

# Broadcasting Authority, Malta

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*Annual Report 1992*



**Annual Report  
1992**

**BROADCASTING  
AUTHORITY  
MALTA**



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MALTA

The Hon. Dr. E. Fenech Adami, B.A., LL.D., M.P.  
Prime Minister  
Auberge de Castille  
Valletta.

Ref. 67/62/4  
30 March, 1993

Dear Prime Minister,

In accordance with section 30 (1) of the Broadcasting Act, 1991 we have pleasure in forwarding the Broadcasting Authority's Annual Report for 1992.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Laurence Mizzi'.

Laurence Mizzi  
Chairman

A handwritten signature in black ink, appearing to read 'Antoine Ellul'.

Antoine Ellul  
Chief Executive



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## I. From Monopoly to Competition

**T**he year 1992 saw the effective implementation of the policy of pluralism in broadcasting. During the course of the year, Malta had no less than one television channel operating terrestrially; the beginnings of a cable television network which was fast expanding; eight FM stations and one radio station operating on MW. These provided a formidable number of programme hours and offered a variety of choice.

It is already evident that when the Broadcasting Authority completes its task of radio station licensing, the total broadcasting facilities available in Malta, if not extravagant, would certainly be adequate by comparative international standards. Probably few other countries in the world have more broadcasting stations in relation to their total population. Practically all Maltese and other residents, except those in a few identified localities, are within range of television and radio signals. The eventual spread of cable will, in all probability, make it possible to achieve 100% coverage.

This explosion in communication services was made possible by the removal of barriers which had shielded the public service monopoly in broadcasting and by the advent of the private broadcaster who must now be taken into account in the inevitable competitive climate that has been created.

In Malta, the period of public service monopoly in broadcasting lasted for several decades during which various attempts were made to experiment and develop forms of communication and production to meet the needs and tastes of the public. Not all these experiments were successful. Notable failures occurred whenever Government or some other extraneous body tried to exert influence on the programme content or the day-to-day management of broadcasting.

The media situation which emerged subsequent to the enactment of new broadcasting legislation in 1991 and evolved during the year under review owed its existence to provisions in the Broadcasting Act which favoured pluralism and choice and restricted practices leading to monopoly situations.

The following comparative texts of applicable legal and contractual documentation which regulated local broadcasting before and after deregulation will illustrate the position better.

### **Broadcasting Ordinance, 1961**

Section 3(2) – The services referred to in subsection (1) of this section may be provided for and on behalf of the Authority by broadcasting contractors who, under contract with the Authority, have in consideration of payment to the Authority and subject to the provisions of this Ordinance, the right and duty to provide such services for and on behalf of the Authority, which right and duty in respect to any of such services may be conferred by the Authority under a contract *as an exclusive right and duty for the duration of the contract* without prejudice to the right of the Authority to provide such services.

### **Broadcasting Agreements – Television/Wired Sound**

Clause 7 – The said rights and duty shall during the continuance hereof be exclusive to the Contractor and accordingly the Authority shall not during such continuance grant to any other person or company the right, whether or not coupled with the duty, to provide any television broadcasting service/wired sound broadcasting service in Malta or any part thereof.

### **Broadcasting Act, 1991**

Section 3(5) – *The Authority may not grant any licence or enter into any contract in terms of subsection (4) of this section on an exclusive basis, and any provisions granting such exclusivity whether contracted or granted before or after the coming into force of this Act shall be deemed to be null and void, without prejudice to all the other provisions of the contract or licence which in no way violate the provisions of the subsection.*

Section 10(5) – *no organisation, person or company may own, control, or be editorially responsible for more than one broadcasting service licensed under this Act.*

Section 11(1)(a) – *that the principles of freedom of expression and pluralism shall be the basic principles that regulate the provision of broadcasting services in Malta.*

Section 11(1)(b) – *that a diverse system of public and private stations with their own particular character, would be the best system for the realisation of the basic principles above referred to.*

Section 11(1)(d) – *that no situation of monopoly or similar situation of a small group of persons or in favour of any station of group of stations should be allowed.*

### ***Ending the Monopoly***

The principal aims of the new broadcasting legislation were to demonopolize local broadcasting; to create a lightly regulated privately run commercial sector and to redimension and develop a public sector out of the former quasi-state run Xandir Malta.

A national broadcasting plan which was drawn up and published together with the 1991 Broadcasting Act made it clear that radio, which had additional spectrum available for terrestrial broadcasting in the VHF/FM band, was to become the first effective means of ending the monopoly in Maltese broadcasting. Pluralism in television was to be implemented initially through the introduction of a cable television system which will carry community and educational channels as well as other private channels which, eventually, the cable operator will make available for allocation by the Broadcasting Authority.

The movement towards liberalization in broadcasting had already caught the imagination of the public and was being practised by most countries in Western Europe. This led to the issue of a declaration at the Conference of European Ministers of Information which included Malta's representative stating that governments should:

*"Follow the basic policy commitments included in the declaration of the state-members of the Council of Europe about Freedom of Expression and Freedom of Information, so as to promote all over Europe appropriate measures for the establishment, support and function of many independent self-supporting communication media, which will reflect a wide range of views and ideas that respond to the interests and expectations of the public."*

## **Competitive Licensing**

Although the licensing exercise started in 1991 and was fully explained in the Authority's previous annual report, it continued and became more complex in 1992 when, for the first time, the number of applicants for broadcasting licences exceeded the number of available FM frequencies.

Licences are granted by the Authority for a period of eight years for nationwide radio services and for four years in the case of community radio services. Maltese citizens should constitute a majority of members of the board of directors controlling the voting shares in nationwide radio enterprises. Companies applying for the setting up of community radio services should be wholly Maltese owned.

In granting licences, the Authority can impose on the broadcaster any obligation which it deems necessary to implement the provisions of the Broadcasting Act. The licence determines the broadcasting frequency necessary to broadcast the programmes and only one frequency may be used by each licensee. The assignment of frequencies is determined by the Minister responsible for Wireless Telegraphy however, the Authority has relative independence in the area of broadcasting frequency management and allocation.

A licence application can be rejected for a number of programming, economic, legal and technical reasons including the possibility of a situation occurring where it results that an applicant is in a position of owning, controlling or being editorially responsible for more than one broadcasting service.

Applicants can have recourse to the Court of Appeal if their application is left pending for at least four months or if they feel that in refusing their application the Authority has not acted in conformity with the rules of natural justice, or in a manner which is grossly unreasonable or with undue discrimination.

Broadcasting licensees can defend their programming independence through the normally accepted legal methods while the imposition of any obligation or prohibition on the broadcaster may be applied only in so far as these measures are reasonably justifiable in a democratic society.

During the year, the Authority took up the challenge of providing competitive radio services actively and effectively through the exercise of its licensing functions and by the end of the year, the broadcasting situation in Malta developed into the pattern shown overleaf.

# THE GROWTH OF RADIO AND TELEVISION SERVICES IN MALTA

*TVM*

**Melita**  
CABLE TELEVISION



December 1992  
Licences for 2 more FM Radio Stations  
are still pending



## **II. Profile of the Year**

**D**uring 1992, the Broadcasting Authority was engaged in the process of regulating the expansion of the local broadcasting services with the structure of the new system decided upon for a period well into the 1990's. Four privately owned commercial radio stations - the first to be licensed by the Authority - started operating during the first half of the year. These joined another five stations which were already transmitting their programmes to the public on the FM and AM bands.

However, apart from dealing with the inevitable difficulties that arose in the new broadcasting environment, the Authority had to cope with other problems posed by an early General Election which took place in February.

### ***The General Election***

Parliament was dissolved on 20 January 1992 and elections were held a month later. This was the seventh general election in which the Authority had been involved since it was set up 30 years earlier. The elections were also preceded by one of the shortest campaigns in recent times which, besides its obvious advantages, also meant that a series of activities took place and had to be provided for in a short space of time. The 1992 election was the first one for which broadcast coverage was enthusiastically, although at times inexpertly, provided by stations in the private sector. To complicate matters, the two private sector radio services operating at the time belonged to the Nationalist Party and the Malta Labour Party - the main contenders for power in the election.

The Authority had the Constitutional responsibility of ensuring, as far as possible, that facilities and time are fairly apportioned between persons belonging to the different political parties and it also had to ensure that the media were not used, either accidentally or by design, to provide unfair advantage to the election contestants. Unfortunately, despite all the Authority's efforts to carry out its obligations, the Labour Party's radio station - Super One Radio - operating under the terms of a temporary licence, disregarded the Authority's written instructions and broadcast politically controversial material which was neither impartial nor balanced.

When all attempts at persuasion, including an exchange of correspondence and discussions between Authority and Labour Party senior officials, failed the Authority took the only possible alternative open to it and, on 7 February 1992, reported the matter to the Police for action to be taken in terms of Section 38 of the Broadcasting Act. At the time, the Police failed to react.

At the start of the election campaign, the Authority issued specific directives to those responsible for the provision of broadcasting services both in the public and private sectors with the aim of ensuring that programming during the sensitive pre-election period was correct and impartial. These directives laid down that:

1. The Authority was to be informed in advance about all programmes scheduled for transmission up to polling day.
2. No changes in scheduled programmes were to be made except after consultation with, and the specific approval of, the Authority.
3. All programmes dealing with matters of controversy or current public policy were to be properly balanced both in terms of content as well as in the choice of participants.

4. During the final fortnight of the electoral campaign, no prospective election candidate was allowed access to the broadcasting media except for normal news coverage or in schemes of general election broadcasts organised by, or with the approval of, the Authority.

These directives were also made public.

Following discussions with representatives of the Nationalist Party, the Malta Labour Party and Alternattiva Demokratika, the Authority made arrangements for political broadcasting in connection with the general election. The scheme, initially, provided for a total airtime of 492 minutes of which 12 minutes were allocated in the form of 30-second political spots. Last minute arrangements made by Alternattiva Demokratika which increased the number of its nominations from 13 to 27 resulted in a further 10-minute programme being allocated to this party since the allocation of airtime was based on the number of nominations.

As on former similar occasions, leaders from the two major parties took part in a debate under independent chairmanship provided by the Authority. Alternattiva Demokratika also asked for and obtained airtime in the form of two 30-minute debates during which election issues were discussed in separate programmes with representatives of the Nationalist Party and of the Malta Labour Party. For the first time in a local general election context and in line with requirements laid down in the new broadcasting legislation, the Authority allowed time to be used for direct political advertising. Twenty-four political spots were transmitted on television during the campaign. These spots, some of which were repeated by the parties for sustained effect, achieved a reasonable degree of success. This was due to their direct approach to the issue concerned as well as to the fact that they were of not more than 30 seconds duration. Apart from production costs, applicable only where the provision of visual material was concerned, the parties were not involved in any other expense in connection with their broadcast election campaign.

The general election broadcasts scheme included two press conferences which were addressed by the two main party leaders. Although all journalists including those from the newly set up private commercial radio stations were invited to take part, the offer was declined by the news staff of the Public Broadcasting Services. This scheme of broadcasts was limited to and was transmitted only on PBS television and radio services.

Two noteworthy incidents which involved the Authority took place during the election campaign. The first concerned Alternattiva Demokratika which, barely a week before the election date, commenced pirate radio transmissions on 90.14 FM with programmes of a political nature. The launching of this clandestine service was announced by an Alternattiva spokesman during a party political broadcast. The Authority deleted any reference in the broadcast to the frequency and reported the illegal transmissions to the Police authorities. Once again the Police did not take action. These broadcasts were voluntarily phased out after a few days.

The second incident involved Public Broadcasting Services Ltd and the Nationalist Party and was connected with a short film sequence of a violent incident involving Labour Party supporters which occurred some days before the election. PBS which had been given the film by the Nationalist Party wanted to show it in its 8 p.m. news bulletin. The Authority recommended strongly against this action being taken and, in the event, the film was not shown. The Authority's recommendation was hotly

contested both by the Nationalist Party which threatened legal action and by PBS. The Authority explained that its recommendation was based on the fact that it was inadmissible for PBS to show, at that sensitive pre-election stage, film material of a controversial incident which had taken place a day before, was provided by a political party, and over which PBS' editorial authority could not be ensured. This incident gave rise to a period of strained relations between the Authority and PBS and was widely commented upon in the Press.

Despite these difficulties and others which arose during the hectic pre-election campaign, the Authority is satisfied that, with some exceptions, its election arrangements worked reasonably well and contributed to the proper and orderly fashion in which, generally, the broadcasting services acquitted themselves during the 1992 elections. The Authority records its appreciation of the work put in by those concerned in this delicate exercise.

## ***The New Radio Services***

By the end of the year under review, the Authority had, after thoroughly examining the qualifications of applicants, issued three additional nationwide broadcasting licences and was in the process of considering a further three applications. Moreover, the Authority had also dealt with another three requests for licences of the community radio type which have a service area restricted to a radius of 2.5 km from point of transmission.

Qualification for a licence is dependent on the following criteria: the quality and variety of programming; the legal status of applicant company or individual in relation to requirements laid down in the Broadcasting Act; applicant's financial potential; and the quality of technical facilities, studio equipment and transmitters.

As far as programming quotas are concerned, nationwide radio stations are expected to broadcast at least 75% of programmes of local origin. A suitable proportion of this material must be in the Maltese language and broadcast during suitable listening times.

The new nationwide licensees were:

**Multi Comm Ltd**, a company wholly owned by the Nationalist Party which is responsible for the operation of **Radio 101**. This station transmits news, current affairs and discussion programmes, sport and information slots within an overall music framework for 24 hours a day.

**Smash Radio**, an almost entirely popular music service, is owned and run by **Smash Recordings Ltd** a private commercial company with other interests in the music field. The service operates on a 24-hour basis on 104.6 FM.

**The Catholic Church** in Malta owns and, through a duly constituted company, operates **RTK**. This station's output is based on the traditional public service pattern which provides listeners with regular programming consisting of information, entertainment, and education for at least 18 hours daily on 103 FM.

RTK together with Radio 101 and Super One Radio - the latter two are owned by political parties - were previously licensed by government under the Wireless



**RADJU  
RONA  
99.5 FM**



Telegraphy Ordinance. The temporary licence lapsed on 31 December 1992. The nationwide radio licences issued by the Authority under the terms of the Broadcasting Act are valid, unless previously rescinded, for a period of eight years.

The first broadcasting licence for a Community Radio Service was issued in November to Mr Albert Spiteri the promoter of Radio Rona. The Authority offers 4-year licences to community inspired operators who take up the opportunity to transmit programmes in a commercial environment. Applicants for this type of service must be either individual Maltese citizens or companies which are wholly Maltese owned.

**Radju Rona** will cover a limited area with its base at Naxxar as the hub. The service will initially operate for 4 hours daily transmitting programmes of interest to the residents of the locality, talk shows, women's programmes, music and sport. Mr Albert Spiteri, the promoter, envisages this service as developing into a *faithful companion* to the people within the station's service area. Radju Rona will be launched on 15 April 1993 and will transmit on 99.5 FM.

The Broadcasting Act allows the operation of community radio services for ad hoc situations or to cover particular events. This kind of radio service is totally new to Malta and it was tried and successfully tested for the first time during Christmas week.

**Radju għall-Providenza** was the first such service to go on the air. The station operated between 20 - 25 December during specific hours. It was run on a voluntary basis by a few dedicated persons from Siggiewi with the main aim of broadcasting music pledges to raise funds for the inmates of the mentally handicapped home in the locality. Public support for this station and its charitable efforts helped raise Lm4,450 for the Dar tal-Providenza. The station transmitted on 90.3 FM.

Following the radio station licensing exercise carried out in 1991 and subsequently, the Broadcasting Authority was again in a position to invite applications from those who had already shown interest in providing programme services of a general as well as of a specific nature. In June 1992, the Authority advertised the availability of the remaining two unallocated frequencies for nationwide radio services in the VHF/FM band.

As a result of this call, the Authority received two licence applications. One was submitted by the University and the other originated from a group of Gozitan businessmen. The Authority also had under consideration another applicant - MAS Radio Station Ltd - whose main promoter was the Social Action Movement. This case involved the Authority in a heated exchange of correspondence with MAS leading to legal protests and finally to legal action instituted by applicant company which requested the Court to issue a warrant of prohibitory injunction against the Authority ordering the Authority not to issue broadcasting licences before the MAS application was decided upon. The Authority argued that MAS, which had applied in 1991, had been given ample time to respond to the Authority's repeated requests for clarification of its intentions on programming and for detailed information on the technical aspect of the MAS application. The Authority had finally decided that it could not delay the issue of its second call for applications for licences and had informed MAS Radio Station Ltd that its application would be considered in the light of competition created by other applicants. In the event, the Court gave its judgement in favour of the Authority.



Since the Authority had only two frequencies yet unallocated for which three applicants were contending, the scene was set for the first actual exercise in competitive licensing.

**Radio Calypso** whose main promoters were Mr Terence Bate and Mr George Vella promised a 24-hour mainly music service programmed for an adult audience. The station's *Gold* format style of music would include news and speech programming covering the arts, culture, interviews and competitions aimed at the population aged 30 and over. Originating from Gozo, the station promised to present the Gozitan dimension on a national level.

**Uniradio** sponsored by the University promised to provide its prospective audience with educational and cultural programmes together with in-depth analysis and discussion of current affairs. The proposed station claimed that its programmes would be presented in an entertaining way both for its general and for its specific audiences.

**MAS Radio Station Ltd** promised to involve its different listeners as active participants. The service would comprise education, information, conscientisation, participation and entertainment. The proposed service would project the fundamental values that the Social Action Movement believes in and would promote the economic, cultural and socio-political development of the Maltese community.

At the end of the year under review, the Authority had not yet announced its decision on the award of licences.

Super One Radio had been on the air since mid-August 1991. It was operating in virtue of a licence which expired at the end of 1992 and which had been granted by government. At the end of November 1992, the Labour Party, through its wholly owned company Rainbow Productions Ltd, applied to the Authority for an 8-year licence under the Broadcasting Act. Due to lack of information provided by applicant, the Authority was not in a position to issue a broadcasting licence by the end of the year.

Radio services both in the public and private sectors are uniquely placed to respond to public needs. These services can offer:

- spontaneity and flexibility, so that urgent information can be transmitted without delay;
- a high percentage of listenership, enabling information to reach a very wide audience;
- an effective and useful public service which is provided at no extra cost to the listener;
- programming broadcast for much longer hours - some stations remain on air for 24 hours, broadcasting throughout the night.

In awarding radio franchises, the Authority expects licence holders to run a lively and responsible station capable of fulfilling its obligations under the law and being of service to the community. Most licensees have succeeded most of the time, not all the time, in meeting these objectives but the need for programme presenters to adopt a more responsible attitude is still felt.

Also radio stations should beware of conveying the idea to their listeners that they have ready-made solutions for all their problems, particularly those of a personal nature. Radio stations should act as a channel for information and guidance but they should not seek to substitute specialist advice or misrepresent the level of the advice they provide.

### ***The New Television Services***

Radio licensing has been one of the dominant activities of the Authority during 1992 when the framework for pluralism in radio broadcasting was achieved and the whole process effectively set in motion. Pluralism in Maltese television which is also envisaged in the National Broadcasting Plan may take more time to materialize. Initially, the introduction of a Cable Television system will have a community channel operated by the Broadcasting Authority. The absence of this channel from the cable system is due to the lack of physical resources - building, man power, studios and equipment - which, unfortunately persisted up to the end of the year. Further details about this project are given in a subsequent chapter of this report.

Meanwhile, during the year, it was evident for the first time that cable television in Malta was gradually becoming an established reality. Although the industry is still in its early stages, the year under review saw several signs of real progress.

**Melita Cable TV Ltd** was granted a licence to construct and operate a cable system for Malta and Gozo. The licence was issued by government on 3 June 1991. By the end of 1992, 10,000 homes - Sliema, St Julian's, Pembroke and nearby towns - were in a position to receive cable services. Msida and Pieta'/Gwardamanga are next in line while Birkirkara, Qormi and the central towns and villages in Malta should all be potential Cable TV users by Summer 1993. The whole of Malta and Gozo should be within reach of cable by mid-1994.



Melita Cable TV is offering 30 channels which include 19 terrestrial TV services that are already capable of off-air local reception. Another 11 satellite channels are also available and the system could be expanded to 60 channels.

However, progress lies in much more than these mere numbers. The choice of television which is at present cable's principal attribute strengthened considerably. However, potentially of greater importance, is the possible establishment of a range of other services which are likely to be of long term significance to the development of cable in Malta. The use of the cable system for interactive educational and business opportunities would exploit this modern means of communication to its full potential.

Towards the end of the year, the Malta Labour Party started a campaign to have its own television service. Funds were also solicited and collected by the party with the aim of realizing this project. This activity generated a certain degree of public interest and the Authority was approached on several occasions by the Press and broadcasting media and was asked to comment on the developing situation.

