



Broadcasting Authority  
Malta

**Annual Report  
2001**

**Broadcasting Authority  
Malta**



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BROADCASTING AUTHORITY



L-AWTORITÀ TAX-XANDIR

The Hon Dr Eddie Fenech Adami, BA, LL.D., M.P.,  
Prime Minister,  
Auberge de Castille,  
Valletta

30th March 2002  
Ref. 67/62/4

Prime Minister,

In accordance with sub-article (1) of article 30 of the Broadcasting Act, Chapter 406 of the Laws of Malta, we have pleasure in forwarding the Broadcasting Authority's Report for 2001.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joseph M. Pirotta'.

Profs Joseph M Pirotta  
Chairman

A handwritten signature in blue ink, appearing to read 'Kevin Aquilina'.

Dr Kevin Aquilina  
Chief Executive



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## Broadcasting Chronology 2001

**February** Authority approves Guidelines on Alcoholic Drinks Advertising and Advertising concerning Medicines, Treatment, Health Claims, Nutrition and Dietary Supplements.

Authority issues call for applications for a terrestrial television broadcasting licence.

Authority issues community radio licences to *Lehen il-Qala*, *Radju Prekursur* and *Radju Sokkors*.

**March** Authority issues national sound broadcasting licence to *Radio Calypso 102.3* and community radio licence to *Radju Marija 106FM*.

**April** Results for the First Quarter 2001 Audience Survey announced.

**May** Mr Antoine J. Ellul appointed Member of the Broadcasting Authority in lieu of Mr Lino Mintoff.

The Authority hosts the Fifth Meeting of the Mediterranean Network of Media Regulatory Authorities.

Authority issues national sound broadcasting licence to *Super 1 Radio*.

**June** Authority issues community radio licences to *Radju Xeb-er-ras* and *Radju St Vincent de Paule*.

First group of broadcasters attends Gender Training in Ireland.

**July** Authority issues community radio licence to *Radju BKR 94.5*.

**August** Court of Appeal Judgement: Grima Communications Co. Ltd. vs Broadcasting Authority.

Second group of broadcasters attend Gender Training in Ireland.

Authority approves Guidelines on the Ethical Coverage of Tragedies in the Broadcasting Media.



**September** The Authority hosts the 14th Meeting of the European Platform of Regulatory Authorities.

Authority organises seminar for broadcasters on the Use of the Maltese Language.

List of Major Events published.

Teleshopping regulations come into force.

**October** List of Major Events revised.

Code for the Investigation and Determination of Complaints amended.

Authority approves document on the Correct Use of the Maltese Language in the Broadcasting Media.

Authority approves Guidelines on Advertising of Financial Services and Products.

Authority issues national sound broadcasting licence to *Campus FM*.

**November** Programme Awards Night.

Authority issues community radio licences to *Fantasy Radio*, *Radju Tlett Ibliet* and *Radju Vilhena*.

**December** Results for the Last Quarter 2001 Audience Survey announced.

Authority issues community radio licence to *Radio Galaxy*.



Prof. Joseph M. Pirotta at the presentation of contracts to broadcasters attending Gender Training in Ireland.



Ms. Sylvana Cristina, PBS Ltd., one of the broadcasters attending Gender Training in Ireland under the Leonardo Da Vinci placement programme



**30th May - 1st June 2001 - Fifth Meeting of the Mediterranean Network of Media Regulatory Authorities**



Proceedings of one of the sessions held at the Westin Dragonara and Prof. Joseph M. Pirotta addressing the Press Conference at the end of the meeting.

**6th September 2001 - Seminar for Broadcasters concerning the Use of the Maltese Language**



Proceedings of the opening session of the Seminar held at Corinthia San Gorg St. Julians and the presentation of the consultative document by Prof. Joseph M. Pirotta who opened four discussion groups.

**26th - 29th September 2001 - Fourteenth Meeting of the European Platform of Regulatory Authorities**



General picture of the participants of the 14th Meeting of the European Platform of Regulatory Authorities at the Radisson SAS, St. Julians, and the opening address by the Chairman, Mr Gregor Lindberg.

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**April - December 2001**

Press Conference held on the 6th December 2001 for the presentation of results for the October 2001 Audience Survey at the Authority's premises.

**October 2001**

Prof. Joseph M. Pirotta at the presentation of a national sound broadcasting licence to Campus FM with Prof. Charles Farrugia, Pro-rector of the University of Malta and other officials from the University Broadcasting Services Ltd. and Dr. Kevin Aquilina, Chief Executive of the Broadcasting Authority.



**17th November 2001**



Broadcasting Authority Programme Awards 2001, 7th Edition held at the "Fortress Hall", Corinthia San Gorg, St. Julians



## 1. Message from the Chairman



*Professor Joseph M. Pirotta  
Chairman*

In September 2001 the Broadcasting Authority celebrated its fortieth anniversary making it by far the oldest constitutional body on the Island. Born at a time of great political controversy, on the eve of both the restoration of responsible government and the birth of local television, it was charged, among other things, with ensuring the fair apportionment of time and facilities between the political parties and the impartiality of news broadcasts. Entrenched in the constitution ever since independence, the Authority has continued to carry out this particular role together with other legal obligations that have expanded in line with the introduction of pluralism and the subsequent amendments to the broadcasting legislation. Yet the Authority's constitutional obligations, which are meant to provide a level playing field for the various political parties, are not there for the parties' interests per se, but rather for the enhancement of the democratic environment that makes the Authority's role primarily public oriented. Put more directly, the Authority's principal role is to safeguard the public interest, to ensure freedom of expression and to uphold the public's right to information. It is within this context that the Authority is obliged to provide the level playing field alluded to. However, the sphere of public interest encompasses much more than mere knowledge of the activities and objectives of the political parties, however essential these are to the proper functioning of a democracy.

Throughout the outgoing year the Authority has striven to act in the public interest at varying levels. It has done this not only by honouring its constitutional obligations but also by applying the provisions of the Broadcasting Act. Two of the areas in which the Authority's activities were quite conspicuous concerned the protection of minors and advertising. The protection of minors is a definite priority and the Authority has made it absolutely clear to the various stations that no compromise will be accepted in this regard.

Television advertising, which the Authority recognises is the broadcasting industry's lifeblood, had long been a source of worry to it. Ongoing developments in technology and technique lend themselves more readily to the exploitation of viewers. A point had been reached where large amounts of programme content



were a thinly disguised excuse for unremitting advertising. During the previous year the Authority had made it clear to the stations that it had lost faith in their ability to exercise self-regulation and that during 2001 it would be ensuring their compliance with their legal obligations. Unfortunately it was only after the painful infliction of a series of fines that stations, particularly private ones, put the required pressure on independent programme producers to make them comply. It is here worth repeating yet again that the legal requirements concerned are not peculiar to Malta but are exactly the same as those of the Council of Europe Trans-Frontier Television Convention with which Maltese broadcasting legislation is fully compliant.

The Advisory Committee on Advertising and other Economic Issues in the Broadcasting Media was responsible for the issue of three very important sets of Guidelines. The first dealt with the advertising of alcoholic drinks. These guidelines are particularly relevant given the growing concern in Malta with under-age drinking. The second concerned the advertising of Medicines, Treatments, Health Claims, Nutrition and Dietary Supplements. The third covered Financial Services and Products which, yet again, are increasingly offered on the broadcasting media. These are areas which have grown in importance as more and more magazine programmes seem to make these subjects a regular item.

Other important initiatives undertaken by the Broadcasting Authority during 2001 concerned the ethical coverage of tragedies and the correct use of Maltese in broadcasting. With regard to the former there had been increasing concern regarding the effect that such coverage was having, especially on relatives and friends of the victims. The Authority commissioned its Advisory Committee on Quality and Ethics in Broadcasting to undertake a full study of the situation and to make recommendations. These recommendations were approved by the Authority and the relevant Guidelines issued.

The Authority had been for some time sharing the increasing public concern at the deteriorating quality of the Maltese used by various broadcasters. The same Advisory Committee was also asked to study and make recommendations on the subject. Once the Advisory Committee's draft report was approved by the Authority, a document for public discussion was published and feedback solicited. The response was wide and highly positive. A draft report incorporating the recommendations received were discussed in a well-attended seminar for station personnel and the final document was later approved by the Authority. It is due to be issued as a Code of practice during 2002.



The Advisory Committee on News and Current Events was also entrusted with the study of the Codes covering News and Current Affairs and with putting forward recommendations as to how they could be improved. By the end of the year the draft report was ready for approval by the Authority. It is intended to follow the same pattern used in connection with the use of Maltese in broadcasting. The new codes should come into effect during 2002.

The Advisory Committee on Gender Issues organised, on the Authority's behalf, a two-week training course at Radio Telefis Éireann, Dublin, on Gender Awareness in the Broadcasting Media for fourteen employees of various local stations. The courses could be held after the Authority successfully applied for a placement under the Leonardo da Vinci Programme of the European Union. It was also during 2001 that the first ever prize for Gender Awareness in the Broadcasting Media was awarded.

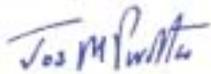
The Authority is grateful to its various Advisory Committees for their commitment, professionalism and expertise. They tackle the tasks given to them with thoughtful enthusiasm and they have helped considerably in making the Authority's work run more smoothly.

The Authority's international relations remained an essential part of its activities. During May the Authority hosted the fifth annual conference of the Mediterranean Network of Media Regulatory Authorities which met under my Presidency. This network is open to all independent broadcasting regulatory authorities in the Mediterranean region and it is a very useful means for the exchange of information and expertise with regard to the peculiar problems faced by regulators in this region.

In September, coinciding with its fortieth anniversary, the Authority hosted the 14th Conference of EPRA – the European Platform of Regulatory Authorities (EPRA) – which meets twice yearly. Set up in Malta in 1995 EPRA had, by the end of 2001, grown from seven to forty-three members. This statistic is indicative of the usefulness of this organisation and we are justly proud to be founder members and to play a full role in its deliberations and activities. It is important that we are continually aware of developments at all levels in European broadcasting and this is one of the ways through which this can be achieved. Indeed the level of co-operation that has been established among EPRA's various members is truly commendable and augurs well for its future.



This will be my last full year as Chairman of this Authority. During the years that I have had the privilege to be of service to the public my task was made easier by the co-operation of the members of the Board, the commitment and loyalty shown by the Authority's officials and personnel as well as the members of the various Advisory Committees; the co-operation and understanding exhibited by many Chairpersons and Board members of both the public and private stations; Chief Executives, Station Managers and other Executives; and many individuals who went out of their way to express their support and solidarity. Thank you for helping to make a difficult task a little easier.

A handwritten signature in blue ink that reads "Joseph M. Pirotta". The signature is written in a cursive style with a prominent initial "J" and "P".

Professor Joseph M. Pirotta

## 2. Review of the Year by the Chief Executive

### 2.1 The Broadcasting Authority

During the year 2001, the Authority was composed as follows:

Chairman: Professor Joseph M. Pirotta B.A., Ph.D. (Reading)

Members: Mr Lino Mintoff B.A. (Gen.), B.A. (Hons.) Soc.  
Mr Alfred Mallia Milanés  
Dr Reno Borg B.A. (Hons.), M.A., LL.D.  
Mrs Rose Sciberras B.A., L.P.

Mr Lino Mintoff, a member of the Broadcasting Authority since 1993, tendered his resignation from the Broadcasting Authority and the President of Malta on the advice of the Prime Minister after consultation with the Leader of the Opposition appointed Mr Antoine J. Ellul to the Board of the Broadcasting Authority.

Mr Ellul was first employed by the Authority at its inception in September 1961 and had served in various posts including that of Secretary to the Authority's Board and Chief Executive. He had retired from the latter post on 31st December 1999 and thus brought with him a wealth of experience to the broadcasting scenario.





*Chairman*  
*Professor Joseph M. Pirotta*  
*B.A., Ph.D. (Reading)*



*Member*  
*Dr Reno Borg*  
*B.A. (Hons.), M.A., LL.D.*



*Member*  
*Mr Antoine J. Ellul*



*Member*  
*Mr Alfred Mallia*  
*Milanes*



*Member*  
*Mrs Rose Sciberras*  
*B.A., L.P.*



*Chief Executive*  
*Dr. Kevin Aquilina Dip. Phil.,*  
*B.A., B.A. (Hons), M.A., LL.M.,*  
*LL.D., Ph.D. (Lond) (L.S.E.)*



*Secretary*  
*Mr. Edgar P Cassar*



The Authority remains indebted to Mr Lino Mintoff for the sterling services he offered and for his active contribution to the Authority's workings.

## **2.2 Broadcasting Authority Committees**

During 2001 the Authority had the following Advisory Committees in office:

### **2.2.1 Advisory Committee on Quality and Ethics in Broadcasting**

#### **2.2.1.1 Terms of Reference**

- (i) to advise the Authority on programme standards on radio and television and, in particular, on measures which need to be taken to raise the level of programming on public service and on commercial broadcasting media;
- (ii) to consider and report to the Authority on the need for programme guidelines to ensure good taste in locally transmitted programming;
- (iii) to advise the Authority with regard to the appearance of particular trends that go against good taste and decency; and
- (iv) to make recommendations concerning the use of the Maltese language in the broadcasting media.

#### **2.2.1.2 Composition**

Chairperson: Prof. Dominic Fenech B.A. (Hons), D.Phil. (Oxon)

Members: Dr Mary Anne Lauri Ph.D.; Mr Noel Agius B.A. (Hons), M.A.; Mr David Pace Dip. Jour., B.A. Comm.; Mr Tarcisio Zarb B.A. (Hons), M.A., Dip. Ar. P.G.C.E.; and Mr Joe Psaila.

Following the widening of the Committee's terms of reference during the previous year to include recommendations concerning the use of the Maltese language in the Broadcasting Media, the Committee took a closer look at various examples of current usage in broadcasting.

A preliminary report was prepared by the Committee on the basis of which the Authority invited interested parties to send in their views on the subject. The response was extremely positive and the Authority received numerous suggestions and recommendations from various bodies and institutions and members of the general public which were then referred to the Committee for its consideration. Discussions were also held with the *Akkademja tal-Malti* whose



participation was actively sought and with whom plans were concluded for joint cooperation in the implementation of a number of these recommendations.

As a result a revised version of the Committee's report was then submitted to the Authority and presented as a basis for further study and consultation at a seminar organised for radio and television station representatives on 6th September 2001. The Committee also took into consideration proposals made in a report to Government by the *Bord Għall-Ilsien Malti* before making its final submissions which were reviewed and approved by the Authority in October 2001.

During the same period the Committee continued with its task of examining various examples of programming where ethical questions arose or where quality was found wanting in order to identify trends and advise the Authority on measures to raise programme standards. In liaison with the Monitoring Department it also evaluated such samples of local productions on television and radio, both in order to establish clear parameters and guidelines for monitors, as well as to draw up a Code of Ethics which is currently in hand.

## **2.2.2 Advisory Committee on News and Current Affairs**

### **2.2.2.1 Terms of Reference**

- (i) To draw up and submit for the Authority's consideration an overall plan designed to bring about an improvement in the present output of news and current affairs programming on public service and commercial radio and television stations;
- (ii) to revise and update the present codes of standards and practice in this specialised area of broadcasting; and
- (iii) to advise the Authority with regard to the appearance of particular trends that go against good journalistic practice and standards in news and current affairs programming.

### **2.2.2.2 Composition**

Chairperson: Mr Charles Mizzi

Members: Mr Joe Vella, Mr Ray Bugeja, Ms Ariadne Massa B.A.A. (Toronto), M.A.; and Mr Tonio Farrugia.

Apart from identifying shortcomings in news bulletins and continuing to advise the Authority on items of news which did not correspond to current journalistic practice, the Committee's work was also taken up with the formulation, started in



the preceding year, of a new Code on News and Current Affairs intended to update and replace the current Guidelines. Several papers were presented for discussion and the Committee consulted similar codes of practice used in other countries; foremost were those of the Independent Television Commission and the Radio Authority of the United Kingdom.

The first draft of a new Code on News and Current Affairs was completed in April 2001 and followed by a period of study and consultation during which the Code was further revised. A final version of this Code is currently being discussed.

A major source of concern to the Committee was the Authority's interpretation of admissible station comment in news broadcasts in the light of the ever increasing amount of station comment and fabricated items of news which were being broadcast on the political stations for speculative and propaganda purposes.

After lengthy deliberations the Committee decided to draw up a report on the subject of comment in news and current affairs programmes which it completed and presented in December 2001. This report is still being discussed by the Authority.

### **2.2.3 Advisory Committee on Gender Issues in the Broadcasting Media**

#### **2.2.3.1 Terms of Reference**

- (i) To advise the Authority on the adaptation of guidelines concerning gender images in programme content;
- (ii) the preparation of contact lists of experts for use by producers in the area of news and factual programming;
- (iii) the preparation of guidelines on the use of generic terms which include both sexes; and
- (iv) the introduction of equality of opportunity as a requirement in the granting or renewing of broadcasting licences.

#### **2.2.3.2 Composition**

Chairperson: Ms Brenda Murphy B.A. (Comm. Stds/Psych.). M.A. Comm. (Lond.)  
Members: Dr Mario Felice LL.D.; Ms Lorraine Mercieca Dip. Soc. Stud. (Women and Dev.); Ms Angela Callus M.Q.R., B.A.; and Fr Rene' Camilleri S.Th.D. (Greg.).

Throughout 2001, the Advisory Group met 12 times in plenary session. It also served as the adjudicating panel for the Broadcasting Authority's Gender



Awareness Award 2001.

During the last year, because of the still prevailing lack of 'awareness' and 'understanding' of the concepts surrounding gender equality, the members of the Advisory Group focused mainly on the following initiatives:

### **Training**

The Advisory Committee continued with its programme of awareness training sessions for media personnel and practitioners.

### **Roundtable Discussion**

On 27th February, 2001, a roundtable discussion was organised for producers and chief executives of television and radio stations. The discussion was preceded by a power point presentation by Brenda Murphy and Lorraine Mercieca. Participants represented local main broadcasting stations and they agreed that most broadcasters were not yet gender sensitised. They also asked for clear guidelines on gender equality in broadcasting.

Another issue discussed at length concerned the Gender Awareness Award and the principles behind the Award.

### **Awareness Raising in collaboration with Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Ġurnalizmu (FTFEG)**

The Advisory Committee held further awareness-raising sessions for journalists, in conjunction with the educational arm of the Press Club, the *Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Ġurnalizmu*. Besides other speakers, Brenda Murphy, the Advisory Group's chairperson also made keynote speeches.

One session was organised while Vera Price, Equality Officer at RTÉ, and co-ordinator of the Leonardo Placements there, was in Malta to brief the Leonardo participants prior to their placement in Dublin. Ms. Price was invited to address journalists on gender equality in broadcasting during a breakfast meeting held on the 15 March 2001. This meeting was organised jointly between the *Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Ġurnalizmu* and the Gender Advisory Group. A second seminar was organised jointly with the Press Club and the *Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Ġurnalizmu* on the 26 May and was held in Gozo. The theme of the seminar was "Gender Issues in Maltese Newsrooms and



in News Content". Presentations were given by Brenda Murphy (Chair, Gender Advisory Group), Dr JosAnn Cutajar (Commission for the Advancement of Women) and Carmen Sammut (Secretary, *Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Ġurnaliżmu*). Workshops were held with participants and Lorraine Mercieca chaired and wrote a report on one of the sessions, and in the evaluation session, Angela Callus was entrusted to draft guidelines concerning the correct use of the Maltese and the English languages by journalists in order to avoid gender inequality.

Other activities in which the Advisory Committee on Gender Issues was involved during 2001 were the setting up of a diversity database, the Gender Awareness Report and international networking.

## **2.2.4 Advisory Committee on Advertising and other Economic Issues in the Broadcasting Media**

### **2.2.4.1 Terms of Reference**

- (i) to advise the Authority on any revision of the Code of Advertising Standards and Practice which may be necessary both in view of Malta's entry bid to the European Union and, also, in the light of implications arising from an expansion of the broadcasting services;
- (ii) to advise the Authority on the measures it should take, within the legislative framework, to ensure adequate consumer protection; and
- (iii) to draw up a code of advertising ethics for the broadcasting media which would take into account fair trading aspects.

### **2.2.4.2 Composition**

Chairperson: Dr Paul Micallef LL.D., LL.M. (Birm.)

Members: Mr Joseph Brockdorf and Mr Marcel Pizzuto P.G. Dip. Eur. Competition Law (King's College, Lond.)

The above Consultative Committee was instrumental in preparing guidelines for broadcasters on various advertising related topics. Since its appointment, the said Consultative Committee has prepared guidelines on the following topics:

- Conduct of Competitions and the Award of Prizes on the Broadcasting Media
- Alcoholic Drink Advertising
- Advertising concerning Medicines, Treatments, Health Claims, Nutrition and Dietary Supplements



- Advertising of Financial Services and Products

All these guidelines, after Authority approval, were circulated amongst broadcasters and can be downloaded from the Authority's website at [www.bamalta.org](http://www.bamalta.org).



### 3. Broadcasting Regulation

#### 3.1 Community Radio Services

During 2001 community radio services continued to increase. As at 31st December, the Authority had licensed 20 long term community radio stations.

Name of Station	Frequency (MHz)
Lehen il-Qala	106.3
Radju Prekursur	99.3
Radio Marija 106 FM	106
Radju Sokkors	95.1
Radju Xeb-er-ras	90.8
Radju St Vincent de Paule	92.2
Radju BKR 94.5	94.5
Fantasy Radio	104.1
Radju Tlett Ibliet	99.4
Radju Vilhena	96.1
Radio Galaxy	105
Radju Kottoner	98
Deejays Radio	95.6
Eden FM Radio	107.6
Christian Light Radio	105.4
Lehen il-Belt Victoria	104
Radju Sacro Cuor	105.2
Radju Bambina	98.3
Radju Luminaria	106.9
Radju Katidral	90.9



### 3.2 Approval of Broadcasting Licences

In 2001 the Authority approved the broadcasting licences of the following long term community radio stations – *Lehen il-Qala*, *Radio Marija 106 FM*, *Radju Xeb-er-ras*, *Radju Prekursur*, *Radju Sokkors*, *Radju St Vincent de Paule*, *Radju BKR 94.5*, *Fantasy Radio*, *Radju Tlett Ibliet*, *Radju Vilhena* and *Radio Galaxy* - as well as three nationwide radios: *Radio Calypso 102.3*, *Super 1 Radio* and *Campus FM*.

