġ u l-kxif ta' xi delitt jew reat ieħor serju;
ii. il-ħarsien tas-saħħa pubblika u tas-sigurtà tal-ħajja;
iii. ma tħallix il-pubbliku jitgħallat b'xi dikjarazzjoni jew għemil minn xi ħadd jew xi għaqda;
iv. il-kxif ta' nuqqasijiet kbar ta' ħila f'karigi pubbliċi.

2.2.3 Tinħtieġ tingħata attenzjoni speċjali fejn jidħlu t-tfal, u nies oħra aktarx dgħajfa (bħalma huma l-anzjani, id-diżabilitati eċċ.) biex ikollhom protezzjoni xierqa u ħarsien minn kull ħsara. Meta jkun hemm imdeffsin iż-żgħar, ix-xandara jridu jqisu l-ewwel u fuq kollox is-saħħa fiżika, mentali u emozzjonali tagħhom. L-edituri ta' l-aħbarijiet iridu juru interess pubbliku eċċezzjonali li jisboq l-interess ewlieni li dawn in-nies normalment jistħoqqilhom.

2.2.4 Ir-responsabbiltà li tiġġustifika kull tbegħid mill-ħtiġijiet imsemmija f'dan id-dokument għal raġunijiet ta' interess pubbliku għandha taqa' kollha fuq il-ġurnalista u x-xandar.

2.3 *Ġrajjiet Kurrenti*

2.3.1 Għall-iskopijiet ta' dan id-dokument "Ġrajjiet Kurrenti" (*Current Affairs*) tfisser programm li jkun fih spjega u/jew analiżi ta' ġrajjiet u argumenti ta' llum, kif ukoll materjal li jkollu x'jaqsam ma' kontroversji politiċi u/jew industrijali jew mat-tifsil tax-xejra pubblika. Il-programmi jridu jippreżentaw lis-

2.1.3 This notwithstanding, comments are considered to be admissible as long as:

i. they are directly connected with the unfolding story;
ii. they are accurate, factual and ethical;
iii. they are balanced; and
iv. depending on the nature of the news item, informed opinions are sought.

2.1.4 It is the responsibility of the Head of News to decide what constitutes news value.

2.2 *Public Interest*

2.2.1 Public interest is not to be confined within narrow limits. Whenever a matter is such as to affect people at large, so that they may be legitimately interested in, or concerned at, what is going on; or what may happen to them or others; then it is a matter of public interest on which everyone is entitled to make fair comment.

2.2.2 Any act that relies upon a defence of public interest must be proportional to the actual interest served. Examples of how the public interest may be served by the media include:

i. detecting or exposing crime or a serious misdemeanour;
ii. protecting public health and safety;
iii. preventing the public from being misled by some statement or action of an individual or organisation;
iv. exposing significant incom-petence in public office.

2.2.3 The involvement of minors and other vulnerable persons (such as the elderly, disabled persons, etc.) requires special attention so as to provide for their protection and safety. When minors are involved broadcasters should treat their physical, mental and emotional health as being of paramount importance. News editors should demonstrate an exceptional public interest to over-ride the normally paramount interest of these persons.

2.2.4 The onus shall be upon the journalist and broadcaster concerned to justify any departure from the requirements indicated in this document on the grounds of public interest.

2.3 *Current Affairs*

2.3.1 For the purposes of this document, 'Current Affairs' means a programme which contains explanation and/or analysis of current events and issues, including material dealing with political or industrial controversy or with public policy. Programmes should offer viewers and listeners an intelligent and informed account of

semmiegħa u lit-telespettaturi argumenti intelliġenti u informattivi dwar x'inhu għaddej b'mod li jgħinuhom jaslu għall-konklużjonijiet personali tagħhom. Dan jista' jinkiseb bit-tħejjija ta' programmi ta' ġrajjiet kurrenti li jaħsbu biex jeżaminaw fil-fond dak li jkun hemm wara l-ġrajjiet, jagħtu tagħrif, analiżi esperta, kumment infurmat u lok għal diskussjoni miftuħa.

2.4 *Ix-Xandar*
2.4.1 Kull individwu jew kumpanija li għandu/ha l-liċenzja skond il-kondizzjonijiet ta' l-Att dwar ix-Xandir tat-televiżjoni jew tar-radjo jissejjaħ xandar. Ix-xandar għandu r-responsabbiltà jiż- gura li l-impjegati ta' l-istazzjon, bil-ġurnalisti, bl-edituri, bil-produtturi u bil-preżentaturi kollha jimxu skond dan id-dokument.

2.5 *Il-Kap ta' L-Aħbarijiet*
2.5.1 Kull referenza f'dan id-dokument għall-Kap ta' l-Aħbarijiet tfisser, bla ebda preġudizzju għar-responsabbiltà ta' l-editur skond l-Att dwar l-Istampa, dak l-individwu fdat bir-responsabbiltà legali għall-kamra ta' l-aħbarijiet ta' l-istazzjon tax-xandir konċernat. Dan irid iwieġeb għal kull deċiżjoni li tittieħed dwar il-kontenut tar-rapporti ta' l-aħbarijiet u/jew programmi ta'ġrajjiet kurrenti imxandra mill-istazzjon tiegħu.

2.6 *Minorenni*
2.6.1 Għall-għanijiet tad-disposizzjonijiet ta' dan id-dokument 'minorenni' tfisser xi ħadd li għadu ma għalaqx is-16-il sena.

2.7 *Kariga Pubblika*
2.7.1 Jintqies li għandu kariga pubblika kulmin għandu impjieg pubbliku, kulmin hu f'kariga pubblika magħrufa kif ukoll dawk kollha li għalkemm mhux uffiċjali pubbliċi jafhom kulħadd bħalma huma presidenti jew membri ta' xi korporazzjonijiet pubbliċi jew kumpaniji tal-gvern, uffiċjali ta' trejdjunons, ta' għaqdiet ta' min iħaddem jew ta' xi organizzazzjoni oħra bħal dawn, kif ukoll l-awtoritajiet tal-Knsija.

3. L-Iintegrità u r-Responsabbiltà tax-Xandar

3.1 Il-ġurnalisti u x-xandara jridu jħarsu l-integrità u l-kredibbiltà tagħhom biex għemilhom ikun ħieles u maqtugħ minn kull setgħa li tista' tinfluwenzahom iżżejjed u ttellfilhom għażla ħielsa u xierqa.

3.2 Uffiċjali ta' partit politiku, organizzazzjonijiet li jħabirku jew gruppi li jistinkaw biex jipperswadu lil ħaddieħor ma għandhomx ikunu involuti fil-ġbir ta' aħbarijiet, fil-produzzjoni u l-preżentazzjoni ta' aħbarijiet jew programmi ta' ġrajjiet kurrenti.

3.3 Għajnuna finanzjarja qatt ma għandha tinfluwenza l-ħidma editorjali, il-kontenut u l-preżentazzjoni. Ġurnalista ma għandux jaċċetta

issues that enables them to form their own views. This is achieved by current affairs programming which examines in depth the background of events, providing information, expert analysis, informed comment and open discussion.

2.4 *Broadcaster*
2.4.1 A broadcaster is any person or company licensed in terms of the Broadcasting Act to broadcast by radio or television. The broadcaster shall be responsible for ensuring compliance with the provisions of this document by the station's staff, including journalists, editors, producers and presenters.

2.5 *Head of News*
2.5.1 Without prejudice to the editor's responsibility under the Press Act, any reference in this document to the Head of News means the person entrusted with the legal responsibility for the newsroom of the broadcasting station concerned. Such person shall be answerable for any decisions taken concerning the content of news bulletins and/or current affairs programmes transmitted by the said station.

2.6 *Minor*
2.6.1 For the purposes of the provisions of this document, a 'minor' is a person who has not yet reached the age of 16.

2.7 *Public Capacity*
2.7.1 Public capacity includes persons holding public offices, public figures and other persons who although not public officers are in the public limelight such as chairpersons and members of public corporations and government owned companies, officials of trade unions, employers associations and other similar organisations, and Church authorities.

3. Integrity and Responsibility of the Broadcaster

3.1 Journalists and broadcasters must guard their own integrity and credibility in order to be able to act freely and independently of forces which may exert undue influence and impair free and balanced judgement.

3.2 Officials in a political party, campaigning organisation or lobby group, should not be involved in newsgathering, production and presentation of news and current affairs programmes.

3.3 Sponsorship should never influence editorial activity, contents and presentation. Journalists must not accept commissions or give in to these seeking publicity

kummissjonijiet jew iċedi għal min qed ifittex biex jirreklama għal skopijiet kummerċjali. Ma għandhomx jitwiegħdu favuri editorjali għal xi reklami mogħtija.

3.4 Kull żball irid jiġi rikonoxxut u korrett, malajr u pubblikament.

IT-TIENI TAQSIMA
RAPPORTI TA' AĦBARIJIET

Il-ħtiġijiet imsemmija fil-paragrafi 6, 8, 9, 10 u 11 hawn taħt huma esegwibbli skond l-artikolu 20(3) ta' l-Att dwar ix-Xandir. Id-disposizzjonijiet tal-liġi dwar l-akkuratezza u l-imparzjalita' huma fis-seħħ skond l-artikolu 119 tal-Kostituzzjoni ta' Malta u l-artikolu 13 ta' l-Att dwar ix-Xandir.

4. Akkuratezza u Imparzjalità

4.1 Il-ħsieb individwali għandu jintgħaraf sewwa mill-ġrajja.

4.2 L-Att tax-Xandir jitlob li l-Awtorità tax-Xandir tiżgura l-imparzjalità tax-xandar meta jirrapporta l-aħbarijiet l-aktar fejn jidħol dak li għandu x'jaqsam ma' kontroversja politika jew industrijali jew policy pubblika kurrenti.

4.3 Xandar irid jiżgura li l-elementi ewlenin ta' ideat opposti jridu jidhru f'rapport wieħed ta' aħbarijiet meta din tkun kontroversja ħajja mill-ġrajjiet kurrenti. Meta f'rapport wieħed ta' aħbarijiet ma jkunx possibbli li jidhru l-fehmiet kollha ta' kull naħa, l-editur ikollu jiddeċiedi hu, b'għaqal, x'għandu jsir.

4.4 Xandar ma għandu ebda jedd jippilla li r-rapporti ta' l-aħbarijiet minn stazzjonijiet oħra jistgħu jiżguraw li fihom jinstemgħu fehmiet opposti. rapport ta' l-aħbarijiet għandu jkollu tiżwiqa ta' rapporti attivi u passivi. Ma għandux jidher qisu xi bord ta' l-avviżi u, forsi l-aktar importanti, parti minn magna tal-propaganda ta' xi organizzazzjoni.

4.5 Xandar irid ikun żgur li meta jittratta affarijiet ta' kontroversja kbira irid jagħmel ħaqq lill-medda sħiħa ta' fehmiet u perspettivi li ma jkunx hemm qbil dwarhom waqt li l-istess kontroversja tkun għaddejja.

4.6 Fejn tidħol kontroversja politika jew industrijali jew policy pubblika kurrenti, l-Att tax-Xandir jitlob li l-aħbarijiet, jingħataw kif jingħataw, iridu jkunu preżentati bir-reqqa u bl-imparzjalità xierqa kollha.

4.7 Kull rapport ta' l-aħbarijiet irid jilħaq dawn l-għanijiet:

- **i.** l-aħbarijiet iridu jingħadu b'reqqa u bla preferenzi;
- **ii.** l-aħbarijiet ma għandhomx ikunu editorjali;

for commercial purposes. Editorial favours must not be promised in return for advertisements.

3.4 Errors must be quickly acknowledged and publicity corrected.

PART 2
NEWS BULLETINS

The Requirements listed in sections 6, 8, 9, 10 and 11 below are enforceable in terms of article 20(3) of the Broadcasting Act. Legal provisions on due accuracy and impartiality are in force in terms of article 119 of the Constitution of Malta and article 13 of the Broadcasting Act.

4. Accuracy and Impartiality

4.1 Opinion should be clearly distinguished from fact.

4.2 The Broadcasting Act demands that the Broadcasting Authority secures due impartiality on the part of a broadcaster in its news bulletins so far as matters of political or industrial controversy or current public policy are concerned.

4.3 A broadcaster should ensure that principal divergent points are reflected in a single news bulletin when the issue involved is of a current and active controversy. Editorial judgement can be used when it is not possible to include all views in a single news bulletin.

4.4 It shall not be permissible for the broadcaster to claim that news bulletins on other channels will ensure that opposing views will be heard. A news bulletin should consist of a mix of active and passive reports. It should avoid looking like a notice board and, more importantly, as if it forms part of an organization's propaganda machine.

4.5 In dealing with major matters of controversy, a broadcaster must ensure that justice is done to a full range of divergent views and perspectives during the period in which the controversy is active.

4.6 Regarding matters of political or industrial controversy or current public policy, the Broadcasting Act requires that any news, given in whatever form, must be presented with due accuracy and impartiality.

4.7 A news bulletin should comply with the following standards:

- **i.** news should be presented with accuracy and without bias;
- **ii.** news should not be editorial;

iii. l-aħbarijiet ma għandhomx jintgħażlu biex jintlaħaq xi skop għal, jew ifixkel lil, ebda naħa f'kontroversja pubblika; u

iv. l-aħbarijiet ma għandhomx jitfasslu fuq it-twemmin, l-ideat jew ix-xewqat ta' min imexxi l-istazzjon jew ta' xi oħrajn li jkunu mqabbda bit-tħejjija jew ix-xandir tagħhom.

4.8 Aħbar trid tkun ġrajja li seħħet jew mibnija fuq fatti li ġraw. Stħajjil, tagħwiġ, tiżwiq, ħsibijiet, fehmiet jew twemmin personali ma għandhomx jitħallew jingħadu, kemm jekk meqjusa bħala kummenti kif ukoll bħala opinjonijiet kif ukoll jekk għandhom jew ma għandhomx x'jaqsmu ma' dak li jkun għaddej jew ukoll għaliex biss jistgħu - u kultant ikunu - qed jidħku bis-semmiegħ u jwasslu għat-taħwid jekk l-hekk imsejjaħ kumment/opinjoni hux dak li l-istazzjon/ xandar ħaseb jew ħareġ mill-fatt li jkun qed jiġi rappurtat.

4.9 Opinjonijiet editorjali għandhom jintwerew ċar x'inhuma u jinżammu maqtugħin mix-xandir regolari ta' rapporti ta' l-aħbarijiet.

4.10 Ma jistax jittalla' taħlit ta' aħbarijiet nofsu mibni, nieqes mill-preċiżjoni u kultant marbut jew imżewwaq b'kummenti partiġani.

5. Rapporti minn fuq il-Post

5.1 Meta jsiru rapporti minn fuq il-post il-ġurnalist jitħalla jgħaddi kumment ħieles, jagħti deskrizzjoni jew opinjoni professjonali bla preġudizzju dwar xi ħaġa li tkun ġrat, jew ukoll interpretazzjoni qasira biex tintwera aħjar jew tiftaħ aktar il-preżentazzjoni ta' storja tal-bidu, sakemm ma jkunx hemm ksur ta' standards jew ta' ħtiġijiet ta' prattika imsemmija f'dan id-dokument jew linji gwida oħra intenzjonati għall-ġurnalisti, kemm jekk huma ta' l-Awtorità jew mod ieħor.

5.2 Waqt rapporti minn fuq il-post trid tingħata attenzjoni speċjali għall-korrettezza, nuqqas ta' preġudizzju, ebda taħlit bejn l-aħbar u l-kumment editorjali, tbegħid minn kull tagħwiġ, tidwir jew sensazzjonaliżmu, rispett għall-privatezza u twarrib ta' kull konflitt ta' interessi.

5.3 Jekk riporter jgħaddi ġudizzju ġurnalistiku professjonali dan għandu jidher li jkun ġust u jiftiehem sewwa iżda mhux bħala opinjoni personali. L-udjenza ma għandhiex tkun tista' tqis l-opinjoniet personali tal-preżentaturi u tar-riporters dwar suġġetti kontroversjali tat-tifsil tax-xejra pubblika.

6. Materjal Rikostitwit

6.1 Kull tixbiha ta' xi ġrajja fl-aħbarijiet televiżivi jew f'xi aħbar għalgħarrieda għandu jkollha miktub ċar taħtha li dak li qed jidher mhux dak li ġara u ma għandux ikun hemm l-iċken dubju li jista' jinħaseb li hu filmat oriġinali tal-ġrajja. Meta jintuża filmat ix-xandar

iii. news should not be selected for the purpose of furthering or hindering either side of a controversial public issue; and

iv. news should not be designed by the beliefs, opinions or desires of the broadcaster or others engaged in its preparation or delivery.

4.8 A news item has to be factual or at the very least based on fact. Conjectures, distortions, remarks, opinions, judgements or convictions should not be allowed whether they are termed as comments or opinions and whether they are related to the item in question or not simply because they can - and usually do – mislead the audience and lead to confusion as to whether the so-called comment/opinion is what the station/newscaster thinks or whether it resulted from the fact being reported.

4.9 Editorial opinion shall be clearly labelled as such and kept entirely distinct from regular broadcasts of news bulletins.

4.10 Combinations of semi-fabricated news items, without care for accuracy solely aimed for partisan propaganda shall be prohibited.

5. Location Reporting

5.1 When making on location reports journalists shall be allowed the facility and freedom to make a remark, a description or a professional unbiased judgement of a happening, or a note of interpretation to further illustrate/enhance the presentation of a breaking story provided that the reporting does not breach the standards and practice requirements set out in this document or in other codes, whether of the Authority or otherwise, aimed at journalists.

5.2 Location reporting calls for due regard for accuracy, absence of bias, non-intermingling of news and editorial comment, avoidance of distortion and sensationalism, respect for privacy and avoidance of conflict of interest.

5.3 If a reporter expresses a professional, journalistic judgement, such judgement must be recognized as perceptive and fair and not as a personal opinion. The audience should not be able to gauge the personal views of the presenters and reporters on controversial issues of public policy.

6. Reconstruction Material

6.1 Any simulation of an event in a television news bulletin or news flash should either be subtitled, indicating clearly that the pictures are not actual and there can be no reasonable possibility that it could be taken to be original footage. When using footage, the

għandu jgħid ċar jekk hux ġdid jew meħud mill-arkivji. Ċerta teknika ta' filmati mdawra bilmod jew jirrepetu l-istess xbihat għandha tintuża mill-inqas u dan biss meta tabilħaqq ikun meħtieġ isir xi enfasi dwar xi ħaġa jew xi għemil partikolari. Wieħed irid iqis ukoll ir-rispett li għandu jingħata lil dak li jidher fil-filmat; ċerti għemejjel/drawwiet li jdardru lanqas biss għandhom jintwerew, aħseb u ara kemm jiddawru bilmod u/jew għal aktar minn darba.

broadcaster should clearly indicate whether it is fresh or archive material. Certain techniques, such as running footage in slow motion or repeating the images, must be used sparingly and only when required to stress a point or highlight a given action. Also, respect must be shown to the subject in such footage; unsavoury human practices / habits should not be screened at all, let alone in slow motion and / or repeatedly.

7. Stqarrijiet għall-Medja

7.1 L-importanza ta' stqarrijiet għall-medja trid tintqies mis-siwi tagħhom bħala aħbar. Mhux hekk biss iżda aktar milli jikkwota kelma b'kelma mill-isqarrijiet tal-medja, ix-xandar għandu jara li l-persuna/ organizzazzjoni li qed toħroġ dawn l-istqarrijiet tidher jew tinstama' fihom.

7. Media Releases

7.1 Media releases should be evaluated on the merits of their news value. Moreover, rather than just quoting verbatim from media releases, the broadcaster should seek that the person/ organisation issuing such release appears on camera or on sound.

7.2 Fejn stqarrija għall-medja maħruġa bħala tweġiba għal x'ġara jew x'intqal qabel li ma tkunx ġa' ġiet rappurtata mill-istazzjon konċernat minħabba li ma jkollhix valur t'aħbar, dak l-istazzjon għandu jipprovdi reżokont ta' l-istqarrija oriġinali flimkien mar-reazzjoni għaliha.

7.2 Where a media release is issued in reaction to an earlier event or statement which had not been previously reported by the station concerned due to its lack of news value, it shall be the duty of the said station to provide an account of the original release together with the reaction thereto.

8. Jeddijiet għall-Ġieħ u l-Privatezza

8.1 Kulħadd għandu l-jedd jara li l-ħajja privata tiegħu u tal-familja tibqa' rispettata. Kulmin ikun fl-aħbarijiet jew jaħdem fil-ħajja pubblika għandu l-jedd għall-ħarsien tal-privatezza ħlief meta l-ħajja privata ta' dak li jkun tista' tasal biex teffettwa l-ħajja pubblika.

8. Rights of Respect and Privacy

8.1 Everyone is entitled to respect for his or her private and family life. People in the news and persons holding office in public life are entitled to protection of their privacy except in those cases where their private life may have an effect on their public life.

8.2 Jista' jkun hemm każi fejn irid jintqies sewwa l-interess pubbliku mal-jedd li l-individwu jkollu rispettata, il-ħajja privata tiegħu u tal-familja tiegħu.

8.2 There are occasions when the individual's right to respect for private and family life must be balanced against the public interest.

8.3 Meta l-ġurnalisti, l-edituri u l-produtturi jirrapportaw attivitajiet li jsiru f'postijiet pubbliċi, iridu jagħżlu b'għaqal xieraq dak li jisimgħu dikjarat, jaraw jiġri jew jintebħu bih billi jibqgħu jiżguraw il-jedd għall-privatezza individwali.

8.3 When covering events in public places, journalists, editors and producers must exercise due diligence when reporting on statements or action heard or noticed while ensuring the individual's right of privacy is respected.

8.4 Meta jkun se jintwera materjal meħud minn kameras televiżivi b'ċirkuwitu ristrett, jinħtieġ jinkiseb il-permess minn qabel mingħand l-individwu li jidher fihom u li aktarx ma kienx jaf bihom. Iżda meta jkun fl-interess pubbliku li jintuża filmat bħal fil-każ biex jixxandar l-għemil ta' reat jew negliġenza grassa fl-immaniġjar ta' l-affarijiet pubbliċi, il-permess ta' l-individwu li jidher fih ma jkunx meħtieġ.

8.4 The subject's permission must be obtained when using material from closed-circuit television cameras of which the individual is unlikely to have been aware. However, when it is in the public interest to use footage such as in the case of the exposure of crime or gross negligence in the management of public affairs, then the subject's permission is not required.

8.5 Min jipprovdi l-materjal għall-aħbarijiet irid iqis sewwa jekk kienx hemm min intlaqat ħażin minħabba li l-materjal għall-aħbarijiet raġa' wara ntuża fi programmi oħra u b'kuntest/i differenti.

8.5 The news service provider should consider carefully whether unfairness to the person / persons portrayed results from re-use of news material in later and different programme contexts.

8.6 Il-jedd għall-privatezza għandu jkun rispettat fi żminijiet ta' luttu jew tbatija kbira. Wieħed irid bis-

8.6 The individual's right to privacy at times of bereavement and extreme distress must be respected.

serjetà jqis sewwa l-qagħda ta' dak li jkun f'xi traġedja personali.

8.7 Jekk ma jkunx meħtieġ, bħal meta forsi biex tgħin lill-pulizija tagħraf lil dak li jkun, ma hemmx għalfejn jingħiebu jidhru mill-qrib xbihat ta' vittmi f'diżgrazzji. Bħala regola, ma għandhomx jitħabbru l-ismijiet tal-vittmi qabel ma jkunu jafu qrabathom.

8.8 Xeni ta' tbatija u ta' nies fil-hemm sikwit jagħmlu sehem sħiħ minn rapport ta' aħbarijiet fejn ikun hemm diżastri naturali, diżgrazzji jew vjolenza. Qabel ma jitħallew joħorġu xeni bħal dawn il-produttur irid iwieżen bir-reqqa l-ħerqa li jaqdi l-ħtieġa tas-sewwa, mas-sogru li joħloq sensazzjonaliżmu. Għandu jsir avviż minn qabel, iwissi li xi xeni li se jidhru, jistgħu ma jkunux addattati għat-tfal jew għal dawk li jimpressjonaw ruħhom.

8.9 Nies mixlija b'atti kriminali ma għandhomx jintwerew daqslikieku ġa nstabu ħatja. Qatt ma għandu jsir ġuri bil-medja qabel ma toħroġ sentenza mill-qorti. Wieħed għandu jqis sewwa li ma jixxandarx ripetutament filmat li jista' jippreġudika l-jedd għal ħaqq ħieles tal- l-mixli. Meta jsir rapport li xi ħadd tressaq il-qorti, dejjem għandu jibqa' rispettat il-prinċipju li wieħed għadu innoċenti. L-istil u l-importanza li bihom isir ir-rapport ta' nies li tressqu l-qorti għandu jkun jaqbel ma' dak ta' meta fl-aħħar tinqata' s-sentenza.

8.10 Ma għandux jingħata l-post fejn wieħed jgħix jew fejn toqgħod il-familja tiegħu sakemm dan ma jkunx meħtieġ minħabba l-istħarriġ.

8.11 *Filmjar u Rekordjar f'Istituzzjonijiet*

8.11.1 Meta jingħata permess biex jittieħed film jew isir rekording f'xi istituzzjoni fejn in-nies dieħla u ħierġa l-ħin kollu iżda fejn normalment ma jitħallewx jiddaħħlu kameras mingħajr dan il-permess, aktarx li l-filmat ikun fih biċċiet ta' xi wħud li jkunu hemm dak il-ħin u ma jkollhom x'jaqsmu xejn mal-ħsieb ewlieni tal-programm.

8.11.2 Wieħed isaqsi kemm jistgħu nies bħal dawn jirrifjutaw u xi drittijiet għandhom, biex materjal bħal dan fejn jidhru huma ma jixxandarx. Is-soltu ma jkun hemm l-ebda obbligu li jintalab permess meta d-dehra ta' nies hekk, hija inċidentali u jkun jidher ċar li dawn huma hemm b'kumbinazzjoni u bħala membri li jagħmlu sehem mill-pubbliku in ġenerali.

8.11.3 Fejn id-dehra tagħhom ma tkunx inċidentali, meta ma jidhrux b'kumbinazzjoni avolja bla isem, jew ma jissemmewx, u jidhru f'xi qagħdiet partikolarment sensittivi (bħal ngħidu aħna pazjenti psikjatriċi, ħabsin jew nies b'diżabbiltà) irid l-ewwel jinkiseb il-permess ta' kull wieħed u waħda minnhom biex il-materjal ikun jista' jintwera.

Particular care should also be taken where personal tragedy is involved.

8.7 Generally, close-up of victims should be avoided, if necessity does not demand otherwise, such as to help police identification. The names of the victims, before next-of-kin are informed, should not as a rule be broadcast.

8.8 Scenes of human suffering and people in distress are often an integral part of news reportage of natural disasters, accidents or human violence. Before presenting such scenes a producer needs to balance the wish to serve the needs of truth against the risk of sensationalism. A prior announcement should be made to warn that the subsequent scenes might not be suitable for viewing by children or impressionable persons.

8.9 Persons accused of criminal matters should not be projected as if they are already found guilty. Trial by the media before any court judgement is delivered should be avoided at all times. Care should be taken to avoid broadcasting repetitive footage that might prejudice the accused's right to a fair trial. When reporting on arraignment, the principle of presumption of innocence must be fully respected. The same treatment meted out to persons on arraignment shall likewise be meted out when judgement is pronounced.