The Authority's position in this matter is regulated by the provisions of the Broadcasting Act, the guidelines given in the National Broadcasting Plan. It is also conditioned by the terms of the licence which govern the activities of Melita Cable TV Ltd. The situation, in so far as the Authority is concerned, is as follows:

## *Pluralism in Maltese Television*

Broadcasting Act	National Broadcasting Plan	Licence for Malta Cable TV System
<p>Section 18 of the Act provides for the assignment by Government to the Authority of broadcasting frequencies <i>for the transmission of radio, television and other signals and any frequency so assigned shall be taken to be so assigned for the purpose only of being used for the provision of those services.</i></p> <p>No frequencies capable of being used for television transmissions had, by the end of the year, been assigned to the Authority*.</p> <p>Section 10(5) of the Broadcasting Act lays down that <i>"No organisation, person or company may own, control or be editorially responsible for more than one broadcasting service licensed under this Act..."</i>.</p>	<p>Paragraphs 2 and 3 of the Plan state that:</p> <ol style="list-style-type: none"> <li>2. (1) <i>"Pluralism is to be established in Maltese television.</i></li> <li>(2) <i>As a first step the introduction of a cable television system will have a community channel operated by or for the Broadcasting Authority.</i></li> <li>(3) <i>An educational channel will also be operated in conjunction with the Department of Education.</i></li> <li>(4) <i>Provision is also being made for new private channels within the cable system to be made available for allocation by the Authority.</i></li> <li>3. <i>Within four years, and depending to a great extent on the penetration of the cable system, the Government will decide whether to make frequencies available for private terrestrial transmissions or continue to rely on the cable system itself."</i></li> </ol>	<p>Section 6.1.03 of the Licence allows the Cable operator to <i>"lease channels to commercial users subject to making one other channel available free of charge to the Broadcasting Authority for every fifth leased channel. The initial Community Channel shall not be deemed to be one of the free of charge channels herein mentioned. Such channels shall not be used in competition with the Cable Operator either by leasing such channels or by making charges for viewing programmes therein."</i></p>

\* On 22 February 1993, the Prime Minister assigned to the Authority channels 21 and 29 in the UHF band.

## Programme Monitoring

The Broadcasting Authority began monitoring programmes in 1962 when Maltese television services commenced. At the time, Malta had a two-channel wired sound network providing 34 programme hours per day. Only one channel was locally oriented; the other was a relay of BBC General Overseas Service transmissions. In 1962, Malta Television transmitted for an average of four hours daily. The Authority's

monitoring service was expanded 30 years later when the number of radio stations had increased to nine and TVM transmission hours had expanded considerably.

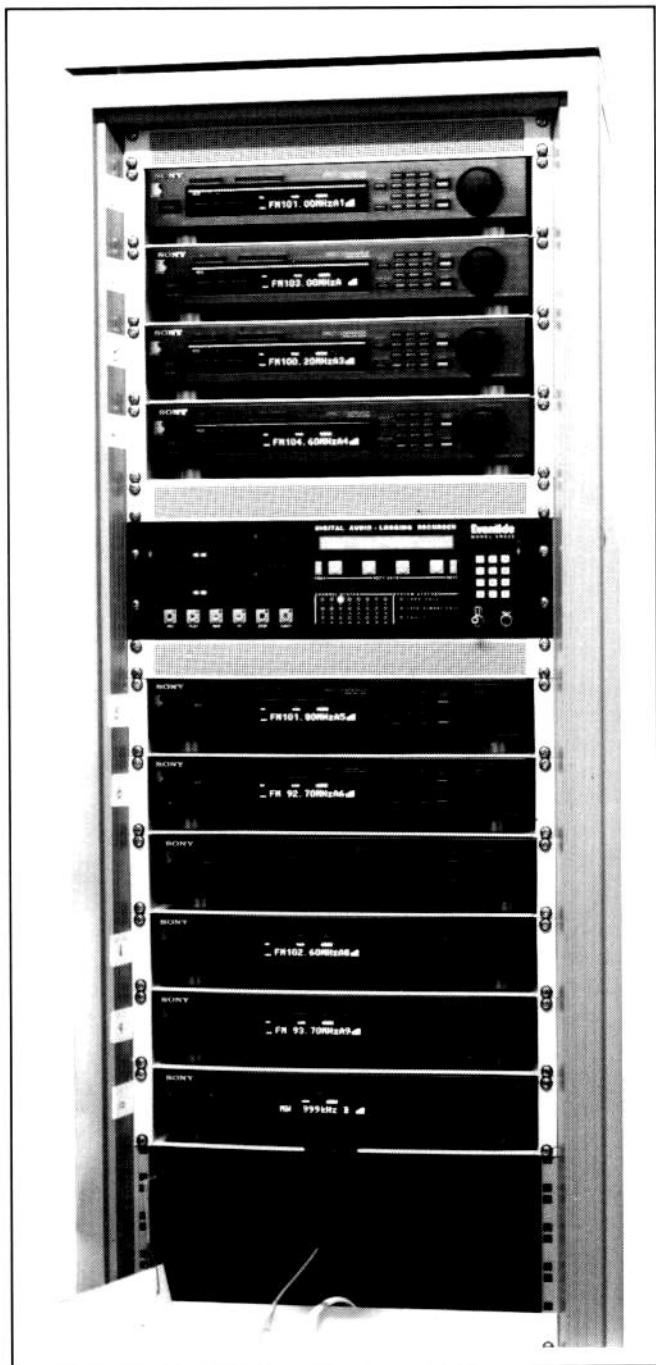
The role of programme staff when monitoring radio and television programmes is one of special responsibility. Programme monitors are the eyes and ears of the Authority which because of them is able to exercise uninterrupted vigilance. This work requires broad general knowledge, sound judgement and a sensitivity of taste. It is also essential for Programme Monitors to have a thorough knowledge of broadcasting legislation, the conditions attached to broadcasting licences and the Authority's current programme policy.

Monitoring is carried out mainly on a sample basis. From time to time, areas of programming are selected and these are viewed and listened to by members of the staff who report on aspects of the services taking into consideration the relevant sections of the Broadcasting Act. Whether viewed or listened to live or from tapes, monitors are aware of the time during which a transmission takes place and report on the suitability of the broadcast material. Staff members on monitoring or other connected duties are asked from time to time to contribute towards a detailed analysis of programmes or topics of particular concern or interest to the Authority. Such detailed scrutiny becomes necessary in the process of investigating complaints.

### Complaints about Programmes

The Authority has an established procedure to deal with complaints. This procedure is reproduced as an appendix to this Report.

*Multi-Channel  
Logging Equipment*





**Table 1** below gives details of the number, type and adjudication of complaints reviewed by the Authority during 1992. The number was substantially less than it used to be in former years and, in the first quarter of the year, coverage of the general election accounted for 57% of the total number of complaints.

**Table 1 - Number, Type and Adjudication of Complaints**

	<b>Accuracy</b>	<b>Impartiality</b>	<b>Miscellaneous</b>
Upheld	–	4	1
Party Upheld	–	3	4
Not Upheld	6	11	6

Although a variety of programmes are transmitted affecting a wide range of tastes and interests, the majority of complaints are made by the political parties on matters of political interest. Other aspects of programming such as the portrayal of violence and matters of taste and decency are hardly raised by individual persons or constituted bodies. The Authority takes this as an indication that the great majority of viewers and listeners are generally satisfied that offensive aspects are happily absent from locally broadcast programmes.

**Table 2** shows the principal sources of complaints:

<b>Source</b>	<b>Number of Complaints</b>
Nationalist Party	3
Malta Labour Party	18
Alternattiva Demokratika	9
Trade Unions	1
Miscellaneous	4

All complaints made to the Authority in accordance with its established procedure receive prompt attention. Where a complaint is accepted as valid and when it is still possible to take remedial action - this is not always the case where complaints affecting the news are concerned - the Authority will pursue the matter with the station concerned. In several cases this may result in formal intervention. In the year under review the Authority upheld, wholly or in part, 12 complaints. The total of 35 complaints submitted for review compared with 68 for the previous 12 months.

## ***Fairness and Impartiality***

The preservation of due impartiality in matters of political or industrial controversy or relating to current public policy is an important responsibility of the Authority. Few requirements of the Broadcasting Act give rise to more disputes about interpretation, application or even, in some instances, feasibility in practice.

The previous section of this report brought out the fact that the majority of complaints submitted to the Authority deal with the impartiality and fairness aspects of programming. It is also a known fact that most complaints are made by political interests and concern the news and current affairs broadcasts.

The Authority's practice over the years has consistently implied that impartiality demands the exclusion of more favourable treatment, real or apparent, of any one point of view or version of events, in a matter of public concern where it is known that more than one point of view is held or that more than one version of events exists. The Authority believes that in current affairs programmes, balance can be achieved over a period of time or within a series of related programmes. During the year, the Authority encountered problems relating to the concepts of balance and impartiality which were either generic or specifically oriented.

Alternattiva Demokratika in a legal protest against the Authority and Public Broadcasting Services Ltd complained that its point of view was not being included in discussion programmes where politicians took part. In a counter-protest, the Authority and PBS replied that, in normal programming, there was no automatic right of participation since this depended on the subject concerned and on whether the party had declared views on the matter discussed. However, the Authority promised that the party's representation in discussion programmes on the broadcasting media would be carefully monitored to ensure that Alternattiva Demokratika is given a fair apportionment of available airtime within the framework of established criteria for such participation.

Super One Radio transmits a 15-minute programme twice daily in which the presenter, a member of parliament (a substitute takes over on week-ends), reviews articles and editorial comment in the daily press. These programmes feature matters of political or industrial controversy or relating to current public policy on which the presenter adds his own views.

After a lengthy process of examination and assessment, the Authority asked the Malta Labour Party - owner of Super One Radio - to take corrective action which would make the programme as impartial as possible. This decision was based on evidence that newspaper articles were being arbitrarily selected by the presenter with the result that, in several cases, a one sided view of events or affairs was given. Moreover, comments of a partial nature were also expressed. The Authority insisted that the observance of impartiality required that such programmes must include an appropriate range of articles or views on any relevant topic particularly on matters of controversy. Since correspondence exchanged on this subject between the Authority and the Malta Labour Party proved to be of no avail, the Authority in July 1992 presented its case in a legal protest which was made public. Improvements in this programme's contents have, at times, been noted. Similar programmes on other stations are also monitored and action taken where necessary.

During the year under review, the Authority drew up its first code in terms of section 20(1)(b) of the Broadcasting Act. The code which will be launched

in 1993\* deals with and provides guidance on such matters as freedom of expression; impartiality and balance; current affairs and news programmes and staff responsibility. The code is included as an appendix to this report.

## **News**

A distinction exists between impartiality in news and balance in current affairs programmes. The variety of factors affecting the content of news makes it difficult to formulate a comprehensive code on impartiality in news which, in essence, means that facts should be presented accurately and fairly.

As stated earlier in this section of the report, politics and politicians play an important role in news. This is understandable even if undesirable for it is important from a politician's point of view to appear on television or be heard on news broadcasts as often as possible. The news, particularly the 8 p.m. bulletin on television, is closely watched by party officials who are quick to detect signs of bias, real or alleged, against their party.

Limited and preliminary research on the political content of news and on news production and presentation in the public broadcasting sector - vide Appendix III - shows a gradual decline in the number of politically dominated items in the news. The table reproduced below covers a three-year period and taking into consideration that 1992 was an election year, the overall decrease in politically or semi-politically oriented news items is significant.

### ***Political Content in News***

	<b>1990</b>	<b>1991</b>	<b>1992</b>
	<b>%</b>	<b>%</b>	<b>%</b>
Ministerial coverages	28.1	29.1	23.4
Party Political coverages	19.9	17.0	15.1
Trade Union coverages	9.8	7.8	7.0
<b>Total Political Content</b>	<b>57.8</b>	<b>53.9</b>	<b>45.5</b>

However, despite the apparent decline in political influence over the content of the news, the figures are still high enough to provide some evidence of distortion in the news representation of public reality. This is not a question of deliberate bias, but the result of PBS conventional news gathering and editing practices. News tends to favour consistently the higher political - status group and official bureaucracies. Vital social-change tendencies which may be indicative of deep-rooted problems in

\* The Guidelines on Current Affairs Programming on all Broadcasting Media were made public in April 1993.

society are passed over. The factors influencing and encouraging these practices are also becoming clearer and, at times, the Authority has drawn attention to them. These are: the ease of gathering partially assembled news from official sources; political pressures or misplaced belief that it is only what the politician says and does that makes news; the tendency to reduce events to safe categories that do not require problematic analysis.

Whilst pluralism in broadcasting has introduced the competitive element which, on occasion, has helped to improve the level of news presentation, private commercial radio stations must guard against the temptation to give higher priority to competition than to accuracy and quality. There were occasions during the year when the Authority had to insist that a hastily broadcast item of information should be rechecked or re-worded to ensure accuracy or to avoid unnecessary public alarm.

## **Advertising**

The Broadcasting Act with its Code for Advertisements and Sponsorships has introduced some important changes to the Authority's regulatory control of advertising on the broadcasting media. The Authority has a statutory duty to ensure that advertising is not of a political nature. This provision was tested during the election campaign in February 1992 when a particular form of advertising on Super One Radio came under scrutiny.

The Authority, after taking into consideration the legal definition of *advertisement* and following legal advice, decided to make a distinction between notices of a political nature meant to inform party followers about a forthcoming party activity and party slogans meant to diffuse political ideology. The latter were not allowed to be broadcast.

TVM, the television section of Public Broadcasting Services Ltd, was also stopped from transmitting a series of paid advertisements "*Biex Naqdukom Ahjar*" (To Serve You Better) placed by Management Systems Unit Ltd and slotted during the electoral campaign because they were considered as politically sensitive during that delicate period. The Authority also insisted that advertising should not carry any form of political message.

For the first time in the history of television in Malta, the news carried brief spot advertising. This was allowed in terms of paragraph 14 of the Third Schedule to the Broadcasting Act which states that adverts may be inserted in news and current affairs programmes, documentaries, religious programmes and children's programmes when their programmed duration is of 30 minutes or longer.

Radio is a low cost advertising medium compared with television. Advertising time costs less and a radio commercial is not only cheaper to make but can be produced in a short time. Radio advertising can be topical and made to suit changing market needs. The 1992 experience of radio advertising showed that it is much more within reach of local traders and shop keepers and they take up much more of the advertising time on radio stations. Radio has a much higher proportion of available advertising time than television.

Appendix IV of this report gives a summary of advertising expenditure on television during 1992.

### **III. The Broadcasting Authority**

**E**stablished in 1961 and set up in accordance with the Constitution and the Broadcasting Act 1991, the Broadcasting Authority:

- Ensures the preservation of due impartiality in respect of matters of political or industrial controversy or relating to current public policy;
- fairly apportions broadcasting facilities and time between persons belonging to different political parties;
- selects and appoints radio and television licensees and contractors;
- monitors these stations and regulates their performance in terms of their legal and licence obligations;
- ensures that a wide range of broadcasting services catering for a variety of tastes and interests is available;
- ensures fair and effective competition in the provision of these services;
- provides and operates a Community Channel on the Cable Television System.

The Chairman and Members of the Authority are appointed by the President on the advice of the Prime Minister after he has consulted the Leader of the Opposition.

The Authority is supported by directly recruited and trained staff under the direction of the Chief Executive.

During the year under review, the Broadcasting Authority met for 54 formal sessions during most of which all members attended. The supervision of the broadcasting services during the general election period and the continuing process of assessing applicants for broadcasting licences were the dominant factors which affected the Authority's activities during 1992.

Besides formal Board sessions, the Chairman and Members of the Authority had several meetings with organisations and constituted bodies. These included the political parties when, on more than one occasion, the Authority met representatives of the Nationalist Party, the Malta Labour Party and Alternattiva Demokratika to consider political broadcasting arrangements. Programming was discussed during the year with the Chairman and the Managing Director of Public Broadcasting Services Ltd. Several meetings were also held by the Authority with radio station applicants: Smash Recordings Ltd; MAS Radio Station Ltd; the University Rector and his senior advisers; Multi Comm Ltd and RTK Ltd.

The Authority also met with representatives of Rainbow Productions Ltd the company which manages Super One Radio and with the promoters of Radio Calypso. Other meetings took place with the Electoral Commission and with the U.K. High Commissioner.

During the course of the year, the Authority visited most of the newly set up radio stations and was shown round the Head-End facilities at Madliena by senior Melita Cable TV personnel.



## *Chairman and Members of the Authority*



**LAURENCE MIZZI, S. Th. Dip.** was first appointed Chairman of the Broadcasting Authority on 22 July, 1989. He was re-appointed for a three-year term on 22 July, 1990. He had been a member of the Authority since July, 1986. Mr Mizzi, a former broadcaster, remains active in journalism.



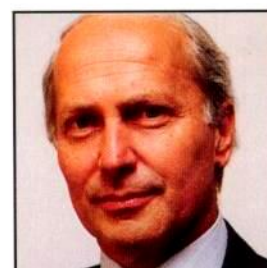
**JOSEPH J CAMILLERI, B.A., M.A., A.I.E. (LOND)** was first appointed a member of the Broadcasting Authority on 18 July, 1986. He was subsequently reappointed for further terms ranging from one to three years. Mr Camilleri is a former career education-  
alist.



**AUSTIN SAMMUT, B.A. (HONS.), LL.D.** was appointed a member of the Broadcasting Authority for a three-year term on 22 July, 1990. His first appointment to the Authority was on 22 July, 1989. Dr Sammut is a lawyer by profession. He is also a practising journalist.



**JOE SAMMUT** is currently in his fourth term as a member of the Broadcasting Authority. He was first appointed to office on 18 July, 1986 and was subsequently reappointed for further terms of one, two and three years. A former broadcaster, Mr Sammut is now a senior airline executive.



**KENNETH WAIN, B.A. (HONS.) (LOND), M.A., DIP. ED. (LOND), PH.D. (LOND)** was appointed a member of the Broadcasting Authority on 22 July, 1987 and was reappointed for further terms of one, two and three years. Professor Wain is the Dean of the Faculty of Education at the University of Malta.

## **Staff and Organisation**

It is essential for the successful functioning of the Authority to have a competent and expert staff to analyse reports and prepare material for its consideration; to deal with procedures and routine work on its behalf and in accordance with its general instructions; and to assist it generally in its work.

Over the years, the Authority recruited several competent and dedicated staff members but there have not been enough of them and they have not had all the skills required to enable the Authority to fulfil its various responsibilities. Experience has shown that the Authority's present and future activities could be looked after by personnel allocated to carry out duties under three broad categories. These are:

- Programming** – This division ensures that the programme requirements of legislation, licences and codes are fulfilled. In the process, the division encourages high programme standards. It will also provide the necessary expertise to operate the Community Channel on Cable Television.
- Finance and Administration** – This section supports the Authority by the provision of economic and financial advice on policy issues and administrative financial procedures and accounting systems. Another section within the Finance and Administration division provides support services,
- Engineering** – The running of the Community Channel will require staff to operate technical equipment such as studio cameras and lighting, editing suites and outside broadcast unit. This division will ensure the effective use and maintenance of plant and equipment.

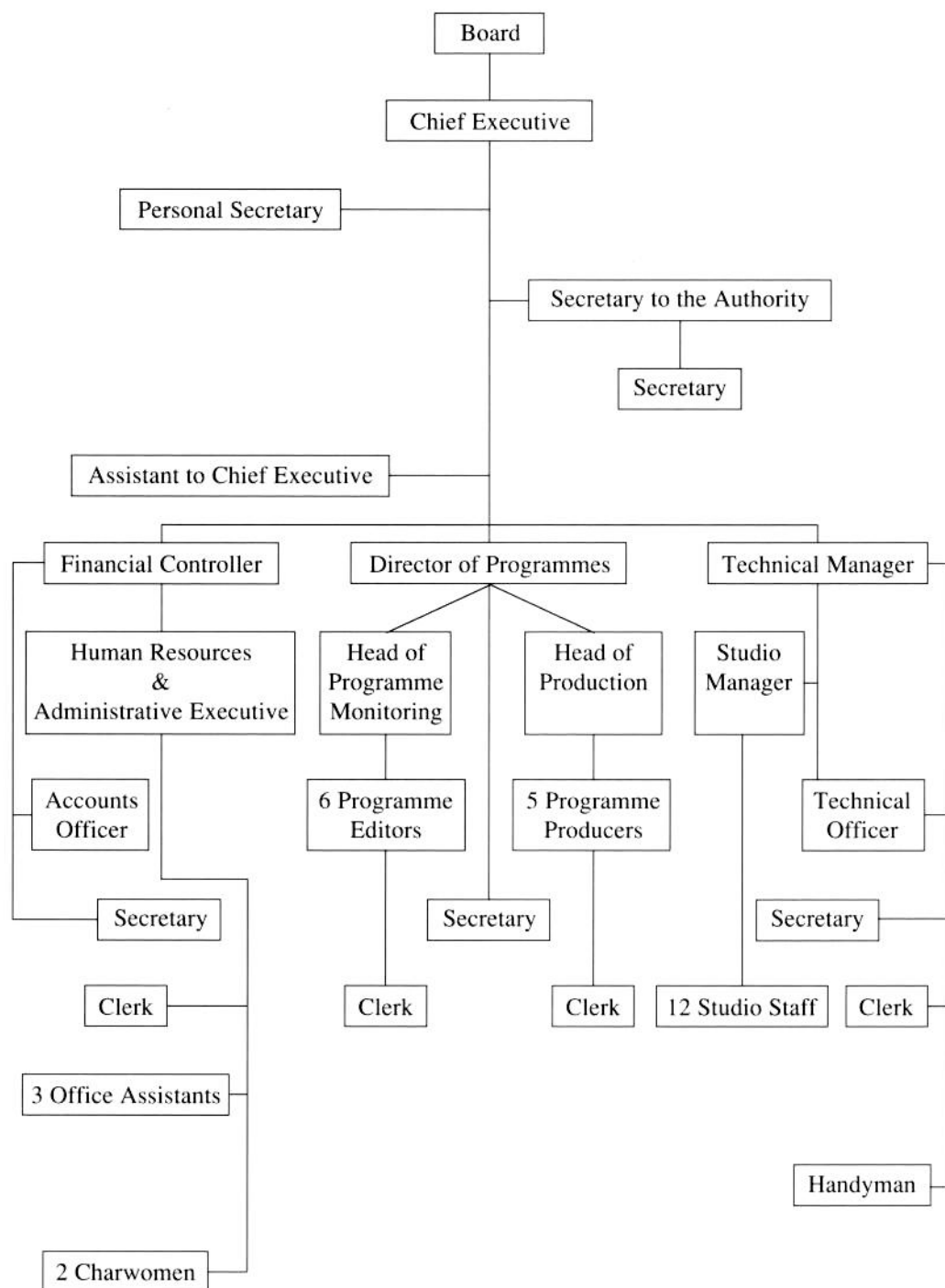
In order to be in a better position to face current and forthcoming challenges, the Authority commissioned independent management consultants to produce a 3-year human resources plan for its consideration. The Plan which was presented in July 1992 included:

- (a) An analysis of the present personnel structure, considering both motivational and development factors;
- (b) recommendations on an organisation structure for implementation over a 3-year period;
- (c) job descriptions for existing and recommended posts; and
- (d) a salary structure taking into account market values in the public and private employment sectors.