### 3.3 Cessation of Broadcasting

*Radju MAS* ceased to broadcast on 16th November 2001 following the expiration of the broadcasting licence issued to Unimas Ltd. The latter company held one frequency which was shared between *Radju MAS* and *Radju ta' I-Universita' University Broadcasting Services* applied for and was awarded a fresh licence. It has also changed its name to *Campus FM*.

### 3.4 Teleshopping Channels

The Authority decided to issue a call for expression of interests by persons who were interested to apply for a cable teleshopping channel. The closing date for receipt of such expressions of interest was set for Friday, 26th January 2001. In all, the Authority received six expressions of interest from different persons who were subsequently requested to submit a formal application in terms of law. The Authority had decided not to allocate terrestrial frequencies for teleshopping channels provided that the cable company could carry such channels. The Authority thus began to process two applications and also sought the advice of Melita Cable. These applications are still being processed.

### 3.5 Application for a Terrestrial Television Broadcasting Licence

During the month of February 2001 the Authority advertised in the local press that it had one television frequency available and had received expressions of interest for the grant of a terrestrial television broadcasting licence. The Authority thus invited interested persons who wished to obtain a terrestrial television broadcasting licence to apply for such licence. The closing date for receipt of application forms was set for noon of Friday, 30th March 2001.

Only one application was received from VER Co. Ltd. The said application is still being processed. The promoter of the television application is Rev. Carmel Refalo who also operates a community radio station in Gozo known as *Lehen il-Qala*.



### 3.6 PBS Programme Schedule

As in previous years the Authority continued to provide on a regular basis feedback to PBS Ltd. with regard to the latter's programme schedule. The Authority also discussed programme schedules of other broadcasting stations and continued to monitor compliance by the said stations with their promise of performance as contained in the broadcasting licence.

### 3.7 Use of the Maltese Language on the Broadcasting Media

On 6th September 2001 the Authority organised a half day seminar on the use of the Maltese language on the broadcasting media. The seminar was aimed at journalists and other persons involved in local radio and television productions. The seminar was opened by Professor Joseph M. Pirotta, Chairman of the Broadcasting Authority. Papers were read by Professor Dominic Fenech, Chairperson of the Broadcasting Authority's Advisory Committee on Quality and Ethics in the Broadcasting Media, Dr Charles Briffa, President of the *Akkademja tal-Malti* and Mr Mario Serracino Inglott, member of the *Akkademja tal-Malti's* Council. The participants were subsequently divided into four working groups which discussed the Maltese language vis-à-vis:

- a) news, current affairs, talk shows and phone-in programmes;
- b) sports programmes;
- c) children's programmes;
- d) magazine programmes, music and entertainment programmes.

During the plenary session the report of each working group was presented by the respective rapporteur and a general discussion ensued.

Following detailed consultation, the Authority approved its policy document on the Use of the Maltese language in the Broadcasting Media. The Authority subsequently began consultation with the *Akkademja tal-Malti* to give effect to the recommendations contained in the said policy document. The relative policy document is found at Appendix XIII to this report.

### 3.8 Diversity Database

In the summer of 2001, the Advisory Committee on Gender Issues began to develop the diversity database, that is, the compilation of lists of women and men who are experts in specific areas.



The setting up of this database falls within the brief of the Advisory Committee when it was asked by the Broadcasting Authority "to consider and advise the Authority on the possible preparation of contact lists of women experts for use by producers in the area of news and factual programming".

The Committee looked to other media organisations with similar databases, and found the BBC to be most thorough in its philosophy and execution of its diversity database.

The setting up of this project and its administration, entailed, and continues to require, a significant input of human resources. In order to aid the compilation of mailing lists and the direct mailing and data inputting, the Group requested that the Authority support a summer placement, which was offered to post graduate student, Maria Schranz.

The development of the database is a 'work in progress' and the Committee is striving to launch the diversity database later in 2002 when it is satisfied that there is fair representation of women and men in various areas of expertise. The Authority aims to ultimately launch a list that is accessible to all journalists and programme makers, which represents women and men experts in a balanced manner.

#### **4. Programme Complaints**

Out of a total of 15 complaints submitted to the Authority, 9 pertained to news broadcasts. Of these one was in respect of a purported lack of ethical consideration and the rest were concerned with partiality and unfair treatment in news reporting. These are analysed by source in table 1 below.

The nature of the other 6 complaints, analysed by source in table 2, range from lack of balance and impartiality and lack of good taste in current affairs programmes to insensitivity in advertising and the portrayal of illegal offroading activities.

Table 3 features all 15 complaints analysed by station.



**Table 1 - News Programme Complaints Analysed by Source**

Source	Number	Adjudication Results		
		Upheld	Partly Upheld	Rejected
Union addiema Magequdin	2			2
Nationalist Party	4		1	3
Dr Michael Falzon	1		1	
Dr K German	1			1
Ministry for the Environment	1	1		

**Table 2 - Other Programme Complaints Analysed by Source**

Source	Number	Adjudication Results		
		Upheld	Partly Upheld	Rejected
Malta Labour Party	1		1	
Nationalist Party	2		1	1
Nature Trust	1			1
Mr Peppi Azzopardi	1			1
Mr Peter Finlayson	1	1		

**Table 3 - Complaints Analysed by Station**

Stations Involved	Number	Adjudication Results		
		Upheld	Partly Upheld	Rejected
TVM	6		3	3
Super 1 TV	5	1	1	3
Smash TV	1			1
Super 1 Radio	1			1
RTK	1			1
Radio 101, RTK, Super 1 Radio, <sup>1</sup>		1		
Capital Radio and Radio Calypso				

1. Refers to one complaint regarding an advert broadcast on a number of radio stations.



## 5. Broadcasting Legislation

Various subsidiary legislation pertinent to broadcasting was published in the year 2001, namely:

- L.N. 3 of 2001 Amendment to the Code for the Investigation and Determination of Complaints;
- L.N. 106 of 2001 - Fees payable on the filing of Judicial Acts in connection with Appeals;
- L.N. 167 of 2001 - Cable Systems (General) Regulations, 2001;
- L.N. 186 of 2001 - Distance Selling Regulations 2001;
- L.N. 191 of 2001 - Cable Systems (General) Regulations 2001: Notice of Coming into Force.
- L.N. 245 of 2001 Broadcasting Act (Substitution of Third Schedule) (Code for Advertisements, Teleshopping and Sponsorship) Regulations 2001;
- L.N. 251 of 2001 Amendment to the Code for the Investigation and Determination of Complaints;
- G.N. 900 of 2001 Broadcasting (Jurisdiction and European Co-operation) Regulations - Transmission of Major Events.

### 5.1 Access of the Public to Events of Major Importance

In terms of the Broadcasting (Jurisdiction and European Co-operation) Regulations 2000, the Broadcasting Authority has to draw up a list of events of major importance for society. Such list has to be forwarded to the Council of Europe in terms of the Council of Europe's Convention on Transfrontier Television as amended in 1998.

### 5.2 The Legal Position

Article 37 of the Broadcasting Act deals with Malta's international obligations. It reads as follows:

*37. (1) The Prime Minister may, by notice in writing, give directions to the Authority to conform, through regulations and directions made or issued in terms of this Act, with any international obligation of Malta.*

*(2) The Prime Minister may make regulations:*

*(a) to reserve for works originating in such countries as the Prime*



*Minister may by order prescribe and for works mentioned in paragraph (d) of subsection (2) of section 13 of this Act, proportions or maximum limits of broadcasting transmission time;*

*(b) to reserve a proportion of broadcasting transmission time or of a station's programming budget for works of independent producers originating in such countries as the Prime Minister may determine;*

*(c) to promote the distribution and production of audiovisual works and television broadcasts;*

*(d) to regulate the television transmission of events which he considers as being of major importance for society and to order that such events be transmitted via live coverage or deferred coverage on free television accessible to the general public;*

*(e) to define which television broadcasters and which television broadcasting activities fall within the jurisdiction of Malta and to extend the jurisdiction of Malta upon broadcasters and television broadcasting activities so as to render more effective the provisions of this Act or to ensure the implementation of international obligations which Malta assumes or intends to assume;*

*(f) to prescribe the measures which may be taken in respect of broadcasters or other persons who fail to comply with any regulations made under the preceding paragraphs of this subsection and to render section 41 of this Act applicable to the violation of regulations made under this subsection.*

In order to give effect to the provisions of this article, the Prime Minister has made regulations designated as the Broadcasting (Jurisdiction and European Co-operation) Regulations, 2000 (Legal Notice 158 of 2000 as amended by Legal Notice 258 of 2000 and brought into force on 15th December 2000 in terms of Legal Notice 260 of 2000).

Malta is a party to the Council of Europe's European Convention on Transfrontier Television 1989 and is also bound by the Amending Protocol of 1998 to the said Convention.



In terms of Article 9b of the Convention as amended by the Protocol, it is provided as follows:

*"Article 9b is: Access of the public to events of importance.*

*1. Each Party retains the right to take measures to ensure that a broadcaster within its jurisdiction does not broadcast on an exclusive basis events which are regarded by that Party as being of major importance for society in such a way as to deprive a substantial proportion of the public in that Party of the possibility of following such events by live coverage or deferred coverage on free television. If it does so, the Party concerned may have recourse to the drafting of a list of designated events which it considers to be of a major importance for society.*

*2. Parties shall ensure by appropriate means, respecting the legal guarantees granted by the Convention for the Protection of Human Rights and Fundamental Freedom as well as, where appropriate, the national constitution, that a broadcaster within their jurisdiction does not exercise the exclusive rights purchased by that broadcaster following the date of entry into force of the Protocol amending the European Convention on Transfrontier Television in such a way that a substantial proportion of the public in another Party is deprived of the possibility of following events which are designated by that other Party, via whole or partial live coverage, or where necessary or appropriate for objective reasons in the public interest, whole or partial deferred coverage on free television as determined by that other Party under paragraph 1, respecting the following requirements:*

*a. the party implementing the measures referred to in paragraph 1 shall draw up a list of national or non-national events which are considered by that Party as being of major importance for society;*

*b. the Party shall do so in a clear and transparent manner in due and effective time;*

*c. the Party shall determine whether these events shall be available via whole or partial live coverage, or where necessary or appropriate for objective reasons in the public interest, whole or partial deferred coverage;*

*d. the measures taken by the Party drawing up the list shall be*



*proportionate and as detailed as necessary to enable other Parties to take measures referred to in this paragraph.*

The above provisions have been incorporated into regulation 6 of the Broadcasting (Jurisdiction and European Co-operation) Regulations 2000.

A list of major events was first published as Government Notice 806 of 2001 on 25th September 2001. The said list was subsequently revised by the Authority and published in the Government Gazette of 30th October 2001 as Government Notice 900 of 2001. A copy of the said list is found in Appendix IX to this report.

### **5.3 Teleshopping Regulations**

Following the enactment of the Broadcasting (Amendment) Act 2000 in terms of which it was now possible to license teleshopping broadcasting stations, the Third Schedule to the Broadcasting Act concerning advertisements and sponsorship had to be revised to cater for teleshopping as well.

Various meetings were held between the Chief Executive and broadcasters in order to discuss the new teleshopping regulations prior to their actual enforcement by the Authority. The main points contained in these regulations are summarised briefly hereunder in point form:

- Teleshopping cannot use the same scenography of other non-advertising programmes.
- Teleshopping cannot be presented by anchormen/women engaged in television news and current affairs features.
- Encoded messages cannot be used during a teleshopping window.
- Televoting is prohibited during a teleshopping window.
- One or more telephone numbers which the buyer may call to purchase a particular product or service is to be displayed on screen.
- Teleshopping windows have to be clearly identified as teleshopping by optical and acoustic means.



- In the case of television, the word "**Teleshopping**" is to be displayed on screen throughout the whole duration of the teleshopping window.
- Teleshopping windows have to be of a minimum uninterrupted duration of not less than 15 minutes.
- The maximum number of teleshopping windows per day is 8.
- The overall duration of the 8 daily teleshopping windows cannot exceed three hours per day.
- Advertisements cannot be broadcast during teleshopping windows.
- During a teleshopping window the presenter must at the beginning of the teleshopping window inform viewers of their right to return the product within 15 days from the date of sale to the sales agent.
- Teleshopping windows cannot be broadcast immediately before or after a programme aimed at children.
- During a teleshopping window the price of the product and/or service offered by the supplier has to be provided.
- Teleshopping is not permitted in a teletext service.
- During a teleshopping window the presenter can inform the viewer that the relative product or service will be sent to the address of the viewer.
- During a teleshopping window the relevant product or service can be described and its functions announced.
- During a teleshopping window, it is not possible to broadcast non-teleshopping material.

#### 5.4 Guidelines to Broadcasting Stations

The Authority had the opportunity to draw the attention of broadcasting stations to the interpretation it was giving to certain provisions of the Broadcasting Act so that the said stations would be aware of how the Authority was construing the



said provisions.

In so far as article 19 (8)(b) of the Broadcasting Act is concerned, newspaper advertising is not exempt from the provision of the Third Schedule to the Broadcasting Act. It is only a review of such advertisements which is so considered.

Moreover, paragraph 26 of the Third Schedule to the Broadcasting Act provides, *inter alia*, that announcements made by the broadcaster in connection with the station's own programmes and ancillary products directly derived from these programmes were not to be considered as advertisements. The Authority was advised that products of a company holding a broadcasting licence which were not connected to its radio or television programmes did not fall under the expression 'ancillary products' and thus, for instance, advertisements concerning tours offered by the company holding a broadcasting licence or advertisements concerning newspapers published by that company had to be considered as advertisements.

The Authority has also reminded broadcasting stations that advertisements concerning alcoholic drinks had to be broadcast after 7.00p.m. in order to protect the interests of minors who would usually be watching television or listening to the radio prior to 7.00p.m.

## **6. International Relations**

### **6.1 Mediterranean Network of Media Regulatory Authorities**

The Mediterranean Network of Regulatory Authorities was established on 29th November 1997 in Barcelona on the initiative of the French Conseil Supérieur de l'Audiovisuel - CSA and of the Catalan Consell de l'Audiovisual de Catalunya - CAC. Its mission statement is to reinforce cultural and historical links between Mediterranean countries and identify common challenges against the backdrop of globalisation.

The Mediterranean Network of Media Regulatory Authorities provides a platform for discussion and exchange of information and research on issues regarding broadcasting regulation. The members of the network are the French CSA, the Catalan CAC, the Portuguese Alta Autoridade para o Comunicação Social (AACS), the Italian Autorità per le Garanzie nelle Comunicazione (AGCOM), the Greek National Council for Radio and Television, the Maltese Broadcasting Authority,



the Cyprus Radio Television Authority and the Radio and Television Supreme Council from Turkey.

The chairman is nominated by the members for a period of one year. Until the Malta meeting the chairman was Professor Joseph M. Pirotta, Chairman of the Maltese Broadcasting Authority. The permanent secretariat of the network is coordinated by the French CSA in association with the Catalan CAC and the Cypriot Authority.

The fourth meeting of the Mediterranean Network of Media Regulatory Authorities took place in Naples on 20-21 July 2000. Former meetings were convened in Barcelona (1997), Athens (1998), and Lisbon (1999). The fifth meeting of the Network was held in Malta between 31st May and 1st June 2001 and was hosted by the Broadcasting Authority, Malta. The Chairman of the Broadcasting Authority, Professor Joseph M. Pirotta, presided the meeting. The meeting started with the presentation of the new member state of Israel represented by the Council for Cable TV and Satellite Broadcasting and of the observers to the Network for Albania (the National Council of Radio and Television - NCRT) and Spain (Commicion del Mercado de las Téléunicaciones - CMT). The meeting was also closely followed by the Chairperson of the European Platform of Regulatory Authorities, Mr Greger Lindberg.

Although technical difficulties made it impossible for the regulatory authorities of Tunisia, Morocco, Jordan, Slovenia and Bosnia-Herzegovina to send representatives they have expressed their keen interest in the network and plan to become members in the near future.

Various papers were presented by the respective Members. Discussions concerned the Role of the Regulator in the convergent Millennium and the Protection of Minors in the Audiovisual Landscape. Papers on these subjects were presented by the Chief Executive of the Broadcasting Authority, Dr. Kevin Aquilina. Another subject of discussion was the Regulation of Satellite Broadcasting in the Euro-Mediterranean Region, which topic was opened by Mr Pierre Wiehn of the French C.S.A.

The Network is open to membership of all independent regulators belonging to countries of the Mediterranean basin.



## 6.2 European Platform of Regulatory Authorities

Between 18th and 20th April 2001 the Chairman, Professor Joseph M. Pirotta, and Dr Kevin Aquilina, Chief Executive, attended the *13th Meeting of the European Platform of Regulatory Authorities* held in Barcelona.

The meeting approved the appointment of the Chairperson, the Senior Vice-Chairperson and the Vice Chairperson of EPRA and discussed two main topics:

- a) the Dutch classification system of pornography and violence
- b) the revision of the Television without Frontiers Directive

EPRA members were also updated on:

- a) current development on European media policy
- b) recent developments at the Council of Europe

Professor Joseph M. Pirotta chaired the Working Group on the Licensing of Local Broadcasters. Dr Kevin Aquilina attended the Workshop on Major Events.

The Maltese delegation had informal discussions with the EPRA Chairman on the functioning of EPRA and confirmed its invitation to host the September 2001 EPRA meeting in Malta. This offer was well received by EPRA participants.

Between 27th September and 28th September the European Platform of Regulatory Authorities organised its 14th Meeting. The meeting was hosted by the Broadcasting Authority and it was the second meeting hosted in Malta.

The EPRA Chairman, Mr Greger Lindberg, welcomed participants to the 14th Meeting and presented his report. A discussion followed on the meetings the EPRA Chairman had attended, on the EPRA budget and the EPRA webpage.

The first topic discussed was on the deregulation of advertising in the light of the future review of the Television without Frontiers directive. Two working groups dealt with access issues and the protection of minors. The meeting was also informed of the latest developments in European media policy both in the E.U. and in the Council of Europe.

Apart from the discussions which took place during the conference, the Authority organised a number of social activities for all participants.



### 6.3 European Broadcasting Union's 52nd Ordinary Session

The Authority is also a member of the European Broadcasting Union (EBU). The EBU is the largest professional association of national broadcasters in the world with its headquarters in Geneva, and working on behalf of its members in the European area, the EBU negotiates broadcasting rights for major sports events, operates the Eurovision and Euroradio networks, organises programme exchanges, stimulates and coordinates co-productions and provides a full range of other operational, commercial, technical, legal and strategic services. At its office in Brussels, the EBU represents the interests of public service broadcasters before the European institutions.

The European Broadcasting Union's 20th Extraordinary Session of the General Assembly was held on 6th July 2001 and its 52nd Ordinary Session of the General Assembly was held on 6th and 7th July 2001 in Madrid, Spain.

During the 20th Extraordinary Session of the EBU General Assembly amendments to the EBU's statute were approved.

During the 52nd Ordinary Session of the General Assembly various reports were approved covering the activities of the EBU in the previous year.

### 6.4 The Commonwealth Broadcasting Association

The Commonwealth Broadcasting Association (CBA) is funded by subscription from members of the major public service broadcasters of the Commonwealth. The main objectives of the CBA are as follows:

- to secure funds for training in developing Commonwealth countries for management and broadcasting skills.
- to foster freedom of expression and the right to communicate.
- to extend the Association's database about members.
- to further the concept of public service broadcasting.
- to provide a point of contact and a forum for discussion.

Full membership is open to radio and television stations both public and private within the Commonwealth. Also, affiliate membership is open to radio and television stations, and any broadcast related organisation in any country. Existing members include: most major public radio and television stations (some private). Membership is not open to individuals. The CBA has about 100



members in over 50 countries.

### **6.5 The European Institute for the Media**

The European Institute for the Media (EIM) gives expression to the growing interdependence of European countries in the field of communications.

The EIM's main areas of research are the impact of convergence on the media, cross-border developments in the media and their role in the process of European integration; the public interest aspects of (new) media developments and the growth of the Information Society.

The EIM is a non-profit research organisation which acts independently and in the public interest. It makes an important contribution to the development of appropriate media policies on the basis of objective research and open discussion.

The EIM's Media and Democracy Programme is a media-oriented response to the political changes taking place in central and eastern Europe. The aim of the programme is to assist in establishing and supporting media of high professional standards which are independent of government and vested interests. The main activity of the programme is monitoring the media coverage of elections on behalf of the EU Commission or the OSCE.

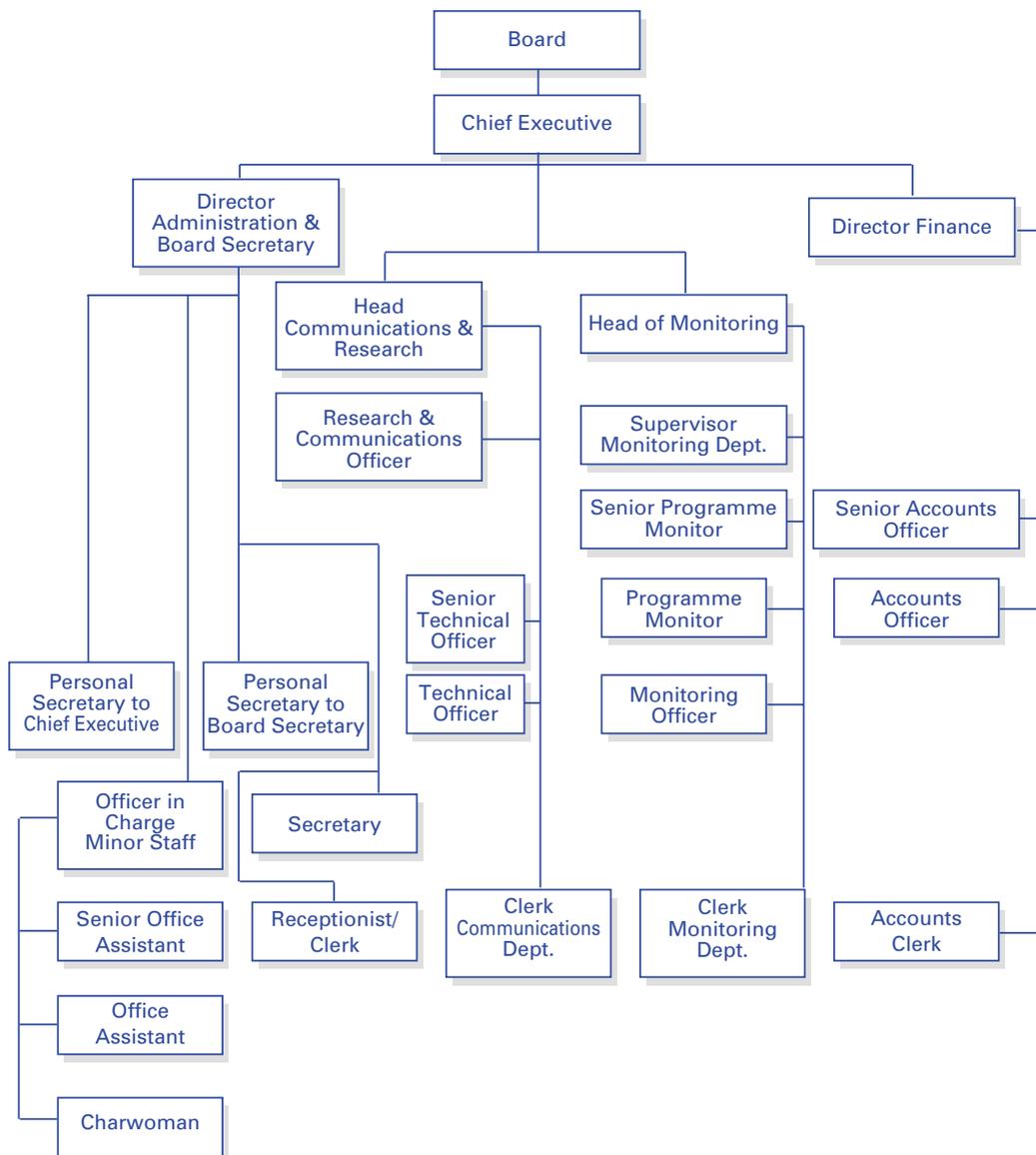
The European Television and Film Forum, organised by the EIM, has positioned itself as one of the leading meeting points for the entire European media industry, policy makers and researchers. Information and opinions on media-related issues have been exchanged at the forum by high ranking officials and important industry players since 1989.