8.10 The location of a person's home or family should not normally be revealed unless strictly relevant to the behaviour under investigation.

8.11 *Filming and recording in institutions*

8.11.1 When permission is received to film or record material in an institution, which has regular dealings with the public, but which would not normally be accessible to cameras without such permission, it is very likely that the material will include shots of individuals who are themselves incidental, rather than central, figures in the programme.

8.11.2 The question arises as to how far and in what conditions such people retain a right to refuse to allow material in which they appear to be broadcast. As a general rule, no obligation to seek agreement arises as to when the appearance of the persons shown is incidental and they are clearly random and anonymous members of the general public.

8.11.3 When their appearance is not incidental, where they are not random and anonymous or where, though unnamed, they are shown in particularly sensitive situations (for example as psychiatric patients, prison inmates or disabled persons), individual consents to use this material should be sought.

8.11.4 Meta minħabba xi diżabbiltà jew mard dak li jkun la jista' jagħti permess u lanqas jirrifjutah, għandu jintalab il-permess biex jintuża l-materjal mingħand il-qraba l-aktar viċin tiegħu jew minn min ikun qed jieħu ħsiebu/ha.

8.11.5 Kull eċċezzjoni tista' tiġi ġġustifikata meta jkun jidher ċar li dan qed isir fl-interess pubbliku.

8.12 *Teħid ta' Films fuq Xogħol ta' Pulizija*
8.12.1 Meta jingħata permess biex jittieħdu filmati tal-pulizija jew xi ħidmiet uffiċjali oħra, fejn ikun hemm ukoll membri tal-pubbliku fi nħawi jew f'postijiet oħra li m'humiex pubbliċi (*eż.:* żjarat fi djar b'digriet, stħarriġ għalgħarrieda f'postijiet liċenzjati u oħrajn), għandha tkun ir-responsabbiltà tal-produttur jew tal-membru anzjan tal-kru, li jwaqqaf il-filmjar jew jitlaq minn fuq il-post jekk jintalab jagħmel hekk minn min ikollu s-setgħa.

8.13 *Ħaqq ma' min ma għandux ħtija*
8.13.1 Meta jkun hemm nies bla ħtija li jidhru f'qofol ta' xi rapport ta' l-aħbarijiet trid tittieħed aktar attenzjoni biex ma jidhrux fih u jinftehmu ħażin, xi biċċiet dwar xi delitti serji, xi diżgrazzja kbira jew diżastru. Suġġetti ta' interess pubbliku bħal deċiżjonijiet li jmorru kontra l-ħaqq jew diskussjonijiet li jqumu dwar prinċipji legali, soċjali jew morali, għandhom jintqiesu importanti.

8.14 *Kameras u Mikrofoni Moħbija*
8.14.1 Mikrofoni u kameras moħbija jistgħu jintużaw biss fejn ikun meħtieġ li titwemmen u tidher tabilħaqq il-verità ta' storja. Meta tirrekordja bil-moħbi tista' tqarraq b'dak li jkun jew tisraqlu l-jedd li għandu tal-ħajja privata tiegħu. Meta jiġri hekk il-ġurnalist irid jikseb il-kunsens sħiħ tal-Kap ta' l-Aħbarijiet.

8.14.2 Meta jsir xi rekording bil-moħbi, il-kliem u x-xbihat rekordjati jridu jaqdu, l-ewwel u qabel kollox, l-interess pubbliku li jiġġustifika:

- **i.** id-deċiżjoni biex jinġabar dak il-materjal;
- **ii.** ir-rekording innifsu;
- **iii.** ix-xandira.

8.14.3 Aġġeġġ elettroniku li jirrekordja ma għandux jitħalla xi mkien f'tal-privat mingħajr ma dawk li joqogħdu fil-post jagħtu l-kunsens sħiħ bl-għarfien kollu ta' dak li se/qed jiġri, sakemm talba għall-permess bħal dan ma tisfrattax l-istħarriġ li jkun qed isir fl-interess ewlieni tal-pubbliku, minn dawk li qed itellgħu l-programm.
8.14.4 L-użu fid-dieher u bil-miftuħ ta' kameras u apparat li jirrekordja mqiegħed f'post pubbliku jew fi proprjetà privata, irid jintqies ma' l-importanza u n-natura ta' l-istorja. Ix-xandar ma għandux għalfejn jirfes aktar mill-meħtieġ fl-imġiba privata.

8.11.4 When by reason of disability or infirmity a person is not in a position either to give or to withhold agreement, permission to use the material should be sought from the next of kin or from the person responsible for his/her care.

8.11.5 Any exception is justifiable when this is manifestly in the public interest.

8.12 *Filming on police operations*
8.12.1 When permission is given to film police or similar official operations of any kind, involving members of the public in other than public places (e.g. visits to homes under warrant, raids on licensed premises, etc) it is the responsibility of the producer or senior crew-member to stop filming or to leave premises if they are asked to do so by persons in authority.

8.13 *Fairness to innocent parties*
8.13.1 Where innocent parties are central figures in any news bulletin, special care should be taken not to present items concerning serious crimes, a tragic event or disaster in an unfair light. Arguments of public interest would be relevant, for example, where questions of a possible miscarriage of justice arise or where major legal, social or moral principles are at issue.

8.14 *Hidden microphones and cameras*
8.14.1 The use of hidden microphones and cameras should only be considered where it is necessary to the credibility and authenticity of the story. The use of hidden recording techniques can be unfair to those recorded as well as an infringement of their privacy. In such a case, the journalist must always seek the explicit consent of the Head of News.

8.14.2 When recording does take place secretly, the words or images recorded should serve an overriding public interest that justify:

- **i.** the decision to gather the material
- **ii.** the actual recording
- **iii.** the broadcast

8.14.3 An unattended recording device should not be left on private property without the full and informed consent of the occupiers, unless seeking such permission might frustrate the investigation by the programme-producers of matters of overriding public interest.

8.14.4 The open and apparent use of cameras or recording devices on both public and private property, must be appropriate to the importance or nature of the story. The broadcaster should not intrude unnecessarily on private behaviour.

8.14.5 Meta l-materjal għax-xandir jinkiseb bil-moħbi, kemm jekk minn post publiku kif ukoll jekk minn post privat, ix-xandar irid joqgħod attent li ma jirfisx il-privatezza ta' min ikun hemm għaddej u li jista' jidher bla ma jaf fir-rekording. L-indentità ta' nies innoċenti għandha tinsatar. Materjal meħud minn xi ħaddieħor li jiġi f'idejn ix-xandar irid jintqies bl-istess mod.

8.14.6 Ix-xandar għandu jżomm reġistru bid-dettalji kollha, inklużi l-verżjoni sħiħa u editjata tar-rekordings meħuda bil-moħbi sa disgħin ġurnata wara li jixxandar il-programm.

9. Il-Vjolenza fl-Aħbarijiet

9.1 Bħall-programmi l-oħra, ir-Rapporti ta' l-Aħbarijiet jaqgħu taħt dak li hemm meħtieġ bħala wiri għall-familja u hekk għandu jintqies. Madankollu dan il-prinċipju ma għandux inaqqas l-għażla tad-diversi xorta ta' stejjer li jkun fih rapport ta' l-aħbarijiet kif lanqas ma jinftehem li xi ġrajjiet ġodda fl-aħbarijiet ma jingħatawx kif ikun jixirqilhom.

9.2 Kull suġġett ġdid fl-aħbarijiet għandu jixxandar b'mod li jqis sewwa lill-udjenza li jkollu. Meta jkun hemm xi biċċa filmat vjolenti għandhom jingħataw twissijiet xierqa minn ħafna qabel.

9.3 Wieħed irid joqgħod attent meta f'ċerti ħinijiet li t-tfal ikunu qed iħarsu jerġgħu jintwerew, fl-aħbarijiet ta' wara, l-istess xeni ta' vjolenza.

10. Jeddijiet it-Tfal

10.1 Għandu jittieħed ħsieb u għaqal partikolari kulfejn jidħlu ż-żgħar, kemm jekk ikun hemm interess privat kif ukoll jekk fi ħwejjeġ pubbliċi.

10.2 Meta f'xi stħarriġ tal-pulizija jew proċeduri tal-qorti jkun hemm imdaħħla ż-żgħar, l-aktar f'reati sesswali iżda wkoll f'każi oħrajn, iridu jittieħdu passi speċjali biex bl-ebda mod dak li jkun ma jista' jiġi indikat jew jintgħaraf.

10.3 Wieħed irid joqgħod attent sewwa meta jkun qed jirrapporta reati sesswali f'familja. Jekk jissemma l-mixli jew jiftiehem ir-reat jista' jkun li tintgħaraf il-vittma. L-għoti ta' l-indirizz tal-mixli jkompli jgħin biex jgħaqqad l-informazzjoni dwar min tkun il-vittma.

11. Materjal Promozzjonali fl-Aħbarijiet

11.1 Kull xogħol li jintbagħat minn jew jitwassal għal xi organizzazzjonijiet uffiċjali, kumpaniji kummerċjali jew għaqdiet li jħabirku u jistinkaw għal ħaddieħor, għandu jkun *immarkat ċar* b'dak li hu meta jingħad jew jidher imxandar għal mhux aktar *minn ħames sekondi*.

11.2 Jistgħu jsiru eċċezzjonijiet meta l-materjal ikun fih innifsu qasir u bl-ebda mod ma jirreklama l-interessi ta' min qed jibagħtu. Madankollu, materjal li jkun

8.14.5 When broadcasting material is obtained secretly, whether in public or private property, the broadcaster should take care not to infringe the privacy of bystanders who may be caught inadvertently in the recording. The identity of innocent parties should be obscured. Material shot or recorded secretly by third parties, which becomes available to the broadcaster, should be treated in the same way.

8.14.6 The Broadcaster must keep full records, including the edited and unedited versions of secret recordings for the duration of ninety days after broadcasting date.

9. Violence in the News

9.1 News Bulletins, like any other programming, fall under the requirements of family viewing and should be treated as such. However this should not restrict the range of different stories covered in any news bulletin or imply that some news events may not be properly and appropriately covered.

9.2 It is required that all news subjects are presented in a manner that takes account of the audience. In case of violent footage, the appropriate warnings are to be given well in advance.

9.3 Care should be taken when scenes of violence are repeated in succeeding news bulletins, at times when children would be watching.

10. Children's Rights

10.1 Particular consideration and prudence should be exercised in all cases concerning minors, whether interest therein is derived from private or public matters.

10.2 Where minors are or have been involved in police enquiries or court proceedings, particularly but not limited to sexual offences, special care needs to be taken to avoid any indication of the identity of the person.

10.3 Particular care needs to be taken when reporting sexual crimes within a family. Naming the accused and describing the crime can have the effect of identifying the victim. Giving information about an accused person's address may contribute to the jigsaw, which identifies the victim.

11. Promotional material in the News

11.1 The source of promotional material supplied by or on behalf of official bodies, commercial companies or campaigning organisations should be briefly but *clearly labelled* on-air for a maximum *duration of five seconds* either in sound or vision.

11.2 Exceptions to this rule may be made where the material itself is very brief and in no sense promotes the supplier's interests. Material whose effect is clearly

jidher ċar li qed jirreklama għandu jitwarrab, sakemm il-ħidma ta' dik l-organizzazzjoni nfisha ma jkollhiex x'jaqsam ma' l-istorja fl-aħbar.

11.3 Affarijiet kummerċjali għandhom jidħlu biss jekk minnhom infushom ikollhom importanza bħala aħbar u mhux minħabba s-siwi tal-kont li għandu ma' l-istazzjon min qed jirreklama.

IT-TIELET TAQSIMA
PROGRAMMAR DWAR ĠRAJJIET KURRENTI

Il-ħtiġijiet imsemmija f'paragrafi 13 u 14 t'hawn taħt huma esegwibbli skond l-Artikolu 20(3) ta' l-Att dwar ix-Xandir.

12. Ġrajjiet Kurrenti

12.1 L-għan tax-xandara għandu jkun li jippreżentaw programmi dwar ġrajjiet kurrenti:

- **i.** b'mod li titħalla tinħoloq diskussjoni pubblika ta' għarfien dwar suġġetti siewja li jolqtu l-komunità;
- **ii.** biex jinħolqu biżżejjed opportunitajiet ħalli joħorġu opinjonijiet meqjusa meta jissemmew suġġetti kontroversjali ta' importanza pubblika;
- **iii.** ta' rilevanza immedjata għall-komunità, b'intervisti u kummentarji li jidħlu fil-qalba ta' dak li jingħad fl-aħbarijiet.

12.2 Dak li jitlob l-Att dwar ix-Xandir li għandu x'jaqsam ma' l-imparzjalità jħalli serje ta' programmi jintqiesu bħala ħaġa waħda sakemm programm wieħed ta' ġrajjiet kurrenti ma jkunx bilanċjat fih innifsu; il-ħtieġa legali ta' l-imparzjalità tista' tkun: (i) fuq żewġ programmi, jew aktar, li għandhom x'jaqsmu fl-istess serje; (ii) meta x-xandiriet isiru tista' tgħid fl-istess żmien (iii) meta matul l-ewwel programm ix-xandar javża lit-telespettaturi jew lis-semmiegħa bid-data ta' meta jkun se jsir il-programm l-ieħor, kif ukoll b'tagħrif biżżejjed ta' x'se jkun is-suġġett, ta' min huma dawk li hemm ħsieb jieħdu sehem fih u li għalhekk maħsub jinżamm bilanċ fil-programm. Għal dan il-għan "serje" tfisser numru ta' programmi ta' ġrajjiet kurrenti, imxandra mill-istess stazzjon, kull wieħed minnhom marbut ċar ma' l-oħrajn u li jittrattaw l-istess argument jew affarijiet oħra li għandhom x'jaqsmu miegħu.

12.3 Dak li hemm fit-Tieni Taqsima ta' dawn il-Linji Gwida li jirregola r-Rapporti ta' l-Aħbarijiet jgħodd ukoll għall-programmi ta' ġrajjiet kurrenti, ħlief għal dak li hemm f'paragrafu 7.

12.4 Minbarra dak li hemm imsemmi fuq f'paragrafu 4.3, tat-Tieni Taqsima, imparzjalità ma tfissirx li għandu jkun hemm bilanċ sempliċement b'mod matematiku jew li jingħata l-istess ħin lil kull idea opposta li tingħad. Il-ġurnalisti u l-produtturi ma għandhomx għalfejn ikunu għal kollox newtrali dwar kull suġġett kontroversjali. Madankollu għandhom jaraw kif iwieżnu sewwa ż-żewġ xejriet opposti u jsibu

promotional should, however, be avoided, unless the organisation's activity is itself a subject of the news story.

11.3 In the case of items of a commercial nature, their inclusion shall be dependent on the items' intrinsic news value and not on the value of the advertiser's account with the station.

PART 3
CURRENT AFFAIRS PROGRAMMING

The Requirements listed in Sections 13 and 14 below are enforceable in terms of Article 20(3) of the Broadcasting Act.

12. Current Affairs

12.1 Broadcasters should aim to present current affairs programmes:

- **i.** in a way which allows informed public debate on substantial issues affecting the community;
- **ii.** to provide reasonable opportunities to present significant viewpoints when dealing with controversial issues of public importance;
- **iii.** of immediate relevance to the community, including interviews and commentary dealing in depth with news items.

12.2 The Broadcasting Act requirements about impartiality allow a series of programmes to be considered as a whole provided that when a single current affairs programme is not per se balanced, the legal requirement of impartiality may be discharged: (i) over two or more related programmes within the same series; (ii) where the broadcasts are transmitted within a reasonable period from each other; and (iii) when the broadcaster informs the viewers or listeners during the first programme of the date of the subsequent programme wherein he/she intends to balance the first programme giving sufficient information as to date of programme, subject of the programme and proposed participants. For this purpose, a "series" means a number of current affairs programmes, broadcast in the same service, each one of which is clearly linked to the others, and which deals with the same or related issues.

12.3 The provisions of Part 2 of these Guidelines which regulate News Bulletins shall apply also to current affairs programmes apart from paragraph 7.

12.4 Apart from the matters specified in paragraph 4.3 in Part 2 above, impartiality does not mean that balance is required in any simple mathematical sense or that equal time must be given to each divergent point of view. Journalists and producers do not have to be absolutely neutral on every controversial issue. They should nevertheless tackle even-handedly with divergent points of view to supplement or create a democratic debate

mod kif ipattu jew joħolqu diskussjoni demokratika bejn ideat li ma jaqblux.

12.5 L-għażla ta' min għandu jieħu sehem fi stħarriġ investigattiv ġurnalistiku jew f'xi diskussjoni mill-istudjo trid tqis il-ħtieġa li dak li jkun, jagħraf jagħmel ħaqq, ikun jaf sewwa s-suġġett mistħarreġ, kif ukoll jagħraf iżomm bilanċ xieraq dwar dak li jingħad. Madankollu dawk li jieħdu sehem f'diskussjoni mill-istudjo aktarx jintgħażlu biex joħorġu opinjonijiet opposti.

13. Intervisti

13.1 *L-Intervisti*

13.1.1 Min se jkun intervistat dwar kontroversja politika jew industrijali jew dwar ix-xejra pubblika magħrufa taż-żmien, għandu jkun jaf sewwa it-tiswira tal-programm li fih ser jieħu sehem, xi jkun tabilħaqq is-suġġett u l-għan tal-programm kif ukoll x'aktarx jintuża dak li ser jintqal jew jingħad.

13.1.2 Hekk kif isiru magħrufa dawk li ser jieħdu sehem, dak li se jkun intervistat għandu d-dritt ikun jaf min huma u x'se jkun sehemhom fil-programm.

13.1.3 Kultant min ikun intalab jiġi intervistat fi programm ma jkunx jista' jew ma jkunx irid jilqa' l-istedina biex jieħu sehem. Dan ma jfissirx li l-programm għandu jitħassar. Il-preżentatur, bl-aktar mod normali u kemm jista' jkun distakkat, għandu jagħmel referenza sempliċi għal dak li naqas jidher fil-programm u l-preżentatur għandu safejn ikun prattikabbli jgħid x'inhuma l-opinjonijiet ta' l-intervistat jew ta' l-organizzazzjoni tiegħu jew tagħha dwar is-suġġett li jkun qed jiġi diskuss dment li dik l-opinjoni tkun magħrufa.

13.1.4 Meta wieħed jaċċetta li jkun intervistat dwar xi ħaġa oħra barra minn dik maħsuba mill-produtturi għal programm ta' aħbarijiet, din tista' biss tintuża bla permess ta' min għamilha sakemm dan il-materjal jinħass importanti li jingħad fl-interess pubbliku.

13.1.5 Hija ħaġa normali li bħala parti mill-ġabra ta' l-aħbarijiet isiru intervisti għalgħarrieda ma' nies importanti fil-ħajja soċjali jew magħrufa fl-aħbarijiet bla ma jinqalgħu problemi partikolari. Madankollu kultant jiġri li riporter, bla miftiehem, jaf jiltaqa' ma' u jintervista lil xi ħadd fi proprjetà privata jew f'postijiet bħal ristoranti, knejjes u nħawi oħra fejn min ikun qed jiġi intervistat jistenna, u bir-raġun, li tibqa' rispettata l-privatezza personali tiegħu. Intervisti bħal dawn għandhom biss jintużaw meta ma jkunx hemm aktar x'wieħed jagħmel u jridu jitqiesu b'żewġ aspetti ewlenin:

i. l-investigazzjoni tkun dwar delitt jew imġiba anti-soċjali gravi u/jew

amongst contrasting ideas.

12.5 The choice of participants in research-led investigative journalism or a studio discussion will be determined by the need to be fair, balanced and knowledgeable on the subject matter. However, in a studio discussion participants are normally chosen with a view to reflect divergent viewpoints.

13. Interviews

13.1 *Interviews*

13.1.1 Interviewees dealing with political or industrial controversy or current public policy should be made adequately aware of the format, subject matter and purpose of the programme to which they have been invited to contribute and the way in which their contribution is likely to be used.

13.1.2 Interviewees should also be informed of the identity and intended role of other proposed participants in the programme, as soon as the persons are known.

13.1.3 On occasion, proposed interviewees will be unable or unwilling to accept an invitation to participate in a programme. This need not cancel the programme. Reference to the absence of such a spokesperson should be referred in as detached and factual a manner as possible and the presenter should as far as practicable make known the absent interviewee's or his or her organisation's views on the subject under discussion, where known.

13.1.4 Where the subject consents to being interviewed for a different purpose from that covertly intended by the producers of a news programme, the use of such material without the subject's permission can only be justified if it is necessary in order to make an important point of public interest.

13.1.5 Impromptu interviews with public figures and people in the news are a normal and usually unproblematic part of newsgathering. There are, however, occasions when a reporter confronts and records a potential interviewee without prior arrangement on private property or locations such as restaurants, churches and other places where the subject would reasonably expect personal privacy. The use of such interviews should however be generally a last resort and should be guided by two main aspects:

i. the investigation involves crime or serious anti-social behaviour and /or

ii. l-individwu hekk intervistat ma jkunx wieġeb għal diversi talbiet biex ikun intervistat, irrifjuta li jkun intervistat bla ma ta raġuni serja, jew magħruf, meta mitlub, li jirrifjuta jew ma jmurx.

13.1.6 Wieħed irid joqgħod attent ħafna meta lil min ikellem ma jkollux x'jaqsam direttament ma' l-allegazzjonijiet, bħal ngħidu aħna xi ħadd jiġi minnu, xi ħabib jew sieħeb fix-xogħol, biex ma jkunx hemm riskju li tintmess bla mitlub il-ħajja privata ta' dak li jkun.

13.2 *Editjar ta' Intervisti*

13.2.1 Fl-editjar ta' intervisti għandha tirbaħ l-imparzjalità u l-ħaqq. Intervisti rekordjati ma għandhomx jitgħawġu bl-editjar b'tali mod li tinħareġ minnhom tifsira ħażina ta' dak li jkun qal l-intervistat.

13.2.2 Meta jkunu se jintużaw intervisti meħuda mill-arkivji wieħed irid jara jekk dak li fihom għadux jiswa u fejn meħtieġ titniżżel ukoll id-data ta' meta kienu saru.

13.3 *Intervisti Rekordjati bit-Telefon*

13.3.1 Normalment taħditiet jew intervisti li jsiru bit-telefon ma għandhomx ikunu rekordjati biex jiddaħħlu f'xi programm, sakemm l-intervistatur ma jkunx qal min hu u li qed jirrappreżenta lil xi ħadd li għandu liċenzja jew lil xandar, kif ukoll jinforma lill-intervistat li qed jirrekordjalu dik it-taħdita u li l-intervistat ta l-permess biex dik it-taħdita tkun tista' tixxandar fir-rapporti ta' l-aħbarijiet jew fil-programmi tal-ġrajjiet kurrenti.

13.3.2 Fil-ġurnaliżmu investigattiv jistgħu jinqalgħu okkażjonijiet meta proċeduri bħal dawn ma tkunx tista' tosservahom, bħal f'dawk il-każi li jinvolvu staħriġ dwar allegazzjonijiet kriminali jew xi mġiba mhux xierqa.

13.3.3 Meta l-ġurnalista/produttur iqis li jkollu każ hekk, għandu, qabel ma jxandar dan il-materjal fi programm, l-ewwel jikseb il-permess ta' l-uffiċjal esekuttiv tal-programmi l-aktar anzjan li jkun hemm fil-kamra ta' l-aħbarijiet.

14. Programmi ta' Diskussjoni

14.1 Meta l-programm jieħu xejra ta' diskussjoni l-preżentatur għandu d-dmir ifakkar li xi ħadd importanti kien mistieden biex jieħu sehem u li dan ma laqax l-istedina. Filwaqt li l-preżentatur obbligat jinforma l-udjenza għaliex dan irrifjuta, jekk ir-raġuni tkun magħrufa, il-preżentatur ma għandux jinforma l-udjenza jekk dak li ma laqax it-talba biex jieħu sehem ma jkunx mistieden fil-kariga pubblika uffiċjali tiegħu u f'dan il-każ il-preżentatur għandu jimxi mad-disposizzjonijiet ta' l-aħħar sentenza tal-paragrafu 13.1.3 t'hawn fuq.

14.2 Kull organizzazzjoni u kull persuna għandha d-dritt li tirrifjuta invit biex tipparteċipa f'programm iżda r-

ii. the subject so being interviewed has failed to respond to a repeated request to be interviewed, refused an interview on unreasonable grounds or has a history of such failure or refusal.

13.1.6 Particular care needs to be taken where the person approached is not the subject of the allegations, for example a relative, friend or associate, to avoid the risk of unwarranted invasion of their privacy.

13.2 *Editing of Interviews*

13.2.1 Impartiality and fairness also apply to the editing of interviews. Editing of recorded interviews must not be distorted or to create misrepresentation of the known view of the interviewee.

13.2.2 Interviews held on library tapes should be checked before use to see whether the views expressed are still valid, and where necessary captioned to show the date when the original interview was recorded.

13.3 *Recorded Telephone Interviews*

13.3.1 Interviews or conversations conducted by telephone should not normally be recorded for inclusion in a programme unless the interviewer has identified himself or herself as speaking on behalf of a licensee or a broadcaster, and has informed the interviewee that the conversation is being recorded, and the interviewee has given consent to the use of the conversation in news bulletins or current affairs programmes.

13.3.2 In investigative journalism, there may be occasions, such as those involving investigation of allegedly criminal or otherwise disreputable behaviour, when these normal requirements cannot be observed.

13.3.3 When, in the considered judgement of the journalist/producer, such a case arises, he or she must obtain the explicit consent of a broadcaster's most senior programme executive in the newsroom, before such material is broadcast in a programme.

14. Discussion Programmes

14.1 When the programme takes the form of a discussion, it is the presenter's duty to note that a public figure has been invited to participate and such person has declined the invitation. Whilst the presenter is obliged to inform his/her audience of the reason for such refusal, if known, the presenter shall not inform the audience that a person has declined an invitation as aforesaid if such person is not invited in a public capacity and in such case the presenter shall comply with the provisions of the last sentence of paragraph 13.1.3 above.

14.2 Any organisation or any person has the right to decline an invitation to participate in a programme but

rifjut li tipparteċipa f'programm m'għandux awtomatikament ifisser li dak il-programm ma jkunx jista' jsir. Ir-raġuni għal dan hu li l-kanċellazzjoni titqis li tkun l-istess daqs li kieku ngħata dritt ta' *veto* dwar dak is-suġġett partikolari. Dan ikun inkonsistenti maddover tas-servizz tax-xandir li jitratta ħwejjeġ importanti.

refusal to take part in a programme shall not automatically imply the cancellation of that programme. The reason is that cancellation would be equivalent to granting a right of veto over the particular subject. This would be inconsistent with the broadcasting services' duty to deal with important issues.

Nota:
Id-disposizzjonijiet tat-Tieni Taqsima ta' dan id-dokument dwar il-bullettini ta' l-aħbarijiet li se jitwettqu, japplikaw ukoll għal programmi ta' ġrajjiet kurrenti. Bl-istess mod, id-disposizzjonijiet tal-paragrafi 13.2 u 13.3 tat-Tielet Taqsima ta' dan id-dokument għandhom japplikaw għall-produzzjoni tal-bullettini ta' l-aħbarijiet.