After thorough examination of all aspects concerned, the Authority agreed on an amended version of the plan and, by the end of the year, had submitted its recommendation to the Prime Minister in terms of section 9 of the Broadcasting Act.



# ORGANIGRAM



After several recruitment attempts, both by the public application method and through the Employment and Training Corporation, the Authority increased its staff to 20. The approved human resources plan caters for a staff compliment of 50 to be achieved by 1995 when, it is hoped, the Authority's project on cable television would have become operational.

The organigram shown (page 28) illustrates the Authority's staff structure which is in the process of implementation but which should be completed by 1995.

## **The Community Channel**

The National Broadcasting Plan refers to the establishment of pluralism in Maltese television and, amongst other things, states that *"As a first step the introduction of a cable television system will have a community channel operated by or for the Broadcasting Authority"*.

The Authority readily took up the challenge and despite the fact that the onus on the provision of a studio and facilities lies with the Cable Operator, it was actively engaged during most of 1992 in looking for appropriate sites and premises from which the Authority could operate the Community Channel on Cable Television. The Authority looked at over 30 sites in its efforts to find the most suitable location and in one case it even entered into a promise of sale for a plot of land at Blata l-Bajda only to have its plans turned down after six months of waiting for a permit from the former Planning Area Permits Board. The situation at the end of the year under review was still in the same unsatisfactory position.

In spite of serious setbacks in its building project, the Authority considered preliminary plans to be activated when transmissions on the Community channel become technically possible.

The Community Channel will project four aspects:

1. Local programming will allow the channel to respond to local needs, interests and events as they arise with the channel retaining control over quantity and quality of the output.
2. Public Access programming will enable voluntary groups, individuals and community organisations to produce and present their own programmes for transmission.
3. Subject to Parliament's approval, the Community Channel could relay parliamentary debates as they occur or in appropriately edited versions for use in news and current affairs programmes.
4. Enrichment programming will be provided through the transmission of serious and informative material acquired from overseas sources. This material will, whenever possible, be broadcast with a Maltese voice - over commentary.

It is hoped that having entrusted the Authority with the responsibility of establishing the Community Channel to enable Maltese society at all levels to fully express itself, Government will help to provide the Authority with the means to realize this project.



## **Finance**

The financial duties of the Authority are set out with considerable care in the legislation under which it has operated from time to time. Sections 24 to 30 of the current Broadcasting Act consist of the financial provisions which regulate the Authority's activities connected with its functions.

In so far as finance is concerned, the Authority may be regarded as having two main functions. First, the administration of the system of supervising and controlling the broadcasting media, and, secondly, the operation of the Community Channel on Cable Television. Included under the first of these headings are those activities to which most of the Broadcasting Act is devoted, principally the appointment of broadcasting licensees and contractors, the regulation of programmes and connected matters. The second function has not yet been fully activated although some related work on staff training has already commenced.

In any calculation of the sums required to meet these obligations the Authority prepares a forecast not only of its expenditure but of its staff requirements. Particular care is taken with the latter since salaries represent a substantial proportion of the Authority's expenditure. On the other hand, if planned recruitment of staff, particularly personnel required with specialist skills, does not proceed as forecast, unforeseen substantial savings could result. This happened during the year under review when not only was the Authority's building project retarded but recruitment was low because of the unattractive level of salaries which the Authority was allowed to offer.

The last major revision of the Authority's revenue expectations took place in mid-1991 when the Broadcasting Act provided for a minimum annual income of Lm0.25 million. Income from other sources, mainly licence fees and other contributions, supplement the Authority's basic revenue by about 30%.

The Report and Financial Statements for the year ended 31 December 1991 together with the Revenue and Expenditure Estimates for the year ending 31 December 1993 both given in terms of section 27 of the Broadcasting Act, are included in this Report at Appendix X.

### ***Staff Training***

Overseas training for the Authority's staff engaged in programme production resumed during the year after the lapse of many years. The first member of the staff to benefit from the training facilities provided by the BBC was Ms Josanne Cassar who successfully completed the two-month course with the BBC Television Training Centre. Ms Cassar who had been employed with the Authority as Programme Editor since 1989 is a B.A. (Hons) graduate in Communication Studies.

The Authority selected the BBC's training facilities as these are designed for personnel seeking intensive training in the craft of television direction and such courses offer opportunities for overseas candidates to stretch their creative and production skills with BBC crews. This fully practical course covered most types of programme output including news, interviews, magazine programmes, discussions, documentaries and drama.

The development of the Authority's comprehensive role in Malta's broadcasting facilities demands a high degree of competence from the Authority's staff. It is expected that staff training will feature prominently on the Authority's list of priorities and that this BBC course will be followed by other similar opportunities.

## IV. Political Broadcasting

**D**ifferent rules apply to programmes where political content is expected and where this is the rule rather than the exception. General programmes allow broadcasters to “select” the tone and style of their contents whilst keeping in mind the need for a plurality of approach so that viewers and listeners are given a broad range of opinion and have the opportunity to come to their own conclusions.

On the other hand, political broadcasting has its own place in a democratic society and the Authority which has always recognised the importance of such broadcasts offers time for politicians and parties to deploy their views in their own preferred words and pictures. The year under review provided ample scope for political broadcasting.

### General Election Broadcasts

Just over 500 minutes of airtime was made available by the Authority to the political parties contesting the 1992 general elections. The number of nominations was again used as a basis for airtime allocation. The general election broadcasts scheme was launched on 3 February with a press conference and was concluded on 20 February when the last in a series of talks by party leaders was broadcast.

In drawing up the scheme, after consultation with the parties, the Authority was guided by public interest requirements combined with the need to provide political parties with a platform from which they could communicate their policies to the electorate.

The 1992 general election broadcasts scheme allocated airtime and programmes to the contestants as shown in Table 1 below:

Table 1

Programme Category	Airtime Allocation		
	NP	MLP	AD
Press Conferences	1 x 75'	1 x 75'	—
Debates	1 x 60'	1 x 60'	2 x 30'
		1 x 60'	
Party Productions	2 x 10'	2 x 10'	1 x 10'
Talks	1 x 20'	1 x 20'	1 x 10'
Political Spots	10 x 30"	10 x 30"	4 x 30"

Table 2

Nominations	
Party	Candidates
NP	96
MLP	117
AD	27

## **Party Political Broadcasts**

Section 13(4) of the Broadcasting Act lays down that:

*"It shall also be the duty of the Authority to organise from time to time schemes of political broadcasts (including political spots) which fairly apportion facilities and time between the different political parties represented in Parliament ... .."*

Following the outcome of the last general election, participation in the Authority's formal series of party political broadcasts was limited to the representatives of the Nationalist Party and of the Malta Labour Party. This was no act of discrimination - as it was often alleged - against Alternattiva Demokratika which, notwithstanding the number of votes obtained in the election, lost its parliamentary representation. The Authority's action was merely a reflection of mandatory legal requirements.

After the summer months, the Authority again started consultations with the Nationalist Party and the Malta Labour Party with a view to making arrangements for another annual series of party political broadcasts. This time, airtime distribution was based on strict proportion to parliamentary strength.

The 1992-93 series of party political broadcasts was implemented in October and consisted of 23 programmes spread over a period of nine months. A total of 864 minutes of airtime was allocated as follows to the two parties represented in Parliament:

<b>Programme</b>	<b>Nationalist Party</b>	<b>Malta Labour Party</b>
Press Conferences	2 x 75'	2 x 75'
Debates	3 x 60'	3 x 60'
Interview Programmes	2 x 30'	2 x 15'
Party Productions	5 x 10'	4 x 10'
Political Spots	25 x 30"	23 x 30"

The Authority firmly believes in its statutory obligation to keep the public fully informed on political issues and in its duty to ensure that this is done in an orderly fashion.

The detailed procedure and arrangements for party political broadcasting are reproduced at Appendix V of this Report.

## **Ministerial Broadcasts**

This is a separate category of political broadcasts, the rules of which are outlined in Appendix VI of the Report. The scope of ministerial broadcasts is to enable the



government of the day to explain to the public approved legislative or administrative policies or to appeal to the nation to cooperate in national policies which require the public's active participation.

The Authority's policy on ministerial broadcasts was amended in March after its intention to do so had been made public prior the general election. Three principal amendments were effected and these concerned:

- (i) the duration of individual broadcasts which was limited to 15 minutes;
- (ii) the format of ministerial broadcasts which was now allowed only as a straight talk; and
- (iii) the provision of advance information to the Authority about a proposed broadcast.

These amendments seem to have had an effect on the number of ministerial broadcasts which from nine with a total duration of 220 minutes in 1991 were reduced to two broadcasts totalling approximately 60 minutes in 1992. These broadcasts were:

<b>Ministerial Broadcasts</b>			
<b>1992</b>			
<b>Date</b>	<b>Minister</b>	<b>Subject</b>	<b>Duration</b>
1. January 14	Minister of Social Policy	Amendments to the Social Security Act	46'
2. October 29	Parliamentary Secretary for Health	Survey on the people's health habits	13'30"

The first ministerial broadcast was subject to two claims for the right to reply. These came from the Malta Labour Party which branded the talk as politically partisan and in which comparisons were made with the previous Labour Administration. The other claim was made by Alternattiva Demokratika which alleged that the Minister's broadcast dealt with a controversial topic on which the party had different views from those expressed by the Minister.

The Authority after considering these claims granted a 10-minute right of reply to the Malta Labour Party to enable it to explain its views on social policy in the light of the amendments effected to the Social Security Act. The Authority did not accede to the other request for a right of reply.

## Anniversary Messages

These broadcasts were transmitted on the Public Broadcasting Services' media outside peak viewing time on television. The broadcasts commemorated internationally recognised dates linked to significant world events. Ten broadcasts of this nature were transmitted during the year under review. These were:

Anniversary Messages			
Date	Anniversary	Speaker	Duration
1. April 7	World Health Day	Parliamentary Secretary for Health	6'
2. May 17	World Telecommunications Day	Minister of Transport and Communications	7'
3. May 27	World Anti-Smoking Day	Parliamentary Secretary for Health	8'24"
4. June 5	World Environment Day	Parliamentary Secretary for the Environment	6'47"
5. June 26	World Anti-Drugs Day	Magistrate David Scicluna	7'36"
6. September 28	World Tourism Day	Parliamentary Secretary for Tourism	6'30"
7. September 30	World Day of the Elderly	Parliamentary for the Elderly	8'13"
8. October 16	World Food Day	Minister for Food, Agriculture & Fisheries	6'42"
9. November 30	World AIDS Day	Parliamentary Secretary for Health	7'10"
10. December 3	World Handicapped Day	Minister for Home Affairs and Social Development	7'37"

The total time taken up by Anniversary Messages during 1992 was 72 minutes.

## V. Audience Size and Reactions

**M**any European countries have experienced the rapid growth of commercial radio systems, all intent on their quest for larger audiences. Malta is no exception: in fact early in 1992 when that year's survey was conducted, four radio stations were already in operation - Radio Malta 1; Radio Malta 2; Radio 101 and Radio Super 1. Another three, Island Sound Radio, Bay Radio and RTK started functioning shortly afterwards.

This situation, after many decades of public broadcasting service monopoly, was bound to affect the radio environment and the Broadcasting Authority's audience survey\* examined the effect of competition in certain sectors of radio programming. This research work was conducted for the Authority by Malta University Services Ltd with the fieldwork being spread over the period of one week during 8 - 14 January, 1992.

### **Amount and Distribution of Listenership**

Radio Malta 1 at the time could be said to have had access to a wide audience. This was evident from the results shown in Table 1 overleaf which gives audience percentages for each day of the week. The figures refer to individuals who, at any point during the day, stayed tuned in for at least half of a one-hour slot of the stations' programme schedule. Radio Malta 1 was followed by Radio 101 for all days of the week except Friday when Radio Super 1 attracted a higher audience. Radio Malta 2 lagged behind the other three stations covered by this survey. Saturday was the weakest day for all four radio services.

**Table 1** - Audience share by Radio Station for each day of the week

	<b>Radio Malta 1</b>	<b>Radio Malta 2</b>	<b>Radio 101</b>	<b>Radio Super 1</b>
Monday	35.7	13.0	30.5	29.2
Tuesday	31.2	9.7	37.0	27.3
Wednesday	37.0	10.4	34.4	24.7
Thursday	42.2	11.0	29.9	26.6
Friday	44.8	8.4	27.3	29.2
Saturday	22.7	5.8	15.6	10.4
Sunday	39.0	7.1	26.6	26.0

(% Base: Total potential audience, i.e. all individuals aged 14 years upwards residing in Malta and Gozo)

\* The latest Broadcasting Authority survey made public on 11 March 1993 continued to assess the effects of pluralism on the local broadcasting scene.

## Programming

The audience survey commissioned in 1992 by the Authority showed the expectations of Maltese radio listeners in so far as the main programme sectors were concerned. Local news, music programmes, foreign news and current affairs as well as sports programmes rated highest in survey respondents' minds.

Maltese audiences were also looking for other types of programmes, mainly those that offer some kind of "advice" or that allow listeners to interact with programme presenters.

Table 2 shows the levels of importance given by survey respondents to certain programme sectors. Table 3 analyses the preferred programmes by listeners of the four radio stations covered by this survey.

**Table 2 - Radio Programme Preferences**

Type of Programme	1st Choice %	2nd Choice %	3rd Choice %	4th Choice %	5th Choice %	6th Choice %
Local News	46.8	27.3	14.8	8.7	2.0	0.4
Foreign News	4.5	38.8	28.0	17.3	8.9	2.6
Current Affairs	4.3	8.0	13.4	27.1	35.6	11.7
Music	31.9	11.3	24.1	17.4	12.4	3.0
Sport	6.5	9.1	7.4	14.8	20.0	42.1
Other	6.1	5.6	12.2	14.8	21.0	40.3

**Table 3 - Programme Preference Analysed by Station\***

Type of Programme	Radio Malta 1	Radio Malta 2	Radio 101	Radio Super 1
Local News	70.0	37.5	34.6	59.0
Foreign News	24.4	19.6	20.7	34.0
Current Affairs	15.0	7.1	19.0	16.0
Music	34.3	51.8	70.9	68.6
Sport	8.5	10.7	12.3	19.9
Other	27.7	19.6	11.2	10.2

- \* (i) The base for each column is made up of respondents who actually listened to the station.  
(ii) Interviewees could mention more than one programme sector.

The Broadcasting Authority was also interested in determining listeners' views as to the main perceived weaknesses in the programme services of the radio stations which were functioning at the time the survey was carried out. 26.3% of all participants indicated that they were satisfied with the general level of programming. Table 4 sets out the main reasons, together with their related percentages, for audience dissatisfaction with radio programming. These reasons were provided by those who found some fault with aspects of programming. The survey report provided breakdowns by gender, age group and socio-economic category and showed that females complained more than males about the extent of music broadcast by the stations (17.5% versus 10%); that such complaints were more likely to come from those aged 51-65 (25.5%), and that this complaint was practically equally present among the three socio-economic categories. In contrast, males complained about excessive verbosity more than females did (15.8% versus 10.4%). Excessive verbosity was mostly complained about by those in the 14-17 age bracket (21.4%). Males too exceeded females in stating that the radio stations were being partisan in their programmes (10% versus 6.8%).

**Table 4 - Dissatisfaction with Radio Programming \***

REASONS	%
Lack of variety	14.8
Too much music	13.9
Too much talk	13.0
Too partisan	8.3
Other (bad reception, not interested, not credible, not enough sports, etc.)	29.5

\* Some respondents gave more than one reason.

## **News Sources**

Over the years the impression has emerged, quite rightly, that television was the primary source of news. Whilst television news in Malta is gradually exploiting the new mobile technology - portable links, cellular phones, live location reports, etc. - radio services are creating the expectation among audiences that when something of importance is happening, it will be there on the radio when people tune in. The 1992 electoral campaign and its immediate aftermath was a case in point.

**Table 5 - Preferred Sources of News**

Source	%
Radio	41.0
Television	31.4
Newspapers	24.7
Other	3.0

The Authority's survey proved that for most of the population, radio in 1992 was their primary source of news followed by television, newspapers and other sources.



Those who indicated radio as their primary source for news were further probed for their station preference. The result is given in Table 6.

**Table 6 - Radio Station Preference for News**

Station	%
Radio Malta 1	43.0
Radio Super 1	29.0
Radio 101	22.2
Radio Malta 2	5.9

The reasons for station preference are in turn given in Table 7.

**Table 7 - Reasons for Station Preference for News\***

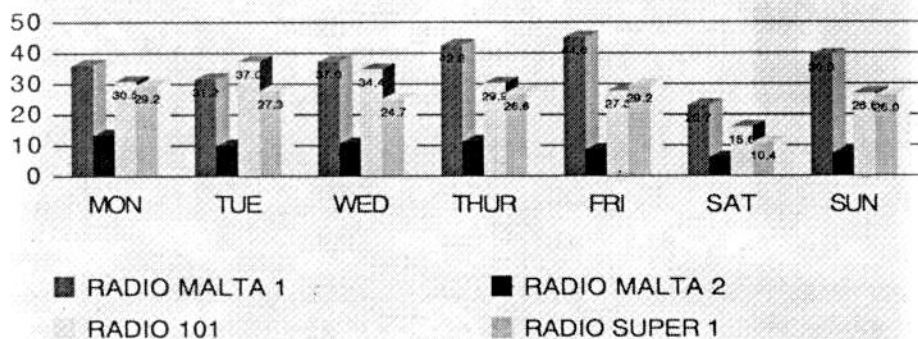
	Radio Malta 1 %	Radio Malta 2 %	Radio 101 %	Radio Super 1 %
More interesting	48.4	23.1	34.7	35.9
More trustworthy	12.6	15.4	32.7	40.6
Better presented	21.1	61.5	32.6	39.1
Usually listen to this station	37.9	23.1	12.2	12.5
More convenient time	2.1	7.7	10.2	3.1
Other reasons	4.2	7.7	–	4.7

\* (i) The base for each column is made up of respondents who indicated that particular station as their primary source for news.

(ii) Interviewees could mention more than one reason.

**Table 8**

# **AUDIENCE SHARE FOR EACH RADIO STATION FOR EACH DAY OF THE WEEK**



**Table 9**

## **RADIO AUDIENCE AUDIT HIGHEST POINT IN SCHEDULE**

Wednesday 8 - Tuesday 14 January 1992

STATION	RM1	RM2	101	SUPER 1
DAY	FRIDAY	WEDNESDAY	TUESDAY	SUNDAY
TIME	0800	NOON	NOON	1000
PROGRAMME	NEWS	NEWS	NEWS	"Mal Kafe"
AUDIENCE	66,000	19,000	47,000	40,000

## **Conclusion**

The Broadcasting Act, 1991 requires the Authority to engage regularly in independent audience research in order to ascertain both the state of listenership and viewership as well as to gauge public reactions to the programmes provided by the broadcasting services. This survey was the first to be commissioned since the Act came into force and, in view of the changing radio spectrum in Malta, it dealt exclusively with radio services.

In general, the survey showed that the Maltese are not unhappy with their radio stations. This does not mean however that they do not recognise existing limitations. When asked about what they consider to be the major weaknesses of these stations, a number were listed. "*Lack of enough variety*", "*too much unnecessary verbosity*", and "*excessive partisanship*" are just three of the "weaknesses" spontaneously mentioned by Maltese listeners. Seen separately, such comments might appear to be all too obvious but taken together, they suggest a shift in Maltese listening culture that is gradually moving away from the non-sophisticated way of looking at things, to one which expects a more professional and a more articulate approach in the management of services provided for the public, including radio transmissions.

## **VI. Overseas Contacts**

**T**he Authority's expanding activities brought it into closer contact with international broadcasting institutions and increased the need for it to develop working relationships with other European regulatory authorities. A number of overseas contacts took place during the course of the year.

### **European Broadcasting Union**

The Authority's Chairman and the Chief Executive were among the representatives of 42 other countries attending the 43rd Ordinary Session of the European Broadcasting Union which was held in Oslo.

This session was a historic one during which the EBU offered full membership to the broadcasting organisations from Central and Eastern Europe which during the Communist era, had their own broadcasting Union. The EBU undertook to help broadcasters from these countries become part of a high-performance television transmitting system. West European countries are also sharing their expertise with their East European counterparts through intensive training programmes in the areas of programming, management, co-ordination and engineering.

The 37th edition of the Eurovision Song Contest had special significance for Malta. A total of 24 songs were entered for this prestigious competition which in 1992 was held in Sweden. Malta's entry finished in third place with the song *Little Child* sung by Mary Spiteri getting European acclaim.

The Broadcasting Authority and the Public Broadcasting Services are joint active members of the European Broadcasting Union.

### **Sofia Colloquium**

In June 1992, the Authority's Chief Executive took part in a Colloquium on the Economic Conditions of Broadcasting in Democratic Societies. This activity was held in Sofia, Bulgaria as part of the programme for the development of media cooperation between European countries of the European Institute of the Media.