## 7. The Authority's Staff

### 7.1 Authority's Organigram

The Authority employs 29 members of staff. Its organigram is reproduced hereunder:



## **7.2 Staff Training**

During 2001 the Authority continued to invest in its human resources. Mr Simon Manicolo, Head of Monitoring, finished his first year of studies in the B.A. Legal and Humanistic degree course; Ms Joanna Bugeja, Supervisor in the Monitoring Department, completed her first year of studies for a Master of Arts degree in Communication Studies, whilst Mr Mario Axiak, Head of Research and Communications, began to read for a Master of Business Administration course. Mr Christopher Sciberras, Technical Officer, is also following a course by MITTS Training Centre, entitled International Diploma in Computer Studies.

Other members of staff participated in courses organised by MISCO, the Malta Institute of Management, Staff Development Organisation in the Office of the Prime Minister and the Malta Institute of Accountants.

## **7.3 Collective Agreement**

The Authority concluded the negotiations with UHM of a new collective agreement covering the period 2000 - 2002. The collective agreement was also approved by the Minister of Finance and by the Prime Minister. A new collective agreement to cover the period 2003 - 2005 will have to be negotiated in 2002.

## **7.4 Filling of Vacant Posts**

The vacant posts of Officer in Charge of Minor Staff and Senior Accounts Officer were filled during 2001. The Authority had approved that the post of Senior Accounts Officer should be one of those posts which require prospective incumbents to possess a degree.

The posts which require possession of a University degree for eligibility purposes are the following: Chief Executive, Director Administration and Secretary to the Board, Director Finance, Head of Monitoring, Head of Communications and Research, Supervisor within the Monitoring Department, Senior Programme Monitor, Senior Accounts Officer and Programme Monitor.

Vacant posts which still need to be filled are those of Senior Technical Officer and Senior Office Assistant.



## 7.5 Gender Training

The Advisory Committee on Gender Issues in the Broadcasting Media was successful in an application for funding from the European Union, through the Leonardo da Vinci Programme. This funding was used to send broadcasting personnel to train on gender equality in a European broadcasting station. The Broadcasting Authority sent two groups of seven participants, in June and in August, for a two-week placement at RTÉ (Radio Telefis Eireann) in Dublin, Ireland. Almost all the local broadcasting stations were represented in the two attachments. Mario Axiak and Lorraine Mercieca accompanied the groups in Dublin.

### *List of Participants:*

Joanne Bugeja & Natalie Debono, *Broadcasting Authority*

Sylvana Cristina & Moyra Felice, *Public Broadcasting Services*

Nadette Bugeja & John Bundy, *Media.link Communications Co. Ltd.*

Claudette Baldacchino & Ruth Vella, *One Productions Ltd.*

Terry Farrugia, *Bay Radio*

Robert Bonnici, *Island Sound Radio*

Connie Muscat, *Radio Calypso Ltd*

Daphne Cassar, *University Radio*

Ray Calleja, *Max Media Entertainment*

Joyce Grech, *Education 22*

Ms Vera Price, Equality Officer at RTÉ, and co-ordinator of the placement programme, visited Malta in March in order to meet the participants and to brief them about their placements with RTÉ. At RTÉ, the Maltese participants had meetings with RTÉ executives, and they had placements in production units for news, radio and television for observation exercises. Moreover, the participants were given the opportunity of updating their skills and acquiring new ones.

As part of the sensitisation programme in Dublin, the participants learnt about Equal Opportunities strategies and policies at RTE and also about Irish laws regarding Employment Equality and Equal Status. The main aim of this project was to make these media practitioners from various local TV stations, more sensitive to gender issues. These placements would have a positive impact on the media industry through the production of programmes which would reflect a better representation of society and the diversity of its members from a gender



perspective.

The Advisory Committee met the participants prior to their departure for Dublin for pre-training session, as stipulated by the Leonardo regulations. On their return to Malta, post-training and evaluation exercises were held in order to have the participants' reaction on their attachment. Many valid proposals were presented for the consideration of the Broadcasting Authority and for future initiatives. The participants asked to be involved in future developments concerning gender issues and also agreed to be informal focal points on gender equality at their place of work.

Although not all of these individuals are in an influential position within their respective organisation, the Advisory Committee is satisfied that, as a result of the training at RTÉ, there are now more Maltese broadcasters who are gender sensitised.

## **8. Radio and Television Audiences in Malta**

Since 1999 the Authority has been conducting two radio and television audience studies annually. The study for the first quarter of this year was conducted between 15th and 21st February 2001 and the study for the last quarter was conducted between 25th and 31st October 2001.

As in previous years the aims of the survey were twofold:

- (a) to conduct an audit of radio listeners and TV viewers; and
- (b) to investigate whether current attitudes towards a set of issues compare with those of previous years.

This survey is meant to detect seasonal trends when comparing data with that of previous studies. Like previous studies, this study provides data on:

- (a) audience size for all local radio and TV stations in Malta on a daily basis;
- (b) audience size for the following groups of foreign TV channels received in Malta: RAI, Mediaset, Other Italian Channels, and Satellite, so grouped on a daily basis;



- (c) the views and desires of the Maltese in general on aspects of current broadcasting and on types of additional services that ought to be made available in Malta.

The Broadcasting Authority confirmed that, in respect of this study, the direction given in a letter of clarification dated 7th March 1997 (in respect of the 1997 study) was to be applied again. In the said letter the Authority decided that University Radio and Radju MAS should be considered as two separate stations and the relevant statistics should be computed separately for the common frequency allocated to them. In this respect, this study allows direct comparison with previous studies conducted since 1998.

As from the study conducted in the last quarter of 2001, three time-bands are being used for the presentation of summary statistics on audience share in respect of TV stations. These three time-bands are: Time band 1: 6.00 a.m. – Noon; Time-band 2: Noon – 7.00 p.m.; and Time-Band 3: 7.00 p.m. – Midnight. In this way time-bound comparison of the performance of different stations is easier and more precise, especially as narrowcasting increases in importance. This decision was communicated to all broadcasting stations in June 2000 (Circular No 18/00).

The report's data for audience levels for each time-slot is comparable to previous studies in all respects. In the case of audience share by station, the data for TV is based on time-bands. In the report itself many direct comparisons with previous studies are made for easy reference.

## 8.1 Sample Profile

In conformity with previous studies, the same research techniques were used. The sample structure represents the demographic features of the resident population in Malta. The multi-stage probability sampling technique was used to draw the sample for those aged 18 and over, using the latest publication of the electoral register produced for the elections of Local Councils. A quota number of persons, of both genders, were included for each day of the week to cover those aged 12-17 in the Maltese population since a complete register for this segment of the population is not available.

The above procedure produces the sample distribution features in Table 1 below for the last quarter of 2001. This profile closely follows the figures for the resident



population in Malta as given in the last population census taken in Malta.

**Table 1 - Sample Profile by Gender**

<b>Age Group</b>	<b>Total %</b>	<b>Male %</b>	<b>Female %</b>
12-17	11.2	11.4	11.0
18-30	21.0	21.4	20.5
31-50	37.1	37.1	37.0
51-65	18.2	18.6	17.8
over 65	12.6	11.4	13.7
TOTAL	100.0	100.0	100.0
N=	1001	490	511
%	100	49.0	51.0

## 8.2 Part 1 – Audience Size for Local Radio & TV Stations

### 8.2.1 Radio Audience Shares

The study documents two important aspects of radio listening.

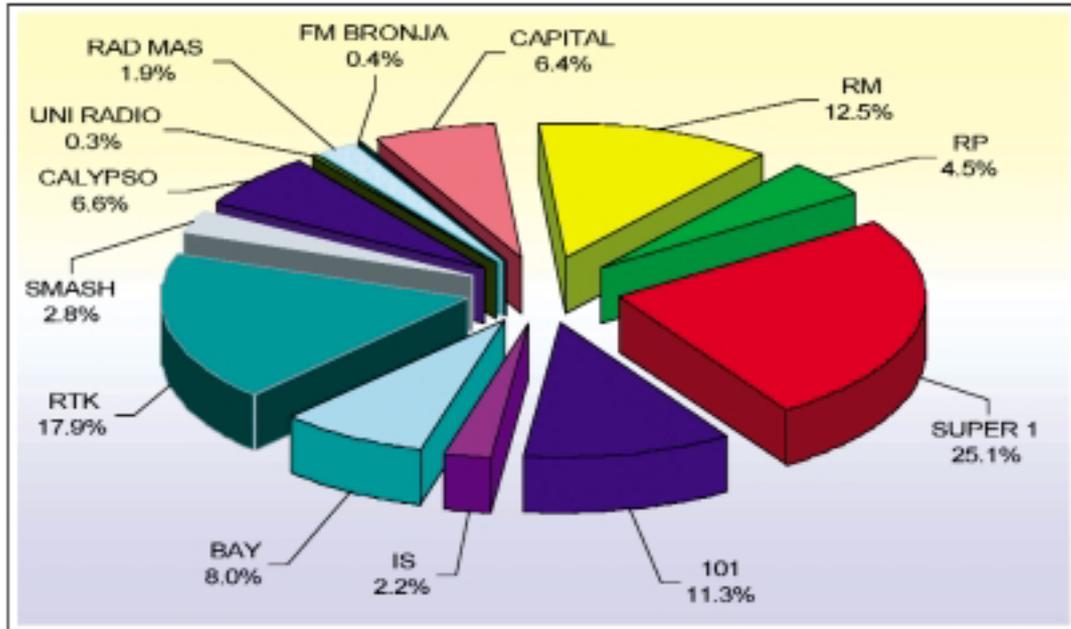
Firstly, it summarises comparative figures for the Daily Average Radio Audience computed both on the basis of ***all available time-slots for each station during the hours each individual station is on air*** for the whole 24 hours of the day, as well in respect of each station from ***6:00 to midnight***. As in previous studies, this means that in the computation of these figures a person who listens for two hours contributes four time slots while someone who listens for half an hour contributes only one time slot.

Secondly, this study also documents the popularity of the stations, based on the people’s choice of their preferred station. In this section every individual contributes only one ‘vote’, irrespective of the length of time he/she listens to radio.

The daily average audience levels from 6.00 a.m. to midnight for the last quarter

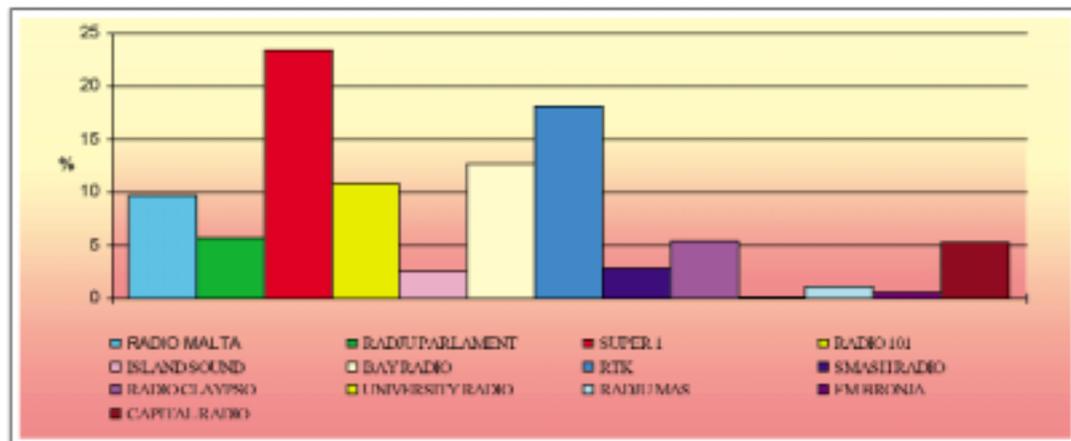


of 2001, is reproduced hereunder.



**Figure 1 - Daily Average Audience Radio Levels  
6.00 A.M. – Midnight, Last Quarter 2001**

Figure 2 below presents the results for the overall preference for the 'best radio station'.

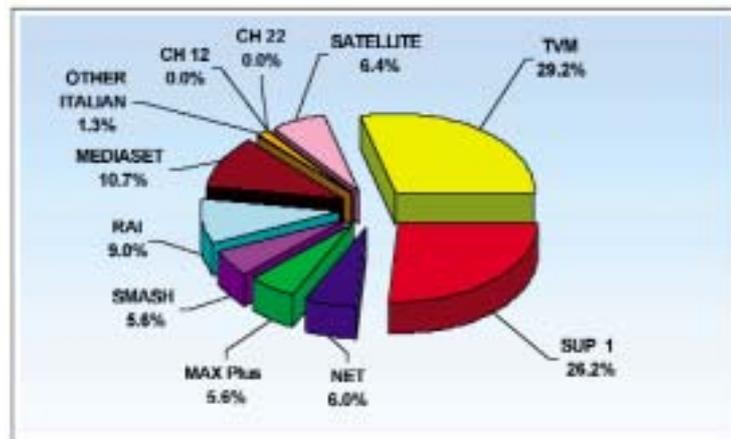


**Fig 2: Overall Preference 'Best Radio Station'**



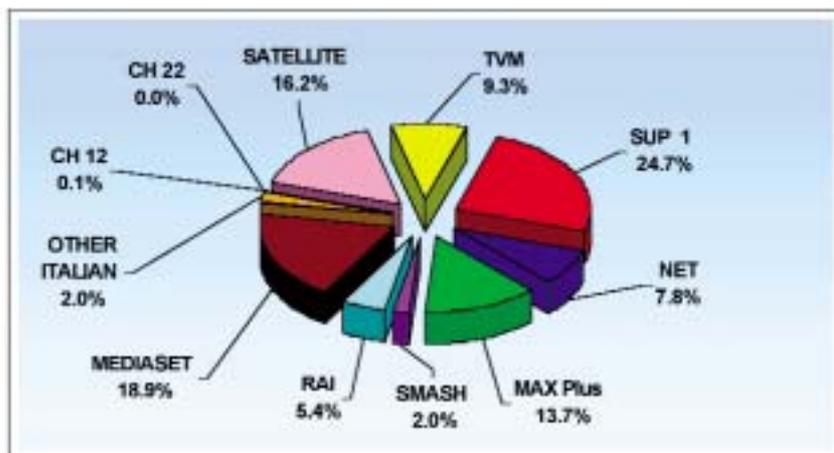
## 8.2.2 Television Audience Share

As already explained Audience shares for TV are now being given by Time-Bands. Both the Tables and the Figures are worked on the basis of available time-slots for the stations during that time-band, and therefore ignores those time-slots when the station is not on air. It is important to note that the size of absolute audiences is different in the three time-band since many more people watch TV in the evening. As such 1% in time-band 3 represents a much higher audience size than 1% in time-band 2 or 1.



**Figure 3: Time Band 1: TV Average Audience Share  
Last Quarter 2001 - 0600 hrs –noon**

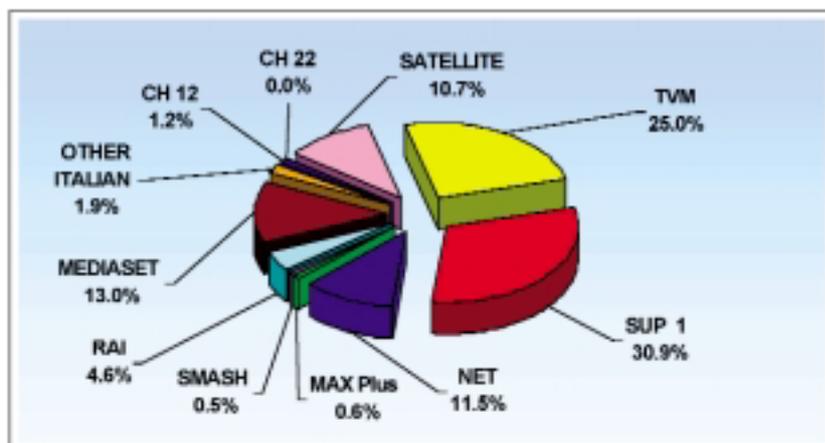
Figure 4 reproduces the data in respect of Time Band 2, which is longer than the other two because it extends from noon till 7.00 p.m.



**Figure 4: Time Band 2: TV Average Audience Share  
Last Quarter 2001 - Noon - 1900 hrs**



The third time band represents prime time for TV and extends from 7.00 p.m. until midnight. Figure 5 shows the results for this Time-Band.



**Figure 5: Time Band 3: TV Average Audience Share  
Last Quarter 2001 - 1900 hrs – Midnight**

It is to be noted that the absolute size of TV audiences in the different Time-Bands is not the same, since as evening approaches, audiences increase. As such, 1% in Time-Band 1 is not equivalent to 1% in Time-Band 3. But through this analysis the relative share of different broadcasters in different Time-Bands can be assessed. These are summarised in Table 2 below.

**Table 2: Audience Share Summary by Time-Band –  
Last Quarter 2001**

	Time Band 1 0600 hrs - 1200 hrs	Time Band 2 1200 hrs - 1900 hrs	Time Band 3 1900 hrs 2400hrs
	%	%	%
Super 1 TV	26.2	24.7	30.9
TVM	29.2	9.3	25.0
NET TV	6.0	7.8	11.5
Max Plus	5.6	13.7	0.6
Smash TV	5.6	2.0	0.5
Channel 12	-	0.1	1.2
Channel 22	-	-	-
RAI	9.0	5.4	4.6
Mediaset	10.7	18.9	13.0
Other Italian	1.3	2.0	1.9
Satellite Stations	6.4	16.2	10.7



### 8.3 Part 2 – Foreign TV, Cable TV and Satellite Audiences

Of all the respondents taking part in this study, 66.1% stated that they are connected to Cable TV. This means that from the total sample: 30.1% are served by the *Reception* level; 21.1% stated that they are served by the *Basic Level*; 16.4% are serviced by *TV Plus/Family Pack*. The Flexipack system has been introduced by Melita Cable and a number of people are moving from the old system to the Flexipack system.

The popularity of satellite receiving system is on the increase. As many as 12.7% reported having this system. The popularity of such systems is highest among the AB group (16.3% - professional, managerial, administrative), as against 9.6% in the DE group (semi-skilled, in skilled, labourers, casual workers and those whose income is provided by the state.)

### 8.4 Television Audiences 19:00 to 23:00

(Rounded to the nearest 1000)\*

#### MONDAY

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	2000	22000	3000	1000	1000
1930 HRS	2000	79000	3000	1000	1000
1945 HRS	2000	60000	35000	0	1000
2000 HRS	104000	58000	10000	0	0
2030 HRS	73000	75000	9000	0	2000
2100 HRS	44000	70000	10000	0	2000
2130 HRS	31000	68000	10000	0	2000
2200 HRS	18000	50000	9000	0	2000
2230 HRS	10000	25000	5000	0	2000

#### TUESDAY

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	1000	11000	7000	0	2000
1930 HRS	3000	77000	4000	0	2000
1945 HRS	4000	50000	50000	0	1000
2000 HRS	112000	42000	24000	0	0
2030 HRS	80000	72000	23000	1000	0
2100 HRS	47000	79000	25000	1000	0
2130 HRS	40000	71000	23000	1000	0
2200 HRS	34000	44000	16000	1000	0
2230 HRS	26000	36000	16000	1000	0



### WEDNESDAY

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	7000	20000	8000	0	1000
1930 HRS	8000	75000	8000	0	10000
1945 HRS	7000	58000	43000	0	0
2000 HRS	100000	43000	22000	1000	1000
2030 HRS	75000	46000	27000	1000	2000
2100 HRS	37000	42000	38000	1000	1000
2130 HRS	33000	40000	26000	1000	1000
2200 HRS	32000	30000	15000	0	0
2230 HRS	27000	25000	13000	0	0

### THURSDAY

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	3000	18000	7000	2000	0
1930 HRS	5000	74000	8000	1000	0
1945 HRS	8000	61000	45000	1000	0
2000 HRS	94000	54000	25000	0	0
2030 HRS	57000	55000	33000	0	1000
2100 HRS	25000	72000	31000	1000	1000
2130 HRS	18000	70000	25000	1000	1000
2200 HRS	13000	67000	19000	1000	1000
2230 HRS	9000	53000	10000	0	1000

### FRIDAY

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	7000	10000	7000	2000	0
1930 HRS	10000	73000	14000	1000	0
1945 HRS	16000	50000	56000	4000	1000
2000 HRS	127000	42000	23000	4000	1000
2030 HRS	139000	34000	19000	3000	2000
2100 HRS	136000	31000	13000	4000	2000
2130 HRS	127000	31000	12000	2000	0
2200 HRS	113000	28000	12000	2000	0
2230 HRS	96000	21000	8000	1000	0



**SATURDAY**

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	1000	12000	3000	1000	0
1930 HRS	5000	53000	3000	0	0
1945 HRS	5000	37000	30000	1000	0
2000 HRS	65000	32000	12000	2000	0
2030 HRS	35000	32000	14000	1000	1000
2100 HRS	19000	30000	15000	1000	1000
2130 HRS	16000	27000	16000	1000	0
2200 HRS	10000	23000	14000	1000	0
2230 HRS	10000	16000	8000	1000	0

**SUNDAY**

TIME SLOT	TVM	SUPER 1	NET TV	MAX PLUS	SMASH
1900 HRS	0	14000	2000	0	0
1930 HRS	1000	53000	3000	0	0
1945 HRS	2000	38000	35000	0	0
2000 HRS	73000	32000	14000	1000	1000
2030 HRS	36000	56000	12000	1000	1000
2100 HRS	21000	61000	10000	1000	1000
2130 HRS	15000	50000	9000	0	1000
2200 HRS	12000	38000	5000	0	0
2230 HRS	4000	30000	4000	0	0

*\*Note: A zero (0) entry indicates that the station's audience is less than 1,000 viewers during that time slot, and a dash (-) indicates that the station was not transmitting.*



## 9. Authority Awards

### 9.1 Programme Awards

The following were the winners in the respective radio and television categories of the Broadcasting Authority's Programme Awards 2001 held on Saturday, 17th November 2001.