Note:
The enforceable provisions of Part 2 of this document regulating news bulletins, also apply to current affairs programmes. Likewise, the provisions of Sections 13.2 and 13.3 of Part 3 of this document also apply to the production of news bulletins.

IR-RABA' TAQSIMA
PRODUZZJONIJIET INDIPENDENTI

PART 4
INDEPENDENT PRODUCTIONS

Il-ħtiġijiet imsemmija f'artikoli 15 u 16 t'hawn taħt huma esegwibbli skond l-artikolu 20(3) ta' l-Att dwar ix-Xandir.

The requirements listed in sections 15 and 16 below are enforceable in terms of article 20(3) of the Broadcasting Act.

15. Dmirijiet Ġenerali ta' Produtturi Indipendenti
15.1 Produzzjonijiet indipendenti magħmula għax-xandara jridu jimxu fuq l-istess standards u ħtiġijiet ta' prattika kif imniżżla fil-partijiet ta' qabel ta' dan id-dokument daqslikieku kienu produzzjonijiet interni u jinħtieġ jikkonformaw ukoll ma' dak li hemm f'dawn il-Linji Gwida. Ix-xandar li jikkummissjona dan ix-xogħol jibqa' responsabbli għall-metodu użat kif ukoll għall-kontenut.

15. General Obligations of Independent Producers
15.1 Independent productions made for broad-casters must observe the same standards and practice requirements set out in the preceding parts of this document for in-house productions. Ultimate responsibility for the method and content of any material commissioned by a broadcaster rests with the said broadcaster.

16. Obbligazzjonijiet Kontrattwali ta' Produttiri Indipendenti
16.1 Kull kuntratt li xandar jagħmel ma' produttur indipendenti jrid idaħħal l-obbligazzjoni li josserva dak kollu li hemm f'dan id-dokument, fil-Kostituzzjoni, fl-Att tax-Xandir u f'kull liġi oħra li għandha x'taqsam.

16. Contractual Obligation of Independent Producers
16.1 All contracts made by a broadcaster with an independent producer should include their obligation to observe the previous provisions of this document, of the Constitution, of the Broadcasting Act and of any other relevant law.

IL-ĦAMES TAQSIMA
IX-XANDAR TAS-SERVIZZ PUBBLIKU

PART 5
THE PUBLIC SERVICE BROADCASTER

17. Regolamenti għax-Xandar fis-Servizz Pubbliku
17.1 Minbarra r-regolamenti msemmija hawn fuq, ix-xandar tas-servizz pubbliku jrid ukoll jimxi fuq ir-regolamenti li ġejjin.

17. Rules applicable to the Public Service Broadcaster
17.1 In addition to the above, the following rules shall apply to the public service broadcaster.

18. L-Imparzjalità tax-Xandar tas-Servizz Pubbliku
18.1 Min italla' l-aħbarijiet u l-programmi ta' ġrajjiet kurrenti ma jistax ikollu rabtiet jew interessi oħra barranin li jistgħu jgħarrqu l-fama għall-imparzjalità, il-ġustizzja u l-integrità tax-xandar tas-servizz pubbliku.

18. Impartiality of the Public Service Broadcaster
18.1 Producers of news and current affairs programmes should have no outside interests or commitments which could damage the public service broadcaster's reputation for impartiality, fairness and integrity.

19. Preżentaturi u Riporters Assoċjali primarjament max-Xandar tas-Servizz Pubbliku
19.1 Dawk li l-pubbliku primarjament jagħraf bħala preżentaturi jew riporters ta' l-aħbarijiet jew programmi

19. Presenters and Reporters primarily associated with the Public Service Broadcaster
19.1 Those known to the public primarily as presenters

dwar ġrajjiet kurrenti fl-istazzjon tas-servizz pubbliku, iridu jidhru li jkunu imparzjali. Importanti li kull ħidma oħra barra mix-xandir, kemm ta' kitba kif ukoll l-għoti ta' intervisti jew diskorsi ma tħalli ebda dubju dwar l-oġġettività tagħhom fix-xandir. Jekk dawn il-preżentaturi jew riporters jesprimu ruħhom pubblikament barra mix-xandir f'xi argument ta' kontroversja, jistgħu jikkompromettu serjament il-qagħda tagħhom fix-xandir. Kemm f'xogħolhom fix-xandir tas-servizz publiku kif ukoll f'xi attività ta' xandir ieħor mhux tas-servizz pubbliku bħal ngħidu aħna bil-kitba, bil-kliem jew ukoll bl-għoti ta' intervisti, ma għandhomx:

i. jgħidu kif jivvutaw jew juru ma' liema partit politiku jżommu;
ii. jgħidu kif jaħsbuha, favur jew kontra xi xejra tattika li tkun argument ta' diskussjoni tax-xejra pubblika magħrufa taż -żmien tal-partiti;
iii. jiddefendu xi qagħda partikolari dwar xi argument ta' diskussjoni jew kontoversja tax-xejra pubblika magħrufa taż –żmien;
iv. jinkoraġġixxu bidla fl-imġiba tax-xejra pubblika magħrufa taż-żmien billi jiġbdu l-attenzjoni fuqha.

of, or reporters on, news programmes or programmes about current affairs broadcast on the public service broadcaster must be seen to be impartial. It is important that no off-air activity, including writing, the giving of interviews or the making of speeches, leads to any doubt about their objectivity on-air. If such presenters or reporters publicly express personal views off-air on controversial issues, then their on-air role may be severely compromised. It is crucial that in both their work with the public service broadcaster and in other non-public service broadcasting activities such as writing, speaking or giving interviews, they do not:

i. state how they vote or express support for any political party;
ii. express views for or against any policy which is a matter of current party political debate;
iii. advocate any particular position on an issue of current public controversy or debate;
iv. exhort a change in high profile public policy.

IS-SITT TAQSIMA
IT-TQEGĦID FIS-SEĦĦ TA' DAWN IL-LINJI GWIDA

PART 6
APPLICATION OF THESE STANDARDS AND PRACTICE REQUIREMENTS

20. L-Applikabbiltà ta' dawn il-Linji Gwida

20.1 Id-disposizzjonijiet ta' dan id-dokument jgħoddu għax-xandara kollha tat-televiżjoni u tar-radjo, kif ukoll għar-rapporti ta' l-aħbarijiet u programmi ta' ġrajjiet kurrenti kemm jekk joħorġu minn xandar kif ukoll jekk jintgħamlu minn dar tal-produzzjoni indipendenti għall-imsemmi xandar, sakemm fihom ma hemmx mod ieħor.

20.2 Kull stazzjon irid ikollu editur li jagħmilha ta' uffiċjal ta' l-osservanza biex jiżgura li ma jinkiser xejn minn kulma jingħad f'dawn il-Linji Gwida.

20. Appicability of these Standards and Practice Requirements

20.1 Unless otherwise provided in this document, these provisions apply to all broadcasters, whether they are television or radio, and to all news bulletins and current affairs programmes whether made by a broadcaster or by an independent production house for the said broadcaster.

20.2 Each station should have an editor who shall act as a compliance officer to ensure the due observance of this provision of these guidelines. The station shall notify the details of the said officer.

21. Editur għal Dawn il-Linji Gwida

21.1 Kull stazzjon tax-xandir irid jaħtar editur għal dawn id-disposizzjonijiet.

21.2 L-editur irid jagħmilha ta' uffiċjal ta' l-osservanza biex jiżgura li qed jitħarsu bir-reqqa l-istandards u l-ħtiġijiet ta' prattika.

21.3 Kull stazzjon tax-xandir irid jgħaddi lill-Awtorità l-isem u l-kunjom ta' dan l-editur kif ukoll fejn u kif jista' jkun ikkontattjat kif ukoll kull tibdil li jkun hemm fil-ħatra f'dik il-kariga.

21. Editor for the purposes of these provisions

21.1 Each broadcasting station shall appoint an editor for the purposes of these provisions.

21.2 The editor shall act as a compliance officer to ensure the due observation of the provisions of these standards and practice requirements.

21.3 Each broadcasting station shall notify the Authority of the name, surname and contact details of the said editor as well as of any changes in appointment to this position.

Nru. 258

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar is-Sehem ta' Nies bla Ħarsien xieraq fil-Mezzi tax-Xandir

1. Introduzzjoni u Prinċipji Ġenerali

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 Kulmin itella' l-programmi għandu jaħrab kull xorta ta' sfruttament minn kull forma ta' ħarsien xieraq ta' dak li jkun, għal finijiet kummerċjali.

2. In-Nies bla ħarsien xieraq

2.1 Mhux faċli tagħmel lista tan-nies meqjusa jinħtieġu ħarsien xieraq għax din tista' tkun ħaġa permanenti jew marbuta ma' perijodu partikolari fil-ħajja ta' xi ħadd li normalment ma jintqiesx bħala dgħajjef.

2.2 F'dawn il-Ħtiġijiet nqisu bħala nies jinħtieġu ħarsien xieraq, lit-tfal, lill-anzjani li jkollhom xi problemi, lil dawk li jkunu vittmi ta' xi abbużi, l-aktar sesswali jew emozzjonali, u lil ċerti nies, għalkemm mhux kollha, li għandhom diżabbiltà fiżika jew mentali. Fost oħrajn nistgħu ngħoddu ma' dawn lill-ħabsin, lir-refuġjati, lill-vittmi ta' l-użura, tad-droga u ta' l-alkoħol.

Għall-fini ta' dawn il-Ħtiġijiet, "tifel/tifla" jew "tfal" jew "minuri", sakemm ir-rabta tal-kliem ma teħtiġx xort'oħra, ifissru persuna li ma tkunx għalqet l-età ta' tminatx-il sena.

2.3 Dan it-terminu jgħodd ukoll għal dawk li minħabba ċ-ċirkostanzi tal-ħajja jistgħu jintqiesu bħala nieqsa mill-ħarsien xieraq għal ċertu żmien. Dawn jinkludu wħud minn dawk li jkunu bil-luttu għat-telfa ta' l-għeżież tagħhom, dawk li tilfu x-xogħol jew li għandhom xi diffikultajiet fil-karriera, il-koppji li għaddejjin minn diffikultajiet kbar fir-relazzjoni bejniethom, dawk li għandhom diffikultajiet finanzjarji kbar, uħud minn dawk li qed iħabbtu wiċċhom ma' mard, kemm huma stess kif ukoll/jew l-għeżież tagħhom u dawk li għal xi raġuni jew oħra jħossuhom mgħaffġa u mkissra f'ħajjithom għax għaddejjin minn żmien ħażin ta' inċertezza.

3. Tagħrif prattiku

3.1 *Il-Kunsens ħieles u mgħarraf*

3.1.1 Qabel ma dawn in-nies jieħdu sehem f'xi programmi għax-xandir li b'xi mod fih tkun se tqum il-qagħda tagħhom, jinħtieġ li jagħtu l-kunsens ħieles u

No. 258

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to Participation in Media Programmes of Vulnerable Persons, 2007

1. Introduction and General Principles

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 Programme producers must avoid, for commercial purposes, all forms of exploitation of all vulnerable situations of anybody.

2. The Vulnerable People

2.1 It is not easy to compile a list of people considered to be vulnerable as it could be a permanent condition or one related to a particular period in the lifetime of someone who is not normally considered to be vulnerable.

2.2 In these Requirements individuals considered to be vulnerable are children, senior citizens with certain problems, those involved in abusive relationships mainly sexual or emotional, and some, though not all, persons having a mental or physical impairment. Amongst others one could include prisoners, refugees, victims of usury, drugs and alcohol.

For the purposes of these Requirements a "child" or "children" or a "minor", unless the context otherwise requires, means a person who has not attained eighteen years of age.

2.3 This term also covers those who due to certain circumstances in life, are considered vulnerable for a given period of time. These include certain individuals who are mourning the loss of a loved one, people who have lost their job or are facing difficulties in their career, couples going through great difficulties in their relationship, people going through grave financial problems, those who are either themselves ill or involved with the sickness of their loved ones, as well as those who, for whatever reason, are feeling down, oppressed and generally going through a tough period of uncertainty.

3. Practical Information

3.1 *Free and informed consent*

3.1.1 It is vital for such persons to give their informed consent in complete freedom before participating in programmes where their condition may be discussed.

mgħarraf tagħhom. Dawk li jtellgħu il-programm ma għandhom jisfurzawhom b'ebda mod biex jieħdu sehem. Meta min itella' l-programm, tat-televiżjoni jew tar-radju, jitlob lil nies bla ħarsien xieraq jieħdu sehem, irid, sa fejn hu possibbli, ikun żgur li min ser jieħu sehem ikun jaf sewwa fiex dieħel u x'effett jista' jkollu fuq ħajtu l-fatt li jkun instama' u/jew intwera lill-eluf ta' nies. Dawk li jtellgħu il-programmi jridu jġibu ruħhom bl-istess mod ma' min hu hekk dgħajjef li jinħtieġ ħarsien u jitlobhom, kultant ukoll b'insistenza, biex jieħu sehem f'xi programm.

Programme producers must not in any way pressurise these people to participate. When programme producers ask vulnerable persons to take part, they should, as far as possible, make sure that participants are fully aware of the effect their participation may have on their life, when they are exposed before thousands of viewers. Producers should take the same precautions even when they are approached – sometimes very forcefully – by vulnerable people themselves who offer to participate in such programmes.

Għall-għoti tal-kunsens ma għandu jitwiegħed ebda xorta ta' kumpens jew benefiċċju finanzjarju lill-ġenituri jew lit-tuturi bl-iskop li jinfluwenzalhom id-deċiżjoni tagħhom biex dak li jkun involut jitħalla jieħu sehem fil-programmi ta' min hu dgħajjef u jinħtieġ ħarsien.

No financial inducement should ever be given to parents or guardians with the purpose of affecting their decision about whether to give their consent to the participation of vulnerable persons.

Persuna kwalifikata għandha żżomm seduta qabel ma jixxandar il-programm fejn hija tispjega lill-persuna vulnerabbli l-implikazzjonijiet tal-parteċipazzjoni f'programm u l-effetti li l-programm jista' jħalli fuq dik il-persuna vulnerabbli u/jew it-tfal tagħha, speċjalment jekk dawn ikunu tfal minuri. Dik is-seduta li tinżamm qabel ma jixxandar il-programm għandha, sa fejn ikun prattikabbli, tkun immexxija bl-anqas formaliżmu possibbli u ssir f'ambjent li jilqek.

A qualified person should hold a pre-programme screening session with the vulnerable person in order to explain to such person the implications of programme participation and the effects the programme might have on such person and/or his/her dependents, particularly minor children. Such screening session should, as far as practicable, be carried out with the least formalities possible and in a welcoming environment.

3.1.2 Dawk li jtellgħu il-programm fid-dmir ukoll li jiċċekkjaw ma' sorsi indipendenti, il-verità u l-eżattezza ta' l-istorja li jkunu saru jafu biha.

3.1.2 Producers are in duty bound to check with independent sources the veracity and correctness of the stories reaching them.

3.1.3 Meta d-dgħufija u l-ħarsien meħtieġa jkunu kbar, jiġifieri, meta wieħed ikun qed ibati ħafna, kif ukoll f'kull każ ta' tfal b'xi xorta ta' problemi, għandu jkun hemm persuna kwalifikata, indipendenti mit-tim li qed itella' l-programm, (ħaddiem soċjali, konsulent, psikologu, psikoterapewta jew psikjatra) biex tkellem u tispjega b'mod ċar lil dawn in-nies, l-implikazzjonijiet ta' sehemhom fil-programm. Min jagħti l-kunsens irid jitfissirlu sewwa li f'dak il-programm qed iwarrab il-jedd li għandu għall-privatezza tiegħu u li wara ma jkunx jista' jressaq każ għal ksur ta' l-istess privatezza.

3.1.3 When a considerable level of vulnerability is involved, that is, when the person concerned is seriously suffering, as well as in the case of children with some problems, there should be a qualified person present (social worker, consultant, psychologist, psychotherapist or psychiatrist), independent of the team producing the programme, to meet these people and explain clearly to them what their participation in that programme entails. The person who gives consent must be made clearly aware that in giving that consent he/she is renouncing to the right of privacy and that later it will be impossible to file a complaint concerning a breach of privacy.

3.1.4 Meta dawk li jinħtieġu ħarsien ikunu ħadu jew qed jieħdu xi għajnuna psikoloġika, il-produttur għandu jibgħat lit-terapista tal-persuna vulnerabbli permezz ta' l-istess persuna ittra iffirmata fejn it-terapista jintalab jagħti lill-produttur kull kumment neċessarju tiegħu.

3.1.4 When vulnerable persons have had or are still undergoing psychological support, the producer shall forward to the vulnerable person's therapist a signed letter, through the vulnerable person, so that the therapist provides the producer with any necessary feedback.

3.1.5 Il-persuna kwalifikata li tkun qed tieħu ħsieb għandha wkoll tindaħal kulmeta min jinħtieġ ħarsien ikun ser jingħata xi flus jew xi rigali kbar talli jieħu sehem. Jista' jiġri f'każi bħal dawn li l-bżonn materjali jew ta' xort'oħra li jkunu ser jieħdu, iġegħilhom jissagrifikaw ix-xewqa u d-dritt tagħhom għall-privatezza. Ix-xandar ghandu jiżgura li ma jsirx hekk.

3.1.5 The qualified person should also be involved whenever a vulnerable person would be compensated with money or gifts for participating. In such cases, material needs or other types of needs may lead the persons involved to sacrifice their desire for privacy. The broadcaster has to make sure this does not happen.

3.1.6 Jekk il-persuna kwalifikata tistqarr li jkun aħjar jekk dawn in-nies li jinħtieġu ħarsien ma jeħdux sehem fil-programm minħabba l-qagħda tagħhom, dawk li jtellgħu l-programm mistennija joqogħdu *dejjem* fuq dan il-parir fejn jidħlu t-tfal. Madankollu dawk li jtellgħu il-programm mistennija li fejn jidħlu l-kbar iqisu sewwa wkoll l-importanza ta' dan il-parir u normalment dejjem joqogħdu fuqu. Biss f'każi eċċezzjonali, meta dawk li jinħtieġu ħarsien jinsistu li jieħdu sehem u jagħmlu dikjarazzjoni bil-miktub dwar dan, dawk li jtellgħu il-programm jistgħu jieħdu r-responsabbiltà li jistednuhom. F'dawn il-każi, dawk li jtellgħu il-programm iridu jibagħtu, qabel il-programm, lill-Maniġer tal-programm:

i. kopja tal-parir tal-persuna kwalifikata, *kif ukoll*

ii. kopja tad-dikjarazzjoni ta' dak li jinħtieġ ħarsien.

3.1.6 If the qualified person states that it would be better if these vulnerable persons, due to their condition, do not participate in the programme, the producers of the said programme are expected always to abide by this advice where children are concerned. However the producers are expected to consider the importance of this advice where adults are concerned, and generally abide by it. Only in exceptional cases, when vulnerable persons insist on taking part and declare this in writing, can the producers take the responsibility to invite them. In similar cases the producers must, before the programme, send to the Manager:

i. a copy of the advice by the qualified person, *as well as*

ii. a copy of the declaration made by the vulnerable person.

4. L-imġiba tal-mezzi tax-xandir lejn nies jinħtieġu ħarsien

4.1 *Sehem it-tfal waqt Programmi*

4.1.1 Min itella' l-programmi fid-dmir jara li l-ġenituri tat-tfal ikunu konxji sew tal-konsegwenzi tal-parteċipazzjoni tat-tfal tagħhom f'programm qabel mal-ġenituri jagħtu l-permess tagħhom. Fil-każ ta' tfal oħra li tkun diffiċli għalihom li jagħtu l-kunsens ħieles u infurmat tagħhom, il-permess għandu jintalab mingħand it-tuturi tagħhom. (Dan minbarra l-ħtieġa tal-parir ta' persuna kwalifikata skond kif hemm maħsub f'paragrafu 3.1.3).

4.1.2 Dawk li jtellgħu l-programm iridu jkunu żguri li għalkemm it-tfal jinħarġilhom il-permess biex jieħdu sehem fil-programm dan isir fl-aħjar interessi tagħhom.

Min itella' l-programm għandu jaħseb fuq kollox fil-ħtieġa ta' ħarsien għal dawn it-tfal.

4.1.3 Għalkemm il-ġenituri jew it-tuturi jkunu jridu lil uliedhom jieħdu sehem, min qed itella' l-programm irid jirrispetta x-xewqa tat-tfal jekk huma stess joġġezzjonaw li jieħdu sehem. F'każijiet bħal dawn għandha dejjem tidħol il-persuna kwalifikata biex tiċċertifika li l-proċess sar skond il-proċeduri msemmija f'dawn il-Ħtiġijiet.

4.1.4 Meta t-tfal ikunu protagonisti fi programm intenzjonat għall-kbar u mhux għat-tfal, il-parti tat-tfal trid tkun rekordjata.

4.1.5 Meta fi programm jieħdu sehem it-tfal, dawk li jtellgħu l-programm iridu joqogħdu aktar attenti biex jiżguraw il-ħarsien ta' l-interessi tagħhom. Dawk li jtellgħu l-programm iridu joqogħdu attenti l-aktar li t-tfal ħafna iżgħar mill-oħrajn isibuha diffiċli biex jagħżlu bejn ir-realtà u l-fantasija kif ukoll mhux dejjem ikollhom il-ħila jagħrfu l-għajdut u s-seksik mill-verità.

4. The attitude of the media towards vulnerable persons

4.1 *Children's Programme Participation*

4.1.1 The producer is in duty bound to ascertain that children's parents are fully aware of the consequences of their children's participation before permission from these parents is given. In the case of other children for whom it would be difficult to give their free and informed consent, permission should be granted by their guardians. (Advice need however also be sought from a qualified person, as indicated in para. 3.1.3).

4.1.2 Producers have to ascertain that although permission is granted to children to take part in a programme, this is allowed mainly for their benefit.

Producers should above all consider the need to protect children.

4.1.3 When parents or carers give their consent for the participation of children in their care, but the children themselves refuse, producers should respect the wishes of the children. In similar cases the qualified person should always be involved and asked to certify that the whole process was carried out in accordance with the procedures laid down in these requirements.

4.1.4 When children are the protagonists of a programme intended for adults and not for children, the children's parts have to be recorded.

4.1.5 When children take part in a programme, the producers have to be extra-careful to ensure that the children's interests are properly safe guarded. The producers must pay particular attention to the fact that very young children find it difficult to discern between reality and fantasy and are not always able to choose between truth and gossip.

4.1.6 M'għandhomx jixxandru programmi intiżi li jiżvelaw l-identita' tal-ġenituri naturali tat-tfal, inkluż tfal addottati.

4.1.7 L-istazzjon għandu jiżgura li meta tfal li jbatu minn xi tip ta' problema jkunu se jieħdu sehem f'programm, għandha tiġi kkuntattjata l-Aġenzija Appoġġ jew kull aġenzija speċjalizzata oħra awtorizzata mill-Awtorita' ħalli tagħti l-approvazzjoni tagħha biex dik il-persuna vulnerabbli li tkun minuri tieħu sehem u l-Aġenzija Appoġġ jew kull aġenzija speċjalizzata oħra awtorizzata mill-Awtorita' għandha tħejji rapport bil-miktub biex jingħata lill-istazzjon konċernat.

Terġa' l-Aġenzija Appoġġ jew kull aġenzija speċjalizzata oħra awtorizzata mill-Awtorita' għandha tingħata aċċess biex tissorvelja l-produzzjoni ta' programm f'kull fażi tiegħu jekk hija jidhrilha li jkun hekk neċessarju. Bl-istess mod it-tfal għandhom jingħataw ħarsien anke jekk ikunu l-ġenituri tagħhom u mhux huma stess li jidhru f'programm televiżiv u jkunu dawk il-ġenituri li jiddiskutu xi problema li b'xi mod ikollha x'taqsam direttament ma' l-istat tal-kuntentizza tagħhom.

4.1.8 Ix-xandara għandhom, meta jkunu qed iħejju l-iskedi tal-programmi, iżommu quddiem għajnejhom li t-tfal għandhom id-dritt li jiġu mħarsa aktar minn kull persuna oħra. Normalment, għalhekk, it-tfal li jbatu minn xi problema m'għandhomx jiġu mistiedna biex jieħdu sehem f'programm fejn jiddiskutu l-problemi partikolari tagħhom. Bħala eċċezzjoni huwa permess il-każ fejn l-istazzjon ikun tal-fehma li jekk is-sehem tat-tfal ikun ta' ġid għalihom, l-istazzjon għandu allura jgħaddi dak il-każ lill-Aġenzija Appoġġ jew kull aġenzija speċjalizzata oħra awtorizzata mill-Awtorita' skond ma jingħad fil-paragrafu ta' qabel dan. It-tfal għandhom jitħallew jieħdu sehem f'dawk il-programmi biss meta d-disposizzjonijiet tal-paragrafu preċedenti jkunu ġew osservati.

4.1.9 Id-disposizzjonijiet tal-paragrafi 4.1.1 sa 4.1.8 għandhom japplikaw ukoll għal nies oħra bla ħarsien xieraq maġġorenni iżda li jkunu inkapaċitati skond id-disposizzjonijiet ta' l-artikolu 520 tal-Kodiċi ta' Organizzazzjoni u Proċeduri ċivili jew taħt il-kura u kustodja tal-ġenituri jew ta' tuturi.

4.1.10 Għandhom jiġu osservati wkoll dawn il-ħtiġijiet li ġejjin:

- **i.** Ilseduta li tagħrbel trid tinżamm kemm jista' jkun mhux anqas minn ġimgħa qabel il-ġurnata li fiha jinġibed il-film ħlief fil-każ ta' l-*Istrina* meta din is-seduta għandha tinżamm mill-anqas xahar qabel id-data ta' meta jinġibed il-film ħalli f'dan l-aħħar każ ikunu jistgħu jsiru l-verifiki meħtieġa dwar l-għoti tal-kunsens;
- **ii.** m'għandha ssir l-ebda seduta li tagħrbel fil-każ

4.1.6 Programmes aimed at establishing the identity of the natural parents of children, including adopted ones, may not be broadcast.

4.1.7 Whenever any child who has any form of problem participates in a programme, the station shall ensure that *Agenzija Appogg* or any other specialised agency authorised by the Authority is contacted for its clearance for the participation of such minor vulnerable person and that *Agenzija Appogg* or such other agency draws up a written report to be presented to the station in question.

Moreover, Agenzija Appogg or such other agency shall be given access to monitor programme production at any stage if it so deems necessary. Similarly, children should also be afforded protection even though it is their parents and not themselves who appear on a television programme and such parents discuss any problem which might in one way or another affect directly the well-being of their children.

4.1.8 Broadcasters should bear in mind, when drawing up programme schedules, that children have a right to be safeguarded more than any other person. Hence, normally children who have some problem should not be invited to participate in a programme to discuss their own particular problems. By way of exception, should the station be of the opinion that a child's participation be beneficial to such child, then the station should refer such case to Agenzija Appogg or such other agency in terms of the preceding paragraph. Children should be permitted by stations to participate in such programmes only when the provisions of the preceding paragraph have been complied with.

4.1.9 The provisions of paragraphs 4.1.1 to 4.1.8 shall also apply to other vulnerable persons who have reached majority age but are incapacitated in terms of the provisions of article 520 of the Code of Organisation and Civil Procedure or under parental care and custody or tutorship.