The Chief Executive's contribution to the Colloquium was entitled "*Serving the Nation*" and dealt with aspects of programming connected with the development of the cultural heritage, the presentation of national identity as a whole and of minorities within it; the affirmation of ethical values and elements of programme quality and educational content.

The Sofia Colloquium provided the opportunity for a lively dialogue between broadcasters from the Western and the Eastern parts of Europe.

### **European Institute for the Media**

More than 150 delegates including the Chief Executive of the Authority who is a member of the European Institute for the Media took part in the Institute's Annual Forum which was held in Seville. The central question posed by the Forum was "*Television in Crisis: Growth or Decline?*"

The Forum's rapporteur outlined a situation from which Malta has much to learn and this is that media growth does, at times, bring with it negative results. In Spain, the segmentation of the public arose from the proliferation of public and private television channels, something which generated only losses. In fact in 1991 almost all Spanish channels were in debt. The situation is the same in several other European countries. The Forum also discussed whether it was necessary to respond to the minority needs of the public or whether (due to financial constraints) it was necessary to bow to popular demands.

The European Institute for the Media was founded in 1983 and its activities include research and development projects intended to bear on public policy in Europe, the maintenance of a documentation centre on the media, the organisation of conferences and seminars, training of media specialists from the Third World and the publication of reports and informative material. Malta has been a member of the Institute since 1988.

### **Reporting Europe**

The Broadcasting Authority's Chief Executive together with the Chairman of Public Broadcasting Services Ltd were invited to take part in a two-day conference of 125 media representatives who met in Cardiff in October 1992. The conference which concentrated on Europe's vision of, and relations with, Japan was chaired alternately by the editors of the Guardian and of the Financial Times. Speakers included leading authorities from the United States and Europe on various aspects of Japanese life.

With the ex-Prime Minister of Japan, Toshiki Kaifu, seated only a few feet away, the conference heard Clive James, the British writer on Far Eastern affairs, refer to Kaifu's personal apology to Singapore during the latter's trip there. This created a certain degree of controversy which heightened public and Press interest in the conference.

### **Complaints against the Media**

Dr Austin Sammut, Board Member, attended a one-day conference in London which had the subject: "*Complaints against the Media - Legal or Administrative Remedies?*" The conference addressed the subjects of privacy, the right of reply and the Press and Broadcasting Complaints Commissions. Whilst the U.K. has five bodies regulating the activities of television, radio, the Press and advertising sectors, in Malta the functions of all these bodies with the exception of the Press are vested in the Broadcasting Authority.

The various contributions made at this conference demonstrated the inescapable conclusion that with the development and expansion of communications, it would appear that regulation is becoming more and more difficult and that self-regulation must be the order of the day. On the other hand, balance through pluralism - Malta's legislation is based partly on this concept - cannot but be adopted in all jurisdictions.

## **BABEL Conference**

BABEL - Broadcasting Across the Barriers of European Language - was set up in 1987 by the European Broadcasting Union and the European Community's Media Commission. The main aim was to set up a European Fund through which assistance could be provided to television production organisations for the dubbing and sub-titling of their productions thus enabling these producers to make their works more widely known by having them transmitted in as many European countries as their marketing efforts could provide.

The Secretary to the Authority, Mr Harry Zammit Cordina, attended a BABEL Conference in Athens in November to explore how Malta could benefit from this fund. It was established that financial support for post-production could be allocated if transmission of the new language version is likely to be guaranteed by one or more European broadcasting organization or scheduled at a professional programme market. Preference is given to productions in less widely spoken languages, drama, cultural magazines, documentaries, music and arts.

In view of the Authority's forthcoming activities on the Community Channel of the Cable Television System, language transfer is of particular interest both in connection with the possibility of screening more foreign programmes with a Maltese commentary and with the possible export of Maltese programmes to other countries. BABEL can assist the Authority in various ways but, particularly, it could help training personnel to operate dubbing equipment should this become necessary. A linguistic profile of the populations of the European Community and of Western Europe is given at Appendix VII.

## **Commonwealth Broadcasting Association**

Organisations from 29 Commonwealth countries, including Malta, met in Botswana from 19-24 October 1992 to review the future role of the Commonwealth Broadcasting Association in a rapidly changing pluralistic environment.

The Authority's delegates - Mr Laurence Mizzi, Chairman and Mr Antoine Ellul, Chief Executive - exchanged experiences with their counterparts from countries which had faced, or were about to face, competition from deregulation of broadcasting. All recognised the need to ensure effective use of resources.

Delegates considered the role that broadcasters could and should effectively play in the field of education, where deregulation, commercial competition and funding difficulties increased problems. Innovative programming, related to the needs of the audience helped to ensure success.

At this conference, the Heads of Delegations, endorsed the appointment of a new Secretary-General of the Association to succeed the previous Secretary-General who had been in this post for 23 years. A review of what should be expected of the Commonwealth Broadcasting Association and draft specifications for the post of Secretary-General were expected to be completed within a year.

The conference assigned its work to various committees and the Authority's delegates took an active part in the deliberations of the Programme and Administrative Committee.



Participation in the conferences and activities described in this chapter of the Report was valid experience which increased personal contacts so necessary and useful in the fast developing and rapidly becoming smaller world of broadcasting.



***PICTORIAL REVIEW***  
***1992***

Some Highlights  
of the Year  
in  
Pictures

## GENERAL ELECTION BROADCASTS

Airtime for general election broadcasts was allocated to the Nationalist Party, the Malta Labour Party and Alternattiva Demokratika in proportion to the number of candidates nominated by each party.



*Party leaders Dr Eddie Fenech Adami (Nationalist Party) and Dr Karmenu Mifsud Bonnici (Malta Labour Party) preparing for the final debate on television during pre-election week.*

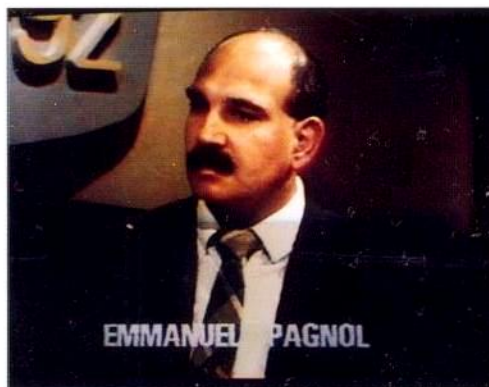
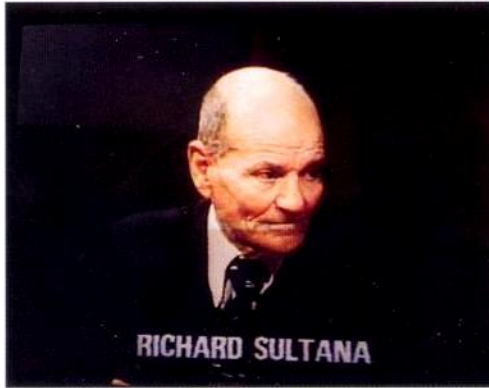
*Nationalist and Malta Labour Party representatives confront each other in debate on television.*



*Alternattiva Demokratika Chairman, Dr Wenzu Mintoff, delivering his pre-election talk.*

## DEMOCRACY IN PRACTICE

Five independent candidates contested the General Elections. These were all interviewed about their hopes and aspirations in an ad hoc programme broadcast on radio and television.





## PARTY POLITICAL BROADCASTS



*Nationalist Party and Malta Labour Party spokesmen discussing current political issue during a debate on TVM.*



*The Prime Minister (top) and the Leader of the Opposition (left) address Press, Radio and TV journalists during conferences forming part of the 1992 series of party political broadcasts.*

## THE GROWING FAMILY OF FM RADIO STATIONS IN MALTA



*ISLAND SOUND RADIO*



*RADIO MALTA I &  
RADIO MALTA II*



*RADIO 101*



*SMASH RADIO*



*BROADCASTING  
AUTHORITY*



*SUPER ONE RADIO*



*RTK*



*BAY RADIO*



*RADIO ONE LIVE*



## COMMUNITY RADIO

### An Experiment in Local Broadcasting

*"To further extend pluralism and the right of access, community broadcasting is to be allowed and encouraged"*

(Paragraph 10 of National Broadcasting Plan)



*Broadcasting Authority Chairman Mr Laurence Mizzi handing over Community Radio licence to Mr Albert Spiteri, owner of Radio Rona, the first Community Radio service soon to be on the air from Naxxar.*

*"Radju ghall-Providenza"  
an ad hoc Community  
Radio Service operated  
by a voluntary group  
from Siggiewi.*

*This service was limited  
to Christmas Week 1992  
and collected funds in aid  
of the Dar tal-Providenza  
at Siggiewi.*



## INTERNATIONAL CONTACTS



*The European Television and Film Forum meeting in Seville, Spain.*

*The Authority was represented on this Forum by its Chief Executive.*

*Professional television training for the Authority's staff.*

*Ms Josanne Cassar (front row, second from right) attended 8-week BBC Television Production Course.*



*Broadcasting Across the Barriers of European Language (BABEL)*

*Athens Conference to discuss support for small countries engaged in programme production. The Secretary to the Authority, Mr H Zammit Cordina (second from right) assessing Malta's possible involvement in this project.*

*Aid for besieged broadcasters in Bosnia.*

*The Authority and PBS contributed towards help to other broadcasters in need.*





## CIVIC EDUCATION CAMPAIGN

A Broadcasting Authority effort to encourage better citizenship



*Strapped in  
safely in car  
back seat*



*Water is  
precious,  
don't waste it!*



*The elderly  
need our help*



*Traffic and  
schoolchildren  
do not mix*





## **APPENDICES**



**Specimen Licence  
for a VHF/FM Nationwide  
Sound Broadcasting Radio Service**





**LICENCE NO.**

**LICENCE GRANTED TO [LICENSEE] TO PROVIDE A VHF/FM NATION-WIDE SOUND BROADCASTING RADIO SERVICE UNDER PART III OF THE BROADCASTING ACT, 1991**

**THE LICENCE**

1. The Broadcasting Authority (the “Authority”), in exercise of the powers conferred upon it by Part III of the Broadcasting Act 1991 (“the Act”) hereby grants to ..... (“the licensee”) a licence (the “Licence”) for the term and subject to the Conditions set out in Annex I and to revocation as provided for in the Conditions set out in Annex II, to provide the sound broadcasting service specified in Annex III (the “Programme Service”).
2. The Licence is granted on the basis of the Licensee’s representation that the statements set out in the Declaration as to its affairs made by the Licensee prior to the date hereof are true to the best of the Licensee’s knowledge and belief.
3. The Licence shall come into force on the date of issue.

**SIGNED FOR AND  
ON BEHALF OF  
THE BROADCASTING AUTHORITY**

Laurence Mizzi  
Chairman

## ***Definitions and Interpretations relating to the conditions***

In these conditions unless the context otherwise requires:-

**“the Act”** means the Broadcasting Act, 1991.

**“the Authority”** means the Broadcasting Authority.

**“Code of Advertising and Sponsorship”** means the code governing standards and practice in advertising and in sponsoring of programmes in the provision of licensed services as drawn up and from time to time revised by the Authority.

**“licence period”** means the period of eight years from the commencement date of the licence.

**“Programme Code”** means the code giving guidance as to the rules to be observed with respect to programmes excluding advertisements.

References in the margin indicate applicable Sections of the Broadcasting Act, 1991 on which the Conditions are based.

## **Contents**

### **Paragraph**

Definitions and Interpretations relating to conditions

### **Conditions – Annex I**

#### **Part ‘A’ – General**

1. Provision of Sound Broadcasting Service by Licensee
2. Fees
3. Programme Standards and Requirements
4. Advertising and Sponsorship Standards and Requirements
5. Provision of Additional Services
6. Provision of information to the Authority about the Licensee
7. Audience Research
8. Complaints
9. Consequences of Change of Control
10. Licence not Assignable
11. Obligation to comply with directions issued by the Authority
12. Powers of the President
13. Powers of Inspection
14. Station Identification
15. Broadcasting Frequency
16. Ancillary Transmitting Apparata
17. Powers of the Authority

#### **Part ‘B’ – Technical**

Technical Conditions relating to the establishment and operation of a VHF/FM station for a Nationwide Sound Broadcasting Radio Service

### **Conditions Relating to Enforcement of Licence – Annex II**

1. Notice of non-compliance
2. Sanctions for Breach of Conditions
3. Revocation

### **The Programme Service – Annex III**

Promise of Performance and exchange of correspondence relating to the Programme Service.

**1. Provision of Sound Broadcasting Service by Licensee**

Section  
10 (11)

- (1) The Licensee shall provide the Programme Service specified in Annex III for the Licence period of 8 years provided that Licensee may, not earlier than one year and not later than three months before the expiration of the licence, apply for a further licence which shall not be unreasonably refused.

Paragraph 16  
of Part C of the  
Fourth Schedule

- (2) The Licensee shall install and operate one sound broadcasting VHF/FM transmitter which shall be co-sited with the existing television service at Gharghur and shall use the master antenna system.

- (3) The Licensee shall purchase from the Government of Malta one thousand (1,000) shares in the limited liability company known as Master Antenna Limited bearing registration No. C12554 under the terms and conditions stipulated in this company's Memorandum and Articles of Association.

Section  
10 (5)

- (4) The Licensee shall not own, control or be editorially responsible for a broadcasting service other than that hereby granted by this Licence.

**2. Fees**

Section  
14 (1)

- (1) The Licensee shall on the issue of the licence and thereafter at annual intervals until the end of the licence period pay to the Authority such fee as may be prescribed by regulations for the time being in force. The fee is payable in advance and becomes due on the date of the issue of the licence.

- (2) The Licensee shall pay to the Authority such sums as the Authority shall notify to the Licensee being, in the opinion of the Authority, such charges as in the particular case would appear to be proper and justified pursuant to the proviso to Section 14 (1) of the Act.

Section  
13 (2)

**3. Programme Standards and Requirements**

- (1) The Licensee shall ensure that the programme service complies with the requirements of the Act and in particular that:–

- (a) the programmes do not include anything which offends against religious sentiment, 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;
- (b) all news given in the programmes (in whatever form) is presented with due accuracy;
- (c) sufficient time is given to news and current affairs and that all news given in the programmes (in whatever form) is presented with due impartiality;
- (d) proper proportions of the recorded and other matter included in the programmes are of Maltese origin and of Maltese performance and that a reasonable part of such programmes is in the Maltese language;

- (e) the programmes broadcast contain a substantial proportion of matter closely designed to appeal to the interests, tastes and outlook of the general public;
- (f) due impartiality is preserved in respect of matters of political or industrial controversy or relating to current public policy; and
- (g) the programmes do not include any technique which exploits the possibility of conveying a message to, or otherwise influencing the minds of, persons listening to the programmes without their being aware, or fully aware, of what has occurred.

*Section  
22 (1)*

In applying paragraphs (c) to (f) above, the Authority shall be able to consider the general output of programmes provided by the Authority's various licensees and contractors, together as a whole.

- (2) The Licensee shall draw up its programme schedules in consultation with the Authority for such period of time as the Authority may determine.
- (3) The Licensee shall ensure that the applicable provisions of the Programme Code which may be in force from time to time are observed in the provision of the Programme Service.
- (4) The Licensee shall ensure that the Programme Service accords with the proposals set out in Annex III to this licence so as to maintain the character of the Programme Service throughout the licence period.

*Section  
23 (1)*

*Section  
20 (2)*

*Section  
35 (2)*

#### **4. Advertising and Sponsorship Standards and Requirements**

- (1) The Licensee shall ensure that all advertising included in the Programme Service complies with:—
  - (a) the Code for Advertisements and Sponsorships laid down in the Third Schedule to the Act in so far as this applies to radio services;
  - (b) any amended or substitute version of the Code referred to in (a) above;
  - (c) any additional requirements imposed by the Authority in the discharge of its general responsibility for advertisements and methods of advertising.
- (2) The Licensee shall comply with all directions, whether general or specific and/or qualified or unqualified, given to it by the Authority with regard to advertisements or methods of advertising or sponsorship, including without limitation directions with respect to:—
  - (a) the amount and distribution of advertisements;
  - (b) the exclusion of particular advertisements or their exclusion in particular circumstances.

*Section  
19 (2) & (3)*

*Section  
19 (11)*



## **5. Provision of Additional Services**

The Licensee is bound to provide, as directed by the Authority, additional services on the frequency on which the Programme Service is provided as set out in Annex III.

## **6. Provision of Information to the Authority about the Licensee**

- (1) The Licensee shall furnish to the Authority in such manner and at such time as the Authority may reasonably request such documents, returns, accounts and declarations or other information and procure and furnish to the Authority such reports as the Authority may require for the purpose of exercising the functions assigned to the Authority by or under the Act and in particular (but without prejudice to the generality of the foregoing) the Licensee shall present to the Authority copies of their audited accounts for the previous financial year and shall make a declaration to the Authority as of 31st December of each year of the Licence as to its affairs/corporate structure in such form as the Authority shall specify.
- (2) The Licensee shall:
  - (a) make and retain, for a period of 90 days, a recording of any matter included in the Programme Service with regular time reference checks;
  - (b) make and retain, for a period of one year, a transcript of every news programme included in the Programme Service;
  - (c) keep full logs, for a twelve month period, of all transmissions in the Programme Service;
  - (d) at the request of the Authority or of a Court of Law produce any such recordings, transcript or logs for examination or reproduction.

## **7. Audience Research**

The Licensee shall make arrangements in a manner approved by the Authority for reporting the state of public opinion as of 31st December of each year concerning programmes in the Programme Service.

## **8. Complaints**

- (1)
  - (a) The Licensee shall adopt procedures approved by the Authority for the handling of written complaints received from the public in respect of programmes included in the Programme Service and shall ensure that such procedures are duly observed.
  - (b) Such procedures shall, inter alia, include a requirement that members of the public who complain to the Licensee about programmes included in

Section  
3 (6)

Section  
16 (3)

Section  
16 (3)

Section  
16 (3)

the Programme Service are informed that if they are not satisfied with the Licensee's decision about their complaint, they may refer the matter to the Authority.

- (2) The Licensee shall for a period of 12 months keep a written record of any written complaints received from the public in respect of programmes and advertisements included in the Programme Service and shall make such record available to the Authority.
- (3) The Licensee shall reimburse to the Authority any reasonable costs incurred by the Authority in connection with or resulting from any justified complaint that originates from a breach of any condition of the Licence.
- (4) Any amounts payable under condition 8(3) shall be payable by the Licensee in such manner and at such time as the Authority shall determine.

## **9. Consequences of Change of Control**

The Licensee shall notify the Authority forthwith if:

*Section  
10 (4)*

- (1) a person or group of persons acting together has acquired shares with voting rights in the Licensee or the body corporate which controls the Licensee; or if
- (2) a person who holds, or group of persons acting together who hold, voting shares in the Licensee or any body corporate which controls the Licensee has acquired additional shares.

## **10. Licence not Assignable**

This licence is not assignable except with the prior consent in writing of the Authority. Without prejudice to the generality of the foregoing, such consent shall not be given unless the Authority is satisfied that the partnership to which it is proposed to assign the licence would be in a position to comply with all the conditions of the licence throughout the remainder of the licence period.

*Section  
16 (1)*

## **11. Obligation to comply with Directions issued by the Authority**

- (1) The Licensee shall comply with and observe such directions as the Authority may deem necessary or expedient to give, verbally or in writing, for the proper exercise of the functions described in Section 119 of the Constitution and for the proper discharge of any other duty or function referred to in the Act, including directions not to broadcast, or to broadcast, or to cause the broadcasting of, any matter referred to in the aforesaid provisions of the Constitution and of the Act, and including directions requiring the provision in advance of scripts and particulars of programmes, the provision of recordings of programmes and the provision of such other information as the Authority may reasonably require for the purpose aforesaid.

*Section  
15*

Section  
16 (3)

- (2) The Licensee shall comply with all directions given by the Authority in respect of any matter subject or thing which is referred to or mentioned in the Licence.
- (3) The Licensee shall (except to the extent that the Authority consents to his doing or not doing them) do or refrain from doing such things as are referred to or mentioned in the licence or any Code or guidelines referred to in the licence.

## **12. Powers of the President of the Republic**

Section  
36

- (1) The Licensee shall if so directed by the Authority:
  - (a) broadcast in the Programme Service, free of charge, at such times as may be specified to the Authority by the President such announcement as is so specified;
  - (b) refrain from including in the programmes included in the Programme Service any matter or classes of matter specified to the Authority by the President;
  - (c) regulate the maximum time, the minimum time or both the maximum or minimum time of the daily broadcasts of the Programme Service and the hours of the day in which the Programme Service is or is not to be given as may be specified to the Authority by the President.
- (2) The Licensee may when broadcasting an announcement in the Programme Service in accordance with condition 12(1)(a) above indicate that the announcement is made in pursuance of a direction by the Authority.
- (3) The Licensee shall comply with all directions given to him by the Authority pursuant to a direction of the Prime Minister for the purpose of enabling the Malta Government to give effect to any international obligations.

Section  
37

## **13. Powers of Inspection**

Section 16 (3)

The Licensee shall permit:

- (1) any employee of, or person authorised by, the Authority; or
- (2) any officer of, or person authorised by, the Minister responsible for Wireless Telegraphy

to enter any premises used in connection with broadcasting of the Programme Service and to inspect, examine, operate or test any equipment on the premises which is used in that connection.

## **14. Station Identification**

- (1) The Licensee shall identify all transmissions from the station and shall do so in accordance with applicable international rules and regulations. The legality of using any particular name is a matter for the Licensee to ascertain.

- (2) The Licensee shall not change the station name without the prior written approval of the Authority.
- (3) The Authority shall not unreasonably refuse to approve a station name.