These programmes were broadcast during the period 1st October 2000 to 30th September 2001.

#### **CURRENT AFFAIRS**

Radio - *Attakk fuq iċ-Ċiviltà* - Joseph Flask - Radju Malta

TV - *Viva Malta – Environment* - Marie Briguglio - TVM

#### **EDUCATIONAL PROGRAMMES**

Radio - *Mis-saltna tad-Dlamijiet* - Kenneth Mizzi - Radju ta' I-Universita`

TV - *X-Net* - Martin Debattista - Super 1 TV

#### **DISCUSSION PROGRAMMES**

Radio - *Niġu għall-Punt* - Reno Bugeja - Radju Malta

TV - *Xarabank – Roads* - P. J. Vassallo - TVM

#### **LIGHT ENTERTAINMENT**

Radio - *Blaff* - Manwel Cassar - Radju Malta

TV - *Ċaqraq* - Engelbert Grech - TVM

#### **MAGAZINE PROGRAMMES**

Radio - *Radio Zine* - Joseph Buttigieg - Radju Malta

TV - *Għawdex Illum* - Alvin Scicluna - TVM

#### **CHILDRENS' PROGRAMMES**

Radio - *Id-Dinja Tagħna* - Daphne Cassar - Radju ta' I-Universita`

TV - *Scooters* - Joyce Grech - Education 22

#### **SPORT PROGRAMMES**

Radio - *Sportopolis* - Celaine Buhagiar - Radju ta' I-Universita`

TV - *Total Sport* – Edizzjoni Speċjali minn Londra - Simon Farrugia - TVM

#### **DOCUMENTARIES**

Radio - *Il-mixja għall-Indipendenza* - Eric Montfort - Radio 101

TV - *Dinja Ohra - II* - Emi Farrugia - Super 1 TV

#### **INVESTIGATIVE JOURNALISM**

TV - *Bondicini – Security* - Lou Bondi & Simone Cini - TVM

#### **DRAMA**

Radio - *Žaren* - Charles Xerri - Radju ta' I-Universita`



TV - *Il-Pesta 1813* - Salvu Mallia - Super 1 TV

### **CULTURAL PROGRAMMES**

Radio - *Abjad u Iswed* - George Peresso - FM Bronja

TV - *Almanakk* - Mario Parascandolo - Max Plus TV

The Adjudicating Panel's Report compiled by the jury on all the categories with special attention to the winning programmes is found in Appendix XVIII of this Report.

## **9.2 Award for Gender Awareness in the Broadcasting Media**

For the second year running, the Broadcasting Authority organised the Award for Gender Awareness in the Broadcasting Media.

In 2001, the standard of the entries improved on those of the first year. This improvement is the result of the various gender sensitisation initiatives and strategies undertaken by the Advisory Committee.

During the year under review, the Broadcasting Authority received nine entries from four different stations. The entries were a mixture of programme genres for television and radio. No station however, submitted 'itself' for consideration.

The entries for television included:-

*Ward u Zahar* (Super One TV )

*L-Elmu - Sahħa u Sigurtà Fuq il-Post tax-Xogħol* (PBS TV)

*Viva Malta - Familji* (PBS TV)

*Puntini* (PBS TV)

*Mera ta' Dinja Ohra* (Super One TV)

*Il-Bombli tal-Fuħħar* - Ikompli (PBS TV)

The radio entries were the following:-

*Il-Mara fil-Kotba Mqaddsa* (PBS TV)

*Sportopolis* (Radio ta' I-Università)

*Madwarna* (PBS TV)

The jury, composed of the members of the Advisory Committee, adjudicated the Award to the series, *Il-Mara fil-Kotba Mqaddsa*, produced and presented by Joyce



Guillaumier, on PBS Radio.

This series initiates the debate on the role of women in Jewish society from early times down to the beginnings of the first millennium after Christ. The programme shows how the Bible accounts for women's stories; women who were active in the political, social and cultural life; women who were heroic in deeds and others who were manipulators just as men are.

This programme satisfied many criteria considered by the Jury to be important. Joyce Guillaumier, the female producer and presenter, worked on a programme that usually fits in a traditionally male genre. Furthermore, the programme content itself addresses an issue that is traditionally viewed from a male perspective.

## 10. Political Broadcasting

### 10.1 Party Political Broadcasts 2001 Series

The Broadcasting Authority launched a new series of party political broadcasts from 26th February 2001 until 31st December 2001.

Airtime and programmes for this series of party political broadcasts were allocated to the parties as follows:

**Press Conferences:** PN: 2 x 60'; MLP: 2 x 50'; AD: -

Press Conferences are meant to be informative discussions in which a party representative answers questions and replies to points raised in the general public interest by five journalists nominated by the Broadcasting Authority.

**Debates:** PN: 4 x 45'; MLP: 4 x 45'; AD: -

Participation consists of one or two representatives from each political party and a Chairperson nominated by the Authority. The subject for each programme is chosen by the political party to whom the debate is allocated. The political party choosing the title of the debate also chooses whether the representative from each political party shall be one or two.



**Interview Programmes "Wegibni":** PN: 4 x 30'; MLP: 4 x 25'; AD: -

The aim of these programmes is to elicit information in the general public interest and the interview must be conducted in this spirit. The party to whom the interview programme is allocated chooses the title for each programme.

**Party Productions and Political Spots:** PN: 59'; MLP: 54'; AD: 12'

Party Productions consist of a number of programmes which may vary in duration from 5 to 10 minutes. Programmes can be slotted at the parties' discretion on any day except Saturdays, Sundays, Public Holidays and National Holidays and at the rate of not more than one programme per week.

Political spots vary in duration between 5 and 60 seconds with not more than 3 spots scheduled on any particular day and not exceeding a maximum of 12 spots in any one week.

Political Parties continued to enjoy the flexibility in scheduling the press conferences and the party productions including the political spots. Other programmes were transmitted in accordance with a schedule pre-determined by the Authority.

Party political broadcasts were normally transmitted on Thursdays on TVM and Radio Malta. These programmes were repeated on the following day on Channel 12, the Community Channel.

## **10.2 Local Council Elections**

As in previous years the Authority continued to monitor broadcasting stations during the local councils elections. The Authority also drew up a report concerning March 2001 local council elections with regard to political content of broadcasts during polling day.

## **10.3 Anniversary Messages**

These broadcasts are associated with dates of international significance such as World Environment Day, World Food Day, etc. although the local aspect is invariably included.

Anniversary messages fall under the provisions laid out by law on impartiality. The Authority stipulates that:

- (a) there must be no reference to current public policy issues



- (b) propaganda in favour of the Government must be avoided
- (c) no criticism of the previous Administration is allowed.

They may not be transmitted during peak viewing time i.e. between 2000 and 2200. Moreover, unlike ministerial broadcasts, requests for transmission together with all the necessary information should be submitted directly to the Communications Office at Public Broadcasting Services Ltd.

Six messages linked to events of international significance were broadcast during the year on the public broadcasting services by Ministers and Parliamentary Secretaries. The following is a list of such broadcasts:

Date	Time	Message	Duration	Message by
15th March	19.00hrs	Inter. Consumer Day	7' 05"	Parliamentary Sec. Dr. George Hyzler
5th June	19.04hrs	World Environmental Day	6' 52"	The Hon. Dr. F Zammit Dimech
26th June	18.40hrs	International Day Against Drug Abuse	04'45"	The Hon. Dr Tonio Borg
27th Sept.	19.11hrs	World Tourism Day	5' 50"	The Hon. Dr. Michael Refalo
30th Sept.	18.47hrs	World Day of the Elderly	6' 45"	Parliamentary Sec. Dr A. Mifsud Bonnici
16th October	19.00hrs.	World Food Day	6' 20"	The Hon. Ninu Zammit

#### 10.4 Ministerial Broadcasts

On the other hand no ministerial broadcasts were transmitted during 2001.



## 11. Broadcasting Case Law

During the year under review the Authority continued to be involved in court litigation. Table 4 below is a list of litigation in which the Authority was involved as a party.

Date of Decree/ Judgement	Court Reference Number	Parties	Court	Remarks
05/03/01	Notice No. 1766/00PS	Broadcasting Authority vs Siggiewi Local Council & Zebbug Local Council	Small Claims Tribunal	Siggiewi Local Council was ordered to pay Lm19 to the Broadcasting Authority for dubbing of tapes
01/07/01	Writ of Summons 1179/98GC	Rainbow Productions Ltd. vs Broadcasting Authority	Civil Court, First Hall	Case was last put off to 16/1/01 and was subsequently declared by Registrar of Courts to be deserted on 1/7/01
06/08/01	Application No. 338/99	Grima Communications Ltd. vs Broadcasting Authority	Court of Appeal	Court revoked Broadcasting Authority's decision not to renew Live FM's Broadcasting licence
3/10/01	Writ of Summons 2850/96 RCP	John Bundy & Clyde Puli vs Awtorità tax-Xandir	Civil Court, First Hall	Court decided case in favour of plaintiffs. B.A. has lodged an appeal to the Court of Appeal and to the Constitutional Court
24/10/01	Application No. 338/99	Grima Communications Ltd. vs Broadcasting Authority	Court of Appeal	Application filed by Grima Communications Co. Ltd requesting clarification of Court of Appeal's judgement was refused by the Court of Appeal

### 11.1 Administrative Offences

During the year 2000 there were 17 cases of administrative penalties inflicted upon broadcasting stations for various infringements of the Broadcasting Act. In 2001 the said number rose to 64.

The administrative offences ranged from infringement of good taste and decency



in television programming, lack of compliance with a directive issued by the Authority in terms of article 15 of the Broadcasting Act, violation of the Code for the Protection of Minors and contravention of the rules regulating advertisements and sponsorship.

The table hereunder lists the number of administrative offences committed by broadcasting stations and the stations concerned:

TV Stations	
Max Plus	1
TVM	11
NET TV	14
Smash TV	3
Super 1 TV	28
Total	57

Radio Stations	
Super 1 Radio	1
Radju Parlament	1
RTK	1
Capital Radio	1
Bay Radio	1
Radio Calypso 102.3	1
Radio 101	1
Total	7



## The Political Content of the News on TVM

The Political Content of the News* on TVM - January to December										2000	2001		
TOTAL NUMBER OF LOCAL ITEMS:												5414	
TOTAL NUMBER OF COVERAGES:												7188	
<b>Ministerial Coverages:</b>													
Press Releases:												1566	
Activities:												20.25 %	22.44**
<b>Party Political Coverages:</b>													
Press Releases:												424	
Activities:												650	938
<b>Trade Union Coverages:</b>													
Press Releases:												270	
Activities:												259	584
* Other union items: 28												7.20 %	8.12**
<b>Total Political Content:</b>												<b>1864</b>	<b>30.92</b>
												(items)=	%=
<b>Other Local Coverages:</b>													
Press Releases:												4535	
Activities:												58.65 %	56.39
<b>Form of Presentation of Local Items:</b>													
Announcer in Vision:												1075	17.83
Items supported by:												616	10.22
												Film	4337
<b>Investigative Items:</b>												71	1.18

Total number of coverages include multiple news items.  
 \* Based on Statistics relating to the 8p.m. and late News Bulletins on TVM.  
 \*\* Percentage of total number of coverages

## The Political Content of the News on TVM - General Picture 2001

Month	Govt. Act	Party Political			Unions				Total	Coverages	% of all coverages
		NP	MLP	AD	CMTU	GWU	GRTU	OTH.			
January	113	25	48	10	17	14	11	2	240	595	40.3
February	176	38	63	5	11	29	3	1	326	696	46.8
March	157	34	68	3	7	10	3	1	283	657	43.1
April	99	31	42	2	22	21	0	4	221	589	37.5
May	132	34	55	1	54	37	0	5	318	659	48.3
June	138	24	54	3	15	14	4	2	254	641	39.6
July	107	29	63	7	10	22	7	1	246	657	37.4
August	95	7	50	5	23	28	4	5	217	582	37.3
September	155	49	64	15	12	39	2	3	339	703	48.2
October	138	28	62	4	13	20	6	0	271	662	40.9
November	156	28	76	5	16	10	2	2	295	710	41.5
December	100	9	30	3	29	11	3	2	187	581	32.2
	1566	336	675	63	229	255	45	28	3197	7732	41.3



**Ministerial Activities 2001**

<b>Month</b>	<b>Number of Coverages</b>	<b>Reports of Ministerial Activities</b>	<b>%</b>
January	595	113	19.0
February	696	176	25.3
March	657	157	23.9
April	589	99	16.8
May	659	132	20.0
June	641	138	21.5
July	657	107	16.3
August	582	95	16.3
September	703	155	22.0
October	662	138	20.8
November	710	156	22.0
December	581	100	17.2
	<b>7732</b>	<b>1566</b>	<b>20.3</b>



## Appendix IV

### Party Political Activities

Month	No. of Coverages	Party Political			Total	%
		NP	MLP	AD		
January	595	25	48	10	83	13.9
February	696	38	63	5	106	15.2
March	657	34	68	3	105	16.0
April	589	31	42	2	75	12.7
May	659	34	55	1	90	13.7
June	641	24	54	3	81	12.6
July	657	29	63	7	99	15.1
August	582	7	50	5	62	10.7
September	703	49	64	15	128	18.2
October	662	28	62	4	94	14.2
November	710	28	76	5	109	15.4
December	581	9	30	3	42	7.2
	7732	336	675	63	1074	13.9



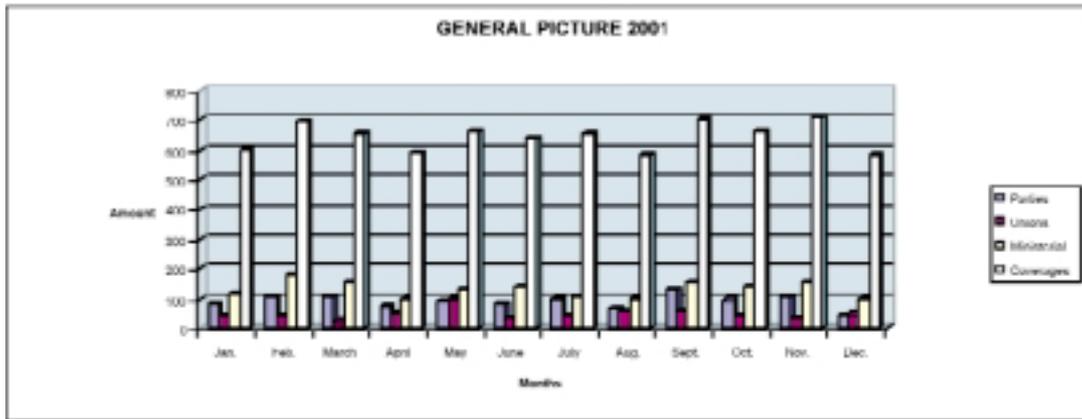
## Trade Unions Activities 2001

Month	No. of coverages	Unions				Total	%
		CMTU	GWU	GRTU	OTH.		
January	595	17	14	11	2	44	7.4
February	696	11	29	3	1	44	6.3
March	657	7	10	3	1	21	3.2
April	589	22	21	0	4	47	8.0
May	659	54	37	0	5	96	14.6
June	641	15	14	4	2	35	5.5
July	657	10	22	7	1	40	6.1
August	582	23	28	4	5	60	10.3
September	703	12	39	2	3	56	8.0
October	662	13	20	6	0	39	5.9
November	710	16	10	2	2	30	4.2
December	581	29	11	3	2	45	7.7
	7732	229	255	45	28	557	7.2

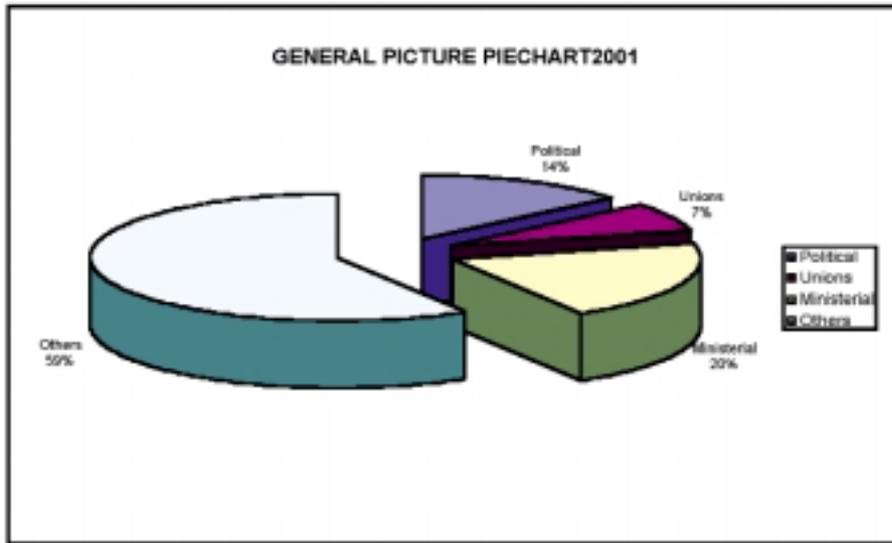


## Appendix VI

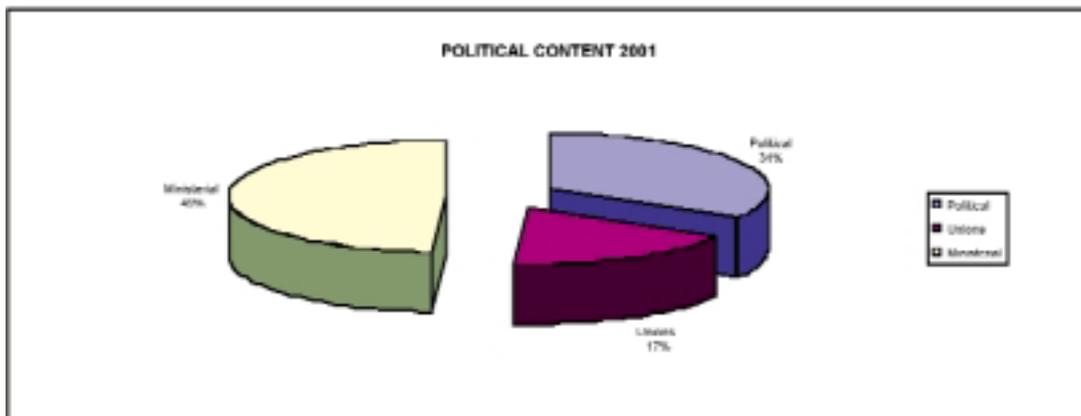
### General Picture 2001



General Picture Piechart 2001



Political Content 2001



## Appendix IX

### Government Notice No. 900/2001

#### BROADCASTING ACT (CAP. 350)

#### Broadcasting (Jurisdiction and European Co-operation) Regulations, 2000

#### TRANSMISSION OF MAJOR EVENTS

IN exercise of the powers conferred by sub-regulation (1) of regulation 6 of the Broadcasting (Jurisdiction and European Co-operation) Regulations, 2000, the Broadcasting Authority has drawn up a list of designated events, national or non-national, which it considers to be of major importance for society as follows:

1. the Malta Song Festival;
2. the Malta Song for Europe Festival;
3. the Eurovision Song Festival;
4. the Malta carnival;
5. the Authority's Programme Awards;
6. the New Year's Concert from Vienna;
7. the Maltese national football team's home and away matches;
8. the final of the local FA trophy;
9. the final of any U.E.F.A. football club competition;
10. all the matches in the final stages of the European national football championship and the football World Cup;
11. the summer Olympic Games;



12. the Small Nations Games;
13. the March and September regattas;
14. the Middle Sea Race.

30th October 2001



## Appendix X

L.N. 245 of 2001

### **BROADCASTING ACT (CAP. 350)**

#### **Broadcasting Act (Substitution of Third Schedule) (Code for Advertisements, Teleshopping and Sponsorships) Regulations, 2001**

IN exercise of the powers conferred by paragraph (b) of subarticle (2) of article 19 of the Broadcasting Act, hereinafter referred to as "the Act", the Broadcasting Authority, in conjunction with the Minister of Education, has made the following Code:-

- |   |    |   |
|---|----|---|
| Citation                                  | 1. | The title of these regulations is the Broadcasting Act (Substitution of Third Schedule) (Code for Advertisements, Teleshopping and Sponsorships) Regulations, 2001. |
| Substitutes the Third Schedule to the Act | 2. | For the Third Schedule to the Act there shall be substituted the following:-  |

### **THIRD SCHEDULE**

#### **Article 19(2)**

#### **CODE FOR ADVERTISEMENTS, TEleshopping AND SPONSORSHIPS**

##### **General standards**

1. Advertising and teleshopping shall not:
  - (a) prejudice respect for human dignity;
  - (b) include any discrimination on grounds of race, sex or nationality;
  - (c) be offensive to religious or political beliefs;
  - (d) encourage behaviour prejudicial to health or to safety;
  - (e) encourage behaviour prejudicial to the protection of the environment;



- (f) except as authorized under a scheme of political broadcasts approved by the Authority, and irrespective of whether they are broadcast in return for payment or for similar consideration or otherwise, be of a political nature;
  - (g) be inserted in any broadcast of a religious service.
2. No person who is authorised to broadcast commercial advertising or teleshopping shall confine such advertising and teleshopping to goods or services of a sole commercial or financial group or grant any exclusive right for the commercial advertising of a specific product or service.
  3. In the acceptance of advertisements and teleshopping there shall be no unreasonable discrimination either against or in favour of any particular advertiser.