4.1.10 The following additional requirements shall also be followed:

- **i.** such pre-screening session has to take place at least **one week** prior to the date of filming except in the case of *L-Istrina* where such screening has to take place at least **one month** prior to the date of filming so that in this latter case the necessary consent verifications may be made;
- **ii.** no pre-screening session shall take place where

ta' tfal ta' taħt it-tliet snin. Fil-każ li tfal ta' taħt it-tliet snin jidhru fuq it-televixin, wiċċ dawk it-tfal għandu jiġi kollu kemm hu mgħotti ħalli t-tfal ma jkunux jistgħu jiġu identifikati;

iii. meta jittieħed film ta' tfal barra minn Malta iżda xi żmien wara dawk it-tfal jieħdu sehem f'programm lokali u jintuża waqt dak il-programm il-film li jkun inġibed qabel barra minn Malta, xorta jkun jeħtieġ li tinżamm is-seduta li tagħrbel;

iv. fejn il-ġenituri/tuturi jagħtu l-kunsens tagħhom biex it-tfal tagħhom jieħdu sehem fil-mezzi tax-xandir, dak il-kunsens għandu jkun bil-miktub u għandu jitħalla ma' l-Aġenzija Appoġġ, ma' l-istazzjon tax-xandir in kwistjoni u ma' l-Awtorita' tax-Xandir;

v. il-volantin mehmuż għandu jitqassam kemm lit-tfal, meta jkun il-każ, u lill-ġenituri/tuturi qabel is-seduta li tagħrbel ħalli huma jkunu konxji dwar dak li hu mistenni li jintlaħaq waqt is-seduta li tagħrbel*;*

vi. għandha timtela ma' dawn il-ħtiġijiet il-Formola dwar it-Talba għas-Seduta li Tagħrbel li tagħti d-dettalji dwar is-sehem tat-tfal li tinsab mehmuża ma' dawn il-ħtiġijiet u kopja tagħha għandhom jingħataw lill-Aġenzija Appoġġ qabel is-seduta li tagħrbel, lill-istazzjon konċernat u lill-Awtorita' tax-Xandir;

vii. kemm il-Formola dwar it-Talba għas-Seduta li Tagħrbel u l-Formola dwar l-Għoti tal-Kunsens għandhom jimtlew sew u għandhom jiġu ffirmati fi tliet kopji qabel ma kopja tingħata lill-Aġenzija Appoġġ, oħra lill-istazzjon tax-xandir u oħra lill-Awtorita' tax-Xandir.

the child is less than three years. Should a child of less than three years appear on television, the child's face shall be totally blurred so that the child cannot be identified;

iii. where a child is filmed overseas but subsequently participates in a local programme and the overseas film is used during such a programme, a pre-screening session will still be required;

iv. when parents/tutors consent to the appearance or participation of children in the broadcasting media such consent should be in writing and deposited with *Agenzija Appogg*, the broadcasting station in question and the Broadcasting Authority;

v. the attached handout is distributed to both the children, where applicable, and parents/tutors prior to the screening session so that they are made aware of what the pre-screening session is intended to achieve;

vi. the attached Pre-Screening Session Request Form detailing the child's participation is filled in and copies are to be handed in to *Aġenzija Appoġġ* before the pre-screening session, to the station concerned and to the Broadcasting Authority;

vii. both the Pre-Screening Request Form and the Consent Form have to be duly filled and signed in triplicate before being forwarded to *Agenzija Appogg*, the broadcasting station and the Broadcasting Authority;

4.2 *Riferenza għal terzi persuni*

4.2.1 Min jiġi għall-programm biex jgħid l-istorja tiegħu ma jistax jitħalla jsemmi nies oħra li malajr jintgħarfu min huma iżda li ma jkunux hemm jew li ma jkunux taw il-kunsens tagħhom minn qabel biex jissemmew. Ngħidu aħna, ma jistgħux jidhru nies u jitħallew jgħidu li l-ġenituri, l-aħwa jew xi oħrajn ma għadhomx ikellmuhom u li huma jixtiequ jirranġaw magħhom mingħajr ma jirrispettaw id-dritt li dawn ma jissemmewx jekk ma jkunux qalu "iva" minn qabel.

4.2 *Reference to third parties*

4.2.1 Participants invited in a programme to tell a story cannot be allowed to refer to persons who are easily identifiable but who would not be present in the studios or who would not have given their prior consent to be so mentioned. It is not acceptable, for instance, to have participants say that parents, brothers or sisters or other individuals are no longer on speaking terms with them and that they would like to be reconciled with them, without respecting the right such people have not to be mentioned if they would not have given their prior consent.

4.3 *Id-drittijiet tal-gruppi*

4.3.1 Dawk li jtellgħu l-programm għandhom jagħtu kas mhux biss id-drittijiet ta' l-individwu li jkun irid jieħu sehem fil-programm iżda wkoll tad-drittijiet ta' nies oħra li jkunu f'qagħda bħalu u m'humiex fil-programm. Jista' jkun, ngħidu aħna, li min jidher fil-programm ikollu diżabbiltà li minħabba fiha jingħata xi benefiċċju personali, bħal xi għotja ta' flus. Dawk li jtellgħu l-programm għandhom b'kull mod jevitaw li din ma tiftehimx ħażin u li

4.3 *Group rights*

4.3.1 Producers should care not only for the rights of the individual who is participating in a programme but also to the rights of others who are in similar situation but are not participating in the programme. It may be for example that an individual with a disability taking part may derive some personal benefit such as a cash gift. Producers should at all costs try to prevent that this is not misinterpreted and that these individuals are neither

dawn l-individwi la huma "vittmi" u lanqas "anġli". Dan jgħodd mhux biss għal dawk b'diżabbiltà iżda għal kull grupp ta' nies meqjusa inħtieġu l-ħarsien.

4.4 *L-użu ta' l-iffukar fil-qrib*
4.4.1 Bla dubju ta' xejn l-użu ta' l-iffukar fil-qrib jgħin biex programm televiżiv ikun aktar intimu u l-udjenza allura tħossha aktar qed tieħu sehem fih. Iżda l-iffukar fil-qrib jista' wkoll jinvadi l-privatezza ta' dak li jkun. Minħabba f'hekk dawk li jtellgħu l-programm għandhom jaħarbu kemm jista' jkun l-użu ta' l-iffukar fil-qrib l-aktar meta dan jista' jintqies bħala invażjoni tal-privatezza jew meta jistgħu jispikkaw difetti fiżiċi, l-aktar fil-wiċċ.

4.5 *Anonimità*
4.5.1 Importanti li meta titwiegħed l-anonimità lil dawk li qed jieħdu sehem tinżamm b'mod strett għall-aħħar. Ħafna drabi jkun meħtieg li biex jiġu protetti l-individwi, ix-xandir isir b'mod li l-persuni konċernati ma jkunux jistgħu jintgħarfu mill-pubbliku u xi drabi lanqas mill-ħbieb jew saħansitra minn tal-familja.

Biex dan ikun jista' jseħħ ġieli jkun meħtieg li jinbidlu kemm il-viżiv kif ukoll l-awdjo. Sikwit ikun aħjar li jintuża leħen ieħor (*voice over*), fuq dak li jkun hemm, minn ħaddieħor jew minn attur, minflok titgħarraq il-vuċi biex ma tingħarafx. Meta jiġri hekk tajjeb li l-udjenza tkun mgħarrfa bit-teknika użata.

4.6 *Persuni li jsofru minn mard terminali, eċċ.*
4.6.1 Persuni li jbatu minn mard terminali jew għandhom difetti fiżiċi naturali jistgħu jipparteċipaw fil-programmi meta s-sehem tagħhom x'aktarx ikun se jnissel tama u ispirazzjoni fl-udjenza li tarhom. Meta l-istazzjon jkollu l-biża' li l-effett prinċipali se jkun tnissil ta' sens ta' "jaħasra" allura m'għandhomx jieħdu sehem. L-istazzjonijiet għandhom jiġu gwidati mill-prinċipji tar-rispett lejn id-dinjità tal-bniedem/bniedma u għandhom jaħarbu milli jiffukaw fuq sitwazzjonijiet fejn it-tbatija tan-nies tiġi enfasizzata u sensazzjonalizzata bla bżonn.

4.7 *Doorstepping*
4.7.1 Mhux permess li jsir *doorstepping* jew li tersaq bil-*camera* għal għarrieda fuq persuna vulnerabbli dwar kull ħaġa li għandha x'taqsam mal-vulnerabbiltà tagħha u l-istazzjonijiet għandhom joqogħdu ferm 'il bogħod milli jġibu rwieħhom b'dan il-mod.

4.7.2 L-anqas m'għandu jkun hemm *doorstepping* fejn terzi persuni jintalbu jikkummentaw dwar il-vulnerabbiltà ta' kull persuna vulnerabbli.

4.8 *Tifsir ta' dawn il-Ħtiġijiet*
4.8.1 L-istazzjonijiet għandhom jiżguraw li fit-tifsira li tingħata lil dawn il-Ħtiġijiet huma għandhom iħarsu lejn l-ispirtu tagħhom u kull tifsir mogħi lilhom għandu dejjem ikun fl-aħjar interess tal-persuna vulnerabbli.

'victims' nor 'innocent beings'. Producers should adopt this attitude not only to individuals with a disability but also to any group of individuals considered vulnerable.

4.4 *The use of close-ups*
4.4.1 The use of close-ups (CUs) undoubtedly helps to render a television programme intimate in style, thereby increasing audience participation. But CUs can also constitute an invasion of privacy. For this reason, producers should avoid CUs when these are reasonably considered to amount to an invasion of privacy or when there are facial/physical defects.

4.5 *Anonymity*
4.5.1 When participants are promised anonymity, it is important that this understanding is strictly adhered to. For individuals to be protected it is often necessary to conduct the programme in such a way that the person concerned cannot be recognized by the public in general and sometimes not even by friends or family.

In order to achieve this it is often necessary to change both the audio as well as the visual image. Very frequently it would be better to use a voice over by another person and/or utilize the services of an actor rather than use distortion. In such cases, the audience should be informed of the technique adopted.

4.6 *Persons suffering from a terminal illness, etc.*
4.6.1 Persons suffering from a terminal illness or from acute physical conditions may participate in programmes only when their participation is such as to instil hope and inspiration in audiences watching them. When the station fears that the principal effect of such vulnerable persons' participation will be such as to instil a sense of pity, such participation will not be considered permissible. Stations should be guided by the principle of respecting human dignity and avoiding focusing upon situations where people's suffering is unduly emphasised and sensationalised.

4.7 *Doorstepping*
4.7.1 Doorstepping or the approaching without any prior notice of any vulnerable person with regard to anything concerning his/her vulnerability shall not be permissible and stations shall desist from such conduct.

4.7.2 Nor shall doorstepping be allowed where third parties are requested to comment on the vulnerability of any vulnerable person.

4.8 *Interpretation of requirements*
4.8.1 In the interpretation of these Requirements, stations shall ensure that the spirit of these requirements is adhered to and any interpretation given should always be in the best interest of the vulnerable person.

FORMOLA GĦAL TALBA BIEX ISSIR SEDUTA LI TAGĦRBEL
PRE-SCREENING SESSION REQUEST FORM

Isem ta' l-Istazzjon: ***Name of Station:***		
Data u ħin maħsuba għax-Xandira: ***Date and Time of Intended Transmission:***	**Nhar:** ***On:***	**Fi:** ***At:***
Isem u Kunjom tat-Tifel/Tifla li se jattendu għas-Seduta li Tagħrbel: ***Name and Surname of Child to be Screened:***		
Età tat-Tifel/Tifla li se j'tattendi għas-Seduta li Tagħrbel: ***Age of Child attending the Pre-Screening Session:***		
Tal tad-Dehra fil-Programm: ***Duration of Appearance:***		
Natura tad-Dehra fil-Programm: ***Nature of Appearance*** _____ _____ _____		
Jekk il-programm hux dirett jew irrekordjat: ***Whether the programme is live or recorded:***	**Dirett** ***Live*** ☐	**Rikordjat** ***Recorded*** ☐
Jekk il-Ġenituri/Tuturi tawx il-kunsens tagħhom għad-dehra tat-Tifel/Tifla: **(hemeż kopja tal-Formola tal-Kunsens)** ***Whether parents/tutors gave consent for child's appearance:*** ***(attach copy of Consent Form)***	**IVA** ***YES*** ☐	**LE** ***NO*** ☐

FORMOLA TAL-KUNSENS
CONSENT FORM

Jiena (niżżel l-isem u l-kunjom):
I (insert name and surname): _____

nagħti l-kunsens tiegħi li (niżżel l-isem u l-kunjom tat-Tifel/Tifla):
hereby consent that (insert name and surname of child): _____

jidher fuq (niżżel l-isem ta' l-Istazzjon):
appears on (insert name of station): _____

fil-programm (niżżel l-isem tal-Programm):
on the programme (add name of programme): _____

nhar (niżżel id-data u l-ħin):
on (add date and time): _____.

Jiena niddikjara ukoll li jien niġi (niżżel il-parentela – missier, omm, tutur eċċ.):
I further declare that I am the (add relationship – father, mother, tutor, etc):

tat-Tifel/Tifla
_____ ***of the said child.***

_____ _____

Firma **Data**
Signature ***Date***

VOLANTIN:

Seduti ma' persuni vulnerabbli fil-mezzi tax-xandir mill-Aġenzija APPOĠĠ

L-għanijiet tas-seduta:
Hu importanti li tkun taf li l-assessjar tal-minuri / persuna vulnerabbli ssir f'seduta waħda u din ma sservix biex jinfetaħ każma' l-A.enzija.

1. Is-seduti mal-minuri u persuni vulnerabbli huma skond il-"Linji Gwida Dwar is-Sehem ta' Nies Bla Ħarsien Xieraq fil-Mezzi tax-Xandir" ta' l-Awtorità tax-Xandir.

2. Is-seduta ssir minn persuna kkwalifikata u kkoordinata mill-Aġenzija APPOĠĠ, bħala Aġenzija awtorizzata mill-Awtorità tax-Xandir.

3. Is-seduti huma mmirati biex ikunu mħarsa l-aħjar interessi tal-minuri (dawk taħt it-18-il sena) jew persuni adulti vulnerabbli li jkunu se jiġu esposti fi programmi fuq il-mezzi tax-xandir. Dawn is-seduti huma intenzjonati biex inaqqsu r-riskju ta' ħsara li tista' ssir

HANDOUT:

Screening sessions by Aġenzija APPOĠĠ of vulnerable persons in media programmes

Purposes of the screening session:
Please note that the assessment of the minor / vulnerable person takes place in one session and this is not intended to open a case with the Agency.

1. Screening of minors and vulnerable persons are in line with the 'Guidelines regarding Participation of Vulnerable Persons in Media programmes' by the Broadcasting Authority.

2. The screening session takes place by a qualified person coordinated by Agenzija APPOĠĠ, as a designated agency by the Broadcasting Authority.

3. The screening sessions are aimed to safeguard the best interests of the minor (those under 18 years of age) or vulnerable adult person who would be about to be exposed in media programmes. Such interviews aim to minimise the potential of harm to the children and to

lit-tfal / persuni vulnerabbli u biex dawn jibbenefikaw kemm jistgħu mill-parteċipazzjoni tagħhom fil-programm.	maximise any benefits that they may gain through participation.
4. Matul is-seduta mal-professjonit/a minn APPOĠĠ, dan/din j/tispjega limplikazzjonijiet kollha possibbli li istgħu jirri.ultaw permezz tal-parte.ipazzjoni tagħhom u/jew tatfal tagħhom fi programmi fuq il-mezzi tax-xandir.	**4.** During the session with the Appogg professional worker, the latter explains all the possible implications involved in him/herself and/or his/her children due to his/her exposure on the media.
5. Seduti jsiru wkoll meta tkun il-persuna stess (kemm minuri kif ukoll adulta) li titlob biex tidher fil-programm.	**5.** Screening sessions also take place when it is the vulnerable person (both minor and adult) who approaches the producer.
6. Matul is-seduta jkun hemm enfasi li l-persuna, kemm minuri kif ukoll adulta, tkun tat il-kunsens tagħha mingħajr ebda pressjoni.	**6.** During the screening session it is emphasised that the person's informed consent, be it a minor or an adult, is given without any pressures.
7. Fil-każ ta' minuri, min itella' l-programm hu mistenni dejjem li jimxi ma' dak li jirriżulta mis-seduta mmexxija mill-professjonist/a minn APPOĠĠ, li j/tkun ra/t laħjar interess tat-tfal.	**7.** In case of minors, producers of the programme are always expected to abide by the assessment of the professional worker, who sees what is in the best interest of the child.
Procedura tas-seduta: **1.** Il-proċedura tas-seduta tkun spjegata lill-minuri/ persuna adulta vulnerabbli u lill ġenituri/tuturi.	**Procedure of the screening session:** **1.** The procedure of the screening session is explained to the vulnerable adult persons and/or minor and parents/carers.
2. Il-professjonist li jmexxi s-seduta jagħti spjegazzjoni dettaljata tal-formula ta' kunsens li l-ġenituri/tuturi jeħtieġ li jiffimaw biex jkun jista' jibda' l-proċess tas-seduta.	**2.** The professional worker gives a detailed explanation of the consent form that the parents/carers need to sign for the screening process to take place.
3. Il-persuni li jakkumpanjaw lill-minuri/persuni vulnerabbli għandhom ikunu dawk li legalment ikollhom il-kura u kustodja tagħhom. F'ċerti każijiet tista' tintalab biex tintwera prova ta' dan.	**3.** The persons accompanying the minor/vulnerable person should be the legal parents/carers. In certain cases, proof of custody might be requested.
4. Il-professjonist imexxi s-seduta mal-minuri/persuna vulnerabbli weħidhom. Hija għad-diskrezzjoni tal-professjonist jekk il-ġenituri/tuturi jkunux preżenti għas-seduta jew le.	**4.** The professional worker carries out a session with the minor/vulenrable person alone. It is at the professional worker's discretion whether the parents/carers should be present during the screening session or not.
5. Ir-riżultat tas-seduta tkun spjegata lill-ġenituri / tuturi u lil min itella l-programm.	**5.** The outcome of the screening session is explained to the parents/carers and the programme producers.
6. Il-professjonist ta' APPOĠĠ iħejji u jiffirma rapport. Kopja ta' dan ir-rapport tingħata lill-Awtorità tax-Xandir, lil min itella' l-programm, lix-xandar u lill-ġenituri / tuturi. Kopja oħra tinżamm mill-Aġenzija APPOĠĠ għall-fini ta' referenza.	**6.** A report is prepared and signed by the Appogg professional worker. A copy of the report is passed on to the Broadcasting Authority, the producers of the programme, the broadcasting station and the parents/carers. A copy is also kept for reference purposes by Agenzija APPOĠĠ.
L-Att dwar il-Protezzjoni u l-Privatezza tad-Data ikun segwit f'kull stadju tal-proċedura msemmija hawn fuq.	The Data Protection Act is followed in all stages of the above procedure.

Nru. 259

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar Kif Għamdhom ikunu rappurtati Traġedji fix-Xandir

1. Daħla

1.1 L-Awtorità tax-Xandir approvat dawn il-Ħtiġijiet biex iservu, skond kif jgħoddu, ta' għajnuna għax-xandara tat-televiżjoni u tar-radju fir-rappurtaġġ ta' traġedji fix-xandir.

1.2 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

2. Il-Vittma

2.1 Meta jkun hemm traġedja, il-ġrajja tolqot l-ewwelnettt lill-vittma u lill-qraba/ħbieb tagħha. Malli l-aħbar toħroġ, tolqot direttament l-udjenza.

2.2 Meta x-xandara jħabbru traġedja, għandhom iżommu quddiem għajnejhom li minkejja l-valur ta' l-aħbar tal-ġrajja, hemm fin-nofs persuna jew persuni li jistħoqqilhom ikunu ttrattati b'rispett u dinjità.

2.3 L-ebda kunsiderazzjoni oħra ma għandha tisboq dak ir-rispett jew dinjità li jridu jidhru fil-mod kif tintwera it-traġedja.

2.4 Ma għandhomx jintwerew mill-qrib vittmi li weġġgħu jew mietu sakemm ma jkunx hemm xi raġuni serji li tkun tinħtieġ dan.

2.5 Ma għandhomx fil-biċċa l-kbira jintwerew mill-qrib, ġrieħi li ġarrbu l-vittmi.

2.6 Għandha tingħata attenzjoni biex ma jkunx hemm tnikkir żejjed fuq il-konsegwenzi fiżiċi tat-traġedja.

2.7 Għandu jintqies xieraq li l-bniedem jitħalla jmut fil-privat u biss f'ċirkustanzi rari li x-xandara juru waqtiet intimi tal-mewt stess.

No. 259

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to the Coverage of Tragedies in Broadcasting, 2007

1. Introduction

1.1 The Broadcasting Authority has approved these Requirements to assist television broadcasters and radio broadcasters, where applicable, in the reporting of tragedies.

1.2 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.

2. The Victim

2.1 When a tragedy occurs, the event affects primarily the victim and his/her relatives/friends. Once the event is reported, it also becomes the concern of the audience.

2.2 When reporting a tragedy, broadcasters must keep in mind that notwithstanding the news value of the event, the subject is a person or persons who deserve to be treated with respect and dignity.

2.3 No other consideration should override such respect and dignity, which must be reflected in the way the tragedy is visually portrayed.

2.4 Injured or deceased victims should not be shown in close-up unless there are compelling reasons for doing so.

2.5 Close-ups of the injuries suffered by victims should generally be avoided.

2.6 Care should be taken not to linger unduly on the physical consequences of the tragedy.

2.7 Decency requires that people should be allowed to die in private. Only in the rarest circumstances should broadcasters show the intimate moments of death itself.

2.8 Ir-rispett għad-dinjità tal-vittma jitlob li l-ġurnalisti ma jispekulawx b'nuqqas minn kulma hu xieraq jew b'mod sensazzjonali dwar:

i. il-kawża tat-traġedja.
ii. l-istat tal-vittma qabel it-traġedja.
iii. kif setgħet seħħet it-traġedja.
iv. kull fattur ieħor li ma jkunx debitament verifikat.

3. Il-Qraba

3.1 F'ċerti każi mar-rispett għad-dinjità tal-vittma għandhom jintqiesu wkoll il-qraba u l-ħbieb.

3.2 Għandhom jintqiesu b'mod speċjali u privat il-jeddijiet ta' l-imnikkta.

3.2.1 Ma għandhom b'ebda mod jiġġiegħlu jbatu aktar mill-meħtieġ.

3.2.2 Ma għandhomx jiġġiegħlu jagħtu intervisti.

3.2.3 Għandu jintalab il-kunsens tagħhom jekk ikunu se jiġu ffilmjati fis-swali ta' xi sptar, waqt il-funerali u f'xi postijiet oħra ta' niket. Dan jgħodd ukoll għal meta l-qraba u l-ħbieb jinzertaw ikunu fil-post fejn saret it-traġedja.

3.2.4 Ma għandu jkun hemm ebda ndħil żejjed fil-privatezza tal-qraba u tal-ħbieb speċjalment bl-użu ta' mikrofoni jew kameras moħbija.

3.2.5 Għandha fuq kollox tkun evitata t-tbatija li jisimgħu b'aħbarijiet traġiċi mill-mezzi tax-xandir. Għaldaqstant ix-xandara għandhom joqogħdu attenti biex ma jikxfux l-identità tal-vittma sakemm ma jkunux żguri li l-qraba diġà kienu infurmati.

3.3 Programmi msawra bl-għan ewlieni li jeżaminaw ġrajjiet mgħoddija ta' traġedji għandhom jagħmlu minn kollox, meta jirrakkuntaw kif seħħet l-istorja, biex inaqqsu kemm jista' jkun it-tbatija li jħossu l-vittmi ħajja jew qrabathom.

3.4 Vittmi li baqgħu ħajja wara diżgrazzja kif ukoll qrabathom li l-esperjenza tagħhom tkun se tixxandar f'xi programm, għandhom ikunu avżati, sakemm hu

2.8 Respect for the dignity of the victim requires that reporters must not make unsavoury or sensational speculation:

i. on the causes of the tragedy.
ii. on the state of the victim before the tragedy.
iii. on how the tragedy may have happened.
iv. on any other factor which has not been duly verified.

3. The Relatives

3.1 The considerations respecting the dignity of the victim in certain respects apply also to relatives and friends.

3.2 The rights of these people to grieve in private merits special consideration.

3.2.1 They should not in any way be subjected to further distress.

3.2.2 They should not be put under any pressure to provide interviews.

3.2.3 Their consent should be sought if they are to be filmed in hospital wards, funerals and other places where grieving is taking place. This also applies when relatives and friends happen to be present on the scene of the tragedy.

3.2.4 There should be no unnecessary intrusion on the privacy of relatives and friends especially through the use of hidden microphones or cameras.

3.2.5 Above all they should be spared the distress of receiving the tragic news from the broadcasting media. Hence, broadcasters should take care not to reveal the identity of the victim unless and until they have ascertained that the immediate family has been informed.

3.3 Programmes produced for the sole intention of examining past events involving tragedy, should try to minimise the potential distress to surviving victims or relatives in retelling the story.

3.4 As far as it is reasonably practicable, surviving victims or the immediate families of victims whose experience will feature in the programme, should be

prattikament possibbli, bil-programm imfassal u bil-ħsieb ta' meta l-progamm se jixxandar. Jekk dan ma jsirx jista' jintqies li seħħ ksur mhux mixtieq tal-privatezza, ukoll jekk il-ġrajjiet jew l-informazzjoni mxandra, kienu fl-imgħoddi ġà saru pubbliċi.

4. It-Telespettatur

4.1 It-telespettatur għandu l-jedd għal rappurtaġġ ġust ta' storja msawra tajjeb bla ma jkollu jsofri sensazzjonaliżmu fqir.

4.2 Ix-xbihat li jintwerew fuq it-televiżjoni jista' jkollhom impatt qawwi ħafna. Filwaqt li x-xandara ma għandhomx joqogħdu lura milli juru ġrajjiet traġiċi u l-konsegwenzi tagħhom, iridu jqisu sewwa l-għażla tal-kliem użat biex jaraw li jaqbel tajjeb max-xeni. Dawk ix-xandara li joqogħdu fuq il- ġudizzju editorjali tagħhom għandhom jagħrfu tajjeb l-impatt li materjal bħal dan jista' jħalli fuq l-udjenza.

4.3 Irid jinstab bilanċ bejn il-ħtieġa li toħroġ il-verità u l-periklu li l-udjenza titlef is-sensittività għat-traġedja. Meta fil-bullettini ta' l-aħbarijiet fuq it-televiżjoni jintwera x'seħħ fi ġrajjiet traġiċi ma għandux wieħed joqgħod jisħaq żejjed fuq in-niket kbar li t-traġedja ġġib magħha.

5. Verifika tal-Fatti

5.1 Il-verifika tal-fatti għandha importanza kruċjali fl-għoti ta' l-aħbarijiet, l-aktar fir-rappurtaġġ ta' ġrajjiet traġiċi.

6. Suwiċidji

6.1 Is-suwiċidju ma għandux jissemma ħlief f'ċirkostanzi straordinarji. Importanti ħafna li jinħarbu detttalji ta' suwiċidji meta jkun hemm xi aspett ġdid li jista' jkun ikkupjat. Wieħed irid ukoll joqgħod attent għall-kliem li jagħżel biex jiddeskrivi l-ġrajja.