### **15. *Broadcasting Frequency***

- (1) Transmissions from the station shall be made by the Licensee on frequency... MHz assigned to the Authority in accordance with the provisions of Part IV of the Act.
- (2) It shall be the duty of the Licensee to limit his broadcasts to the frequency referred to in condition 15(1) and to observe such conditions as the Authority may, from time to time, impose with regard to the apparatus to be used and the manner in which such equipment is used by Licensee.

### **16. *Ancillary Transmitting Apparata***

This licence does not cover, or in any way authorise, the installation or use of transmitting apparata other than transmitting apparata operating in the broadcasting band 87.5 MHz to 108.0 MHz.

### **17. *Powers of the Authority***

Nothing in this Licence shall be construed as diminishing the powers of the Authority under the Act or the Constitution.

## **1. Notice of non-compliance**

- (1) If the Authority is satisfied that the licensee has failed to comply with any Conditions of the Licence or with any direction given by the Authority under the Licence it may serve on him a notice which shall state:
  - (a) that the Authority is so satisfied that the Licensee has so failed to comply with any such Condition or direction;
  - (b) the effect as set out in Condition 1(2) below of a failure to comply within a specified period not exceeding twelve months with any such Condition or direction whether specified in the notice or otherwise.
- (2) If during the period specified in the notice issued under Condition 1(1) above the Authority is satisfied that the Licensee has again failed to comply with the Condition or direction specified in the notice or any other Condition of the Licence or direction given by the Authority then it may direct the Licensee for a specified period not exceeding six months:
  - (a) to provide the Authority in advance with such scripts and particulars of the programmes to be included in the Programme Service as are specified in the direction; and
  - (b) in relation to such of those programmes as will consist of, or include recorded matter, to produce to the Authority in advance for examination or reproduction such recordings of that matter as are so specified.

## **2. Sanctions for breach of Condition**

- (1)
  - (a) If the Authority is satisfied that the Licensee has failed to comply with any Condition of the Licence and has given the Licensee a reasonable opportunity to make representations to it about the matters complained of, the Authority may direct the Licensee to include in the Programme Service a correction or apology (or both) in such form and at such time or times as the Authority may determine.
  - (b) The Licensee may, when including a correction or apology (or both) in the Programme Service in pursuance of a direction from the Authority, announce that he is doing so in pursuance of a direction.
- (2)
  - (a) If the Authority is satisfied that the Licensee has failed to comply with any Condition of the Licence or with any direction given by the Authority under the Licence and it has given him a reasonable opportunity to make representations to it about the matters complained of, it may serve on him a notice requiring him to pay to the Authority, within a specified period, a specified financial penalty.
  - (b) The amount of any financial penalty imposed pursuant to Condition 2(2) (a) shall not exceed Lm5,000.
- (3)
  - (a) If the Authority is satisfied that the Licensee has failed to comply with any Condition of the Licence or with any direction given to him

hereunder and it has given him a reasonable opportunity to make representations to it about the matters complained of, it may serve on him a notice reducing the Licence Period by a specified period not exceeding two years.

- (b) Where the Licence is due to expire on a particular date by virtue of a notice served on the Licensee under Condition 2(3)(a) above, the Authority may, on the application of the Licensee, by a further notice served on him at any time before that date, revoke that notice if it is satisfied that such revocation is justified by virtue of the conduct of the Licensee in relation to the operation of the Programme Service since the date of the earlier notice.
- (4) If the Authority is satisfied that the Licensee has failed to comply with any Condition of the Licence or with any directions given under the Licence and it has given him a reasonable opportunity to make representations to it about the matters complained of, it may serve on him a notice suspending the Licence for a specified period not exceeding six months.
- (5) The issue of a notice under Condition 2(2), (3) or (4) above in respect of any failure to comply with any Condition or direction shall not preclude the Authority from issuing a notice under Condition 1 or Condition 2(1) of this Annex in respect of that failure.

### **3. Revocation**

- (1) (a) If the Authority is satisfied that the Licensee is failing to comply with any Condition of the Licence or with any direction given by the Authority under the Licence and that that failure is such that, if not remedied, it would justify the revocation of the Licence it shall serve on the Licensee a notice:-
  - (i) stating that the Authority is so satisfied;
  - (ii) specifying the respects in which, in the opinion of the Authority, the Licensee is failing to comply with any such Condition or direction; and
  - (iii) stating that, unless the Licensee takes, within such period as is specified in the notice, such steps to remedy the failure as are so specified, the Authority will revoke the Licence.
- (b) If at the end of the period specified in any notice under Condition 3(1) (a) above the Authority is satisfied that the Licensee has failed to take the steps specified in the notice and that it is necessary in the public interest to revoke the Licence, the Authority shall serve on the Licensee a notice revoking the Licence.
- (2) The Authority may revoke the Licence by notice in writing served on the Licensee and taking effect either from the time of service or on a date specified in the notice in any of the following circumstances:

*Section  
16 (4)*



- (a) if the Licensee agrees in writing with the Authority that the Licence should be revoked;
- (b) if the Licensee becomes a disqualified person in relation to the Licence;
- (c) if:-
  - (i) any order is made or any resolution is passed or other action is taken for the dissolution, termination of existence, bankruptcy liquidation, or winding up of the Licensee (otherwise than for the purpose of reconstruction or amalgamation made whilst the Licensee is solvent on terms previously approved in writing by the Authority) or a liquidator, trustee, receiver, curator, administrator, manager or similar office is appointed in respect of the Licensee, or in respect of all or any part of his assets; or
  - (ii) the Licensee makes or proposes to enter into any scheme of compromise or composition with his creditors; or
  - (iii) the Licensee shall permit any execution to be levied against his assets and/or movables and allows such execution to remain outstanding for more than 14 days;
  - (iv) any person having direct or indirect control of the Licensee shall do or be subject to any of the events specified in sub-paragraphs (i) to (iii) above; or
  - (v) anything analogous to or having a substantially similar effect to any of the events specified in sub-conditions (i) to (iv) above shall occur under the laws of any applicable jurisdiction.
- (d) if the Authority is satisfied that the Licensee:-
  - (i) in purporting to comply with any of the Conditions of this Licence has provided information which is false in a material particular or has withheld any material information with the intention of causing the Authority to be misled; or
  - (ii) in connection with his application for the Licence, provided the Authority with information which was false in a material particular or withheld any material information with the intention of causing the Authority to be misled;
- (e) if a change in the nature or characteristics of the Licensee or any change in the persons having control over or interests in the Licensee, takes place (whether before or after the commencement date), which change is such that, if it fell to the Authority to determine whether to award the Licence to the Licensee in the new circumstances of the case, it would be induced by the change to refrain from awarding the Licence to the Licensee;
- (f) if the Authority ceases to be satisfied that the Licensee is a fit and proper person to hold the Licence;

- (g) if the Licensee fails to make any payment specified in the Licence on the due date.
- (3) The Authority shall before serving a notice revoking the Licence give the Licensee a reasonable opportunity to make representations to it about the matters complained of.

***Character of service (“promise of performance”)***

The documents attached to this Section represent (name of radio station) Promise of Performance relating to the Programme Service as this appears in the Company’s application for a nationwide radio service.

The Programme Service authorised by this Licence will be broadcast over the specified broadcasting frequency for not less than (state number) hours per day.



**LINJI ĠENERALI LI JRIEĠU X-XANDIR TA'  
PROGRAMMI TA' ĠRAJJET KURRENTI**

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**GUIDELINES ON CURRENT AFFAIRS  
PROGRAMMING ON ALL BROADCASTING  
MEDIA**

*Dan il-kodiċi tfassal mill-Awtorità tax-Xandir bis-saħħa tal-poteri mogħtija bl-artikolu 20(1)(b) ta' l-Att ta' l-1991 dwar ix-xandir.*

*This code has been drawn up by the Broadcasting Authority in terms of section 20(1)(b) of the Broadcasting Act, 1991.*

## LINJI ĠENERALI LI JRIEĠU X-XANDIR TA' PROGRAMMI TA' ĠRAJJET KURRENTI

Il-Kostituzzjoni u l-Att ta' l-1991 dwar ix-Xandir isemmgħu x'għandu wiehed jistenna min-natura u l-kontenut ta' programmi għar-radju u t-televiżjoni.

Dawk li joriginaw u jtellgħu l-programmi għandhom iżommu dawn il-linji quddiem għajnejhom u f'moħħhom.

### 1. Libertà ta' Espressjoni

1.1. Artiklu Nr.41 tal-Kostituzzjoni jggarantixxi lil kull persuna l-libertà li tircievi u tikkomunika idejat u tagħrif mingħajr indhil. Din il-libertà hija soġġetta għal dawk il-limitazzjonijiet li huma raġonevolment ġustifikabbli f'soċjetà demokratika u jinkludu regolamenti dwar ix-xandir bil-wireless, it-televiżjoni u mezzi oħra ta' komunikazzjoni.

1.2. L-Artiklu Nru.10 fl-Ewwel Skeda ta' l-Att tal- Konvenzjoni Ewropea (Att. Nru.XIV tal-1987 li jiġbor fih l-Artiklu Nru.10 tal-Konvenzjoni Ewropea għall-Harsien tal-Jeddijiet Umani u l-Libertajiet Fundamentali, 1948) jgħid li **"kulhadd għandu d-dritt għal-libertà li jkollu opinjonijiet u li jirċievi u jagħti informazzjoni u idejat mingħajr indhil mill-awtorità pubblika u mingħajr ma jittiehed kont ta' fruntieri..."**

Billi dawn il-libertajiet iġorru magħhom kemm dmirijiet kif ukoll responsabbiltajiet, l-istess artiklu jgħid, li l-artiklu nnifsu huwa suġġett għal ċerti kundizzjonijiet jew restrizzjonijiet li jistgħu jkunu fl-interess tal-harsien tal-liġi u ż-żamma ta' l-ordni.

1.3. Bħala konsegwenza naturali ta' dawn l-espressjonijiet, ix-xandir iġorr fuq spallejh dmir kbir meta jiġi biex jinforma, u, bħala organizzazzjonijiet li jagħtu servizz pubbliku, l-Awtorità tax-Xandir u l-mezzi tax-xandir f'Malta jaċċettaw din ir-responsabbiltà. Fid-dawl ta' dan huma joperaw f'isem il-komunità in ġenerali.

## GUIDELINES ON CURRENT AFFAIRS PROGRAMMING ON ALL BROADCASTING MEDIA

The Constitution and the Broadcasting Act, 1991 contain certain requirements in relation to the character and content of programming on radio and television.

The following is intended to provide guidance to the staff concerned in programme production.

### 1. Freedom of Expression

1.1. Article 41 of the Constitution guarantees the freedom to all persons to receive and communicate ideas and information without interference. This freedom is subject to such limitations as are reasonably justified in a democratic society, including the regulation of wireless broadcasting, television and other means of communication.

1.2. Article 10 of the First Schedule to the European Convention Act, 1987 (Act No.XIV of 1987 incorporating Article 10 of the 1948 European Convention for the Protection of Human Rights and Fundamental Freedoms) states that **"everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers..."**

Since the exercise of these freedoms carries with it duties and responsibilities the same article states that it may be subject to conditions or restrictions as may be necessary in the interest of preserving law and order.

1.3. As a natural consequence of these expressions, the broadcasting media carry a serious duty in the provision of information and as public service organisations, the Broadcasting Authority and the broadcasting media accept this responsibility. In doing so, they operate on behalf of the community as a whole.

## 2. Imparzialità u Bilanċ

2.1. L-Artiklu Nru.119(1) tal-Kostituzzjoni jghid ċar u tond li “**tkun funzjoni ta’ l-Awtorità dwar ix-Xandir li tiżgura illi, safejn ikun possibbli, f’dawk is-servizzi ta’ xandir ta’ smigh u televiżjoni li jistghu jkunu provduti f’Malta, tiġi miżmuma imparzialità xierqa dwar hwejjeg ta’ kontroversja politika jew industrijali jew li jirreferixxu ghal *policy* pubblika korrenti u illi l-faċilitajiet u l-hin ta’ xandir huma mqassma b’mod xieraq bejn persuni li jkunu ta’ partiti politiċi differenti.**”

2.2. Dan il-provvediment Kostituzzjonali dwar ix-xandir huwa supplimentat u msahhah b’sezzjoni Nru.13(2)(f) ta’ l-Att ta’ l-1991 dwar ix-Xandir u jghid hekk:

“**Ikun id-dmir ta’ l-Awtorità li tissodisfa lilha nnifisha illi, kemm jista’ jkun, il-programmi mxandra minn persuni li jaghtu servizzi ta’ xandir ta’ smigh jew ta’ televiżjoni f’Malta jkunu konformi ma’ dawn il-htigiet li ġejjin, jiġifieri -**

**(f) li tinżamm l-imparzialità dovuta dwar hwejjeg ta’ kontroversja politika jew industrijali jew li għandhom x’jaqsmu ma’ *policy* pubblika kurrenti:**

**Iżda, hliel fil-każ ta’ servizzi pubbliċi tax-xandir, fl-applikazzjoni tal-paragrafi (ċ) sa (f) ta’ dan is-subartikolu, l-Awtorità tista’ tikkonsidra l-produttjoni ġenerali ta’ programmi provduti mid-detenturi ta’ liċenzja u kuntratturi tax-xandir diversi, il-koll flimkien bħala haġa waħda.”**

2.3. L-Awtorità tinterpreta l-provvediment Kostituzzjonali dwar l-imparzialità bħala obbligu li jorbot fuq kull servizz tax-xandir.

Iżda l-Awtorità tikkonċedi li, fl-ispektrum wiesgħa tax-xandir bir-radju f’Malta, ikun possibbli li stazzjon jadotta xaqliba (*slant*) fl-ipprogrammar tiegħu sakemm din tkun dejjem fil-kwadru ta’

## 2. Impartiality and Balance

2.1. Article 119(1) of the Constitution lays down that “**it shall be the function of the Broadcasting Authority to ensure that, so far as possible, in such sound and television broadcasting services as may be provided in Malta, due impartiality is preserved in respect of matters of political or industrial controversy or relating to current public policy and that broadcasting facilities and time are fairly apportioned between persons belonging to different political parties.**”

2.2. This Constitutional provision on broadcasting is supplemented and strengthened by Section 13(2)(f) of the Broadcasting Act which reads as follows: “**It shall be the duty of the Authority to satisfy itself that, so far as possible, the programmes broadcast by persons providing sound or television broadcasting services in Malta comply with the following requirements, that is to say -**

**(f) that due impartiality is preserved in respect of matters of political or industrial controversy or relating to current public policy:**

**Provided that, except in the case of public broadcasting services, in applying paragraphs (c) to (f) of this subsection, the Authority shall be able to consider the general output of programmes provided by the various broadcasting licensees and contractors, together as a whole.”**

2.3. The Authority interprets the Constitutional obligation of impartiality as a definite requirement applicable to each broadcasting service.

However, the Authority concedes that in Malta’s widened spectrum of radio broadcasting activity it would be possible to allow for some slant by any particularly oriented service. This per-

bilanċ u imparzjalità meqjusa fit-totalità tal-programmi ta' l-istazzjon.

Madankollu, l-Awtorità trid taghmilha ċara li din l-interpretazzjoni ma tapplikax għall-programmi li jittrattaw suġġetti kontroversjali, li fil-każ tagħhom għandhom jiġu osservati l-obbligazzjonijiet kif stipulati f'sezżjoni 119 tal-Kostituzzjoni.

- 2.4. Il-konċessjoni mfissra f'paragrafu 2.3. ma tapplikax għall-programmi tas-servizzi pubbliċi tax-xandir.
- 2.5. Fir-rigward ta' stazzjon tar-radju fil-komunità, l-Att jipprovdi biex:  
**"L-Awtorità għandha tassigura li, matul iż-żmien kollu ta' thaddim tal-liċenzja ta' servizz tar-radju fil-komunità, l-fehmiet u l-espressjonijiet tad-detentur ta' liċenzja jew ta' persuni partikulari jew korpi partikulari, dwar hwejjeġ reliġjużi jew dwar hwejjeġ li huma ta' kontroversja politika jew industrijali jew li għandhom x'jaqsmu ma' *policy* pubblika kurrenti ma jippredominawx."**
- 2.6. Dan ifisser illi d-detentur tal-liċenzja għandu mhux biss josserva l-provvediment tal-Kostituzzjoni dwar il-bilanċ u l-imparzjalità, iżda m'għandux iħalli l-veduti tiegħu, ta' xi persuni jew korpi jippredominaw fl-ipprogrammar ta' l-istazzjon.
- 2.7. L-istazzjonijiet tax-Xandir iridu b' mod ġenerali jirriflettu u jirrispettaw il-valuri tas-soċjetà li joperaw fiha, u li jirrispettaw is-sentimenti tal-poplu, id-diċenza u l-ġustizzja. Dmirkom hu li jżommu lill-poplu nfurmat u li, fejn jidhlu kwistjonijiet pubbliċi, il-programmi li jipprezentaw ikunu tabilhaq eżami kritiku biex hekk jaqdu l-htigijiet ta' imparzjalità u ta' informazzjoni objettiva.
- 2.8. L-oġġettività titlob rappurtar mhux imxaqleb minghajr hjiel tas-sentimenti jew xaqlib jew opinjonijiet personali ta' min ikun ixandar.

missible slant will have to be within an overall programme framework of balance and impartiality.

The Authority would like to make it clear that this interpretation excludes any approval being given to programming which, in dealing with controversial subjects, does not observe the obligations laid down in section 119 of the Constitution.

- 2.4. The concession referred to in paragraph 2.3. does not apply to programming on the public broadcasting services.
- 2.5. With regard to a community radio service the Act provides that:  
**"The Authority shall ensure that, for the continued operation of the licence of a community radio service, the views and expressions of the licensee or of particular persons or bodies, on religious matters or on matters which are of political or industrial controversy or relate to current public policy do not predominate."**
- 2.6. This means that the licensee shall not only observe the Constitutional requirements of balance and impartiality but shall also not let the licensee's or any particular persons' or bodies' views predominate in the programming of the station.
- 2.7. The broadcasting services must generally reflect and respect the values of the society in which they operate, acknowledging its standards of taste, decency and justice. They must seek to widen the knowledge of the audience in programming which includes such critical examination of public issues as is considered necessary to fulfil the requirements of impartial and objective information.
- 2.8. Objectivity implies unbiased reporting, uncoloured by the sentiments and inclinations or subjective views of the broadcaster.



2.9. L-Imparzjalità titlob rappurtar fier u gust li jipprezenta l-fatti u l-opinjoni jiet minghajr xaqlib lejn interess jew interessi partikolari.

2.10. Wiehed jistenna li l-ghażla ta' materjal ghax-xandir tirrifletti l-livell li jippossiedi min ikun se jtalla' l-programm. L-ghażla ghandha ssir bil-hsieb ewlieni li l-poplu jiġi nformat u mhux bil-hsieb li tiġi espressa fehmet min ikun se jtella' l-programm. Dawk kollha li ghandhom x'jaqsmu mal-produzzjoni tal-programmi ghandhom, ghalhekk, jiżguraw li l-fehmiet u l-ideat taghhom ma jwasslux ghal programm li jaghti verzjoni mxaqilba lejn naha wahda u mhux kompleta.

### 3. Bulettini ta' l-Ahbarijiet

3.1. Il-Bulettini ta' l-Ahbarijiet ghandhom jaghtu servizz ta' informazzjoni bażika li permezz taghha l-poplu jinghata l-fatti misluta u pprezentati skond ma titlob l-ghażla editorjali.

Sezzjoni Nru.13(2)(b), (ċ) u (f) ta' l-Att ta' l-1991 dwar ix-Xandir, teżiġi li l-Awtorità hija fid-dmir tara

(b) "li l-ahbarijiet kollha moghtija fil-programmi (f'liema ghamla tkun) jiġu pprezentati bl-eżattezza dovuta;

(ċ) li jinghata hin biżżejjed lill-ahbarijiet u avvenimenti kurrenti u li l-ahbarijiet kollha fil-programmi (f'liema ghamla tkun) jiġu pprezentati bl-imparzjalità dovuta;

(f) li tinzamm l-imparzjalità dovuta dwar hwejjeġ ta' kontroversja politika jew industrijali jew li ghandhom x'jaqsmu ma' policy pubblika kurrenti;

Iżda, hlief fil-każ ta' servizzi pubbliċi tax-xandir, fl-applikazzjoni tal-paragrafi (ċ) sa (f) ta' dan is-subartikolu, l-Awtorità tista' tikkonsidra l-produzzjoni ġenerali ta' programmi provduti mid-detenturi

2.9. Impartiality implies being fair and just in reporting and presenting the facts without favouring any particular interest or interests involved.

2.10. It is recognised that the selection of material for broadcasting is inescapably bound up with the standards of the programme producer. The process of selection should be carried out with the intention of fully informing the general public and not with the intention of giving expression to the views of the individual programme maker. All those involved in programme production should, therefore, ensure that their own concern does not result in a one-sided or incomplete presentation of an issue.

### 3. News Bulletins

3.1 A basic information service is provided in news bulletins in which the public is given facts selected and presented in accordance with responsible news criteria.

Section 13(2)(b), (c) and (f) of the Broadcasting Act, 1991 requires the Authority to satisfy itself.

(b) "that all news given in the programmes (in whatever form) is presented with due accuracy;

(c) that sufficient time is given to news and current affairs and that all news given in the programmes (in whatever form) is presented with due impartiality;

(f) that due impartiality is preserved in respect of matters of political or industrial controversy or relating to current public policy;

Provided that, except in the case of public broadcasting services, in applying paragraphs (c) to (f) of this subsection, the Authority shall be able to consider the general output of programmes provided by the various

ta' liċenzja u kuntratturi tax-xandir diversi, ilkoll flimkien bhala haġa wahda."