#### **Forms and Presentation**

4. Advertising and teleshopping shall be readily distinguishable as such and kept quite separate from the other parts of the programme service by optical or acoustic means. Isolated advertising and teleshopping spots shall remain the exception.
5. Successive advertisements and teleshopping shall be recognisably separate in particular techniques such as those described in article 19 of this Act.
6. Advertisements and teleshopping shall not be arranged or presented in such a way that any separate advertisement appears to be part of a continuous feature.
7. Audible matter in advertisements and teleshopping shall not be excessively noisy or strident.
8. Advertising and teleshopping shall not use subliminal techniques.
9. Surreptitious advertising shall be prohibited.



## **Insertion of advertisements and teleshopping**

10. Advertising and teleshopping shall be inserted between programmes. Provided the conditions contained in paragraphs 11 to 14 of this Schedule are fulfilled, advertising and teleshopping may also be inserted during programmes in such a way that the integrity and value of the programme, taking into account natural breaks in and the duration and nature of the programme, and the rights of the rights holders, are not prejudiced.
11. In programmes consisting of autonomous parts, or in sports programmes and similarly structured events and performances comprising intervals, advertising and teleshopping shall only be inserted between the parts or in the intervals.
12. The transmission of audiovisual works such as feature films and films made for television (excluding series, serials, light entertainment programmes and documentaries), provided their programmed duration is more than 45 minutes, may be interrupted once for each complete period of 45 minutes. A further interruption shall be allowed if their scheduled duration is at least 20 minutes longer than two or more complete periods of 45 minutes.
13. Where programmes, other than those covered by paragraph 11, are interrupted by advertising and teleshopping spots, a period of at least 20 minutes shall elapse between each successive advertising break within the programme.
14. News and current affairs programmes, documentaries, religious programmes, and children's programmes, when their programmed duration is less than 30 minutes, shall not be interrupted by advertising or by teleshopping. If the programmed duration of such programmes is of 30 minutes or longer, the provisions of the previous paragraphs shall apply.

## **Advertising and teleshopping of particular products**

15. All forms of advertising and teleshopping for cigarettes and other tobacco products shall be prohibited.
16. Advertising for medicinal products and medical treatments available only on



prescription shall be prohibited.

17. Teleshopping for medicinal products and teleshopping for medical treatment, shall be prohibited.
18. Advertising and teleshopping for all other medicines and medical treatment shall be clearly distinguishable as such, honest, truthful and subject to verification and shall comply with the requirements of protection of the individual from harm.
19. Advertising and teleshopping for alcoholic beverages shall comply with the following criteria:
  - (a) it may not be aimed specifically at minors or, in particular, depict minors acquiring or consuming these beverages;
  - (b) it shall not link the consumption of alcohol to enhanced physical performance or to driving;
  - (c) it shall not create the impression that the consumption of alcohol contributes towards social or sexual success;
  - (d) it shall not claim that alcohol has therapeutic qualities or that it is a stimulant, or sedative, or a means of resolving personal conflicts;
  - (e) it shall not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light;
  - (f) it shall not place emphasis on high alcoholic content as being a positive quality of the beverages.

### **Sponsorship**

20. Sponsored programmes shall meet the following requirements:
  - (a) the content and scheduling of sponsored programmes may in no circumstances be influenced by the sponsor in such a way as to affect the responsibility and editorial independence of the broadcaster in respect of programmes;



(b) they shall be clearly identified as such by the name or logo of the sponsor at the beginning or the end of the programmes;

(c) they shall not encourage the purchase or rental of the products or services of the sponsor or a third party, in particular by making special promotional references to those products or services.

### **Prohibited sponsorship**

21. Programmes may not be sponsored by natural or legal persons whose principal activity is the manufacture or sale of cigarettes and other tobacco products.

22. Sponsorship of programmes by undertakings whose activities include the manufacture or sale of medicinal products and medical treatment may promote the name or the image of the undertaking but may not promote specific medicinal products or medical treatments available only on prescription.

23. News and current affairs programmes may not be sponsored.

### **Duration**

24. The proportion of transmission time devoted to teleshopping spots, advertising spots and other forms of advertising, with the exception of teleshopping windows within the meaning of paragraphs 41 and 42, shall not exceed 20% of the daily transmission time. The transmission time for advertising spots shall not exceed 15% of the daily transmission time.

25. The proportion of advertising spots and teleshopping spots within a given clock hour shall not exceed 20%.

26. For the purposes of paragraphs 24 and 25, advertising does not include:

(a) announcements made by the broadcaster in connection with its own programmes and ancillary products directly derived from those programmes;

(b) public service announcements and charity appeals broadcast free of



charge.

27. The provisions of these regulations shall apply *mutatis mutandis* to channels exclusively devoted to self-promotion. Other forms of advertising on such channels shall be allowed within the limits established by paragraphs 41 and 42.
28. The amount of time given to advertising and teleshopping on radio services shall not exceed 25% within a one hour period provided that part of such advertising time may be aggregated to a continuous period not exceeding two hours in each twelve hour period.

### **Exemptions**

29. Paragraphs 10 to 14 and 24 to 28 shall not apply to radio services.

### **Teleshopping for both non-Teleshopping Television Stations and for Television Stations exclusively licensed for teleshopping**

30. Teleshopping offers of any kind shall contain the direct offer for sale to the public within the teleshopping transmission itself. Where the offer for sale is only contained elsewhere (such as in a teletext service) the material may not be classed as teleshopping.
31. "Direct offer" means the form of advertising for the supply of any product or service offering detailed explanations and promotion of advantages. A teleshopping offer may solicit the purchase, sale or lease of products or services through contact with the commercial distributors or service provider either by telephone or by any electronic means.
32. Teleshopping shall not use the same scenography of other non-advertising programmes and shall not be presented by anchormen/women engaged in television news or current affairs features.
33. The use of encoded messages shall be forbidden during a teleshopping offer.
34. The price of the product/service offered and mail address of the supplier shall also be provided during a teleshopping offer.



35. During a teleshopping offer it shall be permissible:
- (a) to inform the viewer that the advertised product or service will be sent to the address of the person who responds to the teleshopping offer;
  - (b) to describe the advertised product or service which will be provided and to announce its functions and its price.
36. Televoting shall not be permitted during a teleshopping offer.
37. A direct offer is always bound with the possibility of direct response, identified by a telephone number. In the case of a television broadcast one or more telephone numbers which the buyer may call to purchase a particular product or service may be displayed on screen. The numbers may be of a call centre, a warehouse, the studio, the station itself or another place from where the consumer's needs may be met.
38. The expression "optical means" in paragraphs 42 and 48 of this Schedule includes titles, written words, graphic and coloured images, logos, and abbreviations of the expression "teleshopping" and also includes a telephone number. The expression "acoustic means" in paragraphs 42 and 48 includes spoken words, jingles or music parts.
39. Any regulations made under the provisions of article 7 of the Consumers Affairs Act, Cap. 378, regulating distance selling, where applicable, shall also apply to teleshopping.

#### **Teleshopping for Non-Teleshopping Television Stations**

40. Windows devoted to teleshopping broadcast by a channel not exclusively devoted to teleshopping shall be of a minimum uninterrupted duration of 15 minutes.
41. The maximum number of teleshopping windows per day shall be eight. Their overall duration shall not exceed three hours per day. They shall be clearly identified as teleshopping windows by optical and acoustic means.
42. As teleshopping is a form of distance selling, editorial material shall be kept separate from editorial or non-commercial elements.



43. No advertisements which do not fall within the definition of teleshopping may be broadcast within teleshopping windows.
44. Without prejudice to the provisions of paragraph 39, respondents to teleshopping offers shall have the right to return the product within 15 days from the date of sale to the sales agent. During a teleshopping offer the presenter shall, at the beginning of the teleshopping, inform viewers of such right.
45. Teleshopping windows may not be broadcast immediately before or after a programme aimed at children.

#### **Teleshopping for Television Stations exclusively licensed for Teleshopping**

46. Stations that are exclusively devoted to teleshopping shall not transmit any other type of programme apart from teleshopping offers.
47. Teleshopping shall be identified by both optical and acoustic means. A specific announcement shall precede and end the teleshopping offers. As for the quality of the signals given, they shall be suited for drawing the audience's attention to the fact that a teleshopping offer is being broadcast.
48. The provisions of this Act, other than regulations made under subarticle (2) of article 37 of this Act, shall apply *mutatis mutandis* to channels exclusively devoted to teleshopping. Advertising on such channels shall be allowed within the daily limits established by paragraph 24. Paragraph 25 shall not apply to such channels.
49. This Schedule is without prejudice to any law in force in Malta. "



## Appendix XI

### L.N. 3 of 2001

#### BROADCASTING ACT (CAP. 350)

#### Amendment to the Code for the Investigation and Determination of Complaints

IN exercise of the powers conferred by subarticle (2) of article 21A of the Broadcasting Act, the Broadcasting Authority has made the following amendment to the Code for the Investigation and Determination of Complaints:-

Title	1. The title of this Legal Notice is Amendment to the Code for the Investigation and Determination of Complaints, and shall be read and construed as one with the Code for the Investigation and Determination of Complaints, hereinafter referred to as "the Code".
L.N. 161 of 2000	
Amendment of regulation 15 of the Code	2. Immediately after subregulation (3) of regulation 15 of the Code there shall be added the following new subregulation (4):  "(4) For the purposes of this Code, a public hearing shall also include the possibility that the public may follow the investigation of a complaint by the Authority via close circuit television."



L.N. 251 of 2001

**BROADCASTING ACT  
(CAP. 350)**

**Amendment to the Code for the Investigation and  
Determination of Complaints**

IN exercise of the powers conferred by subarticle (2) of article 21A of the Broadcasting Act, the Broadcasting Authority has made the following amendment to the Code for the Investigation and Determination of Complaints:-

Title  
  
L.N. 161  
of 2000

1. The title of this Legal Notice is Amendment to the Code for the Investigation and Determination of Complaints, and shall be read and construed as one with the Code for the Investigation and Determination of Complaints, hereinafter referred to as "the Code".

Amendment of  
article 8 of the  
Code

2. Article 8 of the Code shall be renumbered as sub-article (1) of article 8 thereof, and immediately after sub-article (1) of article 8 there shall be added the following sub-article:

"(2) The parties shall adduce all their evidence during the said sitting, and the Authority shall refrain from granting any adjournments unless there are exceptional circumstances as the Authority may deem proper."



## Appendix XIII

### The Use of the Maltese Language in the Broadcasting Media

#### FOREWORD

It is a well known fact that broadcasting is one of the best means, for good or for bad, which influences public opinion and behaviour.

The above applies to the use of language in the same way as it applies to other sectors of influence, and indeed, in a more subtle way because listeners or viewers are not normally on the lookout for such influence, as they would, for example, usually be in the case of political or commercial influences.

Whilst the need has always been felt for establishing control and regulation in order to protect the public from fraud in so far as news, advertisements, etc. are concerned, and whilst broadcasters are expected not to abuse the trust of their listeners and viewers, there is no control and regulation to date aimed at safeguarding the patrimony of the national language.

The Maltese language, notwithstanding our small size, the influence of foreign domination, political discord concerning other languages and other adverse situations has not only managed to save itself from extinction but, on the contrary, has continued to develop. Today, the communications revolution is in itself a powerful challenge even to languages spoken by millions of people, let alone to a language which is spoken by such a small community as ours. Nevertheless, whilst there is very little which can be done to shield our language from the global threat of foreign languages, especially the English language, it should be and is necessary that the Maltese language be protected from the damage which we cause it, especially on the broadcasting media.

From the beginning, broadcasting, especially public service broadcasting, has felt the need not only to safeguard the national language, but also to promote it. In England, the BBC had acquired so much fame in this sector that BBC English is cited as the main example of how English should be spoken, not only by broadcasters but by everybody. Broadcasting has not only damaged the language but on the contrary, it has accentuated one's responsibilities for its protection.

In Malta, until the broadcasting media were few in number and well controlled,



and until the vast majority of those who broadcast on these media were highly trained, broadcasting used to achieve such objective. But these were different times, where the Maltese language in general was faced by less challenges and threats than today, as is the case with the haphazard importation of foreign words and the juxtaposition of English words together with Maltese words in the same sentence. As time has gone by this phenomenon has extended itself to all levels of society.

The irony about all this is that the more the threat to the Maltese language has grown, the less broadcasting remained a means for its protection and promotion. Various reasons may be adduced for this trend and the solution need not necessarily be found in the cause of the problem. For instance, pluralism has increased manifoldly the number of stations as well as the number of persons who take part in broadcasting, including also the number of amateurs who contribute to such programmes. If the above has led to reduce the seriousness in the use of the Maltese language, the solution does not lie in attacking pluralism, but what is important is to ensure that whosoever assumes broadcasting functions is prepared to shoulder with full force the responsibility of the power derived in virtue of his capacity as a broadcaster. The broadcaster should not have the right to have such power without assuming the concomitant responsibility.

The discussion as to what should or should not be acceptable in the use of Maltese is indeed a complex one. However, it is appropriate for the Authority, in consultation with other competent bodies such as the *Akkademja tal-Malti*, to establish well defined criteria in terms of which the Maltese language may be safeguarded in the broadcasting sector.

In the meantime, one expects that the Maltese language is further respected and that an awareness is aroused aimed at protecting the language within not only the context of a tool of communication but also as a cultural patrimony. Suffice it to note that words the roots whereof were used regularly up to some time ago are now seen as archaic due to their lack of use. Other words will meet the same fate if they continue to be put aside. If broadcasting, especially state broadcasting, does not make any effort to use such types of words, these words will die a natural death and the Maltese language will continue to embark upon a process of impoverishment.

It is also necessary that one keeps both one's eyes and ears wide open for any hidden agenda which purposely discriminates in favour of certain words or



structures and against others. The Maltese language has in the past suffered because of manipulation and nobody has the right to take decisions with ulterior motives which affect the future of the national language.

Naturally, language is not something dead, and it is not wise nor realistic for one to expect that a language remains fossilised in the state that it was in the past, when several objects and behaviour of today were non-existent. Nor can one expect that words tied with technology, sports, etc. may always be translated into Maltese, until there happens to be in place a national linguistics policy, something which however does not fall within the remit of a broadcasting regulatory body. On the other hand, if such policy is in place, or if the Authority, like the Akkademja tal-Malti, were to provide guidelines, there is no reason why licensed broadcasters should not obey and follow.

## THE PROBLEMS

A number of main problems may be identified which are caused because of incompetence, negligence or bad intentions:

1. Violation or bad use of the language in so far as
  - a) semantics or the meaning and development of words is concerned;
  - b) phonology or the pronunciation and rhythm of the language's sounds are concerned;
  - c) morphology and grammar or the formation of words as well as their use, with special emphasis being placed on the use of the passive, numbers, verbal phrases and participles are concerned;
  - d) syntax or the construction of sentences is concerned
2. Lack of stringing together, cohesion, rhythm and clarity in order to provide unity within the text
3. Mediocre use of idioms and literal translation of foreign idioms or concurrent use of diverse languages in the same trend of thought
4. Mixture of Maltese and English (or words originating from other languages) in the same sentence
5. Literal translation of foreign sentences, structures and reports



6. Lack of effort or scruples to ensure that in certain sectors such as sports, information, fashion and others, a means is found whereby broadcasters are still understood without contravening the rules of the Maltese language
7. Repetition, word by word, of press releases notwithstanding that the original press release is not written in fluent Maltese
8. Numbers, addresses, titles, etc. read in English or in another language instead of in Maltese
9. Choice of an English form in Maltese words which are derived from Italian
10. Choice of words of Romantic origin and putting aside words of Semitic origin
11. Bad orthography including when non-Maltese fonts are used (ġ, ħ, ć, ź)
12. Wrong pronunciation and intonation
13. Mistakes in gender

## **BROADCASTERS' DUTIES**

Broadcasters have the duty to:

1. be aware of their responsibilities in safeguarding the Maltese language.
2. especially in the case of journalists, keep abreast of developments taking place in the Maltese language, whether written or spoken.
3. be conversant with other languages so that proper translations and adjustments can be made.
4. assist those persons who participate in a programme as well as to stop a participant who abuses the language.
5. be on the look out, especially in the case of educational, informative and



- children's programmes.
6. ensure that the Maltese language used is of a high level as to diction, semantics, grammar, syntax, morphology and content.
  7. be aware of all the aspects of the language so that the final result will be a unified one, well linked and comprehensible.
  8. use with due care all neologisms which make way into the Maltese language and where this is possible according to the existing morphology of our language.
  9. use Maltese words according to their roots at least in those case where such words do not sound to be excessively archaic.
  10. use words which are clear and easy to understand.

## REMEDIES

1. To commission the *Akkademja tal-Malti* to prepare a handbook to contain all the main elements, including a glossary which is required to guide broadcasters. Moreover, to commission the preparation of Guidelines as to the proper use of the Maltese language in programmes on subjects such as sports, sociology, economy and other specialised fields.
2. To adopt these recommendations of this report as a code which binds broadcasters.
3. When Programme Monitors are employed, the Authority should ensure that they possess a high level of understanding of the Maltese language. It could also consider engaging Monitors for this purpose.
4. From time to time to organise courses on the Maltese language for broadcasters.
5. Request the *Akkademja tal-Malti* to forward a list of persons knowledgeable in Maltese who can be consulted by broadcasting stations should any need arise.



6. To publicise its language policy.
7. To award good practice by means of a special prize for the use of the Maltese language.
8. From time to time to prepare and publish reports on the situation of the Maltese language in the broadcasting media.
9. To assist the Press Club to achieve its aims to be an auto-regulatory body in so far as language is concerned.

#### **IN SO FAR AS RESPONSIBILITY OF BROADCASTERS IS CONCERNED**

1. Every station should have its own consultant who is qualified in the Maltese language and who is well-informed in broadcasting. The said consultant is to be approved by the Authority following consultation with the *Akkademja tal-Malti*. The Authority shall also publish the name of such consultant.
2. Each station shall follow the rules and directives issued by the *Akkademja tal-Malti* in so far as the use of the Maltese language is concerned.
3. Each station shall be responsible for the use of the Maltese language in every broadcast.
4. Where a licence is issued the broadcaster will be expected to use the Maltese language in a proper way.
5. Each broadcaster shall broadcast at least one programme in each schedule of programmes to advance in a proactive manner the Maltese language.

10th October 2001



## Appendix XIV

### GUIDELINES ON THE COVERAGE OF TRAGEDIES IN BROADCASTING

#### 1. INTRODUCTION

- 1.1 The Broadcasting Authority has approved these Guidelines prepared by its Advisory Committee on Quality and Ethics in Broadcasting to guide television broadcasters and radio broadcasters, where applicable, in the reporting of tragedies.
- 1.2 These Guidelines follow an exercise carried out at studying carefully the coverage given by the various television stations in Malta to numerous tragedies which occurred during the summer of 2000, coverage which it found wanting in terms of some at least of the points listed in these Guidelines. In drafting these Guidelines similar documents in other countries were consulted but the particular circumstances of Malta were kept in perspective. It is hoped that the adoption of these Guidelines, and its observance by broadcasters, will contribute to the promotion of decency in broadcasting media coverage.

#### 2. THE VICTIM

- 2.1 When a tragedy occurs, the event affects primarily the victim and his/her relatives/friends. Once the event is reported, it also becomes the concern of the audience.
- 2.2 When reporting a tragedy, broadcasters must keep in mind that notwithstanding the news value of the event, the subject is a person or persons who deserve to be treated with respect and dignity.
- 2.3 No other consideration should override such respect and dignity, which must be reflected in the way the tragedy is visually portrayed.
- 2.4 Injured or deceased victims should not be shown in close-up unless there are compelling reasons for doing so.



- 2.5 Close-ups of the injuries suffered by victims should generally be avoided.
- 2.6 Care should be taken not to linger unduly on the physical consequences of the tragedy.
- 2.7 Decency requires that people should be allowed to die in private. Only in the rarest circumstances should broadcasters show the intimate moments of death itself.
- 2.8 Respect for the dignity of the victim requires that reporters must not make unsavoury or sensational speculation:
  - 2.8.1 on the causes of the tragedy.
  - 2.8.2 on the state of the victim before the tragedy.
  - 2.8.3 on how the tragedy may have happened.
  - 2.8.4 on any other factor which has not been duly verified.

### **3. THE RELATIVES**

- 3.1 The considerations respecting the dignity of the victim in certain respects apply also to relatives and friends.
- 3.2 The rights of these people to grieve in private merits special consideration.
  - 3.2.1 They should not in any way be subjected to further distress.
  - 3.2.2 They should not be put under any pressure to provide interviews.
  - 3.2.3 Their consent should be sought if they are to be filmed in hospital wards, funerals and other places where grieving is taking place. This also applies when relatives and friends happen to be present on the scene of the tragedy.
  - 3.2.4 There should be no unnecessary intrusion on the privacy of relatives and friends especially through the use of hidden microphones or cameras.
  - 3.2.5 Above all they should be spared the distress of receiving the tragic news from the broadcasting media. Hence, broadcasters should take care not to reveal the identity of the victim unless and until they have ascertained that the immediate family has been informed.
- 3.3 Programmes produced for the sole intention of examining past events involving tragedy, should try to minimise the potential distress to surviving





victims or relatives in retelling the story.

- 3.4 As far as it is reasonably practicable, surviving victims or the immediate families of victims whose experience will feature in the programme, should be informed of the programme's plans and its intended transmission. Failure to do this might be deemed an unwarranted infringement of privacy, even if the events or materials to be broadcast have been in the public domain in the past.

#### **4. THE VIEWER**

- 4.1 The viewer is entitled to fair and well-composed coverage of a story and should not be subjected to cheap sensationalism.
- 4.2 Images shown on television can have an overwhelming impact. While broadcasters should not shy away from showing tragic events and their consequences, they must take care that the choice of accompanying words ensures they put the scenes in the right perspective. Those exercising editorial judgements should be aware of the impact such material may have on the audience.
- 4.3 A balance needs to be struck between the demands of truth and the danger of desensitising people. Where the results of tragic events are shown in television news bulletins, the fact that the tragedy has distressing consequences should not be glossed over.

#### **5. VERIFICATION OF FACTS**

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

#### **6. SUICIDES**

- 6.1 There should be no mention of suicide except in extraordinary circumstances. It is particularly important to avoid detailed portrayal of suicide when there is some novel aspect which may be copied. Care also

needs to be taken over the choice of words to describe the event.