7. It-Tfal

7.1 Ix-xandara għandhom jagħtu kas fuq kollox id-dgħufija tat-tfal.

7.2 Irridu naraw li t-tfal ma għandhomx jitilfu l-jedd għall-privatezza tagħhom minħabba ġrajjiet traġiċi marbuta mal-ġenituri jew ma' l-iskola tagħhom.

7.3 Irridu noqogħdu attenti li ma nabbużawx mill-bluha u l-fiduċja tat-tfal biex niġbru aktar tagħrif dwar it-traġedja.

informed of the programme's plans and its intended transmission. Failure to do this might be deemed an unwarranted infringement of privacy, even if the events or materials to be broadcast have been in the public domain in the past.

4. The Viewer

4.1 The viewer is entitled to fair and well-composed coverage of a story and should not be subjected to cheap sensationalism.

4.2 Images shown on television can have an overwhelming impact. While broadcasters should not shy away from showing tragic events and their consequences, they must take care that the choice of accompanying words ensures they put the scenes in the right perspective. Those exercising editorial judgements should be aware of the impact such material may have on the audience.

4.3 A balance needs to be struck between the demands of truth and the danger of desensitising people. Where the results of tragic events are shown in television news bulletins, the fact that the tragedy has distressing consequences should not be glossed over.

5. Verification of Facts

5.1 Verification of facts - the basis of news reporting - is crucially important particularly in the coverage of tragedy.

6. Suicides

6.1 There should be no mention of suicide except in extraordinary circumstances. It is particularly important to avoid detailed portrayal of suicide when there is some novel aspect which may be copied. Care also needs to be taken over the choice of words to describe the event.

7. Children

7.1 Children's vulnerability must be a prime concern for broadcasters.

7.2 It must be understood that children do not lose their rights to privacy because of tragic events concerning their parents or their school.

7.3 Care should be taken that a child's gullibility or trust is not abused to obtain more information concerning the tragedy.

7.4 Ma għandhomx isiru mistoqsijiet lit-tfal dwar ħwejjeġ privati tal-familja kif lanqas ma għandhom jintalbu jgħidu kif jaħsbuha fejn ħilithom ma twassalx biex jagħtu tweġiba xierqa.

7.4 Children should not be questioned about private family matters or asked for views on matters likely to be beyond their capacity to answer properly.

7.5 Qabel ma t-tfal taħt it-18-il sena jkunu intervistati fuq ħwejjeġ ta' ċerta importanza, jinħteġilhom il-kunsens tal-ġenituri jew ta' dawk li jkunu qed jagħmluha ta' ġenituri tagħhom. Jekk dan il-kunsens ma jingħatax jew ikun fil-fatt rifjutat l-intervista tista' biss tkun ġustifikata sakemm l-interess pubbliku tat-traġedja jitlob tabilħaqq il-ħtieġa tad-dehra tat-tfal.

7.5 Consent from parents or those in loco parentis should be obtained before interviewing children under 18 on matters of significance. Where consent has not been obtained or actually refused, any decision to go ahead can only be justified if the tragedy is of overriding public interest and the child's appearance is absolutely necessary.

7.6 Bl-istess mod, tfal taħt it-18-il sena mdaħħla fi traġedji ma għandhomx ikunu identifikati fi programmi ta' investigazzjonijiet mill-pulizija jew fejn qed jittieħdu proċeduri legali.

7.6 Similarly, children under 18 involved in tragedies where police enquiries or legal proceedings are taking place should not be identified in programmes.

7.7 Minkejja dak kollu li jista' jintqies aċċettabbli għal raġunijiet tas-siwi ta' aħbar u l-jedd pubbliku għall-aċċess tat-tagħrif, ċerti sitwazzjonijiet, l-aktar dawk mimlija dmija, xeni li jkexkxu u oħrajn tat-twerwir li jistgħu jimpressjonaw, ma għandhomx jixxandru qabel id-9.00p.m.

7.7 Notwithstanding what may be deemed to be acceptable for reasons of newsworthiness and the public's right to know, certain situations, particularly those involving gory, shocking and other appalling scenes likely to impress, should not be broadcast before the watershed.

8. Punti Oħrajn

8.1 Grajjiet traġiċi ma għandhomx jiġu sfruttati għal raġunijiet politiċi, skopijiet oħra jew xi aġenda moħbija.

8. Further Points

8.1 Tragic events should not be exploited for political reasons, ulterior motives or hidden agendas.

8.2 Ix-xandara ma għandhomx iħallu lil min jipprova jisfrutta s-sitwazzjoni għall-finijiet tiegħu, kemm jekk attur istituzzjoni u xi ħaddieħor għall-interess personali.

8.2 Broadcasters should prevent attempts by peripheral actors, institutions and interested third parties to exploit the situation for their own ends.

8.3 Billi t-traġedja għandha siwi ta' aħbar għall-pubbliku u mhux għal xi aġenzija speċifika, l-informazzjoni ma għandhiex tintuża minn dawn ta' l-aħħar biex iġġibhom 'il quddiem jew jiggwadanjaw minnha.

8.3 As tragedy is newsworthy to the public and not to specific agencies, the latter may not use the information for their own advancement and benefit.

9. Għeluq

9.1 Għandu jkun biss l-interess pubbliku li joħloq l-eċċezzjoni għal dawn ir-regoli ta' mġiba.

9. Conclusion

9.1 Only strong overriding public interest can provide exceptions to these norms of behaviour.

9.2 Filwaqt li dan li jidher hawn fuq jirreferi b'mod ġenerali għax-xandir televiżiv, japplika wkoll, fejn hu rilevanti, għall-mezz tar-radju.

9.2 The foregoing while referring generally to TV broadcasting applies to the medium of radio where relevant.

It-22 ta' Marzu, 2007

22nd March, 2007

Nru. 260

ATT DWAR IX-XANDIR
(KAP. 350)

Htiġijiet dwar Standards u Prattika ta' l-2007 dwar id-Diżabilità u l-Preżentazzjoni tagħha fix-Xandir

1. Introduzzjoni

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 M'hemm ebda dubju li kull persuna b'diżabbilità, l-ewwel u fuq kollox, hi xi ħadd li għandha l-jeddijiet umani u ċivili kollha, kif ukoll jistħoqqilha kull rispett u dinjità. It-tbarrija soċjali mill-maggoranza ta' nies b'diżabbilità hi eżempju ta' intolleranza soċjali. L-aktar pass importanti fil-kisba ta' soċjetà inklussiva hu l-għarfien sinċier tad-differenzi li jeżistu. Meta persuni b'diżabilità titlob li titqies daqs ħaddieħor ma tkunx qed tiċħad id-diżabbiltà li jkollu iżda tkun tqiegħed id-diżabbilità f'postha kif għandha tkun. Is-siwi ta' l-aħbar ta' nies b'diżabilità tikkonsisti fir-rebħa fuq l-intoppi li s-soċjetà taqlagħlhom. B'hekk qed inaqqsu middiżabilità tagħhom, u fl-istess ħin jagħtu sehemhom fl-oqsma ewlenija tas-soċjetà.

1.3 Fattur ewlieni li ggib magħha d-diżabbilità hu l-pregudizzju, modi stereotipati jew diskriminazzjoni istituzzjonalizzata lejn persuni b'diżabbilità. F'dan il-qasam ix-xandir għandu qawwa kbira li jew ikattar il-pregudizzju u modi sterjotipati, jew jgħallem lill-pubbliku jifhem aħjar il-qagħda ta' nies b'diżabbilità billi jieħu atteggjament pożittiv lejn dawn in-nies.

1.4 Huma l-ideat mitiċi u l-isterjotipi dwar id-diżabbilità li jagħmlu d-diżabbiltà qisha xi ħaga ta' barra minn hawn. L-aktar fehmiet komuni dwar id-diżabbiltà jiffukaw fuq in-nuqqas tal-ħila ta' dak li jkun. Tabilħaqq, l-aktar kliem negattiv li tisma' dwar nies b'diżabbilità bħal 'magħtub', 'immankat', 'inqas ixxurtjat', kollha jisħqu fuq id-difetti biologiċi (jew mediċi) ta' l-individwu. Dawn kollha jqabblu ħażin nies b'diżabbilità ma' oħrajn li huma (meqjusa) aktar ixxurtjati.

1.5 Titli oħra li jidhru aktar politikament korretti, bħal 'bi sfidi xort'oħra', 'dgħajfin', 'nies bi bżonnijiet speċjali', eċċ. ikomplu jżidu d-differenzi li għandhom nies b'diżabbiltà, billi jaqilgħuhom minn mal-grupp u minn mal-komunità.

1.6 Ħafna tifsiriet li nħolqu dwar id-diżabbiltà u persuni b'diżabbilità saru minn nies li m'għandhomx diżabbilità u li ppruvaw iqabblu d-diżabbilità ma' difetti fiżiċi u/jew mentali ta' dak li jkun; jigifieri, jħarsu biss

No. 260

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to Disability and its Portrayal in the Broadcasting Media

1. Introduction

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 There is no doubt that persons with disabilities are persons first and foremost, who have full human and civil rights, and are entitled to dignity and respect. The social exclusion of persons with disabilities by the majority is an example of social intolerance. The frank acknowledge-ment of differences is an important step in the attainment of an inclusive society. When disabled people seek to be addressed as persons, they are not negating their disability, but placing it in its context. The "news value" of disabled persons is their overcoming of the hurdles society puts in front of them. In so doing, they are making themselves less disabled, and also contributing directly to the mainstream of society.

1.3 A major contributory factor to disability is prejudice, stereotyping or 'institutional discrimination' against disabled people. In this respect the media has enormous power to either perpetuate stereotyping and prejudice, or educate the public to have a more understanding, positive attitude towards disabled people.

1.4 It is the commonly accepted myths and stereotypes about disabled people that make disability an extraordinary thing. The common assumptions about disability focus on the disabled person's lack of abilities. Indeed, the negative terms most frequently used to describe disabled people as: 'crippled', 'handicapped', 'less fortunate', all accentuate the disabled individual's biological (or medical) imperfections. All these negative terms compare disabled persons less favourably with their (presumably) more 'fortunate' peers.

1.5 Even more 'politically correct' designations, such as, 'differently challenged', impaired, persons with special needs, etc, accent the disabled person's apartness, the disabled individual's dislocation from the group and the community.

1.6 Many of the definitions of disabled people and disability have been created by nondisabled people who tend to equate disability with the individual's physical and/or intellectual impairments; that is, they focus on the

lejn l-aspett biologiku jew mediku skond il-każ. Tant hi komuni din il-fehma li d-difett biologiku u n-nuqqas ta' funzjoni fiżika joħolqu d-diżabbilità, li l-Organizzazzjoni Dinja tas-Saħħa (fil-bidu tas-snin tmenin) fasslet it-tifsir tagħha fuq dawn lideat. Il-qofol ta' din l-idea tiffoka wisq fuq l-individwu u dak li jidher bħala nuqqas fil-ħila tiegħu.

1.7 Madankollu f'dawn l-aħħar għoxrin sena din l-idea giet sistematikalment imwarrba minn persuni b'diżabbilità u l-għaqdiet tagħhom. Jinsistu li jekk tibqa' tħares lejn in-nuqqasijiet mediċi ta' l-individwu, l-hekk imsejjaħ 'mudell mediku tad-diżabbiltà' jżomm responsabbli lillpersuni b'diżabbilità nfushom għad-diffikultajiet li jridu jħabbtu wiċċhom magħhom fil-ħajja ta' kuljum. Fl-istess waqt ikun qed jinjora r-restrizzjonijiet ambjentali u x-xkiel maħluq, mhux minnnies b'diżabbilità, iżda mis-soċjetà in generali.

2. Turija Ħażina ta' Nies b'Diżabiltà

2.1 Il-ħsara li ssir mill-użu ta' terminologija u x-xbihat negattivi ta' nies b'diżabilità hija kbira wisq. Persuni b'diżabbilità sikwit iħossu li jintwerew ħażin bil-mod kif ipinguhom bil-kliem, blistampi u bil-ħsejjes fuq il-mezzi tax-xandir.

2.2 It-turija ta' persuni b'diżabbilità bħala nies 'xort'oħra' jew 'speċjali' sempliċement għax għandhom diżabilità; xbihat li juruhom f'qagħdiet esagerati bħal dik ta' xi 'eroj' jew 'vittma':

- **i.** VITTMI meta jidhru tragiċi, mitlufa u li jgibulek ħniena;
- **ii.** EROJ meta jidhru dejjem kuntenti, twajba aktar minn kulħadd u b'dehra ta' kuragg ta' barra minn hawn;

2.3 L-imgiba ta' superjorità lejn persuni b'diżabbilità tkompli ssaħħaħ il-karatteristiċi konvenzjonali wkoll jekk jintwerew b'mod pożittiv. Ngħidu aħna dan jigri meta xi ħadd ifaħħar persuni b'diżabbilità għal dak li jkunu kisbu, anke jekk dan ma jkun fih xejn speċjali kieku kien magħmul minn ħaddieħor.

2.4 L-użu ta' spiss ta' xi frażijiet jew kliem ieħor fiddiskors ta' kuljum li jista' jkun biss suggettiv u li jispiċċa biex ma jkunx eżatt, juri sens ta' superjorità u li fl-aħħar mill-aħħar joħloq xbighat li jagħmlu l-ħsara. Dan jinkludi l-użu ta' terminologija emottiva bħal 'mwegga', 'marid', 'batut', 'vittma', l-użu ta' frażijiet bħal 'marbut/a mas-siggu'; trattament ta' persuni b'diżabbilità qishom xi grupp għalihom minflok grupp divers ta' individwi differenti, u assunzjonijiet u generaliz-zazzjonijiet dwar xi jħossu nies b'diżabbilità.

2.5 Il-wiri ta' nuqqasijiet meta dawn jkunu evidenti, billi tiffissa fuq din il-kundizzjoni ta' dak li jkun a spejjeż ta' doni l-oħra;

biological, or medical aspect. So widespread is this belief that it is biological impairment and lack of function which create disability, that the World Health Organisation (in the early 1980s) based its own definitions on these assumptions. The whole focus of this viewpoint is on the individual and their perceived inadequacy.

1.7 However, over the last twenty years this viewpoint has been systematically and widely rejected, by disabled people and their organisations. They argue that by focusing on individual, medical inadequacies the so called 'medical model' of disability holds disabled people themselves responsible for any difficulties they may encounter during the course of their daily lives. At the same time it totally ignores the restrictive environments and disabling barriers created, not by the disabled persons, but by a society in general.

2. Misrepresentation of Disabled People

2.1 It is difficult to overestimate the damage caused by negative terms and the resultant negative images of disabled people. Disabled people often feel they are misrepresented by the way in which they are portrayed in words, pictures and sound on the mass media.

2.2 Representation of disabled people as 'different' or 'special' simply because of their disability; imagery is used which portrays them in extreme terms, such as the 'hero' or 'victim' approach:

- **i.** VICTIMS are portrayed as tragic helpless and pathetic;
- **ii.** HEROES are portrayed as eternally cheerful, superhumanly good and tremendously courageous;

2.3 The patronising attitude towards disabled people reinforces stereotypes even when they are presented positively. This happens, for example, when disabled persons are praised for achieving something that would be unremarkable if done by others;

2.4 The frequent use of particular phrases and terms in daily language which may be purely subjective and result in inaccurate, patronising and ultimately damaging imagery. This includes the use of emotive terms like 'afflicted', 'stricken', 'sufferer' and 'victim', the use of phrases such as 'confined to a wheelchair', the treatment of disabled people as if they were a homogenous group instead of a diverse group of individuals and the making of assumptions or generalisations about how disabled people feel;

2.5 The portrayal of impairment, especially when evident, by focusing on the individual's impaired condition at the expense of the person's other attributes;

2.6 Nuqqas ta' konsultazzjoni ma' persuni b'diżabbilità u l-għaqdiet tagħhom dwar kwistjonijiet li jeffettwawlhom ħajjithom;

2.7 Id-dehra ta' persuni b'diżabbilità waqt xandiriet biex jingabru l-flus għal xi fond jew għall-karità fejn jintwerew qishom kollha sterjotipi ta' l-istess kategorija;

2.8 It-twaqqigħ għaċ-ċajt ta' persuni b'diżabbilità fi programmi, l-aktar f'xi teleserial fejn ddiżabbilità tintuża biex iddaħħak;

2.9 Nuqqas ta' verifika bir-reqqa ta' tagħrif qabel ma jixxandar; u

2.10 Il-wiri ta' nies b'diżabbilità b'mod sensazzjonali.

3. Responsabbiltajiet tax-Xandara

3.1 Hi r-responsabilità tax-xandara li jkunu sensittivi għall-problemi msemmija hawn fuq u li jevitawhom.

3.2 Mhux biss, iżda x-xandara jridu jieħdu ħsieb jiżguraw li jkun hemm rappreżentanza aktar inklużiva ta' persuni b'diżabbilità fil-programmazzjoni.

3.3 Ix-xandara jridu jaghmlu mill-aħjar biex idaħħlu jaħdmu magħhom nies b'diżabbilità; b'mod partikolari fil-partijiet ta' persunaggi b'diżabbilità fi drammi ghandhom fejn hu possibbli jinħadmu minn atturi b'diżabbilità.

3.4 Ix-xandara għandhom jaraw kif itaffu l-problemi komuni bħal dik ta' aċċessibilità, li jfixklu l-parteċipazzjoni ta' persuni b'diżabbilità fix-xandir.

3.5 Ix-xandara jridu jimxu mal-*poliċies* li minn żmien għal żmien ikunu adottati uffiċjalment dwar kif għandhom ikunu ppreżentati persuni b'diżabbilità fix-xandir.

3.6 Kull stazzjon hu responsabbli ghal mod kif jigu preżentati persuni b'diżabbilità jew temi dwar d-diżabbiltà f'kull xandira, kif ukoll hu fid-dmir li jikkonsulta ma' l-għaqdiet u l-awtoritajiet kompetenti f'dak li għandu x'jaqsam mad-diżabbiltà;

3.7 Meta tinghata liċenzja għax-xandir, ix-xandar għandu jippreżenta nies b'diżabilità u ssuggett tad-diżabilità kif jixraq.

3.8 Fuq kollox il-prinċipju li għandu jmexxi x-xandara hu li jitratta ma' persuni b'diżabbilità mingħajr iffukar fuq id-diżabbilità tagħhom, kemm il-darba s-suggett ma jkunx qed jitratta speċifikament id-diżabilità; f'dan il-kaz ta' l-aħħar għandhom jittrataw is-suggett bid-dinjità kollha meħtiega u kif jixraq.

2.6 Lack of consultation with disabled people and their organisations about issues affecting their lives;

2.7 The undignified portrayal of disabled people during broadcasts of fund-raising events and charity campaigns depicting them as uni-dimentional stereotypes;

2.8 The ridiculing of the disabled in productions, especially teleserials exploiting disability for humour;

2.9 Failure to check accuracy of information before it is broadcast; and

2.10 The portrayal of disabled people in a sensational manner.

3. Broadcasters' Responsibilities

3.1 It is the responsibility of all Broadcasters to be sensitive to problems outlined above and to avoid them;

3.2 Moreover broadcasters should take positive steps in order to ensure a more inclusive representation of disabled persons in programming;

3.3 Broadcasters should aim to recruit disabled persons to work among their staff and in particular the portrayal of disabled persons in drama should wherever possible be carried out by disabled actors;

3.4 Broadcasters are in duty bound to minimise common problems such as those of physical access which impede the participation of disabled persons in broadcasting activity;

3.5 Broadcasters should be guided by such policy which may from time to time be officially adopted regarding the portrayal of disabled persons in the media;

3.6 Each station shall be responsible for the way disabled persons and disability issues are portrayed in every broadcast, including the responsibility to refer to the competent organisations and authorities on matters relating to disability;

3.7 Where a licence is issued the broadcaster will be expected to portray disabled persons and disability issues in a proper way;

3.8 Overall, the guiding principle of broadcasters should be to deal with disabled persons without dwelling on their disability, unless the topic being presented is specifically that of disability; when the latter is the case to treat the subject with due dignity and fairness.

Nru. 261

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar Wiri u s-Smigħ ta' Programmi għall-Familja

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 L-għan ta' l-Awtorità hu li kemm jista' jkun tiżgura, li f'ħinijiet meta jkun hemm ħafna tfal jaraw it-televiżjoni jew jisimgħu r-radju l-istazzjonijiet ma jxandrux materjal mhux addattat għalihom. Diffikultajiet dwar il-ħarsien ta' dan il-għan jinqalgħu minn żewġ fatturi: l-ewwelnett ma hemm ebda ħin partikolari filgħaxijiet meta ma jkunx hemm xi tfal jaraw it-televixin jew jisimgħu r-radju, kultant ukoll f'numri mdaqqsa; u t-tieni, jekk wieħed jipprova jsib għażla ikbar ta' programmi addattati għall-kbar b' materjal serju aktarx ikun fihom ukoll xi affarijiet meqjusa ma jgħoddux għat-tfal. L-Awtorità ma tħossx li għax fl-udjenza dejjem se jkun hemm xi tfal jaraw il-programmi, stazzjon ma għandux ukoll ixandar fil-programmi materjal għall-kbar. It-triq tan-nofs bejn dawn iż-żewġ diffikultajiet u l-għan ġenerali ta' l-Awtorità qiegħda fil-mod kif l-Awtorità tħares lejn il-wiri u s-smigħ filgħaxijet, ta' Programmi għall-Familja.

1.3 Dan il-mod in-numru ta' tfal fl-udjenza jintqies li jibqa' jonqos proporzjonalment aktar ma jittardja l-ħin. L-istess tistenna li jsir fi programmi oħra li jiġu wara, minn kmieni filgħaxija sa xħin jagħlaq l-istazzjon: dawk li jiġu kmieni jkunu aktar addattati, filwaqt li dawk li jiġu tard ikunu inqas addattati. F'din il-medda ta' ħinijiet jidher li d-9 ta' filgħaxija hu l-ħin li x-xandara għandhom jorbtu fuqu fejn trid tiġi żgurata r-responsabbiltà tagħhom biex jaraw li ma jintwera xejn li ma jkunx addattat għat-tfal. Wara d-disgħa ta' filgħaxija, jista' jixxandar progressivament materjal inqas addattat (jiġifieri aktar tajjeb għall-kbar) fejn jista' jkun li programm jista' jkun aċċettat ngħidu aħna wara l-10.30 p.m. li ma jkunx daqshekk addattat fid-9.00 p.m. Iżda wieħed irid jassumi li mid-9.00p.m. 'l quddiem il-ġenituri jridu jerfgħu parti mir-responsabbiltà għal dak li jitħallew jaraw u jisimgħu t-tfal. Il-vjolenza biss mhix raġuni għaliex programm għandu jintqies mhux tajjeb

No. 261

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to the Family Viewing and Listening, 2007

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

biex tarah jew tisimgħu l-familja. Hemm fatturi oħra bħalma huma l-lingwaġġ użat, id-doppju sens, ħalf jew dagħa, imġiba sesswali fid-dieher, u xeni jew imġieba ta' tbatija kbira.

2. Trejlers

2.1 Trejlers ta' programmi jridu wkoll isegwu dawn il-Ħtiġijiet. Jekk ikun se jsir reklam dwar programm għall-kbar qabel id-9.00 p.m., it-trejler irid ikun addattat biex tarah jew tisimgħu l-familja. Biċċiet mħejjija biex jirreklamaw programm ta' vjolenza jridu jintgħażlu bir-reqqa bla ma jagħmlu ebda enfasi għall-inċidenti vjolenti li ma jkunux karatteristika tal-rogramm kollu.

3. Ħtiġijiet li x-xandara għandhom isegwu

3.1 L-Awtorità għarblet sewwa dan kollu u ħejjiet għalhekk dawn il-Ħtiġijiet biex ix-xandara jimxu fuqhom meta jtellgħu programmi tal-kbar:

i. fil-każ ta' programm tat-televiżjoni, kull xandar televiżiv irid jara li jimxi mar-Regolamenti tal-Programmi Televiżivi (Ċertifikati skond il-Klassifika) ta' l-1994;

ii. fil-każ ta' programm tat-televiżjoni, xandara televiżivi jridu jaraw li jkun hemm xi ħadd responsabbli skond il-kondizzjonijiet tar-Regolamenti tal-Programmi Televiżivi (Ċertifikati skond il-Klassifika) ta' l-1994, u li x-xandara jridu jinfurmaw lill-Awtorità b'kull bidla li ssir;

iii. qabel ix-xandir ta' programm li jkollu x'jaqsam mal-kbar, min qed jara jew qed jisma' jrid ikun infurmat li dak it-tali programm hu tajjeb biss għall-udjenza matura;

iv f'dak li għandu x'jaqsam ma' programmi ta' diskussjoni immirati għall-udjenza tal-kbar, it-tfal la għandhom jiġu mistiedna fil-panel u lanqas ikunu fost l-udjenza;

v. programmi maħsuba għall-kbar għandhom jixxandru biss wara d-9.00 p.m. Max-xandir tal-programmi kif ippjanati wara xulxin minn filgħaxija kmieni sa kemm jagħlaq l-istazzjon:

i. id-9.00p.m. għandu jkun il-ħin fiss sa meta x-xandara jħossuhom marbutin u responsabbli biex jiżguraw li ma jintwera xejn mhux addattat għat-tfal;

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 requirments to be followed by broadcasters vis-à-vis adult programming:

i. in the case of a television programme, each television broadcaster is to ensure compliance with the Television Programmes (Classification Certificates) Regulations, 1994;

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, 1994 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:

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;

ii. wara 9.00 p.m. jista' progressivament jintwera materjal inqas addattat (i.e. li jkun aktar għall-kbar), u, ngħidu aħna, programm li fid-9.00p.m sata' ma kienx addattat isir aċċettabbli fl-10.30.p.m.

vi. fi programm televiżiv iċ-ċertifikat tal-programm irid ikun fejn jidher għal matul l-ewwel 30 sekonda u jekk il-programm jieqaf għal xi ftit, matul l-ewwel 30 sekonda malli jarġa' jibda jixxandar jew kulmeta jarġa' jibda l-programm wara kull intervall; fi programm tar-radju x-xandar għandu jxandar avviż qabel ma jibda l-programm fis-sens li l-programm huwa indirizzat lejn udjenza matura u jekk il-programm jieqaf għal xi ftit, qabel ma jerġa' jibda l-programm wara kull intervall;

vii. l-ebda materjal pornografiku ma jista' jixxandar għax b'hekk ix-xandira tkun qed tikser il-Kodiċi Kriminali;

viii. fil-każ ta' programm tat-televiżjoni, stazzjonijiet televiżivi tax-xandir għandhom jużaw dawn l-ittri bħala sinjali:

U għal programmi universali.
L-ittra 'U' trid tkun f'ċirku aħdar.

PG għal programmi li jeħtieġu l-għajnuna tal-ġenituri.
L-ittri 'PG' jridu jkunu f'ċirku isfar.

12 tajbin għal persuni ta' tnax-il sena u fuqhom.
In-numru "12" irid ikun f'ċirku oranġjo.

16 Tajbin għal persuni ta' sittax-il sena u fuqhom.
In-numru "16" irid ikun f'ċirku kannella.

AO programmi għall-kbar biss.
L-ittri 'AO' jridu jkunu f'ċirku aħmar.