Madankollu, l-Awtorità tinterpreta l-provvediment Kostituzzjonali dwar l-imparzjalità bhala obbligu li jorbot fuq kull servizz tax-xandir.

- 3.2. Minn żmien għall-iehor, l-Awtorità tippublika *guidelines* bil-ħsieb li tindokra dan il-qasam daqstant sensitiv fix-xandir.

#### 4. Ġrajjet Kurrenti

- 4.1. Id-dritt tal-poplu li jiġi nformat ma jieqafx biss mal-bulettini ta' l-ahbarijiet. Biex jinftehm u tajjeb mill-poplu, żviluppi fl-ahbarijiet u kwistjonijiet li jinteressawh, iridu jitqegħdu f'kuntest iehor, bħalma huma programmi ta' ġrajjet kurrenti li jeżaminaw fid-dettal l-isfond ta' l-ahbarijiet, jagħtu iktar tagħrif, mifli bir-reqqa u bis-sengħa, jistiednu b'kummenti nformati u bi programmi ta' diskussjoni. Permezz ta' programmi bħal dawn, il-poplu jkun jista' jifhem u jiżen aħjar is-sinifikat ta' dak li jkun qed isehh.
- 4.2. L-ghażla u l-iskop ta' suġġetti għal programmi ta' ġrajjet kurrenti jehtieġu, għalhekk, ikunu pożittivi u bl-ebda mod imxekkla minn xi limitazzjonijiet arbitrarji. Il-programmi jridu jirriflett u tajjeb xi tibdil politiku, ekonomiku u kulturali kif ukoll kwistjonijiet ta' kontroversja pubblika.
- 4.3. Programmi mxandra għandhom l-obbligu ewlieni li jkunu ġusti ma' dawk in-naħiet involuti f'xi kwistjoni.
- 4.4. Biex programmi ta' ġrajjet kurrenti jkunu bilanċjati, iridu jiġu nklużi fihom il-fehmiet kollha bl-istess qies. Wiehed irid joqgħod attent ukoll li jibqa' u jkun ġust ma' dawk li, għal xi raġuni, ma setgħux jattendu biex ifissru fehmithom.

broadcasting licensees and contractors, together as a whole."

However, the Authority interprets the Constitutional obligation of impartiality as a definite requirement applicable to each broadcasting service.

- 3.2. Separate guidelines are issued by the Authority from time to time which attempt to cover this highly sensitive area of broadcasting.

#### 4. Current Affairs

- 4.1. The right of the public to information extends beyond that provided in news bulletins. To be properly understood, news developments and matters of concern to the public must be placed in a context. This is achieved by current affairs programming which examines in depth the background of events, providing information, expert analysis, informed comment and open discussion. Such programming helps the public to understand and assess the significance of events.
- 4.2. The general approach to current affairs programming should, therefore, be positive and no arbitrary limitation should be placed on its scope. Changes in political, economic and cultural affairs and matters of public controversy should be fully reflected.
- 4.3. There is a primary obligation to be fair to all interests involved in the issues which are dealt with in broadcast programmes.
- 4.4. In seeking to establish balance in current affairs programming it is accepted that all significant viewpoints should be represented in an equitable manner. Care should be taken to avoid unfairness to those who, for any reason, are unable to present their own case.

- 4.5. Wiehed jifhem li meta jiġu trattati kwistjonijiet attwali ta' interess pubbliku, jew oħrajn li l-poplu jibqa' nteressat fihom fit-tul, mhux dejjem hu possibbli li l-bilanċ jinkiseb fi programm wiehed. F'każi bhal dawn, l-oġġettività, l-imparzjalità u l-bilanċ kif mitluba mill-igi, jistgħu jinfirxu fuq żewġ programmi jew aktar, sakemm li dawn il-programmi jixxandru f'perjodu ta' żmien raġonevoli.
- 4.6. Meta jiġi biex jittfassal u jittella' programm, il-*producer* irid iqis sewwa liema materjal huwa tabilhaqq relevanti għall-kuntest tal-programm. Minn xi daqqiet għali jiddeċiedi li jagħfas l-iktar fuq aspekk wiehed. F'każ bhal dan, il-poplu għandu jiġi mgħarraġ sewwa sa fejn jistgħu jaslu l-limiti għat-trattament li ntgħażel.
- 4.7. Għal programmi ta' diskussjoni tinhtieg kura bir-reqqa fl-għażla ta' **Chairman**. Min jintagħżel biex imexxi d-diskussjoni jehtieg jiġi mfakkar fid-dmir tiegħu li jkun fier u ġust man-nahiet kollha u f'każ li **Chairman** ma jkunx mitlub li juri fehmtu fid-diskussjoni, irid jintrabat li ma jagħmel l-ebda kumment personali li jista' jxellef il-bilanċ.
- 4.8. L-Awtorità tifhem li kull organizzazzjoni jew kull individwu għandu l-jedd li jirrifjuta li jiehu sehem f'xi programmi; sadattant ir-rifjut ta' naha wahda ma jfissirx li awtomatikament jikkancelła t-trasmissjoni tal-programm. Ir-raġuni hi li jekk isir hekk dan ikun ifisser li wiehed għandu d-dritt għall-veto fuq xi suġġett partikolari. Xi haġa bhal din tmur kontra d-dover sagrosant tax-xandir li jitratta kwistjonijiet importanti.
- 4.9. Kemm l-Awtorità tax-Xandir kif ukoll il-Public Broadcasting Services Ltd u l-impjegati tagħhom ma jistgħux fil-programmi tagħhom juru fehmtom fi kwistjonijiet lokali politiċi jew industrijali jew fi kwistjonijiet pubbliċi li jkunu għaddejja.
- 4.5. It is recognised that in the treatment of issues which are, or are likely to be, of continuing public interest, it may not always be possible to achieve balance in a single programme. In such cases, the statutory requirements of objectivity, impartiality and balance may be discharged over two or more related programmes provided that the broadcasts are transmitted within a reasonable period.
- 4.6. In approaching any programme, the producers should judge what information is relevant within the context of the programme. Sometimes they may decide to concentrate on one aspect of a subject. In such cases, it should be the practice to make clear to the public the precise limits of the treatment selected.
- 4.7. Care should be taken in the choice of Chairmen for discussion programmes. They should be made aware of their obligation to be fair to all interests and in the case of non-contributing Chairmen, to refrain from making any comment which might upset the balance.
- 4.8. The Authority accepts that any organisation or any person has the right to decline an invitation to participate in a programme but 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.
- 4.9. The Authority and Public Broadcasting Services Ltd together with their staff are precluded from including in their programmes any expression of their opinion as respects matters of local political or industrial controversy or relating to current public policy.

## 5. Ir-Responsabbiltà tal-Haddiema

- 5.1.** Dawn l-istruzzjonijiet ġew imfassla bil-hsieb li jghinu lil dawk involuti fl-ipprogrammar fix-xoghol taghhom, kemm fejn tidhol il-liġi, kemm f'dak li jistipulaw il-liċenzji tax-xandir. F'każ li fil-qadi ta' dmirijiethom, dawk involuti jistghu jsibu ruhhom f'xi dubji, huma ghandhom jiehdu l-pariri u l-istruzzjonijiet minn min jiġi fuqhom u jaraw li l-istruzzjonijiet moghtija jigu esegwiti.

L-Awtorità tapprezza li dak li jkun joqghod b'seba' ghajnejn f'xoghol bhal dan, billi l-ebda ksur ta' liġi jew traskuraġni ma jistghu jigu skużati.

Dan il-kodiċi tfassal mill-Awtorità tax-Xandir bis-sahha tal-poteri moghtija bl-artikolu 20(1)(b) ta' l-Att ta' l-1991 dwar ix-xandir.

Jannar, 1993.

## 5. Staff Responsibility

- 5.1.** These guidelines are intended to help programme staff in complying with existing legal and licence requirements. In case of doubt about their particular responsibilities in the matter, programme producers must seek instructions at the appropriate level of responsibility and comply with such instructions. It will be appreciated that the greatest care must be taken in these matters since disregard of legislation or carelessness in observing it could not be excused.

This code has been drawn up by the Broadcasting Authority in terms of sections 20(1)(b) of the Broadcasting Act, 1991.

January, 1993.

## Appendix III

### The Political Content of the News on the Public Broadcasting Services

1992

Table 1 – General Picture

Month	Government Activities	Party Political			Unions		Total	% of all Local items
		NP	MLP	Other	CMTU	GWU		
January	75	30	39	17	5	12	178	51.7
February	76	55	51	26	3	8	219	58.7
March	90	11	23	9	6	11	150	44.2
April	78	9	12	13	13	22	147	40.9
May	123	12	27	8	13	8	191	45.3
June	123	13	34	8	6	13	197	46.9
July	104	3	27	7	14	16	171	39.4
August	63	8	31	11	21	29	163	43.5
September	77	23	32	11	10	15	168	39.7
October	101	14	40	6	13	15	189	37.2
November	126	21	39	9	24	30	249	52.4
December	110	14	42	5	11	22	204	49.0
	—	—	—	—	—	—	—	—
	1146	213	397	130	139	201	2226	45.5
	—	—	—	—	—	—	—	—

Data compiled from information gathered from 8 p.m. and late news bulletins on TVM.

Table 2 – Ministerial Activities

Month	Number of Local News Items	Reports on Ministerial Activities	%
January	344	75	21.8
February	377	76	20.2
March	339	90	26.5
April	359	78	21.7
May	422	123	29.2
June	420	123	29.3
July	434	104	24.0
August	375	63	16.8
September	423	77	18.2
October	508	101	19.9
November	475	126	26.5
December	416	110	26.4
	—	—	
	4892	1146	23.4
	—	—	



# 1992

**Table 3 – Party Political Activities**

Month	Number of Local News Items	Party Political			Total	%
		NP	MLP	Other		
January	344	30	39	17	86	25.0
February	377	55	51	26	132	35.0
March	339	11	23	9	43	12.7
April	359	9	12	13	34	9.5
May	422	12	27	8	47	11.1
June	420	13	24	8	55	13.1
July	434	3	27	7	37	8.5
August	375	8	31	11	50	13.3
September	423	23	32	11	66	15.6
October	508	14	40	6	60	11.8
November	475	21	39	9	69	14.5
December	416	14	42	5	61	14.7
	—	—	—	—	—	
	4892	213	397	130	740	15.1
	—	—	—	—	—	

1992

Table 4 – Trade Union Activities

Month	Number of Local News Items	Unions		Total	%
		CMTU	GWU		
January	344	5	12	17	4.9
February	377	3	8	11	2.9
March	339	6	11	17	5.0
April	359	13	22	35	9.8
May	422	13	8	21	5.0
June	420	6	13	19	4.5
July	434	14	16	30	6.9
August	375	21	29	50	13.3
September	423	10	15	25	5.9
October	508	13	15	28	5.5
November	475	24	30	54	11.4
December	416	11	22	33	8.4
	—	—	—	—	
	4892	139	201	340	7.0
	—	—	—	—	

## Form of Presentation of Local News Items on TVM

1992

Month	Number of Local Items	Announcer in Vision	Supported by		Investigative Reports
			Slide	Film	
January	344	90	28	211	15
February	377	68	60	225	24
March	339	90	49	188	12
April	359	88	41	214	14
May	422	118	53	241	10
June	420	144	49	223	4
July	434	148	47	228	11
August	375	138	42	181	14
September	423	153	57	201	12
October	508	156	73	271	8
November	475	145	61	257	12
December	416	119	50	228	19
	—	—	—	—	—
	4892	1457	610	2670	155
	—	—	—	—	—
<b>% of total</b>					
<b>Local Items</b>		<b>29.8</b>	<b>12.5</b>	<b>54.6</b>	<b>3.2</b>

## The Political Content of the News on the Public Broadcasting Services

**1991**

**Table 1 – General Picture**

Month	Government Activities	Party Political			Unions		Total	% of all Local items
		NP	MLP	Other	CMTU	GWU		
January	81	24	38	11	13	16	183	61.4
February	75	25	33	7	9	6	155	53.5
March	132	33	33	10	8	14	230	63.7
April	113	36	25	6	11	12	203	62.9
May	127	30	22	9	12	23	223	61.8
June	119	18	35	6	21	21	220	60.6
July	114	10	26	6	18	20	194	51.9
August	76	12	25	8	9	23	153	51.3
September	88	24	25	13	16	12	178	51.9
October	112	9	30	15	4	16	186	48.2
November	98	22	27	13	6	16	182	44.9
December	69	20	10	3	6	10	118	36.5
	1204	263	329	107	133	189	2225	53.9

**1992**

**Table 1 – General Picture**

Month	Government Activities	Party Political			Unions		Total	% of all Local items
		NP	MLP	Other	CMTU	GWU		
January	75	30	39	17	5	12	178	51.7
February	76	55	51	26	3	8	219	58.7
March	90	11	23	9	6	11	150	44.2
April	78	9	12	13	13	22	147	40.9
May	123	12	27	8	13	8	191	45.3
June	123	13	34	8	6	13	197	46.9
July	104	3	27	7	14	16	171	39.4
August	63	8	31	11	21	29	163	43.5
September	77	23	32	11	10	15	168	39.7
October	101	14	40	6	13	15	189	37.2
November	126	21	39	9	24	30	249	52.4
December	110	14	42	5	11	22	204	49.0
	1146	213	397	130	139	201	2226	45.5

Data compiled from information gathered from 8 p.m. and late news bulletins on TVM.

## 1991

**Table 2 – Ministerial Activities**

Month	Number of Local News Items	Reports on Ministerial Activities	%
January	298	81	27.2
February	290	75	25.9
March	361	132	36.6
April	323	113	35.0
May	361	127	35.2
June	363	119	32.8
July	374	114	30.5
August	298	76	25.5
September	343	88	25.7
October	386	112	29.0
November	405	98	24.2
December	323	69	21.4
	<hr/> 4125 <hr/>	<hr/> 1204 <hr/>	<b>29.2</b>

## 1992

**Table 2 – Ministerial Activities**

Month	Number of Local News Items	Reports on Ministerial Activities	%
January	344	75	21.8
February	377	76	20.2
March	339	90	26.5
April	359	78	21.7
May	422	123	29.2
June	420	123	29.3
July	434	104	24.0
August	375	63	16.8
September	423	77	18.2
October	508	101	19.9
November	475	126	26.5
December	416	110	26.4
	<hr/> 4892 <hr/>	<hr/> 1146 <hr/>	<b>23.4</b>

## 1991

**Table 3 – Party Political Activities**

Month	Number of Local News Items	Party Political			Total	%
		NP	MLP	Other		
January	298	24	38	11	73	24.5
February	290	25	33	7	65	22.4
March	361	33	33	10	76	21.1
April	323	36	25	6	67	20.7
May	361	30	22	9	61	16.9
June	363	18	35	6	59	16.3
July	374	10	26	6	42	11.2
August	298	12	25	8	45	15.1
September	343	24	25	13	62	18.1
October	386	9	30	15	54	14.0
November	405	22	27	13	62	15.3
December	323	20	10	3	33	10.2
	<u>4125</u>	<u>263</u>	<u>329</u>	<u>107</u>	<u>699</u>	<u>17.0</u>

## 1992

**Table 3 – Party Political Activities**

Month	Number of Local News Items	Party Political			Total	%
		NP	MLP	Other		
January	344	30	39	17	86	25.0
February	377	55	51	26	132	35.0
March	339	11	23	9	43	12.7
April	359	9	12	13	34	9.5
May	422	12	27	8	47	11.1
June	420	13	24	8	55	13.1
July	434	3	27	7	37	8.5
August	375	8	31	11	50	13.3
September	423	23	32	11	66	15.6
October	508	14	40	6	60	11.8
November	475	21	39	9	69	14.5
December	416	14	42	5	61	14.7
	<u>4892</u>	<u>213</u>	<u>397</u>	<u>130</u>	<u>740</u>	<u>15.1</u>



## 1991

**Table 4 – Trade Union Activities**

Month	Number of Local News Items	Unions		Total	%
		CMTU	GWU		
January	298	13	16	29	9.7
February	290	9	6	15	5.2
March	361	8	14	22	6.1
April	323	11	12	23	7.1
May	361	12	23	35	9.7
June	363	21	21	42	11.6
July	374	18	20	38	10.2
August	298	9	23	32	10.7
September	343	16	12	28	8.2
October	386	4	16	20	5.2
November	405	6	16	22	5.4
December	323	6	10	16	5.0
	<u>4125</u>	<u>133</u>	<u>189</u>	<u>322</u>	<b>7.8</b>

## 1992

**Table 4 – Trade Union Activities**

Month	Number of Local News Items	Unions		Total	%
		CMTU	GWU		
January	344	5	12	17	4.9
February	377	3	8	11	2.9
March	339	6	11	17	5.0
April	359	13	22	35	9.8
May	422	13	8	21	5.0
June	420	6	13	19	4.5
July	434	14	16	30	6.9
August	375	21	29	50	13.3
September	423	10	15	25	5.9
October	508	13	15	28	5.5
November	475	24	30	54	11.4
December	416	11	22	33	8.4
	<u>4892</u>	<u>139</u>	<u>201</u>	<u>340</u>	<b>7.0</b>

## Appendix IV

### SUMMARY OF ADVERTISING EXPENDITURE ON TELEVISION (12 months to 31/12/92)

Category	Expenditure (Lm000's)	% of Total
1 Food and Drink	631	49.8
2 Toiletries, Cosmetics and Pharmaceuticals	108	8.5
3 Detergents and other Household Supplies	27	2.1
4 Domestic Appliances	22	1.7
5 Household Equipment, Travelware and Jewellery	24	1.9
6 Wearing Apparel	6	0.5
7 Motors and Leisure Equipment	37	2.9
8 Office, Industrial and Agricultural Equipment	34	2.7
9 Financial Services	59	4.7
10 Services and Information	319	25.2

Source: MISCO Advertising Monitor

## ***Appendix V***

### **PARTY POLITICAL BROADCASTS 1992- 93**

#### **Contents**

#### **GENERAL PROVISIONS**

#### **SPECIFIC ARRANGEMENTS**

News Conferences

Debates

Party Productions

Interview Programmes

Political Spots

#### **APPENDICES**

I Programme Calendar

II Calendar for Political Spots

III News Conference Arrangements

**PROCEDURE GOVERNING  
PARTY POLITICAL BROADCASTS  
1992 - 93 Series**

**1. GENERAL**

- 1.1 This series of Party Political Broadcasts consists of two schemes:

**Scheme "A"** - News Conferences, Debates, Party Productions and interviews.

**Scheme "B"** - Political Spots.

- 1.2 All programmes and spots are transmitted under the auspices of the Broadcasting Authority.
- 1.3 Scheme "A" in this series of Party Political Broadcasts is made up of 23 programmes which will be transmitted as shown in the attached calendar at Appendix I. Scheme "B" will be made up of 48 political spots to be broadcast as shown in Appendix II.
- 1.4 If a broadcast/spot is not used by a party on its scheduled transmission date, that broadcast/spot will be forfeited. An appropriate announcement will be made in the case of a forfeited programme.
- 1.5 This series covers the period October 1992 to June 1993.
- 1.6 Political Party representatives, and all those taking part in this series, must abide by the provisions of the law, any rules issued by the Authority from time to time and any order or directive given by the presiding Chairman. The Authority's decision on any points which may arise in connection with these transmissions will be final.
- 1.7 Neither the Broadcasting Authority nor Public Broadcasting Services Ltd, or its Contractor, the TeleMalta Corporation (Xandir Malta Division) will accept any responsibility for any interference with or breakdown of the television or radio services and cannot bind themselves to repeat any broadcast that suffers as a result of such interference or breakdown.
- 1.8 The Authority reserves the right to suspend indefinitely or for such time as it will consider necessary, any person from participating in any of the programmes in the event that such person shall have, in the Authority's view, committed a serious breach of the rules, particularly rule 1.6.
- 1.9 All programmes and spots in this series are transmitted on television. News Conferences, Debates and the Interview programmes are also broadcast on Radio Malta I.
- 1.10 Provided adequate notice is given in connection with programmes in scheme 'A', the Authority will issue a press hand-out and advance publicity on the broadcasting media will also be arranged.

- 1.11 In all programmes under scheme 'A', where the Authority requires advance information about speakers and the choice of subject, the following arrangements will apply: The Party whose turn it is to choose the subject and speaker/s will supply the required information in writing to the Authority by not later than noon on Monday preceding the day of broadcast. Failure to comply with this rule will disrupt arrangements and may entail the forfeiture of the broadcast in which case an appropriate announcement will be made. Where necessary the Authority will inform the other Party in writing about the subject and speaker/s selected not later than the following day (office hours).
- 1.12 Programmes in Scheme 'A' are transmitted from Xandir Malta Studios after prerecording which takes place in the presence of the Authority's Legal Adviser. Participants are to be at the Studios not later than half an hour before recording time. Unless otherwise directed by the Authority, recording will take place at 10.00 a.m. sharp on the day of broadcast. Only the participants and the Party Broadcasting Officer or his representative may attend the checking of the playback. A programme will be re-recorded only if the Authority so decides.
- 1.13 Political parties participating in this series may request a recording of any political programme after the programme has been broadcast. A period of seven days from the date of the broadcast is allowed for such requests.
- 1.14 In selecting a subject for those programmes which require one, parties should be guided by the need to inform and educate public opinion on specific matters. Slogans will not be accepted and the choice of titles must be consistent with the spirit of this rule.
- 1.15 This series of Party Political Broadcasts will come to an automatic end if Parliament is dissolved.