## **7. CHILDREN**

- 7.1 Children's vulnerability must be a prime concern for broadcasters.
- 7.2 It must be understood that children do not lose their rights to privacy because of tragic events concerning their parents or their school.
- 7.3 Care should be taken that a child's gullibility or trust is not abused to obtain more information concerning the tragedy.
- 7.4 Children should not be questioned about private family matters or asked for views on matters likely to be beyond their capacity to answer properly.
- 7.5 Consent from parents or those *in loco parentis* should be obtained before interviewing children under 16 on matters of significance. Where consent has not been obtained or actually refused, any decision to go ahead can only be justified if the tragedy is of overriding public interest and the child's appearance is absolutely necessary.
- 7.6 Similarly, children under 16 involved in tragedies where police enquiries or legal proceedings are taking place should not be identified in programmes.
- 7.7 Notwithstanding what may be deemed to be acceptable for reasons of newsworthiness and the public's right to know, certain situations, particularly those involving gory, shocking and other appalling scenes likely to impress, should not be broadcast before the watershed.

## **8. FURTHER POINTS**

- 8.1 Tragic events should not be exploited for political reasons, ulterior motives or hidden agendas.
- 8.2 Broadcasters should prevent attempts by peripheral actors, institutions and interested third parties to exploit the situation for their own ends.



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

## **9. CONCLUSION**

- 9.1 Only strong overriding public interest can provide exceptions to these norms of behaviour.
- 9.2 The foregoing while referring generally to TV broadcasting applies to the medium of radio where relevant.

August 2001



## **GUIDELINES ON ALCOHOLIC DRINK ADVERTISING**

### **1. Applicability of Guidelines**

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

### **2. Distribution of advertisements for alcohol**

Advertisements for alcoholic drinks shall not be broadcast before 7.00 p.m.

### **3. Protection of young people**

- 3.1 Alcoholic drink advertising shall not be directed at people under 18 years of age or use treatments likely to be of particular appeal to them.
- 3.2 Advertisements for alcoholic drinks shall not include any personality whose example people under 18 years of age are likely to follow or who has a particular appeal to people under 18 years of age.
- 3.3 Children shall not be seen or heard in advertisements for alcoholic drinks.

### **4. Unacceptable treatments**

- 4.1 Advertisements shall not blatantly imply that drinking is essential to social success or acceptance or that refusal is a sign of weakness. Nor shall they blatantly imply that the successful outcome of a social occasion is dependent on the consumption of alcohol.
- 4.2 Advertisements shall not suggest that regular solitary drinking is acceptable or that drinking is a means of resolving personal problems.
- 4.3 Advertisements shall not imply that drinking is an essential part of daily



routine or can bring about a change in mood.

- 4.4 Advertisements shall not suggest or imply that drinking is an essential attribute of masculinity or femininity. References to daring, toughness or bravado in association with drinking are not acceptable.
- 4.5 Alcoholic drinks shall not be advertised in a context of aggressive, anti-social or irresponsible behaviour.
- 4.6 Advertisements shall not depict or imply excessive drinking in any manner whatsoever.
- 4.7 Advertisements shall not offer alcohol as therapeutic, or as a stimulant, sedative, tranquilliser or source of nourishment. While advertisements may refer to refreshment after physical performance, they shall not give any impression that performance can be improved by drink.
- 4.8 Advertisements shall not suggest that a drink is preferable because of its higher alcohol content or intoxicating effect and shall not place undue emphasis on alcoholic strength.

## **5. Safety**

- 5.1 Nothing in any advertisement may promote drinking while driving or whilst using potentially dangerous machinery.
- 5.2 Alcoholic drinks shall not be seen to be consumed in a working place environment.

## **6. Cut-price Offers, etc**

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



## **7. Humour**

- 7.1 Advertisements may employ humour but not so as to circumvent the intention of these guidelines.

## **8. Non-applicability of guidelines**

- 8.1 These guidelines shall not apply to any advertisements or promotional campaigns undertaken to dissuade the public from excessive or immoderate drinking.

9th February 2001



## Appendix XVI

### **GUIDELINES ON ADVERTISING CONCERNING MEDICINES, TREATMENTS, HEALTH CLAIMS, NUTRITION AND DIETARY SUPPLEMENTS**

#### **1. These guidelines to be read in the light of the Third Schedule to the Broadcasting Act**

- 1.1 These Guidelines shall be read in conjunction with paragraphs 15, 16 and 17 of the Third Schedule to the Broadcasting Act, Chapter 350 of the Laws of Malta.

#### **2. Definitions**

- 2.1 The meaning of any terms used in these Guidelines shall be that given under the Broadcasting Act.

#### **3. General requirements**

- 3.1 Claims about any type of product or treatment falling under these Guidelines require very close scrutiny. It shall be the responsibility of the broadcaster to ensure that all advertisements about any medicinal product, service, preparation or remedy, comply with all the relevant legislation, in particular with the Food, Drugs and Drinking Water Act (Cap. 231), the Trade Descriptions Act (Cap. 313), the Broadcasting Act (Cap. 350) and the Consumer Affairs Act (Cap.378).
- 3.2 Advertisements for medicinal products or treatments for human use available only on prescription are not acceptable.

#### **4. Express reference to Department of Health permit number**

- 4.1 It shall be the responsibility of the broadcaster to ensure that any advertisement about any medical preparation or remedy states the permit number of the Department of Public Health as required in terms of Legal Notice 85 of 1981. In the case of a television programme such permit number shall be visibly shown on the screen, whereas in the case of a



radio programme the permit number must be expressly stated.

## **5. Mandatory information for medicinal products**

5.1 Advertisements for medicinal products shall include the following information:

- (a) The name of the product;
- (b) The name of the active ingredient, if it contains only one;
- (c) A clear indication of what the product is for; and
- (d) Wording such as "always read the label" or "always read the leaflet" where appropriate.

5.2 The broadcaster shall ensure that a medicinal product is clearly identified as being a medicinal product."

## **6. Medicines and Children**

6.1 Advertisements for medicinal products and treatments shall not be directed exclusively or principally at children under the age of 16 years.

## **7. Avoidance of Impressions of Professional Support and Advice**

7.1 The following are not acceptable:

- (a) Presentations by doctors, nurses, midwives, dentists, pharmaceutical chemists, veterinary surgeons etc. who as a result of their professional occupation promote a particular product; or
- (b) Statements which give the impression of professional advice or recommendation by people who feature in the advertisements and who are presented as being qualified to do so.

## **8. Unacceptable descriptions**

8.1 Advertisements for products which are foodstuffs or consumer products with medicinal properties shall for purposes of guidelines be considered as medicinals.



## **9. Diagnosis, prescription or treatment by correspondence**

- 9.1 Advertisements shall not contain any offer by correspondence (including by post, e-mail, internet, telephone or facsimile) to diagnose, advise, prescribe or treat.

## **10. Self-Diagnosis**

- 10.1 Advertisements for medicinal products shall not contain any material that could, by description or detailed representation of a case history, lead to erroneous self-diagnosis.

## **11. Cure**

- 11.1 No advertisement may employ any words, phrases, or illustration which claim or imply the cure of any ailment, illness, disease, or addiction as distinct from the relief of its symptoms.

## **12. Guarantee of Efficacy**

- 12.1 Advertisements for medicinal products shall not claim or imply that the effects of taking the product are guaranteed.

## **13. Side Effects**

- 13.1 Advertisements for medicinal products shall not suggest that the effects of taking the product are unaccompanied by side-effects. However it is acceptable to highlight the absence of a specific side-effect such as for example drowsiness.

## **14. Claims of recovery**

- 14.1 Advertisements for medicinal products shall not refer to claims of recovery in improper, alarming or misleading terms.

## **15. Appeals to fear or exploitation of credulity**

- 15.1 No advertisement may cause those who hear or see it unwarranted anxiety, if the advertisement states or in any way implies that if they fail to



respond to the advertiser's offer then they may suffer from a disease or condition of ill health.

15.2 Advertisements shall not falsely suggest that any product is necessary for the maintenance of health or the retention of physical or mental capacities (whether by people in general or particular groups such as the elderly) or that health could be affected by not taking the product.

## **16. Encouragement of excess**

16.1 Advertisements shall not imply or encourage indiscriminate, unnecessary or excessive use of any medicinal product or treatment.

## **17. Exaggeration**

17.1 Advertisements shall not make any exaggerated claims, in particular through the selection of testimonials or other statements which are unrepresentative of a product's effectiveness, or by claiming that it possesses some special property or quality which cannot be substantiated.

## **18. Dietary Supplements**

18.1 Advertisements for dietary supplements, including vitamins or minerals, shall not state or imply that they are necessary to avoid dietary deficiency or that they can enhance normal good health.

18.2 Subject to qualified medical advice, claims for vitamins or minerals, may be accepted where they relate to restricted, unsupplemented or low-food-energy diets, women who are planning to become pregnant, or are pregnant or lactating, growing children and some people over 50.

## **19. Food Advertising**

19.1 Advertisements shall not encourage or condone excessive consumption of any food.

19.2 Advertisements shall not disparage good dietary practice and any comparisons between foods shall not discourage selection of foods such as fresh fruit and vegetables which current generally accepted dietary



opinion recommends should form a greater part of average diet.

19.3 Advertisements, especially those targeted at children, shall pay regard to considerations of oral health and shall not encourage frequent consumption throughout the day or depict situations where it could reasonably be assumed that teeth are unlikely to be cleaned overnight after consumption.

19.4 Specific nutrition claims or health claims shall be supported by sound scientific evidence and shall not give a misleading impression of the nutritional or health benefits of the food as a whole.

19.5 More generalized claims or descriptions which imply nutritional or health benefits without stating the basis for them explicitly in the advertising are acceptable only if there is in fact a specific basis for them which is similarly supported by sound scientific evidence.

## **20. Sanitary Towels and Tampons**

20.1 Particular care is required when scheduling advertisements for sanitary protection products.

20.2 The advertisement shall not contain anything likely to embarrass or undermine an individual's confidence in her own personal hygiene standards.

20.3 Care shall be taken to ensure that any detailed description of the product avoids anything which might offend or embarrass listeners or viewers.

20.4 No implication of, or appeal to sexual or social insecurity is acceptable.

20.5 Female voice-overs are more appropriate than male ones and men should not feature prominently in such advertisements.

20.6 Particular discretion is required where an advertiser wishes to communicate a product's suitability to very young women.



## **21. Anti-Aids and Anti-drugs advertising**

21.1 Anti-AIDS and anti-drugs advertisements are only acceptable from bodies approved by the competent public health authorities.

9th February 2001



## Appendix XVII

### GUIDELINES ON ADVERTISING OF FINANCIAL SERVICES AND PRODUCTS

#### Responsibility

1. It is the responsibility of both the broadcaster and of the advertiser to ensure that advertisements comply with all relevant legal and regulatory requirements, in particular those required under the Investment Services Act (Cap.370) the Insurance Business Act (Cap. 403) and the Consumer Affairs Act (Cap.378). The guidelines are complementary to and in addition to any legal requirements and should not be interpreted as detracting from any responsibility to comply with any requirements under any law.

#### General requirement that such advertisements be prepared with care

2. (1) Advertisements should be prepared with care and with the conscious aim of ensuring that the public fully understands the nature of any commitment which may be entered into as a result of responding to such advertisements.
- (2) Broadcasters should take account that the complexities of finance may well be beyond many of those to whom the opportunity they offer will appeal. Therefore broadcasters have a direct responsibility to ensure that in no way do any such advertisements that they may broadcast take advantage of inexperience or gullibility.

#### Misleading advertisements

3. Advertisements must present the financial offer or service in terms which do not mislead whether by exaggeration, omission or otherwise.

#### Interest on savings

4. References to any return on capital or to any interest payable on savings are acceptable provided that:
  - a) they are clearly stated and factually correct at the time of broadcast;
  - b) any calculations of interest or returns are not based on unstated factors such as the minimum sum required to be deposited or the minimum period of deposit;
  - c) it is made clear whether the interest or return is gross or net of tax;



- d) interest rates relating to variables (such as a bank's base rate) are so described.

### **Insurance Premiums and Cover**

- 5. Subject to any applicable legal requirement:
  - a) Reference to rates and conditions in connection with insurance must be accurate and must not mislead;
  - b) When specifying rates of premium cover, there must be no misleading omission of conditions;
  - c) In life insurance advertising, reference to specific sums assured must be accompanied by all relevant qualifying conditions such as the age and sex of the assured at the outset of the policy, period of policy and amount and number of premiums payable.

### **Tax Benefits**

- 6. References to income tax and other tax benefits must be properly qualified, clarifying what they mean in practice.

### **Direct Remittance**

- 7. Advertisements are unacceptable if in any manner whatsoever they invite the remittance of money direct to the advertiser or any other person without offering an opportunity to receive further details.

### **Requirements to be abided by**

- 8. Any advertisement which may lead to a consumer buying any financial product or service from which profit, interest or benefit is expected, should comply with the following requirements:
  - a) Advertisements indicating in general terms the availability of financial opportunities are acceptable provided comprehensive explanatory material about the facilities or opportunities available is provided to the consumer, free of charge, before any contract entered into becomes finally binding.
  - b) Advertisements which go beyond a general indication of the availability of an opportunity, in particular those inviting immediate investment or commitment, should clearly indicate
    - any limitations on eligibility;



- any charges, expenses or penalties however so described;
  - the terms upon which withdrawal, if permitted, may be arranged.
- c) When an advertisement contains any forecast or projection, whether of a specific return or rate of return, it should make clear the basis upon which that forecast or projection is made, for instance:
- whether reinvestment of income is assumed,
  - whether account has been taken of any applicable taxes,
  - whether any penalties or deductions will arise on the premature realisation or otherwise.
- d) Advertisements should make it clear that the value of investments is variable and, unless guaranteed, can go down as well as up. If the value of the investment is guaranteed, clear details should be included in the advertisement.
- e) Advertisements which make reference to past performance or experience should do so in a manner which gives a fair and representative picture and should include a warning that neither is necessarily a guide to the future.

3rd October 2001



**Broadcasting Authority Programme Awards – 2001**

**ADJUDICATING PANEL REPORT  
OCT 2000 – SEP 2001**

I am submitting a report compiled by the jury on all the categories with special reference to the winning programmes. It has to be pointed out that programmes in breach of BA regulations were not considered for the awards.

**CHILDREN'S PROGRAMMES**

The year under review was characterised once more by the very good talent available locally. All presenters demonstrated enthusiasm and a positive attitude. However, in too many instances, the above-mentioned attributes were not reflected in the quality of the programmes reviewed.

**Television**

Nearly all programmes contained messages promoting positive behaviour or attitudes towards the environment, education and proper civic or social behaviour. However, most children's television programmes ended up being mediocre, and are clichéd and lack imagination. Bored children are still being used as mere studio backdrops, shouting 'yea' when prompted.

There are also other technical and structural shortcomings. The former include poor camera work, inordinately lengthy shots, monologues and dialogues (at the expense of studio guests) whilst the latter encompass poor pronunciation, incorrect grammar and above all – widespread patronisation.

The problem has reached a stage where, out of all the programmes submitted for consideration, only one was deemed to be of sufficient standard to be considered for an award.

It is felt that with some more imagination, planning, diligence and attention to details, far better results are within reach. It is indeed a pity that so far Children's Programmes have fared miserably in the BA Awards in spite of the efforts of the



producers working on very limited budgets.

## **Radio**

The weaknesses in Children's Programmes on television outlined above are also applicable to radio. However, in the latter's case the situation is slightly better and three very good programmes made it to the finals. The characteristics and good qualities of the finalists are highlighted below.

## **General Remarks**

Children's programmes during 2001 showed that unfortunately, producers and stations are still placing more emphasis on quantity than on quality. In their efforts to pump out programmes on a daily basis, they are coming up with tacky and unprofessional results far too often.

## **Finalists: Radio & Television**

### *Scooters (Education 22)*

Three episodes of this educational programme were assessed, each one being produced by a different team. The episode of 30 March was deemed to possess desirable qualities and was fun as well as educational. The presenters went out of their way to involve the children without patronising them.

Although the studio was at times cramped it was well countered by some outside filming. Unfortunately, no other programmes were of a standard good enough to be included among the finalists. *Scooters* was declared the winner.

## **Radio**

### *Id-Dinja Tagħna (Radju ta' l-Università)*

A number of episodes from this programme provided a good example of how a good children's discussion programme should be conducted. The children were not patronised and were treated as young adults. They were actively encouraged to air their opinions and the topics discussed included sexist or gendered speech, homework, adult television and self-esteem.



The children were asked searching and at times difficult questions. Their opinions were sought and the presenter engaged in a genuine discussion with them. The presenter also discreetly guided her guests and encouraged them to use correct Maltese. The programme stands out for its intellectual input and content, a refreshing change from the widespread mediocrity we have become accustomed to.

In short, *Id-Dinja Tagħna* is indicative of how children's programmes should be engaged and addressed when producing these programmes. A winner throughout.

*Qis Mitt Darba....Aqta' Darba (RTK)*

An educational quiz programme endorsed by school authorities. It is quite fast moving, engaging and does not waste time in padding. It is an excellent radio programme that encourages healthy competition among schools.

The panel appreciated the fact that it was no mean feat to assemble 150 children in the studio. The presenter's excellent Maltese speech and delivery were also noted.

However, although the programme made very good radio, there was one serious flaw – the questions. Nearly all these were parochial in content as if nothing at all exists beyond the confines of Malta and her religion. The panel thought that this rendered the programme too insular and parochial. One may argue that churches, feasts, altars etc were the designated subjects of that particular programme. However, the questions could have easily been structured in a way that would have encouraged the broadening of children's horizons.

*Stejjer Mużikali – Hansel and Gretel (FM Bronja)*

From this series the above mentioned episode was a very pleasant one where a fairy tale (Hansel and Gretel) was read while its opera rendition was aired and explained. Although the panel felt that this particular episode was a bit too advanced for young children, it was deemed very good radio.



## CULTURAL PROGRAMMES

This category was, as usual, very well contested with no less than 32 entries submitted for the jury's appraisal. The overall standard of the entries was very commendable thus making it possible to fill up all the five positions for the radio section, and four in the television section. If anything, the difficulty arose when trimming off the excess as only a few marks differentiated the ones past the post and those that were regrettably left marginally behind, particularly in the radio productions. To these programmes go our appreciation and encouragement for further productions.

Another positive aspect of this year's entries was the fact that stations other than the state-owned stations, have produced very good material. Suffice it to say that the top award in the television section went to newcomer Max Plus which commissioned the winning series *Almanakk*. This was a fresh and visually stimulating ten minute production aired daily. It brought together a very pleasant mix of cultural fare presented in a way that could be easily consumed by the general public. The characteristics of the production gained it a slot during prime time, which is appearing only recently in local television scheduling. This is a positive development which makes cultural programmes more accessible to a wider cross-section of the viewing public.

Our second preference went to a new look *Meander*. One of the programmes centred on St James Cavalier Centre for Creativity and it was very satisfying. There was very good use of multiple camera set-ups and fluid camera motion to liven up interviews and to add a new dimension to the coverage of the architectural achievements in the Cavalier.

*Xhieda* once again lived up to its reputation of producing quality television. It stretches the boundaries of culture and ventures into topics that have a human and social dimension. The subject of this entry was 'man as a slave to wealth', a theme exemplified by a good dramatised performance.

*Bejn Ghanja u Oħra* was an excellent production from NET TV that had as its concept the traditional Maltese *ghana*. Thanks to Charles Coleiro the programme is lifted to new levels of interest. He places the action where it fits most – in the country-home surroundings which gave birth to *ghana* in the first place. Emphasis is focused on the social aspect of folk-singing. In another segment of the programme, Guido Lanfranco gives the viewer an informative background to



the evolution of folk-singing in Malta.

In the Radio Section, as in previous years, FM Bronja stood out as the absolute leader in the culture category. As a matter of fact all five finalists are Bronja productions. These are headed by the category winner *Abjad u Iswed*, a programme that claims to be transmitting in colour. The paradox makes sense once one listens to this innovative and vibrant production. The programme includes literary excerpts, Peresso's observations on human traits, poetry, music and a measured dose of tongue in cheek, keeping the programme light and breezy whilst giving space for one to reflect on deep and fundamental issues.

Another interesting programme was *Kull Bidu Mill-Hsieb*, an informal exchange of news between presenter Manwel Schembri and regular guest Oliver Friggieri. This makes stimulating listening for those looking for deep insights into everyday situations, like death, pain and suffering. With his wealth of literary and philosophical knowledge, Professor Friggieri does not give dogmatic replies to Schembri's provoking questions on these conceptual issues, but rather, he exposes an approach to rationalising to help one find his own answers.

Silvio Camilleri presented *Stars and Stripes*, a programme that takes a closer look at American classical music. In the long neglected sphere of music we are introduced to little known composers from the New World, with particular emphasis given to the electronic and percussive elements that make up this diverse musical expression.

Albert Storace has once again come up with an excellent production under the title of *Melange*, a pleasant mix of information and music that are related to each other, for example the segment dealing with the calendar and the seasons is followed by a rendition of Vivaldi's *Four Seasons*.

*Iż-Żmien fuq il-Liżar* takes its inspiration from the movies. The presenters give information about historical figures or epochs and the films that illustrated those events and personages. For example the 1998 war film *Saving Private Ryan* called for a background on D-Day, the historical event that surrounded the movie – an interesting new angle.



## DRAMA

This was a mixed year for drama on television. At the top of the scale we saw two excellent drama series – *Il-Mandraġġara* on TVM and *Il-Pesta 1813* on Super 1 TV. Below these, however, there was a vast vacuum. Not that there was any shortage of drama of sorts on television. But most of it gave the Drama Panel the impression that it had been thrown together in a hurry ..... or had been targeted at less demanding audiences.

Looking at drama on TV there is considerable room for improvement. The panel has nothing against populist soap.....but they must try to raise their sights higher. Some programmes ploughed the depths of television mediocrity and bad taste. Badly scripted, cheaply shot and with acting performances that ranged from appalling to unspeakable, some serials were a disgrace to the local media. Others fared better but sometimes suffered from a script that was often less than credible.

It must be pointed out that most TV drama series, however poor the acting and material, are technically reasonably proficient ..... as long as the production team doesn't try anything that is too tricky.

In conclusion it must be said that, on the whole, it was a reasonable year for TV drama....with at least two drama series of very good quality.

## Radio

Unfortunately, the same could be said for radio drama. It was a very thin year all round. The winning play *Żaren* from Radju ta' l-Univeristà was recommended by the panel since we received no entries at all for radio plays.

In fact there was little radio drama of note on any of the usual sources (FM Bronja, RTV, Radio Malta and occasionally RTK). What drama there was tended to be repeats or readings, which although often advertised as drama, is nothing of the kind. So an extremely disappointing year for radio drama.

*Il-Mandraġġara* – TVM.

Adapted for television by Dominic Said, from original material by Guze Chetcuti and directed by Toni Parnis, this was an excellent production with very high



production values. Criticised in some quarters for its sometimes crude language, this production gave authenticity to the dialogue, often lacking in local TV drama productions. There was some very interesting camera work and lighting design was thoughtful and added to the atmosphere. Performances on the whole were very good, particularly Anna Dalli in the leading role. One minor criticism was that occasionally the writer was guilty of overwriting. The costumes were at times incompatible with the style and period required.