4. Għall-għanijiet ta' dawn il-Ħtiġijiet l-espressjoni "tfal" tfisser nies li jkunu taħt it-tmintax-il sena.

It-22 ta' Marzu, 2007

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;

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;

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.

22nd March, 2007

Nru. 262

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar Il-Programmi ta' Phone-Ins imxandra fuq Il-Mezzi tax-Xandir

1. Introduzzjoni

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 L-Awtorità tax-Xandir tirikonoxxi illi l-programmi dwar p*hone-ins* qed jikkontribwixxu biex jagħtu leħen lill-poplu u f'dan il-kuntest jista' jingħad li l-mezzi tax-xandir qed iservu skop demokratiku in kwantu l-poplu qed jingħata l-opportunità li jesprimi l-opinjjonijiet tiegħu. Għalhekk, dawn it-tip ta' programmi huma mportanti peress li jikkontribwixxu għall-eżerċizzju tal-libertà ta' l-espressjoni skond l-artikolu 11(1)(a) ta' l-Att tal-1991 dwar ix-Xandir.

1.3 Mill-banda l-oħra, kull dritt iġib miegħu ċertu obbligi u għalkemm fejn tidħol l-espressjoni politika għandu jkun hemm aktar tolleranza għal opinjonijiet li, fi kliem il-Qorti Ewropea tad-Drittijiet tal-Bniedem, "offend, shock and disturb", dejjem hemm dawk il-każijiet fejn l-istess libertà ta' l-espressjoni teħtieġ li tiġi kkontrollata. F'dan il-kuntest hemm l-artikolu 13(2)(a) tal-Att dwar ix-Xandir li jipprovdi illi l-Awtorità għandha tiżgura li ma jiddaħħal xejn fil-programm li joffendi l-

> "gosti tajbin jew id-diċenza jew li x'aktarx jinkoraġġixxi jew iħajjar għall-kriminalità jew iwassal għal diżordni jew ikun offensiv għal setimenti pubbliċi".

2. Ħtiġijiet

2.1 Peress li l-maġġor parti tal-*phone-in programmes* jiġu mxandra dirett u ma jkunux rekordjati, l-istazzjon konċernat irid joqgħod attent ħafna li s-semmiegħa jew it-telespettaturi li jċemplu u jitkellmu *live* ma jiksru l-ebda dispożizzjoni tal-liġi (tkun liema tkun) jew li jużaw lingwaġġ li jmur lil hinn mill-gosti tajba u mid-diċenza.

2.2 Meta l-programm in kwistjoni jixxandar qabel id-disa' ta' fil-għaxija fejn t-tfal ikunu qed jisimgħu u/jew jaraw il-programm in kwistjoni għandha ssir aktar attenzjoni mill-preżentatur għall-użu ta' ċertu kliem sabiex il-lingwaġġ li jintuża jkun wieħed addattat anke għal udjenza magħmula mit-tfal.

2.3 Sabiex kemm jista' jkun jiġi minimizzat ir-riskju li jixxandru kliem li jiksru xi dispożizzjoni tal-liġi, l-istazzjon konċernat għandu jiżgura li l-preżentatur ikun

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BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to Phone-ins in Programs aired on the Broadcasting Media, 2007

1. Introduction

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 The Broadcasting Authority corroborates that phone-ins in programs broadcasted on all media are greatly contributing towards public opinion, and in this context one can declare that broadcasting media are serving democracy and advancing the opportunity for opinion expression by the general public. These types of programs are therefore important in the contribution towards the exercise of free expression according to Article 11(1)(a) of the Broadcasting Act of 1991.

1.3 On the other hand, every right brings about certain obligations, and although in cases where political expression is concerned there should be greater tolerance to opinions that in the terms expressed by the European Court of Human Rights "offend, shock and disturb", there are always those cases where the same right of expression has to be controlled. In this context article 13(2)(a) of the Broadcasting Act provides that the Authority shall prevent from the inclusion in programs that offend:

> "good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling."

2. Requirements

2.1 Since the majority of phone-in programms are broadcast directly on air and are not pre-recorded, the station concerned has to ensure that the listeners or viewers who phone to the station and are on air do not contravene any disposition of the law (whichever that is), or to use any language which goes against good taste or decency.

2.2 When the program concerned is broadcast before 21:00 hours when children are listeneing and viewing the affected program, the presenter should be more careful to the use of certain language so that such language is adaptable also to audiences including whole families.

2.3 To minimise the risk of the transmission of language which goes against the dispositions of the law, the broadcasting station should ensure that the presenter

jaf sew x'tipprovdi l-liġi u jkun midħla sew tad-direttivi li tagħti minn żmien għal żmien l-Awtorità tax-Xandir dwar il-programmi in ġenerali u dwar *phone-in programmes* b'mod partikolari. Huwa b'dan il-mod li l-preżentatur ikun jista' joħroġ il-programm minn sitwazzjoni diffiċli b'ħeffa u anke b'mod edukat.

2.4 Kliem offensiv, vulgari, baxx, oxxen, li jinsulenta, mibni fuq it-tagħjir, tkeskis, malafamanti, inġurjuż, jew b'xi mod li jikkontribwixxi biex jiddeġenera l-programm għandu jiġi evitat kemm mis-semmiegħa jew mit-telespettaturi u kemm mill-preżentatur.

2.5 Il-preżentatur għandu jiżgura ruhu illi jekk xi semmiegħ jew telespettatur juża kliem offensiv, eċċ, fil-konfront tiegħu, dan il-preżentatur qatt m'għandu jirrispondi lis-semmiegħa jew lit-telespettaturi billi jgħajru lura huwa wkoll.

2.6 Apparti dak li ngħad hawn fuq, meta l-programm jippermetti *phone-ins* diretti għandhom dejjem jiġu segwiti dawn ir-regoli:

i. Kull min jitlob li jitkellem waqt programm għandu jagħti lill-istazzjon l-isem, il-kunjom u in-numru ta' l-ID Card tiegħu jew tagħha.

ii. Il-preżentatur għandu minn ħin għal ħin u ċertament qabel ma jiftaħ il-linja għat-telefonati jfakkar lis-semmiegħa u lit-telespettaturi dwar il-lingwaġġ li jrid jintuża fuq il-mezzi tax-xandir u f'każ li jintuża dan il-kliem għandu jiġi użat id-delay mechanism.

iii. Il-preżentatur għandu jiżgura li allegazzjonijiet u xniegħat malizzjużi kontra terzi persuni ma jixxandrux.

iv. Il-preżentatur għandu dejjem iżomm quddiem għajnejh illi x-xandir huwa ta' influenza qawwija fuq is-soċjetà u għalhekk għandu jiżgura ruhu li waqt l-intervisti li jsiru mas-semmiegħa permezz tat-telefon jintuża lingwaġġ diċenti li jgħolli l-livell tal-programmi għall-benefiċċju tal-konsumatur.

v. L-istazzjon għandu jipprovdi rimedju immedjat f' forma ta' dritt ta' risposta għal dawk it-terzi persuni li jħossuhom li ġew malafamati jew inġurjati. Din tapplika b'mod partikolari għal dawk il-persuni li mhumiex Membri Parlamentari jew persuni li jokkupaw kariga pubblika.

2.7 L-Awtorità twissi illi jekk ikun hemm kontravenzjoni ta' dawn il-Ħtiġijiet hija ma tippermettix l-programm li jkun kisirhom li jixxandar għal ġurnata jew aktar.

is well versed in the dispositions of the law and the rules and regulations which the Broadcasting Authority issues from time to time about programs in general and about phone-in programs in particulat. In this way the presenter can resolve a difficult situation in an effective and in the most educative manner.

2.4 Offensive, vulgar, and obsene language which insults, built on allegations, malicious discourse and incitements which degenerate the quality of programms have to be shunned and avoided by the livtener/viewer as well as by the presenter.

2.5 The presenter has to ensure that if a listener or viewer makes use of effecsive words, etc., in confrontation with the presenter, the latter should never reply the viewer or listener in the same way.

2.6 Apart from the above, when the program sontains direct phone-ins, the following rules shall always apply:

i. Whoever asks to air his views during a broadcast has to furnish the station with his/her name and surname, and ID Card number.

ii. The presenter should, from time to time, and certainly before the telephone lines are open to the public, remind his viewers or listeners about the use of llanguage which has to be used on the broadcasting media and if this is not adhered to, the presenter should make use of the delay mechanism.

iii. The presenter should ensure that allegations and malicious discourse against thrid parties are not broadcasted.

iv. The presenter should keep in mind that broadcasting media is a great influence on society and should therefore ensure that language used in interviews with his viewers or listeners increases program quality for the benefit of the consumer.

v. The station should provide immediate remedy in the form of a right of reply to allegations and malicious discourse made in confront of their parties. This applies in particular to those persons who are not Members of Parliament or do not occupy a high public post.

2.7 The Broadcasting Authority warns that if these Requirements are not adhered to, the contravening programme will not be allowed to be broadcast for a day or more as required by the Authority.

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ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar Sottotitli u Titli Oħrajn fil-Programmi Televiżivi

1. Introduzzjoni

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 Ir-regolamentazzjoni dwar it-titli li jidhru taħt il-programmi, it-titli normali u dawk li jgħaddu jikkreditaw il-programmi ilha żmien tħabbel l-imħuħ, mhux biss ta' dawk tax-xandir lokali iżda wkoll ta' dawk tax-xandir f'diversi pajjiżi oħra barranin. Is-sistema ta' kif jgħaddu l-krediti sikwit tvarja kultant mgħaġġla tant li min ikun qed jara qajla jilħaq jaqra xi jkun għaddej. Fir-reklamar televiżiv hemm tendenza aktarx qed tiżdied fejn il-prodott reklamat qed isir aktar enigmatiku fid-dehra, bla kliem ċar li jidentifika l-prodott innifsu.

2. Ħtiġiet Ġenerali dwar is-Sottotitli, Titli Normali u Dawk li jikkreditaw il-programmi

2.1 *Wiri tat-Test Bażiku*

2.1.1 Studji dwar il-qari ta' titli wrew li hemm ħtieġa ta' dan ġej:

i. Ittri tat-test għandhom jidhru b'għoli doppju u mħallta (kbar u żgħar);

ii. Kliem f'sotto-titlu għandu jkun separat bi spazju singlu;

iii. Biex tgħin il-qari, it-test għandu jkun bilanċjat tajjeb lejn ix-xellug, lejn iċ-ċentru jew lejn il-lemin skond il-qagħda ta' min ikun qed jitkellem;

iv. "Għandha tintuża l-punteġġatura standard normali. Il-punteġġatura tagħti ħjiel importanti lill-istruttura sintattika u għandha tintwera sewwa biex tkun effettiva. Mod kif wieħed jista' jżid l-effett tal-punteġġatura hu billi jitħalla spazju wieħed qabel ma jitqiegħdu marki ta' esklamazzjoni u ta' mistoqsija, wara l-virgola, iż-żewġ punti, il-punt u l-virgola, u l-punt fis-sottotitlu, fuq iż-żewġ naħat

No. 263

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to Crawls and Captions in Television Programmes, 2007

1. Introduction

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 The regulation of crawls, captions and rolling credits is a problem that has been bothering regulators for quite some time and not pertaining to local broadcasting but also to many countries. Credits scroll vary quickly sometimes at speeds that sighted viewers can hardly follow. There is an increasing tendency in television advertising to produce visually enigmatic commercials which omit the verbal identification of the product.

2. General Requirements for Crawls, Captions and Rolling Credits

2.1 *Basic Text Display*

2.1.1 Subtitle legibility studies result in the following Requirements:

i. Teletext characters should be displayed in double height and mixed (upper and lower) case;

ii. Words within a subtitle should be separated by a single space;

iii. To aid readability, text can be justified left, centre or right depending on speaker position;

iv. The standard punctuation of print should be used. Punctuation gives valuable clues to syntactic structure and must be carefully displayed in order to be effective. One means of enhancing the effectiveness of punctuation is by the use of a single space before exclamation marks and question marks, after commas, colons, semi-colons and mid-subtitle full-stops, on both sides

tas-sinjal (iżda mhux f'nofs ta' kelma), qabel jinfetħu l-parentesi jew il-virgoletti u wara li jingħalqu l-parentesi u l-virgoletti.

2.2 *L-Għoli tat-Test*

2.2.1 L-iskrins tat-televixin ivarjaw fid-daqs u jitkejlu **djagonalment**. Fis-servizz tat-teletest hemm biss 24 filliera ta' test kull paġna f'kull skrin u kull filliera għandha 40 karattru. Hu x'inhu d-daqs ta' l-iskrin, dawn il-parametri ma jistgħux jinqabżu – in-numru ta' fillieri ma jistax jiżdied u lanqas in-numru ta' karattri tat-test f'kull vers. Fis-servizzi tat-teletest 10% ta' l-iskrin kollu madwar il-paġna tat-teletest, jiġifieri.20% mill-għoli ta' l-iskrin u 20% mill-wisa' tiegħu ma jkunx jista' jintuża kontra l-5% fi tqasssim ta' televixin normali li jittieħed bil-frejm tat-televixin madwar it-tubu.

2.2.2 Dan iħallik b'paġna tat-teletest li tuża biss 80% ta' l-iskrin maqsum f' 24 filliera fejn kull filliera fiha 3.33% ta' l-iskrin kollu. L-aħjar mod biex issib l-għoli tat-test hu billi toħroġ dan bħala perċentwal ta' kif jidher mad-daqs ta' l-iskrin għaż-żewġ xorta ta' aspetti proporzjonali tat-televixin.

2.2.3 F'televixin bi skrin ta' 32-pulzier (81.3 ċm), l-għoli jkun fih 19.2 pulzier (48.8 ċm) b'wisa' ta' 25.6 pulzier (65.0 ċm). Jekk tissettja qies standard għal test mhux inqas minn 3.3% tad-daqs ta' l-iskrin dan iwassal għal għoli ta' test ta' 0.64 pulzier [1.6 ċm] test.

2.3 *Il-Kulur*

2.3.1 Il-parti l-kbira tat-test fuq taħlita ta' lwien ma tantx tagħmel tajjeb biex toħloq it-titli ta' taħt għaliex ma jħallix il-kliem jinqara tajjeb. L-iktar kuluri ta' ittri li jinqraw huma bojod, sofor, koħol ħadrana u ħodor fuq l-iswed. Wieħed għandu jaħrab fuq sfond iswed il-maġenta, l-aħmar u l-blu. L-aħjar tlaqqigħ ta' lwien fuq sfond kulurit biex ikun jista' jinqara tajjeb huma l-ikħal fuq l-abjad, l-abjad fuq il-blu, l-aħmar fuq l-abjad, l-abjad fuq l-aħmar, ikħal ħadrani fuq il-blu u blu fuq l-ikħal ħadrani. Minn dawn kollha l-aħjar huma abjad fuq l-aħmar, abjad fuq il-blu u ikħal ħadrani fuq il-blu.

2.4 *Formatting*

L-aktar tul rakkomandabbli għas-sottotitlu hu ta' żewġ fillieri. Jistgħu jintużaw tliet linji jekk wieħed ikun żgur li mhux ser tinħeba xi stampa importanti. Normalment il-qagħda ta' sottotitli/ krediti għaddejjin tkun qrib ix-xifer ta' taħt ta' l-iskrin. Madankollu biex wieħed jimxi ma' dan irid joqgħod attent sewwa li ma jgħattix titli "fuq l-iskrin", xi parti minn ħalq il-kelliem jew xi attività oħra

of dashes (but not mid-word hyphens), before opening brackets and inverted commas and after closing brackets and inverted commas.

2.2 *Text Height*

2.2.1 TV tube screens vary in size and are measured **diagonally**. In teletext services there are only 24 rows of text per page in each screen and each row has only 40 characters. Whatever the size of the screen, these parameters cannot be exceeded – the number of rows cannot be increased and neither the number of text characters in each line. In teletext services 10% of the screen all around the teletext page, i.e.20% of the screen's height and 20% of the screen's width] is not available as opposed to 5% in normal TV layout which is taken up by the TV-set's frame around its tube.

2.2.2 This results in a teletext page which uses only 80% of the screen layout divided into 24 rows where each row is 3.33% of total screen size. The best way of setting text height is by determining this as a percentage in relation to screen size for both types of TV-aspect ratios.

2.2.3 In a 32-inch (81.3 cm) wide TV screen, its dimensions are 19.2" (48.8 cm) height by 25.6" (65.0 cm) in width. Setting a text standard size of not less than 3.3% of screen size would equal to a text height of 0.64" [1.6 cm] text.

2.3 *Colour*

2.3.1 The majority of text-background colour combinations are not satisfactory for subtitling, being insufficiently legible. The most legible text colours on a black background are white, yellow, cyan and green. Use of magenta, red and blue should be avoided on a black background. Of the combinations with coloured background, the most legible are blue on white, white on blue, red on white, white on red, cyan on blue and blue on cyan. Of these, white on red, white on blue and cyan on blue are preferable.

2.4 *Formatting*

2.4.1 A maximum subtitle length of two rows is recommended. Three lines may be used if it is felt confident that no important picture information will be obscured. The normally accepted position for subtitles/crawl is towards the bottom of the screen, but in obeying this convention it is most important to avoid obscuring "on-screen" captions, any part of a speaker's

importanti. Ċerti tipi ta' programmi speċjali oħra jkun fihom ħafna tagħrif fil-parti ta' taħt ta' l-iskrin (eż. is-*snooker*, fejn il-logħob ikun l-aktar konċentrat madwar il-boċċa s-sewda) u f'każi bħal dawn forsi jkun aktar aċċettabbli li jitqiegħdu fuq in-naħa ta' fuq fl-iskrin. Is-sottotitli għandhom jidhru orizzontalment, u l-aħjar li kull sottotitlu jkun fih sentenza sħiħa.

2.5 *Ħin u Sinkronizzazzjoni*

2.5.1 Is-sottotitli bilfors iridu jidhru għal tul ta' ħin biżżejjed biex min ikun qed jara jkollu ċans jaqrahom. Ir-rata li biha għandhom jintwerew fi programmi ġa rekordjati ma għandhiex tiskorri l-140 kelma kull minuta. Naturalment ir-rata li bihom jidhru għandha tiddependi mill-kontenut tal-programm innifsu. Ngħidu aħna, tagħmel sottotitli f'dokumentarju f'ħin reali fejn il-kelliem ma jkunx jidher, jew f'*chat shows* b' test aktar komplikat mid-drama.

2.6 *L-Iggwidar u t-Tnikkir*

2.6.1 Il-mira tas-sinkronizzazzjoni għandha tintlaħaq bejn il-pawsi li jinħolqu fit-tlissin ta' sentenzi fi trufijiet id-diskors, jew tibdil tax-xena. Madankollu jista' jkun hemm każi fejn dan ma jkunx prattikabbli jew ma jkunx jgħodd. Tiftix dan l-aħħar wera li :

i. Materjal għal monologu: Għal min isegwi programmi l-parti kbira monologu u ma tantx ikun jisma', l-istudju wera li mhux bilfors meħtieġa sinkronizzazzjoni perfetta u xi tlajjar ta' sitt sekondi ma jeffettwax li wieħed jiftakar dak li jkun intqal. Dan hu l-istess meta jkun hemm għaddejjin is-sottotitli (dejjem sakemm l-ewwel sottotitlu ta' diskors twil ikun sinkronizzat). Madankollu wieħed irid jifhem li wħud milli jkunu qed jaraw, iħarsu lejn is-sottotitli biex jgħinuhom jifhmu aħjar dak li jkun qed jintqal u għalhekk meħtieġa s-sinkronizzazzjoni. Għaldaqstant it-teknika ma għandhiex għalfejn tintuża aktar mill-meħtieġ.

ii. Xeni Drammatiċi.

iii. Għal drammi u programmi fejn sikwit tinbidel l-istampa, wieħed irid jaħrab li s-sottotitli jitilfu s-sinkronizzazzjoni minn mad-djalogu jew il-kommentarju għal aktar minn żewġ sekondi.

2.7 *Bidliet fil-Ġbid*

2.7.1 Minbarra r-rakkomandazzjoni ġenerali dwar is-sinkronizzazzjoni tas-sottotitli mad-diskors, hemm

mouth or any other important activity. Certain special programme types carry a lot of information in the lower part of the screen (e.g. snooker, where most of the activity tends to centre around the black ball) and in such cases top-screen positioning will be a more acceptable standard. Subtitles should be displayed horizontally, and ideally, each subtitle should also comprise a single complete sentence.

2.5 *Timing and Synchronisation*

2.5.1 It is crucial that crawls are displayed for a sufficient length of time for viewers to read them. The crawl presentation rate for pre-recorded programmes should not normally exceed 140 words per minute. Presentation rates will depend upon the programme content. For example, real-time subtitling documentaries where the speaker is not on screen, or chat shows which have a higher text complexity than drama.

2.6 *Leading and Lagging*

2.6.1 The target point for synchronisation should be at naturally occurring pauses in speech-sentence boundaries, or changes of scene. However, there are bound to be cases where this is either impractical or inapplicable. Recent research indicates the following:

i. Monologue Material: For hard-of-hearing people viewing programmes which consist of mainly of monologue, research has shown that perfect synchronisation is not an absolute necessity and delays of up to six seconds do not affect information retention. The same is true of leading subtitles (providing that the first subtitle of a long speech is in synchrony). It should still be recognised, however, that some viewers use subtitles to support heard speech and will require synchronisation. Therefore, the technique should not be over used

ii. Dramatic Scenes

iii. For drama and programmes with continuous changes of shot, subtitles which lag behind dialogue or commentary by more than two seconds should be avoided.

2.7 *Shot Changes*

2.7.1 Besides the general recommendation for subtitle/speech synchronisation, there are certain other

aspetti oħra dwar l-istampa televiżiva li jistgħu jinfluwenzaw kif wieħed għandu jżomm sewwa l-ħin tas-sottotitli. Wieħed għandu jaħrab sottotitli mħollija jiskorru l-bidliet fl-istampa għax dawn jistgħu joħolqu konfużjoni f'moħħ dak li jkun. Studju dwar iċ-ċaqliq ta' l-għajnejn wera li meta l-kamera taqta' f'nofs preżentazzjoni ta' sottotitlu, min ikun qed jara jarġa' jmur lura għal bidu ta' sottotitlu nofsu moqri u jibda jaqra' mill-ġdid. Nafu li fil-prattika l-ħeffa u l-ġiri li bihom tinbidel l-istampa f'ħafna programmi toħloq problemi serji lil min irid jagħmel is-sottotitli. Għaldaqstant sottotitlu għandu jkun marbut ma' ġibda ta' bidla ta' stampa b'mhux inqas minn sekonda biex b'hekk tagħti ċans lil-qarrej jiffoka fuq l-istampa l-ġdida. Bidliet fl-istampi ġeneralment jindikaw il-bidu jew l-għeluq ta' diskors. Għalhekk min jagħmel is-sottotitli għandu jara kif idaħħal sottotitlu meta jkun hemm bidla fir-ritratt sakemm din tkun sinkronizzata mal-kelliem.

aspects of the television picture which influence subtitle timing. Subtitles that are allowed to over-run shot changes can cause considerable perceptual confusion and should be avoided. Eye-movement research shows that camera-cuts in the middle of a subtitle presentation cause the viewer to return to the beginning of a partially read subtitle and to start re-reading. In practice, it is recognised that the frequency and speed of shot changes in many programmes present serious problems for the subtitler. A subtitle should, therefore, be "anchored" over a shot change by at lease one second to allow the reader time to adjust to the new picture. Shot changes normally reflect the beginning or end of speech. The subtitler should, therefore attempt to insert a subtitle on a shot change when this is in synchrony with the speaker.

2.7.2 Ir-regoli ġenerali li wieħed għandu jħaddem meta jsir qtugħ mill-kamera, huma:

i. Evita li ddaħħal sottotitlu f'inqas minn sekonda qabel ma tkun qtajt u li tneħħi sottotitli f'inqas minn sekonda wara li tkun qtajt.

ii. Ipprova daħħal sottotitlu sinkronizzat eżattament mal-qatgħa li għamilt fil-kamera.

2.7.2 General rules for dealing with camera-cuts are as follows:

i. Avoid inserting a subtitle less than one second before a camera-cut and removing a subtitles less than one second after a camera-cut.

ii. Attempt to insert a subtitle in exact synchrony with a camera-cut

2.7.3 It-tnaqqis fix-xejn tad-dawl fl-istampa jew tidwir bilmod orizzontalment tal-kamera ma joħolqux l-istess effett fil-wiri bhlama joħloq qtugħ u għaldaqstant ma għandhomx jinfluwenzaw lil min jaħdem is-sottotitli.

2.7.3 Camera fades and pans do not produce the same perceptual effect as camera-cuts, and accordingly need not influence the subtitler in the same way.

2.7.4 Bidla f'xeni ewlenin tista' toħloq l-istess problemi daqslikieku kienu bidliet ta' ġibdiet fl-istess xena. Tqum diffikultà partikolari meta l-aħħar kelmiet ta' xi ħadd f'xena, speċjalment jekk ikun fihom tifsir qawwi, ikomplu filpront. Meta jiġri hekk il-kliem taħt għandu jitneħħa qabel ma tinbidel ix-xena biex min ikun qed jara ma toħloqlux konfużjoni.

2.7.4 Major scene changes can cause the same problems as shot changes within a scene. A particular difficulty arises when a speaker's last line in a scene, especially a vital punch line, is followed instantaneously by a scene change. In this case, the subtitle should be removed before the scene change to avoid visual confusion.

2.8 *Kliem/Kummentarju Magħmul Wara*

Meta l-vuċi tiżdied wara, min ikun qed jaqra t-test għandu jagħmel b'mod li dak li jkun qed jara jifhem eżattament it-tifsir tat-test u li l-qarrej ma jgħaġġilx tant li forsi min ikun qed jara jispiċċa ma jifhimx sewwa.

2.8 *Voice Overs*

2.8.1 Where a voice-over is used, the person reading out a text should do so in such a way that the viewer can comprehend the exact meaning of such text and the voice-over is not read at such speed as to make it unintelligible to the viewer.

Nru. 264

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar Id-Diversi Tipi ta' Stħarriġ ta' l-Opinjoni Pubblika Mxandra fuq is-Servizzi ta' Radju u Televiżjoni

1. Daħla

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 Il-kwestjoni partikolari dwar ix-xandir ta' diversi tipi ta' stħarriġ li sar ta' l-opinjoni pubblika mniżżla f'dawn il-Ħtiġijiet, tajjeb li jissemma minħabba l-influwenza li dan jista' jkollu fuq it-telespettaturi jew is-semmiegħa. L-Awtorità tax-Xandir għalhekk stħarrġet il-qagħda f'pajjizi barranin u sawret dawn ir-regoli biex jimxu fuqhom l-istazzjonijiet lokali tax-xandir.

2. Stħarriġ ta' l-Opinjoni Pubblika

2.1 L-istħarriġ ta' l-opinjoni pubblika hija biċċa għodda utli biex l-udjenza tgħarrafha kif taħseb li se tmur votazzjoni. Madankollu, dan jista' jintuża wkoll biex jgħallat il-fehma tat-telespettaturi u tas-semmiegħa – l-aktar, jekk ngħidu aħna, dawn jixxandru fl-aħħar ġranet qabel xi elezzjoni ġenerali, l-elezzjoni parlamentari ta' l-Unjoni Ewropea jew xi referendum.