## **SPECIFIC ARRANGEMENTS**

### **2. NEWS CONFERENCES**

- 2.1 This section of scheme 'A' consists of four programmes of 75 minutes each; two allocated to the Nationalist Party and two to the Malta Labour Party.
- 2.2 News Conferences are meant to be informative discussions in which a party representative answers questions put to him in the general public interest by journalists.
- 2.3 Questions should be brief and relevant and journalists will be allowed supplementary and counter questions. The party spokesman should also be brief and to the point.
- 2.4 The presiding Chairman nominated by the Broadcasting Authority has been delegated full discretionary powers to regulate the programme fairly and firmly.
- 2.5 After the Chairman's introductory remarks, the party spokesman will make a short statement after which the Chairman will invite questions.
- 2.6 The spokesman for the party concerned has the option to make a concluding statement.

- 2.7 The following time schedule will regulate programmes in this section:

Chairman's Introduction	1 min.
Party spokesman's opening statement	3 mins.
Question Time	66 mins.
Party spokesman's summing up	4 mins.
Chairman's closing	1 min.

- 2.8 Representation at News Conferences will be regulated in accordance with the arrangements shown in Appendix III.
- 2.9 The Authority reserves the right to review representation from time to time.
- 2.10 The order in which journalists will participate will be determined by ballot.

### 3. DEBATES

- 3.1 The present series of Debates is made up of 6 programmes of 60 minutes, each with four participants. Programmes are shared equally between the Nationalist Party and the Malta Labour Party.
- 3.2 The party which selects the subject will open and wind up the Debate.
- 3.3 All Debates in this series will be under the charge of a Chairman nominated by the Authority.
- 3.4 The Chairman should ensure that clarity prevails at all times and that an equal opportunity is presented to both sides. The Chairman retains full discretionary powers to act as necessary to ensure that the interests of viewers and listeners are safeguarded.
- 3.5 Debates will be conducted on the following lines:

Chairman's Introduction	1 min.
-------------------------	--------

**1st round:**

First Speaker (Party A)	8 mins.
Second Speaker (Party B)	7 mins.
Third Speaker (Party A)	7 mins.
Fourth Speaker ( Party B)	7 mins.

**2nd round:**

First Speaker (Party A)	7 mins.
Second Speaker (Party B)	7 mins.
Third Speaker (Party B)	7 mins.
Fourth Speaker (Party A)	8 mins.

Chairman's closing	1 min.
--------------------	--------

- 3.6 All those taking part in Debates must strictly follow the Chairman's instructions whose decision in the proper conduct of the debate will be final.



#### 4. PARTY PRODUCTIONS

- 4.1 The programmes in this section may, at the parties' discretion, vary from the straight talk to an elaborate television production.
- 4.2 Party Productions in this scheme consist of nine programmes allocated to the Nationalist Party and to the Malta Labour Party as follows:

**Nationalist Party**

5 progs. of 10 mins. each

**Malta Labour Party**

4 progs. of 10 mins. each

- 4.3 The Authority must be informed at least a week before transmission date about the nature of the broadcast, i.e. whether it is a straight talk, an interview, a debate or a production on tape or film.
- 4.4 The Authority and Public Broadcasting Services Ltd will render no assistance in filming, in taking of stills, or in putting graphic material together. The production must be of entirely Maltese origin and all programme material must comply with the Station's technical requirements and be provided by the parties themselves. A VHS copy is to be delivered to the Authority for vetting at least 48 hours before the programme is due for recording.
- 4.5 If a party opts to utilise one of its allotted programmes in this section in the form of a straight talk, an interview or a debate, such a programme can be recorded at the Public Broadcasting Services Ltd studios. However such programmes will not be allowed to include visual material except for the opening and closing film or slide or caption which will indicate the originators of the party production.
- 4.6 Programmes in this category will be broadcast on television only. A bottom frame caption with the words "Xandira Politika" will be shown 3 times during transmission.

#### 5. INTERVIEW PROGRAMMES

- 5.1 This section consists of four programmes allocated to the Nationalist Party and to the Malta Labour Party as follows:

**Nationalist Party**

2 progs. of 30 mins. each

**Malta Labour Party**

2 progs. of 15 mins. each

- 5.2 Each programme will consist of the respective party spokesman, and of an interviewer nominated by the opposing party.
- 5.3 The scope of these programmes is to elicit information in the general public interest and the interview must be conducted in this spirit.
- 5.4 No visual material will be allowed during these programmes.

**6. POLITICAL SPOTS**

6.1 Scheme 'B' in this series of Party Political Broadcasts consists of 48 political spots. These spots should be used to promote the image, ideals and ideas of the party and should be presented in a positive way.

6.2 Political spots will be allocated to the parties as follows:

**Nationalist Party**  
25 x 30 sec.

**Malta Labour Party**  
23 x 30 sec.

6.3 Political Spots will be scheduled during the January/June 1993 period and will be transmitted as shown in Appendix II.

6.4 Political Spots will be provided by the parties themselves and video tape recordings must comply with the Station's technical requirements. A VHS copy is to be delivered to the Authority for vetting at least two working days before the scheduled day of transmission.

6.5 This series of spots will be broadcast on television only.

6.6 Each Spot shall include a bottom frame caption with the words "*spot politiku mill-... (party name)...*". This caption will be shown throughout.

# **CALENDAR OF PARTY POLITICAL BROADCASTS** **1992 - 93 Series**

Date	Programme	Party
1. 1992 October 9	Debate	Nationalist Party
2. 1992 October 16	Debate	Malta Labour Party
3. 1992 October 30	Party Production	Nationalist Party
4. 1992 November 6	Party Production	Malta Labour Party
5. 1992 November 20	News Conference	Malta Labour Party
6. 1992 November 27	News Conference	Nationalist Party
7. *1993 January 8	Party Production	Malta Labour Party
8. 1993 January 8	Party Production	Nationalist Party
9. 1993 January 15	Debate	Malta Labour Party
10. 1993 January 22	Debate	Nationalist Party
11. 1993 January 29	Interview Programme	Malta Labour Party
12. 1993 February 5	Interview Programme	Nationalist Party
13. 1993 February 26	Party Production	Nationalist Party
14. 1993 March 5	Party Production	Malta Labour Party
15. 1993 April 16	Debate	Malta Labour Party
16. 1993 April 23	Debate	Nationalist Party
17. 1993 May 7	News Conference	Nationalist Party
18. 1993 May 14	News Conference	Malta Labour Party
19. *1993 May 28	Party Production	Nationalist Party
20. 1993 May 28	Party Production	Malta Labour Party
21. 1993 June 4	Interview Programme	Nationalist Party
22. 1993 June 18	Interview Programme	Malta Labour Party
23. 1993 June 25	Party Production	Nationalist Party

Programmes are transmitted on Fridays at about 8.30 p.m. except those marked (\*) which are transmitted at 7.45 p.m.

## CALENDAR OF POLITICAL SPOTS

### January - June 1993

**January**

Monday	Tuesday	Wednesday	Thursday
4 NP	5 MLP	6 NP	7 MLP
11 MLP	12 NP	13 MLP	14 NP

**February**

1 MLP	2 NP	3 MLP	4 NP
8 NP	9 MLP	10 NP	11 MLP

**March**

1 NP	2 MLP	3 NP	4 MLP
8 MLP	9 NP	10 MLP	11 NP

**April**

12 MLP	13 NP	14 MLP	15 NP
19 NP	20 MLP	21 NP	22 MLP

**May**

3 NP	4 MLP	5 NP	6 MLP
10 MLP	11 NP	12 MLP	13 NP

**June**

7 NP	8 NP	9 MLP	10 NP
14 MLP	15 NP	16 MLP	17 NP

Political Spots are transmitted after the 8.00 p.m. news bulletin on Mondays and Tuesdays, and before the late news on Wednesdays and Thursdays.

**NEWS CONFERENCES**

**20 November, 1992**  
(Subject chosen by MLP)

1. Allied Newspapers
2. Independence Print
3. PBS
4. Radio 101
5. Radio One Live
6. RTK
7. Smash Radio

**7 May, 1993**  
(Subject chosen by NP)

1. Allied Newspapers
2. Marsa Press – Il-Helsien
3. PBS
4. Radio One Live
5. RTK
6. Smash Radio
7. Super One Radio

**27 November, 1992**  
(Subject chosen by NP)

1. Alternattiva
2. Bay Radio
3. Il-Ġens
4. Marsa Press – Il-Helsien
5. Super One Radio
6. The Malta Independent
7. Union Press

**14 May, 1993**  
(Subject chosen by MLP)

1. Alternattiva
2. Bay Radio
3. Il-Ġens
4. Independence Print
5. Radio 101
6. The Malta Independent
7. Union Press

### MINISTERIAL BROADCASTS

1. In view of their responsibilities for the care of the nation the Government should be able to broadcast from time to time, Ministerial Broadcasts, which, for example, are purely factual, or explanatory of approved legislative or administrative policies or in the nature of appeals to the nation to co-operate in national policies which require the active participation of the public.
2. Such broadcasts must comply with the provisions of the law particularly the Broadcasting Act, 1991.
3. It will be incumbent on Ministers making such broadcasts to be as impartial as possible and, in the ordinary way, there will be no question of a reply.
4. If however a reply is established to the satisfaction of the Authority, the total broadcasting time devoted to such reply or replies will not exceed the duration of the original Ministerial Broadcast. Requests for a reply should be submitted in writing to the Authority within forty-eight hours of a Ministerial Broadcast being made. This time limit will be extended automatically in the case of an intervening Saturday, Sunday or a Public Holiday.
5. Except by agreement with the Broadcasting Authority, the amount of airtime which may be utilized will not exceed
  - (a) 15 minutes for any one Ministerial broadcast, and
  - (b) 240 minutes in any one calendar year.

Ministerial Broadcasts are normally carried on any of the media provided by the Public Broadcasting Services Ltd, but in an emergency the Authority will make arrangements for wider broadcast coverage.

6. Ministerial broadcasts will only be allowed in the form of a straight talk. On Television, they may be illustrated with graphics, photographs and/or films. It should be noted that when this facility is made use of, and, if a right of reply is established, the same facility will be extended to the reply.
7. All requests for Ministerial Broadcasts are to be made direct to the Authority and reasonable notice given.
8. A script of a Ministerial Broadcast or the salient points of the proposed talk should be made available to the Authority before the broadcast takes place.
9. Except by agreement with the Broadcasting Authority, Ministerial Broadcasts will not take place during periods when General Election or Referendum Broadcasts are being held.
10. Ministerial Broadcasts do not and are not intended to exhaust the possibilities of Ministers appearing on Sound or Television. Ministers also broadcast, by invitation, in news interviews, balanced discussions, Radio and Television Press Conferences, outside broadcasts, etc. Ministerial Broadcasts come into a separate category because they constitute special time placed at the disposal of Ministers which is availed of at the choice and on the initiative of the Ministers and not either of the broadcasting licensees or broadcasting contractors or of the Broadcasting Authority.



Broadcasts by the Prime Minister which take the form of an “address to the nation”, and are indicated as such, do not come within the category of Ministerial Broadcasts.

11. When any dispute arises over Ministerial Broadcasts the final responsibility remains with the Authority.

March, 1992

## LINGUISTIC PROFILE OF THE POPULATIONS OF THE EUROPEAN COMMUNITY AND OF WESTERN EUROPE

Table: Languages spoken in the order of the numbers speaking them

	E C			Western Europe	
	million	%		million	%
<b>National first language</b>					
German	60	19	German	91	21
Italian	60	19	Italian	62	15
English	59	18	English	59	14
French	58	18	French	60	14
			Turkish	50	12
Spanish	38	12	Spanish	38	9
Dutch	20	6	Dutch	20	5
Greek	11	3	Greek	12	3
Portuguese	10	3	Portuguese	10	2
Danish	5	2	Swedish	8	2
			Danish	5	1
			Finnish	5	1
			Norwegian	4	1
			Icelandic	0.3	0.5
			Maltese	0.3	0.5
<b>Total</b>	<b>321</b>	<b>100</b>		<b>425</b>	<b>100</b>

Source: European Institute for the Media, Overcoming Language Barriers in Television, 1991

## Appendix VIII

### ANALYSIS OF TVM PROGRAMMES JAN - DEC 1992

	LOCAL AIRTIME			IMPORTED AIRTIME			TOTAL AIRTIME		
	YRLY HRS	WKLY HRS	WKLY %	YRLY HRS	WKLY HRS	WKLY %	YRLY HRS	WKLY HRS	WKLY %
<b>NEWS &amp; CURRENT AFFAIRS</b>									
News	332.83	6.40	9.72				332.83	6.40	9.72
Current Affairs	38.99	0.75	1.14	1.35	0.03	0.04	40.34	0.78	1.18
Discussions	0.70	0.01	0.02				0.70	0.01	0.02
<b>INFORMATION</b>									
Talks	50.80	0.98	1.48				50.80	0.98	1.48
Documentaries	10.61	0.20	0.31	138.93	2.67	4.06	149.65	2.88	4.37
Religious Programmes	93.81	1.80	2.74	6.07	0.12	0.18	99.88	1.92	2.92
Magazine Programmes	113.64	2.19	3.32	43.49	0.84	1.27	157.12	3.02	4.59
Sports	209.45	4.03	6.12	110.85	2.13	3.24	320.30	6.16	9.36
<b>CULTURAL</b>									
Arts and Literature	26.34	0.51	0.77	1.98	0.04	0.06	28.32	0.54	0.83
<b>CHILDREN'S PROGRAMMES</b>									
Cartoons				321.01	6.17	9.38	321.01	6.17	9.38
Informative & Educational	7.45	0.14	0.22	97.16	1.87	2.84	104.60	2.01	3.06
Others	22.41	0.43	0.65	76.42	1.47	2.23	98.83	1.90	2.89
M.E.C.	36.23	0.70	1.06				36.23	0.70	1.06
<b>ENTERTAINMENT</b>									
Drama	7.45	0.14	0.22	103.34	1.99	3.02	110.79	2.13	3.24
Series				367.57	7.07	10.74	367.57	7.07	10.74
Family Comedies	8.73	0.17	0.26	138.83	2.67	4.06	147.56	2.84	4.31
Serious Music and Ballet	15.08	0.29	0.44	66.00	1.27	1.93	81.09	1.56	2.37
Pop Music	43.42	0.84	1.27	39.02	0.75	1.14	82.45	1.59	2.41
Folk Music	12.16	0.23	0.36	5.35	0.10	0.16	17.51	0.34	0.51
Variety, Shows, Quizzes, etc	294.73	5.67	8.61	28.00	0.54	0.82	322.72	6.21	9.43
Feature Films/TV Movies				328.00	6.31	9.58	328.00	6.31	9.58
<b>OTHERS</b>									
Political Talks	14.01	0.27	0.41				14.01	0.27	0.41
Parliamentary Report	31.28	0.60	0.91				31.28	0.60	0.91
Parliamentary Debates	5.15	0.10	0.15				5.15	0.10	0.15
Ministerial Talks	2.80	0.05	0.07				2.80	0.05	0.07
<b>ADVERTISING</b>	152.39	2.93	4.45				152.39	2.93	4.45
<b>MISCELLANEOUS</b>	19.01	0.37	0.56				19.01	0.37	0.56
	1549.45	29.80	45.00	1873.37	36.03	55.00	3422.82	65.82	100.00

WEEKLY AVERAGE SATELLITE TRANSMISSION: 28.605 HRS

### PROCEDURE FOR DEALING WITH PROGRAMME COMPLAINTS

Section 34 of the Broadcasting Act 1991 vests the Authority with the power and the duty to consider complaints of -

- (a) unjust or unfair treatment in sound or television programmes broadcast by any person providing broadcasting services in Malta;
- (b) unwarranted infringement of privacy in, or in connection with the obtaining of material included in, sound or television programmes so broadcast.

This section of the Act also lays down that complaints are to be submitted in writing by the person affected or by a person authorised by him to make the complaint for him. Furthermore, section 34 (3) provides the following definitions of "the person affected" who -

- (i) in relation to any unjust or unfair treatment as is mentioned in (a) above, means a participant in the programme in question who was the subject of that treatment or a person who, whether such a participant or not, had a direct interest in the subject matter of that treatment;
- (ii) in relation to any such unwarranted infringement of privacy as is so mentioned, means a person whose privacy was infringed; and

"Unjust or unfair treatment" includes treatment which is unjust or unfair because of the way in which material included in a programme had been selected as arranged.

Paragraph 2(c) (vii) of the First Schedule to the Broadcasting Act also requires the Authority's licensees and contractors "to adopt procedures to handle complaints from viewers and listeners".

In view of these statutory requirements, the Broadcasting Authority has formulated the following procedure which the public and all stations providing broadcasting services are required to observe:

1. The public is being informed that all complaints should be made promptly in writing and should be addressed to the Station concerned.
2. Complaints should be dealt with promptly by the Station.
3. If a complaint is upheld in whole or in part, the Station should take appropriate action, notifying the Authority and the complainant in writing of the action taken.
4. If a complaint is not upheld, the Station shall
  - (a) so inform complainant, and
  - (b) inform complainant of his/her right to refer matter to the Authority for a review of the broadcaster's decision, and
  - (c) notify the Authority of the decision taken and provide it with a copy of all relevant correspondence.
5. After reviewing complaints brought to its attention in accordance with this procedure, the Authority shall communicate its decision to the parties concerned.
6. The Authority's decision shall be final.

# Appendix X

## BROADCASTING AUTHORITY

### REVENUE AND EXPENDITURE ESTIMATES

For the year ending 31 December 1993

In terms of Section 27 of the

Broadcasting Act, 1991

and

### REPORT AND FINANCIAL STATEMENTS

For the year ended 31 December 1991

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**BROADCASTING AUTHORITY****REVENUE AND EXPENDITURE ESTIMATES**

For the year ending 31 December 1993

In terms of Section 27 of the Broadcasting Act 1991

	Page	Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
INCOME	108	<u>138,299</u>	<u>293,500</u>	<u>315,920</u>	<u>324,300</u>
EXPENSES	108	109,836	212,192	146,008	310,151
DEPRECIATION		<u>6,094</u>	<u>18,120</u>	<u>9,352</u>	<u>27,414</u>
		<u>115,930</u>	<u>230,312</u>	<u>155,360</u>	<u>337,565</u>
SURPLUS/(DEFICIT) FOR THE YEAR		<u>Lm 22,369</u>	<u>Lm 63,188</u>	<u>Lm160,560</u>	<u>Lm(13,265)</u>

**BROADCASTING AUTHORITY****PROJECTED FUNDS FLOW STATEMENT**

For the year ending 31 December 1993

	Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
<b>SOURCE OF FUNDS</b>				
Net surplus/(deficit) for year	22,369	63,188	160,560	(13,265)
Add back:				
Items not involving the movement of funds:				
Depreciation of tangible fixed assets	<u>6,094</u>	<u>18,120</u>	<u>9,352</u>	<u>27,414</u>
<b>FUNDS GENERATED FROM OPERATIONS</b>	<u>28,463</u>	<u>81,308</u>	<u>169,912</u>	<u>14,149</u>
<b>APPLICATION OF FUNDS</b>				
Capital expenditure	14,570	71,200	67,211	138,200
Reserve fund	<u>6,000</u>	<u>10,000</u>	<u>10,000</u>	<u>-</u>
<b>TOTAL APPLICATION OF FUNDS</b>	<u>20,570</u>	<u>81,200</u>	<u>77,211</u>	<u>138,200</u>
<b>NET SOURCE/ (APPLICATION) OF FUNDS</b>	<u>Lm 7,893</u>	<u>Lm 108</u>	<u>Lm 92,701</u>	<u>Lm(124,051)</u>



**BROADCASTING AUTHORITY****SCHEDULES OF ESTIMATES**

For the year ending 31 December 1993

**1 INCOME**

	Notes	Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
Government contribution	1(a)	120,000	250,000	250,000	250,000
Radio licence fees*	1(b)	2,220	20,000	16,384	36,300
Radio application fees*		15,000	-	4,000	-
Cable TV operator	1(c)	-	15,000	30,000	30,000
Ground rents	1(d)	13	7,500	7,500	7,500
Bank interest	1(e)	502	1,000	8,036	500
Licence fees from Programme contractors		564	-	-	-
- to page 106		Lm138,299	Lm293,500	Lm315,920	Lm324,300

\* Radio and application fees are shown net of technical assistance of 20% of gross fees received. Technical assistance is payable to the Ministry responsible for wireless and telegraphy in terms of Section 18(5) of the Broadcasting Act 1991.