#### *Il-Pesta 1813* – Super 1 TV

This was another very fine production characterised by an outstanding central performance by Manwel Cauchi. Both of the finalists were of exceptional standard and it was difficult to select a winner. It was probably Cauchi's acting which swung the balance in favour of this production. The direction by the experienced Salvu Mallia showed a sure touch, and his use of light was inspired.

### **DRAMA – RADIO**

#### *Żaren* - Radju ta' I-Università

In a poor year for radio drama, this play stood out. Written and produced by Charles Xerri, it was a skilful radio play which held the listeners for most of the narrative. Although at times the style is slightly rambling while the eponymous old man is reminiscing, the programme reaches an excellent standard thanks to a fine central performance by Pier Bugeja as *Żaren*. The sound balance was excellent with a music / speech mix. The play was worthy of the highest award.

### **DISCUSSION PROGRAMMES**

There are many discussion programmes on radio and television, often though, they are a podium of some sort of agenda, not necessarily political or worse a political cliché. Worse still we seem to encounter a phenomenon in which 'discussion programme' usually means the guests are sitting waiting to be questioned and do not actually debate anything, they just answer. It is indeed worrying when a very relevant subject is dealt a blow because the debaters are chosen because of their controversial nature and definitely not for their academic knowledge of the subject. Unfortunately a controversial 'personality' is often



roped in to participate in sensitive debates.

As things stand, the present BA selection process does induce some level of confusion as viewers believe that the series is being awarded whereas in the current situations we may award one-offs. This can be confusing especially in the case of programmes in the current schedule that cannot seem to decide what image they intend adopting or projecting.

And while dynamism and diversity are to be encouraged, in some cases confused identity loses a programme's credibility. However, there may be excellent single programmes which stand out from the rest of the series.

*Xarabank* – Topic: 'State of Roads in the Maltese Islands' – TVM

As in all discussion programme series *Xarabank* seems to go through a degree of fluctuation – it suffers from inconsistency and occasionally from 'incontinence' and trivialisation. However a great deal of effort goes into this programme which often includes much research or at least a lot of spade work and organisation. It has bursts of rational debate on current topics of which this particular programme was one. As a discussion programme *Xarabank* is undoubtedly popular and whether one adheres to its strategy or not, it has undoubtedly broken new ground in the local discussion genre.

The above nominated programme is a case in point which involved objectivity and awareness and which motivated a valid discussion on a contemporary topic in an equitable and original manner. The ensuing debate not only reflected the day-to-day situation and grievances but involved non-professional and, thankfully, unfamiliar individuals who offered dispassionate insight and advice into this dilemma.

This is a merit which one has to acknowledge to the team which is often very earnest in its delivery, however when not handled properly vulgarity and rowdiness (being a direct transmission) could be its worst enemies.



## Radio Programmes

### *Niġu għall-Punt – Radju Malta*

This programme deals with the political constitutional scenario following the La Salle incident. Discussion centred around neutrality, non-alignment and latter day super powers. It included recorded interventions by Dr Dominic Fenech on the historic perspective as well as the Prime Minister and the Leader of the Opposition.

This particular programme offers a lively and intelligent discussion that treats current issues with aptitude maybe due to the facts that the guests also happen to be direct political protagonists involved in the issue's background and development. Reno Bugeja's commentary is probably one of the most professional in that sphere as is the precise language utilised in his presentation of the subject in which he is well versed.

The choice of guests was complimentary to the particular subject under discussion as although politically apart, their level of commentary was quite lively yet reasonably contained. An outright winner.

### *Iż-Żgħozija l-Isbaħ Żmien – RTK*

This programme provides a decent podium for radio discussion among youths. It tackles current subjects but sometimes in a hackneyed manner. The discussion is handled by the presiding speaker / presenter who can be patronising at times. It also often depends on a question and answer sort of debate. At times some confusion ensues due to the number of youths present.

## CURRENT AFFAIRS PROGRAMMES

Another very poor year in this important category. Apparently news stations are too firmly stuck in the local rut of press releases and press briefings giving the impression that there is not enough incentive for our journalists to take the initiative and originate some good feature material. It must be emphasised that current affairs do encompass the international scene.



In this category the rendering of *Viva Malta* makes it a topical product which picks on issues of national interest and brings them to the viewer in an intelligently undemanding package.

*Viva Malta* – Topic: *L-Ambjent* - TVM

This production has never faltered in its consistency and regularly offered the viewer programmes which dealt with current topics in a down-to-earth manner, often avoiding, or asking, for an explanation of repeatedly used clichéd phrases offered persistently by relevant representatives and quoted by the media.

It was well-researched and well put together, and considering the nature of its content, tried hard to retain its objectivity. Not only that, it located topics frequently ignored in popular terms thus rendering them appealing, and inducing greater awareness of important issues. This particular programme is a case in point in which the topic was treated to include various shades of the environment spectrum.

*Attakk fuq iċ-Ċivilta`* -Radju Malta

This programme was aired a few days after the 11th September incident; thus it was produced when a great uncertainty prevailed. Yet this production stands out for its objectivity in the face of general perplexity. Not only that but it was produced in a very sober manner which was informative and absorbing even at a distance of six weeks, by which time we had watched and listened to countless commentaries on the incident. It was broken up in different categories which ranged from religious to terrorist groups to the production of airliners. It was a winner all the way.

## DOCUMENTARIES

Most of the entries were submitted by the stations although the Adjudicating Board did suggest a couple of programmes. These were however not considered to be as good as the others and were eventually dropped from the final nomination list.

The nominated TV programmes were far superior to the rest in quality. Perhaps a distinction should be made between those programmes which were originally



made as feature films which were eventually shown on TV; and those programmes which were specifically put up for TV. The best ones seem to be in the former category. Although no distinction has been made in the presentation and the editing, the final product of these seems to be better. The programmes that did not make it to the final 'nomination list' were on the whole rather run-of-the-mill with no outstanding features.

## Radio

Many radio programmes were submitted by the stations and a couple of programmes were suggested by members of the Board. The majority were pretty dull and tended to follow the same set formula, although some improvement over previous years has been noted in the way interviews are held.

Each one of the nominated programmes tried to go beyond the simple formula for documentaries. *Il-Mixja għall-Indipendenza*, possibly also because it was presented on CD, is way above the others both in concept and implementation as well as in technical quality.

The impact of some of the documentary programmes depends on the particular time when they are transmitted. Most are triggered off by the desire to commemorate some particular event in local or world history (Malta Convoy 1942). Others happen to be of particular interest because of current events locally and worldwide (*Bit-Tama għall-Paċi*) but will lose their impact in time. Others such as the two winners, *Dinja Oħra* and *Il-Mixja għall-Indipendenza* will retain their freshness over the years, whenever they are transmitted, in fact, time will only enhance their historical value.

## Additional Comments – Television

### *Dinja Oħra II - Il-Kisba ta' l-Oggettiv* - Super 1 TV

A highly acclaimed production mainly for its exhaustive research and excellent camera work with fluent narrative clearly presented. It was rated very highly for its originality and impact. A clear winner in this category.

### *Dawl f'Toroq Ġodda* - TVM

With above-average editing and thorough research this production reached the



final stages for its attempt at an original approach.

*Hatja- Net TV*

A very well researched programme with a good narrative and high technical qualities. Original in its presentation particularly for a targeted audience.

*Oreste- Il-Vuči li Baqgħet Tidwi - Super 1 TV*

A pleasant trip to nostalgia with interesting use of available footage and thorough and exhaustive research. It has good editing but shaky camera work.

*Ġorg Borg Olivier- Net TV*

A programme with good quality clips, a good narration but slow moving. Use of language is excellent but nothing original in content and style.

**Additional Comments – Radio**

*Il-Mixja għall-Indipendenza- Radio 101*

A clear winner with its excellent narrative using different voices, and outstanding technical qualities. Highly commended for its exhaustive and wide-ranging research. Although it is an overworked subject this programme treated it from a completely different angle.

*Malta Convoy - 1942- Radju Malta*

A topic which has been presented on various occasions but the panel took into consideration the original research and the new angle of presentation.

*Bit-Tama għall-Paċi- RTK*

Clear exposition and very good contribution by guest speakers lifted this programme to an above-average rating. The impact on the listeners was quite high because of the topicality of the subject.



*Helsien- Radju ta' l-Universita`*

With an innovative presentation and through research, this programme reaches an above-average rating worthy of a nomination.

*Is-Sema bil-Lejl- FM Bronja*

This is a very difficult subject to present on radio, yet the production team has made a very serious attempt to present this vast subject comprehensibly. The production has been enhanced by exhaustive research and, after a shaky start, the technical qualities of the programmes improved considerably.

## **MAGAZINE PROGRAMMES**

Although quite a number of programmes were presented both in the television and in the radio sections, these were for the most part dull, following a set formula and certainly not noteworthy either from a technical or a subject-matter point of view. It has to be made very clear that a magazine programme does not focus on one particular subject.

The series of *Għawdex Illum* is way above others in most aspects, particularly in presentation, photography and the technical aspect. In fact some episodes are indeed exceptional. Although dealing with the niche subject of the little sister island, it is varied enough in the themes that it tackles during each programme to qualify as a magazine programme. Footage is relevant and of exceptional quality and, most importantly, the aim of a magazine programme is reached – it keeps the viewer interested by means of varied, light subjects moving smoothly from one to another.

In the case of radio only one programme made it to the final stages. This was *Radio Zine* (Radju Malta), a programme that fits the definition of Magazine perfectly produced at an above-average level. Unrelated subjects are woven together with good transitive breaks. As varied as it was, at any one point anyone would have found something interesting.



## LIGHT ENTERTAINMENT PROGRAMMES

### Television

Out of the programmes reviewed only two made it through to the nominations stage. None of the others came close to nomination and some were downright bad.

The main deficiency in this section is originality. Also light entertainment is not cheap to produce successfully. Many of the programmes looked cheap and tawdry. Moreover the role of presenters and anchors is vital since they often hold the whole show together. Unfortunately there was also the feeling that the presenter was 'winging it' i.e. ad libbing his/her way through the whole mess.

Generally the humour factor was forced and consequently very 'unfunny'. There were no purely comedy shows submitted, in fact there is a dearth of comedy on all the local channels.

*Ċaqraq*- TVM stood out from the pack on originality and polish. Like the runner-up *Puntini* this was produced by Engelbert Grech. Presentation of the three subjects dealt with during this particular programme (i.e. the production of Godspell, a Good Friday procession, and a vox pop about fasting) was both original and delightful. The switching from one subject to another was snappy and offered an element of quickness and briskness thus making the viewing experience pleasurable at all times.

#### *Puntini* – TVM

The other nomination scored lower on originality but extremely watchable nevertheless, mainly because of the laid back but clear and precise manner in which its female presenter handled the interviewing commentary. Very good camera work and editing were also evident.

### Radio

Seven submissions were made in this category but only two programmes made it through to the nominations stage. Another fallow year indeed.

*Blaff* – Radju Malta was by far the best example of light entertainment on radio.



This was a sort of spoof panel game hosted by Manwel Cassar where the panelists were well drawn stereotypes of Maltese characters. The programme consisted of well-scripted comedy drama and also sought to educate its listeners in a light entertaining manner.

*Italomix* – Radio 101 was also a good production especially on the informative and technical side. The presenter is well-versed in the subject of Italian music and his inserts between music numbers made for an enjoyable listening experience.

## EDUCATIONAL PROGRAMMES

Many of the programmes in this section were well-researched and informative. Particularly in the radio section the standard was very high and it was not easy to declare the winner however *Mis-Saltna tad-Dlamijiet* was exceptional.

### Some Comments

#### Television

*X-Net* – Super 1 TV

A topical subject (how to use a PC) presented in a lively and dynamic manner with easy flowing presentation. Such programmes can easily deteriorate or become 'stale' however the presenter managed to keep the series alive. A commendable winner.

*Dun Gorg – Proċess tal-Bejtafikazzjoni* – TVM

This programme scored highly in research and technical qualities but lacked originality.

#### Radio

*Mis-Saltna tad-Dlamijiet* – Radju ta' l-Università

An exceptional programme scoring highly in all aspects – presentation, technical qualities, research, originality and impact. A highly polished presentation which is a big credit to this station.



*Esopu fil-Hajja tal-Lum* – FM Bronja

An original series based on Aesop's fables adapted for modern times with a moral at the end. An enjoyable programme.

*Check-Up* – Radju Malta

An interesting programme but far from original. Its technical quality is suspect and so was its impact.

*Naħdmu Ferħana* – FM Bronja

An informative programme about the values and problems of work. Its technical qualities were not always to the acceptable standards expected.

*Il-Malti fil-Livell Avvanzat* – FM Bronja

A very good production which scored highly on presentation, technical qualities and use of language. It lacked originality at times but all in all it was a highly commendable programme.

## **SPORTS PROGRAMMES**

This was a much better year for both televised and radio sport.

Once again Super 1 TV's *Super Sailing* was nominated – the producers actually submitted no fewer than six separate editions (in two separate submissions) for consideration. Also on the list of nominated sports shows was a special edition of TVM's *Total Sport* from the U.K. While *Super Sailing* was generally of a high standard technically, it was beaten by *Total Sport* in the final analysis. This latter was an excellently constructed edition and a lot of hard work had gone into compiling and editing it. The panel had no hesitation in saying it was out on its own in the field of local TV sport.

It was extremely nice to view a programme like that of *Total Sport*, as it showed that our TV sports producers are capable of producing something other than those desperately dull football autopsies.



With regard to radio sport for the first time we had a worthy winner. *Sportopolis* from Radju ta' I-Università was the only entry, but was an exceptional one. The Sports Panel goes further and says it is the best programme on radio for many years.

#### *Total Sport – TVM*

The programme entered was a special edition containing material shot in the U.K. The usually studio based programme was greatly enhanced by editing in footage from the training grounds of Manchester United, Liverpool, Arsenal and Leeds United. The presenter / producer Simon Farrugia conducted concise interviews with coaches and players from these clubs. It made for an adventurous and on the whole very successful programme. The editing was good and the whole thing was well paced. This was by far the most deserving of an award of all the sports programmes watched.

#### *Super Sailing – Super 1 TV*

Tapes of six programmes were entered. These covered the Euromed Dinghy Championships, the Round Malta Race... for some reason, the 1999 Middle Sea Race, the World Offshore Championships from Spain and an IMS Race from Italy. They were all very well photographed and the title sequences were very good. The producer / director Teddy Borg also appears on camera and voices the shots of the races. The panel feels that the voice of silence would 'let the pictures talk' and enhance this highly entertaining programme.

### **Radio**

#### *Sportopolis – Radju ta' I-Università*

There was only one nomination in this category but it is a first class programme and thoroughly deserves the BA award. It takes the form of a sports radio magazine. Each programme features three or four different sports. David Bezzina, Elaine Buhagiar and Daphne Cassar are responsible for what is a little gem. The panel had no adverse comments to make. Very well done.



## INVESTIGATIVE JOURNALISM

Very few programmes on local radio and television successfully qualify to be considered under the umbrella of investigative journalism. Most programmes attempt to be investigative but as well researched as they might be, investigative journalism is not simply good research. There was only one TV nomination in this category and none for the radio.

*Bondicini* – Topic: *Security* – TVM

This programme took a topical international issue and applied it brilliantly to the local scene. Additionally the juxtaposition of the authorities' position on the subject, against the crude reality that was presented in the footage had a great impact on the public. *Bondicini* scored very highly on research, originality and impact making it a worthy winner in this field.

Lino Bugeja  
Chairman  
Programme Awards Committee

11th November 2001



**The Broadcasting Authority Award for  
Gender Issues in the Broadcasting Media  
2001**

**Adjudicating Panel Report**

**Background**

The Broadcasting Authority, in conjunction with the Gender Advisory Group, launched the Award for Gender Awareness in the Broadcasting Media for the first time last year. The Award, and the preparation process for application, aims to serve as a catalyst for change; change in the way women and men are represented both in TV and radio and change in the way women and men work within the media industry's structure and culture.

The philosophy behind the Award is to encourage producers and directors to address traditional images and stereotypes used when portraying men and women. It is also designed to encourage production companies and broadcast stations to address their own internal structures and management and adopt equal opportunities in the organisation.

Last year, despite a large number of entries, the Award was not presented to any programme or media organisation, as the Jury felt that none of the programmes submitted achieved a certain standard of excellence. This is primarily due to the absence of 'awareness' and 'understanding' of the concept 'gender sensitivity'.

In order to address this, the Gender Advisory Group focused on training and awareness raising for broadcasters. Strategies included Roundtable discussions for CEO's, Producers and Directors (27th February 2001), at the Broadcasting Authority, where the group met with interested media personnel in order to explain the principles behind the Award and to address 'frequently asked questions'. The Group also worked to win EU funding in order to send Broadcast Personnel to RTE, Dublin, for Gender Awareness Raising Placements during June and August 2001. Further awareness-raising was also carried out in conjunction with the Press Club and its educational body, the *Fundazzjoni Tumas Fenech Għall-Edukazzjoni fil-Ġurnaliżmu* and a Breakfast Seminar titled "*Gender and Journalism*" was held at the Halland Hotel on the 15th March 2001. A second seminar, "*Gender Issues in Maltese Newsrooms and in News Content*", was



organised by the Fondazzjoni Tumas Fenech għall-Edukazzjoni fil-Gurnalizmu on 26th May, 2001 at the Imgarr Hotel, Gozo

In a concerted effort of awareness raising, training and EU placements, the Committee has worked to clarify the concept of 'gender sensitive broadcasting' and this year's entries reflect this. The Group recognises that changes in attitudes and practice is a slow process, but they have noted a better understanding of the principles behind the Award which was demonstrated in the calibre of entry received by the Authority this year.

The Group considers the improved standards in this year's entries as another positive step towards gender awareness and towards having better programming, better representation, better equality in gender portrayal (etc.). Undoubtedly the sensitisation process has begun and the Group is confident that as a result of the various strategies it has proposed since it was set up, the process will be intensified and rewarding.

### **2001 Entries**

The Authority received 9 applications from four different stations; and these were a mixture of programme genres for Television and Radio although no station submitted 'itself' for consideration. However, we are optimistic that, with further training and awareness raising, we will, in time receive entries from stations and broadcasting houses, who have implemented strategies regarding *equality policies* and *family friendly policies* in the workplace.

### **Entries**

#### *Television*

- Ward u Zahar (Super One TV)
- L-Elmu – Saħħa u Sigurtà fuq il-Post tax-Xogħol (PBS TV)
- Viva Malta – Familji (PBS TV)
- Puntini (PBS TV)
- Mera ta' Dinja Oħra (Super One TV)
- Il-Bombli tal-Fuħħar – Ikompli (PBS TV)

#### *Radio*

- Il-Mara fil-Kotba Mqaddsa (PBS Radio)
- Sportopolis (Radju ta' l-Università)
- Madwarna (PBS Radio)



## Applicants Criteria for Submission

- The programmes - 'Ward u Zahar' (Super One TV), 'L-Elmu – Sahha u Sigurta' fuq il-Post tax-Xoghol' (PBS TV), 'Sportopolis' (Radju ta' I-Universita'), 'Viva Malta – Familji' (PBS TV), 'Puntini' (PBS TV), 'Il-Mara fil-Kotba Mqaddsa' (PBS Radio), and 'Madwarna' (PBS Radio) - all had either a female presenter, a female producer, or both. Most of them tackled subjects where it was customary for men to talk about e.g. gardening, health and safety, sports.
- 'Mera ta' Dinja Ohra' (Super One TV) aimed to convey a *balance* by using a female voice-over to represent the earth and a male voice-over to represent the sea.
- 'Il-Bombli tal-Fuhhar – Ikompli' (PBS TV) had a female producer and female scriptwriter and placed a female actor in the role of the village mayor.
- The programmes 'Mera ta' Dinja Ohra' (Super One TV), 'Viva Malta – Familji' (PBS TV), 'Puntini' (PBS TV), 'Il-Mara fil-Kotba Mqaddsa' (PBS Radio) tackled gender issues directly in its *programme content*. i.e. the roles of women and men in the private and public sphere, health related problems, the family today, women and men from a historical perspective.
- 'Mera ta' Dinja Ohra' (Super One TV) and 'Sportopolis' (Radju ta' I-Universita') invited *female experts* in marine biology and sport psychology; and 'Viva Malta – Familji' (PBS TV) and 'Puntini' (PBS TV) had a *balanced number of women and men* in the vox pop with personal experiences portraying the changing roles of women and men in social life.

## The Winner

The Jury awards the 2001 **Gender Awareness Award** on behalf of the Broadcasting Authority to Joyce Guillaumier as Producer and Presenter of *Il-Mara fil-Kotba Mqaddsa* (PBS Radio).

This series initiates debate on 'the role of women in Jewish society' from early times to the beginnings of the first millennium after Christ. Throughout this long period, Jewish society has gone through deep changes and developments. But culturally it continued to be dominated by a patriarchal system in all the spheres of life and society. This provided the context where the Bible originated.

The programme shows how the Bible accounts for women's stories; women who were active in the political, social and cultural life. There are accounts in the Bible



of women who fell victims to the society of their time. But at the same time the Bible also presents the reader with women who were heroic in deeds and others who were manipulators just as men were.

The programme shows that at the end of the day, the Bible presents woman in the first place as a human person, with her bright and dark sides, capable of fulfilling a useful role and function in a society so much subject to the unjust limits imposed by culture.

This programme satisfied many criteria considered by the Jury to be important. The female producer and presenter, Joyce Guillaumier, worked on a programme that resides in a traditionally male genre. Furthermore, the programme content itself addresses an issue that is traditionally viewed from a male perspective.

The combination of these factors results in a refreshing, alternative programme that resists traditional paradigms and stereotypes.

### **Commendation**

The Jury would like to give a special commendation to '*Viva Malta –Familji*' (PBS TV) for its gender balance in participants, experts and presenter. This specific programme was commended for the approach it adopted when discussing *The Family*. It had a balanced number of women and men expressing their personal experiences, and succeeded in portraying the changing roles of women and men in social life in a realistic and balanced manner.

### **Conclusion**

The Jury would like to encourage programme makers to consider alternative approaches. Gender issues address men's issues as well as women's issues. For example programmers are asked to strive to *highlight the role of fathers and increase the reference to fathers*, especially in children's programmes and programmes about Children's issues. It would like to encourage programme makers to depict girls and boys as active rather than passive, and to avoid scripting children in stereotypical roles. And finally it encourages programme makers to resist the traditional use of 'women as victims', and the use of cliché stereotypical images.

