

**GWIDA U HTIĠIJET
TA' L-AWTORITÀ TAX-XANDIR
DWAR L-AĦBARIJET
U L-ĠRAJJET TA' LLUM**

**BROADCASTING AUTHORITY
GUIDANCE AND REQUIREMENTS
ON NEWS AND CURRENT AFFAIRS
PROGRAMMING**

6. MATERJAL RIKOSTITWIT

6.1 Kull tixbiha ta' xi ġrajja fl-aħbarijiet televiżivi jew f'xi aħbar għalgharrieda għandu jkollha miktub ċar taħtha li dak li qed jidher mhux dak li ġara u ma għandux ikun hemm l-iċċen dubju li jista' jinħaseb li hu filmat oriġinali tal-ġrajja. Meta jintuża filmat ix-xandâr għandu jgħid ċar jekk hux ġdid jew meħud mill-arkivji. Ċerta teknika ta' filmati mdawra bilmod jew jirrepetu l-istess xbihat għandha tintuża mill-inqas u dan biss meta tabilhaqq ikun meħtieġ isir xi enfasi dwar xi haġa jew xi għemil partikolari. Wieħed irid iqis ukoll ir-rispett li għandu jingħata lil dak li jidher fil-filmat; ċerti għemejjel/drawwiet li jdardru lanqas biss għandhom jintwerew, aħseb u ara kemm jiddawru bilmod u/jew għal aktar minn darba.

8. JEDDIJET GĦALL-ĠIEH U L- PRIVATEZZA

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

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

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

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

8.5 Min jipprovdi l-materjal għall-aħbarijiet irid iqis sewwa jekk kienx hemm min intlaqat hażin

6. RECONSTRUCTION MATERIAL

6.1 Any simulation of an event in a television news bulletin or news flash should either be subtitled, indicating clearly that the pictures are not actual and there can be no reasonable possibility that it could be taken to be original footage. When using footage, the broadcaster should clearly indicate whether it is fresh or archive material. Certain techniques, such as running footage in slow motion or repeating the images, must be used sparingly and only when required to stress a point or highlight a given action. Also, respect must be shown to the subject in such footage; unsavoury human practices / habits should not be screened at all, let alone in slow motion and / or repeatedly.

8. RIGHTS OF RESPECT AND PRIVACY

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

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

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

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

8.5 The news service provider should consider carefully whether unfairness to the person /

minhabba li l-materjal għall-aħbarijiet raġa' wara ntuża fi programmi oħra u b'kuntest/i differenti.

8.6 Il-jedd għall-privatezza għandu jkun rispettat fi żminijiet ta' luttu jew tbatija kbira. Wieħed irid bis-serjetà jqis sewwa l-qagħda ta' dak li jkun f'xi tragedja personali.

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

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

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

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

8.11 Filmjar u Rekordjar f'Istituzzjonijiet

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

8.11.2 Wieħed isaqsi kemm jistgħu nies bħal dawn jirrifjutaw u xi drittijiet għandhom, biex materjal bħal dan fejn jidhru huma ma jixxandarx. Is-soltu ma jkun hemm l-ebda obbligu li jintalab

persons portrayed results from re-use of news material in later and different programme contexts.

8.6 The individual's right to privacy at times of bereavement and extreme distress must be respected. Particular care should also be taken where personal tragedy is involved.

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

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

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

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

8.11 Filming and recording in institutions

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

8.11.2 The question arises as to how far and in what conditions such people retain a right to refuse to allow material in which they appear to be broadcast. As a general rule, no obligation to

permess meta d-dehra ta' nies hekk, hija inċidentali u jkun jidher ċar li dawn huma hemm b'kombinazzjoni u b'ħala membri li jagħmlu sehem mill-pubbliku in ġenerali.

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

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

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

seek agreement arises as to when the appearance of the persons shown is incidental and they are clearly random and anonymous members of the general public.

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

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

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

8.12 Teħid ta' Films fuq Xogħol ta' Pulizija

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

8.13 Ħaqq ma' min ma għandux ħtija

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

8.14 Kameras u Mikrofoni Moħbija

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

8.14.2 Meta jsir xi rekording bil-moħbi, il-kliem u

8.12 Filming on police operations

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

8.13 Fairness to innocent parties

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

8.14 Hidden microphones and cameras

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

8.14.2 When recording does take place secretly,

x-xbihat rekordjati jridu jaqdu, l-ewwel u qabel kollox, l-interess pubbliku li jiġġustifika:

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

the words or images recorded should serve an overriding public interest that justify:

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

8.14.3 Aġġegġ elettroniku li jirrekordja ma għandux jithalla xi mkien f'tal-privat mingħajr ma dawk li joqogħdu fil-post jagħtu l-kunsens sħiħ bl-għarfien kollu ta' dak li se/qed jiġri, sakemm talba għall-permess bħal dan ma tisfrattax l-istħarriġ li jkun qed isir fl-interess ewlieni tal-pubbliku, minn dawk li qed itellgħu l-programm.