**2 EXPENDITURE**

	Page	Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
Operating expenses:					
Administration department	109	84,207	108,994	106,609	138,646
Production department	110	11,837	24,396	27,406	126,071
Monitoring department	110	10,348	29,916	11,993	40,126
Technical department	110	3,444	45,886	-	5,308
Studio training centre	110	-	3,000	-	-
- to page 106		Lm109,836	Lm212,192	Lm146,008	Lm310,151

**BROADCASTING AUTHORITY****SCHEDULES OF ESTIMATES (continued)****3 ADMINISTRATIVE DEPARTMENT EXPENSES**

	Notes	Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
Duty visits abroad	2(a)	1,893	4,500	4,850	5,000
Rent	2(b)	1,550	3,500	3,500	3,500
Wages and salaries	2(c)	32,837	52,760	49,523	72,736
Members' honoraria	2(d)	14,334	14,334	17,222	20,110
Audience research study	2(e)	4,298	4,500	4,397	3,000
Legal & professional fees	2(f)	4,508	3,000	4,642	5,000
Visiting lecturers	2(g)	1,864	1,000	-	1,000
Audit fee	2(h)	400	500	400	400
Public relations	2(h)	1,554	2,500	1,984	2,200
Repairs and maintenance	2(h)	1,167	1,200	1,862	1,600
International organisations membership fees	2(h)	3,182	3,300	3,379	3,600
Subscriptions and publications	2(h)	1,015	1,700	1,707	1,800
Telecommunications	2(h)	1,850	3,100	3,100	3,800
Rentals of radio & TV sets	2(h)	215	500	510	500
Stationery	2(h)	1,339	2,200	1,829	2,800
Sundry expenses	2(h)	1,313	1,500	835	1,500
Insurances	2(h)	344	2,000	496	2,000
Transport	2(h)	701	1,200	1,191	1,400
Water and electricity	2(h)	920	1,500	1,500	2,000
M.B.A. reports and publications	2(h)	1,090	3,000	1,231	3,000
Staff recruitment and training	2(h)	128	600	552	500
Advertising	2(h)	570	-	1,299	1,200
Adaptation of office		2,017	600	600	-
Anniversary celebrations		5,118	-	-	-
- to page 108		Lm 84,207	Lm108,994	Lm106,609	Lm138,646

**BROADCASTING AUTHORITY****SCHEDULE OF ESTIMATES (continued)****4 PRODUCTION DEPARTMENT EXPENSES**

		Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
	Notes				
Wages and salaries	3(a)	5,855	16,396	4,823	26,071
Staff training		-	6,000	5,276	-
Production expenses	3(b)	4,917	2,000	15,000	95,000
Airtime & studio charges	3(c)	1,065	-	2,307	5,000
		<hr/>	<hr/>	<hr/>	<hr/>
- to page 108		Lm 11,837	Lm 24,396	Lm 27,406	Lm 126,071
		<hr/>	<hr/>	<hr/>	<hr/>

**5 MONITORING DEPARTMENT EXPENSES**

		Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
	Notes				
Wages and salaries	4(a)	8,888	28,216	10,293	38,426
Monitoring allowances	4(b)	1,460	1,700	1,700	1,700
		<hr/>	<hr/>	<hr/>	<hr/>
- to page 108		Lm 10,348	Lm 29,916	Lm 11,993	Lm 40,126
		<hr/>	<hr/>	<hr/>	<hr/>

**6 TECHNICAL DEPARTMENT EXPENSES**

		Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
	Notes				
Wages and salaries	5	-	39,886	-	5,308
Staff training		3,444	6,000	-	-
		<hr/>	<hr/>	<hr/>	<hr/>
- to page 108		Lm 3,444	Lm 45,886	Lm -	Lm 5,308
		<hr/>	<hr/>	<hr/>	<hr/>

**7 STUDIO TRAINING CENTRE**

		Actual 1991 Lm	Original Estimates 1992 Lm	Revised Estimates 1992 Lm	Estimates 1993 Lm
Consultancy fees					
- to page 108		Lm -	Lm 3,000	Lm -	Lm -
		<hr/>	<hr/>	<hr/>	<hr/>

## **BROADCASTING AUTHORITY**

### **NOTES TO THE ESTIMATES**

For the year ending 31 December 1993

#### **1 INCOME**

- (a) The Broadcasting Act 1991, Section 24(1)(b) provides for a minimum annual Government contribution of Lm250,000. This contribution is primarily required for the proposed capital expenditure, namely the new studios and offices arising from the Authority's new role in Cable Television programming and for operating expenditure. The Government contribution is based on the projected funds flow statement and the deficit shown thereon will be financed from internal funds.
- (b) Five enterprises have been granted a licence to operate nation-wide radio services. Three applications are currently under review. It is envisaged that another two enterprises will apply by 31 December 1992 and out of the five applicants only four would be granted a licence to operate. Thus this would bring the number of licences which would have been granted by the Authority to nine. These will be charged an annual licence fee of Lm5,000 each. In terms of Section 18(5) of the Broadcasting Act 1991 the Authority is obliged to pay 20% of the fees received to the Ministry responsible for Wireless Telegraphy in connection with the technical servicing of the licences. It is also envisaged that two enterprises will be granted a licence to operate community radio services at an annual licence fee of Lm150.
- (c) During 1993, Melita Cable Television Limited will pay the Authority Lm30,000 in respect of its obligations to provide the Authority with funds to operate a community channel.
- (d) It is planned that the Authority will charge Master Antenna Limited, Public Broadcasting Services Limited, Central Bank of Malta, Telemalta Corporation and Telecell Limited a total of Lm7,500 per annum for ground rent in respect of the G'arg'ur transmitting facilities.
- (e) It is planned that any temporary surplus funds will be deposited in savings/fixed bank accounts.

#### **2. ADMINISTRATIVE EXPENSES**

- (a) During 1993 the Broadcasting Authority will be represented at international conferences of the European Broadcasting Union and the European Institute for the Media as well as at other international broadcasting conferences.
- (b) The rent agreement of the Blata l-Bajda premises expired on 31 December 1991 and up to that date the Authority paid an annual rent of Lm1,500. Although no agreement has been reached on the new rent, it is estimated to be around Lm3,500 per annum.
- (c) Currently the Authority has a staff complement of nine in the Administration Department. During 1992 the Authority appointed management consultants to carry out a Human Resource Plan. The Authority will be implementing their recommendations of a restructuring of its workforce and salary structure during 1993. Thus, it is envisaged that eight additional employees will be recruited next year. The total salaries for the Administration Department 1993 would amount to Lm72,736.

## **BROADCASTING AUTHORITY**

### **NOTES TO THE ESTIMATES (continued)**

- (d) The Board is composed of a chairman and four members. During 1993 it is expected that the chairman's remuneration will be Lm5,430 and that of the members Lm3,670 each.
- (e) It is envisaged that only one major study will be carried out to assess and monitor the local audience's preferences for television and radio programmes.
- (f) Provision has been taken for legal, financial and management consultancy services which the authority intends to continue to seek during the course of 1993.
- (g) The Authority plans to invite international broadcasting personalities to visit Malta on public lecturing assignments.
- (h) Other administrative expenses are estimated after taking into consideration past years' performance and planned level of activity of the Broadcasting Authority in 1993.

### **3 PRODUCTION DEPARTMENT EXPENSES**

- (a) Presently the Authority employs a programme producer for the Production Department. In accordance with the consultant's Human Resource Plan, the Authority will recruit an additional four employees and the recommended salaries in 1993 would reach Lm26,071.
- (b) Production expenses are to be incurred in connection with the Community Channel on Cable T.V. It is envisaged that the Authority would purchase foreign film material of an educational and informative interest as well as commission locally produced programmes, the total cost of which is estimated at Lm95,000.
- (c) It is estimated that in 1993 Broadcasting Authority will prescribe a number of programme hours for transmission on the Public Broadcasting Services. These hours will consist of serious and informative locally originated material produced by the Authority.

### **4 MONITORING DEPARTMENT EXPENSES**

- (a) Currently the Authority employs a head of section, three programme editors and two data programme analysts. In accordance with the Human Resource Plan, an additional employee will be recruited. The total salaries estimated for 1993 would be Lm38,426.
- (b) Monitoring allowances have been estimated on established levels with provision being taken for special monitoring duties.

### **5 TECHNICAL DEPARTMENT EXPENSES**

The Authority plans to recruit a Technical Manager in 1993, whose salary would amount to Lm5,308.

**BROADCASTING AUTHORITY**

**CAPITAL EXPENDITURE BUDGET**

For the year ending 31 December 1993

The Authority is proposing the following capital expenditure:

	Lm
<b><u>BUILDING</u></b>	
The building project during 1993 includes provision for civil works involving preliminary site works and excavation, concrete and masonry works which will be commissioned after a call for tender	133,500
<b><u>PRODUCTION DEPARTMENT</u></b>	
Beta video tapes (various sizes)	1,700
<b><u>MONITORING DEPARTMENT</u></b>	
2 WANG computers	3,000
<b>TOTAL PROPOSED CAPITAL EXPENDITURE</b>	<b>Lm 138,200</b>

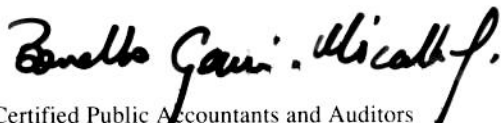
**BROADCASTING AUTHORITY**

**AUDITORS' REPORT**

We have audited the financial statements set out on pages 115 to 122 in accordance with Auditing Standards.

We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit. Proper books of account have been kept and the financial statements are in agreement therewith.

In our opinion, the financial statements give a true and fair view of the state of the Authority's affairs at 31 December 1991 and of its deficit and source and application of funds for the year then ended, and comply with the Broadcasting Act 1991.

A handwritten signature in black ink, appearing to read "Bonello Gatt".

Certified Public Accountants and Auditors

Ta' Xbiex  
Malta

19 June 1992



**BROADCASTING AUTHORITY****INCOME AND EXPENDITURE ACCOUNT**

For the year ended 31 December 1991

	Notes	1991 Lm	1990 Lm
INCOME	2	138,299	81,089
EXPENDITURE		<u>(115,930)</u>	<u>(82,703)</u>
SURPLUS/(DEFICIT) OF INCOME OVER EXPENDITURE		22,369	(1,614)
PROGRAMMES SHORTFALL PROVISION	6	(4,944)	(12,534)
TRANSFER TO CAPITAL RESERVE	7	(14,123)	(1,886)
TRANSFER TO RESERVE FUND	8	<u>(6,000)</u>	<u>-</u>
DEFICIT FOR THE YEAR		(2,698)	(16,034)
ACCUMULATED DEFICIT BROUGHT FORWARD		<u>(354,899)</u>	<u>(338,865)</u>
ACCUMULATED DEFICIT CARRIED FORWARD		<u>Lm (357,597)</u>	<u>Lm (354,899)</u>

**BROADCASTING AUTHORITY****BALANCE SHEET**

At 31 December 1991

	Notes	1991 Lm	1990 Lm
<b>FIXED ASSETS</b>			
Tangible	3	141,432	6,872
Investment	4	1	-
		<hr/> 141,433	<hr/> 6,872
<b>CURRENT ASSETS</b>			
Debtors		3,499	1,788
Cash at bank and in hand		24,837	1,233
		<hr/> 28,336	<hr/> 3,011
<b>CURRENT LIABILITIES</b>			
Creditors falling due within one year	5	(16,129)	(4,697)
		<hr/>	<hr/>
<b>NET CURRENT ASSETS/(LIABILITIES)</b>		<hr/> 12,207	<hr/> (1,686)
<b>TOTAL ASSETS LESS CURRENT LIABILITIES</b>		<hr/> 153,640	<hr/> 5,186
<b>PROVISION FOR LIABILITIES AND CHARGES</b>	6	(339,723)	(334,779)
		<hr/>	<hr/>
<b>NET LIABILITIES</b>		<hr/> Lm(186,083)	<hr/> Lm(329,593)
Capital fund	7	39,429	25,306
Reserves	8	132,085	-
Accumulated deficit		(357,597)	(354,899)
		<hr/>	<hr/>
<b>DEFICIENCY</b>		<hr/> Lm(186,083)	<hr/> Lm(329,593)

**LAURENCE MIZZI**

CHAIRMAN

**ANTOINE J. ELLUL**

CHIEF EXECUTIVE

**BROADCASTING AUTHORITY****STATEMENT OF SOURCE AND APPLICATION OF FUNDS**

For the year ended 31 December 1991

	1991	1990
	Lm	Lm
<b>SOURCE OF FUNDS</b>		
Deficit for the year	(2,698)	(16,034)
Adjustments for items not involving the movement of funds:		
Depreciation	6,094	1,774
Transfer to capital reserve	14,123	1,886
Provision for shortfall in programmes	4,944	12,534
Transfer to reserve fund	6,000	-
	<hr/>	<hr/>
<b>FUNDS GENERATED FROM OPERATIONS</b>	28,463	160
<b>APPLICATION OF FUNDS</b>		
Purchase of tangible fixed assets	(14,569)	(1,886)
Purchase of investment	(1)	-
	<hr/>	<hr/>
<b>NET SOURCE/(APPLICATION) OF FUNDS</b>	<u>Lm13,893</u>	<u>Lm(1,726)</u>
<b>THE NET SOURCE/(APPLICATION) OF FUNDS IS REPRESENTED BY THE FOLLOWING MOVEMENTS IN WORKING CAPITAL</b>		
Debtors	1,711	1,197
Creditors falling due within one year	(11,432)	(1,799)
	<hr/>	<hr/>
	(9,721)	(602)
<b>Movement in liquid funds:</b>		
Bank and cash in hand	23,614	(1,124)
	<hr/>	<hr/>
<b>INCREASE/(DECREASE) IN WORKING CAPITAL</b>	<u>Lm13,893</u>	<u>Lm(1,726)</u>

## **BROADCASTING AUTHORITY**

### **NOTES TO THE FINANCIAL STATEMENTS**

For the year ended 31 December 1991

#### **1 ACCOUNTING POLICIES**

##### **BASIS OF ACCOUNTING**

The financial statements are prepared on the historical cost basis of accounting except as adjusted for the revaluation of land, buildings and antenna equipment.

##### **TANGIBLE FIXED ASSETS**

Tangible fixed assets are stated at cost less accumulated depreciation. Depreciation is provided for on the straight line method at rates intended to write off the cost of fixed assets over their expected useful lives. The annual rates used, which are consistent with those applied in the previous year, are:

	%
Buildings	1
Studio equipment	20
Technical equipment	25
Motor vehicles	20
Furniture, fittings and office equipment	10-20
Transmitting antenna	4

##### **PROGRAMME EXPENDITURE**

Twenty percent per annum of general administrative expenses is apportioned to programme expenditure.

## **BROADCASTING AUTHORITY**

### **NOTES TO THE FINANCIAL STATEMENTS (continued)**

#### **2 INCOME**

Income is made up as follows:

	1991 Lm	1990 Lm
Government contributions	120,000	80,000
Licence fees from Programme Contractors	564	751
Ground rent	13	13
Bank interest	502	325
Application fees for sound broadcasting licence	15,000	-
Licence fees for nationwide sound broadcasting services	2,220	-
	<hr/>	<hr/>
	Lm138,299	Lm81,089
	<hr/>	<hr/>

#### **TECHNICAL ASSISTANCE**

Twenty percent of application fees and licence fees for broadcasting received by the Authority are automatically paid to the Minister responsible for Wireless and Telegraphy in terms of section 18(5) of the Broadcasting Act 1991.

# **BROADCASTING AUTHORITY**

## **NOTES TO THE FINANCIAL STATEMENTS (continued)**

### **3 TANGIBLE FIXED ASSETS**

	Freehold Land Lm	Buildings Lm	Fixtures Fittings and Office Equipment Lm	Technical Equipment Lm	Studio Equipment Lm	Motor Vehicle Lm	Transmitting Antenna Lm	Total Lm
<b><u>COST OR VALUATION</u></b>								
At 1 January 1991	655	-	17,325	2,661	718	3,947	-	25,306
Surplus on revaluation	33,382	42,363	-	-	-	-	50,340	126,085
Additions	-	-	12,692	1,877	-	-	-	14,569
Disposals	-	-	(446)	-	-	-	-	(446)
At 31 Dec. 1991	34,037	42,363	29,571	4,538	718	3,947	50,340	165,51
<b><u>DEPRECIATION</u></b>								
At 1 January 1991	-	-	11,651	2,118	718	3,947	-	18,434
Charge for year	-	424	3,258	398	-	-	2,014	6,094
Released on disposal	-	-	(446)	-	-	-	-	(446)
At 31 Dec. 1991	-	424	14,463	2,516	718	3,947	2,014	24,082
<b><u>NET BOOK VALUE</u></b>								
At 31 Dec. 1991	Lm34,037	Lm41,939	Lm15,108	Lm2,022	Lm -	Lm -	Lm48,326	Lm141,432
At 31 Dec. 1990	Lm655	Lm -	Lm5,674	Lm543	Lm -	Lm -	Lm -	Lm6,872

**BROADCASTING AUTHORITY****NOTES TO THE FINANCIAL STATEMENTS (continued)****3. TANGIBLE FIXED ASSETS (continued)**

Land and buildings were revalued on the basis of an open market valuation for existing use at 25 March 1991 by Mangion & Mangion Partners, Architects Civil Engineers & Consultants.

The transmitting antenna was revalued on the basis of an open market valuation for existing use at 28 August 1991 by C. Busuttil, Architect and Civil Engineer.

If the above assets had not been revalued they would have been included at the following amounts:

	1991	1990
Cost	Lm 655	Lm 655
Aggregate depreciation on cost	Lm -	Lm -

The cost of fully depreciated assets still in use at the year end amounted to Lm13,099 on which depreciation otherwise chargeable would have amounted to Lm2,375.

**4. INVESTMENT**

	1991	1990
1 ordinary share of Lm1 in Master Antenna Limited	Lm 1	Lm -

**5. CREDITORS FALLING DUE WITHIN ONE YEAR**

	1991	1990
	Lm	Lm
Trade creditors	-	1,480
Accruals and deferred income	16,129	3,217
	Lm16,129	Lm 4,697



**BROADCASTING AUTHORITY****NOTES TO THE FINANCIAL STATEMENTS (continued)****6 PROVISION FOR LIABILITIES AND CHARGES**

The Authority is contractually obliged to spend Lm35,000 annually for the prescription and improvement of programmes on radio and television. The income of the Authority was not always sufficient to enable it to meet this commitment. Consequently, the Authority has accumulated the following shortfall:

	1991 Lm	1990 Lm
Balance at 1 January	334,779	322,245
Shortfall for the year	4,944	12,534
	<hr/>	<hr/>
Balance at 31 December	Lm339,723	Lm334,779

The agreement expired on 28 September 1991 and it is not envisaged that the contract will be renewed and accordingly no provision was made for the last 3 months of the year.

**7 CAPITAL FUND**

	1991 Lm	1990 Lm
Balance at 1 January	25,306	23,420
Net additions to fixed assets	14,123	1,886
	<hr/>	<hr/>
Balance at 31 December	Lm39,429	Lm25,306

**8 RESERVES**

	1991 Lm	1990 Lm
Revaluation reserve	126,085	-
Reserve fund	6,000	-
	<hr/>	<hr/>
	Lm132,085	Lm -

The revaluation reserve has arisen out of a valuation carried out on fixed assets during 1991.

The reserve fund has been set up in accordance with Section 26 of the Broadcasting Act 1991.

**BROADCASTING AUTHORITY****INCOME AND EXPENDITURE ACCOUNT**

For the year ended 31 December 1991

	Page	1991 Lm	1990 Lm
INCOME			
Government contributions		120,000	80,000
Licence fees from Programme Contractors		564	751
Ground rent		13	13
Bank interest		502	325
Application fees		15,000	-
Licences		2,220	-
		<hr/>	<hr/>
		138,299	81,089
		<hr/>	<hr/>
EXPENDITURE			
Technical assistance		3,444	-
Administrative expenses	124	91,180	60,237
Programme expenditure	125	21,306	22,466
		<hr/>	<hr/>
		115,930	82,703
		<hr/>	<hr/>
SURPLUS/(DEFICIT) OF INCOME OVER EXPENDITURE		22,369	(1,614)
PROGRAMMES SHORTFALL PROVISION	125	(4,944)	(12,534)
TRANSFER TO CAPITAL RESERVE		(14,123)	(1,886)
TRANSFER TO RESERVE FUND		(6,000)	-
		<hr/>	<hr/>
DEFICIT FOR THE YEAR		Lm (2,698)	Lm(16,034)
		<hr/>	<hr/>

**BROADCASTING AUTHORITY****ADMINISTRATIVE EXPENSES**

For the year ended 31 December 1991

	1991 Lm	1990 Lm
Members honoraria	14,334	6,000
Salaries	49,040	44,059
Telecommunication expenses	1,850	1,318
Water and electricity	920	865
Insurance	344	183
Rent	1,550	1,550
Stationery	1,339	1,235
Subscriptions and publications	1,015	1,109
International organisations membership fees	3,182	2,915
Repairs and maintenance	1,167	607
Public relations	1,554	1,131
Duty visits abroad	1,893	6,088
Anniversary celebrations		
– International conference	2,790	-
– Visiting lecturers	1,864	-
– Other activities	2,328	-
Transport	701	695
MBA annual reports	1,090	656
Staff recruitment and training	128	23
Adaptation of office	2,017	430
Audience research study	4,298	1,300
Airtime and studio charges	1,065	-
Advertising	570	-
Rentals of radio & T.V. sets	215	210
Sundry expenses	1,313	947
Audit fee	400	200
Legal and professional fees	4,508	2,327
Depreciation	5,796	1,448
	<hr/>	<hr/>
	Lm107,271	Lm75,296
Expenses apportioned to programmes:		
Sound Broadcasts-4.275% (1990-5.7%) - to page 125	(4,586)	(4,292)
T.V. Broadcasts-10.725% (1990-14.3%) - to page 125	(11,505)	(10,767)
	<hr/>	<hr/>
- to page 123	Lm91,180	Lm60,237
	<hr/>	<hr/>

**BROADCASTING AUTHORITY****PROGRAMME EXPENDITURE**

For the year ended 31 December 1991

	9 months 1991		12 months 1990	
	Sound Lm	T.V. Lm	Total Lm	Total Lm
AIRTIME AND STUDIO CHARGES				
Broadcasts: Script/writers expenses	-	338	338	549
Documentaries	-	1,801	1,801	1,888
Political broadcasts	775	1,809	2,584	4,561
Other broadcasts	37	157	194	83
	<u>812</u>	<u>4,105</u>	<u>4,917</u>	<u>7,081</u>
DEPRECIATION ON TECHNICAL AND STUDIO EQUIPMENT	89	209	298	326
APPORTIONMENT OF ADMINISTRATIVE EXPENSES				
From page 124	<u>4,586</u>	<u>11,505</u>	<u>16,091</u>	<u>15,059</u>
To page 123	<u>5,487</u>	<u>15,819</u>	<u>21,306</u>	<u>22,466</u>
Programmes shortfall provision - to page 123			<u>4,944</u>	<u>12,534</u>
			<u>Lm26,250</u>	<u>Lm35,000</u>



Broadcasting  
Authority  
Malta  
1992