It would also like to encourage broadcasting companies to submit their 'Company', for making positive changes in its structure, policy etc. For example if the company has introduced family friendly policies such as flexitime, paternity



leave, or a crèche, or if they have addressed issues such as sexual harassment, equal representation of women and men on Boards and at decision making level in their organisation.

**Jury Members**

Chair: Ms Brenda Murphy  
Members: Ms Angela Callus  
Fr Rene Camilleri  
Dr Mario Felice  
Ms Lorraine Mercieca



## Appendix XX

### Qualitative Study on Good Quality Television

The Advisory Committee on Quality and Ethics in Broadcasting concluded a qualitative research study intended to find out what people understand by good quality television programming. The main research questions addressed were the following:

1. how do people define a good quality programme?
2. what are the main characteristics that denote quality?
3. does popularity imply quality?
4. are there Maltese productions which are of good quality?

A total of 49 participants took part in this study. They were recruited through the snowballing effect, that is, some people were approached to come to these discussions and encouraged to bring one or two people they knew with them. The participants were categorised into five separate groups, namely:

1. young adult
2. blue-collar workers
3. white-collar workers
4. housewives
5. media experts

Group	Total no. of participants	Gender	
		Males	Females
1	8	3	5
2	13	3	10
3	6	3	3
4	12	0	12
5	10	4	6
Total	49	13	36



A trained facilitator conducted the focus groups and written notes were taken by a research assistant who was present during the discussion groups.

In summary, the various groups articulated what they regarded as quality, high or poor, both in general terms of specific programmes. Different categories of people gave different, if sometimes overlapping, definitions of quality in broadcasting productions.

Young adults gave the longest list of features that in their view constitute good quality in a programme. As a general rule, a good quality programme should be challenging in content and of a high technical level in presentation, whereas rating or viewer demand were considered to be a direct reflection of quality. The subjects dealt with in current affairs and discussion programmes should be topical and only true experts should be allowed to offer advice on the broadcasting media. Drama besides being entertaining and preferably humorous should portray characters with whom the viewer can identify. Contrived and stretched out plots as well as unprofessional acting were chief signs of bad quality.

Blue-collar workers, while they did not shun the aspect of entertainment, indicated that the chief feature of a good quality programme lies in its informative and enriching potential (educational was the term used). When a presenter was involved, much depended on his or her competence to determine whether or not a programme was a typical marker of bad quality. In general terms, pornography, violence and foul language were all signs of bad quality.

White-collar workers equated quality with entertainment value, but stressed also the level of technical competence of a production. Also here, pornography, violence and foul language were seen as signs of low quality.

Housewives rated quality according to the educational potential of a programme. Fictional presentation was of good quality when true-to-life socio-cultural situations were portrayed, hence also here an educational feature is associated with quality. Pornography, violence and audience-insensitive practices reflected low quality.

Media experts regarded innovation first of all as a sign of quality, stressing also the importance of technical competence. Generally, violence, hidden agendas and unethical practices were equated with low quality.



From the above it emerges that (apart from young adults, convened on the basis of age rather than walk of life), the reputedly less schooled groups attach highest priority to education as an indicator of quality. On the other hand, the more educated groups regarded technical levels as the more important measure of quality. In general terms all seem to equate violence, pornography and unethical practices with low quality, though this perhaps strictly speaking falls more in the domain of ethics than of quality.

Younger people too gave high priority to educational potential as an indicator of quality, but their definition of education was broader and more subtle than that given by blue-collar workers and housewives. Similarly, while attaching importance to levels of preparation and presentation, they preferred a more clear and sophisticated idea of what this means than white-collar workers or media experts.

### **Suggestions for better television programming**

From this study it transpired that participants defined quality in terms of what they like. Participants believed that they are the measure of quality. Quality is in the eye of the beholder who is influenced by his and her background. In this sense, quality is a relationship between message and receiver.

This perception, that is, that quality equals what I like, should be the starting point of any strategy aimed at having better and more quality programmes. The second step should be the combining this type of quality to at least another aspect of quality understood in a wider and more complete sense, that is, professional quality, which can be described as the relationship between message and professional competence. In this way the populist and the elitist perspectives (which came out clearly in this study comparing focus groups with the media experts and the other groups) are combined.

For this to happen, programme strategies should endorse the clear indications given by participants in these focus groups and which also result from the quantitative research that the Authority has been holding for the past number of years. These results clearly indicate that viewers like:

- I Maltese production and documentaries dubbed in Maltese.
- II Programmes that are open text (can be interpreted differently by different



audience).

III Programmes that present different perspectives on the same topic.

IV Programmes that entertain while they teach (where the genre is more reality based).

The suggestion commonly made by participants that training should be offered is a must. But it is not enough. The satisfaction of the two types of quality mentioned above, that is, quality as perceived by the receiver and professional quality means that such production will incur more expenses. This consideration is of paramount importance especially for commercial organisations.

Apart from the above general recommendations, the following are a few specific comments made by participants and which could help in the quest for better television programming. It should be noted that it is difficult to please all audiences all of the time but it is possible to provide a right mix of genres so that different target groups are satisfied.

- Educational and informational programmes were very popular with participants, especially if these are presented in an entertaining way. It is however important that "infotainment" is not taken to excess so that the entertainment aspect is to the detriment of the educational and informational content of the programme.
- Discussion programmes were also highly considered, but great importance was given to the professionalism of the presenter, his or her preparation for the topic being discussed, the ability to keep the discussion focused, and his or her impartiality in giving a fair hearing to all views and not conducting the programme according to a hidden agenda.
- Many participants felt that children's programmes were a very important sector of television programming. Many of them watched these programmes with their children. Therefore greater importance should be placed on high quality locally produced children's programmes. Parents consider this to be an important part of their children's development, and such programmes should cater for this need expressed by parents.
- Maltese drama is also very popular and most participants agreed that they would like to see more of it on television. It must be well produced with professionals doing the filming, editing, lighting, etc. The script must be



realistic. Humour, many participants agreed, was also an important element.

- Quiz shows are very popular. They must be entertaining and the question asked must neither be too difficult nor too easy. Audiences are accustomed to a very high level of production of quiz shows when they follow them on foreign stations, and they therefore expect a similarly high level in local productions.





**Report  
and  
Financial Statements**

For the year ended 31 December 2001

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## AUDITORS' REPORT TO THE MEMBERS

We have audited the financial statements on pages 124 to 136 which have been prepared under the accounting policies set out on page 128.

### RESPECTIVE RESPONSIBILITIES OF THE AUTHORITY AND AUDITORS

The Broadcasting Act, 1991 requires the Authority to prepare financial statements for each financial year which give a true and fair view of its state of affairs as at the end of the financial year, and of its surplus or deficit for that year. In preparing those financial statements, the Authority is required to :

- adopt the going concern basis unless it is inappropriate to presume that it will continue in business;
- select suitable accounting policies and then apply them consistently;
- make judgements and estimates that are reasonable and prudent;
- account for income and charges relating to the accounting period on the accruals basis;
- value separately the components of asset and liability items; and
- report comparative figures corresponding to those of the preceding accounting period.

The Authority is responsible for keeping proper accounting records which disclose with reasonable accuracy at any time its financial position and to enable it to ensure that the financial statements comply with the relevant legislation. The Authority is also responsible for safeguarding its assets and for taking reasonable steps for the prevention and detection of fraud and other irregularities.

It is our responsibility to form an independent opinion based on our audit, on those statements and to report our opinion to you.

### BASIS OF OPINION

We conducted our audit in accordance with International Standards on Auditing. Our audit includes examination, on a test basis, of evidence relevant to the amounts and disclosures



in the financial statements. It also includes an assessment of the significant estimates and judgements made by the Board in the preparation of the financial statements, and of whether the accounting policies are appropriate to the Authority's circumstances, consistently applied and adequately disclosed.

We planned and performed our audit so as to obtain all the information and explanations which we considered necessary in order to provide us with sufficient evidence to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or other irregularity or error. In forming our opinion we also evaluated the overall adequacy of the presentation of information in the financial statements.

## OPINION

In our opinion the financial statements give a true and fair view of the state of the Authority's affairs at 31 December 2001 and of its deficit, changes in net assets/equity and cash flows for the year then ended and have been properly prepared in accordance with the Broadcasting Act, 1991.



Mark A. Bugeja  
f/Grant Thornton

Certified Public Accountants and Auditors

Ta' Xbiex  
Malta

6 March 2002



**INCOME AND EXPENDITURE ACCOUNT**  
**For the year ended 31 December 2001**

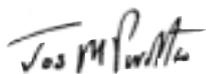
	Notes	2001 Lm	2000 Lm
INCOME	2	464,113	434,623
EXPENDITURE		<u>(521,615)</u>	<u>(441,170)</u>
DEFICIT FOR THE YEAR		(57,502)	(6,547)
ACCUMULATED DEFICIT BROUGHT FORWARD		<u>(165,905)</u>	<u>(159,358)</u>
ACCUMULATED DEFICIT CARRIED FORWARD		<u>Lm(223,407)</u>	<u>Lm (165,905)</u>



**BALANCE SHEET**  
At 31 December 2001

	Notes	2001 Lm	2000 Lm
<b>FIXED ASSETS</b>			
Tangible assets	3	1,057,622	1,026,926
<b>CURRENT ASSETS</b>			
Debtors	4	59,688	117,237
Cash at bank and in hand	5	350,302	417,820
		<u>409,990</u>	<u>535,057</u>
<b>CREDITORS :</b>			
Amounts falling due within one year	6	(104,735)	(141,604)
<b>NET CURRENT ASSETS</b>		<u>305,255</u>	<u>393,453</u>
<b>TOTAL ASSETS</b>			
<b>LESS CURRENT LIABILITIES</b>		1,362,877	1,420,379
<b>PROVISION FOR LIABILITIES</b>			
<b>AND CHARGES</b>	7	(339,723)	(339,723)
<b>NET ASSETS</b>		<u>Lm 1,023,154</u>	<u>Lm 1,080,656</u>
<b>CAPITAL AND RESERVES</b>			
Capital fund		1,104,476	1,104,476
Revaluation reserve		126,085	126,085
Reserves fund		16,000	16,000
Accumulated deficit		(223,407)	(165,905)
		<u>Lm 1,023,154</u>	<u>Lm 1,080,656</u>

The financial statements were approved by the board on 6 March 2002 and signed on its behalf by:



Prof. J. Pirotta  
Chairman



Dr. K. Aquilina  
Chief Executive



**STATEMENT OF CHANGES IN NET ASSETS/EQUITY**  
**For the year ended 31 December 2001**

	Capital fund Lm	Revaluation reserve Lm	Reserve fund Lm	Accumulated deficit Lm	Total Lm
Balance at 31.12.99	1,104,476	126,085	16,000	(159,358)	1,087,203
Surplus for the year	-	-	-	(6,547)	(6,547)
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Balance at 31.12.00	1,104,476	126,085	16,000	(165,905)	1,080,656
Deficit for the year	-	-	-	(57,502)	(57,502)
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Balance at 31.12.01	1,104,476	126,085	16,000	(223,407)	1,023,154
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>

**Notes:**

- (a) The capital fund has been set up in accordance with Section 26 of the Broadcasting Act, 1991.
- (b) The revaluation reserve has risen out of evaluation carried out on fixed assets in 1991.



## CASH FLOW STATEMENT

For the year ended 31 December 2001

	Notes	2001 Lm	2000 Lm
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Cash generated from operations	10(a)	37,330	4,933
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Proceeds from disposal of tangible fixed assets		-	33,000
Payments to acquire tangible fixed assets	10(b)	(99,021)	(107,655)
<b>NET CASH USED IN INVESTING ACTIVITIES</b>			
		(99,021)	(74,655)
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>			
Interest received		17,118	18,608
<b>NET DECREASE IN CASH AND CASH EQUIVALENTS</b>			
		(44,573)	(51,114)
Cash and cash equivalents at beginning of year	10(c)	376,791	427,905
Cash and cash equivalents at end of year	10(c)	Lm 332,218	Lm 376,791



## NOTES TO THE FINANCIAL STATEMENTS

For the year ended 31 December 2001

### 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/valuation 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

No depreciation is provided for on freehold land.

### 2 INCOME

Income is made up as follows :

	2001 Lm	2000 Lm
Government contributions	270,000	250,000
Application fees for broadcasting licences (note)	13,100	1,150
Licence fees for nation-wide sound broadcasting services (note)	76,550	76,150
Franchise fees	30,000	30,000
Other income	38,113	20,931
Gain on disposal of fixed assets	-	42
Rental fees receivable	12,350	34,350
Master Antenna facilities fees	24,000	22,000
	<u>Lm 464,113</u>	<u>Lm 434,623</u>

Note -

#### TECHNICAL ASSISTANCE

Twenty per cent of radio and T.V. station application and licence fees received by the Authority are automatically paid to the Ministry responsible for Wireless Telegraphy in terms of section 18(5) of the Broadcasting Act, 1991.



### 3 TANGIBLE FIXED ASSETS

	Freehold land Lm	Buildings & improvements Lm	Fixtures, fittings & equipment Lm	Technical equipment Lm	Studio equipment Lm	Motor vehicles Lm	Transmitting antenna Lm	Total Lm
<u>Cost</u>								
At 1/01/2001	68,804	752,694	144,679	45,263	66,557	23,760	180,453	1,282,210
Additions	-	36,088	43,926	13,305	-	-	595	93,914
Disposals	-	-	(160)	(1,138)	-	-	-	(1,298)
At 31/12/2001	68,804	788,782	188,445	57,430	66,557	23,760	181,048	1,374,826
<u>Depreciation</u>								
At 1 January 2001	-	41,323	74,764	39,361	42,444	11,609	45,783	255,284
Charge for the year	-	7,888	26,982	5,997	8,619	3,038	10,532	63,056
Released on disposal	-	-	(160)	(976)	-	-	-	(1,136)
At 31/12/2001	-	49,211	101,586	44,382	51,063	14,647	56,315	317,204
<u>Net book value</u>								
At 31/12/2001	Lm68,804	Lm739,571	Lm86,859	Lm13,048	Lm15,494	Lm9,113	Lm124,733	Lm1,057,622
At 31/12/2000	Lm68,804	Lm711,371	Lm69,915	Lm5,902	Lm24,113	Lm12,151	Lm134,670	Lm1,026,926



## NOTES TO THE FINANCIAL STATEMENTS (continued)

### 3 TANGIBLE FIXED ASSETS (continued)

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

The transmitting antenna at Gharghur was revalued on the basis of an open market valuation for existing use on 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 :

	2001	2000
Cost	Lm 655	Lm 655
Aggregate depreciation on cost	Lm -	Lm -

### 4 DEBTORS

	2001	2000
	Lm	Lm
Amounts falling due within one year:		
Licences receivable	5,000	15,000
Other debtors	44,836	89,653
Prepayments and accrued income	9,852	12,584
	<u>Lm 59,688</u>	<u>Lm 117,237</u>



## NOTES TO THE FINANCIAL STATEMENTS (continued)

### 5 CASH AT BANK AND IN HAND

	2001	2000
	Lm	Lm
Cash at bank	350,062	417,561
Cash in hand	240	259
	<u>Lm 350,302</u>	<u>Lm 417,820</u>

The Authority is projecting to maintain its capital expenditure programme over the next three years. This includes completion of works on the studio estimated at Lm150,000, of which Lm50,000 have already been authorised by the Board (vide note 8), re-enforcement of the Gharghur Transmitting Tower and other sundry capital works.

### 6 CREDITORS: AMOUNTS FALLING DUE WITHIN ONE YEAR

	2001	2000
	Lm	Lm
Bank balance overdrawn	18,084	41,029
Other creditors	36,126	40,642
Capital creditors	-	591
Accruals and deferred income	50,525	59,342
	<u>Lm 104,735</u>	<u>Lm 141,604</u>

### 7 PROVISION FOR LIABILITIES AND CHARGES

The Authority was contractually obliged to spend Lm 35,000 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:

	2001	2000
Balance at 1 January/31 December	<u>Lm 339,723</u>	<u>Lm 339,723</u>

The agreement expired on 28 September 1991.



## NOTES TO THE FINANCIAL STATEMENTS (continued)

### 8 CAPITAL COMMITMENTS

	2001	2000
Capital expenditure that has been authorised by the Authority but has not yet been contracted for (note)	Lm 143,700	Lm 115,000
Capital expenditure that has been contracted for but has not been provided for in the financial statements	Lm 20,000	Lm 3,545

Note : This amount includes Lm 50,000 in relation to the completion of the studio (vide note 5).

### 9 CONTINGENT LIABILITES

	2001	2000
Legal disputes with third parties	Lm 600	Lm 1,000

### 10 NOTES TO THE CASH FLOW STATEMENT

#### (a) Cash generated from operations

	2001	2000
	Lm	Lm
Surplus of income over expenditure	(57,502)	(6,547)
Adjustments for :		
Interest receivable	(17,078)	(18,356)
Depreciation	63,056	58,736
Loss/(profit) on disposal of tangible fixed assets	162	(42)
Operating (deficit)/surplus before working capital changes	(11,362)	33,791
Decrease/(Increase) in debtors	57,509	(10,878)
(Decrease)/Increase in creditors	(8,817)	(17,980)
	Lm 37,330	Lm 4,933



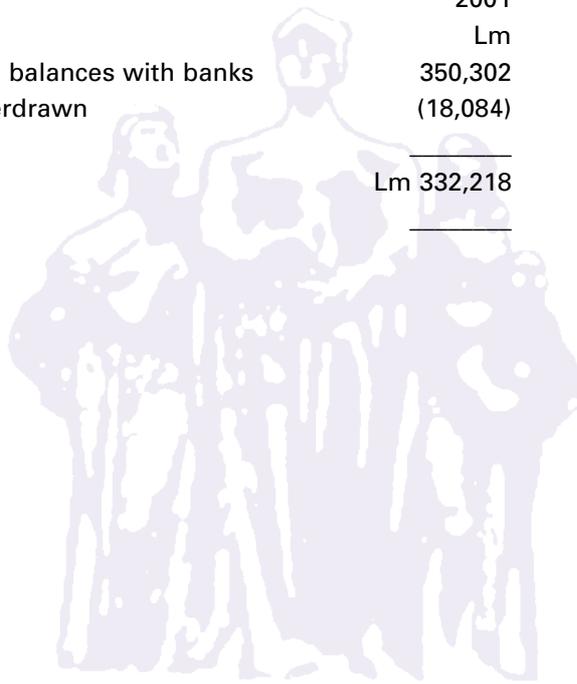
(b) Tangible fixed assets

During the year, the Authority acquired fixed assets with an aggregate cost of Lm93,914. Total payments of Lm 99,021 were made to acquire tangible fixed assets.

(c) Cash and cash equivalents

Cash and cash equivalents consist of cash in hand and balances with banks. Cash and cash equivalents included in the cash flow statement comprise the following balance sheet amounts :

	2001	2000
	Lm	Lm
Cash in hand and balances with banks	350,302	417,820
Bank balance overdrawn	(18,084)	(41,029)
	<u>Lm 332,218</u>	<u>Lm 376,791</u>



**INCOME AND EXPENDITURE ACCOUNT**  
**For the year ended 31 December 2001**

	Page	2001 Lm	2000 Lm
<b>INCOME</b>			
Government contributions		270,000	250,000
Application fees		13,100	1,150
Licences		76,550	76,150
Franchise fees		30,000	30,000
Other income		38,113	20,931
Gain on disposal of fixed assets		-	42
Rental fees receivable		12,350	34,350
Master Antenna facilities fees		24,000	22,000
		<u>464,113</u>	<u>434,623</u>
<b>EXPENDITURE</b>			
Technical assistance		15,730	14,260
Administrative	135	287,427	257,215
Research and Communications	135	76,569	37,072
Production	136	13,279	16,811
Monitoring	136	118,485	105,957
Technical	136	10,125	9,855
		<u>521,615</u>	<u>441,170</u>
<b>DEFICIT FOR THE YEAR</b>		<u>(57,502)</u>	<u>(6,547)</u>



## PROFIT AND LOSS ACCOUNT SCHEDULES

For the year ended 31 December 2001

	2001 Lm	2000 Lm
<b>ADMINISTRATIVE EXPENSES</b>		
Members' honoraria	23,472	19,987
Legal adviser's honoraria	2,500	2,500
Salaries	99,011	76,240
Staff training	1,909	1,470
Telecommunications	8,032	10,245
Water and electricity	5,022	7,478
Insurance	4,234	4,054
Ground rent	6	6
Stationery	5,185	4,738
Subscriptions and publications	1,690	1,048
International organisations membership fees	12,243	10,136
Repairs and maintenance	12,068	15,020
Duty visits abroad	7,261	9,344
Transport	3,086	3,051
Rentals of radio & T.V. sets	3,737	4,542
Sundry expenses	6,338	7,719
Auditors' remuneration	634	518
Legal and professional fees	3,167	2,545
Programme Awards	29,608	24,725
Gharghur site running costs	12,660	13,711
Loss on disposal of fixed assets	162	-
Depreciation	45,402	38,138
- to page 134	Lm 287,427	Lm 257,215
<b>RESEARCH AND COMMUNICATIONS EXPENSES</b>		
Wages and salaries	15,392	11,220
Audience and qualitative research study	16,085	13,609
Seminars and conferences	32,309	1,816
Public relations	7,703	4,665
BA reports and publications	2,925	2,210
Advertising	2,155	3,552
- to page 134	Lm 76,569	Lm 37,072



**PROFIT AND LOSS ACCOUNT SCHEDULES (continued)**

	2001 Lm	2000 Lm
<b>PRODUCTION DEPARTMENT</b>		
TV Political and general election broadcasts	2,828	1,374
Depreciation	10,451	15,437
	<u>          </u>	<u>          </u>
- to page 134	Lm 13,279	Lm 16,811
	<u>          </u>	<u>          </u>
<b>MONITORING DEPARTMENT</b>		
Wages and salaries	98,911	81,364
Purchase of audio tapes	2,675	6,856
Sundry	300	519
Repairs and maintenance	77	256
Sub-committee research costs	9,929	12,830
Depreciation	6,593	4,132
	<u>          </u>	<u>          </u>
- to page 134	Lm 118,485	Lm 105,957
	<u>          </u>	<u>          </u>
<b>TECHNICAL DEPARTMENT</b>		
Wages and salaries	9,345	8,002
Repairs and maintenance	51	633
Sundry	119	190
Depreciation	610	1,030
	<u>          </u>	<u>          </u>
- to page 134	Lm 10,125	Lm 9,855
	<u>          </u>	<u>          </u>





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