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

8.14.4 L-użu fid-dieher u bil-miftuħ ta' kameras u apparat li jirrekordja mqiegħed f'post pubbliku jew fi proprjetà privata, irid jintqies ma' l-importanza u n-natura ta' l-istorja. Ix-xandâr ma għandux għalfejn jirfes aktar mill-meħtieġ fl-imġiba privata.

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

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

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

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

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

9. IL-VJOLENZA FL-AĦBARIJET

9. VIOLENCE IN THE NEWS

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

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

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

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

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

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

10. JEDDIJIET IT-TFAL

10.1 Għandu jittiehed hsieb u għaqal partikolari kulfejn jidhlu ż-żgħar, kemm jekk ikun hemm interess privat kif ukoll jekk fi hwejjeġ pubbliċi.

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

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

11. MATERJAL PROMOZZJONALI FL-AĦBARIJET

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

11.2 Jistgħu jsiru eċċezzjonijiet meta l-materjal ikun fih innifsu qasir u bl-ebda mod ma jirreklama l-interessi ta' min qed jibagħtu. Madankollu, materjal li jkun jidher ċar li qed jirreklama għandu jitwarrab, sakemm il-ħidma ta' dik l-organizzazzjoni nfisha ma jkollhiex x'jaqsam ma' l-istorja fl-aħbar.

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

13. INTERVISTI

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

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

10. CHILDREN'S RIGHTS

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

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

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

11. PROMOTIONAL MATERIAL IN THE NEWS

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

11.2 Exceptions to this rule may be made where the material itself is very brief and in no sense promotes the supplier's interests. Material whose effect is clearly promotional should, however, be avoided, unless the organisation's activity is itself a subject of the news story.

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

13. INTERVIEWS

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

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

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

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

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

- i) l-investigazzjoni tkun dwar delitt jew imġiba anti-soċjali gravi u/jew
- ii) l-individwu hekk intervistat ma jkunx wieġeb għal diversi talbiet biex ikun intervistat, irrifjuta li jkun intervistat bla ma ta raġuni serja, jew magħruf, meta mitlub, li jirrifjuta jew ma jmurx.

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

13.2 Editjar ta' Intervisti

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

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

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

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

- i) the investigation involves crime or serious anti-social behaviour and /or
- ii) the subject so being interviewed has failed to respond to a repeated request to be interviewed, refused an interview on unreasonable grounds or has a history of such failure or refusal.

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

13.2 Editing of Interviews

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

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

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

13.3 Intervisti Rekordjati bit-Telefon

13.3 Recorded Telephone Interviews

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

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

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

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

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

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

14. PROGRAMMI TA' DISKUSSIONI

14. DISCUSSION PROGRAMMES

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

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

14.2 Kull organizzazzjoni u kull persuna għandha d-dritt li tirrifjuta invit biex tipparteċipa f'programm iżda r-rifjut li tipparteċipa f'programm m'għandux awtomatikament ifisser li dak il-programm ma jkunx jista' jsir. Ir-raġuni għal dan hu li l-kanċellazzjoni titqis li tkun l-istess daqs li kieku ngħata dritt ta' veto dwar dak is-suġġett partikolari. Dan ikun inkonsistenti mad-dover tas-servizz tax-xandir li jitratta f'hejjeġ importanti.

14.2 Any organisation or any person has the right to decline an invitation to participate in a programme but refusal to take part in a programme shall not automatically imply the cancellation of that programme. The reason is that cancellation would be equivalent to granting a right of veto over the particular subject. This would be inconsistent with the broadcasting services' duty to deal with important issues.

Nota:

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

Note:

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

**IR-RABA' TAQSIMA
PRODUZZJONIJIET INDIPENDENTI**

**PART 4
INDEPENDENT PRODUCTIONS**

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

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

**15. DMIRIJIET ĠENERALI TA' PRODUTTURI
INDIPENDENTI**

**15. GENERAL OBLIGATIONS OF
INDEPENDENT PRODUCERS**

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

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

**16. OBBLIGAZZJONIJIET KONTRATTWALI
TA' PRODUTTURI INDIPENDENTI**

**16. CONTRACTUAL OBLIGATIONS OF
INDEPENDENT PRODUCERS**

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

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