2.2 Xandar li jwassal ir-riżultati ta' stħarriġ dwar l-opinjoni pubblika irid mar-riżultati ta' l-istħarriġ ixandar ukoll dan it-tagħrif li ġej:

i. isem l-isponser/l-oriġinatur ta' l-istħarriġ;

ii. isem l-individwu jew l-organizzazzjoni li mexxiet l-istħarriġ;
iii. id-dati ta' meta sar l-istħarriġ;
iv. biex l-informazzjoni tintqies tapplika għall-istħarriġ, irid jingħad kemm intalbu biex jieħdu sehem f'dan l-istħarriġ u x'persentaġġ minnhom irrifjuta li jieħu parti;
v. biex l-informazzjoni tintqies tapplika għall-istħarriġ, x'marġni ta' żball jista' jkollu l-istħarriġ;

No. 264

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to various types of Polls broadcast on Radio and Television Services, 2007

1. Introduction

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 The specific issue of broadcasting of the various types of polls listed in this Directive carried out is worth mentioning because of its potential influence on viewers and listeners. The Broadcasting Authority has thus surveyed the situation in foreign jurisdictions and has drawn up the following rules to be followed by local broadcasting stations.

2. Opinion polls

2.1. Opinion polls are a useful tool to inform the audience of voting intentions. However, they can also be used as a tool of manipulation of the viewers and listeners - especially if they are, for instance, broadcast on the last days before a general election, a European Union parliamentary election or a referendum.

2.2.A broadcaster who broadcasts the results of an opinion survey must broadcast the following information with the results of the survey:

i. the name of the sponsor/originator/originator of the survey;
ii. the name of the individual or organization who conducted the survey;
iii. the dates when the survey was conducted;
iv. to the extent that the information is applicable to the survey, the number of individuals contacted for the survey and the percentage of those who refused to take part in the survey;
v. to the extent that the information is applicable to the survey, the margin of error for the survey;

vi. il-kliem eżatt ta' kull mistoqsija li għaliha ngħata t-tagħrif miksub;

vii. il-marġni ta' żball, akbar minn dak rappurtat, li jista' jkollha kull mistoqsija;

viii. indirizz lil min tista' tikteb jew numru tat-telefon fejn tista' ċċempel, li jkunu juru l-indirizz u t-telefon fejn tista' tikkontattja l-isponser/l-oriġinatur biex tikseb rapport bil-miktub ta' l-istħarriġ li jkun sar.

2.3. Dak li jkun inkarigat jagħmel l-istħarriġ għandu jagħti kopja miktuba tar-rapport bir-riżultati ta' l-istħarriġ lill-istazzjon tax-xandir, kif ukoll it-tagħrif kollu kif mitlub hawn taħt, sakemm dan jista' jkollu x'jaqsam ma' l-isħarriġ:

i. isem l-isponser/l-oriġinatur ta' l-istħarriġ;

ii. isem l-individwu jew l-organizzazzjoni li mexxiet l-istħarriġ;

iii. id-dati ta' meta sar l-istħarriġ;

iv. il-kliem eżatt ta' kull mistoqsija li għaliha ngħata t-tagħrif miksub;

v. kif inġabret l-informazzjoni;

vi. kemm kienet il-popolazzjoni li minnha nġabar il-kampjun;

vii. id-daqs ta' l-ewwel kampjun u n-numru ta' nies ikkuntattjati għall-istħarriġ;

viii. in-numru u l-persentaġġ ta' nies ikkuntattjati li wieġbu l-istħarriġ;

ix. in-numru u l-persentaġġ ta' nies ikkuntattjati li rrifjutaw jieħdu sehem fl-istħarriġ;

x. kif reġgħu ġew kalkulati l-persentaġġi meta tħallew barra dawk li ma kkumentawx jew ma weġbux;

xi. il-ħinijiet ta' xi intervisti;

xii. il-metodu ta' kif ittieħed il-kampjun;

xiii. in-numru ta' nies kuntattjati li ma setgħux jintgħażlu;

xiv. xi affarijiet oħra li tħaddmu u sata' kellhom effett jew xi proċeduri oħra użati ta' normalizzazzjoni;

xv. il-marġni ta' żball li jista' jkollu l-istħarriġ.

2.4. Programmi li jirrappurtaw stħarriġ iridu wkoll jiżguraw li:

i. qatt toqgħod fuq it-tifsir mogħti lir-riżultat ta' stħarriġ minn min jippublikah jew jorganizzah:

vi. the exact wording of each question for which data are reported;

vii. for each question for which the margin of error is greater than that reported, the margin of error for the question;

viii. a mailing address or telephone number, indicating it as the address or telephone number at which the sponsor/originator can be contacted to obtain a written report regarding the survey.

2.3. The person carrying out the survey should provide to the station a copy of a written report on the results of the survey, including the following information to the extent that it is applicable to the survey:

i. the name and address of the sponsor / originator of the survey;

ii. the name and address of the individual or organization who conducted the survey;

iii. the dates when the survey was conducted;

iv. the exact wording of each question for which data are reported;

v. the method used to collect the information;

vi. the population from which the sample was drawn;

vii. the size of the initial sample and the number of individuals contacted for the survey;

viii. the number and percentage of individuals contacted who answered the survey;

ix. the number and percentage of individuals contacted who refused to take part in the survey;

x. the method used to recalculate percentages when those who expressed no opinion or those who did not respond are omitted;

xi. the times of any interviews;

xii. the sampling method;

xiii. the number of ineligible individuals contacted;

xiv. any weighting factors or normalization procedures used;

xv. the margin of error for the survey.

2.4. Further, programmes reporting polls are to ensure that they:

i. never rely on the interpretation given to a poll's result by the publication or organisation which

ara x'kienu l-mistoqsijiet, l-informazzjoni u x-xejra;

ii. qatt tuża kliem fl-istħarriġ li jista' jkattar it-twemmin aktar milli tabilħaqq jistħoqqlu – ir-riżultati qatt ma "jippruvaw" jonkella "juru" iżda biss "jissuġġerixxu";

iii. dejjem semmi l-marġni ta' l-iżball li jista' jkun hemm, u għandek tgħidu meta l-qabża bejn iż-żewġ kontendenti tkun fil-marġni ta' żball kombinat;

iv. dejjem għid jekk l-istħarriġ ikunx sar bit-telefon;

v. qatt ma għandek tħoss li xi wieħed ħaqqu jintgħażel aktar bħala "siwi ta' aħbar".

commissioned it: look at the questions, the data, and the trend;

ii. never use language which gives greater credibility to the polls than they merit - results never "prove" or even "show", they simply "suggest";

iii. always report the expected margin of error, and where the gap between the two leading contenders is within the combined margin of error say so;

iv. always say if it was a telephone poll;

v. never be tempted to single out one as more "newsworthy".

2.5. Fil-programmi għandu jitħalla ħin biżżejjed biex jingħataw id-dettalji kollha.

2.5.Time must be allowed in programmes for all the proper details to be given.

3. Stħarriġ bit-*Televoting* u l-*Internet*

3.1. Meta jsir stħarriġ bit-telefon (magħruf ukoll bħala '*televoting*' jew '*phone-in'*) jew bl-internet (jiġifieri, meta s-semmiegħa jew it-telespettaturi jingħataw numru jew indirizz biex jirreġistraw il-vot), għandu jkun jiftiehem ċar li billi r-riżultati jkunu nkisbu min-nies li wieħed ikun ġa għażel u mhux kif suppost b'xi kampjun magħżul statistikament, mhux bilfors ikunu jirrappreżentaw il-popolazzjoni kollha. Meta wieħed jasal biex jagħti r-riżultati ta' stħarriġ bħal dan għandu jaħrab milli jsemmi frażijiet bħal, "il-biċċa l-kbira tan-nies" u "il-pubbliku" aktar u aktar jekk b'dan il-kliem jista' jagħti impressjoni żbaljata li r-riżultat ta' l-istħarriġ sata' kien rappreżentattiv ta' l-opinjoni pubblika.

3. Televoting and Internet Polls

3.1. When reporting ring-in (also known as 'televoting' or 'phone-in') polls or internet polls (that is, those where readers are given a number or address to register a vote), it should be made clear that, as the results have been generated by self-selected respondents, and not by proper statistical sampling, they are not necessarily representative of the whole population. In reporting the results of such polls, expressions such as "most people" and "the public" should be avoided if likely to give a misleading opinion that the poll results are representative of public opinion.

3.2. Dawn l-aħjar li jissejħu "stħarriġ tal-qlafat" ukoll jekk is-suġġett ikun serju. Dawk il-programmi li jridu jħaddmuhom għandhom jifhmu li fihom ħafna nuqqasijiet. Ma jeħdux kampjun ta' l-opinjoni: huma biss mezz fi programm biex juru ċerti opinjonijiet.

3.2. These may accurately he called "straw polls" even when the subject is serious. Programmes which want to carry them out need to understand their severe limitations. They do not sample opinion: they are simply a programme device which illustrates certain viewpoints.

3.3. Ebda programm ma għandu qatt jagħmel stħarriġ mit-telefonati biex jiġbor tagħrif serju dwar sapport għal xi partit politiku. Jista' jkun li għal affarijiet oħra l-istħarriġ bit-telefon jagħti riżultati interessanti u forsi wkoll li jimpressjonaw. Iżda ma għandux jinftiehem b'xi mod li riżultati bħal dawn jista' jkollhom xi tifsira aktar kbira.

3.3. Phone-in polls must never be used by programmes as a means of gathering serious information on party political support. In other contexts, phone-in polls may produce interesting, even impressive results. But it must not be implied that those results have any wider significance.

3.4. Mistoqsijiet fl-istħarriġ bit-telefon iridu jkunu bi kliem meqjus u newtrali kif jitlob il-kontenut. Mistoqsijiet mgħawġa jagħtu tweġibiet mgħawġa.

3.4. Questions in phone-in polls should be as neutrally worded as the context calls for. Slanted questions give slanted results.

4. *Vox pops*

4.1. Intervisti *vox pop* ma' nies fit-triq lanqas biss jagħtu ħjiel għal dak li tabilħaqq ikun qed jgħid il-poplu. Jgħoddu numru żgħir wisq biex jistgħu b'xi mod ikunu rappreżentattivi u fuq kollox lanqas huma magħżula bħala kampjun ta' kwota. Jista' jkun li l-*vox pops* tintuża kultant biex turi dak li jkunu qed jgħidu n-nies fi stħarriġ magħmul sewwa dwar l-opinjoni pubblika. Jistgħu wkoll jitħaddmu f'diversi kontesti mhux politiċi sakemm ma jingħata ebda suġġeriment li b'xi mod jistgħu jirrappreżentaw dak li tabilħaqq qed jaħseb il-poplu bi ħġaru. Għaldaqstant kull meta ssir xi *vox pop* għandu jingħad minn qabel li l-metodu li jkun qed jintuża ma għandux valur xjentifiku u għalhekk ma tistax toqgħod fuqu.

5. Stħarriġ barra l-post tal-votazzjoni

5.1. L-istħarriġ li jsir barra l-post tal-votazzjoni (magħruf bl-Ingliż bħala *exit polls*) dakinhar stess meta n-nies tmur tivvota u li jipprova jara kif tabilħaqq in-nies tkun ivvutat, irid jixxandar wara li jagħlqu l-postijiet tal-votazzjoni; dan għaliex jekk jixxandru waqt l-elezzjoni jew ir-referendum infushom, jistgħu b'xi mod jinfluwenzaw ir-riżultat ta' l-elezzjoni jew referendum apparti milli jkunu qed jiksru il-liġi Maltija.

6. Ma jista' jixxandar ebda stħarriġ fil-jiem minnufih qabel il-votazzjoni

6.1. F'xi pajjiżi hemm regolamenti li ma jħallux jitqassmu riżultati ta' stħarriġ f'jum jew minnufih fil-ġranet ta' qabel l-elezzjoni. Il-għan hu li bħalma jkun hemm waqfien għal kollox fil-ħidma politika "f'jum ir-riflessjoni", għandha wkoll din il-liġi tgħin lill-pubbliku biex jieħu deċiżjoni dwar kif ser jivvota bla ma jkollu x'jinfluwenzah minn barra, bħal ngħidu aħna riżultati mbassra li jkunu qed jingħataw minn xi stħarriġ.

6.2. Għaldaqstant ma jistgħux jixxandru riżultati ta' ebda stħarriġ imsemmi hawn fuq li b'xi mod jistgħu jikxfu l-identità ta' xi partit politiku jew xi kandidat jew ikunu favur jew kontra xi mistoqsija dwar referendum min-nhar it-Tnejn minnufih qabel il-votazzjoni sakemm jagħlqu kollha l-postijiet tal-votazzjoni.

4. Vox pops

4.1. Vox pop interviews with people in the street do not even *indicate* what the public generally is saying. They are too small in number to be representative and they are not selected as a quota sample. Vox pops may sometimes be used to illustrate the kind of things people are saying in properly conducted political opinion polls. They can also be used in a wide variety of non-political contexts, provided there is no suggestion that they represent the views of the population at large. Thus, each vox pop should be preceded by an announcement that the methodology followed is not a scientific and reliable one.

5. Exit-polls

5.1. Exit polls, which are conducted outside polling stations on voting day and assess what people have actually voted, are to be broadcast only after the closure of the polling booths as, if they are given during the election or referendum itself, they could have an influence on the outcome of the elections and would also be in breach of Maltese law.

6. Prohibition of broadcast of polls on the days immediately preceding polling

6.1. Some countries have regulations restricting the dissemination of poll results on the day or the immediate days preceding the election. As with the general prohibition of electoral activity on 'reflection day', the reasoning behind such rules is to enable the public to take a decision on their vote without external influences, such as the predicted results which opinion polls indicate.

6.2. It is therefore prohibited to broadcast the results of any of the above-mentioned polls that would identify a political party or a candidate or are in favour or against a referendum question from Monday immediately preceding polling day till the close of the polling booths.

Nru. 265

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar Standards u Prattika ta' l-2007 dwar it-tmexxija ta' kompetizzjonijiet u l-għoti ta' premjijiet fil-mezzi tax-xandir

1. Introduzzjoni u Għan

1.1 Dawn il-Ħtiġijiet dwar Standards u Prattika saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 20(3) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

1.2 Dawn il-Ħtiġijiet saru biex juru kif:

1.2.1 għandhom jitmexxew il-kompetizzjonijiet li jinżammu fuq il-mezzi tax-xandir, kemm fit-televiżjoni kif ukoll fir-radju; u

1.2.2 jingħataw il-premjijiet lill-parteċipanti f'dawk il-programmi li jixxandru fuq kull mezz tax-xandir u li fihom il-parteċipanti jieħdu sehem f'xi waħda minn dawn il-kompetizzjonijiet:

- **i.** bit-*televoting*,
- **ii.** bit-telefonati,
- **iii.** billi tkun membru ta' l-udjenza fl-istudjo waqt il-programm jew
- **iv.** bil-kitba wkoll bl-*e-mail* jew bil-*fax*.

2.Tifsir

2.1 "Parteċipant" tfisser kulmin b'xi mod, hu liema hu, jieħu sehem f'kompetizzjoni li tkun qed issir waqt programm fuq kull xorta ta' mezz tax-xandir.

3. It-tmexxija tal-Kompetizzjoni

3.1. Il-kompetizzjonijiet għandhom jitmexxew bil-ħaqq u skond ir-regoli magħrufa. Il-parteċipanti jridu jkunu jafu sewwa r-regoli tal-kompetizzjoni kif ukoll x'xorta ta' premjijiet ser jingħataw.

3.2. Kemm jista' jkun il-mistoqsijiet għandhom ikunu marbuta mal-ħsieb tal-programm li fih isiru. Jekk jirreferu għall-prodotti jew servizzi ta' min jimmanifattura l-premju jew tad-donatur, għandhom jintqiesu bħala reklam u għandu jidher l-kliem *"Messagg Promozzjonali"* fuq l-iskrin meta jkun programm televiżiv, jew fil-każ li l-programm ikun bir-radjo, ix-xandar għandu jħabbru bil-kliem: *"Issa ngħaddu għall-kompetizzjoni li hi parti minn messaġġ promozzjonali."*

No. 265

BROADCASTING ACT
(CAP. 350)

Requirements as to Standards and Practice applicable to the Conduct of competitions and the award of prizes, 2007

1. Purpose

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 The purpose of these Requirements is to provide for:

1.2.1 the general conduct of competitions held on the broadcasting media whether television or radio; and

1.2.2 the award of prizes to participants in those programmes carried on any means of broadcasting whereby such participants take part in competitions in any of the following ways –

- **i.** by televoting,
- **ii.** by phone-ins,
- **iii.** by being present for the programme as a member of the studio audience, or
- **iv.** by writing (including by e-mail or fax).

2. Definitions

2.1 "Participant" means any person who in any manner whatsoever participates in a competition held during the course of a programme on any means of broadcasting.

3. Conduct of Competition

3.1 Competitions should be conducted fairly and according to rules. Competition rules should be made known to participants and prizes should be described accurately.

3.2 The questions should preferably have a clear thematic connection with the programme in which they appear. If they refer to the products or services of the prize manufacturer or donor, they should be considered as an advertisement and the words *"Messagg Promozzjonali"* should appear on the screen in the case of television programmes, whilst in the case of radio programmes, the broadcaster should announce the competition with the words, *"Issa ngħaddu għall-kompetizzjoni li hi parti minn messaġġ promozzjonali"*.

3.3 Fejn dan il-premju jinvolvi ħlas ta' taxxa bħalma hi, ngħidu aħna, fil-każ ta' biljett ta' l-ajru, għandu jiġi indikat li jkunu jridu jitħallsu t-taxxi dovuti.

4. Meta jissemma l-prodott tad-donatur jew tal-premju

4.1 Min jagħmel reklam jista' jagħti premjijiet minn prodotti u/jew servizzi tiegħu stess. Meta jkun hemm raġuni editorjali, l-isem tad-donatur jew tal-prodott tal-premju jkun jista' jissemma wkoll b'xi referenzi qosra fattwali u/jew viżivi li ma jeħdux aktar minn 7 sekondi. Ma għandhomx jingħataw deskrizzjonijiet li jirreklamaw il-prodott.

5. Ir-responsabbilità tax-Xandar

5.1. Xandar li l-istazzjon tiegħu qed iniedi programm li fih jingħataw il-premjijiet, hu direttament responsabbli għall-kompetizzjoni kif ukoll għall-għoti tal-premjijiet lir-rebbieħa.

5.2. Ix-xandar irid jara li min jirbaħ il-premju jitħabbar fi żmien sebat ijiem minn mindu tkun ingħalqet il-kompetizzjoni. Il-premju għandu jingħata lir-rebbieħ fi żmien xahar kalendarju minn meta jkun ixxandar ir-rebbieħ tal-premju tal-kompetizzjoni.

5.3. Ix-xandar għandu r-responsabbilità jara li l-premjijiet jingħataw kif tħabbru waqt il-programm u kif mistħoqq lill-parteċipant rebbieħ.

6. L-għoti ta' vawċer bi premju

6.1 Meta l-premju jkun jikkonsisti f'vawċer, ir-rebbieħ ikun intitolat għall-valur sħiħ ta' dik il-vawċer bla ebda ħtieġa li jkollu jħallas flus żejda biex jagħmel użu minnha.

6.2 Meta l-premju jkun jikkonsisti f'vawċer iżda jingħata fi prodotti u/jew servizzi, il-prodotti u/jew servizzi mogħtija jridu jkunu jiswew daqs il-valur totali tal-vawċer.

6.3 Ma għandu jingħata ebda skont fil-prezz jew valur ta' prodott jew servizz mixtri.

7. Il-prezz tat-telefonata u ta' sms għandu jixxandar

7.1 Meta l-prezz tat-telefonata jew ta' l-sms ikun ogħla mit-tariffa normali pubblikata, kull promozzjoni li ssir għal xi kompetizzjoni mxandra jew reklamata għandha tagħti l-prezz tat-telefonata jew ta' l-sms, skond il-każ. Jekk xi parti mill-ħlas tat-telefonata jew ta' l-sms, skond il-każ, se tingħata għal xi kawża li minnha mhux se jsir qligħ, din il-parti trid tkun ukoll speċifikata.

3.3 Where a prize includes the payment of a tax as is, for instance, the case of an airline ticket, it has also to be indicated that the payment of due taxes has to be made.

4. Mention of brand or prize donor

4.1 Advertisers may donate prizes which may be their own products and/or services. Where editorially justified, there may be mention of the brand of the prize or prize donor, which may include brief factual and/or visual references no longer than 7 seconds. Descriptions should avoid promotional statements.

5. Responsibility of the Broadcaster

5.1 The broadcaster on whose station a programme is transmitted during which prizes are awarded, shall be directly responsible for the competition including for the award of the prizes to the winning participant.

5.2 The broadcaster shall ensure that the prizewinner/s is/are announced within seven days within which the competition is concluded. The prize shall be awarded to the prizewinner within one calendar month of the announcement of the prize-winner/s of the competition.

5.3 It shall be the responsibility of the broadcaster to ensure that the prizes as advertised during such a programme are duly delivered to the winning participant.

6. Award of vouchers as prizes

6.1 When the prize consists of a voucher, then the winner of that prize shall be entitled to the full value of that voucher without the need of incurring any extra expense to have benefit of the voucher.

6.2 When the prize consists of a voucher but is given in goods and/or services, the goods and/or services given shall be equivalent to the total value of the voucher.

6.3 No discount on the purchase of a produce or service is allowed.

7. Cost of telephone call and sms to be made known

7.1 Where the cost of a telephone call or sms is higher than the normal published tariff, then any promotions for the competition however so carried or advertised shall state the cost of the call or sms, as the case may be. If a proportion of the cost of the call or sms, as the case may be, is intended for any non-profit making cause, then that proportion must also be specified.

8. Il-kunfidenzjalità

8.1 Ix-xandar irid jara li bl-ebda mod ma tinkiser il-kunfidenzjalità u li ebda parteċipant ma jingħata vantaġġ fuq parteċipanti oħra.

9. Ir-regoli twal u komplikati

9.1 Il-kompetizzjonijiet ma għandux ikollhom regoli twal u komplikati.

10. L-informazzjoni li għandha tingħata

10.1 Il-materjal promozzjonali dwar il-kompetizzjonijiet irid jagħti t-tagħrif kollu li jista' b'xi mod jolqot id-deċiżjoni għall-parteċipazzjoni u f'kull każ għandu jinkludi:

- **i.** Data/i meta tagħlaq,
- **ii.** Termini u kundizzjonijiet importanti kif ukoll restrizzjonijiet dwar l-eliġibbiltà biex wieħed jieħu sehem,
- **iii.** Deskrizzjoni adegwata u ċara biżżejjed tal-premjijiet li jkunu se jintrebħu,
- **iv.** Kif u meta r-rebbieħa għandhom ikunu infurmati.

11. Id-data ta' l-għeluq

11.1 Għandu jkun hemm data ta' l-għeluq għall-kompetizzjonijiet kollha ħlief għal dawk fejn ir-rebbieħa tal-premjijiet jitħabbru waqt il-programm stess.

12. Ma għandhomx jieħdu sehem, impjegati eċċ.

12.1 Impjegati tax-xandar, ta' aġenzija tar-reklamar, sponsers tal-kompetizzjoni, jew dawk involuti direttament fil-produzzjoni jew preżentazzjoni ta' programm li fih tixxandar il-kompetizzjoni, jew dawk li jiġu mill-qrib minn tal-familja, ma għandhomx awtomatikament jitħallew jieħdu sehem f'xi kompetizzjoni mxandra fuq dak l-istazzjon.

13. Kwiżżijiet

13.1 F'każ ta' kwiż ix-xandara għandhom jiżguraw li ma jsaqsu l-ebda mistoqsija dwar prodott jew servizz kummerċjali partikolari u li kull domanda li ssir, sew direttament jew indirettament, m'għandux jkollha x'taqsam ma' prodott jew servizz kummerċjali.

13.2 Għall-fini ta' dan il-paragrafu prodott jew servizz kummerċjali tinkludi referenza għal brand name ta' kumpanija jew intrapriza kummerċjali oħra li timporta, tbiegħ, tiddistribwixxi jew xort'oħra tipproduċiI xi prodott jew servizz.

8. Confidentiality

8.1 The broadcaster shall ensure that there shall be no breach of confidentiality and no participant shall be given any advantage over other participants.

9. Long or complex rules

9.1 Competitions shall not feature long or complex rules.

10. What information must be provided

10.1 Promotional material about the competitions must clearly provide information which is likely to affect a decision to participate, and shall in any case include the following:

- **i.** Any closing date,
- **ii.** Any significant terms and conditions, icluding any restriction on the eligibilty to participate,
- **iii.** An adequate and unequivocal description of prizes to be won,
- **iv.** How and when prizewinners will be informed.

11. Closing date

11.1 Competitions must have a closing date, except where there are instant prizewinners.

12. Prohibition of employees etc.

12.1 Persons who are either employees of the broadcaster, advertising agents, the competition's sponsors, or people who are directly involved in the production or presentation of the programme in which the competition is carried, or who form part of the immediate family of such persons shall automatically be disqualified from participating in any competition carried on that station.

13. Quizzes

13.1 When a quiz is held, broadcasters are to ensure that no question is asked with regard to a specific commercial product or service and that any question asked does not, either directly or indirectly, relate to a commercial product or service.

13.2 For the purposes of this paragraph a commercial product or service includes reference to a brand name or a company or a commercial enterprise which imports, sells, distributes or otherwise produces any product or service.

Nru. 266

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar ir-Reklami, Metodi ta' Reklamar u Direttivi ta' l-2007 dwar Reklamar ta' *Tattoos*

1. Introduzzjoni

1.1 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 19(3) u (5) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

2. Ħtiġijiet

2.1 L-Awtorità tfakkar l-istazzjonijiet f'dak li jipprovdi l-Att dwar il-Kontroll tat-*Tattoos*, Kapitlu 270 tal-Liġijiet ta' Malta. Skond kif hemm fl-artiklu 5 (1) ta' dan l-Att, jikkommetti reat kriminali min jitlob, jippermetti jew iħalli li jsir tatwaġġ fuq xi parti minn ġismu/ġisimha sakemm dan it-tatwaġġ ma jsirx minn min ikollu liċenzja valida mill-Ministru responsabbli għas-saħħa pubblika jew minn xi ħadd ieħor awtorizzat minnu/minnha.

2.2 L-istazzjonijiet kollha għandhom ixandru reklami bħal dawn jew xi sura oħra ta' programmar li jkun fih siltiet marbuta mat-tatwaġġ jixxandru wara d-disgħa ta' filgħaxija u mhux aktar tard mis-sitta ta' filgħodu minħabba l-fatt li skond dak li hemm fil-liġi, l-adulti biss jistgħu jitħallew jagħmlu t-tatwaġġ. Tabilħaqq, dak li hemm fl-artiklu 3 fl-Att dwar il-Kontroll tat-Tatwaġġ juri bl-aktar mod ċar li t-tatwaġġ ipprojbit fuq il-minorenni, u tant hu hekk li hu reat kriminali li tagħmel tatwaġġ fuq min għadu taħt it-tmintax-il sena.

2.3 Jekk bejn id-9.00p.m. u s-6.00a.m., ikun hemm reklam għal min jagħmel it-tatwaġġ jew programm li jirreferi għal wiri ta' tatwaġġ l-istazzjoni għandu jara li min jagħmel it-tatwaġġ għandu l-liċenzja biex jaħdem ta' hekk. Ix-xandara jridu wkoll jinfurmaw lil min qed jara u/jew jisma' bil-periklu li jista' jkun hemm għas-saħħa jekk it-tatwaġġ isir minn min ma jkollux liċenzja u li t-tatwaġġ huwa xi ħaġa li tibqa' u ma tistax titneħħa ħlief b'operazzjoni. Dan minħabba l-fatt li fit-tatwaġġ jinħtieġ li jiddaħħlu fil-ġilda l-ilwien maħsuba biex iħallu marka permanenti.

2.4 Jekk jixxandru reklami jew xorta ta' programmi bħal dawn, l-istazzjonijiet għandhom jaraw li ma jmorrux kontra l-ħtiġiet ta' deċenza u gosti tajbin mitluba mill-Att dwar ix-Xandir.

2.5 Biex wieħed ikun jaf jekk xi ħadd għandux liċenzja valida biex jaħdem it-tatwaġġ, ix-xandara għandhom jaqbdu mad-Direttur tas-Saħħa Pubblika, f'37/39 Rue D'Argens, l-Imsida.

2.6 Ix-xandara għandhom ikunu żguri li d-Dipartiment tas-Saħħa Pubblika jingħata kopja tar-reklam jew xi programm ieħor dwar dan is-suġġett biex ikun jista' jifliha legalment qabel ma tixxandar.

It-22 ta' Marzu, 2007

No. 266

BROADCASTING ACT
(CAP. 350)

Requirements as to Advertisements, Methods of Advertising and Directions applicable to Tattoo Advertising, 2007

1. Introduction

1.1 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

2. Requirements

2.1 The Authority refers stations to the provisions of the Control of Tattooing Act, Chapter 270 of the Laws of Malta. In terms of article 5 (1) of this Act, it is a criminal offence for any person to request, allow, suffer or permit the tattooing of any part of his/her body except when the tattoo is performed by a person who is in possession of a valid licence from the Minister responsible for public health or any person authorised in his/her behalf.

2.2 Broadcasters shall air any such advertisements or other form of programming including information slots concerning tattoos after 9.00p.m. and not later than 6.00a.m. in view of the fact that in terms of law tattoos are permitted only on adults. In fact, the provisions of article 3 of the Control of Tattooing Act are quite clear in prohibiting the tattooing of a minor, so much so that it is a criminal offence to tattoo any person who is under eighteen years of age.

2.3 If an advert for a tattooist or a programme referring to tattoo performance is made between 9.00p.m. and 6.00a.m., the station should ensure that the tattooist is licensed to practise as a tattooist. Broadcasters should furthermore inform viewers and listeners of the danger to health if a tattoo is carried out by an unlicensed tattooist and that a tattoo is of a permanent nature and can only be removed through surgical intervention. This is due to the fact that a tattoo requires the insertion into the skin of colouring material designed to leave a permanent mark.

2.4 If such advertisements or programming material are broadcast, stations should ensure that these are not in conflict with the bad taste and decency requirements of the Broadcasting Act.

2.5 In order to know whether a person is in possession of a valid licence to act as a tattooist, broadcasters should get in touch with the Director of Public Health, 37/39 Rue D'Argens, Msida.

2.6 Broadcasters shall ensure that the Department of Public Health is provided with a copy of the advertisement or other programming for legal vetting purposes prior to being aired.

22nd March, 2007

Nru. 267

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar ir-Reklami, Metodi ta' Reklamar u Direttivi ta' l-2007 dwar Reklamar, Sponsorship u Telesshopping ta' Xorb Alkoħoliku

1. Applikazzjoni ta' dawn il- Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi

1.1 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi għandhom jinqraw flimkien mal-paragrafu 19 tat-Tielet Skeda għall-Att dwar ix-Xandir (Kap. 350 tal-Liġijiet ta' Malta), u għandhom japplikaw għar-reklamar ta' xorb alkoħoliku u għat-*teleshopping* ta' xorb alkoħoliku. Il-wiri b'mod inċidentali ta' konsum ta' alkoħol f'reklami jew f'*teleshopping* għal prodotti u servizzi oħra għandu dejjem jiġi kkunsidrat sabiex jiġi żgurat li dan ma jmurx kontra l-ispirtu ta' dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi.

1.2 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 19(3) u (5) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

2. Tqassim ta' reklamar u Teleshopping għal alkoħol

2.1 Reklamar għal u *teleshopping* ta' xorb alkoħoliku m'għandux jixxandar bejn is-6.00 ta' filgħodu u d-9.00 ta' filgħaxija.

2.2 M'għandux jintuża f'programm sponsorjat l-isem ta' xorb alkoħoliku bħala l-isem tal-isponsor bejn is-6.00 ta' filgħodu u d-9.00 ta' filgħaxija.

2.3 M'għandux jintuża l-isem tal-prodott alkoħoliku f'attività sponsorjata bejn is-6.00 ta' filgħodu u d-9.00 ta' filgħaxija.

No. 267

BROADCASTING ACT
(CAP. 350)

Requirements as to Advertisements, Methods of Advertising and Directions applicable to Alcoholic Drink Advertising, Sponsorship and Teleshopping, 2007

1. Applicability of these Requirements as to Advertisements, Methods of Advertising and Directions

1.1 These Requirements as to Advertisements, Methods of Advertising and Directions shall be read in conjunction with paragraph 19 of the Third Schedule to the Broadcasting Act (Cap. 350 of the Laws of Malta), and shall apply principally to advertisements for alcoholic drinks and to teleshopping of alcoholic drinks. However the incidental portrayal of alcoholic consumption in advertisements or teleshopping for other products and services shall always be carefully considered to ensure that it does not contradict the spirit of these Requirements as to Advertisements, Methods of Advertising and Directions.

1.2 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

2. Distribution of Advertisements and Teleshopping for alcohol

2.1 Advertisements and *teleshopping* for alcoholic drinks shall not be broadcast between 6.00a.m. and 9.00 p.m.

2.2 In sponsored programmes, it shall not be permitted to use the name of an alcoholic drink as the name of the sponsor between 6.00a.m. and 9.00 p.m.

2.3 It shall not be permissible to use the brand name of an alcoholic drink for a sponsored activity between 6.00a.m. and 9.00 p.m.

3. Protezzjoni taż-żagħżagħ

3.1 Reklamar għal u *teleshopping* ta' xorb alkoħoliku m'għandux ikun indirizzat lejn persuni ta' taħt it-18-il sena jew juża trattamenti li jkun jappella partikolarment għalihom.

3.2 Reklamar għal jew *sponsorship* ta' xorb alkoħoliku m'għandux ikollu fih xi personalità li l-persuni ta' taħt it-18-il sena x'aktarx isegwu jew li jappella partikolarment għal persuni ta' taħt it-18-il sena.

3.3 Tfal m'għandhomx jintwerew jew jinstemgħu f'reklamar għal u *sponsorship* ta' xorb alkoħoliku.

4. Trattamenti inaċettabbli

4.1 Ir-reklamar u it-*teleshopping* m'għandux jimplika b'mod ovvju illi x-xorb huwa essenzjali għas-suċċess soċjali jew għal aċċettazzjoni jew li rifjut li tixrob huwa sinjal ta' djugħfija. Lanqas m'għandu jimplika b'mod ovvju li r-riżultat favorevoli ta' okażżjoni soċjali jiddependi fuq il-konsum tal-alkoħol.

4.2 Ir-reklamar u t-*teleshopping* m'għandux jissuġġerixxi illi xorb regolari solitarju huwa aċċettabbli jew li x-xorb huwa mezz biex isolvi problemi personali.

4.3 Ir-reklamar u t-*teleshopping* m'għandux jimplika li x-xorb huwa parti essenzjali mir-rutina ta' kuljum jew li jista' jġib bdil fil-burdata.

4.4 Ir-reklamar u t-*teleshopping* m'għandux jissuġġerixxi jew jimplika li x-xorb huwa ingredjent essenzjali ta' maskulinità jew ta' femminilità. Referenzi għal kuraġġ, *toughness* jew fanfarunata b'assoċjazzjoni għax-xorb mhumiex aċċettabbli.

4.5 Ix-xorb alkoħoliku m'għandux jiġi reklamat jew imfisser fit-*teleshopping* fil-kuntest ta' kondotta agressiva, anti-soċjali u irresponsabbli.

4.6 Ir-reklamar u t-*teleshopping* m'għandux juri jew jimplika b'kull mod konsum eċċessiv.

4.7 Ir-reklamar u t-*teleshopping* m'għandux juri x-

3. Protection of young people

3.1 Alcoholic drink advertising and teleshoppiong shall not be directed at people under 18 years of age or use treatments likely to be of particular appeal to them.

3.2 Advertisements and teleshopping for alcoholic drinks shall not include any personality whose example people under 18 years of age are likely to follow or who has a particular appeal to people under 18 years of age.

3.3 Children shall not be seen or heard in advertisements and teleshopping for alcoholic drinks.

4. Unacceptable treatments

4.1 Advertisements and teleshopping shall not blatantly imply that drinking is essential to social success or acceptance or that refusal is a sign of weakness. Nor shall they blatantly imply that the successful outcome of a social occasion is dependent on the consumption of alcohol.

4.2 Advertisements and teleshopping shall not suggest that regular solitary drinking is acceptable or that drinking is a means of resolving personal problems.

4.3 Advertisements and teleshopping shall not imply that drinking is an essential part of daily routine or can bring about a change in mood.

4.4 Advertisements and teleshopping shall not suggest or imply that drinking is an essential attribute of masculinity or femininity. References to daring, toughness or bravado in association with drinking are not acceptable.

4.5 Alcoholic drinks shall not be advertised or referred to in a teleshopping programme in a context of aggressive, anti-social or irresponsible behaviour.

4.6 Advertisements and teleshopping shall not depict or imply excessive drinking in any manner whatsoever.

4.7 Advertisements and teleshopping shall not offer

xorb bħala terapewtiku, jew bħala stimulant, sedattiv, trankwillant jew sors ta' nutrizzjoni. Filwaqt li r-reklami jew it-*teleshopping* jistgħu jirreferu għal *refreshement* wara attività fiżika, m'għandhomx jagħtu l-impressjoni li l-prestazzjoni tista' tiġi mtejba minħabba x-xorb.

4.8 Ir-reklami u t-*teleshopping* m'għandhomx jissuġġerixxu li x-xorb huwa preferibbli minħabba l-kontenut alkoħoliku għoli jew minħabba l-effett ta' sokor u m'għandux ipoġġi enfasi żejda fuq is-saħħa alkoħolika.

5. Sigurtà

5.1 Xejn f'reklam jew f'*teleshopping* m'għandu jippromwovi x-xorb waqt is-sewqan jew waqt li jkun qed jintuża makkinarju li potenzjalment ikun perikoluż.

5.2 Xorb alkoħoliku m'għandux jintwera qed jiġi kunsmat f'ambjent ta' post tax-xogħol.

6. Offerti *cut-prize*, eċċ.

6.1 Referenzi għal *cut-prize drinks, happy hour drinks*, ixtri tnejn u tingħata wieħed b'xejn, *money-off coupons* u reklami simili jew referenzi f'*teleshopping* li jinkoraġixxu l-konsum eċċessiv jew immoderat huwa inaċċettabbli. Il-bejjiegħa ta' xorb alkoħoliku jistgħu madankollu jirreferu għal tnaqqis fil-prezzijiet għall-*istock* tagħhom.

7. Umoriżmu

7.1 Ir-reklamar u t-teleshopping jista' jkun umoristiku iżda mhux biex jaħrab mill-intenzjoni ta' dawn il-Ħtiġijiet.

8. Meta ma japplikawx dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi

8.1 Dawn il- Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi m'għandhomx japplikaw għal kull reklam jew kampanja promozzjonali li jsiru biex jipperswadu lill-pubbliku li jieqaf milli jixrob b'mod eċċessiv jew immoderat.

alcohol as therapeutic, or as a stimulant, sedative, tranquilliser or source of nourishment. While advertisements and teleshopping may refer to refreshment after physical performance, they shall not give any impression that performance can be improved by drink.

4.8 Advertisements and teleshopping shall not suggest that a drink is preferable because of its higher alcohol content or intoxicating effect and shall not place undue emphasis on alcoholic strength.

5. Safety

5.1 Nothing in any advertisement or tele-shopping may promote drinking while driving or whilst using potentially dangerous machinery.

5.2 Alcoholic drinks shall not be seen to be consumed in a working place environment.

6. Cut-price Offers, etc.

6.1 Reference to "cut-price drinks", "happy hour drinks", "buy two and get one free", "money-off coupons" and similar advertisements or teleshopping that encourage excessive or immoderate consumption are unacceptable. Alcoholic drink retailers may however refer to price reductions for their stock.

7. Humour

7.1 Advertisements and teleshopping may employ humour but not so as to circumvent the intention of these Requirements.

8. Non-applicability of these Requirements as to Advertisements, Methods of Advertising and Directions

8.1 These Requirements as to Advertisements, Methods of Advertising and Directions shall not apply to any advertisements or promotional campaigns undertaken to dissuade the public from excessive or immoderate drinking.

Nru. 268

ATT DWAR IX-XANDIR
(KAP. 350)

Ħtiġijiet dwar ir-Reklami, Metodi ta' Reklamar u Direttivi ta' l-2007 dwar Reklamar dwar Logħob ta' l-Ażżard fuq is-Servizzi tax-Xandir

1. Introduzzjoni

1.1 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 19(3) u (5) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

2. Il-Għan

2.1 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi għandhom il-għan ewlieni jiżguraw li r-reklamar ta' mħatri fil-mezzi tax-xandir lokali jkollu responsabbiltà soċjali speċjalment lejn il-ħtieġa li nipproteġu t-tfal, iż-żgħażagħ u dawk kollha li jistgħu jweġġgħu jew ikunu sfruttati b'reklamar li juri jew iwassal il-ħajra għal-logħob ta' l-imħatri. Id-direttivi maħsuba wkoll biex iġibu 'l quddiem valuri etiċi addattati għall-kontenut ta' din il-kategorija ta' reklamar.

2.2 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi ma jkoprux ir-reklamar ta' każinò għaliex reklamar bħal dan ma jistax isir skond l-artiklu 49 ta' l-Att dwar il-Logħob (Kapitlu 400 tal-Liġijiet ta' Malta). Kopja ta' dan l-artiklu mehmuża ma' dawn id-Direttivi.

2.3 Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi saru mill-Awtorità tax-Xandir bis-saħħa ta' l-artikolu 19(3) u (5) ta' l-Att dwar ix-Xandir, Kapitlu 350 tal-Liġijiet ta' Malta.

3. It-Tifsir

3.1 Għall-iskop ta' dawn il-Ħtiġijiet dwar ir-Reklami,

No. 268

BROADCASTING ACT
(CAP. 350)

Requirements as to Advertisements. Methods of Advertising and Directions applicable to Gambling Advertisements, 2007

1. Introduction

1.1 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

2. Objectives

2.1 The main objective of these Requirements as to Advertisements, Methods of Advertising and Directions is to ensure that gambling advertisements in the local broadcasting media are socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited by advertising that features or promotes gambling. The Requirements as to Advertisements, Methods of Advertising and Directions also seek to promote appropriate ethical standards in the content of this category of advertising.

2.2 These Requirements as to Advertisements, Methods of Advertising and Directions do not cover the advertising of a casino since any such advertising is prohibited in terms of article 49 of the Gaming Act (Chapter 400 of the Laws of Malta).

2.3 These Requirements as to Advertisements, Methods of Advertising and Directions have been made by the Broadcasting Authority in virtue of article 19(3) and (5) of the Broadcasting Act, Chapter 350 of the Laws of Malta.

3. Definitions

3.1 For the purpose of these Requirements as to

il-Metodi ta' Reklamar u d-Direttivi, "logħob ta' l-ażżard" tfisser logħob jew logħob mill-bogħod jew imħatri jew logħob awtorizzat skond l-Att dwar il-Lotteriji u Logħob ieħor, l-Att dwar il-Logħob u leġislazzjoni barranija li tawtorizza l-imsemmija logħob ta' l-ażżard u mingħajr ebda preġudizzju għall-ġeneralità ta' dak li ngħad, jinkludi l-lotterija nazzjonali, is-swali kummerċjali tat-tombla, il-logħob u l-imħatri bl-internet kif ukoll kull sura ta' logħob ieħor awtorizzat b'liċenzja.

Advertisements, Methods of Advertising and Directions, "gambling" means gaming or remote gaming or betting or playing an authorised game under the Lotteries and Other Games Act, the Gaming Act and other foreign legislation authorising the said gambling and, without prejudice to the generality of the foregoing, includes the national lottery, commercial bingo halls, internet gaming, betting and other forms of licensed gaming.

4. Il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi

4.1 L-istazzjonijiet tar-Radjo u tat-Televiżjoni ma għandhomx ixandru reklami dwar logħob ta' l-ażżard bejn is-6:00am u d-9:00pm.

4. Requirements as to Advertisements, Methods of Advertising and Directions

4.1 Radio and television stations should not broadcast any gambling advertisements between 6:00am and 9:00pm.

4.2 Kulmin hu liċenzjat jorganizza l-imħatri ma jistax jisponsorja ebda programm jew jagħmel reklam biex jixxandar fuq ir-radjo jew fit-televiżjoni bejn is-6:00am u d-9:00pm.

4.2 The sponsorship by any gambling licensee of any programme or advert aired between 6:00am and 9:00pm on any radio or television station is prohibited.

4.3 Ix-xandara ma jistgħu jxandru ebda reklam bejn id-9:00pm. u s-6:00am li:

4.3 Between 9:00pm and 6:00am broad-casters shall not air any advert that:

i. jinkoraġġixxi lil xi ħadd jikser il-liġi tal-logħob; jew

ii. juri żgħażagħ taħt it-tmintax-il sena jew nies oħra vulnerabbli jilagħbu l-imħatri; jew

iii. jinkoraġġixxi jew jimmira għal dawk taħt it-tmintax-il sena jew oħrajn vulnerabbli biex jilagħbu; jew

iv. jistgħu jkunu ta' ġibda partikolari għal dawk li huma taħt it-tmintax-il sena jew nies oħra vulnerabbli, jew speċjalment billi juru xi rabtiet partikolari mal-kultura żagħżugħa; jew

v. jipprofittaw ruħhom mit-tqanqil, xenqat, twemmin fieragħ, nuqqas ta' tiġrib jew tagħrif ta' dawk taħt it-tmintax-il sena jew nies oħra vulnerabbli; jew

vi. ikun falz jew mhux minnu, b'mod speċjali dwar il-possibbiltajiet ta' rebħ jew kemm il-lagħab jistenna li jdaħħal; jew

vii. jagħti x'jifhem li l-logħob hu xi forma ta' investiment finanzjarju; jew

i. encourages any person to contravene a gaming law; or

ii. shows persons under eighteen years or other vulnerable persons gambling; or

iii. encourages or targets persons under eighteen years or other vulnerable persons to gamble; or

iv. is likely to be of particular appeal to persons under eighteen years or other vulnerable persons, especially by reflecting or being associated with youth culture; or

v. exploits the susceptibilities, aspirations, credibility, inexperience or lack of knowledge of persons under eighteen year or other vulnerable persons; or

vi. is false or untruthful, particularly about the chances of winning or the expected return to a gambler; or

vii. suggests that gambling is a form of financial investment; or

viii. ipinġi, jiskuża jew iħeġġeġ l-imġiba tal-logħob soċjalment irres-ponsabbli jew li jista' jwassal għal tbatija finanzjarja, soċjali jew emozzjonali; jew

ix. jissuġġerixxi li l-ħila tista' tinfluwenzna l-logħob li hu logħob purament ta' xorti; jew

x. jippromwovi t-tipjip jew l-abbuż tax-xorb ta' l-alkoħol waqt il-logħob; jew

xi. jagħti x'jifhem li l-logħob Iġib 'il quddiem jew jintqies meħtieġ biex tkun aċċettat fis-soċjetà, ikollok suċċess personali jew finanzjarju jew li jsolvilek problemi ekonomiċi, soċjali jew personali; jew

xii. ikollu l-approvazzjoni ta' personalitajiet magħrufa li jissuġġerixxu kif il-logħob għenhom għas-suċċess li kisbu; jew

xiii. jaqbeż il-limiti tad-deċenza; jew

xiv. jissuġġirixxi li l-logħob jista' jservi biex jgħinek taħrab minn ħafna problemi personali, professjonali jew edukattivi bħalma huma d-depressjoni u s-solitudni; jew

xv. ipinġi l-logħob bħala xi ħaga indispensabbli jew li għandha tingħata prijorità fil-ħajja, bħal ngħidu aħna fuq il-familja, il-ħbieb jew id-dmirijiet professjonali jew edukattivi; jew

xvi. jissuġġerixxi li l-logħob jista' jseddaqlek il-kwalitajiet personali, bħal ngħidu aħna ikabbarlek l-istima u l-personalità tiegħek ma' l-oħrajn, jew hu xi mezz biex tikseb kontroll, għarfien, superjorità, jew ammirazzjoni; jew

xvii. ilaqqa' l-logħob mas-seduzzjoni, suċċess sesswali jew ikabbarlek il-ġibda ta' ħaddieħor lejk.

viii. portrays, condones or encourages gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm; or

ix. suggests that skill can influence games that are purely games of chance; or

x. promotes smoking or the abuse of the consumption of alcohol while gambling; or

xi. implies that gambling promotes or is required for social acceptance, personal or financial success or the resolution of any economic, social or personal problems; or

xii. contains endorsements by well-known personalities or celebrities that suggest gambling contributes to their success; or

xiii. exceeds the limits of decency; or

xiv. suggests that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression; or

xv. portrays gambling as indispensable or as taking priority in life, for example over family, friends or professional or educational commitments; or

xvi. suggests that gambling can enhance personal qualities, for example that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration; or

xvii. links gambling to seduction, sexual success or enhanced attractiveness.

5. Dawn il-Ħtiġijiet dwar ir-Reklami, il-Metodi ta' Reklamar u d-Direttivi jgħoddu wkoll għas-servizzi *teletext* fuq it-televixin kif ukoll fuq is-sistema tad-*data* (RDS) fis-servizzi tar-radjo.

5. These Requirements as to Advertisements, Methods of Advertising and Directions apply also to teletext services on television and to the radio data system (RDS) on radio services.

6. Dawn id-direttivi ma jipprojbixxux it-tħabbir ta' riżultati tal-logħob matul il-jum.

6. These directions do not prohibit the announcement of gambling results during any time of the day.

It-22 ta' Marzu, 2007

22nd March, 2007

L-UNIVERSITÀ TA' MALTA

Sejħa għall-Applikazzjoni
Post ta' Assistent Riċerkatur
Biomedical Engineering

Jinħtieġ Assistent Riċerkatur biex jaħdem fil-qasam tal-*Biomedical Engineering* mad-Dipartiment ta' l-*Eletronic Systems Engineering* fil-Fakultà ta' l-Inġinerija. Dan il-post huwa temporanju, inizjalment għal perjodu ta' sitt xhur bil-possibilità li jiġi mġedded għal tliet snin.

2. L-applikanti jridu jkollhom kwalifiki akkademiċi relevanti u esperjenza fir-riċerka u/jew teknika.

3. Is-salarju marbut ma' dan il-post huwa ta' Lm6,871 (€16,005) b'żidiet ta' Lm200 (€ 466) fis-sena sa Lm7,871 (€18,334). Il-bidu tas-salarju fl-iskala jiġi ddeterminat skond il-kwalifiki tal-kandidat.

4. Il-kandidati għandhom jibgħatu ittra ta' l-applikazzjoni, sitt kopji tal-*curriculum vitae,* kopja waħda taċ-ċertifikati u tlett ismijiet u indirizzi ta' *referees* lill-Uffiċċju tar-Riżorzi Umani, Kamra 216, Uffiċċji Amministrattivi, l-Università ta' Malta, l-Imsida MSD 2080.

L-applikazzjonijiet jintlaqgħu sa nofsinhar tat-Tnejn, is-26 ta' Marzu, 2007.

Applikazzjonijiet li jaslu wara din id-data ma jiġux ikkunsidrati.

5. Aktar informazzjoni tista' tinkiseb mill- Uffiċċju tar-Riżorzi Umani, Kamra 216, Uffiċċji Amministrattivi.

It-22 ta' Marzu, 2007

UNIVERSITY OF MALTA

Call for Applications
Post of Research Assistant
(Biomedical Engineering)

One (1) Research Assistant is required to work in the field of Biomedical Engineering attached to the Department of Electronic Systems Engineering in the Faculty of Engineering. This is a temporary post, initially for six months with the possibility of further annual renewal up to three years.

2. Applicants should have relevant academic qualifications and research and/or technical experience.

3. The post carries an annual salary of Lm6,871 (€16,005) rising by annual increments of Lm200 (€ 466) up to a maximum of Lm7,871 (€ 18,334). The entry point within the scale will depend on the candidate's qualifications and experience.

4. Candidates should submit their letter of application, six copies of their curriculum vitae, one set of copies of their certificates and names and addresses of three referees to the Office of Human Resources, Room 216, Administration Building, University of Malta, Msida MSD 2080.

Applications should be received by noon of Monday, 26th March, 2007.

Late applications will not be considered

5. Further information may be obtained from the Office of Human Resources, Room 216, Administration Building.

22nd March, 2007

MINISTRU TAS-SAĦĦA, L-ANZJANI U KURA FIL-KOMUNITÀ

Riżultat ta' l-Intervista għall-Ingaġġ fuq Kuntratt fil-Pożizzjoni ta' *Voluntary Services Officer* fid-Diviżjoni tas-Saħħa fil-Ministeru tas-Saħħa, l-Anzjani u Kura fil-Komunità

Id-Direttur Ġenerali jgħarraf illi wieħed jista' jara r-riżultat ta' l-intervista għall-post imsemmi hawn fuq fin-*notice-board* prinċipali tad-Diviżjoni tas-Saħħa, 15, Triq il-Merkanti, Valletta u fuq in-*notice-board* ta' l-Uffiċċju tal-Kummissjoni dwar is-Servizz Pubbliku, Il-Palazz, Valletta.

It-22 ta' Marzu, 2007

MINISTRY OF HEALTH, THE ELDERLY AND COMMUNITY CARE

Result of Interview for the Engagement on Contract in the Position of Voluntary Services Officer in the Health Division within the Ministry of Health, the Elderly and Community Care

The Director General notifies that the result of the interview for the above-mentioned post may be viewed on the main notice-board in the Health Division, 15, Triq il-Merkanti, Valletta, and on the notice-board of the Office of the Public Service Commission, The Palace, Valletta.

22nd March, 2007

DIPARTIMENT TA' L-INFORMAZZJONI – 3, PJAZZA KASTILJA – VALLETTA – MALTA
DEPARTMENT OF INFORMATION – 3, CASTILLE PLACE – VALLETTA – MALTA

PUBBLIKAZZJONIJIET UFFIĊJALI
OFFICIAL PUBLICATIONS

Acts of Parliament 2006 on compact disc (CD)	Lm 6.00 (€13.98)
Annual Reports of Government Departments – 2005 on compact disc (CD)	Lm 5.00 (€11.65)
CHOGM & State Visit Highlights in pictures on compact disc (CD)	Lm 3.00 (€6.99)
Code of Ethics and Conduct for Legal Procurators 1998	Lm 1.00 (€2.33)
Code of Ethics for Members of the Judiciary	Lm 1.00 (€2.33)
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